



# SEATTLE CITY COUNCIL

## Land Use Committee

### Agenda

#### Public Hearing

**Wednesday, September 3, 2025**

**2:00 PM**

**Council Chamber, City Hall  
600 4th Avenue  
Seattle, WA 98104**

**Mark Solomon, Chair  
Dan Strauss, Vice-Chair  
Debora Juarez, Member  
Alexis Mercedes Rinck, Member  
Maritza Rivera, Member**

**Chair Info: 206-684-8802; [Mark.Solomon2@seattle.gov](mailto:Mark.Solomon2@seattle.gov)**

**[Watch Council Meetings Live](#) [View Past Council Meetings](#)**

**Council Chamber Listen Line: 206-684-8566**

The City of Seattle encourages everyone to participate in its programs and activities. For disability accommodations, materials in alternate formats, accessibility information, or language interpretation or translation needs, please contact the Office of the City Clerk at 206-684-8888 (TTY Relay 7-1-1), [CityClerk@Seattle.gov](mailto:CityClerk@Seattle.gov), or visit <https://seattle.gov/cityclerk/accommodations> at your earliest opportunity. Providing at least 72-hour notice will help ensure availability; sign language interpreting requests may take longer.



# SEATTLE CITY COUNCIL

## Land Use Committee

### Agenda

**September 3, 2025 - 2:00 PM**

### Public Hearing

**Meeting Location:**

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

**Committee Website:**

<https://www.seattle.gov/council/committees/land-use>

---

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business. Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Members of the public may register for remote or in-person Public Comment to address the Council. Speakers must be registered in order to be recognized by the Chair. Details on how to register for Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at <https://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting.

In-Person Public Comment - Register to speak on the public comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting.

Please submit written comments no later than four business hours prior to the start of the meeting to ensure that they are distributed to Councilmembers prior to the meeting. Comments may be submitted at [Council@seattle.gov](mailto:Council@seattle.gov) or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104. Business hours are considered 8 a.m. - 5 p.m. Comments received after that time will be distributed after the meeting to Councilmembers and included as part of the public record.

*Please Note: Times listed are estimated*

**A. Call To Order**

**B. Approval of the Agenda**

**C. Public Comment**

**D. Items of Business**

1. [CF 314536](#) **Council waiver or modification of development standards to allow installation of 32 netting poles at Jefferson Park Golf Course (Project No. 3039491-LU; Type V).**

Attachments: [Jefferson Park Golf Course - Site Plan](#)  
[Proposed Findings and Decision](#)

Supporting Documents: [Presentation \(8/6/2025\)](#)  
[SDCI Recommendation](#)

**Public Hearing, Briefing, Discussion, and Possible Vote**

**Presenters:** Andy Sheffer and Shannon Glass, Seattle Parks and Recreation; David Sachs, Seattle Department of Construction and Inspections (SDCI)

2. [CF 314534](#) Application of Scott Carr for a contract rezone of a site located at 352 Roy Street from Seattle Mixed Uptown with a 65-foot height limit and Mandatory Housing Affordability overlay (SM-UP 65 (M)) to Seattle Mixed Uptown with an 85-foot height limit and Mandatory Housing Affordability overlay (SM-UP 85 (M)) (Project No. 3041336-LU; Type IV).

Attachments: [Rezone Material](#)

Supporting Documents: [Presentation \(9/3/2025\)](#)  
[Central Staff Memo](#)

**Briefing and Discussion**

**Presenters:** Ketil Freeman and HB Harper, Council Central Staff

3. [CB 121011](#) AN ORDINANCE relating to land use and zoning; establishing the Roots to Roofs Bonus Pilot Program; and adding new Sections 23.40.090 through 23.40.097 to the Seattle Municipal Code.

Supporting Documents: [Summary and Fiscal Note](#)  
[SEPA Environmental Checklist](#)  
[DNS and Adoption of Existing Environmental Document](#)  
[Notice of DNS and Adoption](#)  
[Amendment 1](#)  
[Amendment 2](#)  
[Amendment 3](#)  
[Amendment 4](#)  
[Amendment 5](#)  
[Amendment 6](#)  
[Amendment 7](#)  
[Amendment 8](#)  
[Amendment 9](#)

**Briefing, Discussion, and Possible Vote**

**Presenters:** Ketil Freeman, Council Central Staff

4. [CB 121045](#) **AN ORDINANCE** relating to land use and zoning; updating timelines for City review of land use permits; amending Sections 23.76.005 and 23.76.010 of the Seattle Municipal Code; and amending Resolution 31602 to update the City Council Rules for Quasi-Judicial Proceedings.

Attachments: [Ex A – City Council Rules for Quasi-Judicial Proceedings \(2025 Rules\), As Amended](#)

Supporting Documents: [Summary and Fiscal Note](#)

**Public Hearing, Briefing, Discussion, and Possible Vote**

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

5. [CB 121047](#) **AN ORDINANCE** relating to Seattle's construction codes; limiting the areas for which substantial alterations are required to spaces or buildings greater than 7,000 square feet in gross area; amending existing substantial alteration requirements; and amending Section 311 of the Seattle Existing Building Code, adopted by Ordinance 127108.

Supporting Documents: [Summary and Fiscal Note](#)

**Briefing, Discussion, and Possible Vote**

**Presenters:** Kye Lee, Interim Director, and Micah Chappell, SDCI; Markham McIntyre and Phillip Sit, Office of Economic Development; Lish Whitson, Council Central Staff

6. [CB 121048](#) **AN ORDINANCE** relating to land use and zoning; adopting temporary regulations to exempt housing projects that meet Mandatory Housing Affordability requirements using on-site performance units from Design Review, and allowing permit applicants for all housing subject to Full Design Review the option of complying with Design Review pursuant to Administrative Design review; temporarily suspending and allowing voluntary design review of proposed development in Titles 23 and 25 of the Seattle Municipal Code, consistent with Chapter 333, Laws of 2023; and amending Section 23.41.004 of the Seattle Municipal Code.

*Supporting Documents:* [Summary and Fiscal Note](#)  
[Director's Report](#)  
[Public Hearing Notice](#)  
[Central Staff Memo](#)

**Public Hearing, Briefing, and Discussion**

**Presenters:** Gordon Clowers, SDCI; HB Harper, Council Central Staff

7. [CB 121049](#) **AN ORDINANCE** relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code (SMC) at page 8 of the Official Land Use Map to rezone land in the Lake City neighborhood.

*Attachments:* [Att 1 - Lake City Rezone Map](#)  
[Presentation \(9/3/2025\)](#)

*Supporting Documents:* [Summary and Fiscal Note](#)  
[Director's Report](#)  
[Presentation \(8/6/2025\)](#)

**Public Hearing, Briefing, Discussion, and Possible Vote**

**Presenter:** Geoffrey Wentlandt, Office of Planning and Community Development (OPCD)

**E. Adjournment**



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

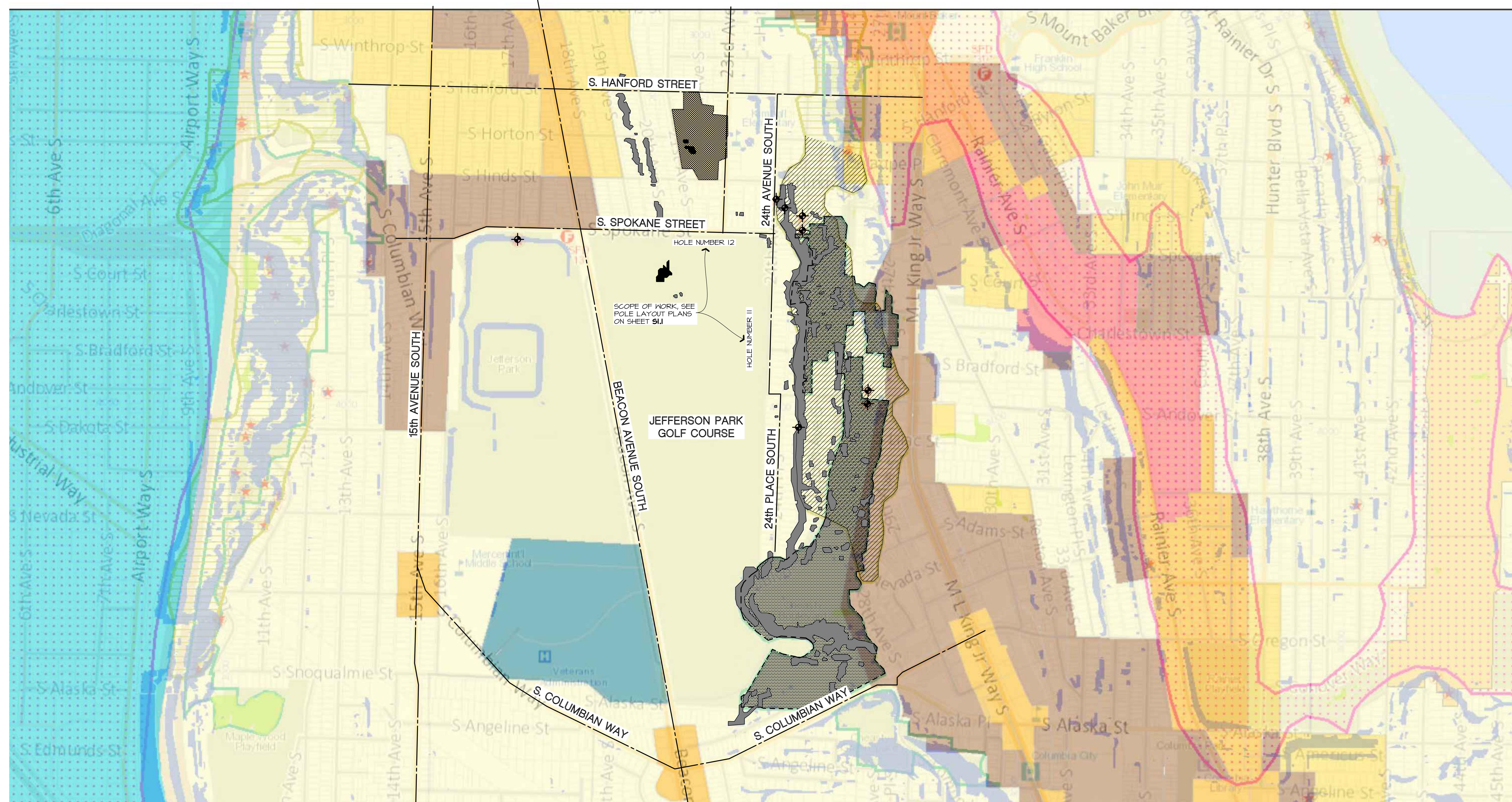
## Legislation Text

---

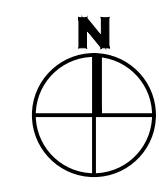
**File #:** CF 314536, **Version:** 1

---

Council waiver or modification of development standards to allow installation of 32 netting poles at Jefferson Park Golf Course (Project No. 3039491-LU; Type V).



Jefferson Park Netting Project Drawing 24762109 layout 24762109 sheet 1 by Cleanline Profits date 9/10/2024 9:46 AM



### VICINITY MAP

PROPERTY OWNER:  
SEATTLE PARKS AND RECREATION  
ADDRESS: 300 ELLIOTT AVENUE W., SUITE 100, SEATTLE, WA 98119

PROPERTY INFORMATION:

TAX PARCEL NUMBER: 162404-9080

LEGAL DESCRIPTION: POR OF NW 1/4 STR 16-24-4 LY SLY OF S SPOKANE ST LESS POR FOR BEACON AVE S TGW POR OF SW 1/4 SD STR 16-24-4 LY N OF N LN OF GL 5 & GL 5 EXTENDED E TO W MGN OF BEACON AVE S & LY ELY OF BEACON AVE S LESS PORS FOR BEACON AVE S & FOR CHEASTY BLVD LESS POR LY WLY OF SD AVE & N OF PT 429.5 FT S OF SW 1/4 COR&PLT S MGN SD ST PER ORD #65498 TGW POR OF SE 1/4 SD STR 16-24-4 DAF BAAP ON W LN OF SD SUBD SD PT BEING DIST 1972.02 FT S FR NW COR THO TH S ALG SD W LN A DIST OF 170.45 FT TH NELY & NLY & NWLY ALG ARC OF CRV TO LFT HAVING A RAD OF 105.00 FT AN ARC DIST OF 198.87 FT TO POB PER ORDS #29997 & 29951

JudgeNetting  
MOUNTAIN WEST

2904 S. 2000 W.  
Syracuse, UT 84075  
Ph: (801) 388-4178

2933 Sixteenth Street  
Bakersfield, California  
(661) 631-1582

Vicinity Map  
Golf Ball Netting Barrier  
**Jefferson Park Golf Course**  
4101 Beacon Avenue South  
Seattle, WA 98108

ENGEL & COMPANY  
Engineers  
4009 UNION AVENUE  
BAKERSFIELD, CA 93305  
www.engelengineers.com (661) 327-7025

DRAWN  
RAG  
DATE  
9/10/2024  
CHECKED  
JCE  
APPROVED  
T10

## GENERAL NOTES

2018 INTERNATIONAL BUILDING CODE COVERS DESIGN AND CONSTRUCTION.  
THESE GENERAL NOTES SHALL APPLY TO ALL SHEETS IN THIS SET OF PLANS.

SAFETY REGULATIONS - ADMIN. CODE, GENERAL SAFETY ORDERS ("GSO") IS APPLICABLE TO THE CONSTRUCTION OF THIS PROJECT AND PROVISIONS THEREOF MUST BE FOLLOWED. ENGEL & COMPANY ENGINEERS IS NOT RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION, NOR FOR SAFETY ON THE JOBSITE. THESE RESPONSIBILITIES ARE INTENDED TO BE AND TO REMAIN SOLELY THOSE OF THE BUILDER.

ALL DIMENSIONS WHICH ARE DEPENDENT ON EXISTING CONDITIONS SHALL BE FIELD VERIFIED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

FOUNDATION DESIGN IS BASED ON THE SOILS REPORT PREPARED BY PANGEO INCORPORATED PROFESSIONALS, INC. PROJECT NO. 19-328, DATED APRIL 1, 2021. THE SITE SHALL BE PREPARED IN ACCORDANCE WITH THE RECOMMENDATIONS FOUND IN THE SOILS REPORT.

CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3000 PSI MINIMUM IN 28 DAYS. USE NO MORE THAN 6.6 GALLONS OF WATER PER SACK OF CEMENT. (DESIGN IS BASED ON A COMPRESSIVE STRENGTH OF 2500 PSI IN 28 DAYS. THEREFORE SPECIAL INSPECTION IS NOT REQUIRED.)

WELDING SHALL BE DONE BY A CERTIFIED WELDER USING THE SHIELDED ARC PROCESS AND E80 SERIES ELECTRODES. WELDS SHALL BE FULL SECTION, FULL PENETRATION AND SHALL DEVELOP THE FULL STRENGTH OF THE SMALLER OF THE PARTS JOINED UNLESS THE PLANS SHOW OTHERWISE. ALL SHOP WELDING SHALL BE DONE USING THE SHIELDED ELECTRIC ARC PROCESS BY CERTIFIED WELDERS USING APPROPRIATE ELECTRODES. NO FIELD WELDING WITHOUT SPECIAL INSPECTION. ALL WELDING PER AWS D.1, USE E8018 ELECTRODES. NO FIELD WELDING IS EXPECTED TO BE PART OF THIS PROJECT.

## STRUCTURAL STEEL -

ALL FLAT PLATES AND SHAPES SHALL CONFORM TO THE REQUIREMENTS OF ASTM A36.

(EXCEPT 8.625" DIAMETER X .252" THICK WALL PIPE) 16" DIAMETER AND SMALLER PIPE SHALL BE DUAL CERTIFIED API 5L X65 (65 KSI MIN. YIELD) AND ASTM 572 GRADE 65. ALTERNATE FOR 16" DIAMETER AND SMALLER PIPE, PIPE SHALL BE ASTM A252 PROVIDED THAT THE STEEL CERTIFICATIONS ASSOCIATED WITH THE PIPE ARE AVAILABLE AND SHOW THE STEEL TO HAVE A MINIMUM YIELD STRENGTH OF 65 KSI.

8.625 DIAMETER X .252" THICK WALL PIPE SHALL BE DUAL CERTIFIED API 5L X 57 (57 KSI MIN. YIELD) AND ASTM 572 GRADE 57. ALTERNATE FOR 8.625 DIAMETER X .252" THICK WALL PIPE SHALL BE ASTM A252 PROVIDED THAT THE STEEL CERTIFICATIONS ASSOCIATED WITH THE PIPE ARE AVAILABLE AND SHOW THE STEEL TO HAVE A MINIMUM YIELD STRENGTH OF 57 KSI.

24", 30", 36", 42" DIAMETER PIPE (30" DIAMETER X .625" THICK WALL PIPE) SHALL BE ASTM A252 PROVIDED THAT THE STEEL CERTIFICATIONS ASSOCIATED WITH THE PIPE ARE AVAILABLE AND SHOW THE STEEL TO HAVE A MINIMUM YIELD STRENGTH OF 65 KSI.

30" DIAMETER X .625" THICK WALL PIPE SHALL BE ASTM A252 PROVIDED THAT THE STEEL CERTIFICATIONS ASSOCIATED WITH THE PIPE ARE AVAILABLE AND SHOW THE STEEL TO HAVE A MINIMUM YIELD STRENGTH OF 70 KSI.

WHERE SHOWN ON POLE SCHEDULE, 24" DIAMETER X .500" THICK WALL PIPE SHALL BE ASTM A252 PROVIDED THAT THE STEEL CERTIFICATIONS ASSOCIATED WITH THE PIPE ARE AVAILABLE AND SHOW THE STEEL TO HAVE A MINIMUM YIELD STRENGTH OF 70 KSI.

CABLE STRAND AND WIRE ROPE SHALL BE 1 X 7 EXTRA HIGH STRENGTH GALVANIZED STRAND FOR TOP, INTERMEDIATE, BOTTOM AND VERTICAL CABLES AND 6 X 19 GALVANIZED IRWC WIRE ROPE FOR GUY CABLES WITH THE FOLLOWING MINIMUM BREAKING STRENGTHS:

1x7 GALVANIZED WIRE ROPE:  
5/16" NOMINAL DIAMETER: 11,200 LBS.  
3/8" NOMINAL DIAMETER: 15,400 LBS.

6x19 GALVANIZED IRWC WIRE ROPE:  
1/2" NOMINAL DIAMETER: 26,280 LBS.

NETTING AND ITS ATTACHMENT IS BY OTHERS. NET SHALL HAVE NO MORE THAN 8% EQUIVALENT SOLID WIND DRAWS. THE ATTACHMENT OF THE NET SHALL BE SUCH THAT IN WEATHER CONDITIONS WHICH RESULT IN HEAVY ICE BULDUP ON THE NET (AND/OR HEAVY ICE BULDUP AND STRONG WINDS), THE NETTING CONNECTION SHALL RELEASE OR "BREAK AWAY" SO AS TO PREVENT ANY DAMAGE TO THE STEEL CABLES, STEEL POLES AND/OR FOUNDATIONS.

WIRE ROPE FITTINGS SHALL DEVELOP THE BREAK STRENGTH OF THE CABLE PER THE MANUFACTURER (CROSSED OR EQUAL).

PAINT SHALL BE BLACK "STRYK 5388" ANTI-CORROSION COATING SYSTEM, 3-COAT PROCESS, APPLY 6-COATS TO BOTTOM OF POLE.

GENERAL CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BRACING AND SHORING ALL EXCAVATIONS, TEMPORARY STRUCTURES, AND PARTIALLY COMPLETED PORTIONS OF THE WORK.

ENGEL & COMPANY IS NOT RESPONSIBLE FOR ON SITE INSPECTION TO ASSURE COMPLIANCE WITH MATERIALS AND/OR WORKMANSHIP SPECIFIED HEREIN. ENGEL & COMPANY IS NOT RESPONSIBLE FOR ANY CHANGES IN THE PLANS OR SPECIFICATIONS UNLESS APPROVAL IS AUTHORIZED IN WRITING. WORKMANSHIP IS TO BE OF THE HIGHEST QUALITY AND IN ALL CASES TO FOLLOW ACCEPTED CONSTRUCTION PRACTICES AND CITY/COUNTY STANDARDS. PLEASE REVIEW ALL PLANS AND SPECS PRIOR TO CONSTRUCTION.

## WIND LOADING INFORMATION

OCUPANCY CATEGORY: II  
BASIC WIND SPEED: 97 MPH, NET DENSITY = 8%  
EXPOSURE: C

## SCOPE OF WORK

THESE PLANS ARE FOR THE CONSTRUCTION OF A NEW ERRANT BALL CONTAINMENT SYSTEM FOR THE JEFFERSON PARK GOLF COURSE IN SEATTLE, WA. ALL STEEL POLES, FOUNDATIONS AND NETTING HARDWARE SHOWN IS PROPOSED AS NEW CONSTRUCTION. DESIGN IS NOT INTENDED TO RE USE ANY EXISTING ELEMENTS FROM ANY PRIOR INSTALLATION ON SITE THAT WERE INSTALLED AND DESIGNED BY OTHERS. ALL WORK NOT SPECIFICALLY CALLED OUT FOR ON THESE SETS OF PLANS IS BY OTHERS.

## STATEMENT OF SPECIAL INSPECTIONS

Testing Agency: Date: 12-Dec-23  
Project Name: Jefferson Park Golf Course Owner:  
Project Description: Golf Ball Netting Barrier  
Project Location: 4101 Beacon Avenue South City: Seattle, WA 98108  
R.D.P. of Record: Joseph C. Engel Engel & Co. Job No.: 24762  
Soils Report by: Pango Incorporated File No.: 19-328 Date: April 1, 2021  
The special inspector shall refer to the approved construction drawings, IBC 2018 Chapter 17 and the documents referenced therein to verify the following selected items:

## Frequency of inspection; check all applicable conditions

Continuous

Periodic

□

□

## REMARKS

## CONCRETE CONSTRUCTION (SEE IBC 2018 TABLE 1705.3)

- 1. Inspect reinforcement, including prestressing tendons, and verify placement.
- 2. Reinforcing bar welding:
  - a. Verify weldability of reinforcing bars other than ASTM A706.
  - b. Inspect single-pass fillet welds, maximum 5/16".
  - c. Inspect all other welds.
- 3. Inspect anchors cast in concrete.
- 4. Inspect anchors post-installed in hardened concrete members:
  - a. Adhesive anchors installed in horizontally or upwardly inclined orientations to resist sustained tension loads.
  - b. Mechanical anchors and adhesive anchors not defined in 4a.
- 5. Verify use of required design mix.
- 6. Prior to concrete placement, fabricate specimens for strength tests, perform slump and air content tests, and determine the temperature of the concrete.
- 7. Inspect concrete and shotcrete placement for proper application techniques.
- 8. Verify maintenance of specified curing temperature and techniques.
- 9. Inspect prestressed concrete for:
  - a. Application of prestressing forces.
  - b. Grouting of bonded prestressing tendons.
- 10. Inspect erection of precast concrete members.
- 11. Verify in-situ concrete strength, prior to stressing of tendons in post-tensioned concrete and prior to removal of shores and forms from beams and structural slabs.
- 12. Inspect formwork for shape, location and dimensions of the concrete member being formed.

## SOILS INSPECTIONS (SEE IBC 2018 TABLE 1705.6)

- 1. Verify materials below shallow foundations are adequate to achieve the design bearing capacity.
- 2. Verify excavations are extended to proper depth and have reached proper material.
- 3. Perform classification and testing of compacted fill materials.
- 4. Verify use of proper materials, densities and lift thicknesses during placement and compaction of compacted fill.
- 5. Prior to placement of compacted fill, inspect subgrade and verify that site has been prepared properly.

## CAST-IN-PLACE DEEP FOUNDATIONS (SEE IBC 2018 TABLE 1705.8)

- 1. Inspect drilling operations and maintain complete and accurate records for each element.
- 2. Verify placement locations and plumbness, confirm element diameters, bell diameters (if applicable), lengths, embedment into bedrock (if applicable) and adequate end-bearing strata capacity. Record concrete or grout volumes.
- 3. For concrete elements, perform tests and additional special inspections in accordance with Section 1705.3.

## MISCELLANEOUS ITEMS

- Site Dewatering and Other Requirements Found in Soils Report
- 

## SPECIAL INSPECTION NOTES:

Copies of all necessary test and inspection records shall be filed with building official overseeing the project, as well as the registered design professional in responsible charge of the project, the engineer in charge of structural design and the soils engineer.

All test specimens shall be consistent with the materials, workmanship and details to be used throughout this project.

The contractor responsible for overseeing the construction of the main lateral force resisting systems on this project shall submit a written statement of responsibility to the building official and the owner prior to the commencement of work on that particular system that shall contain the following (per IBC 2018 1704.4):

- 1 Acknowledgment of awareness of the special requirements contained in the statement of special inspections.
- 2 Acknowledgment that control will be exercised to obtain conformance with the construction documents approved by the building official.
- 3 Procedures for exercising control within the contractor's organization, the method and frequency of reporting and the distribution of reports.
- 4 Identification and qualifications of the person(s) exercising such control and their position(s) in the organization.

It shall be the responsibility of the contractor to read and understand the above inspection requirements and to coordinate the testing schedule with the appropriate testing agency.

## STATEMENT OF SPECIAL INSPECTIONS (cont'd)

## INSPECTION OF WELDING:

## AISC 360: TABLE N5.4-1

Inspection Tasks Prior to Welding	QC	QA
Welding procedure specifications (WPSs) available	P	P
Manufacturer certifications for welding consumables available	P	P
Material identification (type/grade)	O	O

Welder identification system <sup>1</sup>	O	O
Fit-up of groove welds (including joint geometry)		
• Joint preparation		
• Dimensions (alignment, root opening, root face, bevel)		

• Joint preparation		
• Dimensions (alignment, root opening, root face, bevel)		
• Cleanliness (condition of steel surfaces)	O	O

• Tacking (tack weld quality and location)	O	O
• Backing type and fit (if applicable)		
Configuration and finish of access holes		

Fit-up of fillet welds	O	O
• Dimensions (alignment, gaps at root)	O	O
• Cleanliness (condition of steel surfaces)	O	O

• Tacking (tack weld quality and location)	O	O
Check welding equipment	O	-

<sup>1</sup>The fabricator or erector, as applicable, shall maintain a system by which a welder who has welded a joint or member can be identified. Stamps, if used, shall be the low-stress type.

## AISC 360: TABLE N5.4-2

## Inspection Tasks During Welding

QC	QA
Use of qualified welders	O
Control and handling of welding consumables	O
• Packaging	O
• Exposure control	O
No welding over cracked tack welds	O
Environmental conditions	O
• Wind speed within limits	O
• Precipitation and temperature	O
WPS followed	O
• Settings on welding equipment	O
• Travel speed	O
• Selected welding materials	O
• Shielding gas type/flow rate	O
• Preheat applied	O
• Interpass temperature maintained (min./max.)	O
• Proper position (F, V, H, OH)	O
Welding techniques	O
• Interpass and final cleaning	O
• Each pass within profile limitations	O
• Each pass meets quality requirements	O

## AISC 360: TABLE N5.4-3

## Inspection Tasks After Welding

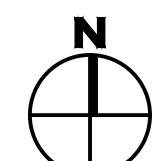
QC	QA
Welds cleaned	O
Size, length and location of welds	P
Welds meet visual acceptance criteria	P
• Crack prohibition	P
• Weld/base-metal fusion	P
• Crater cross section	P
• Weld profiles	P
• Weld size	P
• Undercut	P
• Porosity	P
Arc strikes	P
k-area <sup>1</sup>	P
Backing removed and weld tabs removed (if required)	P
Repair activities	P
Document acceptance or rejection of welded joint or member	P

<sup>1</sup>When welding of doubler plates, continuity plates or stiffeners has been performed in the k-area, visually inspect the web k-area for cracks within 3 in. (75 mm) of the weld

POLE NUMBER	MAX. POLE TRIBUTARY SPACING	MAX. POLE HT. ABOVE FINISHED GRADE	* SPLICING HEIGHT	POLE SIZE			PIPE YIELD (KSI)	*S	YIELD (KSI)	SPLICING DETAIL	FOUNDATION	
				DIAMETER	WALL THICKNESS	PIPE YIELD (KSI)					SIZE	DEPTH
1A	53'	44.5'	N/A	12.75"	28"	65	N/A	N/A	N/A	2'-0" Ø	14'-6"	
1B	53'	44.5'	N/A	12.75"	28"	65	N/A	N/A	N/A	2'-0" Ø	15'-0"	
2B	53'	60'	13'	16"	250"	65		250"	50	DETAIL 3 ON SHEET 5II	2'-0" Ø	14'-6"
2A	53'	74.5'	13'	16"	315"	65		315"	50	DETAIL 3 ON SHEET 5II	2'-0" Ø	16'-0"
3B	53'	80'	21'	16"	250"	65		250"	50	DETAIL 3 ON SHEET 5II	2'-0" Ø	14'-0"
4B	55'	94'	36'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	20'-0"
3A	52'	108.5'	45'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	20'-0"
14B	52'	108.5'	45'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	22'-0"
5B	54'	120.5'	62'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	23'-6"
5B	54'	120.5'	21'	24"	438"	65		438"	65	DETAIL 2 ON SHEET 5II		
5B	54'	120.5'	24"	562"	65							
12B & 13B	53'	124.5'	64'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	23'-6"
12B & 13B	53'	124.5'	26'	24"	500"	65		500"	65	DETAIL 2 ON SHEET 5II		
10B & 11B	53'	133.5'	73'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-6" Ø	25'-6"
10B & 11B	53'	133.5'	24'	24"	438"	65		438"	50	DETAIL 2 ON SHEET 5II		
6B, 7B, 8B & 9B	56.5'	138'	80'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-0" Ø	26'-6"
6B, 7B, 8B & 9B	56.5'	138'	30'	24"	500"	65		500"	50	DETAIL 2 ON SHEET 5II		
4A, 5A, & 6A	53'	146'	87'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-6" Ø	24'-0"
4A, 5A, & 6A	53'	146'	31'	24"	562"	65		562"	50	DETAIL 2 ON SHEET 5II		
7A, 8A, 9A, & 10A	52.5'	144.5'	95'	16"	315"	65		315"	50	DETAIL 6 ON SHEET 5II	3'-6" Ø	24'-6"
7A, 8A, 9A, & 10A	52.5'	144.5'	61'	24"	500"	65		500"	65	DETAIL 4 ON SHEET 5II		
7A, 8A, 9A, & 10A	52.5'	144.5'	20'	24"	600"	65		600"	50	DETAIL 1 ON SHEET 5II		
IIA, I2A, & I3A	52.5'	152'	93'	16"	315"	65		315"	65	DETAIL 6 ON SHEET 5II	3'-6" Ø	25'-0"
IIA, I2A, & I3A	52.5'	152'	62'	24"	315"	65		315"	65	DETAIL 4 ON SHEET 5II		
IIA, I2A, & I3A	52.5'	152'	22'	30"	500"	65		500"	65	DETAIL 1 ON SHEET 5II		
I4A	52.5'	153'	96'	16"	315"	65		315"	65	DETAIL 6 ON SHEET 5II	4'-0" Ø	25'-0"
I4A	52.5'	153'	62'	24"	315"	65		315"	65	DETAIL 4 ON SHEET 5II		
I4A	52.5'	153'	20'	30"	500"	65		500"	65	DETAIL 1 ON SHEET 5II		
15A, 16A & 17A	52.5'	161'	103'	16"	315"	65		315"	65	DETAIL 6 ON SHEET 5II	4'-0" Ø	25'-6"
15A, 16A & 17A	52.5'	161'	70'	24"	315"	65		315"	65	DETAIL 4 ON SHEET 5II		
15A, 16A & 17A	52.5'	161'	30'	30"	500"	65		500"	65	DETAIL 1 ON SHEET 5II		
18A	52.5'	162'	106'	16"	315"	65		315"	65	DETAIL 6 ON SHEET 5II	4'-0" Ø	25'-6"
18A	52.5'	162'	56'	24"	315"	65		315"	65	DETAIL 4 ON SHEET 5II		
18A	52.5'	162'	20'	30"	562"	65		562"	65	DETAIL 1 ON SHEET 5II		

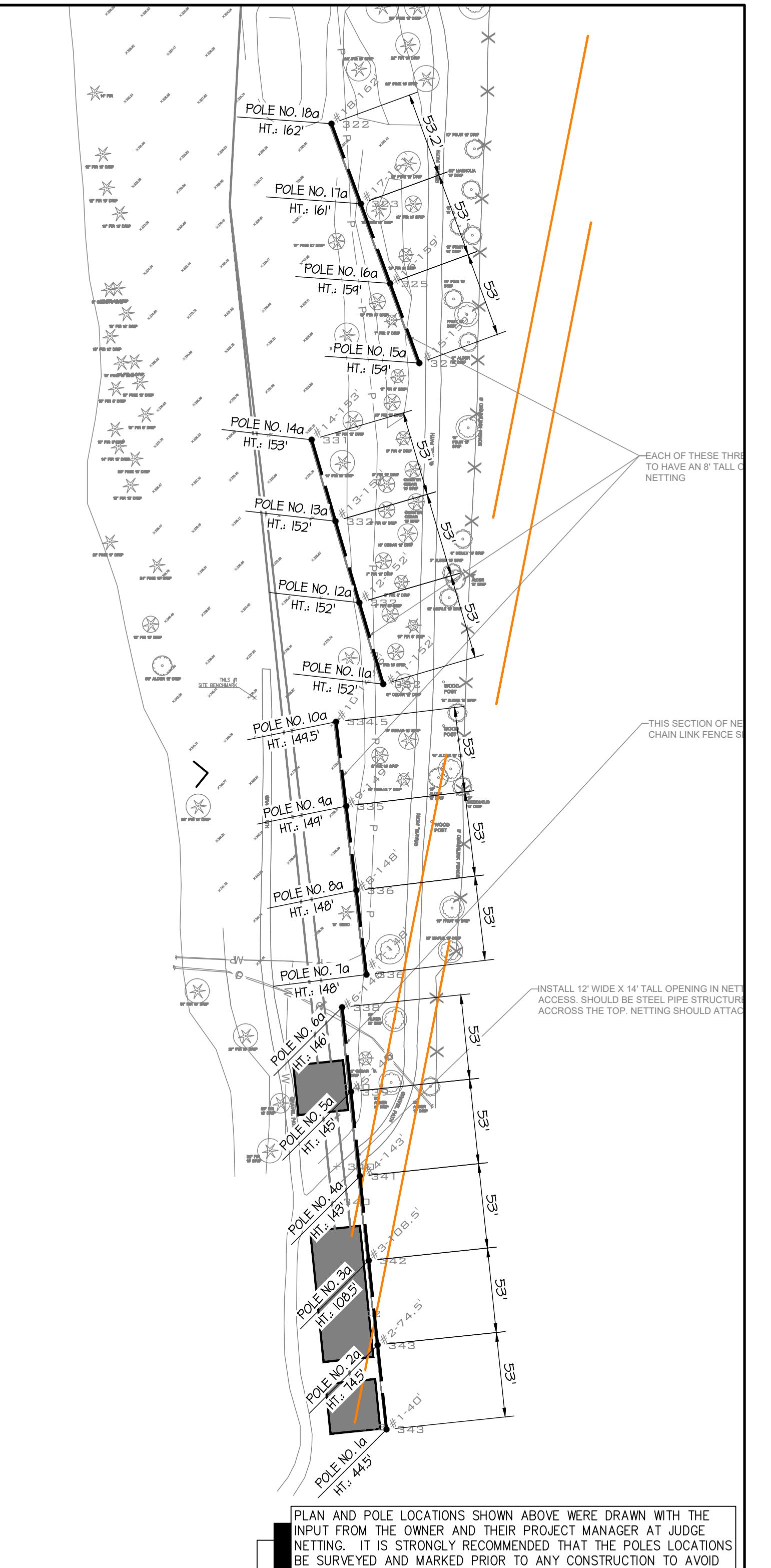
File: JudgeNetting\_ParkDrawing\_2024.dwg Date: 9/10/2024 9:46 AM Scale: 1:1000000 (Drafter: 276511)

- \* SPLICING HEIGHTS INDICATED ARE DISTANCES ABOVE THE FINISHED GRADE
- POLE SPACING IN SCHEDULE IS MAXIMUM, SEE PLAN
- WALL THICKNESS SHOWN ARE ACTUAL
- POLES ENDING IN "A" CORRESPOND TO HOLE #11, POLES ENDING IN "B" CORRESPOND TO HOLE #12
- FOR FOUNDATION DETAIL, SEE 51.4



HOLE #12  
POLE LAYOUT PLAN

Jefferson Park Pole Schedule			
Pole Number	Finished Grade Elevation (ft.)	Pole Height above finished grade (ft.)	Elevation at Top of Pole (ft.)
1a	343.0	44.5	387.5
2a	343.0	74.5	417.5
3a	342.0	108.5	450.5
4a	341.0	143.0	484.0
5a	339.0	145.0	484.0
6a	338.0	146.0	484.0
7a	336.0	148.0	484.0
8a	336.0	148.0	484.0
9a	335.0	149.0	484.0
10a	334.5	149.5	484.0
11a	332.0	152.0	484.0
12a	332.0	152.0	484.0
13a	332.0	152.0	484.0
14a	331.0	153.0	484.0
15a	325.0	159.0	484.0
16a	325.0	159.0	484.0
17a	323.0	161.0	484.0
18a	322.0	162.0	484.0
1b	274.0	40.0	314.0
2b	274.0	60.0	334.0
3b	275.0	80.0	355.0
4b	275.5	99.0	374.5
5b	276.0	120.5	396.5
6b	279.0	138.0	417.0
7b	280.0	137.0	417.0
8b	280.0	137.0	417.0
9b	281.0	136.0	417.0
10b	283.5	133.5	417.0
11b	284.5	132.5	417.0
12b	287.5	129.5	417.0
13b	289.5	127.5	417.0
14b	291.0	107.0	398.0



HOLE #11  
POLE LAYOUT PLAN

1" = 60'

N

JudgeNetting  
MOUNTAIN WEST

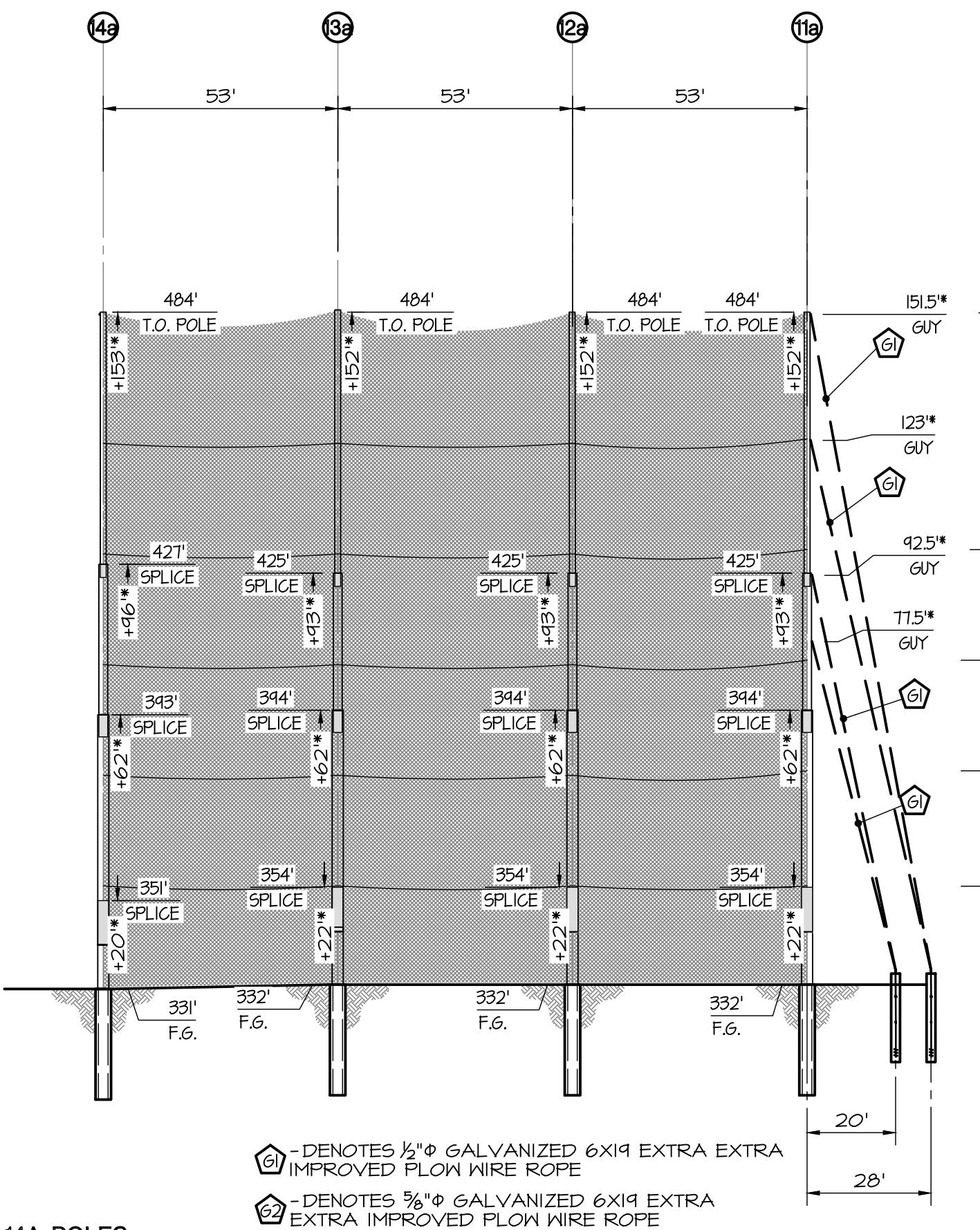
2904 S. 2000 W.  
Syracuse, UT 84075  
Ph: (801) 368-4178

coastal  
Netting • Steel Pole • Company

2933 Sixteenth Street  
Bakersfield, California  
(661) 631-1582

Pole Layout Plan and Pole Schedules		SHEET NO.	
Golf Ball Netting Barrier	Jefferson Park Golf Course	4101 Beacon Avenue South	Seattle, WA 98108

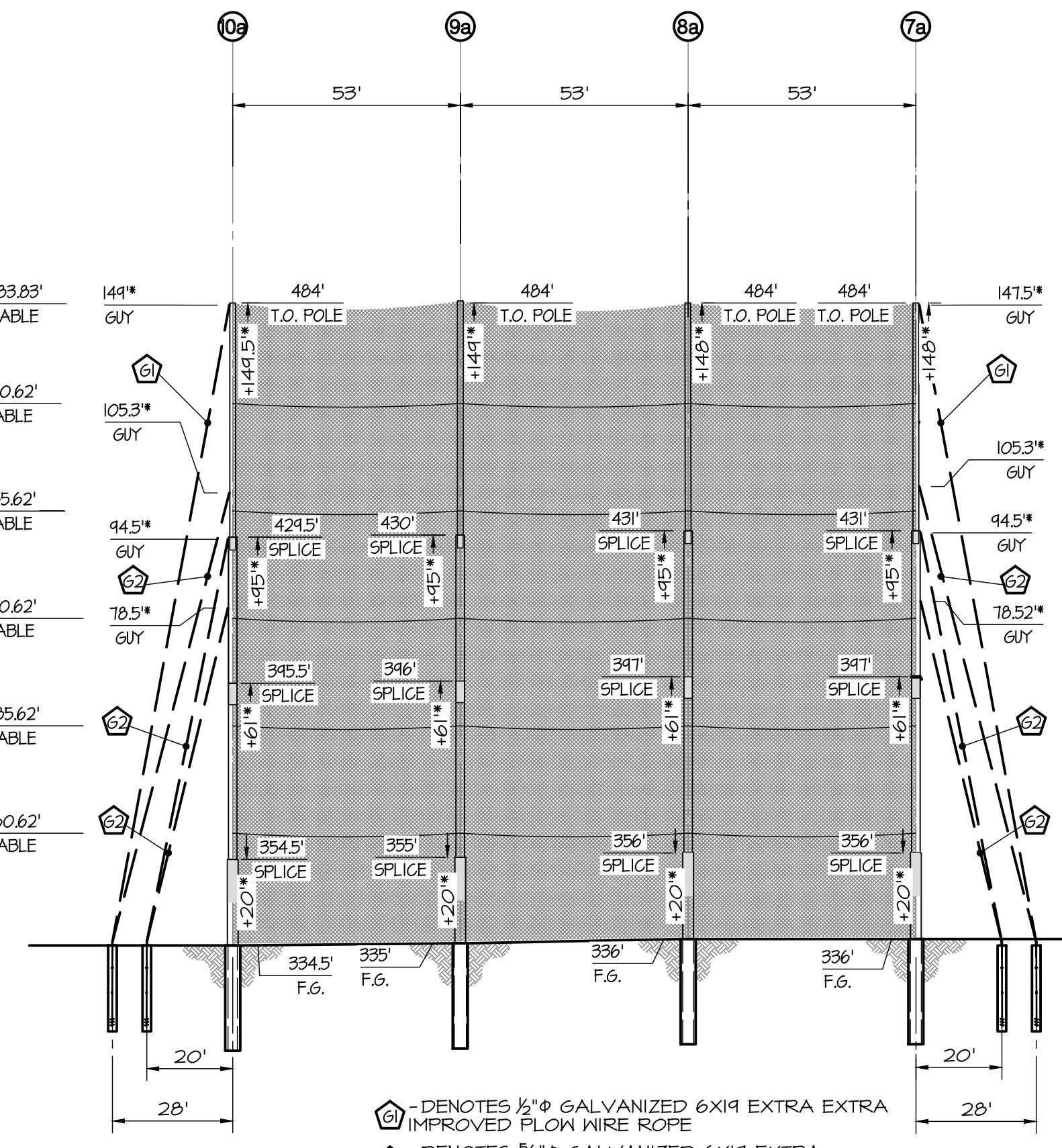
DRAWN RAG/EM/LR	DATE 9/10/2024	ISSUED FOR	ENGEL & COMPANY
DATE 9/10/2024	CHECKED JCE	DATE 9/10/2024	Engel Engineers 4008 UNION AVENUE BAKERSFIELD, CA 93305
APPROVED	</		



**C #11A-14A POLES  
DETAIL**

F.G. - DENOTES FINISHED GRADE  
\* - DENOTES HEIGHT ABOVE FINISHED GRADE

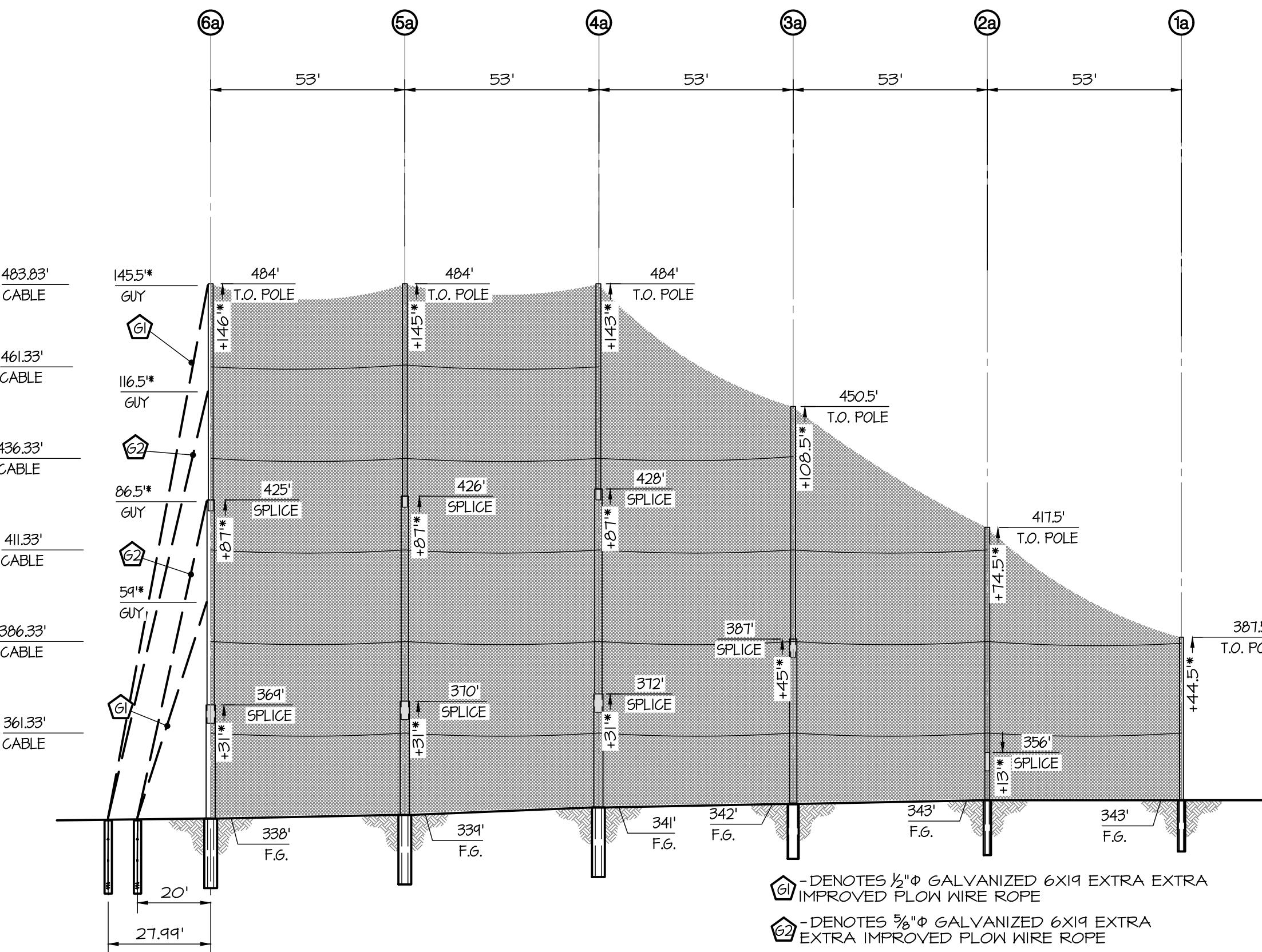
$$1" = 30'-0"$$



**B** #7A-10A POLES  
**DETAIL**

F.G. - DENOTES FINISHED GRADE  
\* - DENOTES HEIGHT ABOVE FINISHED GRADE

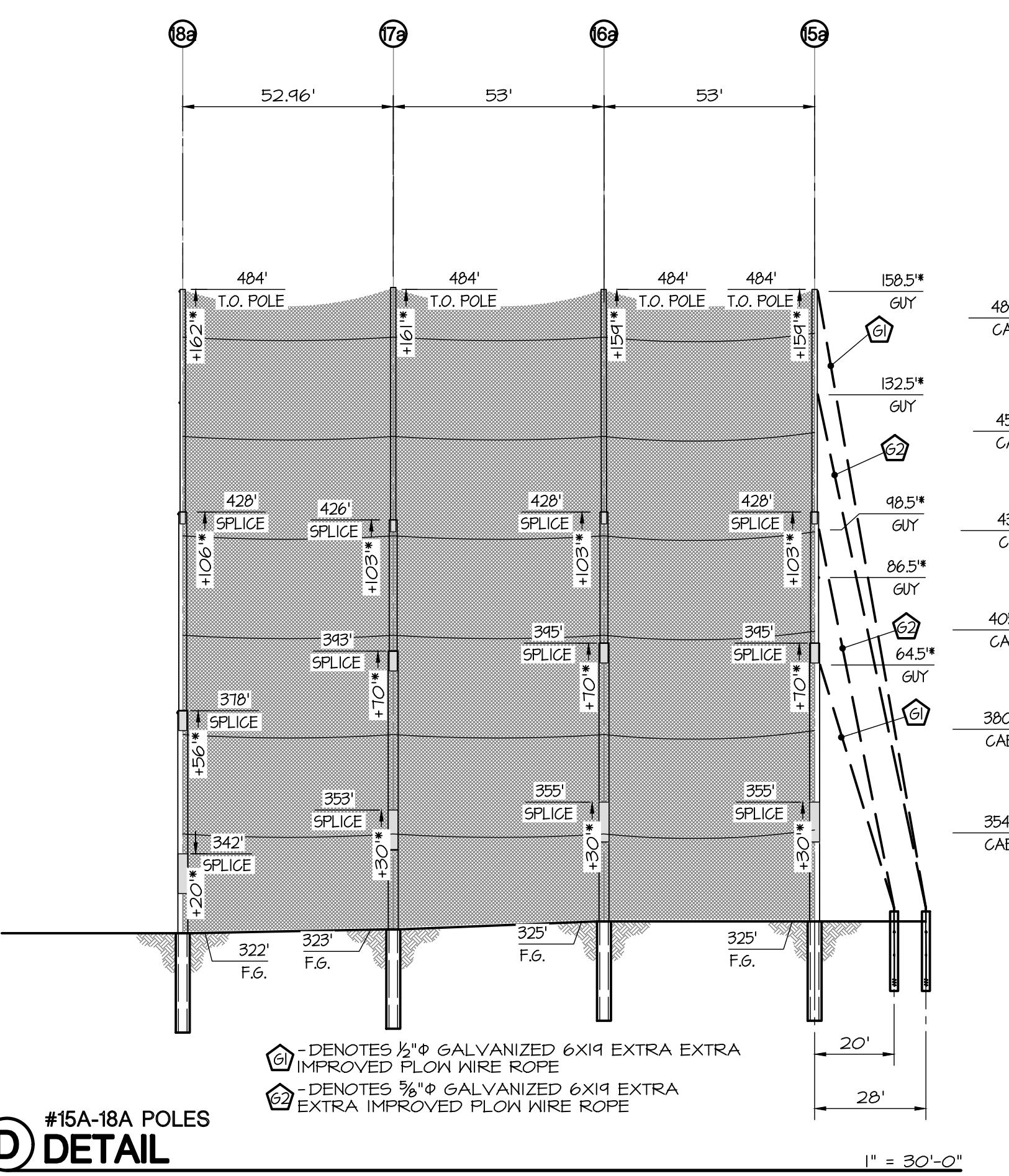
1" = 30'-0"



**#1A-6A POLE  
A DETAIL**

F.G. - DENOTES FINISHED GRADE  
\* - DENOTES HEIGHT ABOVE FINISHED GRADE

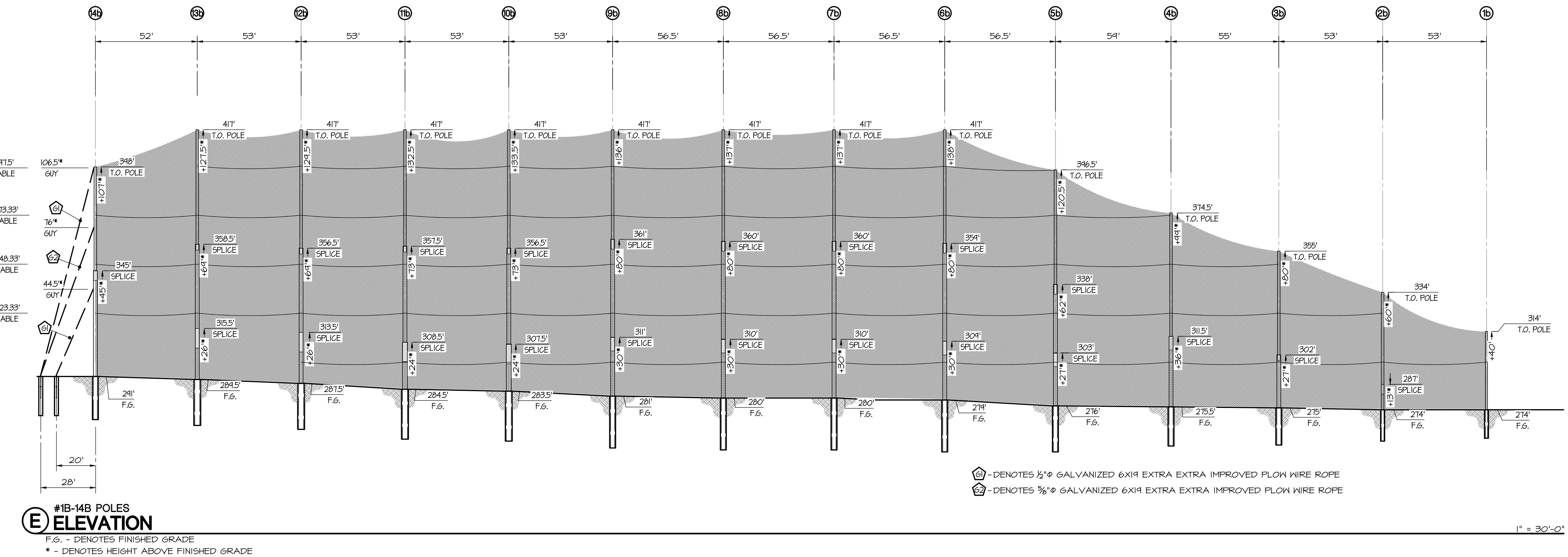
1" = 30'-0"



**D #15A-18A POLES  
DETAIL**

F.G. - DENOTES FINISHED GRADE  
\* - DENOTES HEIGHT ABOVE FINISHED GRADE

$$1'' = 30'$$



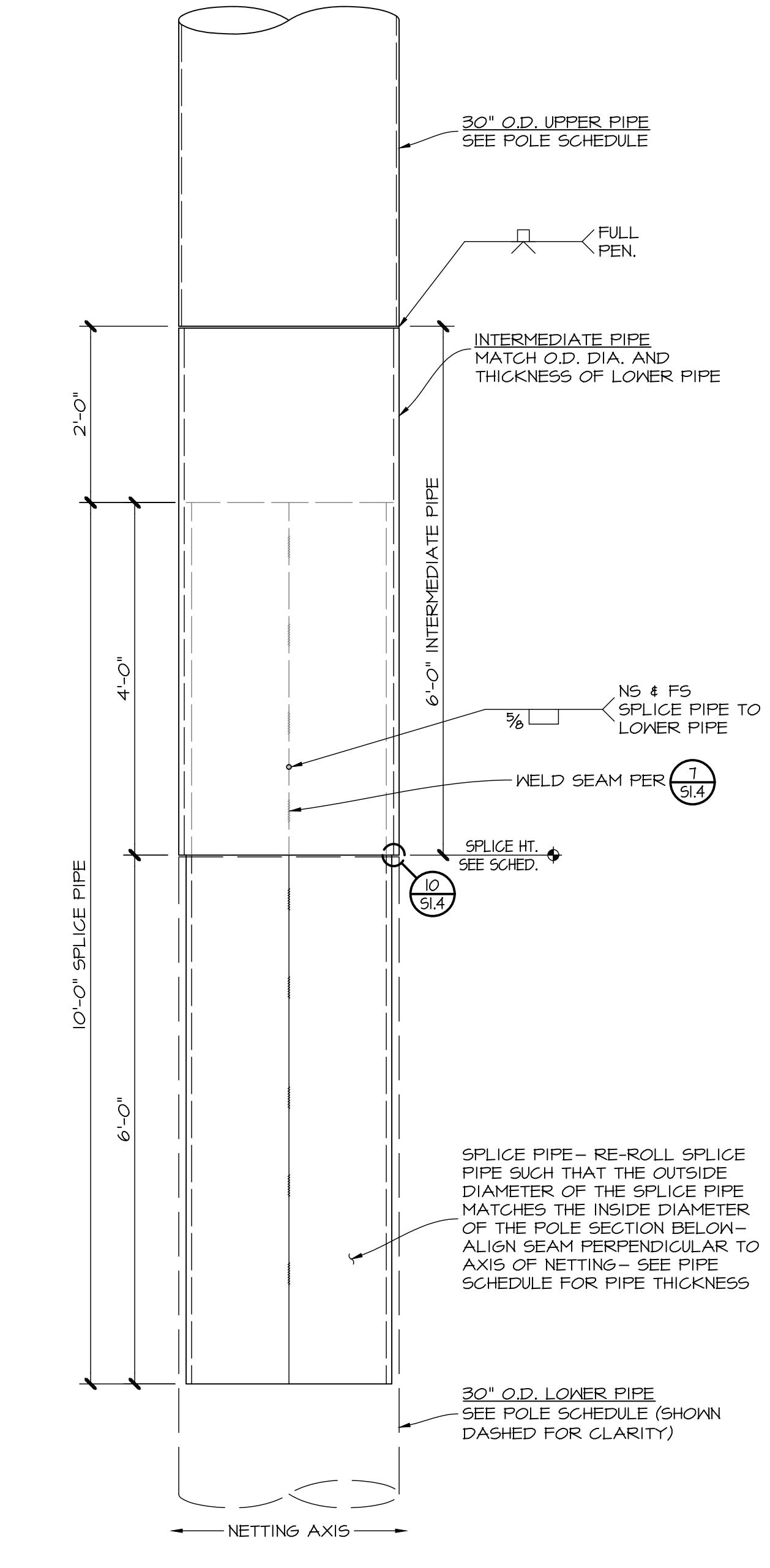
**JudgeNetting**  
MOUNTAIN WEST

2904 S. 2000 W.  
Syracuse, UT 84075  
Ph: (801) 388-4178

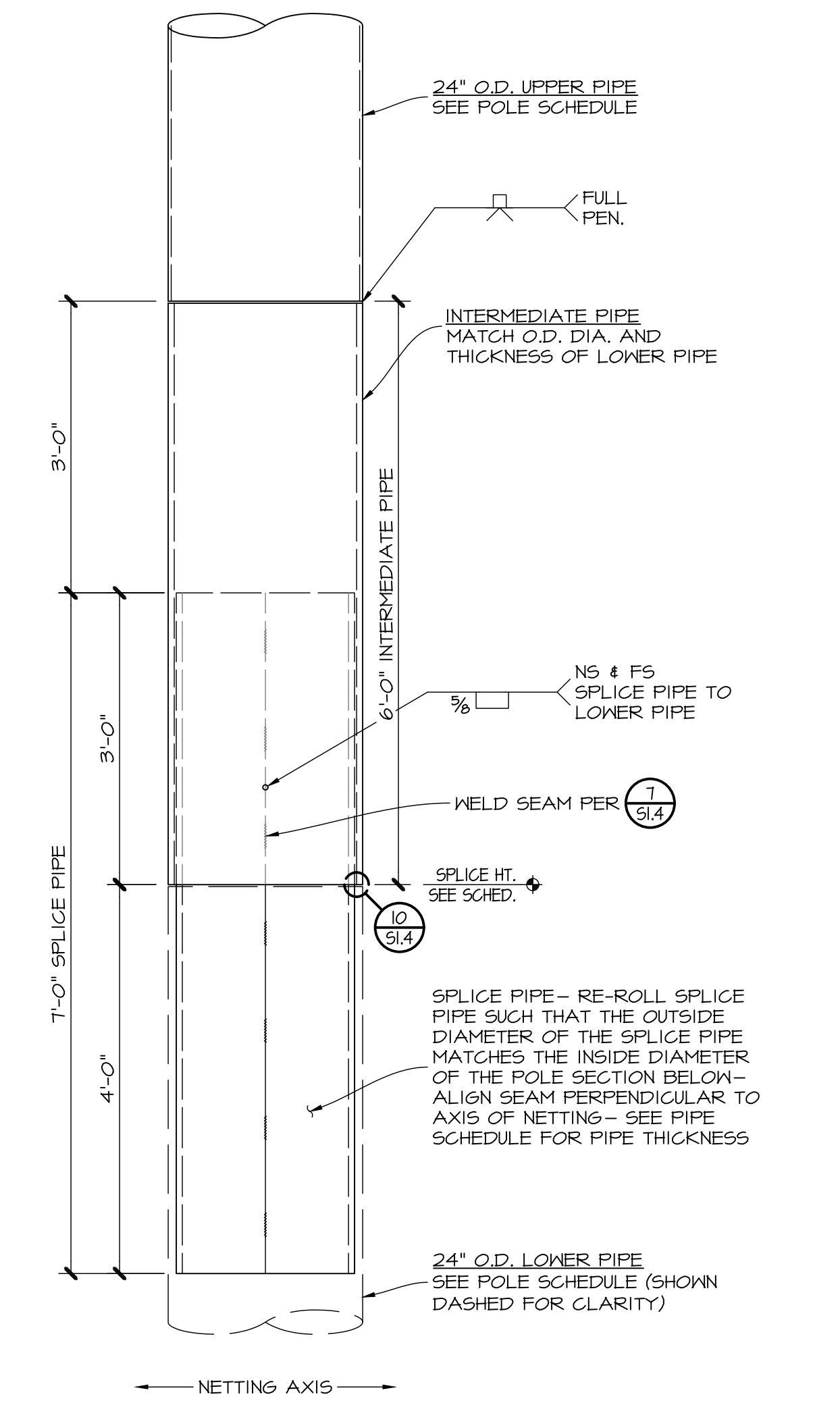
**coastal**  
Netting • Steel Pole • Company

2933 Sixteenth Street  
Bakersfield, California  
(661) 631-1582

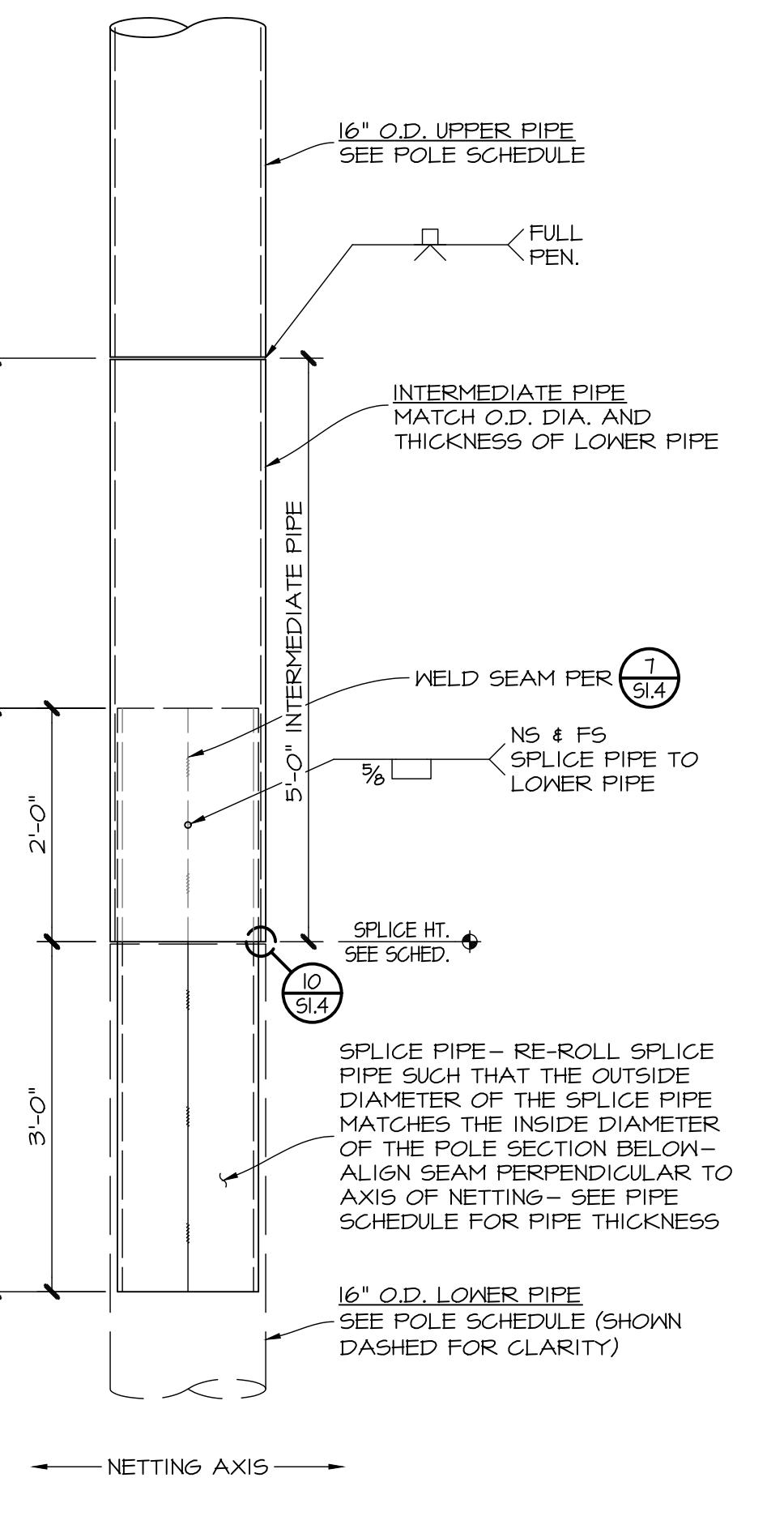
		ENGEL & COMPANY		Pole Elevations	
		Engineers 4008 UNION AVENUE BAKERSFIELD, CA 93305		Golf Ball Netting Barrier	
		www.engelengineers.com		Jefferson Park Golf Course	
DATE	ISSUED FOR	APPROVED	APPROVED	APPROVED	SHEET NO.
					S13



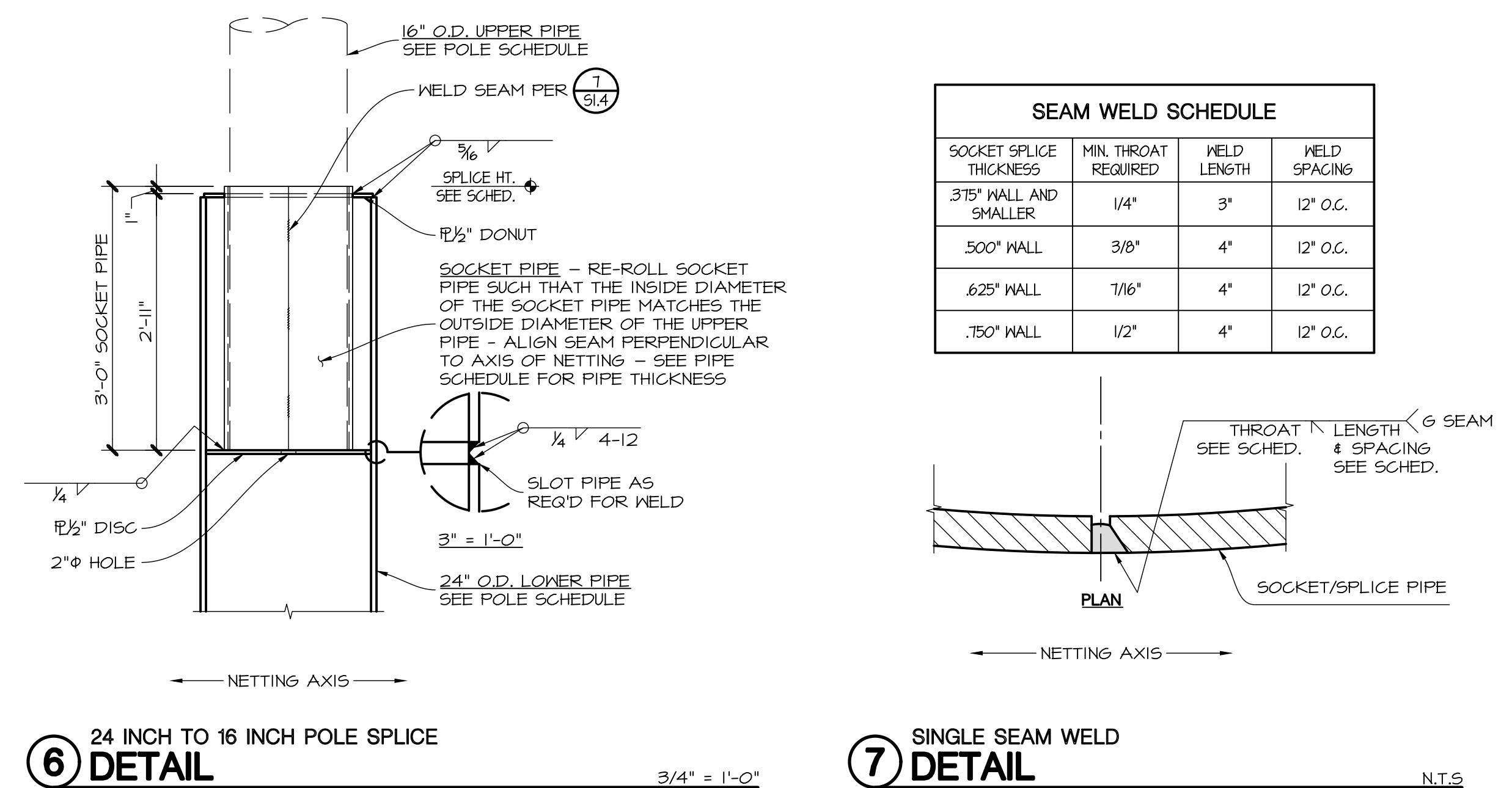
**1 DETAIL**  
30 INCH TO 30 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



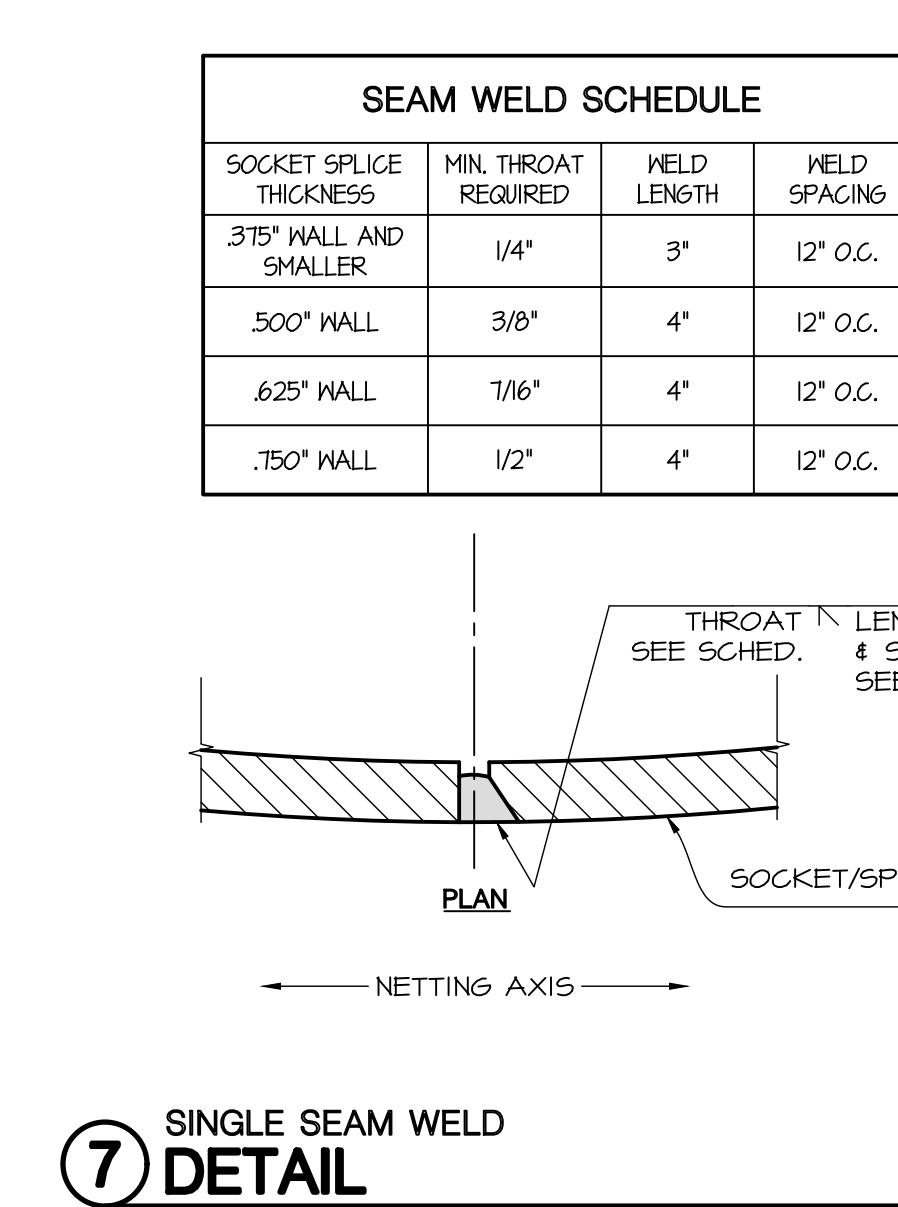
**2 DETAIL**  
24 INCH TO 24 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



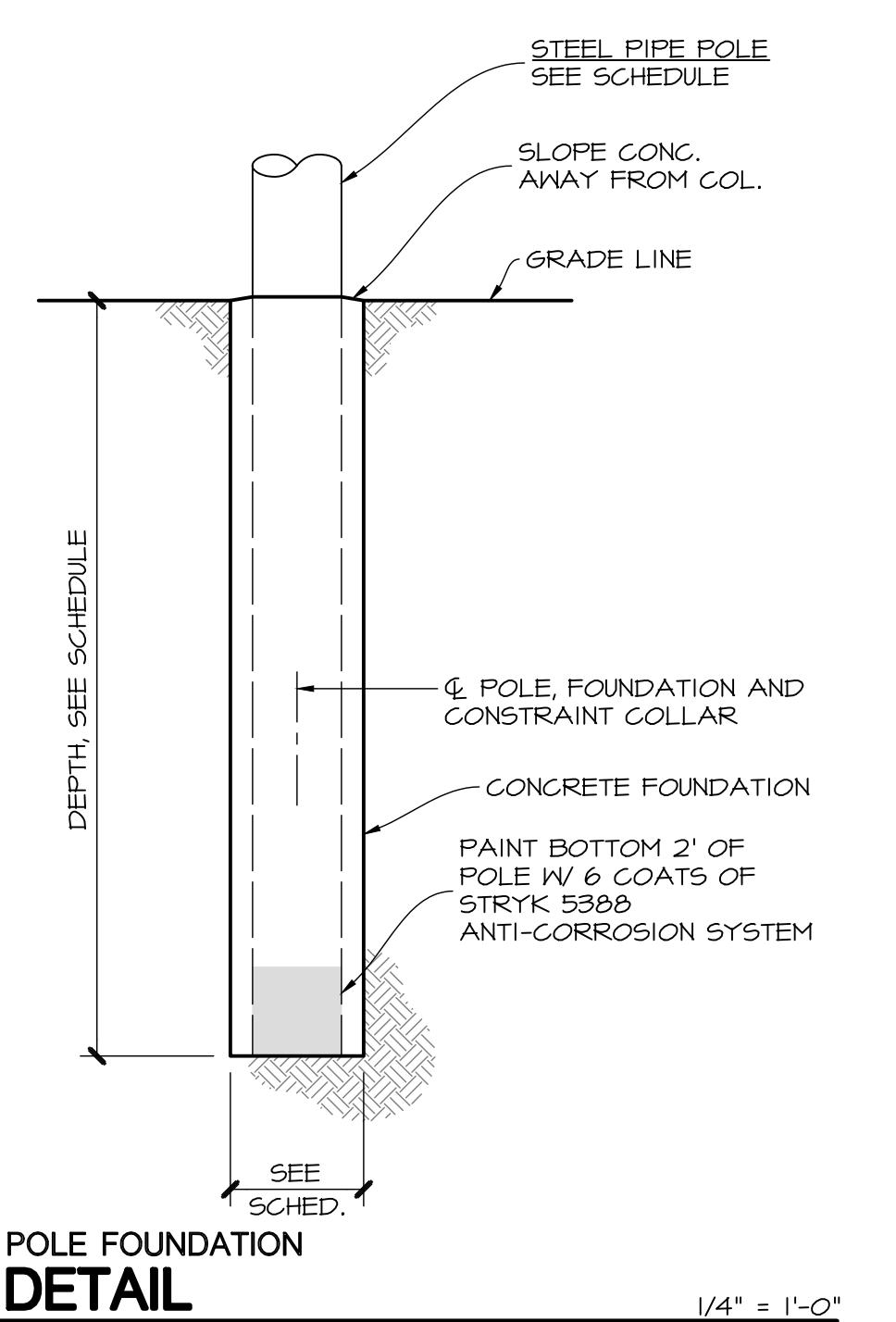
**3 DETAIL**  
16 INCH TO 16 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



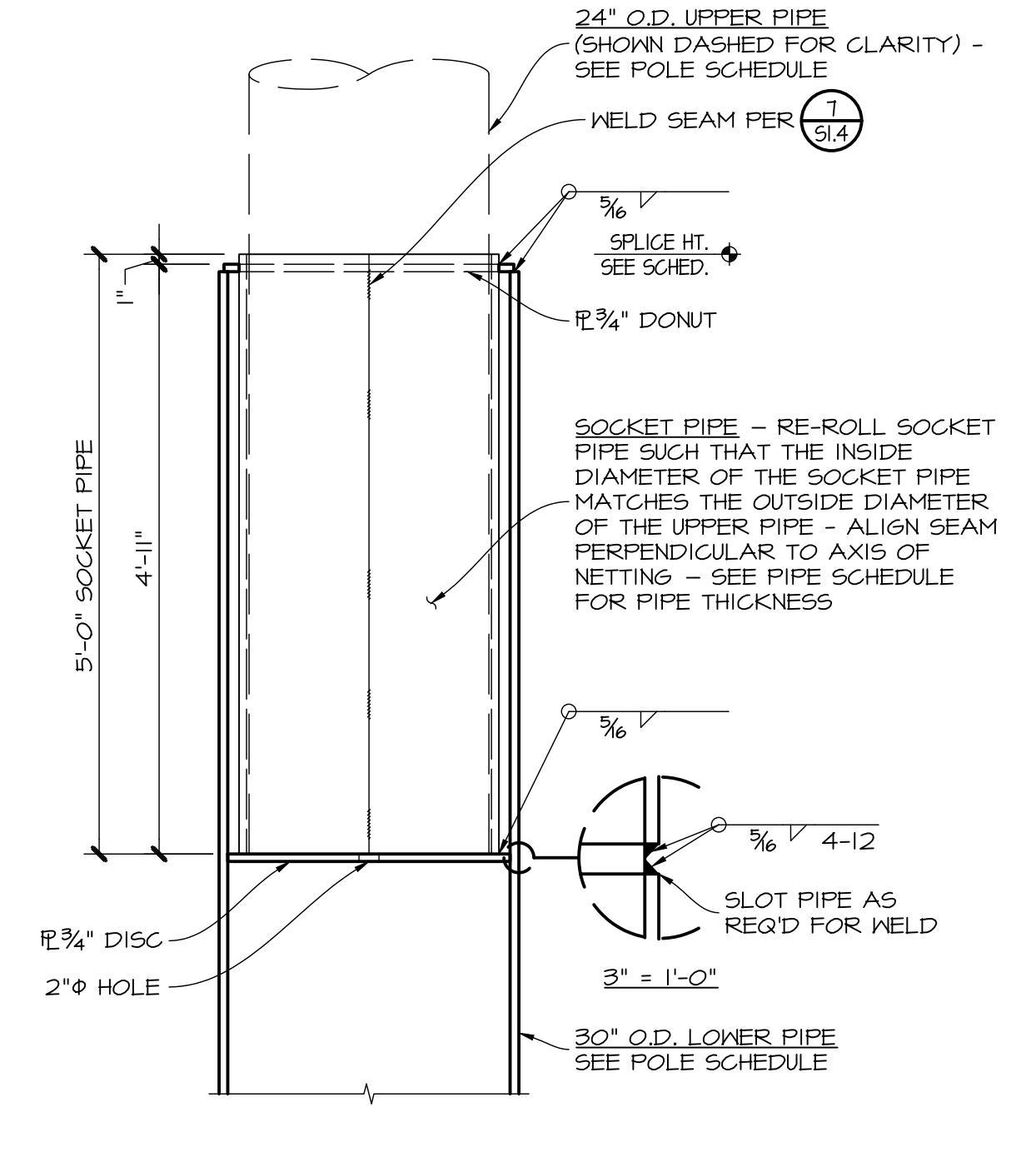
**6 DETAIL**  
24 INCH TO 16 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



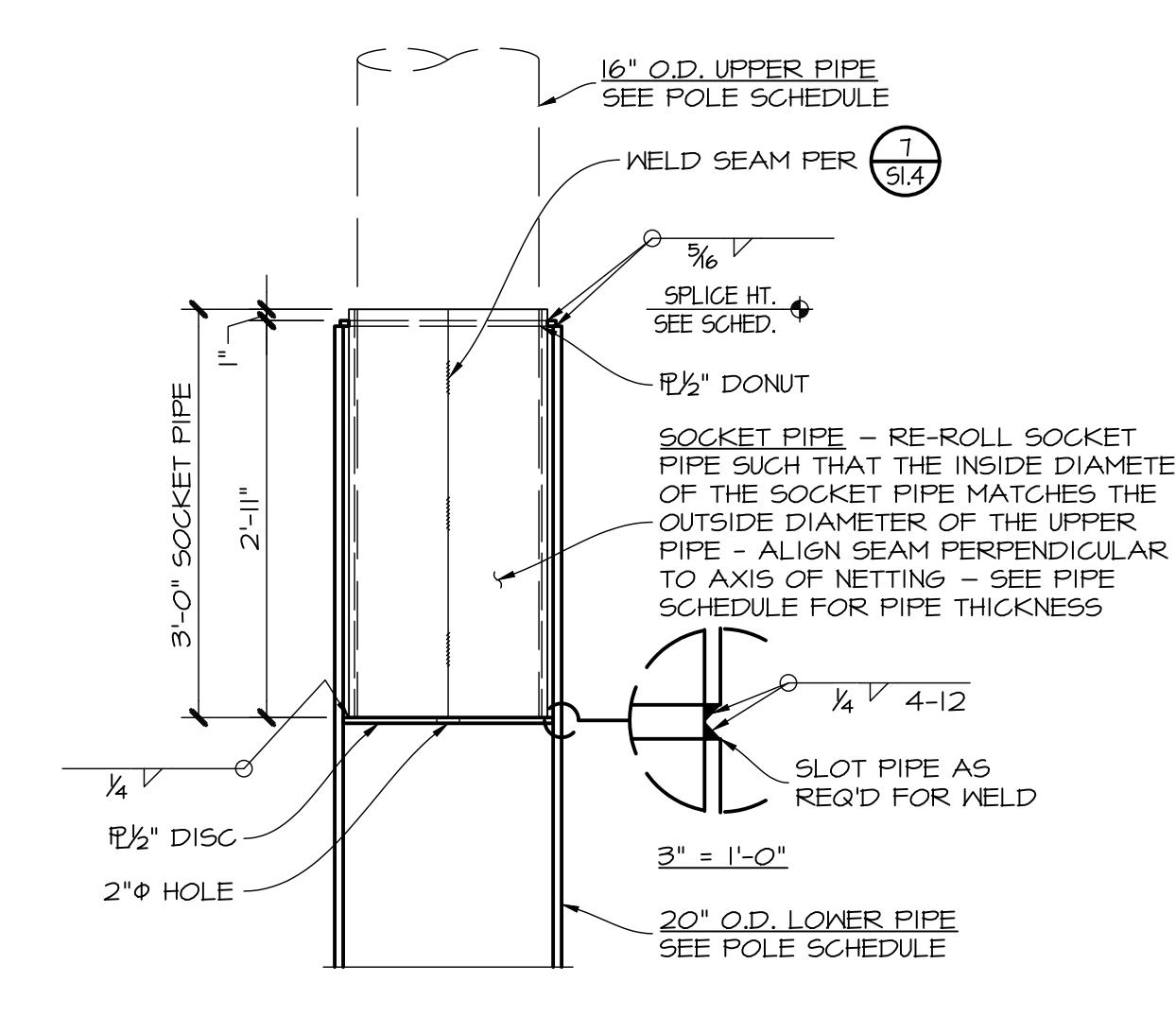
**7 DETAIL**  
SINGLE SEAM WELD  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



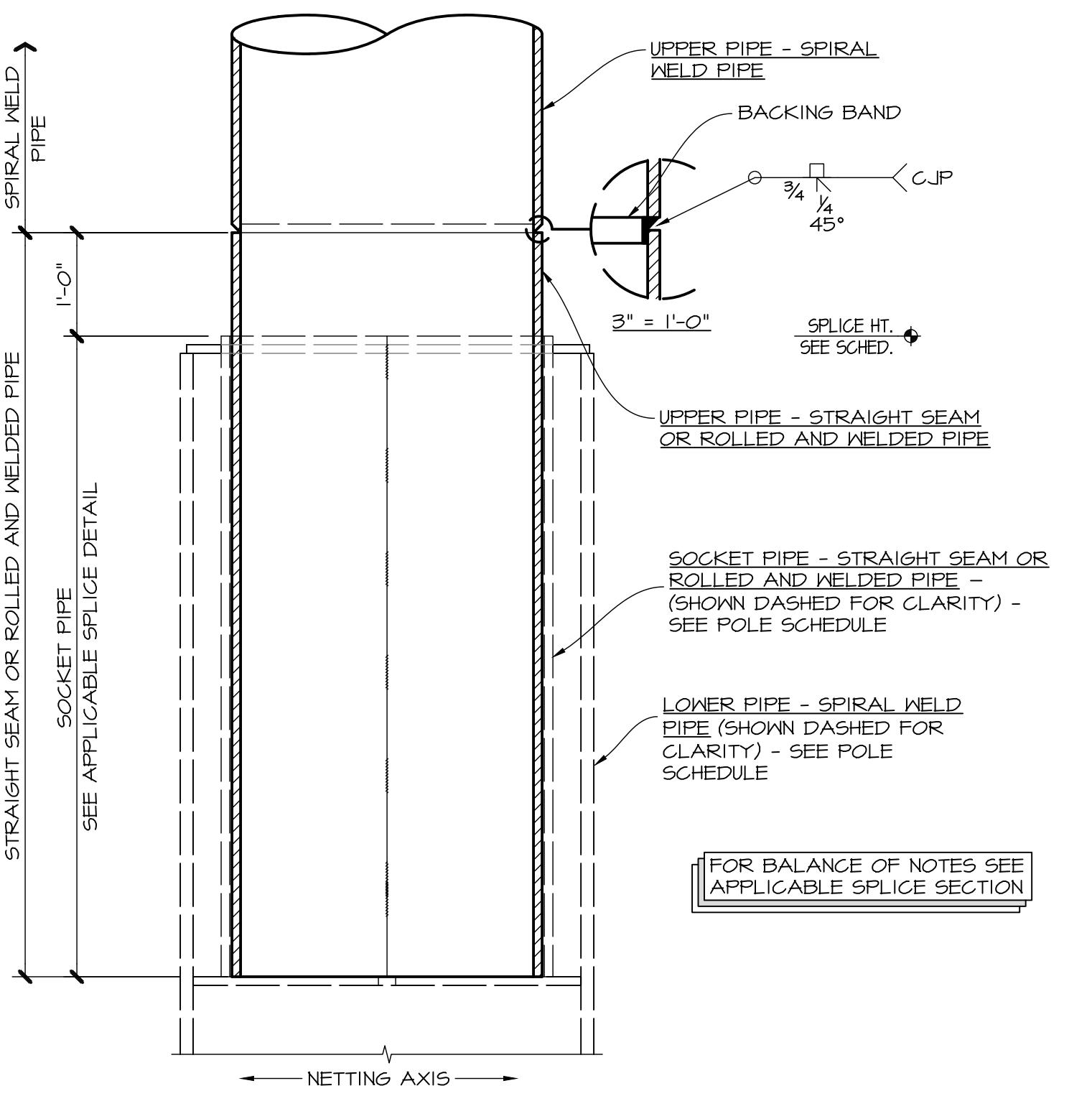
**8 DETAIL**  
POLE FOUNDATION  
1/4" = 1'-0"



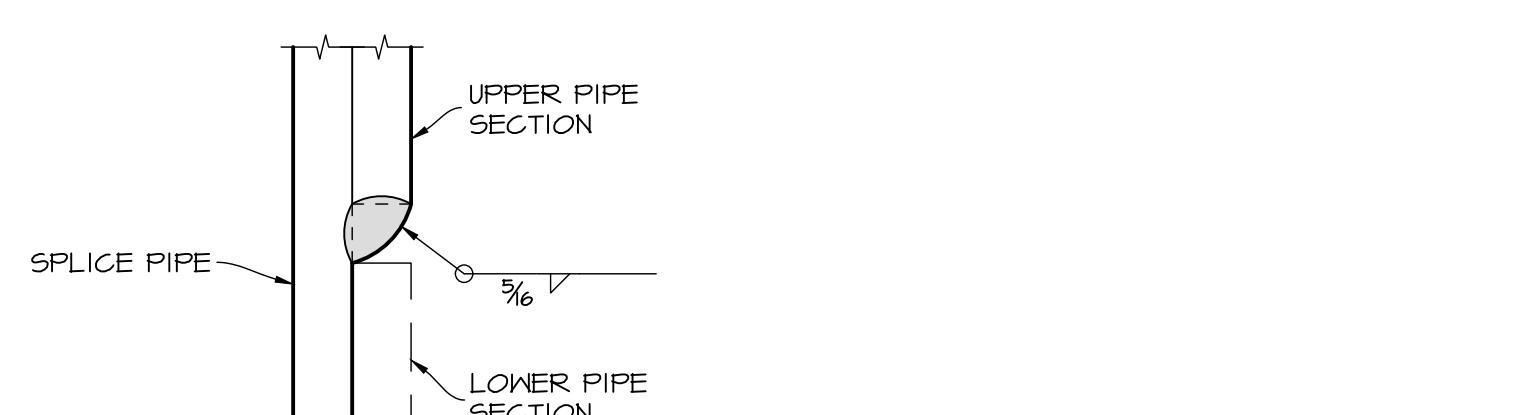
**4 DETAIL**  
30 INCH TO 24 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



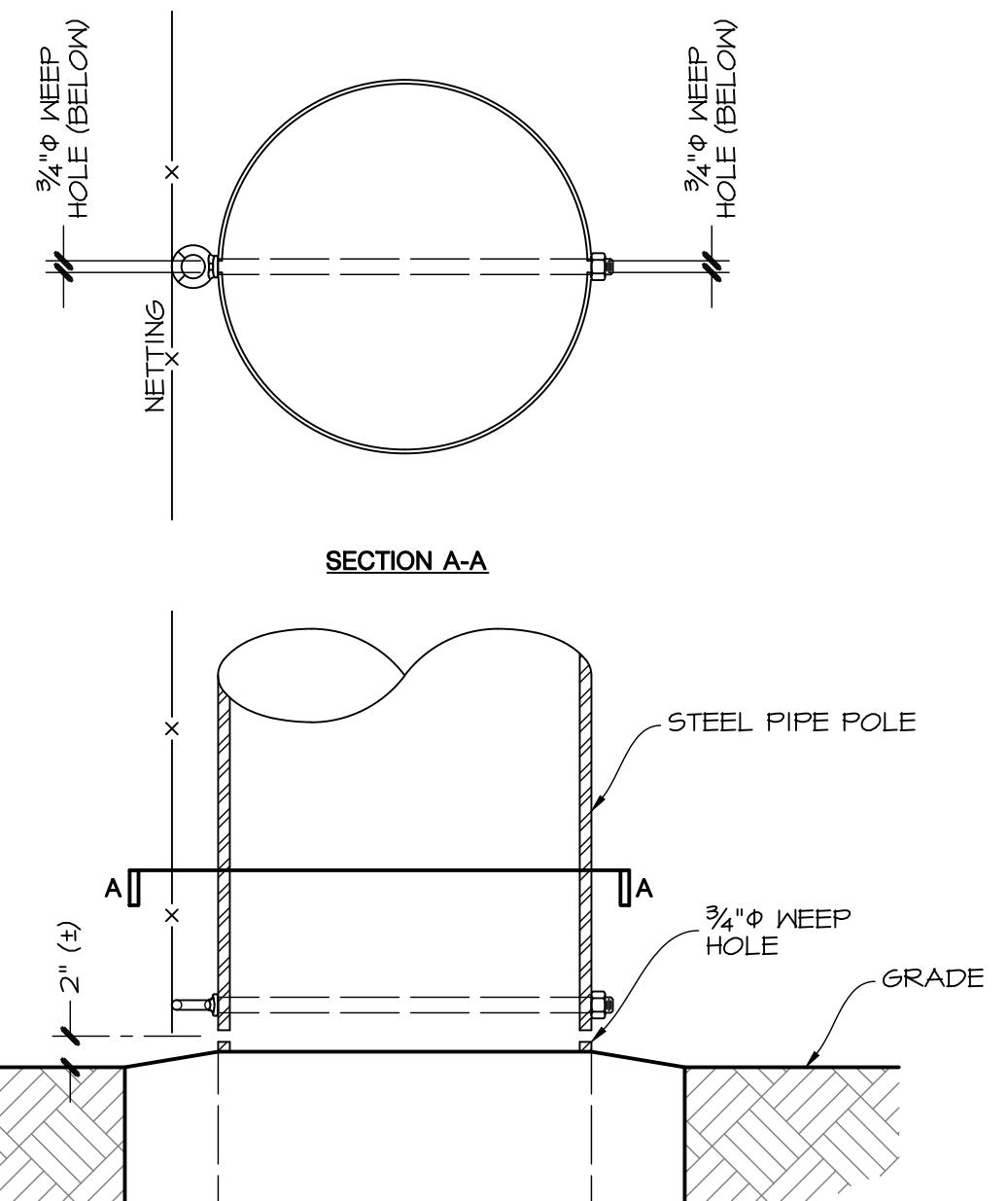
**5 DETAIL**  
20 INCH TO 16 INCH POLE SPLICE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



**9 DETAIL**  
SPIRAL WELD TO STRAIGHT SEAM OR ROLLED PIPE  
SEE SCHEDULE FOR SPlice LOCATIONS  
3/4" = 1'-0"



**10 DETAIL**  
SLIP JOINT SPLICE WELD  
N.T.S.  
1/4" = 1'-0"



**11 DETAIL**  
WEEP HOLE  
\*KEEP HOLE TO BE INSTALLED PERPENDICULAR  
TO AXIS OF NETTING  
1" = 1'-0"

JudgeNetting  
MOUNTAIN WEST

2904 S. 2000 W.  
Syracuse, UT 84075  
Ph: (801) 388-4178

coastal  
Netting • Steel Pole • Components

2933 Sixteenth Street  
Bakersfield, California  
(661) 631-1582

**Details**  
Golf Ball Netting Barrier  
**Jefferson Park Golf Course**  
4101 Beacon Avenue South  
Seattle, WA 98108

**ENGEL & COMPANY**  
Engineers  
4008 UNION AVENUE  
BAKERSFIELD, CA 93305  
www.engelengineers.com (661) 327-7025

DRAWN  
RAG/EM  
DATE  
9/10/2024  
CHECKED  
JCE  
APPROVED  
SHEET NO.  
**S14**

**PART SCHEDULE (EQUAL OR EXCEED)**

(1)  $\frac{3}{4}$ " GALV. D.A. BOLT w/ NUT  
 (2)  $\frac{1}{2} \times \frac{1}{4} \times 0'-3"$  GALV. CURVE WASHER  
 (3)  $\frac{3}{4}$ " GALV. THIMBLEYE NUT  
 (4) GALV. DOWN GUY ATTACHMENT  
 (5)  $\frac{3}{4}$ " GALV. SPRING WASHER  
 (6)  $\frac{1}{8}$ " Ix7 E.H.S. STRAND  
 (7)  $\frac{1}{8}$ " GALV. PRE FORM GRIP  
 (8)  $\frac{1}{2} \times 6 \times 19$  GALV. WIRE ROPE  
 (9) (4) GALV. MALLEABLE WIRE ROPE CLIP, MATCH WIRE ROPE CLIP SIZE TO CABLE SIZE  
 (10)  $\frac{1}{8}$ " GALV. BOLT TYPE SHACKLE  
 (11) HEAVY DUTY GALV.  $\frac{1}{2}$ " WIRE ROPE THIMBLE  
 (12)  $\frac{5}{16}$ " Ix7 E.H.S. STRAND  
 (13)  $\frac{5}{16}$ " GALV. PRE FORM GRIP  
 (14) \*\*\*  $\frac{3}{8}$ " GALV. PRE FORM GRIP  
 (15) \*\*\*  $\frac{3}{8}$ " Ix7 GALV. E.H.S. STAND

\*\*\* INSTALL  $\frac{3}{8}$ " STRAND & PRE FORM ON THE HORIZONTAL LOCATED SECOND FROM THE TOP & BOT. HORIZONTAL  
 \*\* INSTALL CLIPS PER MFR'S INSTRUCTION MANUAL  
 \* INDICATES BOTH SIDE

**DETAIL A**

TOP LINE POLE      TOP ANGLE POLE      TOP END POLE

**DETAIL B**

INTERMEDIATE LINE POLE      INTERMEDIATE ANGLE POLE      INTERMEDIATE END POLE

**DETAIL C**

BOTTOM LINE POLE      BOTTOM ANGLE POLE      BOTTOM END POLE

**1 TYPICAL CABLE DETAIL**

\* ALL HARDWARE CONNECTION HOLES TO BE  $\frac{1}{8}$ "<sup>Ø</sup> MAG DRILLED

**1" = 1'-0"**

**2 LOCATION OF BRACING GUY CABLE DETAIL**

**3 POLE BASE CAP DETAIL**

**4 POLE TOP CAP DETAIL**

**PLAN**

**5**

1/16" = 1'-0"

**JudgeNetting MOUNTAIN WEST**

2904 S. 2000 W.  
 Syracuse, UT 84075  
 Ph: (801) 388-4178

**coastal**  
 Netting • Steel Pole • Company

2933 Sixteenth Street  
 Bakersfield, California  
 (661) 631-1582

**ENGEL & COMPANY**  
 Engineers  
 4008 UNION AVENUE  
 BAKERSFIELD, CA 93305  
 www.engelengineers.com   (661) 327-7025

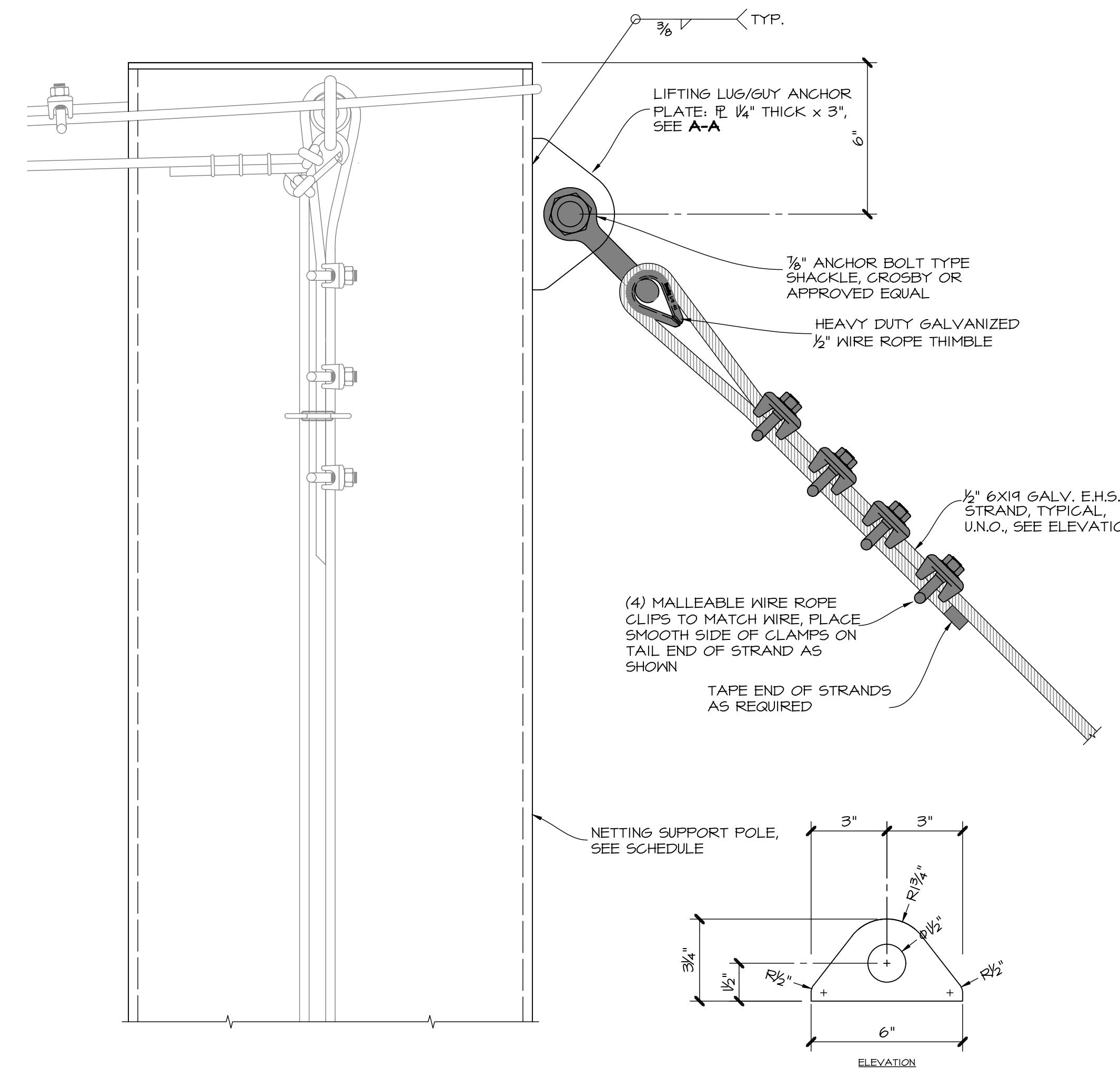
**Jefferson Park Golf Course**  
 4101 Beacon Avenue South  
 Seattle, WA 98108

**Details**

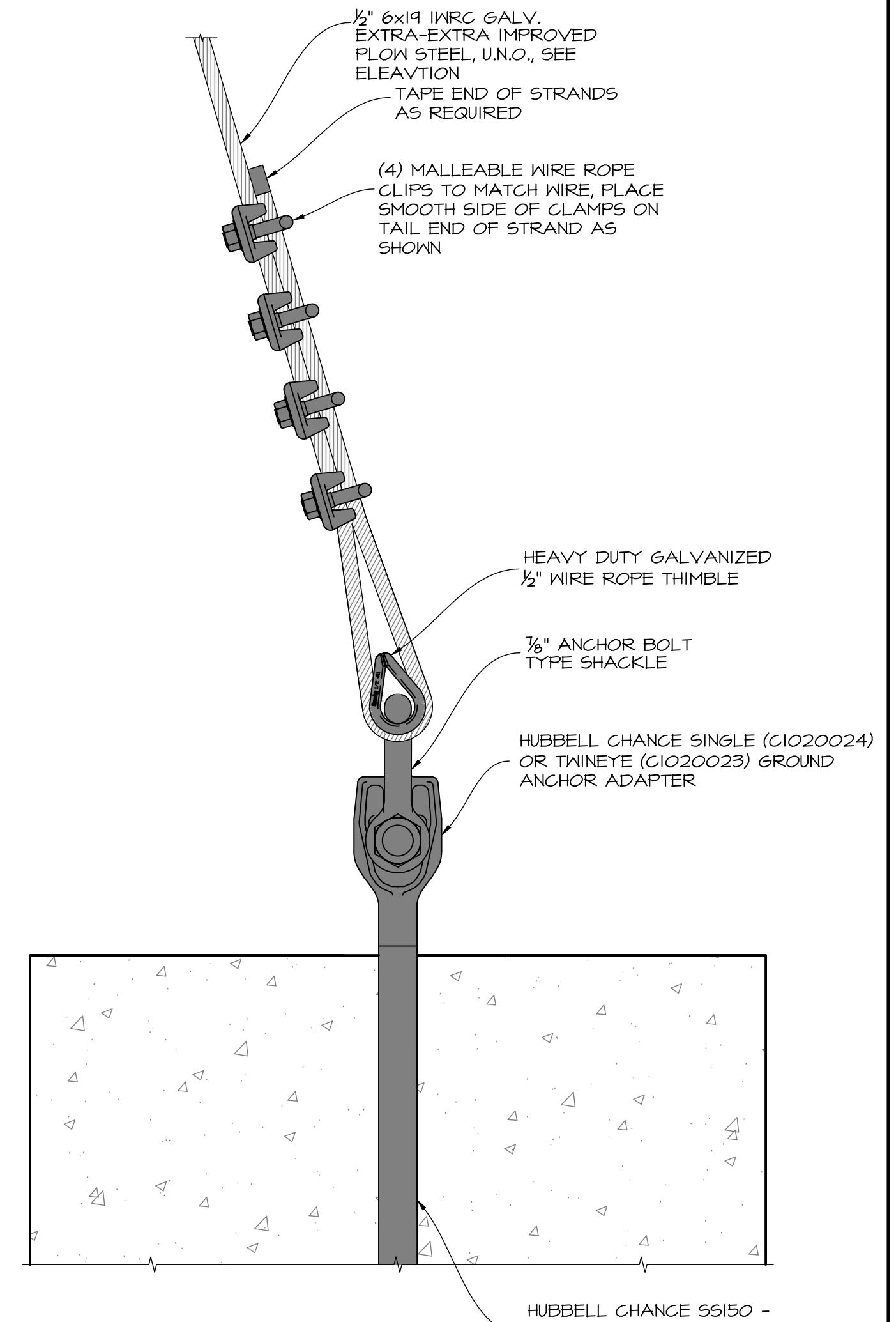
**DRAWN**  
 RAG/EM  
 DATE  
 9/10/2024  
 CHECKED  
 JCE  
 APPROVED

**ISSUED FOR**

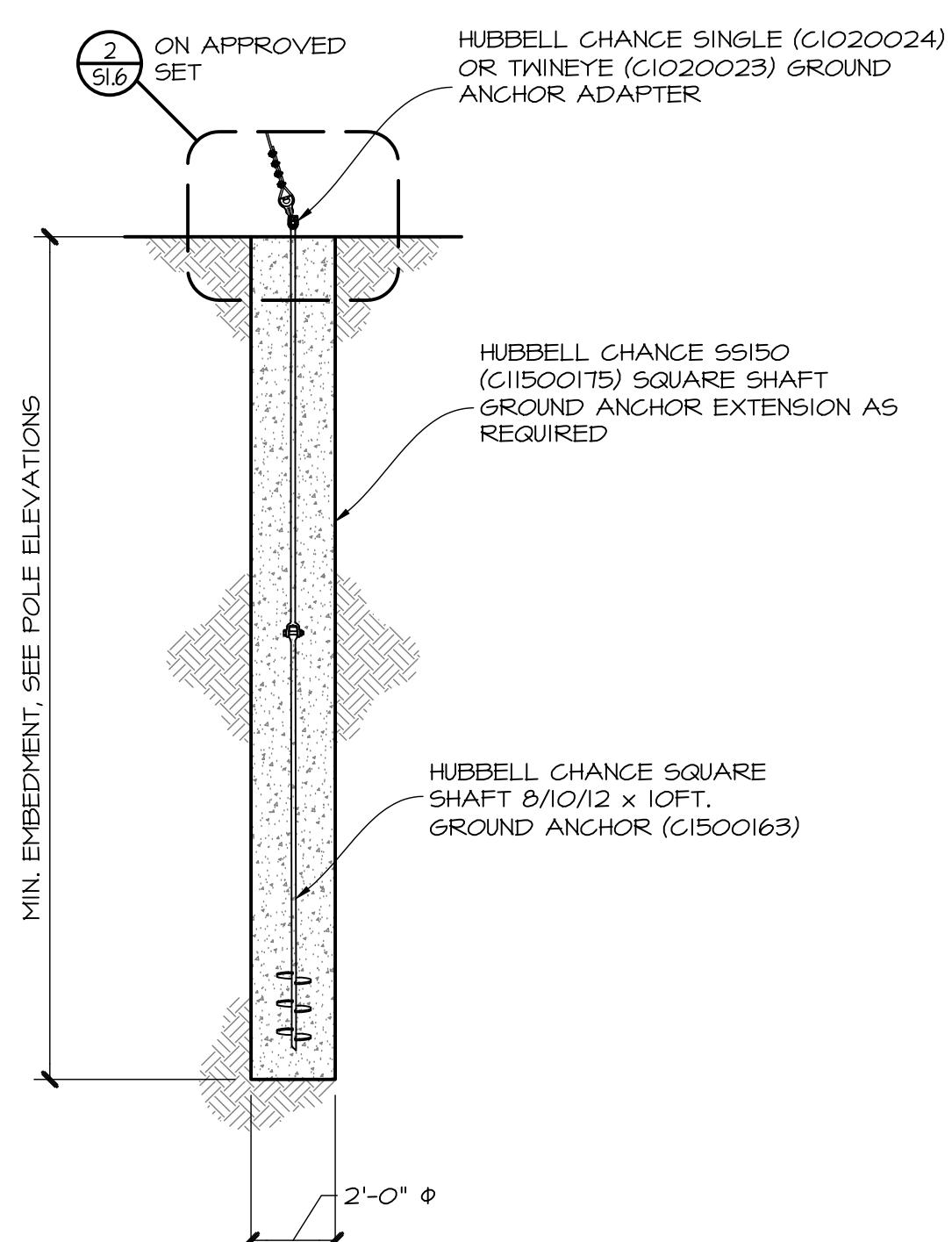
**SHEET NO.**  
**S15**



① TOP CONNECTION FOR GUY CABLES  
① DETAIL



② GROUND ANCHOR GUY CONNECTION  
② DETAIL



③ GROUND ANCHOR  
③ DETAIL





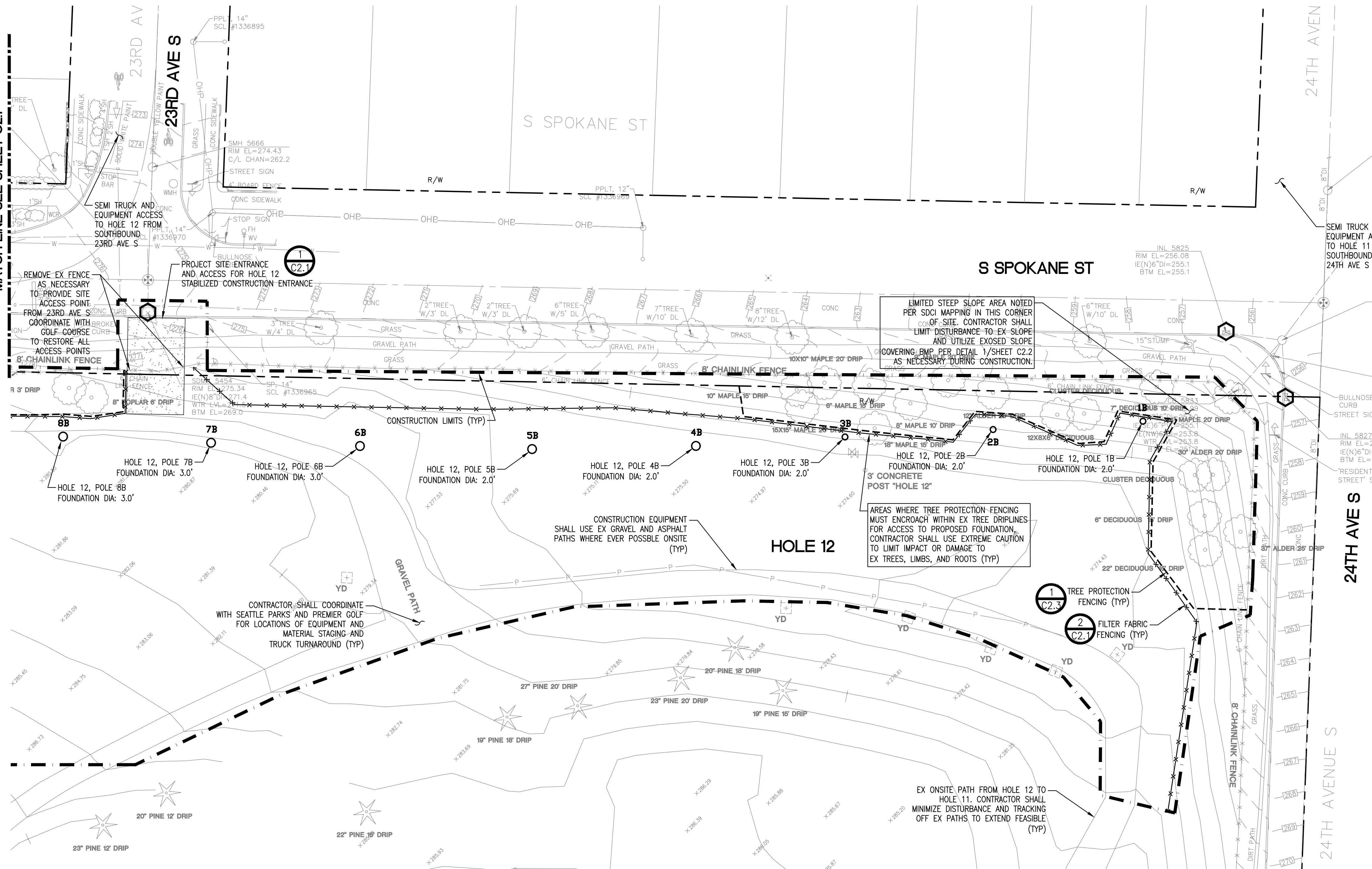
Know what's below.  
Call before you dig.

**coterra**  
ENGINEERING PLLC

6413 Phinney Ave N  
Seattle, Washington 98103  
ph 206.596.7115  
coterraengineering.com

Vault Serial #	Date	Mark	Nature	Revisions
####			MADE/CHK'D	REV'D

MATCH LINE SEE SHEET C2.1



**POST CONSTRUCTION SOIL MANAGEMENT PLAN**

AT THE END OF PROJECT, ALL AREAS DISTURBED AND NOT COVERED WITH A HARD SURFACE MUST BE AMENDED PER THE SOIL AMENDMENT DETAIL BELOW AND PROBE TO 12-INCHES AT THE SITE FINAL INSPECTION.

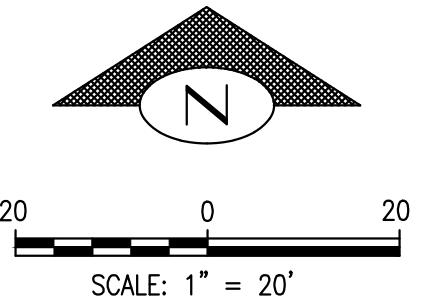
LABEL ALL AREAS DISTURBED AND NOT COVERED WITH A HARD SURFACE AS ONE OF THE FOLLOWING: SA (SOIL AMENDMENT AREA) or ND (NON-DISTURBED AREA).

- NON-DISTURBED AREA (ND): VEGETATED AREAS THAT WILL NOT BE SUBJECT TO LAND DISTURBING ACTIVITY DO NOT REQUIRE SOIL AMENDMENT IF THEY ARE FENCED AND CONTINUOUSLY PROTECTED THROUGHOUT CONSTRUCTION. THE FENCING MUST BE IN PLACE AT THE FIRST GROUND DISTURBANCE INSPECTION. NO DISTURBANCE, INCLUDING VEHICLE TRAFFIC OR MATERIAL STORAGE, IS ALLOWED IN THESE AREAS UNTIL FINAL INSPECTION.
- SOIL AMENDMENT AREA (SA): VEGETATED OR COMPOST AREAS (TURF AND LANDSCAPE) MUST BE AMENDED PER THE SOIL AMENDMENT DETAIL. THIS INCLUDES AREAS IMPACTED BY CLEARING AND GRADING, STOCKPILING, SITE ACCESS, PATHWAYS AND MATERIALS OR EQUIPMENT STORAGE.

**CONSTRUCTION SEQUENCE**

- INSTALLATION OF TREE PROTECTION FENCING.
- THE FENCE LOCATION SHALL BE DETERMINED IN THE FIELD BY THE CLIENTS URBAN FORESTER DEPENDING ON THE SITE EVALUATION BY APPLICANT'S URBAN FORESTER.
- CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE AS REQUIRED. ADJUST AS NECESSARY TO ACCOMMODATE CONSTRUCTION CONDITIONS.
- INSTALL FILTER FABRIC FENCING.
- INSTALL ADDITIONAL SEDIMENTATION MEASURES (SEDIMENT TRAPS, INTERCEPTOR SWALES, ETC.) AS REQUIRED.
- DEMO ACP AND CLEAR AREAS NECESSARY TO ACCOMMODATE NEW CONSTRUCTION. PROTECT ANY CLEARING DEBRIS STOCKPILED ON THE SITE WITH PLASTIC COVERING OR APPROVED COVER.
- EXCAVATE AND GRADE AREAS NECESSARY FOR NEW CONSTRUCTION. PROTECT ANY EXCAVATION SPOILS STOCKPILED ON THE SITE WITH PLASTIC COVERING. REMOVE FILTER FABRIC FENCING AS REQUIRED FOR BUILDING CONSTRUCTION.
- UPGRADE TESC FACILITIES AS NEEDED.
- IMMEDIATELY STABILIZE EXPOSED BACKFILLED AREAS WITH MULCH OR SPECIFIED PERMANENT RESTORATION PLANTING.
- UPON COMPLETION OF CONSTRUCTING IMPROVEMENTS INSTALL PERMANENT PLANTING AND REMOVE EROSION CONTROL BMPs.

SEE SHEETS C2.2-C2.4 FOR HOLE 11 PLANS



**DATUM**

NAVD 88

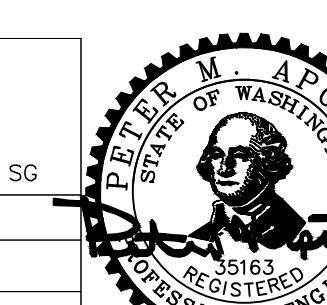
**LEGEND**

	1 C2.1
	1 C2.2
	1 C2.3
	2 C2.1
	2 C2.1
	CONSTRUCTION LIMIT

**NOTES**

- SEE SHEET C1.0 FOR GENERAL NOTES AND EROSION AND SEDIMENTATION CONTROL NOTES.
- REMOVE EXISTING SITE STRUCTURES AS NECESSARY TO CONSTRUCT IMPROVEMENTS. REFER TO NETTING DWGS FOR ADDITIONAL INFORMATION.
- PROTECT ALL EXISTING TREES NOT EXPRESSLY INDICATED FOR REMOVAL. REFER TO TREE PROTECTION DETAIL FOR ADDITIONAL INFORMATION.
- ALL DISTURBED LANDSCAPED AREAS SHALL BE AMENDED WITH SOIL IN ACCORDANCE WITH CITY OF SEATTLE REQUIREMENTS. THIS SHALL CONSIST OF A MINIMUM OF 6" OF COMPOST AMENDED TOPSOIL AND TILLED TO 12" MINIMUM DEPTH.
- PRESERVE AND PROTECT ALL UTILITIES AND SURFACE IMPROVEMENTS NOT INDICATED FOR REMOVAL.
- ALL LOCATIONS OF EXISTING UTILITIES SHOWN HEREON HAVE BEEN OBTAINED FROM AVAILABLE RECORDS AND SHOULD THEREFORE BE CONSIDERED APPROXIMATE ONLY AND NOT NECESSARILY COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INDEPENDENTLY VERIFY THE ACCURACY OF ALL UTILITY LOCATIONS SHOWN AND FURTHER DISCOVER AND AVOID ANY OTHER UTILITIES NOT SHOWN HEREON WHICH MAY BE AFFECTED BY THE IMPLEMENTATION OF THIS PLAN. UTILITIES ARE SHOWN FOR REFERENCE ONLY.
- COORDINATE EXTENTS OF DEMOLITION AND SITE MODIFICATIONS WITH JUDGE NETTING AS REQUIRED FOR SITE ACCESS AND STAGING. STAGE DEMOLITION TO PROVIDE ADEQUATE HARD SURFACE WORK PAD AND LAYOUT AREAS OR PROVIDE TEMPORARY GRAVEL SURFACING OR TEMPORARY LAYDOWN PADS AS NECESSARY.
- COORDINATE ALL UTILITY DEMOLITION WITH CONSTRUCTION OF NEW SYSTEMS AND PROVIDE TEMPORARY BYPASS AND PUMPING SYSTEMS AS REQUIRED BY CONTRACTOR'S OPERATIONS.
- THE EROSION CONTROL MEASURES SHOWN ON THE DRAWINGS ARE CONSIDERED A MINIMUM AND ADDITIONAL MEASURES WILL BE REQUIRED TO PROTECT ADJACENT PROPERTIES, INCLUDING THE ROW, THE DOWNSTREAM SYSTEM AND RECEIVING WATERS.
- THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR WORK WITHIN THE RIGHT-OF-WAY VIA SOT MINOR UTILITY PERMIT.
- TREE PROTECTION SHALL INCLUDE TEMPORARY CHAINLINK OR SIMILAR RIGID FENCING LOCATED AT DRIPLINE OF TREE.

ALL NEW AND REPLACED LAWN AND LANDSCAPE AREAS SHALL RECEIVE POST-CONSTRUCTION SOIL AMENDMENT PER DETAIL 3/SHEET C2.1.



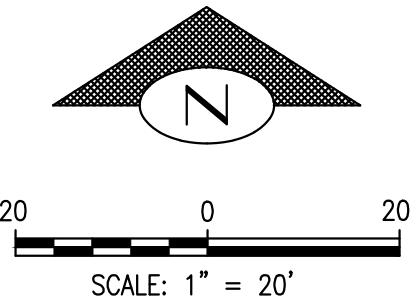
**Seattle Parks & Recreation**  
ORDINANCE NO. PW NO.  
SCALE: 1' = 20'

APPROVED FOR ADVERTISING  
FAS PURCHASING AND CONTRACTING DIRECTOR  
SEATTLE, WASHINGTON . . . . .  
BY: FAS PURCHASING AND CONTRACTING DIRECTOR

INITIALS AND DATE  
DESIGNED MB 9/12/2024  
CHECKED PA 9/12/2024  
DRAWN MB 9/12/2024  
CHECKED PA 9/12/2024  
REVIEWED:  
DE.  
SOT  
CONST.  
PROJ. MGR. SG  
RECEIVED  
REVISED AS BUILT  
ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE STANDARD PLANS AND SPECIFICATIONS AND OTHER DOCUMENTS CALLED FOR IN SECTION 0-02.3 OF THE PROJECT MANUAL.

**JEFFERSON GOLF COURSE  
RENOVATION**

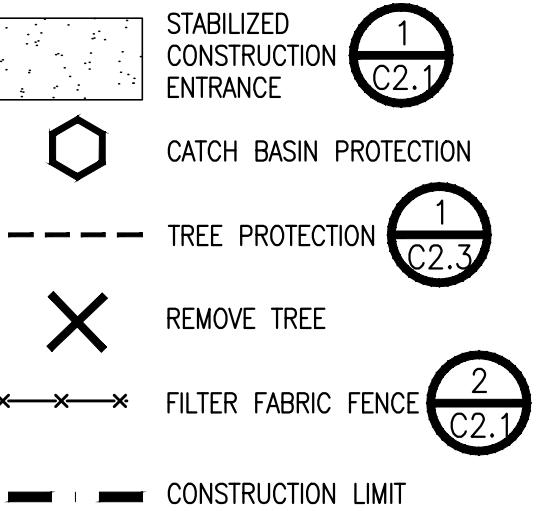
JOB PC  
CO  
VPI #  
C2.0  
SHEET 2 OF 6



## DATUM

NAVD 88

## LEGEND

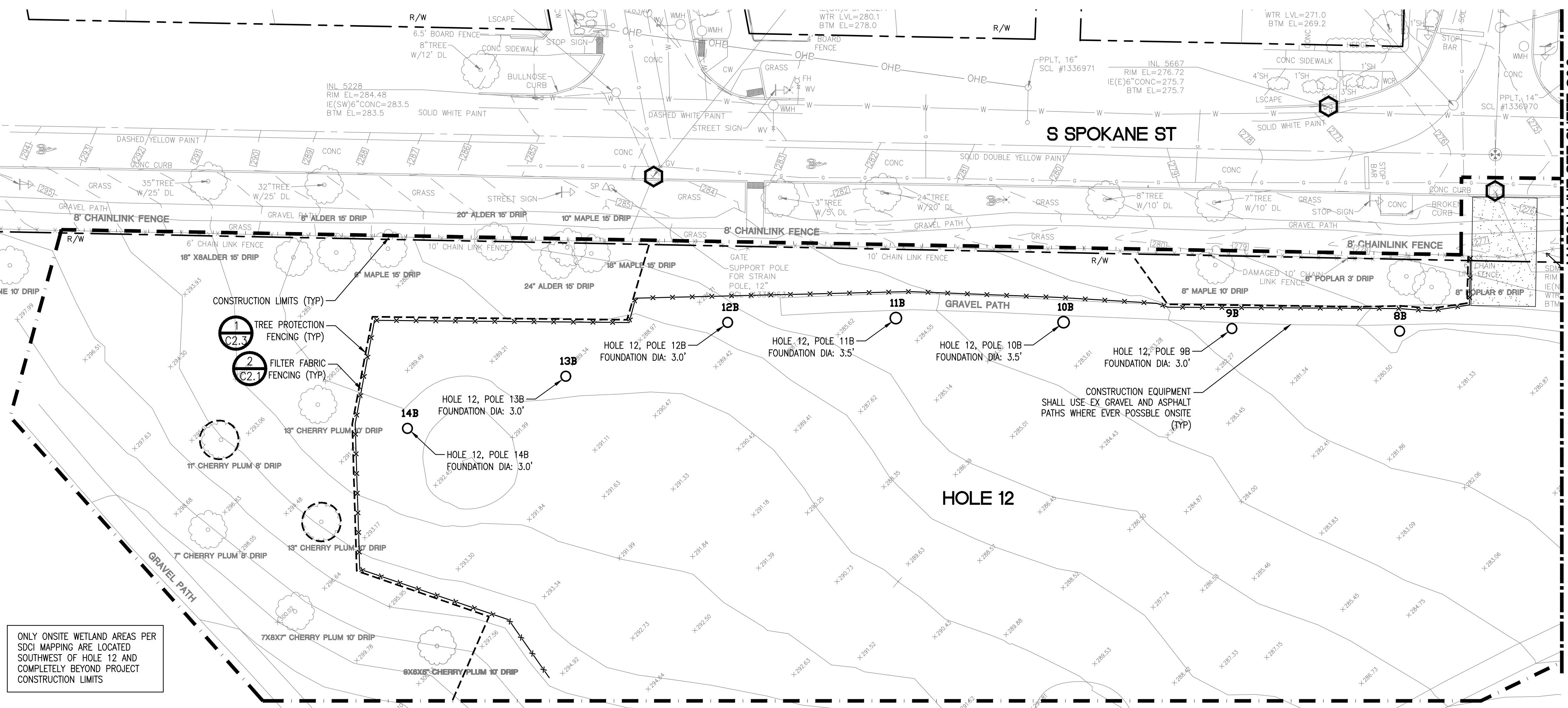


## NOTES

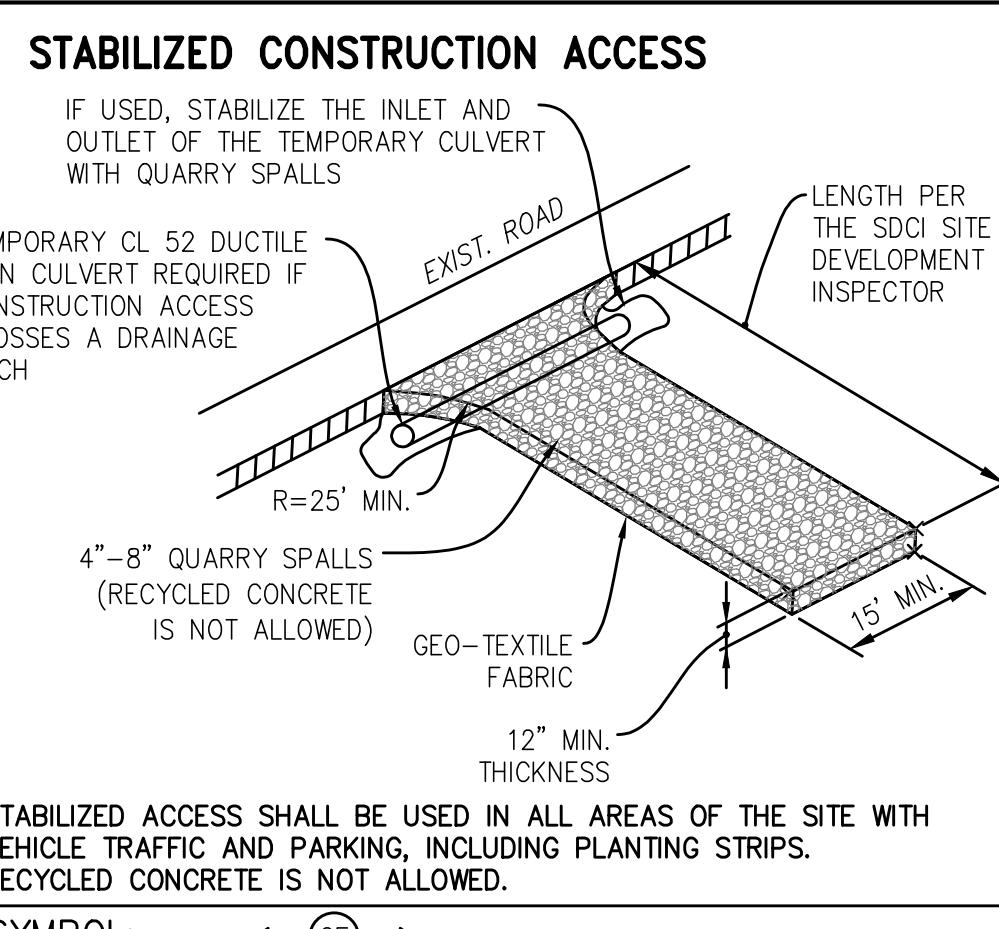
- SEE SHEET C1.0 FOR GENERAL NOTES AND EROSION AND SEDIMENTATION CONTROL NOTES.
- REMOVE EXISTING SITE STRUCTURES AS NECESSARY TO CONSTRUCT IMPROVEMENTS. REFER TO NETTING DWGS FOR ADDITIONAL INFORMATION.
- PROTECT ALL EXISTING TREES NOT EXPRESSLY INDICATED FOR REMOVAL. REFER TO TREE PROTECTION DETAIL FOR ADDITIONAL INFORMATION.
- ALL DISTURBED LANDSCAPED AREAS SHALL BE AMENDED WITH SOIL IN ACCORDANCE WITH CITY OF SEATTLE REQUIREMENTS. THIS SHALL CONSIST OF A MINIMUM OF 6" OF COMPOST AMENDED TOPSOIL AND TILLED TO 12" MINIMUM DEPTH.
- PRESERVE AND PROTECT ALL UTILITIES AND SURFACE IMPROVEMENTS NOT INDICATED FOR REMOVAL.
- ALL LOCATIONS OF EXISTING UTILITIES SHOWN HEREON HAVE BEEN OBTAINED FROM AVAILABLE RECORDS AND SHOULD THEREFORE BE CONSIDERED APPROXIMATE ONLY AND NOT NECESSARILY COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INDEPENDENTLY VERIFY THE ACCURACY OF ALL UTILITY LOCATIONS SHOWN AND FURTHER DISCOVER AND AVOID ANY OTHER UTILITIES NOT SHOWN HEREON WHICH MAY BE AFFECTED BY THE IMPLEMENTATION OF THIS PLAN. UTILITIES ARE SHOWN FOR REFERENCE ONLY.
- COORDINATE EXTENTS OF DEMOLITION AND SITE MODIFICATIONS WITH JUDGE NETTING AS REQUIRED FOR SITE ACCESS AND STAGING. STAGE DEMOLITION TO PROVIDE ADEQUATE HARD SURFACE WORK PAD AND LAYOUT AREAS OR PROVIDE TEMPORARY GRAVEL SURFACING OR TEMPORARY LAYDOWN PADS AS NECESSARY.
- COORDINATE ALL UTILITY DEMOLITION WITH CONSTRUCTION OF NEW SYSTEMS AND PROVIDE TEMPORARY BYPASS AND PUMPING SYSTEMS AS REQUIRED BY CONTRACTORS OPERATIONS.
- THE EROSION CONTROL MEASURES SHOWN ON THE DRAWINGS ARE CONSIDERED A MINIMUM AND ADDITIONAL MEASURES WILL BE REQUIRED TO PROTECT ADJACENT PROPERTIES, INCLUDING THE ROW, THE DOWNSTREAM SYSTEM AND RECEIVING WATERS.
- THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR WORK WITHIN THE RIGHT-OF-WAY VIA SDOT MINOR UTILITY PERMIT.
- TREE PROTECTION SHALL INCLUDE TEMPORARY CHAINLINK OR SIMILAR RIGID FENCING LOCATED AT DRIPLINE OF TREE.

ALL NEW AND REPLACED LAWN AND LANDSCAPE AREAS SHALL RECEIVE POST-CONSTRUCTION SOIL AMENDMENT PER DETAIL 3/SHEET C2.1.

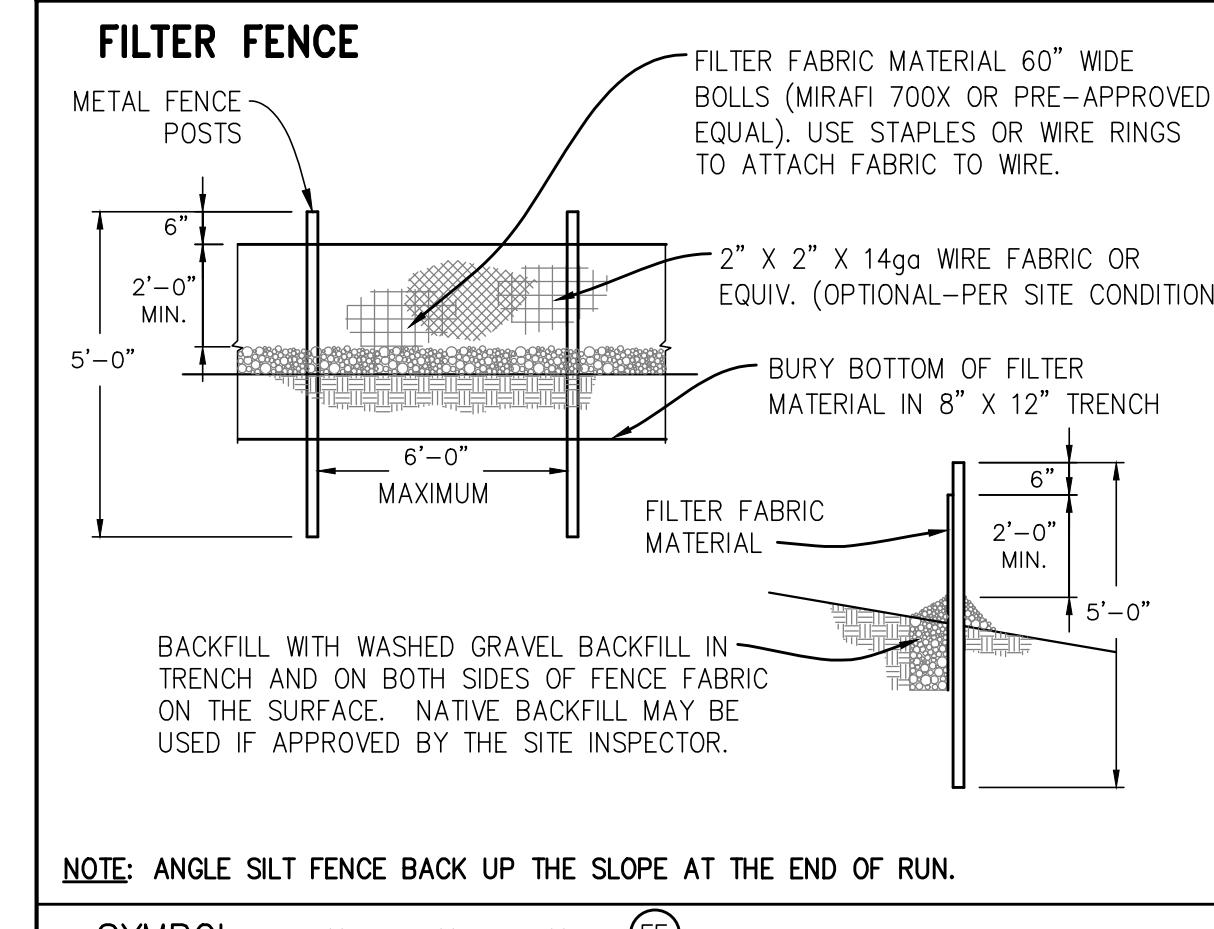
Vault Serial #	Date	Mark	Nature	Revisions
##			MADE/CHK'D	REV'D



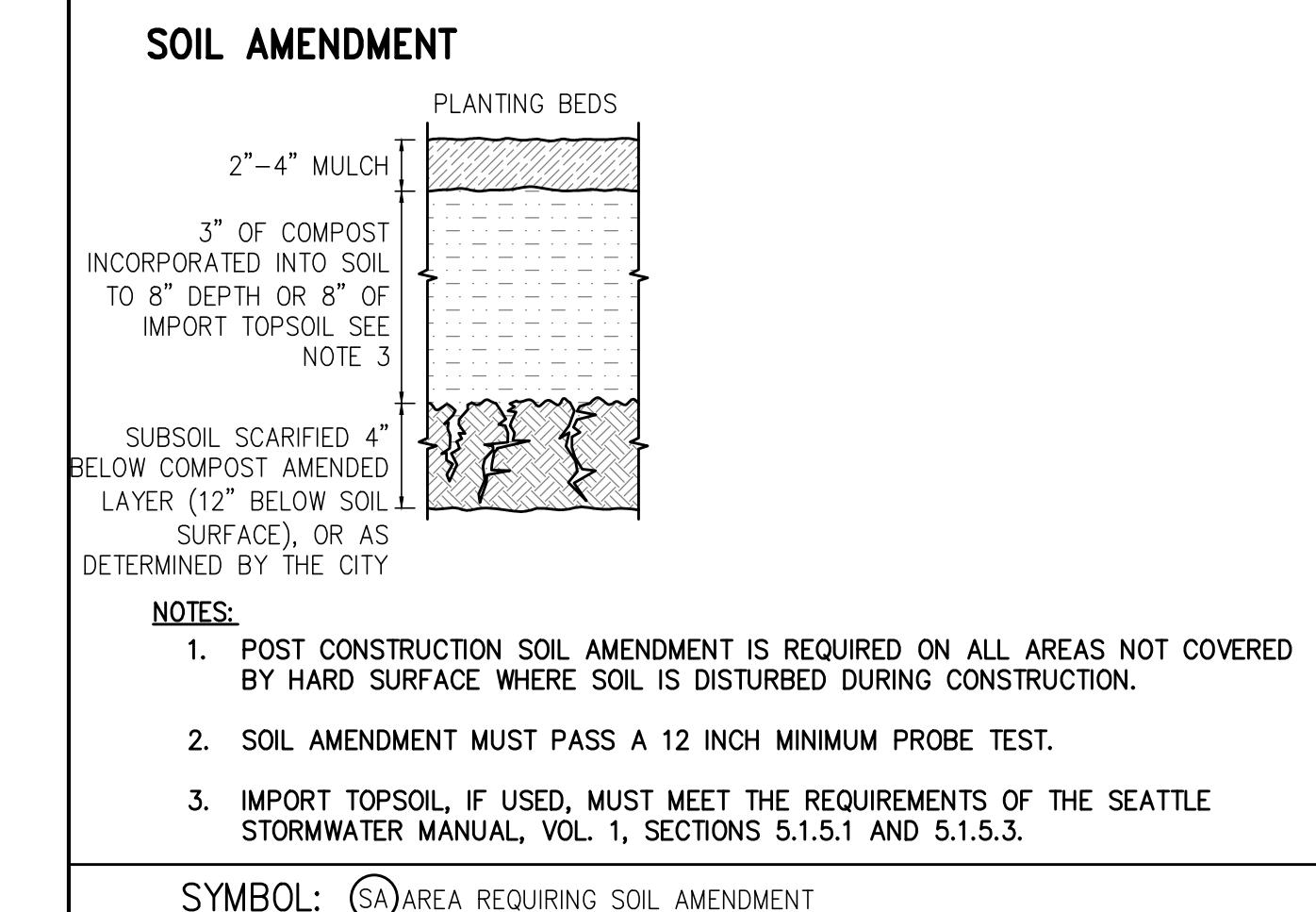
Know what's below.  
Call before you dig.



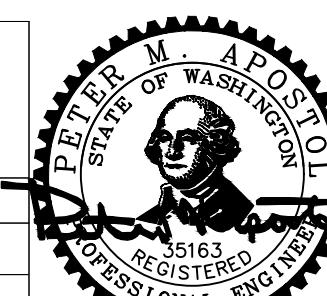
### 1 STABILIZED CONSTRUCTION ENTRANCE



### 2 FILTER FABRIC FENCE



### 3 SOIL AMENDMENT



Seattle  
Parks & Recreation  
ORDINANCE NO. PW NO.  
SCALE: 1' = 20'

**coterra**  
ENGINEERING PLLC

6413 Phinney Ave N  
Seattle, Washington 98103  
ph 206.596.7115  
coterraengineering.com

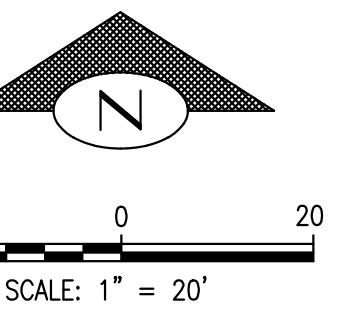
APPROVED FOR ADVERTISING  
FAS PURCHASING AND CONTRACTING DIRECTOR  
SEATTLE, WASHINGTON . . . . .  
BY: FAS PURCHASING AND CONTRACTING DIRECTOR

INITIALS AND DATE	INITIALS AND DATE
DESIGNED MB 9/12/2024	REVIEWED: DES. SDOT
CHECKED PA 9/12/2024	CONST. PROJ. MGR. SG
DRAWN MB 9/12/2024	RECEIVED
CHECKED PA 9/12/2024	REVISED AS BUILT

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE STANDARD PLANS AND SPECIFICATIONS AND OTHER DOCUMENTS CALLED FOR IN SECTION 0-02.3 OF THE PROJECT MANUAL.

JEFFERSON GOLF COURSE  
RENOVATION

JOB PC CO
VPI #
C2.1
SHEET 3 OF 6

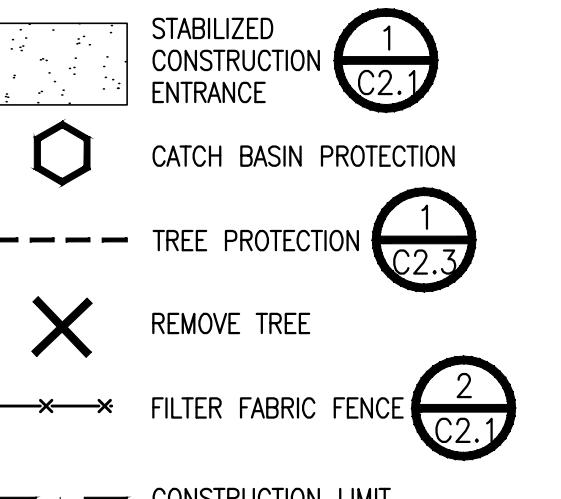


A horizontal scale bar with tick marks at 0 and 20. The bar is labeled "SCALE: 1" = 20' below it.

## ODATUM

D 88

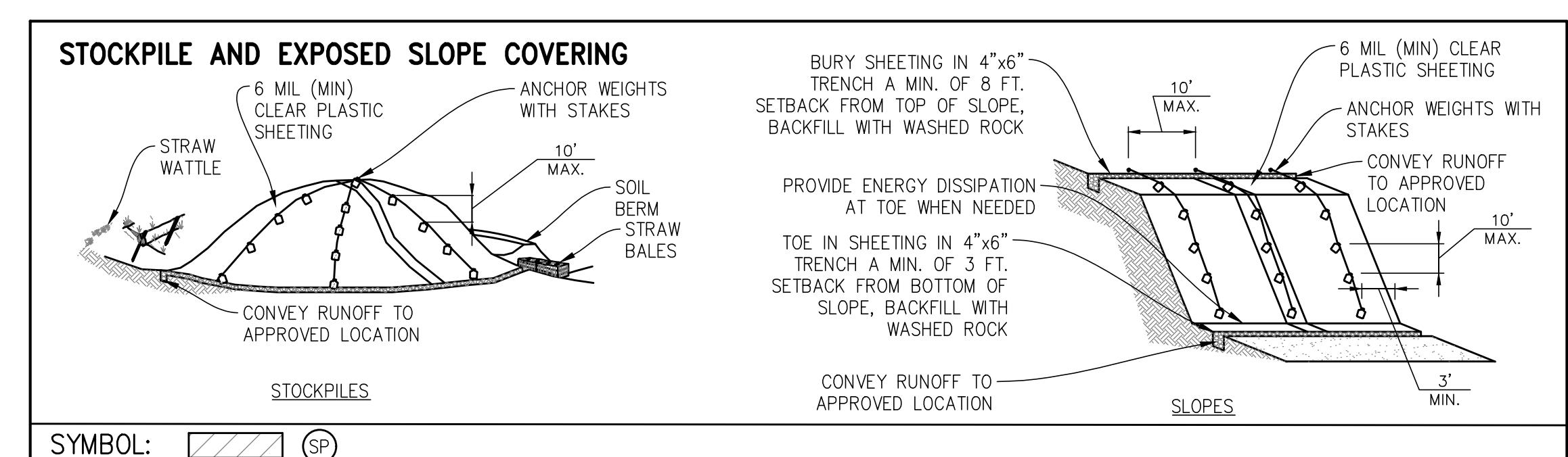
## LEGEND



## NOTES

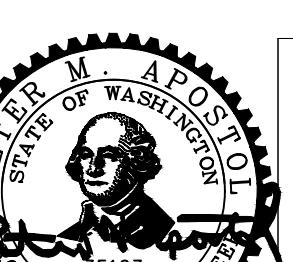
- 1. SEE SHEET C1.0 FOR GENERAL NOTES AND EROSION AND SEDIMENTATION CONTROL NOTES.
- 1. REMOVE EXISTING SITE STRUCTURES AS NECESSARY TO CONSTRUCT IMPROVEMENTS. REFER TO NETTING DWGS FOR ADDITIONAL INFORMATION.
- 1. PROTECT ALL EXISTING TREES NOT EXPRESSLY INDICATED FOR REMOVAL. REFER TO TREE PROTECTION DETAIL FOR ADDITIONAL INFORMATION.
- 1. ALL DISTURBED LANDSCAPED AREAS SHALL BE AMENDED WITH SOIL IN ACCORDANCE WITH CITY OF SEATTLE REQUIREMENTS. THIS SHALL CONSIST OF A MINIMUM OF 6" OF COMPOST AMENDED TOPSOIL AND TILLED TO 12" MINIMUM DEPTH.
- 1. PRESERVE AND PROTECT ALL UTILITIES AND SURFACE IMPROVEMENTS NOT INDICATED FOR REMOVAL.
- 1. ALL LOCATIONS OF EXISTING UTILITIES SHOWN HEREON HAVE BEEN OBTAINED FROM AVAILABLE RECORDS AND SHOULD THEREFORE BE CONSIDERED APPROXIMATE ONLY AND NOT NECESSARILY COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INDEPENDENTLY VERIFY THE ACCURACY OF ALL UTILITY LOCATIONS SHOWN AND FURTHER DISCOVER AND AVOID ANY OTHER UTILITIES NOT SHOWN HEREON WHICH MAY BE AFFECTED BY THE IMPLEMENTATION OF THIS PLAN. UTILITIES ARE SHOWN FOR REFERENCE ONLY.
- 1. COORDINATE EXTENTS OF DEMOLITION AND SITE MODIFICATIONS WITH JUDGE NETTING AS REQUIRED FOR SITE ACCESS AND STAGING. STAGE DEMOLITION TO PROVIDE ADEQUATE HARD SURFACE WORK PAD AND LAYOUT AREAS OR PROVIDE TEMPORARY GRAVEL SURFACING OR TEMPORARY LAYDOWN PADS AS NECESSARY.
- 1. COORDINATE ALL UTILITY DEMOLITION WITH CONSTRUCTION OF NEW SYSTEMS AND PROVIDE TEMPORARY BYPASS AND PUMPING SYSTEMS AS REQUIRED BY CONTRACTORS OPERATIONS.
- 1. THE EROSION CONTROL MEASURES SHOWN ON THE DRAWINGS ARE CONSIDERED A MINIMUM AND ADDITIONAL MEASURES WILL BE REQUIRED TO PROTECT ADJACENT PROPERTIES, INCLUDING THE ROW, THE DOWNSTREAM SYSTEM AND RECEIVING WATERS.
- 1. THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR WORK WITHIN THE RIGHT-OF-WAY VIA SDOT MINOR UTILITY PERMIT.
- 1. TREE PROTECTION SHALL INCLUDE TEMPORARY CHAINLINK OR SIMILAR RIGID FENCING LOCATED AT DRIPLINE OF TREE.

ALL NEW AND REPLACED LAWN AND LANDSCAPE AREAS SHALL RECEIVE POST-CONSTRUCTION SOIL AMENDMENT PER DETAIL 3/SHEET C2 1



# **STOCKPILE AND EXPOSED SLOPE COVERING**

---





# Seattle Parks & Recreation

# JEFFERSON GOLF COURSE RENOVATION

JOB	PC
	CO
VPI	#
	C2.2
SHEET	4
	6



Know what's below.  
**Call** before you dig.

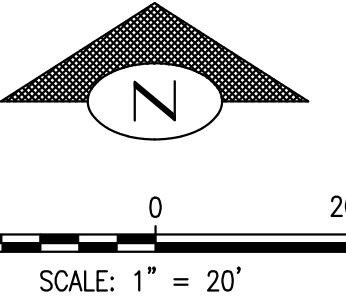
The logo for coterra ENGINEERING PLLC. The word "coterra" is in a large, bold, sans-serif font, with the "c" in blue and the rest of the letters in green. Below it, the words "ENGINEERING PLLC" are in a smaller, gray, sans-serif font.

VAULT SERIAL #	DATE	MARK	NATURE	MADE	CHK'D	REV'D
####						REVISIONS

APPROVED FOR ADVERTISING  
FAS PURCHASING AND CONTRACTING DIRECTOR  
SEATTLE, WASHINGTON . . . 20  
BY:  
FAS PURCHASING AND CONTRACTING DIRECTOR

INITIALS AND DATE			INITIALS AND DATE		
DESIGNED	MB	9/12/2024	REVIEWED:		
CHECKED	PA	9/12/2024	DES.	CONST.	
			SDOT	PROJ. MGR.	SG
DRAWN	MB	9/12/2024	RECEIVED		
CHECKED	PA	9/12/2024	REVISED AS BUILT		
ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE STANDARD PLANS AND SPECIFICATIONS AND OTHER DOCUMENTS CALLED FOR IN SECTION 0-02.3 OF THE PROJECT MANUAL.					

The logo for Seattle Parks & Recreation. It features a stylized profile of a person's head and shoulders on the left, composed of vertical and curved lines. To the right of the profile, the word "Seattle" is written in a large, bold, sans-serif font. Below "Seattle", the words "Parks & Recreation" are written in a slightly smaller, bold, sans-serif font.

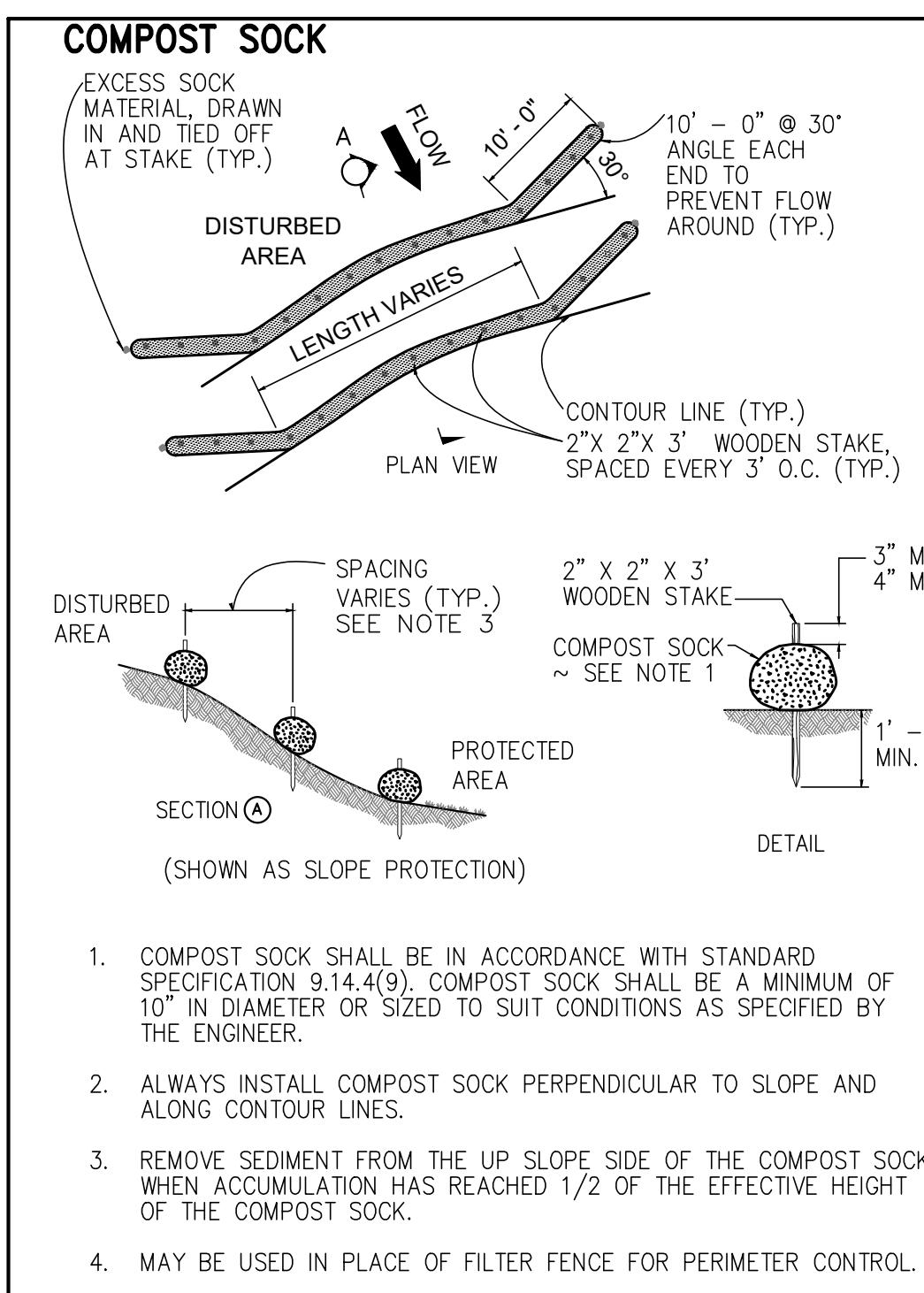
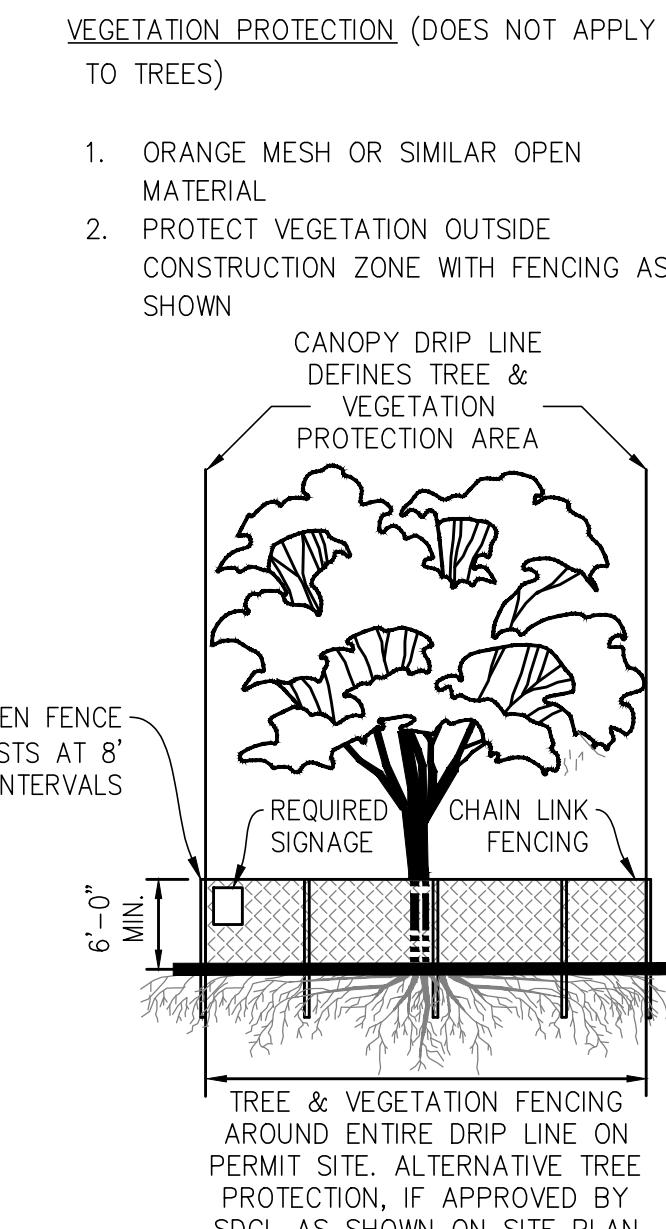


SCALE: 1" = 20'

# TREE & VEGETATION PROTECTION

## TREE PROTECTION FENCING AND SIGN

1. CHAIN LINK FENCE REQUIRED (NO ORANGE CONSTRUCTION FENCE OR PLYWOOD)
2. MINIMUM 6' HIGH
3. FENCE SHALL BE SUPPORTED BY RIGID POSTS DRIVEN INTO THE GROUND AT 8' MAXIMUM INTERVALS
4. MUST BE INSTALLED PRIOR TO DEMOLITION OR GROUND DISTURBANCE
5. KEPT IN PLACE FOR THE DURATION OF CONSTRUCTION
6. NO DUMPING OF ANY MATERIALS IN THE PROTECTION AREA
7. NO SOIL DISTURBANCE OR ACTIVITY ALLOWED WITHIN FENCED AREA: MATERIAL STORAGE/STOCKPILING, PARKING, EXCAVATION, DUMPING, MAX OR WASHING
8. MODIFICATIONS OF THESE REQUIREMENTS BY APPROVAL OF SDCI PLANNER ONLY
9. IF ROOTS GREATER THAN 2 INCH FOUND OUTSIDE OF FENCING, PROTECT BY HAND EXCAVATION AND, IF NECESSARY, CUT CLEANLY AND KEEP MOIST
10. USE 3 INCHES OR DEEPER WOOD CHIP MULCH OUTSIDE FENCED



The logo for the 811 service. It features the numbers '811' in a large, bold, sans-serif font. A black shovel icon is positioned below the '1'. A registered trademark symbol (®) is located to the right of the '1'.

Know what's below.  
Call before you dig.

The logo for coterra engineering PLLC. It features the word "coterra" in a large, bold, sans-serif font, with "coterra" split into "coterra" in blue and "coterra" in green. Below it, the words "ENGINEERING PLLC" are written in a smaller, gray, sans-serif font.

**MATCH LINE SEE SHEET C2.4**

The site plan illustrates the layout for Hole 11, including the following key features and details:

- Foundation Locations:** Holes 11A, 12A, 13A, 10A, 9A, 8A, 7A, and 6A, all with a Foundation Dia. of 3.5'.
- Tree Protection:** Areas where tree protection fencing must encroach within existing tree driplines are marked. Contractor shall use extreme caution to limit impact or damage to existing trees, limbs, and roots (TYP).
- Fencing:** Tree Protection Fencing (TYP) and Filter Fabric Fencing (TYP) are indicated.
- Access:** Semi truck and equipment access to Hole 11 from southbound 24th Ave S is shown, with SMH 6575, RIM EL=328.22, C/L CHAN=317.0, and CAPPED S PER RECORD.
- Other Features:** Includes a site benchmark, gravel paths, dirt paths, concave curbs, concrete curbs, and various trees like Fir, Cedar, Holly, Alder, and Maple.

**24TH AVENUE S 24TH AVE S**

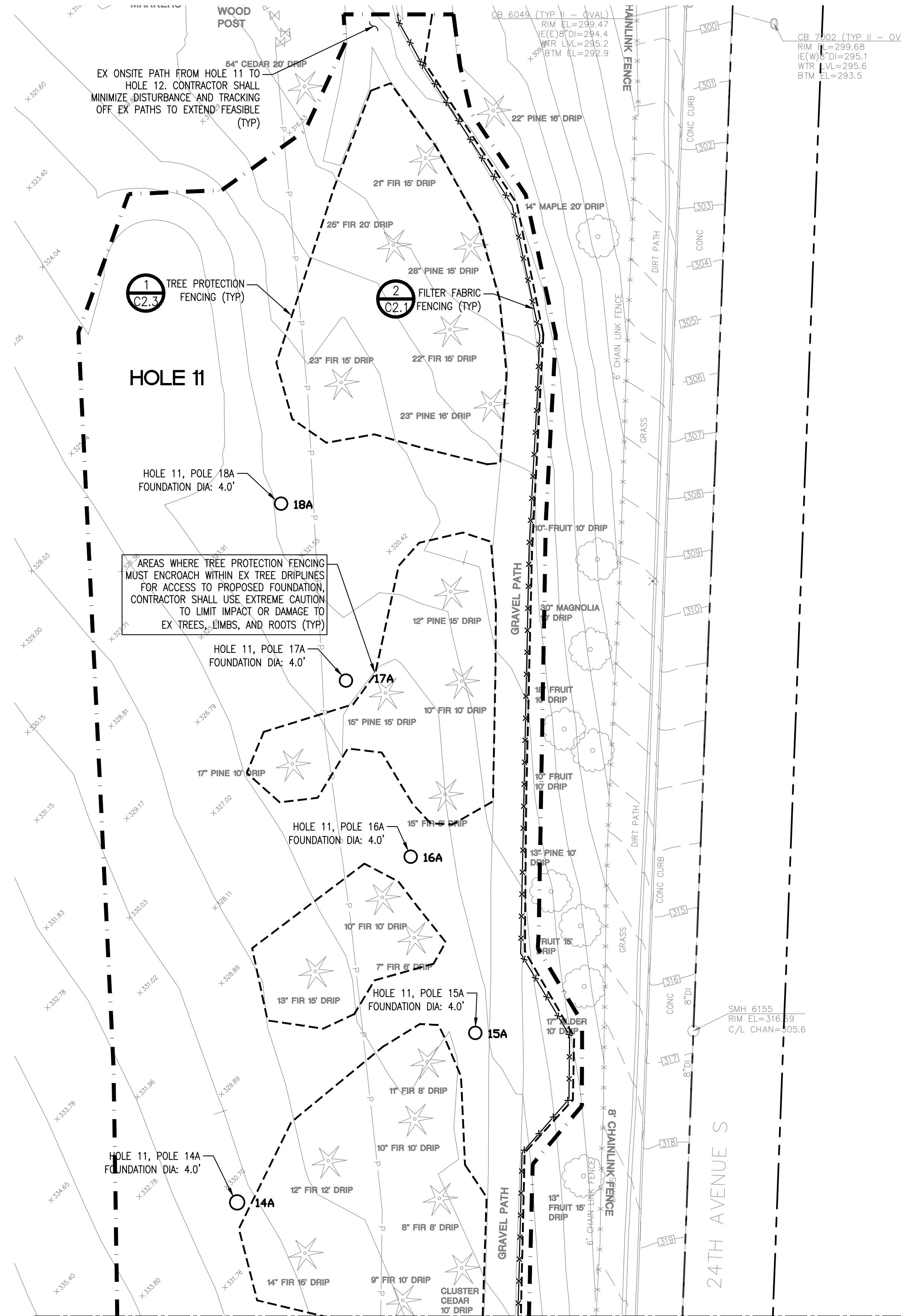
**MATCH LINE SEE SHEET C2.2**

The logo for Seattle Parks & Recreation. It features a circular emblem on the left containing a stylized profile of a person's head facing left, with vertical lines extending from the top and bottom of the head. To the right of the emblem, the word "Seattle" is written in a large, bold, black, sans-serif font. Below "Seattle", the words "Parks & Recreation" are written in a slightly smaller, bold, black, sans-serif font.

CSC/

CSC/SOIL PLAN	
JOB CO	PC
	VPI #
C2.3	
SHEET	5 OF 6

SEE SHEETS C2.0-C2.1 FOR HOLE 12 PLANS



# Bill Wright Golf Complex at Jefferson Park Renovation

Type V Land Use Decision

Land Use Committee  
August 6, 2025



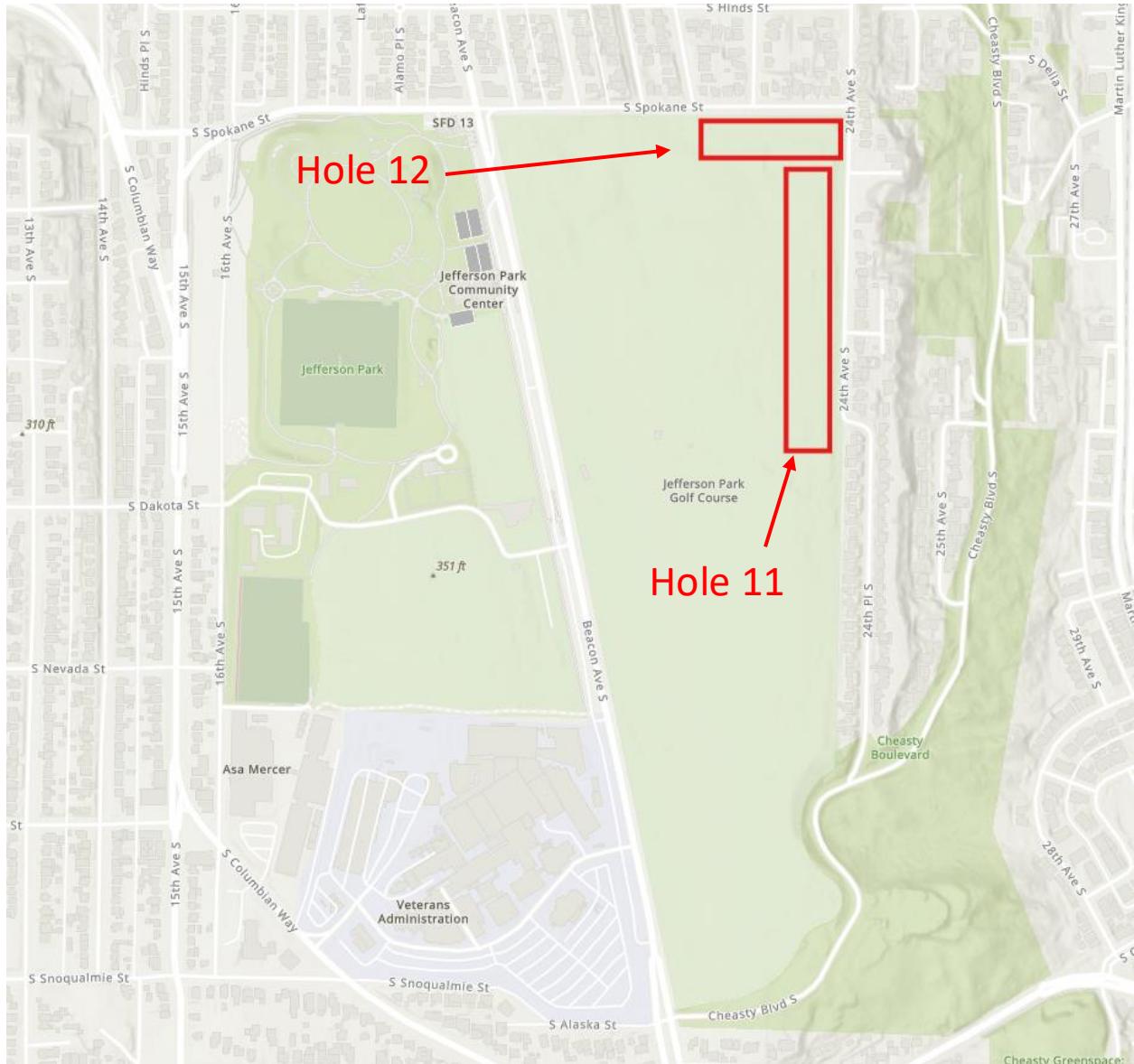
City of Seattle 23

# Briefing Overview

**Purpose:** Consideration of a waiver for the height limit of poles and netting at Bill Wright Golf Complex outside holes 11 & 12.

## Agenda:

- Background information
- Project proposal
- Land use issue
- Planning and community outreach



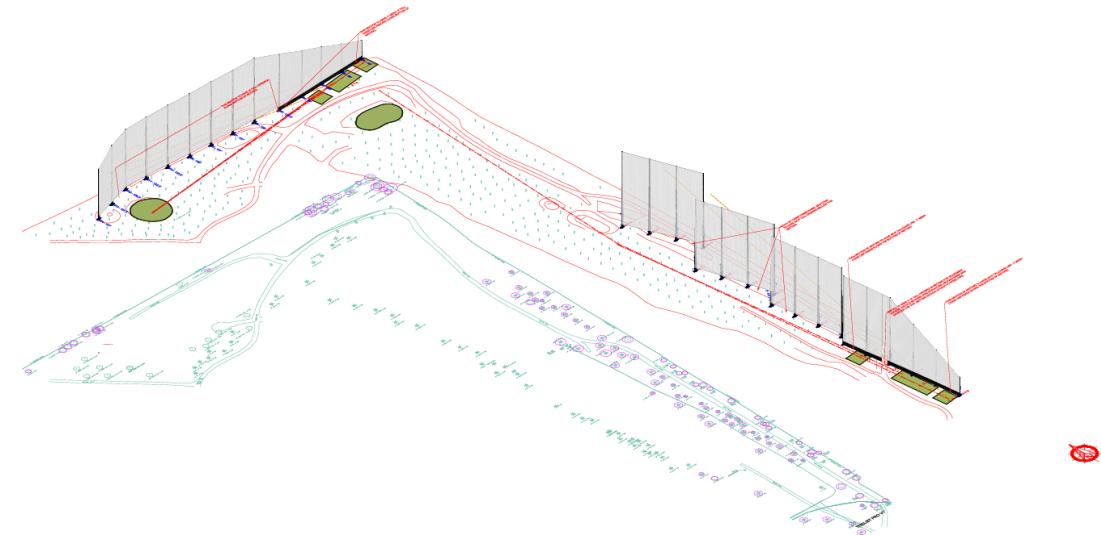
# Background Information

- **Project Site:** Bill Wright Golf Complex
  - Existing public facility owned and operated by Seattle Parks and Recreation (SPR) consisting of an 18-hole regulation length golf course, 9-hole par 3 course, driving range, practice green, clubhouse with adjoining café, and support facilities.
  - Bounded by S. Spokane St, 24th Ave S, Cheasty Blvd, and Beacon Ave S in the Beacon Hill Neighborhood.
  - Zoned Neighborhood Residential 3 (NR3), with 5000 SF minimum lot size and maximum permitted height of 30 feet.
- **Project Goal:** Restore tees to original locations to allow full course play.
- **Project Related Council Land Use Action:** Request to modify the scope of improvements to the 18-hole golf course to include a new pole and netting system for errant ball containment at Holes 11 and 12 (32 new poles with heights ranging from 20 feet to 160 feet).

# Proposed Golf Course Improvements

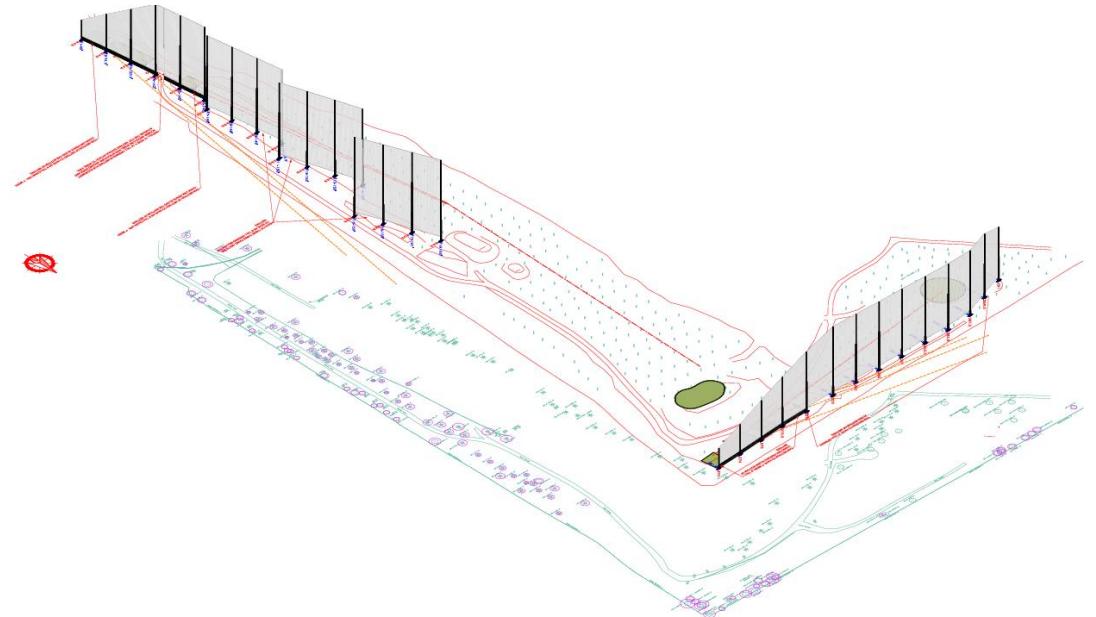
**The Bill Wright Golf Course Renovation is significant for public safety.**

- The purpose of the project is to address errant golf balls travelling outside the golf course, which will increase public safety and protect private property.



# Proposed Golf Course Improvements (continued)

- Installation of Poles and Netting at Holes 11 and 12.
- Install 16 poles at Hole 11 ranging in height from 20' to 160' with netting in between the poles.
- Install 16 poles at Hole 12 ranging in height from 40' to 157' with netting in between the poles.
- Restore original tee locations and full course play.



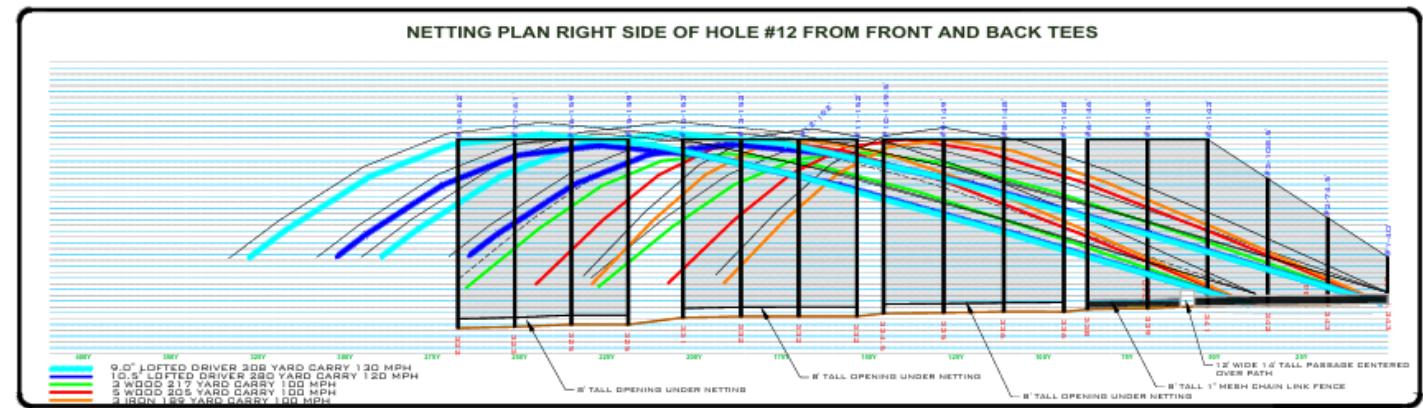
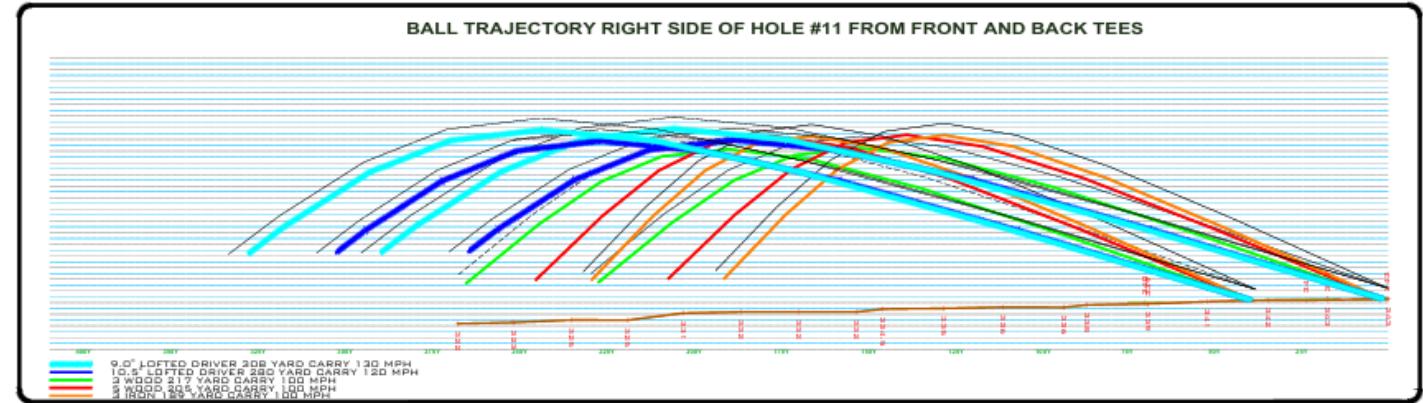
# Pole and Netting System

- Design is based on golf ball flight trajectory analysis for different golfer skill levels, and environmental factors such as wind speed and elevation changes.
- Will incorporate engineered steel poles, secured fittings, durable and transparent netting.
- Installing heights well above 30' significantly minimizes risk of errant ball trespass.
- Solar powered aviation obstruction lights will be mounted at tops of poles.



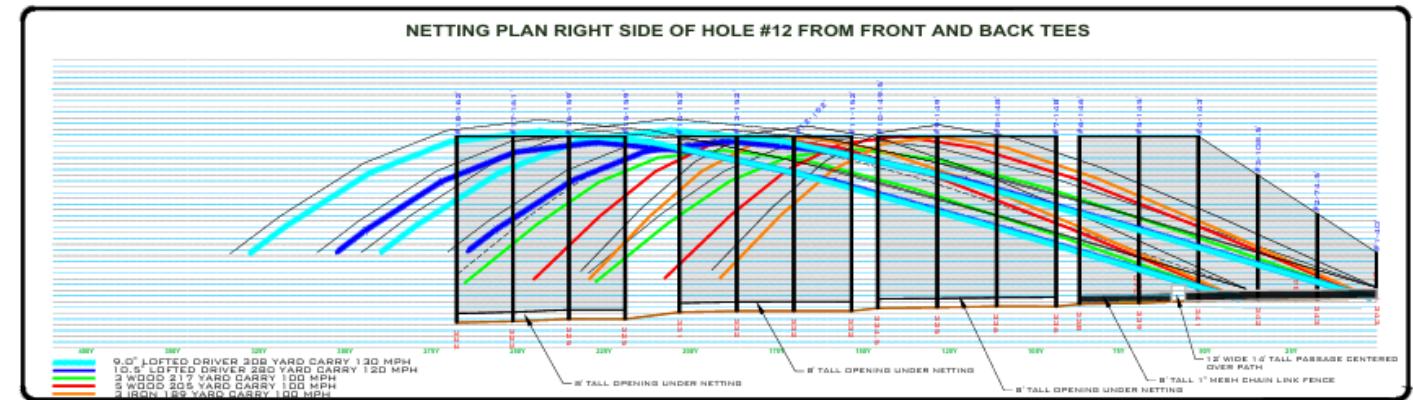
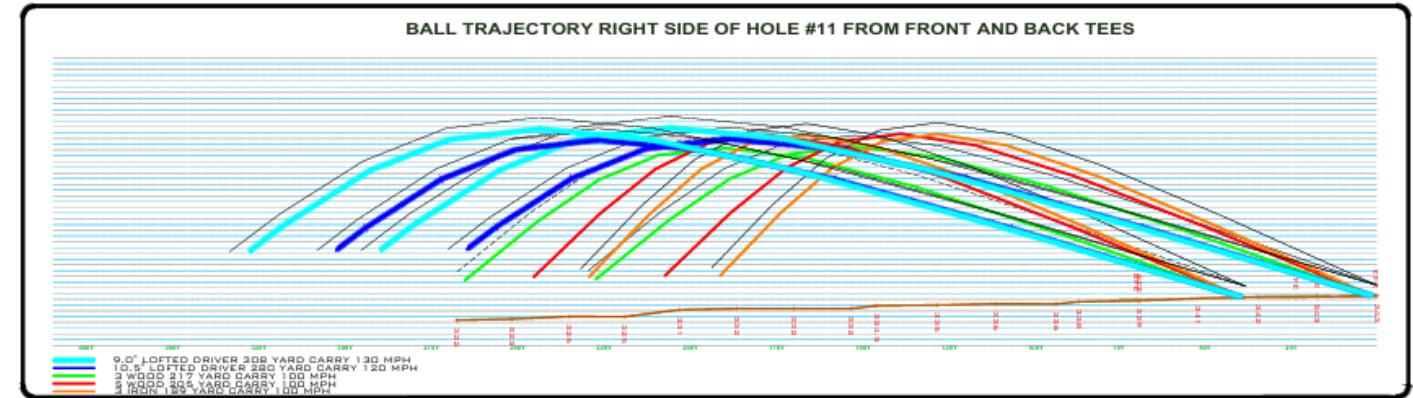
# Bill Wright Golf Complex Renovation

## Hole 11 – Ball Trajectory and Netting Plan



# Bill Wright Golf Complex Renovation

## Hole 12 – Ball Trajectory and Netting Plan



# LAND USE POLICY

- The Director may permit a structure to exceed the limits of the Airport Height Overlay District as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Because the Special Exception is part of a Council Land Use Decision, SDCI is making a recommendation to Council.
- Such an exception shall only be permitted if the Director finds that all of the following conditions listed in SMC 23.64.010 exist.
- Pursuant to SMC 23.76.064, allowing the poles and netting to exceed 30' requires a Type V Land Use decision as the Council may waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City facilities.
- The project will use solar powered aviation obstruction lights mounted at tops of poles.



Ideal for: Wind Turbines, Bridges, Towers

The SC35-OBS is a low-intensity red LED solar-powered obstruction light suitable for a diverse range of applications, including marking of wind turbines, bridges, towers and other structures that present a hazard to aviation. The wide asymmetrical vertical profile meets or exceeds the requirements of the FAA L-810 and ICAO Types A, B & E obstacle lights.

## FEATURES

- Programmable as ICAO Types A, B & E and FAA Type L-810 obstruction light
- Beam spread of 10° at 50% peak intensity
- Peak intensity at 8° above horizontal
- Available in 12Ah and 24Ah
- Sized to allow usage over wide range of locations
- Long life Lead Crystal battery capable of being charged down to a temperature of -30°C to +50°C
- Designed for 12 year service life (excluding battery)
- Warranty: 3 years for fixture and 1 year for battery
- Waterproof body up to IP-68

# Land Use Issues

- SMC 23.44.012 limits height of structures to 30' in Neighborhood Residential zones, for which the project seeks Council Land Use Action and Special Exception approval to allow a waiver.
- The Seattle Department of Construction and Inspections (SDCI) has issued a Recommendation Report, which contains an analysis of the proposal and recommends approval of the proposal to exceed the height limits subject to the condition listed in the report.
  - A public hearing is scheduled in the Land Use Committee for Sept. 3, 2025
- SMC 23.64.018 requires FAA approval for tall structures in the Airport Overlay Zone, which the project has secured.

# Outreach and Notice Summary

## SPR Renovation Project Summary

- Two Public Meetings in 2020 and 2023
- On-site Project Signage
- SEPA Exemption
- Stakeholder Input

## Timeline

- October 7, 2024 – SDCI Notice
- August 6, 2025 – LUC briefing on Aug 6
- September 3, 2025 – Public hearing in LUC

# Questions?



**CITY OF SEATTLE**  
**ANALYSIS AND RECOMMENDATION DECISION OF THE DIRECTOR OF**  
**THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Record Number:** 3039491-LU

**Council File Number:** CF #314536

**Applicant:** Shannon Glass for Seattle Parks and Recreation

**Address of Proposal:** 4100 Beacon Ave S

**SUMMARY OF PROPOSAL**

Council Land Use Action to allow installation of 32 netting poles. Project includes footings and netting for new poles (ranging at 20 feet to 160 feet) at Jefferson Park Golf Course.

The following approvals are required:

- I. **Council Land Use Action (SMC Chapter 23.76.064)** – to exceed the height in NR3 zone.
- II. **Special Exception (SMC Chapter 23.64)** – to exceed the height limit for Airport Height Overlay District.

**SEPA DETERMINATION**

- Determination of Nonsignificance (DNS)**
  - Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.
  - No mitigating conditions of approval are imposed.
- Determination of Significance (DS) – Environmental Impact Statement (EIS)**
- Determination made under prior action.**
- Exempt**

In accordance with SEPA (RCW 43.21C), a SEPA Exemption was made under a prior action by Seattle Parks and Recreation (David Graves, August 12, 2019).

**BACKGROUND**

Additional proposal summary according to information in the project file:

*“Jefferson Park Golf Course is owned by Seattle Parks and Recreation (SPR) and occupies approximately 123 acres on the top of Beacon Hill. The golf course consists of an 18-hole regulation length golf course, 9-hole par 3 course, driving range, practice green, clubhouse with adjoining café, and support facilities. Jefferson Park Golf Course is Seattle’s oldest municipal golf course. The area occupied by the golf course and adjacent park was part of the original Seattle park master plan developed by the Olmsted brothers in 1903 and the location of the golf course*

*and the park roadway on the west side were built as planned. Other features of the master plan west of Beacon Avenue were not implemented.*

*Jefferson Park Golf Course holes 11 and 12 are located in the northeast corner of the site, adjacent to residential dwellings. There have been issues with golf balls leaving the site and landing in surrounding roads and private property. There are identified Environmentally Critical Areas (ECAs) across and adjacent to the golf course, as shown on the Seattle Department of Construction and Inspections' GIS database. The area along the north and east edge of the golf course where the netting poles will be installed contains Steep Slope ECAs and there is a Known Slide Area ECA on the adjacent property to the east, both associated with the east facing slope of Beacon Hill.*

*Seattle Parks and Recreation (SPR) is proposing to install netting along holes 11 and 12 at Jefferson Park Golf Course to reduce golf balls traveling out of the golf course. The proposed work includes:*

- *Hole 11 – Install 16 poles ranging in height from 20' to 160' with netting in between the poles. This netting would be along the east side of the golf hole from the tee to about 200 yards out. All work would be on the golf course and require removal and/or relocation of 10 trees. Work involves installing footings for the poles, new poles and netting between these poles.*
- *Hole 12 – Install 16 poles ranging in height from 40' to 157' with netting in between the poles. This netting would be along the north side of the golf hole from the tee to about 250 yards out. All work would be on the golf course and require removal and/or relocation of 10 trees. Work involves installing footings for the poles, new poles and netting between these poles.*

*The work will include clearing the vegetation in the area where the netting and poles are proposed, drilling holes and pouring concrete for the pole foundations, installing the poles and installing the netting. There will be no change in grades and no change to stormwater facilities. No areas of native vegetation will be disturbed; lawn areas that are damaged during construction/installation will be repaired and restored. To the extent that trees need to be removed, new trees will be replanted at the required ratio of two new trees for every one tree removed.”*

Pursuant to SMC 25.09.045 Exemptions, Seattle Parks and Recreation (David Graves, August 12, 2019), determined the proposal is unlikely to result in substantial disturbance of the underlying Steep Slope and Known Slide Area ECA's;

*“As the proposed netting and pole improvements are maintenance and remodeling of an existing recreation facility involving no material expansions or changes in use beyond that previously existing, they are **exempt** from environmental review under SEPA. Furthermore, as the proposal is routine maintenance/remodeling of an existing public facility and will not substantially disturb the underlying designated Steep Slope and Known Slide Area ECAs, the proposal is **exempt** from the provisions of SMC Ch. 25.09, Regulations for Environmentally Critical Areas.”*

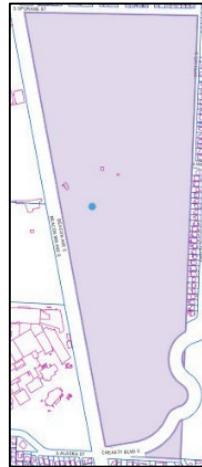
## SITE AND VICINITY

*Site Description:* The project site is located in the Beacon Hill neighborhood of Seattle and is currently developed with the 18-hole Jefferson Park Golf Course, a nine-hole course, a driving range, a clubhouse, a cart barn and accessory parking. The site is bounded by S. Spokane St, 24<sup>th</sup> Ave S, Cheasty Blvd, and Beacon Ave S.

*Site Zone:* Neighborhood Residential 3 (NR3)

*Zoning Pattern:* (North) Neighborhood Residential 3 (NR3)  
(South) Neighborhood Residential 3 (NR3)  
(East) Neighborhood Residential 3 (NR3)  
(West) Neighborhood Residential 3 (NR3), MIO-240-MR (M), MIO-105-LR3 (M), MIO-37-LR2 (M)

*Environmentally Critical Areas:* There are ECA Liquefaction Prone Areas, Steep Slope, Wetlands, and Wildlife Habitat Areas mapped on site.



The top of this image is north. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDCI's files will control.

## PUBLIC COMMENT

The public comment period ended on April 14, 2025. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to cultural and archeological resources, property damage, maintenance, wildlife impact, height impacts, stormwater impacts, tree removal, and view blockage.

Seattle Parks and Recreation summarizes the public comments they received as follows:

*"Seventy-nine public comments were submitted for this project. Sixty-four comments support the project, eleven comments oppose the project, and three comments were neutral.*

- *Comments in support of the project noted the value of restoring holes 11 and 12 to their original design and full course length, which will improve the recreational value and quality of play. Comments noted the historical significance of the Olmsted-designed course, the importance of equitable investment in underserved south Seattle, and safety benefits for adjacent properties. There were also comments describing how shortening the length of holes 11 and 12 in response to neighbor complaints about errant balls has diminished the overall playing experience at the golf course. SPR's response:*
  - *The project will restore holes 11 and 12 to their original configuration and provide public safety and protection of private property.*
- *Comments opposing the project described concerns that the pole and netting will remove trees, create an environmental or wildlife hazard, obstruct access and visibility into the course, be an eyesore, decrease nearby home values, diminish the quality of the neighborhood, and set a precedent for allowing future development that exceeds allowable heights. There were also comments about failure to explore alternatives to netting, lack of environmental study, lack of*

*public outreach, inadequate trajectory studies, stormwater issues in the adjacent right of way, and poor golf course maintenance. SPR's response:*

- o The project will impact one tree on Hole 11. Three trees will be planted within Jefferson Park in compliance with the City of Seattle tree replacement requirements.*
- o SPR Golf Operations staff and Premiere Golf Centers report that there have been no impacts to wildlife related to pole and netting systems in Seattle municipal golf courses. Also see attached "Netting Report to Address Potential Bird Strikes" (Tanner Consulting Group, April 29, 2025) which attests to the widespread use of sports netting and minimal risk to bird strikes or entanglement.*
- o Access to and within the course will be unchanged by the project.*
- o The transparent netting fabric will have minimal visual impact. The netting will be installed along the edge of the fairways. Trees that have been planted along the property line will buffer the visual impact of the poles and netting.*
- o The purpose of the project is to address errant golf balls travelling outside the golf course, which provides public safety and protection of private property.*
- o SPR's 2019 Strategic Business Plan for the Future of City of Seattle Owned Municipal Golf Courses (<https://www.seattle.gov/parks/about-us/plans-and-reports/recreation-plans-and-reports/municipal-golf-course-study>) identified the errant ball issue holes 11 to 12 at Jefferson Park Golf Course. SPR and Premier Golf Centers worked on a plan to reroute holes from a counterclockwise pattern to a clockwise pattern. As the design was developed, it was determined that permitting requirements, tree loss, extensive course closure for construction, lost revenue, and overall project costs outweighed the option of installing netting.*
- o SPR issued a SEPA Determination of Non-Significance (DNS) for this project. See attached.*
- o SPR held two public meetings for this project on September 10, 2020 and January 28, 2023.*
- o Tanner Consulting Group prepared a ball trajectory study for Holes 11 and 12 in 2018, which was updated in 2024 in coordination with SPR and the engineering consultants to ensure minimal tree loss. The analysis considers golf ball flight trajectory for different golfer skill levels, and environmental factors such as wind speed and elevation changes. See attached Ball Trajectory / Netting Plan, Tanner Consulting (June 5, 2024)*
- o The project limits are on SPR property. There is no scope of work in the adjacent rights of way. The project will be constructed in compliance with current stormwater code requirements.*
- o The pole and netting system is engineered for strength and longevity, and will be constructed of weather-resistant materials, including engineered steel poles and secure fittings."*

## **I. ANALYSIS – COUNCIL LAND USE ACTION**

Public parks are City facilities permitted outright in Neighborhood Residential zones. Development standards for neighborhood residential zones are found in Seattle Municipal Code (SMC) Chapter 23.44. SMC 23.76.064 includes provisions for the City Council to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City facilities. Seattle Parks and Recreation seeks a Council Approval under SMC 23.76.064 to modify height development standards to allow the height of netting and poles for holes 11 and 12 to exceed the height limit by 130 feet.

SMC 23.76.050 requires the Director to prepare a written report on Type V application, which includes the following analysis and information:

**1. *The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;***

**Seattle Parks and Recreation** - As the proposed netting and pole improvements are maintenance and remodeling of an existing recreation facility involving no material expansions or changes in use beyond that previously existing, it is determined that this project is exempt from environmental review under SEPA. Furthermore, as the proposal is routine maintenance/remodeling of an existing public facility and will not substantially disturb the underlying designated Steep Slope and Known Slide Area ECAs, the proposal is exempt from the provisions of SMC Ch. 25.09, Regulations for Environmentally Critical Areas. (David Graves, August 12, 2019).

**Federal Aviation Administration** - The Parks Department obtained a Determination of No Hazard to Air Navigation (*FAA, Aeronical Study No. 2021-ANM-10008-OE, January 17, 2023*) for 32 structures described as “Pole Golf course netting” for the subject site. As a condition to this Determination, the FAA requires that *“the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.”*

**2. *Responses to written comments submitted by interested citizens;***

Please see the discussion under ‘Public Comments’ above. All public comments are available online at the [Seattle Services Portal \(Permits, Licenses and Regulatory Compliance - Seattle Services Portal | seattle.gov\)](https://www.seattle.gov/Seattle-Services-Portal/Permits-Licenses-and-Regulatory-Compliance) by entering the project number (3039491-LU).

**3. *An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;***

Seattle Municipal Code (SMC) Chapter 23.44 includes standards and criteria for proposed development in Neighborhood Residential zones. Public parks are a permitted use in Neighborhood Residential zones. The project meets all applicable development standards for Neighborhood Residential zones with the exception of the allowable height limit. The requested development standard modification is discussed below:

a. Explanation for why the netting and poles are required,

The proposal includes netting and netting poles up to 160 feet (130 feet higher than the code allows. According to information submitted by Seattle Parks and Recreation:

*“...Course changes due to the removal of trees at Jefferson Park has resulted in downgrading the course for tournament play because the length of two holes had to be reduced in order to reduce ball trespass issues into neighboring homes. The course now plays to a par of 69. Due to the removal of perimeter protective trees on holes 7, 11 and 12, hole 11 was changed from a 463 yard par 4 to about a 150 yard par 3. The 12th hole was changed from a 197 yard par 3 to a very short, about 90 yard par 3.”*

These changes, intended to be temporary, have resulted in declined rounds of play and reduced revenues for the golf course. When the pole and netting system are installed, the holes will be restored to their original playing configurations and full course play.

b. Ball Flight Study summary,

To support the requested increase in netting and pole height, Seattle Parks and Recreation submitted a Ball Trajectory Study for Holes 11 and 12 (*Tanner Consulting Group, 2024*). The analysis considers golf ball flight trajectory for different golfer skill levels, and environmental factors such as wind speed and elevation changes.

c. How the netting and pole design limits the impact of the height in the NR zone and its relationship to the comprehensive plan/policies.

According to information submitted by Seattle Parks and Recreation:

*"The pole heights range from 20 feet to 160 feet tall. The netting fabric is transparent and will result in minimal visual impact. The netting will be installed in SPR property, along the edge of the fairway. The poles are setback approximately 40 feet from the S Spokane St curb at hole 12, and approximately 40 feet from the 24th Ave S curb at hole 11. Trees that have been planted along the property line will buffer the visual impact of the poles and netting."*

The Land Use Code has been developed in accordance with Comprehensive Plan policies. Regarding height limits in Neighborhood Residential zones, the Comprehensive Plan policy LU70 requires, "Establish height limitations in single-family residential areas that establish predictable maximum heights, maintain a consistent height limit throughout the building envelope, maintain the scale relationship between a structure and its site, address varying topographic conditions, control view blockage and encourage pitched roofs."

The height limitation of 30 feet is appropriate for most structures in Neighborhood Residential zones and is most consistent with the Comprehensive Plan when applied to residential or institutional structures typically found in Neighborhood Residential zones and the pattern of development resulting from relatively small lots. However, the height limit of 30 feet does not address the site-specific requirements necessary for the Parks Department to address public safety and playability concerns at the Jefferson Golf Course.

Seattle Parks and Recreation has also indicated that the taller net poles and nets will be made of the most transparent material available for the purpose. The use of the most transparent material available serves to mitigate the effect of the taller poles and netting so that the proposal is not inconsistent with the applicable Comprehensive Plan policies.

SDCI recommends approval of this requested modification to development standards to allow nets and net poles of up to 160 feet in height.

**4. All environmental documentation, including any checklist, EIS or DNS;**

Seattle Parks and Recreation submitted a SEPA/ECA Exemption memo, dated August 12, 2019, by David Graves. Seattle Parks and Recreation also submitted a Ball Trajectory Study for holes 11 and 12, which is referenced above, and are attached as Attachments A and B of this report.

**5. The Director's recommendation to approve, approve with conditions, or deny a proposal.**

Based on the analysis provided above, SDCI recommends the following:

SDCI recommends **approval with conditions** of the requested modifications to the development standards to allow for nets and net poles of up to 160 feet in height, subject to the requirement that the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red), &15. This note is to be added to the Building Permit drawing set prior to issuance.

**II. ANALYSIS – SPECIAL EXCEPTION FOR AIRPORT HEIGHT OVERLAY DISTRICT**

The Director may permit a structure to exceed the limits of the Airport Height Overlay District as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Because the Special Exception is part of a Council Land Use Decision, SDCI is making a recommendation to Council. A Special Exception shall only be permitted if the Director finds that all of the following conditions exist:

**A. The Federal Aviation Administration advises the Director that the exception to the height limits does not create a hazard to aviation.**

The Federal Aviation Administration provided a Determination of No Hazard to Air Navigation for all the proposed driving range poles and nets on January 17, 2023. The FAA referenced Aeronautical Study numbers 2021-ANM-1008-OE. The proposal meets this criterion.

**B. The additional height is necessary for the successful physical function of the structure.**

Seattle Parks and Recreation has demonstrated that the additional height is necessary for the successful function of the driving range to reduce the occurrence of golf ball "trespass" (i.e., ball flight exceeding the net height). The proposal meets this criterion.

**C. The exception will not result in re-routing of aircraft.**

The FAA Determination of No Hazard to Air Navigation notes that the proposal would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft. The proposal meets this criterion.

**D. The structure is designed to minimize adverse impacts of lighting on surrounding uses while complying with the lighting requirements of the Federal Aviation Administration.**

The FAA Determination of No Hazard to Air Navigation includes the requirement that "the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15." The required lighting over the height limit is minimal and will have no adverse impacts on the surrounding uses. The proposal, with this lighting requirement, meets this criterion.

### **RECOMMENDATION – COUNCIL LAND USE ACTION & SPECIAL EXCEPTION**

This COUNCIL LAND USE ACTION application is RECOMMENDED FOR APPROVAL subject to the condition listed at the end of this decision.

### **RECOMMENDED CONDITIONS – COUNCIL LAND USE ACTION**

#### *Prior to Issuance of Construction Permit*

1. The structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

David Sachs, Senior Land Use Planner  
Seattle Department of Construction and Inspections

Date: July 31, 2025

3039491-LU Recommendation CA SE SEPA

## **FINDINGS, CONCLUSIONS AND DECISION OF THE CITY COUNCIL OF THE CITY OF SEATTLE**

Council waiver or modification of development standards to allow installation of 32 netting poles at Jefferson Park Golf Course (Project No. 3039491-LU, Type V). ) ) ) ) C.F. 314536 Application 3039491-LU FINDINGS, CONCLUSIONS AND DECISION

### **Background**

Seattle Parks and Recreation (SPR) proposes to add netting and poles to holes 11 and 12 as part of the restoration of the Bill Wright Golf Complex at Jefferson Park. Portions of the netting and poles will exceed zoned height limits and are intended to address errant golf ball trespass associated with restored tee locations.

As proposed, the project requires City Council approval under Seattle Municipal Code (SMC) Section 23.76.064, which section also authorizes Council to modify development standards for City facilities. SPR requests a waiver of development standards to allow the poles and netting to exceed the height limit.

The Seattle Department of Construction and Inspections (SDCI) reviewed the proposal and issued its Analysis and Recommendation on July 31, 2025. SDCI recommends approval of the project.

On September 3, 2025, the Council's Land Use Committee was briefed on the project, held a public hearing, and made a recommendation to the Council.

### **Findings of Fact**

The City Council hereby adopts the following Findings of Fact:

1. The Bill Wright Golf Complex at Jefferson Park is located at 4100 Beacon Avenue South.
2. The site is zoned Neighborhood Residential 3 (NR3).
3. SPR submitted an application (Project No. 3039491-LU) to install netting and poles along the northern edge of holes 11 and 12 at the Bill Wright Golf Complex at Jefferson Park.
4. The Seattle Land Use Code sets a base height limit for structures NR3 zones of 32 feet (SMC 23.44.012).
5. Pursuant to SMC 23.76.064 B, the City Council may waive or modify development standards for City facilities.

6. SPR seeks a City Council modification of the height development standard of the NR3 zone to permit the poles and netting.

<b>Development Standard</b>	<b>Code Requirement</b>	<b>Proposed Modification</b>
SMC 23.44.012 Height limits	The maximum height permitted for any structure not located in a required yard is 32'.	Allow 32 poles with suspended netting with heights up to 160 feet.

7. The project also requires that SDCI grant a special exception for the poles to exceed height limits within the Airport Height Overlay District, SMC Chapter 23.64.010.

8. SDCI and SPR received public comments on multiple topics related to the project. There were both comments in favor of the poles and netting and comments identifying concerns with environmental and wildlife hazards associated with the poles and netting and the overall appearance of the poles and netting.

9. SMC 23.76.050 requires that the SDCI Director evaluate the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies.

10. SMC 23.76.050 also requires consultation with other governmental agencies. Here that includes the Federal Aviation Administration (FAA), which on January 17, 2023, issued a Determination of No Hazard to Air Navigation requiring that the poles be marked and lighted.

11. SDCI reviewed the proposed project and issued its Analysis and Recommendation on July 31, 2025. SDCI recommends that the Council conditionally approve the modification to development standards.

### **Conclusions**

The City Council hereby adopts the following Conclusions:

1. The proposed facility is a City facility as defined by SMC 23.84A.006.
2. The City Council has authority to waive or modify a development standard for a City facility under SMC 23.76.064 B.
3. SPR has demonstrated that the proposed pole and netting height is necessary to minimize trespass from errant golf balls and reduce the risk to public safety and private property.

### **Decision**

Subject to the condition described below, the City Council grants the following modifications of development standards for the proposed improvements at the Bill Wright Golf Complex at Jefferson Park.

<b>Development Standard</b>	<b>Proposed Waiver or Modification</b>
SMC 23.44.012 Height limits	Allow 32 poles with suspended netting with heights up to 160 feet.

### **Condition**

1. The structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red), &15.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Council President



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

## Legislation Text

---

**File #:** CF 314534, **Version:** 1

---

Application of Scott Carr for a contract rezone of a site located at 352 Roy Street from Seattle Mixed Uptown with a 65-foot height limit and Mandatory Housing Affordability overlay (SM-UP 65 (M)) to Seattle Mixed Uptown with an 85-foot height limit and Mandatory Housing Affordability overlay (SM-UP 85 (M)) (Project No. 3041336-LU; Type IV).

The Rezone Material is provided as an attachment.



# 3041336-LU / REZONE

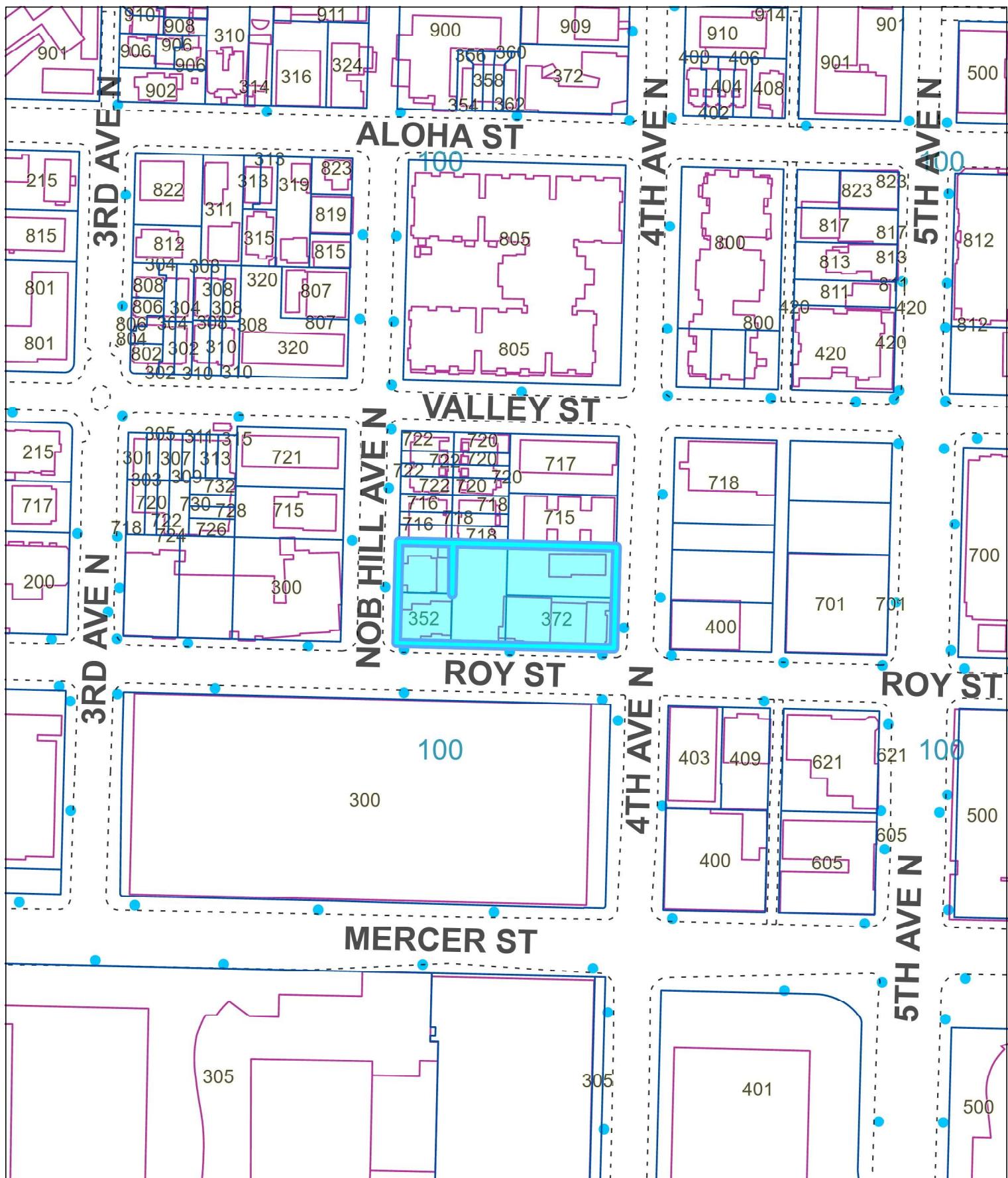
325 Roy St  
MAP #100



Feet

0

150





# **Clerk File 314534 – Contract Rezone for 352 Roy Street**

---

HB HARPER, ANALYST

LAND USE COMMITTEE  
SEPTEMBER 3, 2025

## Type of Action

---

- Type IV - Quasi-judicial decision
- Quasi-judicial rezones are subject to the Appearance of Fairness Doctrine prohibiting ex parte communication
- Council decisions must be made on the record established by the Hearing Examiner

# Application Summary

---

- Proposed rezone of a site:
  - From SMU-65 (M) to SMU-85 (M)
- Overall project site area is approximately 30,720 square feet
- Rezone would facilitate the development of an 8-story, 215-unit mixed use building with apartments and retail.

# Site Context and Zoning



Axonometric view of proposal site



*Stitched together street view Roy St. looking north*

From SDCI  
Presentation –  
Hearing Examiner  
Exhibit 23

# Project Rendering



Hearing Examiner's Exhibit 23

# Process

---

- SDCI recommendation to conditionally approve, June 5
- Hearing Examiner open record hearing, June 25
- Hearing Examiner recommendation, July 8
- Land Use Committee, September 3 and 15
- City Council, September 23 (anticipated)

# Hearing Examiner Recommended PUDA Conditions

---

## Prior to Issuance of a Building Permit

1. The rezone includes a Mandatory Housing Affordability designation of (M).
2. Development of the rezoned property shall be subject to the requirements of SMC 23.58B and/or 23.58C. The PUDA shall specify the payment and performance calculation amounts for purposes of applying Chapter 23.58B and/or 23.58C.

## For the Life of the Project

3. Approval of this contract rezone is conditioned upon development of the project in accordance with the final approved Master Use Permit drawings, including the structure design with the proposed 10-foot northern property setback, structure height of 85 feet, major modulation, and balconies on the north façade.

## **Actions if Committee approves rezone**

---

- Amend Clerk File title to reflect recommended rezone
- Add Findings, Conclusion and Decision to Clerk File
- Vote to recommend approval of the Clerk File
- Introduce Council Bill with signed PUDA on September 9
- Council vote on September 23

# Questions?

September 3, 2025

## MEMORANDUM

**To:** Land Use Committee  
**From:** HB Harper, Analyst  
**Subject:** CF 314534 - Contract Rezone for 352 Roy Street

---

On September 3, 2025, the Land Use Committee will receive a briefing on the Hearing Examiner's recommendation to approve a proposed rezone of properties at 352 Roy Street from Seattle Mixed - Uptown with a 65-foot height limit (SM-UP 65 (M)) to the same designation, but with an 85-foot height limit (SM-UP 85 (M)). If the Committee recommends approval of the rezone, a Council Bill (Exhibit 1) to effectuate the rezone will be introduced for action at the City Council alongside CF 314534.

This memorandum: (1) provides an overview of the rezone application contained in CF 314534; (2) describes the contents of Council decision documents, which would grant the rezone application, including a summary of the draft Council Bill, which would amend the Official Land Use Map, also known as the zoning map, to effectuate the rezone, and accept a Property Use and Development Agreement (PUDA) limiting future development; and (3) describes next steps.

### Overview of Rezone Application

Kamiak Real Estate (Applicant) proposes to rezone an approximate 30,720 sq. ft. property from Seattle Mixed - Uptown, 65 ft. Height Limit, Mandatory Housing Affordability Suffix (M) [SM-UP 65 (M)] to Seattle Mixed - Uptown, 85 ft. Height Limit, Mandatory Housing Affordability Suffix M [SM-UP 85 (M)] through the contract rezone process. The M suffix corresponds to one of the three Mandatory Housing Affordability (MHA) tiers identified in the Land Use Code and in Director's Rule 14-2016 (effective April 6, 2017).

This proposal includes a specific redevelopment proposal for the construction of an 8-story, 215-unit mixed use building with apartments and retail. The Applicant intends to satisfy MHA program requirements through on-site performance.

The Seattle Department of Construction and Inspections (SDCI) recommended conditional approval of the application to the Hearing Examiner on June 5, 2025. The Hearing Examiner held an open-record public hearing on June 25, 2025, and on July 8, 2025, recommended conditional approval. The Hearing Examiner's recommended conditions are included in the Findings and Recommendation (Exhibit 2) at page 10.

### Type of Action

A Council decision on the rezone application is quasi-judicial.<sup>1</sup> Quasi-judicial decisions are subject to the Appearance of Fairness Doctrine prohibiting ex parte communication and are governed by the Council's Quasi-judicial Rules.<sup>2</sup>

Council decisions must be made on the record established by the Hearing Examiner. The Hearing Examiner establishes the record at an open-record hearing. The record contains the substance of the testimony provided at the Hearing Examiner's open record hearing and the exhibits entered into the record at that hearing.

Audio recordings of the hearing can be accessed through the Hearing Examiner's website.<sup>3</sup> Excerpts from the record, the SDCI recommendation, public comments letters, and an analysis by the Applicant of how the proposed rezone meets the rezone criteria in [SMC Chapter 23.34](#) are contained in the Legistar record for CF 314534.

### **Committee Decision Documents**

To approve a contract rezone the Committee must make recommendations to the City Council on two pieces of legislation: (1) a Council Findings, Conclusions and Decision that grants the rezone application and (2) a bill amending the zoning map and approving a PUDA.

#### CF 314534 - Findings, Conclusions and Decision

Council staff has drafted a proposed Council Findings, Conclusions and Decision (Exhibit 3), which:

- Adopts the Hearing Examiner's findings and conclusions;
- Adopts the rezone conditions recommended by the Hearing Examiner; and
- Approves the rezone application.

#### Rezone Bill

A Council Bill to amend the Official Land Use Map to rezone the site and approve and accept an executed PUDA included with Exhibit 1 should be introduced and passed alongside the Clerk File. This bill would effectuate the rezone.

### **Next Steps**

The rezone application will be considered by the Committee on September 3<sup>rd</sup>. A possible vote is anticipated at the Committee's September 15<sup>th</sup> meeting. If the Committee recommends approval of the rezone, the Council Bill included as Exhibit 1 to this memo will be introduced for a vote at the City Council meeting on Tuesday, September 23.

---

<sup>1</sup> [Seattle Municipal Code \(SMC\) Section 23.76.036](#).

<sup>2</sup> Adopted by [Resolution 31602](#) (2015).

<sup>3</sup> [Case Details for CF-314534 \(seattle.gov\)](#).

**Exhibits:**

1. Draft Council Bill w. Property Use and Development Agreement
2. Findings and Recommendation of the Hearing Examiner
3. Draft Findings, Conclusions and Decision

cc: Ben Noble, Director  
Lish Whitson, Lead Analyst

# CITY OF SEATTLE

## **ORDINANCE**

## COUNCIL BILL \_\_\_\_\_

..title

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 100 of the Official Land Use Map to rezone parcels located at 352 Roy Street from Seattle Mixed Uptown with a 65 foot height limit and M Mandatory Housing Affordability suffix (SM-UP 65 (M)) to Seattle Mixed Uptown with an 85 foot height limit and M Mandatory Housing Affordability suffix (SM-UP 85 (M)); and accepting a Property Use and Development Agreements as a condition of rezone approval. (Application of Kamiak Real Estate LLC, C.F. 314534, SDCI Project 3041336-LU)

..body

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

Section 1. This ordinance rezones the following legally described property (“Property”) commonly known as 352 Roy Street:

PARCEL 545780-1265

LOT 1, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE, ACCORDING  
TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY,  
WASHINGTON.

PARCEL 545780-1300

THE WEST HALF OF LOT 7, BLOCK 35, MERCERS 2ND ADDITION TO NORTH  
SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7,  
IN KING COUNTY, WASHINGTON.

PARCEL 545780-1315

THE WEST HALF OF LOT 8, BLOCK 35, MERCERS 2ND ADDITION TO NORTH  
SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7,  
IN KING COUNTY, WASHINGTON.

PARCEL 545780-1295

1        THE EAST HALF OF LOTS 7 AND 8, BLOCK 35, MERCERS 2ND ADDITION TO  
2        NORTH SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS,  
3        PAGE 7, IN KING COUNTY, WASHINGTON.

4        **PARCEL 545780-1270**

5        LOT 2, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE ACCORDING  
6        TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY,  
7        WASHINGTON.

8        Section 2. Page 100 of the Official Land Use Map, Seattle Municipal Code Section  
9        23.32.016, is amended to rezone the Property described in Section 1 of this ordinance, and  
10      shown in Exhibit A to this ordinance, from Seattle Mixed Uptown with a 65 foot height limit and  
11      M Mandatory Housing Affordability suffix (SMU-65 (M)) to Seattle Mixed Uptown with an 85  
12      foot height limit and M Mandatory Housing Affordability suffix (SMU-85 (M)). Approval of this  
13      rezone is conditioned on complying with the Property Use and Development Agreement (PUDA)  
14      approved in Section 3 of this ordinance.

15      Section 3. The PUDA attached to this ordinance as Exhibit B is approved and accepted.

16      Section 4. The City Clerk is authorized and directed to file the PUDA with the King  
17      County Recorder's Office; to file the original PUDA along with this ordinance at the City  
18      Clerk's Office upon return of the recorded PUDA from the King County Recorder's Office; and  
19      to deliver copies of the PUDA and this ordinance to the Director of the Seattle Department of  
20      Construction and Inspections and to the King County Assessor's Office.

Section 5. This ordinance, effectuating a quasi-judicial decision of the City Council and not subject to Mayoral approval or disapproval, shall take effect and be in force 30 days from and after its passage and approval by the City Council.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025,  
and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
\_\_\_\_\_, 2025.

President \_\_\_\_\_ of the City Council

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Scheereen Dedman, City Clerk

(Seal)

## Exhibits:

## Exhibit A – Rezone Map

15 | Exhibit B – Property Use and Development Agreement for 352 Roy Street

# Exhibit A - Rezone Map



## Proposed Rezone

Clerk File 314534  
SDCI Project 3041336-LU  
352 Roy Street

No warranties of any sort, including accuracy, fitness, or merchantability accompany this product. Copyright 2025. All Rights reserved. City of Seattle, City Council Central Staff. Prepared August 14, 2025.

 Existing Zoning  
 Rezone Area



<i>When Recorded, Return to:</i>	
<b>THE SEATTLE CITY CLERK</b> 600 Fourth Avenue, Floor 3 PO Box 94728 Seattle, Washington 98124-4728	

PROPERTY USE AND DEVELOPMENT AGREEMENT

<b>Grantor(s):</b>	Kamiak Real Estate, LLC
<b>Grantee:</b>	The City of Seattle
<b>Legal Description (abbreviated if necessary):</b>	See Attachment B
<b>Assessor's Tax Parcel ID #:</b>	Parcels: 545780-1265, 545780-1300, 545780-1315, 545780-1295, 545780-1270
<b>Reference Nos. of Documents Released or Assigned:</b>	n/a

THIS PROPERTY USE AND DEVELOPMENT AGREEMENT (the “Agreement”) is executed this \_\_\_\_ day of \_\_\_\_\_, 2025, in favor of the CITY OF SEATTLE (the “City”), a Washington municipal corporation, by KAMIAK REAL ESTATE, LLC, a Washington Limited Liability Company (“Owner”).

## RECITALS

A. KAMIAK REAL ESTATE, LLC, is the owner of that certain real property, addressed as 352 Roy Street, in the City of Seattle, currently zoned Seattle Mixed Uptown with a 65 foot height limit and M Mandatory Housing Affordability suffix (SM-UP-65 (M)), and legally described in Attachment B (the “Property”).

B. In July 2021, the Owner submitted to the City an application under Project No. 3041336-LU to rezone the Property to Seattle Mixed Uptown with an 85 foot height limit and M Mandatory Housing Affordability Suffix (SM-UP-85 (M)) (the “Rezone”), as shown in Attachment A.

C. Seattle Municipal Code Section 23.34.004 allows the City to approve a rezone subject to “self-imposed restrictions” upon the development of the Property.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties agree as follows:

## AGREEMENT

**Section 1. Agreement.** Pursuant to Seattle Municipal Code Section (“SMC”) 23.34.004, the Owner covenants, bargains, and agrees, on behalf of itself and its successors and assigns that it will comply with the following conditions in consideration of the Rezone:

### Prior to Issuance of a Building Permit

1. The rezone includes a Mandatory Housing Affordability suffix of (M).
2. Development of the Property shall be subject to the requirements of SMC Chapters 23.58B and 23.58C. For purposes of application of those Chapters, future development of the Property shall be subject to the following performance and payment requirements:
  - For Chapter 23.58B, 5% per square foot for the performance option or \$12.03 per square foot for the payment option; and

- For Chapter 23.58C, 7% of units for the performance option, with a payment for any fraction of a unit at the rate of \$30.55 per square foot.

*For the Life of the Project*

3. Development of the Property shall be in accordance with the final approved Master Use Permit drawings for SDCI Project No. 3041336-LU, including the structure design with the proposed 10-foot northern property setback, structure height of 85 feet, major modulation, and balconies on the north façade.

**Section 2. Mandatory Housing Affordability Under SMC Chapter 23.58C.** Development of the Property shall comply with SMC Chapter 23.58C through the performance option, with a payment for any fraction of a unit.

**Section 3. Agreement Runs With the Land.** This Agreement shall be recorded in the records of King County by the City Clerk. The covenants contained in this Agreement shall attach to and run with the land and be binding upon the Owners, their heirs, successors and assigns, and shall apply to after-acquired title of the Owner.

**Section 4. Amendment.** This Agreement may be amended or modified by agreement between the Owner and the City; provided any amendments are approved by the City Council by ordinance.

**Section 5. Exercise of Police Power.** Nothing in this Agreement shall prevent the City Council from making further amendments to the Seattle Municipal Code or Land Use Code as it may deem necessary in the public interest.

**Section 6. No Precedent.** The conditions contained in this Agreement are based on the unique circumstances applicable to the Property and this Agreement is not intended to establish precedent for other rezones in the surrounding area.

**Section 7. Repeal as Additional Remedy.** Owner acknowledges that compliance with the conditions of this Agreement is a condition of the subject rezone and that if the Owner avails itself of the benefits of this rezone but then fails to comply with the conditions of this Agreement with the City, in addition to pursuing any other remedy, the City may:

Exhibit B - Property Use and Development Agreement

- a. Revoke the rezone by ordinance and require the use of the Property to conform to the requirements of the previous zoning designation or some other zoning designation imposed by the City Council; and
- b. Pursue specific performance of this Agreement.

[signature and acknowledgment on following pages]

Exhibit B - Property Use and Development Agreement

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

KAMIAK REAL ESTATE, LLC, a Washington Limited Liability Company

By: \_\_\_\_\_

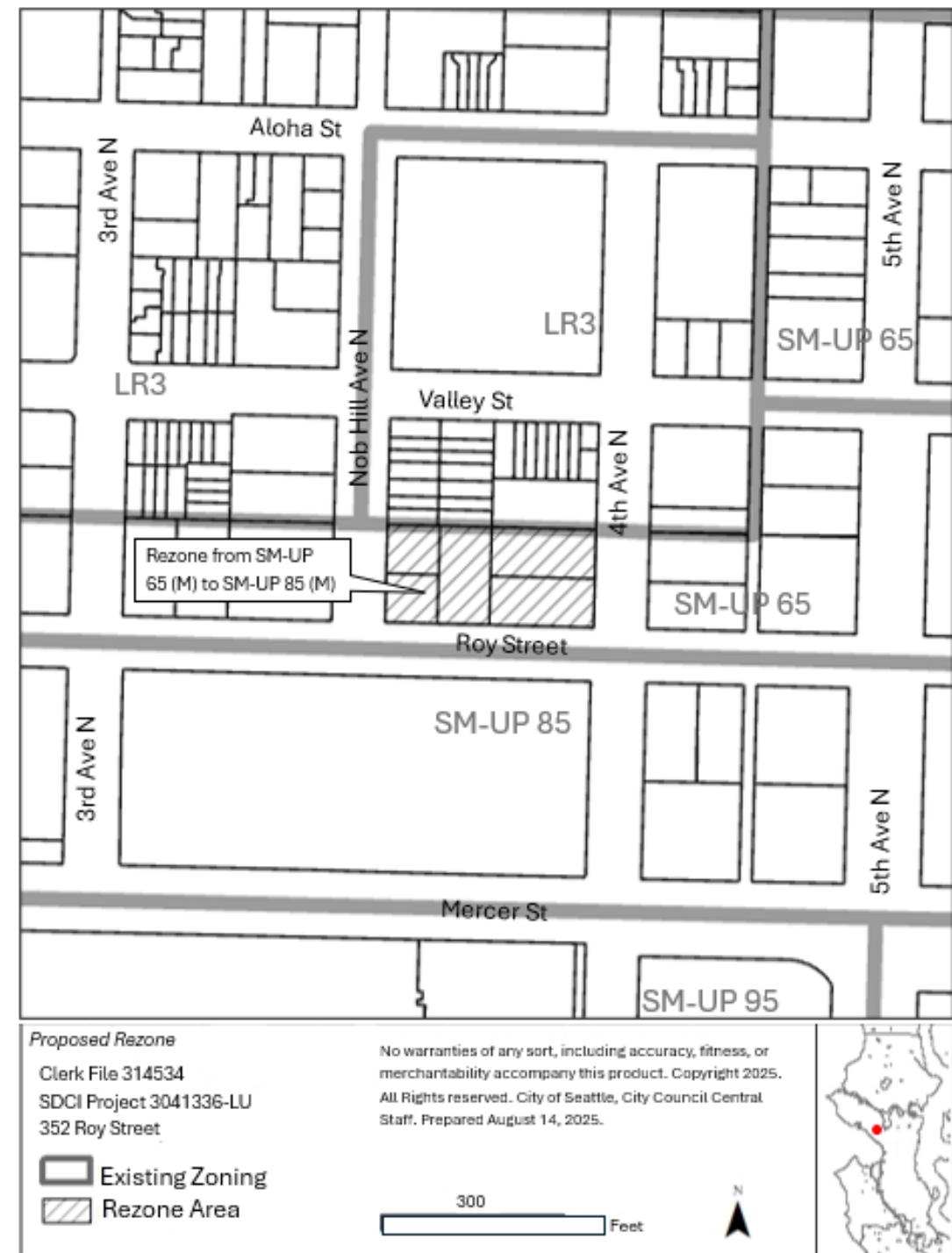
Its: \_\_\_\_\_

On this day personally appeared before me \_\_\_\_\_, to me known to be the \_\_\_\_\_, of \_\_\_\_\_, a Washington limited liability company that executed the foregoing instrument, and acknowledged such instrument to be the free and voluntary act and deed of such limited liability company, for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute such instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

		Printed Name _____
		NOTARY PUBLIC in and for the State of Washington, residing at _____
		My Commission Expires _____
STATE OF WASHINGTON  COUNTY OF KING	}	ss.

ATTACHMENT A



ATTACHMENT B

PARCEL 545780-1265

LOT 1, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE, ACCORDING TO PLAT  
RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

PARCEL 545780-1300

THE WEST HALF OF LOT 7, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE  
ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY,  
WASHINGTON

PARCEL 545780-1315

THE WEST HALF OF LOT 8, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE  
ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY,  
WASHINGTON

PARCEL 545780-1295

THE EAST HALF OF LOTS 7 AND 8, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE  
ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY,  
WASHINGTON

PARCEL 545780-1270

LOT 2, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE ACCORDING TO PLAT  
RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

## FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of Application of

**KAMIAK REAL ESTATE, LLC,**

For a Rezone of Property at  
352 Roy Street.

Hearing Examiner File:  
**CF 314534**

Department Reference:  
3041336-LU

### FINDINGS OF FACT

**1. Introduction.** Applicant Kamiak Real Estate LLC proposed a contract rezone from Seattle Mixed Uptown Urban Center with a 65-foot height limit and Mandatory Housing Affordability Overlay M (SM-UP 65 (M)) to the same designation, but with an 85-foot height limit (SM-UP 85 (M)). Replacing the site's existing buildings and parking lot, the height increase would allow for an eight story, 215-unit apartment building with 4,436 square feet of retail and 128 parking spaces. At 352 Roy Street, the site is at the base of Queen Anne Hill.

**2. Hearing.** A properly noticed public hearing<sup>1</sup> was held remotely and in person on June 25, 2025. The Seattle Department of Land Use & Engineering Services (“Department”), through David Landry, Sr. Planner, described the proposal and review process. The Department recommended approval with three conditions. The Applicant, represented by Holly Goldin of Hillis, Clark, Martin & Peterson, appeared and called two witnesses, Scott Lien, owner and principal at Kamiak Real Estate, LLC, and Jon Kwon, an architect with PUBLIC47 Architects. Michelle Brown of Heffron Transportation was available for questions. From the public, Atalie Holman, who resides in a newly constructed, adjacent townhome testified.

**3. Exhibits.** The Department submitted Exhibits 1-22, with the Applicant adding Exhibit 23 (its presentation) and the Department adding Exhibit 11a (clarification question from a citizen and Department response). The record was kept open through June 26 to address a public comment on view impacts. In response to that comment, the Applicant stated it would provide the shadow study, which was inadvertently omitted from the submitted exhibits. These materials were included in the record as Exhibit 4a. The Department also submitted a clarifying comment (Exhibit 24).

Public comments were submitted from Atalie Holman (Exhibit 25) and David Gonzalez (Exhibit 26). The latter was submitted a day late but accepted. Both comments were reviewed, though the comments went beyond the view question the record was kept open to address. The Examiner visited the site on July 7. The visit provides context but is not evidence.

---

<sup>1</sup> Exhibit 11; SMC 23.76.052(C). *See also* Exhibits 7 and 8.

**4. Applicant Testimony.** Project representative Scott Lien described the building as having an ideal location near a major job center, proximate to transit (including a proposed light rail station), targeting LEED Gold design standards, and including ground level retail, a dividable area which could provide space for smaller, local businesses. 25% of the units will be family sized. The 85-foot height allowed with the rezone would not be fully utilized as rather than two added floors, there will be one, with 25 units, so only 15 feet of the height increase will be used. Mr. Lien summarized the review process, noting that the Applicant has been in contact with the Uptown Alliance, which supports the project.

Project architect Jon Kwon elaborated on design and site conditions. The site slopes up to the north, with ten feet of grade change. To buffer residential development on the north side, a voluntary ten-foot setback is provided. This is coupled with a courtyard on the north side (landscaped as a rock garden) which provides further visual relief and a courtyard on the south side. The southern courtyard and an active pedestrian plaza assist with use transition and provide a focal point for entry, which will be accentuated with artwork.

**5. Public Testimony.** Atalie Holman stated that due to her recent move into an adjacent newly constructed townhome at (723 4<sup>th</sup> Avenue N), she only just learned about the project, otherwise she would have been involved earlier. The primary concern she identified in testimony was view impacts, particularly panoramic views to the south, which include the Space Needle.

**6. Written Public Comments to Department.** Comments to the Department were submitted during an extended comment period from September 12 through October 16, 2024. Comments raised concerns on a decline in neighborhood livability for existing residents, including two senior citizen homes. Other comments raised concern on added congestion and public transportation infrastructure limitations. Comments in support noted a desperate need for housing to support population growth and that the site, so close the city core, was under-utilized. Other comments expressed appreciation for the ground level plaza, the building's setback away from the northern properties, and a request to see more art expressions in the project consistent with the Uptown Arts District guidelines.<sup>2</sup>

**7. Written Public Comment to Hearing Examiner.** After the hearing, two public comments were submitted.

Atalie Holman, who testified at the hearing and resides in a new townhome complex to the north, provided comment. She was concerned that the new townhome community sharing the block with the project site was not mentioned. At the hearing, she stated that she had identified Space Needle visibility as a concern, but that "view loss wasn't intended to be my main complaint," rather the example was intended to demonstrate application material inaccuracies.<sup>3</sup> She identified departures as concerns (a Tier 2 tree removal, 5.5 foot building width increase, and public space reduction from 15% to 9%). She was also concerned about there not being design review and lack of a sign board. She requested a land use assessment re-evaluation. Specifically, she requested: (1) shadow study inclusion; (2) public impacts to views of the Space Needle (which may be blocked

---

<sup>2</sup> Exhibits 9 and 10.

<sup>3</sup> Exhibit 25.

from the 4<sup>th</sup> Avenue sidewalk) be addressed; (3) traffic impact clarifications;<sup>4</sup> (3) updated application materials to reflect current surroundings; and (4) expanded public review processes.

David Gonzalez stated he attended the hearing but was unable to leave a comment. He resides in a new townhome complex at the corner of Valley and 4<sup>th</sup> Avenue N. He raised questions on how current and rigorous project analysis was, given mentions of an apartment building removed two years ago and lack of mention of his townhome complex. He also wanted to know why a land use sign was not posted on the lot as this would have better informed new residents such as himself.

**8. Review Process.** The proposal is not required to undergo SEPA and Design Review, as clarified at the public hearing. Before scheduling the public hearing, the Department sought public comment from September 12 through October 16, 2024, as Finding 6 addresses.<sup>5</sup> Comment submitted following the hearing expressed a desire for additional opportunities to provide input, partly as those individuals are new to the location though the comment opportunities provided were consistent with code.

**9. Site.** The 30,720 square foot site is at the base of Queen Anne Hill within the Uptown Urban Center and a Frequent Transit Area.<sup>6</sup> The site gently slopes uphill, gaining about ten feet from south to north.<sup>7</sup> With power lines to the south, a high water table, and no alley, project design had to address these constraints. The site is developed with shorter one and two story buildings and a parking lot. The current zoning is SM-UP 65 (M), with surrounding height limits ranging from 50-85 feet.

- North – Lowrise 3 (M) [LR3 (M)] (50 foot height limit)
- South – SM-UP 85 (M1)
- East – SM-UP 65 (M)
- West - SM-UP 65 (M)

The site fronts Roy Street on the south, with Valley Street to the North, Nob Hill Ave N to the west and 4<sup>th</sup> Ave N to the east. The site occupies the southernmost half of the block between Valley Street and Roy Street and includes five parcels with varying uses, including restaurants, some residential uses, and a surface parking lot. Sidewalks are on all three street frontages, with east and westbound bike lanes on Roy Street.

A mix of residential and commercial uses surround the site. Development on the north side includes three to four story townhome and apartment developments.<sup>8</sup> On the south, across Roy Street, is a Seattle Center parking garage. Roy Street is a principal arterial with a variety of uses (office, community services, personal services, commercial retail, a regional grocery store, and

---

<sup>4</sup> The comment asked whether the townhome was included; whether increased traffic to 4th/Valley from the Aurora exit on Valley leading to the 4th Avenue parking garage entrance was addressed; and, whether impacts to emergency vehicle access, including to Cogir Senior Living were addressed.

<sup>5</sup> Exhibits 7-10; Testimony, Mr. Landry; Exhibit 21 (Department Recommendation), p. 251.

<sup>6</sup> Exhibit 23 (Staff Report); Testimony, Mr. Landry.

<sup>7</sup> Testimony, Mr. Kwon.

<sup>8</sup> Exhibit 23 (Applicant's Presentation), p. 5; Testimony, Department, Applicant, and Public.

parking), all within walking distance of Seattle Center and other retail along Mercer St. and Queen Anne Avenue N. The area has a mix of architectural styles, with low-rise brick apartments from the 1920s and 1930s, Craftsman bungalows converted to apartments, mid-century-modern structures and modern townhouses. More generally, the Uptown area includes the Seattle Center and Space Needle, Climate Pledge Arena, SIFF Cinema, and a collection of neighborhood bars and restaurants.<sup>9</sup>

**10. Transportation.** A Transportation Impact Analysis addressed trip generation and road system capacity, finding no significant impacts to the transportation system near the site. It found the project would generate slightly more vehicle trips than existing land uses, with a net increase of 70 daily. It noted that Roy Street was improved in 2015 as part of the Mercer Corridor West Project and converted from a one-way street to a two-way street with bicycle lanes. Frontage improvements will be completed along the project's three sides on Roy, Nob Hill Avenue N, and 4<sup>th</sup> Avenue N, with upgraded sidewalks and landscaping.<sup>10</sup>

**11. Project Design.** The rezone would allow an additional 20 feet in height to the existing zoning, though the project is adding only one additional floor, so with eight stories, would use only 15 feet of the added allowance. The project includes a voluntary ten-foot setback on the north side along with an approximately 1,230 (30 x 41) square foot north-side courtyard area. This courtyard extends 51 feet from the property line and in addition to the setback, adds to visual buffering measures for townhome and apartment properties on the north.<sup>11</sup>

The south entrance area includes an approximately 1,200 (30 x 40) square foot street-level courtyard adjacent to the commercial space along Roy. It is coupled with an active pedestrian plaza, street landscaping, and pedestrian weather protection. Artwork is being incorporated into this public area. The south side, above the first floor, has upper level 15 foot setbacks to accommodate the existing power line.<sup>12</sup>

The roof has a unique, somewhat open design, providing residents with open space at the building's top, which is coupled with green roofing and solar panels.<sup>13</sup>

The Applicant met with the Uptown Alliance Land Use Review Committee, which reviewed the proposal and commented on its design features.

- LURC was pleased to see further development of the ground level plaza connecting the private residential lobby with adjacent retail opportunities. The presentation included natural seating opportunities such as the boulders and planters at the sidewalk level.

---

<sup>9</sup> Exhibit 21 (Staff Recommendation).

<sup>10</sup> Exhibit 15 (Transportation Impact Study), pp. 230 and 225.

<sup>11</sup> Exhibit 23 (Applicant's Presentation), p. 5; Testimony, Mr. Kwon; Exhibit 22 (Staff Report).

<sup>12</sup> Testimony, Mr. Kwon; Exhibit 23 (Applicant's Presentation), p. 6.

<sup>13</sup> Exhibit 23 (Applicant's Presentation), pp. 1 and 5; Testimony, Mr. Kwon.

- LURC supports the preferred massing & the overall design, as it successfully integrates an urban multi-family housing structure with other structures and single family homes.
- The preferred design concept includes a gracious set back and roof top element to create transparency. The project is asking for a contract rezone from 65' to 85'. The roof top element helps in keeping the building in context with the grade changes. There is a[n] airiness included in the visual height.<sup>14</sup>

More generally, infrastructure adequacy has been assessed and found adequate to support the proposal, including the road network, water, sewer, and other urban services.<sup>15</sup> The parking garage entrance is along 4<sup>th</sup> Street on the east and is sized to allow for trash pick-up within the building. Frontage improvements, including landscaping, are on all three sides and the building is targeting the LEED-Gold standard.

## CONCLUSIONS OF LAW

**1. Jurisdiction.** The Hearing Examiner has jurisdiction to issue a recommendation on the rezone, while the Council makes the final decision.<sup>16</sup>

**2. Criteria, Summary.** Criteria for assessing a site-specific rezone request are at SMC 23.34.004 (contract rezones), 23.34.006 (MHA suffixes), 23.34.007 (rezone evaluation), 23.34.008 (rezone criteria), 23.34.009 (height limits), 23.34.126 (Seattle Mixed zoning, designation), and 23.34.128 (Seattle Mixed zoning, location). Despite the overlapping criteria, key considerations are zoning compatibility with the neighborhood and land use planning for the area.

**3. Contract Rezone, SMC 23.34.004.** As this is a contract rezone, a Property Use and Development Agreement, or PUDA, will be executed and recorded.<sup>17</sup> The code details payment and performance requirements.<sup>18</sup> The PUDA should include conditions requiring property development to substantially conform with approved Master Use Permit plans.

**4. “M” Suffix: Mandatory Housing Affordability, SMC 23.34.006.** With the proposed zoning, the site is subject to MHA requirements at SMC 23.58B and/or 23.58C. The rezone from SM-UP 65 (M) to SM-UP 85 falls into tier M, so the current “M” designation would not change with the rezone.<sup>19</sup>

**5. Rezone Evaluation, SMC 23.34.007.** Applicable sections of Ch. 23.34 SMC on rezones are weighed and balanced together to determine the most appropriate zone and height

<sup>14</sup> Exhibit 23 (Applicant Presentation), pp. 12-13.

<sup>15</sup> Exhibit 15 (Transportation Impact Analysis); Exhibit 18 (SPU Solid Waste Review); Exhibit 19 (SPU Water Availability Certificate); Exhibit 21 (Staff Recommendation).

<sup>16</sup> SMC 23.76.004(C); SMC 23.76.004, Table A.

<sup>17</sup> SMC 23.34.004.

<sup>18</sup> See e.g., Ch. 23.58B SMC; Ch. 23.58C SMC.

<sup>19</sup> DR 14-2016, Application of Mandatory Housing Affordability for Residential Development (MHA-R) in Contract Rezones.

designation.<sup>20</sup> Zone function statements are used "to assess the likelihood that the area proposed to be rezoned would function as intended."<sup>21</sup> "No single criterion ... shall be applied as an absolute requirement or test of the appropriateness of a zone designation ... unless a provision indicates the intent to constitute a requirement...."<sup>22</sup> The most appropriate zone designation is the one "for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation."<sup>23</sup>

**6. Zoned Capacity, SMC 23.34.008(A).** In Urban Centers and Urban Villages, zoned capacity should not reduce capacity below 125% of the Comprehensive Plan's growth target. The site is within the Seattle Mixed Uptown Urban Center. The Comprehensive Plan forecasts 3,000 additional housing units with projected growth strategies for Urban Centers at a density of 15 households per acre. The rezone increases, rather than decreases housing capacity, so helps in achieving these targets. There is no conflict with SMC 23.34.008(A).

**7. Match Between Zone Criteria and Area Characteristics, SMC 23.34.008(B).** There is no change to the SMP-UP zoning designation; only the height would increase from 65 to 85 feet. The locational criteria in SMC 23.34.128 continue to match the adjacent zone type, excepting the abutting LR3 zone, and is consistent with the area's characteristics. The rezone allows for additional height for residential use while allowing commercial and retail services for the Urban Center, consistent with the Comprehensive Plan's Urban Center policies and area growth strategy.

**8. Neighborhood Plan/Precedential Effect, SMC 23.34.008(C) and (D).** Zoning maps date to 1923, and were initially a business designation, which over the years evolved to general commercial and neighborhood commercial. In 2019, through the Citywide Mandatory Housing Affordability legislation, the site's zoning changed to SM-UP 65(M). The site is not within a neighborhood plan. The closest neighborhood plan is the Queen Anne (Uptown) Neighborhood Plan, but the Comprehensive Plan does not have neighborhood specific criteria for the site.

**9. Zoning Principles, SMC 23.34.008(E).** The area's overall development pattern is a gradual increase in zoning intensity and building height. Here, only the height is increasing. The lowest height zone abutting the property is LR3, at 50 feet. The area has a few instances in the Uptown Urban Center where LR3 zones abut SM-UP 85 zones. This is reflected in multi-story and mixed-use developments along Mercer St, near the intersections of 3<sup>rd</sup> Ave N and 4<sup>th</sup> Ave N, in areas zoned SM-UP 85. Other examples of increased density and height associated with new developments in the SM-UP 85 zone can be seen in the mix-use developments at the corner of 3<sup>rd</sup> Ave N and Roy Street and at the corner of 2<sup>nd</sup> Ave N and Roy Street.

The site is bordered by rights-of-way on three sides, but there are no natural features that separate the project from abutting residences to the north. There is a ten-foot descending grade change from north to south on the property. The rezone would follow established zoning boundaries. The project is separated from the northern LR3 zone and residential development by the ten-foot setback, which is coupled with patio spaces and landscaping within the ten-foot

---

<sup>20</sup> SMC 23.34.007.

<sup>21</sup> SMC 23.34.007(A).

<sup>22</sup> SMC 23.34.007(B).

<sup>23</sup> SMC 23.34.008(B).

setback, placed intermittently at the first floor level along the northern building façade to soften the building edge. On the south side, the proposed commercial uses would face Roy Street as exists under the current zoning and height classification. The opposing side of Roy Street is Seattle Center's Mercer Street Parking Garage with no commercial uses attached.

The proposed rezone would be the first height change to SM-UP 85 to cross over to Roy Street's north side and could set precedence along the frontages on Roy's north side between Aurora Avenue N and 1<sup>st</sup> Avenue N. The project would have somewhat similar height and bulk to the new development along Roy Street between Warren Avenue N and 1<sup>st</sup> Avenue N.

The site is not within an urban village but is in the Uptown Urban Center where heights above 55 feet are considered appropriate. There is a height differential between the site and buildings to the north in the LR3 zone, but the height would be the same as the SM-UP 85 zoning immediately to the south.

**10. Impact Evaluation, SMC 23.34.008(F).** The rezone meets the compatibility standards for the surrounding neighborhood. Housing capacity is increased and the project will be adequately supported by public services and infrastructure, including pedestrian amenities and sidewalks. There is adequate street access, street capacity, transit, utility, and sewer capacity. The shadow study showed shadows cast at the lower height would be similar as with the project's additional height.<sup>24</sup> The project follows area aesthetics and does not adversely affect environmental conditions.

Parking is addressed with 128 spaces in the below ground parking garage. This is coupled with 193 garage bike stalls and 15 ground level bike stalls. The project fronts Roy Street, a principal arterial. The parking garage entrance is on 4<sup>th</sup> Avenue N. There is ready access to Aurora Avenue N and Queen Anne Avenue N. With a net increase of 70 daily trips, 22 AM peak hour trips, and three PM peak hour trips, the Roy area intersection is expected to operate at LOS B during peak hours. While there will be a trip increase over existing conditions, the transportation impact analysis did not identify significant transportation system impacts. The site is well served by transit and ideally located near the future Seattle Center stop for Sound Transit's Ballard Link Extension.

The project is not within a historic district and the block is not recognized as having historical significance. The existing buildings are not listed as warranting landmark nomination status. Four restaurants will be displaced with the project, accounting for 9,745 square feet, which will be partly offset by the buildings 4,400 square feet of commercial area.

Of the 215 units, 30 will be added due to the height increase. Rent restricted units in conformance with MHA's performance option total 11 units or about 5%, with one or two due to the height increase. By increasing housing supply and with MHA mitigation, the height increase positively contributes to the need for affordable housing.<sup>25</sup>

---

<sup>24</sup> Exhibit 4A (Shadow Study).

<sup>25</sup> Exhibit 21 (Department Recommendation); Exhibit 15 (Traffic Impact Analysis); Exhibit 13 (Historic Resource Analysis); Exhibit 16 (MHA Calculations); Exhibit 18 (SPU Solid Waste Review); Exhibit 19 (SPU Water Availability Certificate).

**11. Changed Circumstances, SMC 23.34.008(G).** Changed circumstances are considered but need not be demonstrated. The area has seen increasing density and heights and denser housing to accommodate housing needs. The City emphasizes residential growth in urban centers and villages through the Comprehensive Plan, and the site is within the Uptown Urban Center. That theme is expected to continue with the Plan's periodic update.

**12. Overlay Districts and Critical Areas, SMC 23.34.008(H) and (I).** No critical areas are within this Uptown Urban Center site. By providing a carefully designed mixed use development near Seattle Center, coupled with sidewalk improvements, including open areas, landscaping, and lighting, the project contributes to Uptown community vitality and density, consistent with Uptown Urban Center Plan Goals and Policies.

- QA-G3      The Urban Center is a vital residential community as well as a viable and attractive commercial/employment center and mixed-use neighborhood that enjoys a strong relationship with Seattle Center.
- QA-P6      Create a unique urban identity in Queen Anne's Urban Center that includes an attractive multifamily residential neighborhood identified by its distinctive parklike character and surrounding mixed-use areas.
- QA-P40      Strive to provide urban character-enhancing improvements to Queen Anne's streets such as sidewalk improvements, transit facilities, landscaping, and appropriate lighting.

**13. Heights, SMC 23.34.009.** The rezone would allow redevelopment to 85 feet, resulting in a taller roofline than the adjacent LR3 zone to the north. The 85-foot height matches allowed heights on properties zoned SM-UP 85 on Roy's south side but would amplify the height differential between the site and buildings to the north in the LR3 zone. There are views to the south looking at the top one quarter of the Space Needle, above the Mercer Street parking garage which may be affected, particularly for a few upper level townhome units just to the north. As one travels up Queen Anne Hill, views to the Space Needle and downtown from rights-of-way or residential units do not appear impaired.

Uptown Urban Center maximum height limits are 65 and 85 feet. Properties to the north have a 50-foot height minimum, while properties to the east and west along Roy have 65-foot height limits, with 85-foot heights to the south. The project is similar in height and bulk to several newer buildings on Roy's south side. To the immediate west, south, and east, structures are lower. To the west is the four-story Maxwell Hotel, to the south is a Seattle Center parking garage, and to the east is a one-story structure. Other than the parking garage, these buildings have a smaller scale and bulk than the proposal. More comparable is 100 Roy, a seven-story structure four blocks west.

To the north are multi-story apartment and townhome developments. To mitigate the height increase, the development includes a ten-foot setback from the north property line and incorporates a north facing courtyard, along with patios for the at grade units. Height-wise the project is compatible with the area's overall character given mitigation has been built in to assist with transition on the north (with the setback, courtyards, and patios). Though height limits are the same on the south side, the building is softened on this side as well, with pedestrian improvements, landscaping, street-level commercial space, the upper level setback, and courtyard.

**14. Seattle Mixed Zone (SM), SMC 23.34.126.** The Seattle Mixed Zone is designed to achieve a diverse, mixed-use community with a strong pedestrian orientation. A wide range of uses are permitted and density is proposed to encourage a mixed-use neighborhood. The height increase follows these objectives.

**15. Seattle Mixed Zone, Function, and Locational Criteria, SMC 23.34.128.** The Seattle Mixed zone includes location with an urban center with a wide range of uses to encourage a mixed-use neighborhood with a pedestrian orientation. The site is within the Uptown Urban Center which hosts a variety of commercial uses, including retail, restaurants, offices, hotels, wellness centers, supermarkets, etc. The existing pattern of commercial frontages along Mercer Avenue and Roy are largely pedestrian oriented with transit access. The height change would allow new development on an underutilized site to increase residential density with ground level pedestrian oriented commercial opportunities. The proposal is consistent with this criterion.

**16. Conclusion.** Considering Ch. 23.34 SMC criteria together, the most appropriate zone designation for the site is Seattle Mixed Uptown Urban Center with an 85-foot height limit and Mandatory Housing Affordability Overlay M, or SM-UP 85 (M). With the proposal's added housing units, street-level commercial space, north side setback and patio courtyard design, south side courtyard and pedestrian amenities, and overall design, this zoning would better fulfill Comprehensive Plan objectives for this area.

## RECOMMENDATION

The Hearing Examiner recommends that the City Council **APPROVE** the requested rezone subject to a PUDA, with the Department's recommended conditions, Attachment 1.

Entered July 8, 2025.



Susan Drummond, Deputy Hearing Examiner

**Attachment 1**  
**Recommended Conditions**  
**Contract Rezone**

**These conditions should be in the PUDA:**

1. The rezone includes a Mandatory Housing Affordability designation of (M).
2. Development of the rezoned property shall be subject to the requirements of SMC 23.58B and/or 23.58C. The PUDA shall specify the payment and performance calculation amounts for purposes of applying Chapter 23.58B and/or 23.58C.
3. Approval of this contract rezone is conditioned upon development of the project in accordance with the final approved Master Use Permit drawings, including the structure design with the proposed 10-foot northern property setback, structure height of 85 feet, major modulation, balconies on the north façade.

### **Concerning Further Review**

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner's recommendation to consult appropriate Code sections to determine applicable rights and responsibilities.

Under SMC 23.76.054, a person who submitted comment to the Department or Hearing Examiner may submit an appeal of the recommendation in writing to the City Council. The appeal must be submitted within fourteen (14) calendar days following the date of the issuance of the recommendation of the Hearing Examiner, and be addressed to:

Seattle City Council  
Planning, Land Use and Zoning, c/o Seattle City Clerk  
Physical Address: 600 Fourth Avenue, Floor 3, Seattle, WA 98104  
Mailing Address: P.O. Box 94728, Seattle, WA 98124-4728

The appeal shall clearly identify specific objections to the Hearing Examiner's recommendation and specify the relief sought. Review code language for exact language and requirements, which are only summarily described above. Consult the City Council committee named above for further information on the Council review process.

## CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **FINDINGS AND RECOMMENDATION** to each person listed below, or on the attached mailing list, in the matter of **KAMIAK REAL ESTATE, LLC**. Case Number: **CF-314534** in the manner indicated.

Party	Method of Service
<b>Applicant, Kamiak Real Estate, LLC</b>  Scott Lien scott@kamiak.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
<b>Applicant Legal Counsel, Hillis Clark Martin &amp; Paterson P.S.</b>  Holly Golden holly.golden@hcmp.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
<b>Department, SDCI</b>  David Landry David.Landry@seattle.gov  SCI Routing Coordinator SCI_Routing_Coordinator@seattle.gov  SCI_LUIB <a href="mailto:SCI_LUIB@seattle.gov">SCI_LUIB@seattle.gov</a>  <a href="mailto:PRC@Seattle.Gov">PRC@Seattle.Gov</a>  Tonya Capps Tonya.Capps@seattle.gov  Nathan Torgelson nathan.torgelson@seattle.gov  Roger Wynne	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

roger.wynne@seattle.gov	
Ketil Freeman <a href="mailto:ketil.freeman@seattle.gov">ketil.freeman@seattle.gov</a>	
Lish Whitson Lish.Whitson@seattle.gov	
<b>Mailing</b>  <a href="mailto:als2010@hotmail.com">als2010@hotmail.com</a> ; <a href="mailto:amagadon@gmail.com">amagadon@gmail.com</a> ; <a href="mailto:kaliawalke33@gmail.com">kaliawalke33@gmail.com</a> ; <a href="mailto:anne127marie@gmail.com">anne127marie@gmail.com</a> ; <a href="mailto:mai_dinh@icloud.com">mai_dinh@icloud.com</a> ; <a href="mailto:pwhauman@gmail.com">pwhauman@gmail.com</a> ; <a href="mailto:mercedes@mfidinteriors.com">mercedes@mfidinteriors.com</a> ; <a href="mailto:atalie.holman@gmail.com">atalie.holman@gmail.com</a> ; <a href="mailto:dagonzalez.ca@gmail.com">dagonzalez.ca@gmail.com</a>	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: July 8, 2025.

/s/ Angela Oberhansly  
Angela Oberhansly, Legal Assistant

FINDINGS, CONCLUSIONS, AND DECISION  
OF THE CITY COUNCIL OF THE CITY OF SEATTLE

In the matter of the Petition:	)	Clerk File 314534
	)	
Application of Kamiak Real Estate,	)	FINDINGS, CONCLUSIONS,
LLC, for a contract rezone of a site	)	AND DECISION
located at 352 Roy Street from Seattle	)	
Mixed Uptown with a 65-foot height	)	
limit (SM-UP 65 (M)) to the same	)	
designation, but with an 85-foot height	)	
limit (SM-UP 85 (M)). and accepting a	)	
Property Use and Development	)	
Agreements as a condition of rezone	)	
approval. (Application of Kamiak Real	)	
Estate, LLC, C.F. 314534, SDCI	)	
Project 3041336-LU).	)	

**Introduction**

This matter involves a petition by Kamiak Real Estate, LLC, (Applicant) for a contract rezone of an approximately 30,720 square foot site located on Roy Street between Nob Hill Ave N and 4<sup>th</sup> Ave N.

The site is zoned Seattle Mixed - Uptown with a 65-foot height limit with a Mandatory Housing Affordability M suffix (SM-UP 65 (M)). The proposed rezone would be to the same designation, but with an 85-foot height limit (SM-UP 85 (M)).

Attachment A shows the area to be rezoned. Attachment B provides a legal description of the site (the “Property”).

The proposed development project is a mixed-use multi-family apartment project consisting of an 8 story, 215-unit mixed use apartment building with retail, and 128

below-grade parking spaces. The Applicant intends to satisfy MHA program requirements under SMC Chapter 23.58C through on-site performance.

The Seattle Department of Construction and Inspections (SDCI) recommended conditional approval of the application to the Hearing Examiner on June 5, 2025. The Hearing Examiner held an open-record public hearing on June 25, 2025, and on July 8, 2025, recommended conditional approval. On September 3, 2025, the Land Use Committee of the Council reviewed the record and the recommendations by SDCI and the Hearing Examiner and recommended approval of the contract rezone to the City Council.

### **Findings of Fact**

The Council hereby adopts the Hearing Examiner's Findings of Fact as stated in the Findings and Recommendation of the Hearing Examiner dated July 8, 2025.

### **Conclusions**

The Council hereby adopts the Hearing Examiner's Conclusions of Law as stated in the Findings and Recommendation of the Hearing Examiner dated July 8, 2025.

### **Decision**

The Council hereby GRANTS a rezone of the Property from Seattle Mixed Uptown with a 65 foot height limit and M Mandatory Housing Affordability suffix (SM-UP65 (M)) to Seattle Mixed Uptown with an 85 foot height limit and M Mandatory Housing Affordability suffix (SM-UP 85 (M)), as shown in Attachment A.

The rezone is subject to the execution of a Property Use and Development Agreement (PUDA) requiring the owners to comply with certain conditions, as follows:

Prior to Issuance of a Building Permit

1. The rezone includes a Mandatory Housing Affordability suffix of (M).
2. Development of the rezoned property shall be subject to the requirements of SMC Chapters 23.58B and 23.58C. The PUDA shall specify the payment and performance calculation amounts for purposes of applying Chapters 23.58B and 23.58C.

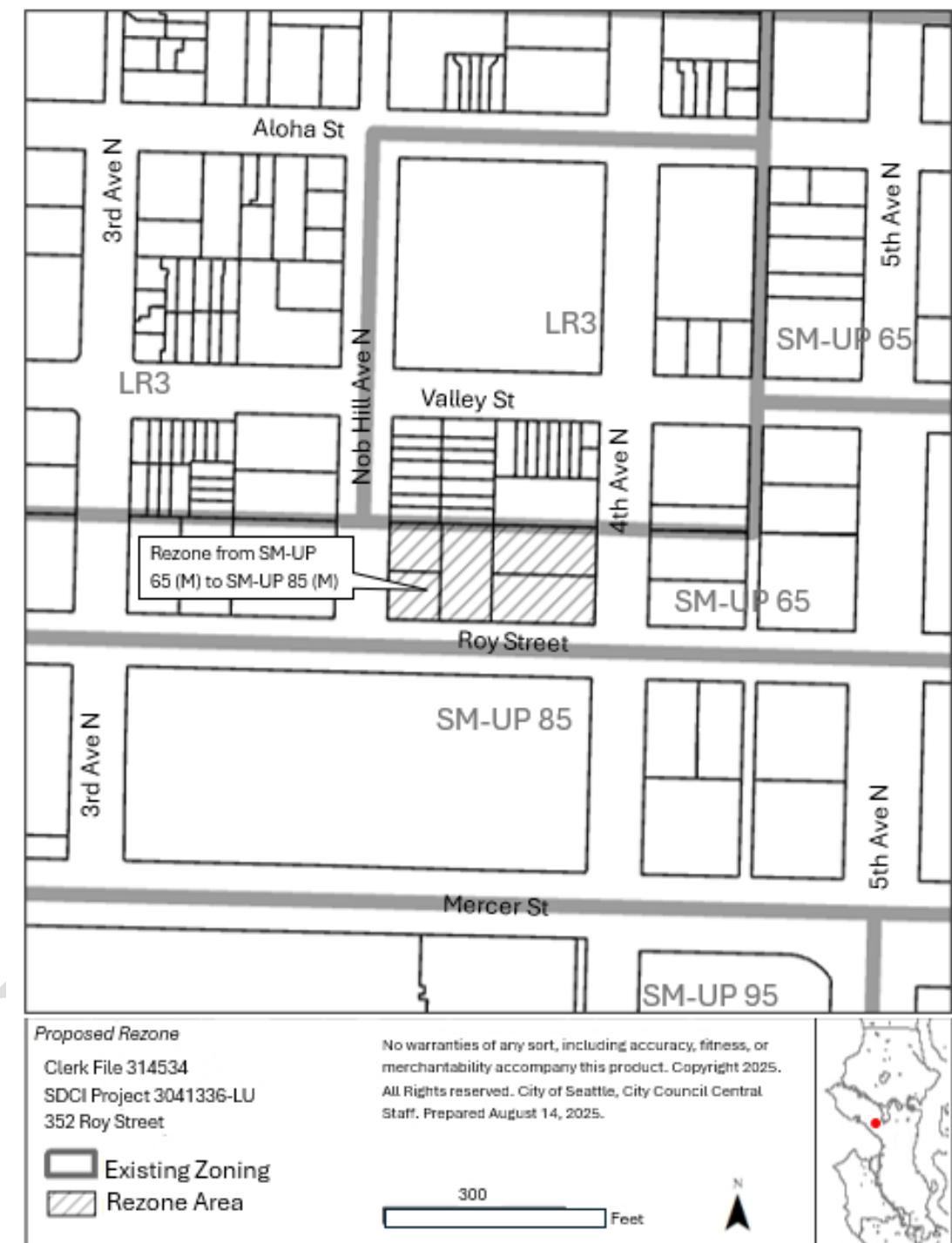
For the Life of the Project

3. Development of the rezoned property shall be in accordance with the final approved Master Use Permit drawings for SDCI Project No.3041336-LU, including the structure design with the proposed 10-foot northern property setback, structure height of 85 feet, major modulation, and balconies on the north façade.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Council President

ATTACHMENT A



ATTACHMENT B

PARCEL 545780-1265

LOT 1, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE, ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

PARCEL 545780-1300

THE WEST HALF OF LOT 7, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

PARCEL 545780-1315

THE WEST HALF OF LOT 8, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

PARCEL 545780-1295

THE EAST HALF OF LOTS 7 AND 8, BLOCK 35, MERCERS 2ND ADDITION TO NORTH SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON

PARCEL 545780-1270

LOT 2, BLOCK 35, MERCER'S 2ND ADDITION TO NORTH SEATTLE ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

## Legislation Text

---

**File #:** CB 121011, **Version:** 1

---

### CITY OF SEATTLE

#### ORDINANCE \_\_\_\_\_

#### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; establishing the Roots to Roofs Bonus Pilot Program; and adding new Sections 23.40.090 through 23.40.097 to the Seattle Municipal Code.

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

Section 1. The City Council finds and declares:

A. In April 2021 the City published *Market Rate Housing Needs and Supply Analysis*, which identified

that:

1. Approximately 46,000 Seattle households are cost burdened, meaning that those households spend more than half of their incomes on rent;

2. Housing supply is not keeping pace with demand;

3. Housing costs are increasing more quickly than income;

4. The rental housing market has a shortage of housing affordable and available to lower income households;

5. Approximately 34,000 lower-wage workers commute more than 25 miles to Seattle demonstrating a latent demand for affordable workforce housing; and

6. As Seattle's share of higher income households grows, development of housing for those households increases economic and physical displacement of lower income residents.

B. With the passage of Chapter 332, Laws of 2023, Seattle must modify current land use regulations to accommodate a range of middle housing types. The City has an interest in exploring development pilots to

demonstrate development types and partnerships that leverage community assets to provide equitable development that will not contribute to economic and physical displacement of current residents.

C. Implementing the pilot program created by this ordinance is implementing an affordable housing incentive program under RCW 36.70A.540. The pilot program applies in most zones where residential development is allowed except some highrise zones, historic districts, and industrial areas that allow residential uses. Additional development capacity is available for development utilizing the pilot program in areas with historical racially restrictive covenants. Increased residential development in the area where the pilot program applies, in addition to supporting housing affordability, will increase housing choices and support development of housing and amenities, consistent with the Comprehensive Plan. The pilot program substantially increases residential development capacity for qualifying development in the areas where it applies. The increased residential development capacity provided in the areas where the pilot program applies can be achieved, subject to consideration of other regulatory controls on development.

D. After a public hearing, the Council has determined that rents affordable at variable Area Median Income (AMI) levels up to 80 percent is necessary to help subsidize units with deeper affordability and is needed to address local housing market conditions consistent with RCW 36.70A.540(2)(b)(iii).

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

#### **23.40.090 Roots to Roofs Bonus Pilot Program - Purpose**

Sections 23.40.092 through 23.40.097 establish the requirements and alternative development standards for the Roots to Roofs Bonus Pilot Program. The purpose of the program is to demonstrate the social benefits of equitable development, including community-serving uses and housing available to a spectrum of household incomes by setting onsite affordability standards and incentives for development of housing and equitable development uses through partnerships between public, private, and community-based organizations.

#### **23.40.091 Definitions for Sections 23.40.090 through 23.40.097**

For the purposes of Sections 23.40.090 through 23.40.097:

“Equitable development use” means activities, as determined by rule, where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions, that comprise a cultural population at risk of displacement. Equitable development uses may include but are not limited to activities such as gathering space, arts and cultural space, educational programming or classes, childcare centers, direct services, job training, or space for other social or civic purposes. Equitable development uses may also include commercial uses, such as commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

“Qualifying community development organization” means a nonprofit organization registered with the Washington Secretary of State as a public development authority created pursuant to RCW 35.21.730, or a public housing authority created pursuant to RCW 35.82.030, that has as its purpose the creation or preservation of affordable housing, affordable commercial space, affordable arts space, community gathering spaces, or equitable development uses. A qualifying community development organization may consist of a partnership among one or more qualifying community development organizations, one or more qualifying community development organizations and a partnering for-profit development entity, or a partnership or limited liability company of which at least one qualifying community development organization serves as the controlling general partner or managing member.

“Qualifying development” means a development located on a site in which a qualifying community development organization has a legally established and ongoing property-related interest on the date of complete building permit application submittal. To have a legally established and ongoing property-related interest, a qualifying community development organization shall own at least 51 percent of the property or have a controlling and active management role in a corporation or partnership that owns a property, such as a sole managing member of a limited liability company or sole general partner of a limited partnership.

“Racially restrictive covenant” means a discriminatory provision in a property deed or other real estate document that prohibits ownership, lease, or occupation of property based on race, color, religion, or national origin.

### **23.40.092 Enrollment period and eligibility requirements**

A. The enrollment period for the Roots to Roofs Bonus Pilot Program expires on the earlier of: when applications meeting the requirements of Section 23.40.092 have been submitted for 35 projects; or December 31, 2035.

B. To qualify for the Roots to Roofs Bonus Pilot Program, development must meet the following eligibility requirements:

1. Be a qualifying development;

2. Be located in a Neighborhood Residential; Multifamily, except Highrise; Commercial; or

Seattle Mixed zone;

3. In commercial zones, have at least 75 percent of gross floor area in residential or equitable development use;

4. Not be located in a designated historic district, unless it is on a site with historical racially restrictive covenants; and

5. Have at least 25 percent of dwelling units be restricted units, as follows:

a. As renter-occupied restricted units for at least 50 years to income-eligible households with annual incomes at or below the follow percentages of Area Median Income (AMI):

1) At or below 40 percent of AMI for congregate residence sleeping rooms;

2) At or below 40 percent of AMI for dwelling units - small efficiency (SEDUs)

in a proposed development that also includes studio, one-bedroom, two-bedroom, or three-bedroom dwelling units;

3) At or below 50 percent AMI for SEDUs in a project without any other type of

dwelling unit;

- 4) At or below 60 percent of AMI for studio dwelling units;
- 5) At or below 70 percent of AMI for one-bedroom units; and
- 6) At or below 80 percent of AMI for two or more bedroom dwelling units; or

b. As permanent owner-occupied restricted units for income-eligible households with annual incomes at or below 80 percent of AMI.

### **23.40.093 Alternative development standards**

A. In lieu of otherwise applicable development standards contained in Chapters 23.44, 23.45, 23.47A, and 23.48, a proposed development that meets the requirements of Section 23.40.092 may meet the applicable alternative development standards of Sections 23.40.094 through 23.40.097. A determination by the Director that development meets the alternative development standards of Section 23.40.094 through 23.40.097 is a Type I decision.

B. Split-zoned lots

1. On lots located in two or more zones, the FAR limit for the entire lot shall be the highest FAR limit of all zones in which the lot is located, provided that at least 51 percent of the total lot area is in the zone with the highest FAR limit.

2. On lots located in two or more zones, the height limit for the entire lot shall be the highest height limit of all zones in which the lot is located, provided that at least 51 percent of the total lot area is in the zone with the highest height limit.

3. For the purposes of subsections 23.40.090 through 23.40.097, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

C. Eligible projects are exempt from the requirements of Chapter 23.41 and Section 23.54.015.

### **23.40.094 Development otherwise subject to the requirements of Chapter 23.44**

A. Development permitted pursuant to Section 23.40.092 located in a neighborhood residential zone may meet the following development standards:

1. The maximum lot coverage is 65 percent of lot area.
2. The FAR limit is 1.8. The FAR limit applies to the total chargeable floor area of all structures on the lot.
3. The maximum height is 40 feet.

B. Development permitted pursuant to Section 23.40.092 located in a neighborhood residential zone and on a site with historical racially restrictive covenants may meet the following development standards:

1. The maximum lot coverage is 75 percent of lot area.
2. The FAR limit is 2.5. The FAR limit applies to the total chargeable floor area of all structures on the lot.

C. Permitted uses. In addition to the uses listed in Section 23.44.006, the following uses are permitted outright on lots meeting the requirements of Section 23.40.092: apartments, cottage housing development, rowhouse development, townhouse development, and equitable development.

D. No structure shall be closer than 5 feet to any lot line. If a setback abuts an alley, no setback is required.

#### **23.40.095 Development otherwise subject to the requirements of Chapter 23.45**

A. Floor area for development permitted pursuant to Section 23.40.092 located in a multifamily zone

1. The FAR limits for eligible development are shown in Table A for 23.40.095.

<b>Table A for 23.40.095 FAR limits for development permitted pursuant to Section 23.40.092</b>			
	<b>FAR limit</b>	<b>FAR limit on sites with historical racially restrictive covenants</b>	<b>Maximum additional exempt FAR<sup>1</sup></b>
LR1 and LR2	2.0	2.4	1.0
LR3 outside urban centers villages	2.5	3.2	1.0

LR3 inside urban centers and urban villages	3.0	3.8	1.0
MR	5.6	5.8	1.0

Footnote to Table A for 23.40.095 <sup>1</sup>Gross floor area for uses listed in subsection 23.40.095.A.2 are exempt up to the total amount.

2. In addition to the FAR exemptions in subsection 23.45.510.D, an additional FAR exemption up to the total amount specified in Table A for 23.40.095 is allowed for any combination of the following floor area:

- a. Floor area in dwelling units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area in equitable development use;
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. All floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as determined pursuant to subsection 23.54.015.B.4.

B. Maximum height for development permitted pursuant to Section 23.40.092 located in a multifamily zone

1. The height limit for eligible development is shown in Table B for 23.40.095.

**Table B for 23.40.095 Structure height for development permitted pursuant to Section 23.40.092**

Zone	Height limit (in feet)
LR1	40
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65
MR	95

C. Density limits for development permitted pursuant to Section 23.40.092 located in a multifamily zone.

Development permitted pursuant to Section 23.40.092 is not subject to the density limits and family-size unit requirements of Section 23.45.512.

### 23.40.096 Development otherwise subject to the requirements of Chapter 23.47A

A. Maximum height. Development permitted pursuant to Section 23.40.092 located in a NC zone or C zone with a height limit designated on the Official Land Use Map, Chapter 23.32, is subject to the height limits shown in Table A for 23.40.096.

**Table A for 23.40.096 Additional height for development permitted pursuant to Section 23.40.092**

Mapped zone height limit (in feet)	Height limit (in feet) for development permitted pursuant to Section 23.40.092
30	55
40	75
55	85
65	95
75	95
85	145
95	145

B. Floor area for development permitted pursuant to Section 23.40.092 located in a NC zone or C zone

1. The FAR limits for eligible development is shown in Table B for 23.40.096.

**Table B for 23.40.096 FAR limits for development permitted pursuant to Section 23.40.092**

Mapped height limit (in feet)	FAR limit	FAR limit on sites with historical racially restrictive covenants	Maximum additional exempt FAR <sup>1</sup>
30	3.00	3.25	0.5
40	3.75	4.00	1.0
55	4.75	5.00	1.0
65	4.50	5.75	1.0
75	5.50	6.00	1.0
85	7.25	7.50	2.0
95	7.50	7.75	2.0

Footnote to Table B for 23.40.096 <sup>1</sup> Gross floor area for uses listed in subsection 23.40.096.B.2 are exempt from FAR calculations up to this amount.

2. In addition to the FAR exemptions in subsection 23.47A.013.B, an additional FAR exemption up to the total amount specified in Table B for 23.40.096 is allowed for any combination of the following floor area:

- a. Floor area in dwelling units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area in equitable development use; and
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. All floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as determined pursuant to subsection 23.54.015.B.4.

C. Upper-level setback. An upper-level setback of 8 feet from the lot line is required for any street-facing facade for portions of a structure exceeding the mapped height limit designated on the Official Land Use Map, Chapter 23.32.

#### **23.40.097 Development otherwise subject to the requirements of Chapter 23.48**

A. Maximum height. The height limit for residential uses in development permitted pursuant to Section 23.40.092 in a SM zone is increased by the following amounts:

1. For zones with a mapped height limit of 85 feet or less, 20 feet.
2. For zones with a mapped height limit greater than 85 feet, 40 feet.

B. Floor area. The FAR limit for residential uses in development permitted pursuant to Section 23.40.092 in a Seattle Mixed zone is increased by the following amounts:

1. For zones with a mapped residential height limit of 85 feet or less, 1.0 FAR.
2. For zones with a mapped residential height limit greater than 85 feet, 2.0 FAR.

Section 3. The Directors of the Seattle Department of Construction and Inspections, the Office of Housing, and the Office of Planning and Community Development, shall in consultation with the Equitable Development Initiative Advisory Board promulgate by Director's Rule:

A. A process and criteria for verifying that an organization is a qualifying community development organization with a legally established and ongoing property-related interest in a site that would make it eligible to apply for development under the pilot program created by this ordinance. A qualifying community

development organization may consist of a partnership between a qualifying community development organization and one or more community development organizations that do not have as their purpose the creation or preservation of affordable housing, or affordable commercial space, affordable arts space, community gathering spaces, or equitable development uses. Partnering community development organizations could include incorporated entities that advocate or provide services for refugees, immigrants, communities-of-color, members of the LGBTQIA communities, members of the community experiencing homelessness, and persons at risk of economic displacement. Partnering community development organizations could also include community-based organizations eligible for the new Jumpstart Acquisition and Preservation Program, which was added to the Housing Funding Policies through Ordinance 126611.

B. A regulatory definition of “equitable development use” and a process and criteria for ensuring that an equitable development use will continue to occupy leasable space for the life of a development.

C. A rule requiring participation for qualifying development in census tracts identified by the Office of Housing for the community preference policy for participation in the Community Preference Program.

Section 4. By March 31, 2030, the City Council, in consultation with the Seattle Planning Commission, will evaluate the pilot to assess its effectiveness in achieving the following objectives:

- A. Providing affordable workforce housing for communities and households that are cost-burdened;
- B. Providing neighborhood-serving equitable development uses;
- C. Forestalling or preventing economic and physical displacement of current residents; and
- D. Demonstrating a variety of missing middle housing types that are affordable to households with a range of household incomes.

Section 5. Section 2 of this ordinance shall take effect 160 days after its passage by the City Council or the effective date of the Director’s Rule required by Section 3, whichever is earlier.

Section 6. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and

1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by  
me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

Scheereen Dedman, City Clerk

(Seal)

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
LEG	Ketil Freeman	NA

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; establishing the Roots to Roofs Bonus Pilot Program; and adding new Sections 23.40.090 through 23.40.097 to the Seattle Municipal Code.

#### **Summary and Background of the Legislation:**

The proposal would establish a term-limited, pilot program to encourage development with low to moderate income housing and neighborhood-serving equitable development uses. The pilot is intended to model equitable development and partnership types that mitigate current direct and indirect residential and non-residential displacement pressure and address land use patterns caused by redlining and the use of racially restrictive covenants. The pilot would end by 2035 or after 35 qualifying projects have applied, whichever is earlier.

Specific elements of the proposal include:

- Defining equitable development uses broadly as activities where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions comprise a cultural population at risk of displacement.
- Identifying minimum qualifications for program eligibility, including organization types and ownership interests among partner organizations.
- Establishing two options for the provision of a required minimum amount of affordable housing.
- Providing additional height, allowable floor area, exemptions from floor area calculations, and other development standard modifications for participating projects that, in addition to affordable housing, provide any of the following features:
  - Location in areas with historical racially restrictive covenants; and
  - Provision of equitable development uses.
- Exempting eligible development from participation in the Design Review and parking minimums.
- Directing the Directors of the Seattle Department of Construction and Inspections (SDCI), the Office of Planning and Community Development (OPCD), and OH to promulgate a Director's Rule for administering the program.

## 2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project?  Yes  No

## 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?  Yes  No

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

The proposed legislation directs that SDCI, OPCD, and OH promulgate a Director's Rule identifying processes and criteria for vetting and verifying potential pilot program participants. Developing a joint Director's Rule Can likely be accomplished with existing staff and resources in OPCD's Equitable Development Initiative Division, OH's policy and planning team, and SDCI's code development group.

However, while developing a joint rule those departments may identify the need for ongoing resources to staff the pilot or provide technical assistance to potential program participants. While identification of needed resources is premature, those could include a .5 FTE term-limited position for the life of the program. That could be either a Senior Planning and Development Specialist at the OPCD or a Senior Community Development Specialist at OH. The fully loaded cost for each part-time position is approximately \$90,000 annually.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

See above.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

None.

## 4. OTHER IMPLICATIONS

- a. Please describe how this legislation may affect any departments besides the originating department.

The legislation directs that SDCI, OH, and OPCD promulgate a Director's Rule for administering the program. Program applicants would have permit applications reviewed by SDCI.

**b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

The proposed legislation would apply to up to 35 projects over a ten-year period in most zones where residential development is allowed. The exact location of potential sites would depend on site control by organizations that qualify to participate in the pilot.

**c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

**i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

The legislation would provide a new tool to address the challenges of housing affordability and displacement, both of which disproportionately impact BIPOC communities. When implemented with the support of public funds and tools like community preference, the proposed policy could help address historic and current injustices resulting from institutionalized racist practices by supporting community-driven and community-owned development.

**d. Climate Change Implications**

**i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

The legislation is not likely to have a material effect on carbon emissions. To the extent that the legislation facilitates incrementally more or larger affordable housing development in Seattle, the legislation could marginally increase the number of Seattle residents, specifically lower-income households, able to live in compact neighborhoods where they can meet their daily needs without the use of a vehicle.

**ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No

**e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

Not applicable.

## **5. CHECKLIST**

- Is a public hearing required? Yes.**
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required? Yes.**
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

Not applicable.
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

Not applicable

## **6. ATTACHMENTS**

**List Summary Attachments (if any):**

**SEATTLE CITY COUNCIL SEPA  
ENVIRONMENTAL CHECKLIST**

This SEPA environmental review has been conducted in accord with the Washington State Environmental Policy Act (SEPA) (RCW 43.21C), State SEPA regulations [Washington Administrative Code (WAC) Chapter 197-11], and the City of Seattle SEPA ordinance SMC Chapter 25.05. The proposed action is considered a non-project action under SEPA. Non-project actions are broader than a single site-specific project (WAC 197-11-774, SMC 25.05.774). This type of non-project action is not categorically exempt from a SEPA Threshold Determination (SMC 25.05.305 and SMC 25.05.800); therefore, it must be analyzed to determine if there are probable significant adverse environmental impacts. The probable significant adverse environmental impacts analyzed in a non-project SEPA environmental checklist are those impacts foreseeable at this stage, before specific project actions are planned. The Seattle City Council's Central Staff has prepared this SEPA Environmental Checklist under the non-project provisions of SEPA.

**A. BACKGROUND****1. Name of proposed project:**

Roots to Roofs Pilot Program – [Council Bill \(CB\) 121011](#)

**2. Name of applicant:**

Seattle City Council

**3. Address and phone number of applicant and contact person:**

Ketil Freeman, Legislative Analyst

Seattle City Council Central Staff

600 4<sup>th</sup> Avenue

Seattle, WA 98104

[Ketil.freeman@seattle.gov](mailto:Ketil.freeman@seattle.gov)

206.684.8178

**4. Date checklist prepared:**

July 16, 2025

**5. Agency requesting checklist:**

Seattle City Council

**6. Proposed timing or schedule (including phasing, if applicable):**

CB 121011 is being considered by the Seattle City Council's Land Use Committee (Committee).

The Committee will hold a hearing on the CB 121011 on July 30, 2025. If approved by Council, the proposed regulations would take effect approximately five months after passage.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

The proposal is a non-project action that is not dependent on any other current or future action.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

Schemata Workshop, Inc, prepared an urban design study that models height, bulk and scale impacts associated with development in some zones where the pilot could apply. See Attachment A.

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

The proposal is a non-project, non-site-specific action that would take effect within some zones that allow residential uses. There are no other applications pending for governmental approvals of other proposals directly affecting this proposal. Future public and private development projects may be subject to separate, project-specific SEPA environmental review.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

The legislation associated with this proposal will need to be approved by the City Council by ordinance following standard legislative rules and procedures.

**11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.**

This proposal would establish a term-limited, pilot program to encourage development with low to moderate income housing and neighborhood-serving equitable development uses. The pilot is intended to model equitable development and partnership types that mitigate current direct and indirect residential and non-residential displacement pressure and address land use patterns caused by redlining and the use of racially restrictive covenants.

Specific elements of this proposal include:

- Defining equitable development uses
- Identifying minimum qualifications for program eligibility
- Requiring that at least 25 percent of units in a development be affordable to lower income households.
- Providing additional height, allowable floor area, exemptions from floor area calculations, and other development standard modifications for participating projects that provide some or all of the following features:
  - Location in an areas with historical racially restrictive covenants; and
  - Provision of equitable development uses.
- Exempting eligible development from participation in Design Review and minimum parking requirements.
- Ending the program by 2035 or after 35 qualifying projects have applied, whichever is earlier.

Bonuses and development standard modifications for zones where development under the pilot is likely to be located are detailed in the table below along with a comparison to the development standards proposed in CB 120933 for implementation of House Bill 1110 related to middle housing.

Table 1: Multifamily and Commercial Development Standard Incentives

Development Standards by Zone	NR	LR1	LR2	LR3	NC2 55
<b>Height Limits</b>					
Current Height Limit	30 ft.	30 ft.	40 ft.	40 – 50 ft.	55 ft.
CB 120933 – HB 1110 Implementation	32 - 40 ft.	32 ft.	40 ft.	50 ft.	55 ft.
Roots to Roofs Density Bonus Pilot	40 ft.	40 ft.	50 ft.	55 – 65 ft.	85 ft.
<b>Floor Area Ratio (FAR)</b>					
Current FAR	.5	1.3	1.6	1.8 – 2.3	3.75
CB 120933 – HB 1110 Implementation	.6 – 1.4	1.3 – 1.5	1.4 – 1.6	2.3	3.75
Roots to Roofs Density Bonus Pilot – Baseline	1.8	2.0	2.0	2.5 – 3.0	4.75
Roots to Roofs Density Bonus Pilot – All FAR Incentives and Exemptions	2.5	3.4	3.4	4.2 – 4.8	6.0

**12. Location of the proposal.** Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The geographic area affected by this proposed non-project action is most areas of the City of Seattle, Washington, where residential uses are allowed. This includes neighborhood residential, commercial and multifamily zones but does not include Downtown and industrial zones.

## B. ENVIRONMENTALELEMENTS

### 1. Earth

**a. General description of the site:** *[Check the applicable boxes]*

Flat       Rolling       Hilly       Steep Slopes       Mountainous  
 Other: (identify)

The geographic area affected by this proposed non-project action is almost all of Seattle where residential uses are allowed. The topography includes all types of terrain, from flat land to steep slopes. Most of this area has been substantially graded, developed, or otherwise disturbed.

**b. What is the steepest slope on the site (approximate percent slope)?**

Slopes in Seattle range from 0% to greater than 40%. The steepest slopes occur primarily on the sides of the major hills in the city, including Queen Anne Hill, Capitol Hill, West Seattle, and Magnolia.

**c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

Seattle has numerous soil types, including mineral soils dominated by clay, silt, or sand, as well as organic soils such as peats and mucks (see, for example, <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>). No agricultural soils or prime farmland are located within the Seattle corporate limits. As a densely urbanized area, much of Seattle's native soils have been extensively altered by filling, grading, and other activity.

**d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe:**

The Seattle area is known to be in an active seismic area, as is the entire Puget Sound region. The City's geologically hazardous areas are defined by SDCI as environmentally critical areas (ECA) ([http://gisrevpwy.seattle.gov/wab\\_ext/DSOResearch\\_Ext/](http://gisrevpwy.seattle.gov/wab_ext/DSOResearch_Ext/)). Unstable soils and surfaces occur primarily in two contexts within the affected geographic area. The first context includes steep slopes and landslide-prone areas, where a combination of shallow ground water and glacial sediments deposited in layers with variable permeability increases the risk of landslides. The second context includes areas of fill or alluvial soils where loose, less cohesive soil materials below the water table may lead to the potential for liquefaction during earthquakes.

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate the source of fill.**

The proposed non-project action does not include any construction or development that would require filling or grading. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review as appropriate.

**f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe:**

The proposed non-project action does not include any construction, development, or use that would cause erosion. Future, specific development proposals subject to the provisions of this proposal may involve clearing, construction, or uses that cause erosion. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review as appropriate.

**g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

The proposed non-project action does not include any construction or development that would convert pervious to impervious surfaces or create new impervious surfaces. The proposal covers most areas within the Seattle corporate limits where residential uses are allowed. These are highly urbanized area with a high percentage of impervious surfaces. Potential impacts of future, specific development proposals would be addressed through regulations and/or project specific environmental review as appropriate.

**h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The proposed non-project action does not involve construction activity, and contains no proposed measures related to reducing or controlling erosion or other impacts at any specific location.

**2. Air**

**a. What types of emissions to the air would result from the proposal [e.g., dust, automobile, odors,**

industrial wood smoke, greenhouse gases (GHG)] during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

The proposed non-project action does not include any construction or development that would directly produce emissions. As such, the proposal would not directly affect odors, greenhouse gas (GHG) emissions, or climate change. Potential emissions impacts of future, specific development proposals would be addressed through regulations and/or project specific environmental review as appropriate.

**b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

The proposed non-project action does not include any construction or development that would be affected by emissions or odors.

**c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

No measures are proposed.

**3. Water**

**a. Surface:**

**(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If so, describe type and provide names. If appropriate, state what stream or river it flows into.**

The proposed non-project action would affect watersheds and surface water bodies in the Seattle area. Most of this area is located within the Lake Washington/Cedar/Sammamish Watershed (Watershed Resource Inventory Area [WRIA] 8). The Duwamish Waterway and Elliott Bay, located in southwestern Seattle, are part of the Green/Duwamish and Central Puget Sound Watershed (WRIA 9). Seattle is characterized by a variety of surface water features, including marine areas, rivers, lakes, and creeks. Each type is briefly summarized below:

Marine: Seattle's west side is situated adjacent to Puget Sound, a major marine embayment.

Rivers: Portions of south Seattle drain to the lower reaches of the Duwamish River (also known as the Duwamish Waterway). The River receives flow from the South Park basin, Norfolk basin, Longfellow Creek, and other smaller urban creeks, and drains to Elliott Bay in south Puget Sound.

Lakes: Freshwater lakes and ponds, within or adjacent to the City, include the Lake Union/Ship Canal system, which links Lake Washington and Puget Sound through the Hiram Chittenden Locks. Other freshwater lakes include Green, Haller, and Bitter Lakes in the north portion of the City (also located in the Lake Union/Ship Canal drainage basin). Seattle also contains numerous small ponds and wetlands.

Creeks: Runoff from Seattle's developed cityscape drains to creek systems of varying sizes. Major creeks in the western regions of the City drain directly to Puget Sound and include Piper's and Fauntleroy creeks. Longfellow Creek is a main creek in the southwest portion of the city that drains to the Duwamish River. Thornton Creek, Taylor Creek, and other

smaller creeks drain runoff from the eastern portions of the City to Lake Washington.

**(2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If so, please describe, and attach available plans.**

The proposed non-project action does not include any construction or development that would require work over, in, or adjacent to the surface waters. Individual projects that may be subject to provisions of this proposal may be located over, in, or adjacent to these waters. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review as appropriate.

**(3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.**

The proposed non-project action does not include any construction or development or any fill and dredge in or near surface waters or wetlands. Potential impacts of future, specific development proposals would be addressed through regulations and/or project specific environmental review as appropriate.

**(4) Will the proposal require surface water withdrawals or diversions? If so, give general description, purpose, and approximate quantities if known.**

Because this is a non-project action, there would be no construction or development that would withdraw or divert surface waters. Potential impacts of future, specific development proposals would be addressed through existing regulations and/or separate site-specific environmental review.

**(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

The proposed non-project action does not include any construction or development that would lie within a 100-year floodplain. Major streams and the Duwamish River have associated 100-year floodplains within the affected geographic area. Individual projects that may be subject to provisions of this proposal may be located over, in, or adjacent to these waters and their associated floodplains. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review as appropriate.

**(6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

The proposed non-project action does not include any construction or development that would discharge waste material to surface waters. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review as appropriate.

**b. Ground:**

**(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

The proposed non-project action does not include any construction or development that would withdraw groundwater. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural, etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

The proposed non-project action does not include any construction or development that would discharge waste material to ground waters. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**c. Water Runoff (including storm water):**

**(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

The proposed non-project action does not include any construction or development that would generate runoff. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**(2) Could waste materials enter ground or surface waters? If so, generally describe.**

The proposed non-project action does not include any construction or development that would generate waste materials that could enter ground or surface waters. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

The proposed non-project action does not include any construction or development that would alter or otherwise affect drainage patterns.

**d. Proposed measures to reduce or control surface, ground, runoff water, and drainage impacts, if any:**

The proposed non-project action does not include any construction or development that would have impacts to surface, ground, runoff water, and drainage. No measures are proposed at this time. Potential impacts of future, specific development proposals would be addressed through regulations and/or project specific environmental review.

**4. Plants**

**a. Types of vegetation found on the site: [check the applicable boxes]**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. A wide variety of native and non-native plant species and associated vegetation are found in the Seattle area. Generally, the Puget Sound basin is home to a wide diversity of plant species that depend upon marine, estuarine, freshwater, and terrestrial environments. The Seattle area has a broad variety of vegetation, including upland forest (deciduous, coniferous, and mixed), shrublands, riparian forests, and wetlands. This flora includes species native to the region, as well as many non-native species. Seattle is a densely developed urban area having few remaining areas of native vegetation and high-quality habitat. These remaining fragments of quality native vegetation are found in parklands and open spaces. The plants found in most urban and suburban areas are those native and non-native species that tolerate or benefit from habitat degradation and disturbance.

<input checked="" type="checkbox"/> Deciduous trees:	<input checked="" type="checkbox"/> alder; <input checked="" type="checkbox"/> maple; <input checked="" type="checkbox"/> aspen; <input checked="" type="checkbox"/> other: cottonwoods, willow, etc.
<input checked="" type="checkbox"/> Evergreen trees:	<input checked="" type="checkbox"/> fir; <input checked="" type="checkbox"/> cedar; <input checked="" type="checkbox"/> pine; <input checked="" type="checkbox"/> other: spruce, hemlock, cedar, etc.
<input checked="" type="checkbox"/> Shrubs	
<input checked="" type="checkbox"/> Grass	
<input type="checkbox"/> Pasture	
<input type="checkbox"/> Crop or grain	
<input type="checkbox"/> Orchards, vineyards, or other permanent crops	
<input checked="" type="checkbox"/> Wet soil plants:	<input checked="" type="checkbox"/> cattail; <input checked="" type="checkbox"/> buttercup; <input checked="" type="checkbox"/> bulrush; <input checked="" type="checkbox"/> skunk cabbage; <input type="checkbox"/> other:
<input checked="" type="checkbox"/> Water plants:	<input checked="" type="checkbox"/> water lily <input checked="" type="checkbox"/> eelgrass <input checked="" type="checkbox"/> milfoil <input type="checkbox"/> other: (identify)
<input checked="" type="checkbox"/> Other types of vegetation:	Various other vascular, non-vascular, native, and non-native plant species.

**b. What kind and amount of vegetation will be removed or altered?**

The proposed non-project action does not include any construction or development that would remove or alter vegetation. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**c. List threatened or endangered species known to be on or near the site.**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. No federally-listed endangered or threatened plant species or state-listed sensitive plant species are known to occur within the municipal limits of this area. Most of the Seattle area has been intensively disturbed by development and redevelopment over the last 100 years. Seattle's original vegetation has been extensively cleared, excavated, filled, paved, or occupied by streets and other built structures. There is no habitat for threatened or endangered plants.

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. No landscaping or other measures are proposed at this time. Potential impacts of future, specific development proposals would be addressed through regulations and/or project specific environmental review.

**e. List all noxious weeds and invasive species known to be on or near the site.**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. Many species of noxious and invasive species are found within King County and the City of Seattle. See, for example, the noxious weed lists of the King County Noxious Weed Board (<http://www.kingcounty.gov/services/environment/animals-and-plants/noxious-weeds/laws/list.aspx>).

## 5. Animals

**a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site: [check the applicable boxes]**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. Many species of birds, mammals, and fish are present. Generally, the Puget Sound basin is home to an extremely wide diversity of animal species that depend upon marine, estuarine, freshwater, and terrestrial environments. This fauna includes species native to the region, as well as many non-native species. The Seattle area is an intensely developed urban area having few remaining areas of native vegetation and high-quality habitat. These remaining fragments of quality wildlife habitat are found in parklands and open spaces throughout the planning area. The wildlife found in most urban areas are those native and non-native species that tolerate or benefit from habitat degradation or close association with humans.

**Birds:**  Hawk  Heron  Eagle  Songbirds

Other: osprey, bald eagle, peregrine falcon, purple martin, owl (various species), pileated woodpecker, belted kingfisher, waterfowl species, Canada goose. Also, typical urban species associated with urban development such as starling and pigeon.

**Mammals:**  Deer  Bear  Elk  Beaver

Other: California sea lion, river otter, muskrat, raccoon. Also, a variety of urban-adapted species such as possum and rat.

**Fish:**  Bass  Salmon  Trout  Herring

Shellfish  Other: perch, rockfish, etc.

**b. List any threatened or endangered species known to be on or near the site:**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. In King County, five wildlife species are listed as endangered or threatened under the Endangered Species Act (ESA), but these species are not likely to be found in the Seattle Direct Water Service Area. These include Canada lynx (*Lynx Canadensis*; Threatened), gray wolf (*Canis lupus*; Endangered), grizzly bear (*Ursus arctos*; Endangered), marbled murrelet (*Brachyramphus marmoratus*; Threatened), and northern spotted owl (*Strix occidentalis caurina*; Threatened). King County contains federally designated critical habitat for marbled murrelet and northern spotted owl; no designated critical habitat is located in Seattle. Bald eagle (*Haliaeetus leucocephalus*) was removed from the federal list under ESA on August 8, 2007, but is federally protected under the Bald and Golden Eagle Protection Act. Bald eagles are known to reside in Seattle.

Fish species listed as endangered or threatened under the ESA and found in freshwater tributaries of Puget Sound (PS) include Chinook salmon (*Oncorhynchus tshawytscha*, Threatened, PS), steelhead (*O. mykiss*, Threatened, PS), and bull trout (*Salvelinus confluentus*, Threatened, PS). Coho salmon (*O. kisutch*) is a Candidate species for listing

as Threatened. All of these species reside in or near the planning area. Lake Washington contains federally designated critical habitat for bull trout and Chinook salmon. Because much of Seattle has been previously developed and the original habitats significantly altered or eliminated, the potential for threatened or endangered animal species to be present in Seattle is low.

**c. Is the site part of a migration route? If so, explain.**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. The Puget Sound region is known to be an important migratory route for many animal species. Portions of the planning area provide migratory corridors for bald eagles traveling to and from foraging areas in Puget Sound or Lake Washington. Marbled murrelets travel through the planning area between marine waters and their nests in late successional/old growth forests in the Cascade Mountains. Bull trout, steelhead, and Chinook, chum, pink, and coho salmon use the Puget Sound nearshore. Chinook, coho, and sockeye salmon use Lake Washington and Lake Union as migration corridors. Anadromous trout and salmon migrate through the area river and stream systems, including urban streams in Seattle. The Puget Sound region is also within the Pacific Flyway—a flight corridor for migrating waterfowl, migratory songbirds, and other birds. The Pacific Flyway extends from Alaska to Mexico and South America.

**d. Proposed measures to preserve or enhance wildlife, if any:**

No measures to preserve or enhance wildlife are proposed.

**e. List any invasive animal species known to be on or near the site.**

Many species of invasive animal species are found within King County and the City of Seattle, including nutria (*Myocastor coypus*), rat (*Rattus spp.*), pigeon (*Columba livia*), New Zealand Mud Snail (*Potamopyrgus antipodarum*), and Asian gypsy moth (*Lymantria dispar*).

**6. Energy and Natural Resources**

**a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

The proposed non-project action does not include any construction or development that would require energy to operate. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

The proposed non-project action does not include any construction or development that would affect potential use of solar energy by adjacent properties. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

The proposed non-project action does not include any energy conservation features or other measures to reduce or control energy impacts. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

## 7. Environmental Health

a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe:**

The proposed non-project action does not include any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

(1) **Describe any known or possible contamination at the site from present or past uses.**

The proposed non-project action does not include any construction or other activities that would encounter possible site contamination. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

(2) **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

The proposed non-project action does not include any construction or other activity that would cause exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste. Potential impacts of future, specific development proposals would be addressed through regulations and/or project-specific environmental review.

(3) **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

The proposed non-project action does not involve the storage, use, or production of toxic or hazardous chemicals. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

(4) **Describe special emergency services that might be required.**

The proposed non-project action does not require any special emergency services. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

(5) **Proposed measures to reduce or control environmental health hazards, if any:**

The proposed non-project action has no associated environmental health hazards. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**b. Noise**

**(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

The proposed non-project action would not be affected by noise. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**(2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

The proposed non-project action does not include any construction or development that would generate noise. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**(3) Proposed measures to reduce or control noise impacts, if any:**

Because the proposed non-project action would not itself generate noise, no measures to reduce or control noise are proposed. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**8. Land and Shoreline Use**

**a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. Generally, this area is characterized by urban uses. Existing uses include multifamily residences, commercial, industrial, recreation, and open space. Most city properties have been developed at urban densities and existing uses are often mixed.

Individual projects that may be subject to the provisions of this proposal may be located in any zone that allows multifamily residential uses. These include commercial, multifamily, and neighborhood residential zones and do not include downtown and industrial zones. Project-specific impacts on land and shoreline use would be determined during permitting of individual projects.

**b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

The proposed non-project action would not convert agricultural or forest land to other uses. There are no designated agricultural or forest lands in Seattle.

**(1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

The proposed non-project action would not affect or be affected by agricultural or forest land business operations. There are no designated agricultural or forest lands in Seattle.

**c. Describe any structures on the site.**

Seattle's urban area is developed with a wide range of structures, ranging from single-family residences to high-rise office towers to large industrial structures. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**d. Will any structures be demolished? If so, what?**

The proposed non-project action does not include demolition of any structures. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**e. What is the current zoning classification of the site?**

Zoning in Seattle includes a range of residential, commercial, and industrial designations. Zoning designations are found in Seattle's Land Use Code, Title 23 of the SMC. Basic zone designations in which projects subject to this proposal may be located are listed below, followed by their abbreviations.

**Designation (Abbreviation)**

Residential, Neighborhood 1 (NR1)  
Residential, Neighborhood 2 (NR2)  
Residential, Neighborhood 3 (NR3)  
Residential, Neighborhood Small Lot (RSL)  
Residential, Multifamily, Lowrise 1 (L1)  
Residential, Multifamily, Lowrise 2 (L2)  
Residential, Multifamily, Lowrise 3 (L3)  
Residential, Multifamily, Midrise (MR)  
Residential-Commercial (RC)  
Neighborhood Commercial 1 (NC1)  
Neighborhood Commercial 2 (NC2)  
Neighborhood Commercial 3 (NC3)  
Seattle Mixed (SM)  
Commercial 1 (C1)  
Commercial 2 (C2)

Individual projects subject to the provisions of this proposed non-project action may be in most zones that allow residential uses. This includes neighborhood residential, multifamily, commercial, and Seattle mixed zones and does not include downtown and industrial zones. Project-specific information on zoning would be determined during the permitting of individual projects.

**f. What is the current comprehensive plan designation of the site?**

The geographic area affected by the proposed non-project action is most areas of Seattle where residential uses are allowed. Current comprehensive plan designations in the City of Seattle can be found in the Seattle Comprehensive Plan, adopted on July 25, 1994, and last amended in July 2023. Individual projects that may be subject to the provisions of the proposed non-project action may be located in areas shown with a Comprehensive Plan Designation of Urban Center, Hub Urban Village, Residential Urban Village, Multi-family Residential Area, Neighborhood Residential Area, and Commercial/Mixed Use Area. Project-specific information on Comprehensive Plan designations would be determined during the permitting of individual projects.

**g. If applicable, what is the current shoreline master program designation of the site?**

The proposed non-project action would apply in most areas of Seattle where residential uses are allowed, this includes both freshwater and marine shorelines, resources that are regulated by the City's shoreline master program (SMP). Shoreline resources regulated under the SMP include all marine waters, larger streams and lakes, associated wetlands and floodplains, and upland areas called shorelands that extend 200 feet landward from the edges of these waters. Individual projects subject to the provisions of this proposal may be in areas subject to the SMP. Project-specific information on land and shoreline use would be determined during permitting of individual projects.

**h. Has any part of the site been classified as an “environmentally critical” area? If so, specify.**

The proposed non-project action would apply in most areas of Seattle where residential uses are allowed, including in environmentally critical areas. Individual projects subject to the provisions of the proposed non-project action may be in environmentally critical areas. Project-specific information on site classification would be determined during permitting of individual projects.

**i. Approximately how many people would reside or work in the completed project?**

The proposed non-project action would not create a completed project in which to reside or work. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**j. Approximately how many people would the completed project displace?**

No people would be displaced by the proposed non-project action. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

The proposal contains incentives for inclusion of units for qualifying partner owners who provide property to pilot program participants. This incentive may reduce direct

displacement from development. Additionally, the proposal provides incentives for inclusion of equitable development uses that could include neighborhood-serving commercial and institutional uses that prevent or forestall displacement of cultural institutions.

Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**I. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

Potential project-specific impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

There are no designated agricultural or forest lands in Seattle.

**9. Housing**

**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

The proposed non-project action would not provide housing, in and of itself. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

The proposal could induce development of up to 35 moderate-income residential and mixed-use development projects the size of which would depend on the site and zone. Smaller projects are likely to have fewer than 20 residential units and modest ground-level space for equitable development uses. Larger projects are likely to have between 50 and 100 residential units with somewhat larger ground floor space for equitable development uses.

**b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

The proposed non-project action would not eliminate housing. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**c. Proposed measures to reduce or control housing impacts, if any:**

This non-project action provides incentives to produce more residential development than might otherwise be allowed in a particular zone. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**10. Aesthetics**

**a. What is the tallest height of any proposed structure(s), not including antennas? What is the principal exterior building material(s) proposed?**

The proposed non-project action does not include construction or development. Potential impacts of future, specific development proposals would be addressed through regulations

and/or separate project-specific environmental review.

**b. What views in the immediate vicinity would be altered or obstructed?**

The proposed non-project action would not alter or obstruct views. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**c. Proposed measures to reduce or control aesthetic impacts, if any:**

The proposal would allow somewhat taller and bulkier development than might otherwise be allowed in the underlying zones.

The Council commissioned a massing study of potential development in a Lowrise 3 (LR3) multifamily zone to analyze height, bulk, and scale impacts. The LR3 zone was chosen because: (1) it is a moderately intense multifamily zone where both apartments and townhouses are developed and (2) it is a zone frequently located at boundaries between more and less intense zones. Consequently, it is a good candidate zone for understanding height, bulk and scale impacts on adjacent sites with different development types.

The massing study is attachment A to this checklist. The study indicates that slightly bulkier structures could be developed under the proposal. However, the extent of any impacts would depend on the suite of incentives utilized by a developer and would be mitigated on a citywide basis by the number of potential projects that could participate in the pilot and on a project-level basis by setbacks and other physical development standards, although reduced, that would continue to apply to reduce the appearance of height and bulk and to allow light penetration and air circulation.

**11. Light and Glare**

**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

The proposed non-project action does not include construction or development that would produce light or glare. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**b. Could light or glare from the finished project be a safety hazard or interfere with views?**

The proposed non-project action does not include construction or development that would produce light or glare. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**c. What existing off-site sources of light or glare may affect your proposal?**

Light or glare would not affect the proposed non-project action. Potential impacts of light or glare on future, specific development proposals would be addressed through separate project-specific environmental review.

**d. Proposed measures to reduce or control light and glare impacts, if any:**

No measures to reduce or control light and glare are proposed.

**12. Recreation**

**a. What designated and informal recreational opportunities are in the immediate vicinity?**

The proposed non-project action would be in effect throughout most areas of Seattle where residential development is allowed. Seattle Parks and Recreation operates and maintains a large number of city parks, trails, gardens, playfields, swimming pools, and community centers. In addition to these public facilities, public and private schools, outdoor associations, and commercial businesses provide residents of and visitors to Seattle with a variety of organized recreational facilities and activities, such as school athletic programs, hiking and gardening groups, and private health clubs and golf courses. Seattle is particularly rich in recreational opportunities focused on the area's natural features. Seattle's many parks and shorelines offer abundant recreational opportunities, including water contact recreational activities (such as swimming, wading, snorkeling, and diving); water-related and non-water-related recreational activities (such as walking, hiking, playing, observing wildlife, and connecting with nature); and recreational activities that involve consumption of natural resources (such as fishing and noncommercial shellfish harvesting). Project-specific information on site-specific recreational opportunities would be determined during the design, environmental review, and permitting of individual projects.

**b. Would the proposed project displace any existing recreational uses? If so, describe.**

The proposed non-project action does not include construction or development that would displace any recreational activities. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

No measures to reduce or control impacts on recreation are proposed.

**13. Historic and Cultural Preservation**

**a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

The proposed non-project action would be in effect in most areas of Seattle where residential development is allowed. There are a number of landmarks, properties, or districts in Seattle that are listed on, or proposed for, national, state, and local preservation registers. In addition, while Seattle today comprises a highly urbanized and developed area, it is also an area with potential for Native American cultural artifacts. Project-specific information on site-specific historic buildings, structures, and sites would be determined during permitting of individual projects.

**b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

There are a number of landmarks, properties, or districts in Seattle that are listed on, or proposed for, national, state, and local preservation registers. In addition, while Seattle

today comprises a highly urbanized and developed area, it is also an area with potential for Native American cultural artifacts. Potential impacts of future, specific development proposals would be identified and addressed through regulations and/or separate project-specific environmental review.

**c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the Department of Archaeology and Historic Preservation, archaeological surveys, historic maps, GIS data, etc.**

The proposed non-project action does not involve construction or disturbance of any site. No methods were used to assess potential impacts to cultural and historic resources. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

The proposed non-project action does not include construction or development, so there are no activities that would require the avoidance, minimization, or compensation for loss, changes to, and disturbance to historic and cultural resources. Individual projects developed pursuant to the provisions of this proposal would be subject to environmental review (if they meet or exceed thresholds for environmental review) and to the State of Washington's and City's regulations related to the protection of historic and cultural resources.

**14. Transportation**

**a. Identify public streets and highways serving the site or affected geographic area, and describe proposed access to the existing street system. Show on site plans, if any.**

The proposed non-project action would be in effect throughout areas of Seattle where multifamily development is allowed. The area has dense grids of urban streets (residential and arterials) that provide connections to major routes, including Interstate 5 and State Route 99, which run north and south through the City, and Interstate 90 and State Route 520, which connect Seattle to points east across Lake Washington. More specific information on site-specific public streets and highways would be determined during permitting of individual projects.

**b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

Seattle is served by bus, trolley, and light rail public transit. Site-specific information on the local public transit would be determined during permitting of individual projects.

**c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

The proposed non-project action would not construct or eliminate parking spaces. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe**

**(indicate whether public or private).**

The proposed non-project action does not require any improvements to roads or other transportation infrastructure. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The proposed non-project action would take effect throughout most areas of Seattle where residential development is allowed. Seattle is served by railroads, seaports, and airports. Project-specific information on proximity to and use of water, rail, and/or air transportation would be determined during permitting of individual projects.

**f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?**

The proposed non-project action would not generate vehicle trips. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

The proposed non-project action would not affect or be affected by the movement of agricultural or forest products. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**h. Proposed measures to reduce or control transportation impacts, if any:**

No measures to reduce or control transportation impacts are proposed.

**15. Public Services**

**a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

The proposed non-project action would not result in an increased need for public services. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**b. Proposed measures to reduce or control direct impacts on public services, if any.**

No measures to reduce or control direct impacts on public services are proposed.

**16. Utilities**

**a. Check utilities available at the site, if any:**

The proposed non-project action would be in effect throughout most areas of Seattle where

residential development is allowed. All areas have electricity, telephone, water and refuse service. Most (but not all) areas have cable/fiber optics, sanitary sewers, and natural gas. Project-specific information on site-specific utilities would be determined during the design, environmental review, and permitting of individual projects.

**b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

**None**

The proposed non-project action does not include construction or development of any utilities.

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_ On File July 16, 2025

*Ketil Freeman, AICP*  
Legislative Analyst

Note: Section *D. Supplemental Sheet for Non-Project Actions* is required if the proposal applies to a program, planning document, or code change.

**D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS**

**(Do not use this sheet for project actions)**

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposal would not result in direct impacts and is unlikely to result in indirect or cumulative impacts related to discharges to water; emissions to air; production, storage, release of toxic or hazardous substances; or production of noise or greenhouse gas (GHG) emissions. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**Proposed measures to avoid or reduce such increases are:**

The proposal does not produce such increases. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

The proposal would result in no direct impacts and is unlikely to result in indirect or cumulative impacts related to plants, animals, fish or marine life.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

The proposal contains no such measures. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**3. How would the proposal be likely to deplete energy or natural resources?**

The proposal would not deplete energy or natural resources.

**Proposed measures to protect or conserve energy and natural resources are:**

The proposal would not have a negative impact on energy or natural resources; therefore, no protective measures are proposed. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The proposal would not have a negative impact on environmentally sensitive areas.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

The proposal would not have a negative impact on environmentally sensitive areas; therefore, no protective measures are proposed. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

Because of the limited size and duration of the pilot, the proposal would result in few direct adverse impacts and is unlikely to result in indirect or cumulative impacts related to land or shoreline use.

The proposal may result in some types of land uses, such as small scale commercial and institutional uses, that may not be present in certain residential zones except as non-conforming uses. However, the scale and number of new commercial and institutional uses would be limited by (1) anticipated utilization of program incentives for affordable residential uses and (2) the size and duration of the pilot program.

**Proposed measures to avoid or reduce shoreline and land use impacts are:**

The limited size and duration of the pilot program and anticipated utilization of program incentives for affordable residential uses would mitigate the scope of any potential impacts. Potential impacts of future, specific development proposals would be addressed through (1) physical development standards in the proposal, such as upper-level setbacks; (2) the low intensity nature of equitable development uses that might be developed under the proposal; and/or (3) separate project-specific environmental review.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposal would have no direct impact on the demands on transportation or the need for public services or utilities. Existing regulations address parking minimums, transportation impact mitigation, and provision of public services. Those regulations would not be modified by the proposal.

**Proposed measures to reduce or respond to such demand(s) are:**

No measures are proposed to reduce the demands on transportation, public services, and utilities. Potential impacts of future, specific development proposals would be addressed through regulations and/or separate project-specific environmental review.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

There are no known conflicts or additional requirements.

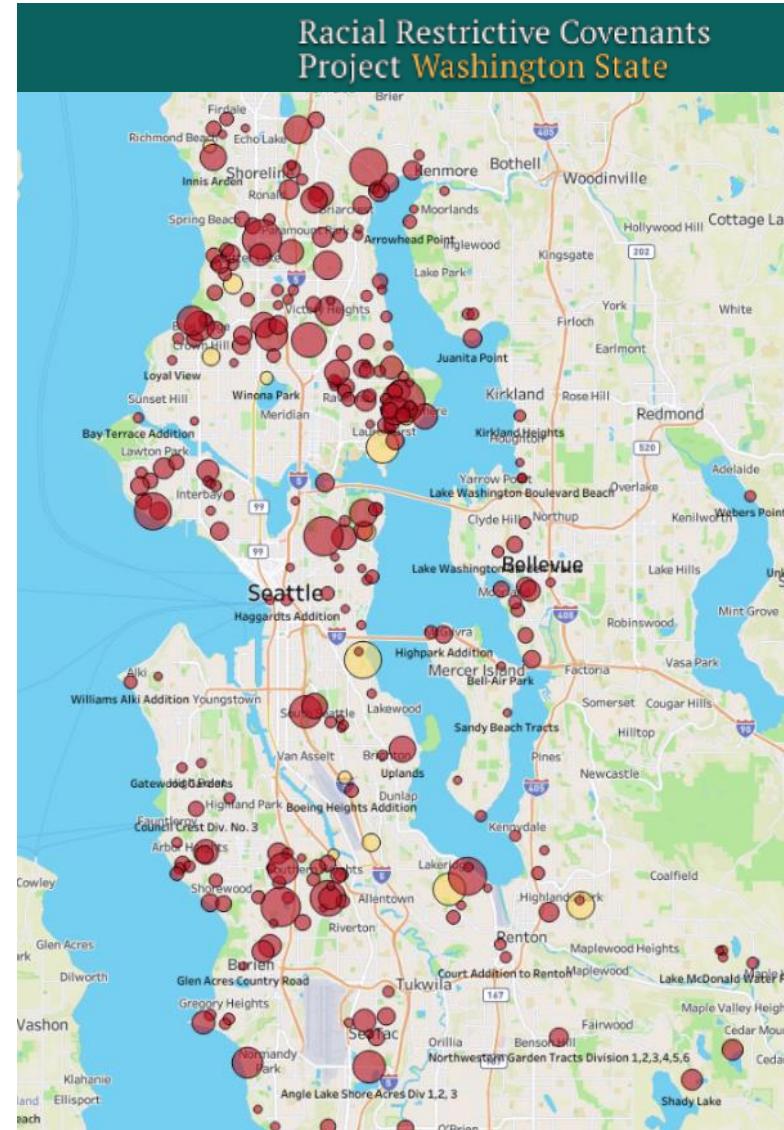
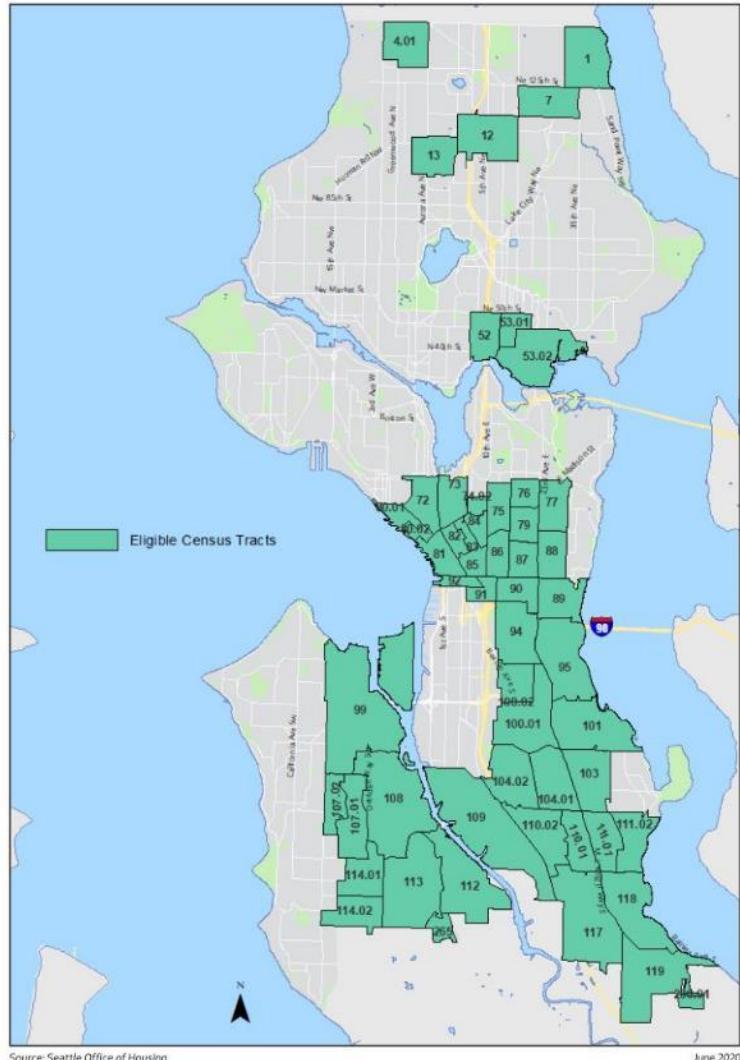
# Workforce Housing Density Bonus

Urban Design Study for City of  
Seattle OPCD

13 September 2023

# Site Selection

## Geographic Boundaries for Community Preference



- LR3 (M) – 2 parcels

# LR3 (M) – Lowrise 3 (2 Parcels Development)



	Current Standard								Proposed Standard				FAR Exemption and Owner Unit Incentive																	
	Height (feet)				FAR				Height (feet)		FAR	FAR - Racially Restrictive Covenant and Community Preference Areas		Maximum Additional Exempt FAR (Equitable Dev. Use, Family Size Units, Transit Access)	FAR Incentive for Owner Unit															
	MHA suffix		No MHA suffix		MHA suffix		No MHA suffix		Inside urban village	65'	3	3.3		1.0	0.5															
	Growth area	Outside growth area	Growth area	Outside growth area	Growth area	Outside growth area	Growth area	Outside growth area	Outside urban village	55'	2.5	2.7		1.0	0.5															
Cottage housing	22'		22'		2.3	1.8	1.2	1.2																						
Rowhouse	50'	40'	30'		2.3	1.8	1.2	1.2																						
Townhouse	50'	40'	30'		2.3	1.8	1.2	1.2																						
Apartments	50'	40'	40'	30'	2.3	1.8	1.5	1.3																						
Yards & Setbacks	Front	7' average, 8' minimum			Additional upper-level setback requirements based on height limit and proximity to a neighborhood residential zone per SMC 23.45.518				Minimum setback of 10' to any lot line abutting single family zone																					
	Side	5'																												
	Rear	0' with alley, 7' with no alley																												

# LR3 (M) – Current Standard

**Total Parcel Area: 6,500 SF**

**FAR: 2.3, Buildable Area: 14,950 SF**

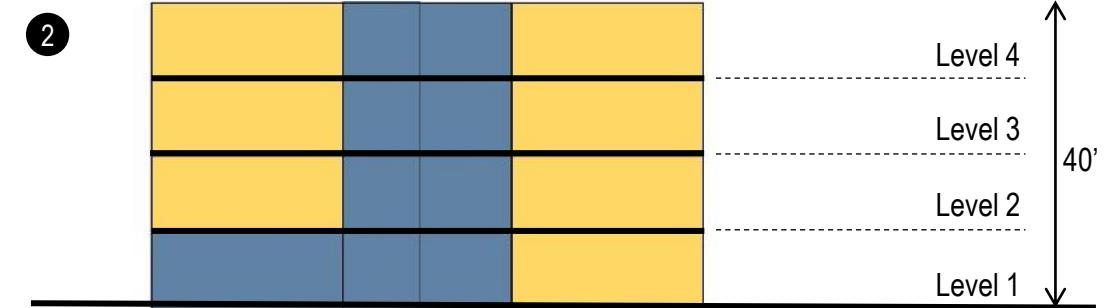
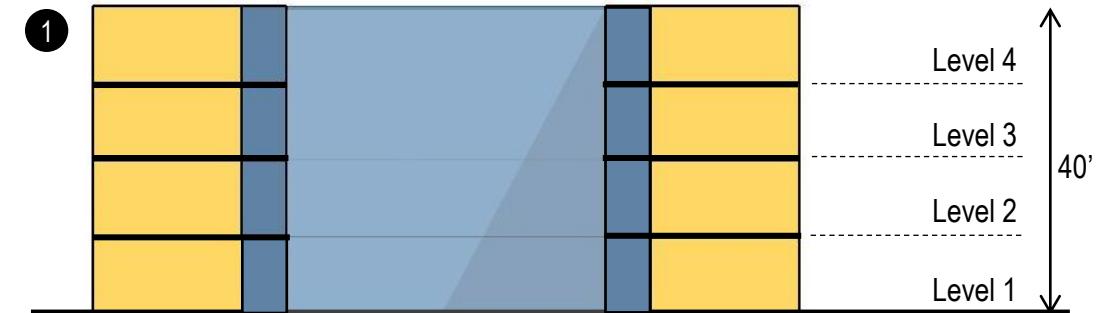


**Parcel 1** 4 stories/building  
**Total** 12 Units (Market-Rate Housing)  
**14,950 SF**

**Parcel 2** 4 stories/building  
**Total** 19 Units (Market-Rate Housing)  
**14,950 SF**

Assumptions:  
15% for Circulation  
Average unit size: 800 SF/unit

9/19/2023



Market-Rate Housing  
Circulation

schemata workshop inc

129



# LR3 (M) – Proposed Standard

**Total Parcel Area: 12,000 SF (combination of 2 Parcels)**

**FAR: 3.3, Buildable Area: 39,600 SF**



**Total:** **39,600 SF**  
**36 units**

## Residential

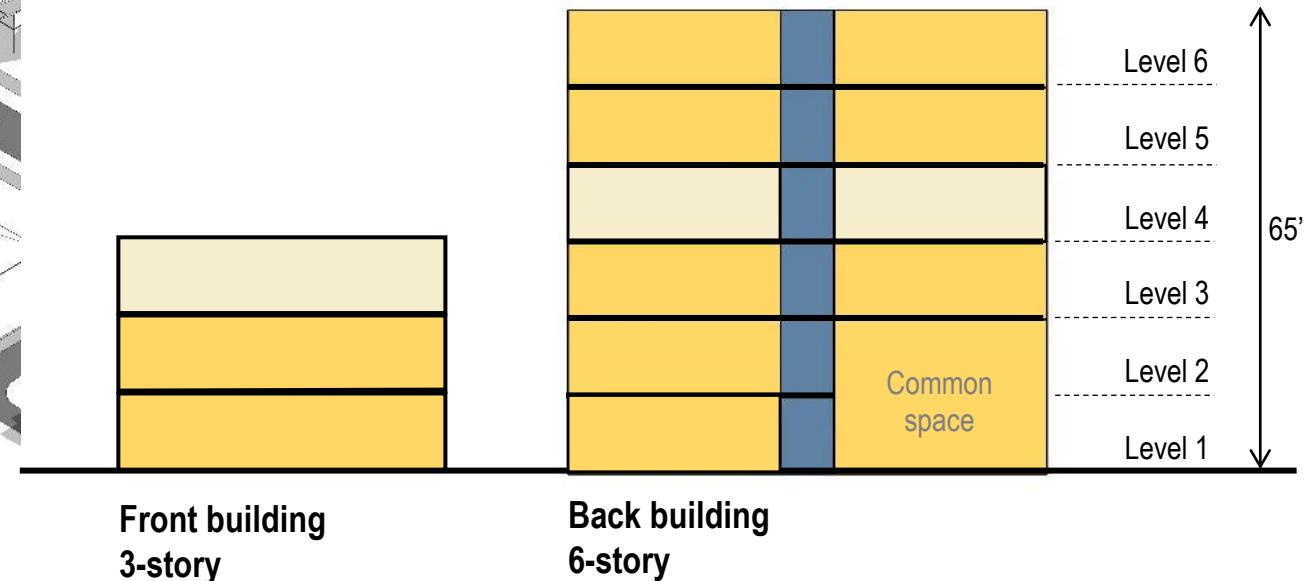
Townhouse	4 units
Market-Rate Unit	21 units
Affordable Unit (30%)	11 units

## Assumptions:

15% for Circulation

Average unit size: 800 SF/unit, 1600 SF/townhouse

Common space: 1600 SF



- Market-Rate Housing
- Affordable Housing
- Circulation



# LR3 (M) – FAR Exemption and Owner Unit Incentive

**Total Parcel Area: 12,000 SF (combination of 2 Parcels)**

**FAR: 4.5, Buildable Area: 58,500 SF**



**Total:** 55,500 SF 6-story building  
45 units

## Residential

Townhouse	4 units
Market-Rate Unit	27 units
Affordable Unit (30%)	14 units

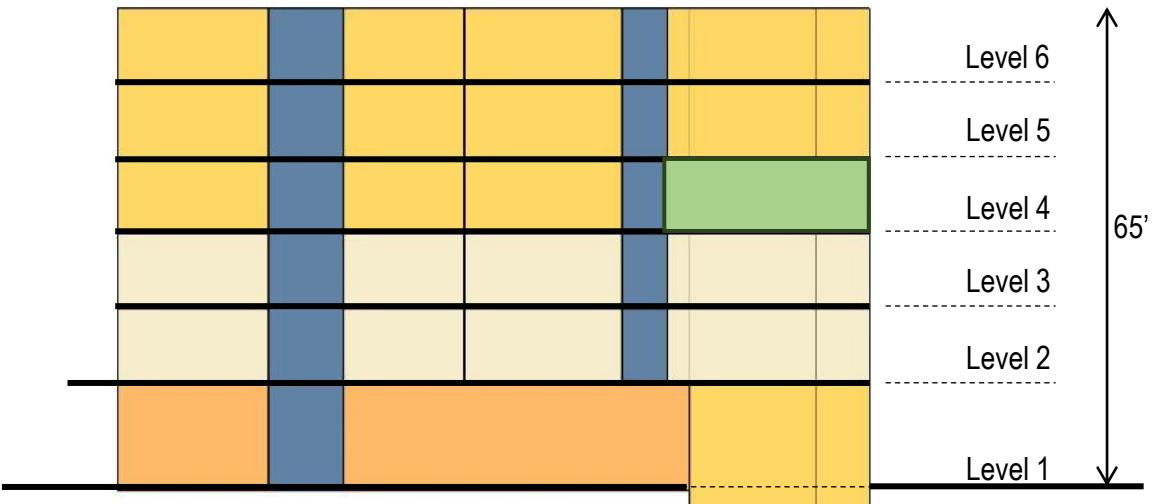
## Assumptions:

15% for Circulation

Average unit size: 800 SF/unit, 1600 SF/townhouse

ED Programs: 20% of total SF

## Equitable Development 7,900 SF



- Owner
- Market-Rate Housing
- Affordable Housing
- Circulation
- ED program





LR3 (M) — Current Standard  
9/19/2023

schemata workshop inc

Total Parcel Area: 6,500 SF  
FAR: 2.3, Buildable Area: 14,950 SF<sup>135</sup>



LR3 (M) — Proposed Standard  
01/19/2023

schemata workshop inc

Total Parcel Area: 12,000 SF (combination of 2 Parcels)  
FAR: 3.3, Buildable Area: 39,600 SF



LR3 (M) 9/19/2022  
FAR Exemption and Owner Unit Incentive

schmitta workshop inc

Total Parcel Area: 12,000 SF (combination of 2 Parcels)  
FAR: 4.5, Buildable Area: 58,500 SF



LR3 (M) – FAR Exemption and Owner Unit Incentive

9/19/2022

schmitta workshop inc

Comparison with current stan 138



LR3 (M) – Current Standard <sup>139</sup>



LR3 (M) – Proposed Standa<sup>140</sup>



LR3 (M) – FAR Exemption and Owner Unit Incent 141



Comparison with current standard

LR3 (M) – FAR Exemption and Owner Unit Incent<sup>142</sup>

# LR3 (M) – Lowrise 3 (2 Parcels Development)





## State Environmental Policy Act

### Determination of Non-Significance (DNS)

### Adoption of Existing Document

**Date of Issuance:** 7/24/2025

**Description of current proposal:** The Seattle City Council is proposing to create a term-limited, pilot program (Roots to Roofs) to encourage development with low-to-moderate income housing and neighborhood-serving equitable development uses. The pilot is intended to model equitable development and partnership types that mitigate current direct, and indirect, residential and non-residential displacement. The proposal has been introduced as Council Bill (CB) 121011. CB 121011 would: (1) define equitable development uses as activities where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions who comprise a cultural population at risk of displacement; (2) identify minimum qualifications for program eligibility, including organization types and ownership interests among partner organizations; (3) require that qualifying development provide at least 25 percent of units as affordable to lower income households; (4) provide additional height, allowable floor area, exemptions from floor area calculations, and other development standard modifications for participating projects that, in addition to affordable housing, are located in areas with historical racially restrictive covenants; or provide equitable development uses; (5) exempt eligible development from participation in Design Review and parking minimums; and (6) direct the Directors of the Seattle Department of Construction and Inspections (SDCI), the Office of Planning and Community Development (OPCD), and OH to promulgate a Director's Rule for administering the program. The pilot program would end by 2035 or after 35 qualifying projects have applied, whichever is earlier.

**Proponent:** Seattle City Council, 600 4<sup>th</sup> Avenue, Floor 2 PO Box 34025 Seattle, WA 98124-4025 Attn: Ketil Freeman, AICP, [ketil.freeman@seattle.gov](mailto:ketil.freeman@seattle.gov)

**Location of current proposal:** Residentially zoned areas throughout the City of Seattle

**Title of document being adopted:** *SEPA Threshold Determination for Connected Communities and Equitable Development Pilot Program.* Prepared January 12, 2024, by OPCD

**Agency that prepared document being adopted:** Office of Planning and Community Development, City of Seattle

**Date adopted document was prepared:** 1/12/2024

**Description of document (or portion) being adopted:** This DNS adopts the analysis of the short and long term impacts and analyses for different elements of the built and natural environment. Identified mitigation measures identified in the document, i.e. assessment of the impacts of the proposal prior to any extension or renewal past the term of the pilot, is incorporated into the proposal.

**The document is available to be read at:** The adopted OPCD DNS dated January 12, 2024; and proposed bill may be obtained from: <https://seattle.legistar.com/Legislation.aspx> by searching for “121011”.

Seattle City Council Central Staff has identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision makers.

We have determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#)(2)(c). This determination is based on the following findings and conclusions:

The limited number (35 total projects) and eligibility timeframe (10 years) of the proposal factors prominently in this environmental determination. Adverse impacts to localized areas of potential pilot program projects are identified and disclosed, however these impacts are not determined to rise to the level of significant impact because they would be isolated to specific locations that are most likely to be dispersed throughout the city.

**Name of agency adopting document:** Seattle City Council Central Staff

- There is no comment period for this DNS Adoption.
- This DNS Adoption is issued after using the optional process in WAC [197-11-355](#). There is no further comment period on this DNS Adoption.
- This DNS Adoption is issued under WAC [197-11-340](#)(2); the lead agency will not act on this proposal for 14 days from the date of issuance. **Comments must be submitted by:** August 7, 2025, at 5 p.m..

**Responsible Official:** Ketil Freeman, AICP

**Position/Title:** Legislative Analyst

**Address:** Seattle City Council Central Staff 600 4<sup>th</sup> Avenue, Floor 2, PO Box 34025 Seattle, WA 98124-4025

**Phone:** 206.295.3827

**Email:** ketil.freeman@seattle.gov

**Signature:** On File

Ketil Freeman, AICP

**Signature Date:** 7/21/2025

## NOTICE OF ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT AND THRESHOLD DETERMINATION OF NON-SIGNIFICANCE

The Seattle City Council is proposing to create a term-limited, pilot program (Roots to Roofs) to encourage development with low-to-moderate income housing and neighborhood-serving equitable development uses. The pilot is intended to model equitable development and partnership types that mitigate current direct, and indirect, residential and non-residential displacement pressure. The proposal has been introduced as Council Bill (CB) 121011.

CB 121011 would:

- Define equitable development uses as activities where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions who comprise a cultural population at risk of displacement.
- Identify minimum qualifications for program eligibility, including organization types and ownership interests among partner organizations.
- Require that qualifying development provide at least 25 percent of units as affordable to lower income households.
- Provide additional height, allowable floor area, exemptions from floor area calculations, and other development standard modifications for participating projects that, in addition to affordable housing, are located in areas with historical racially restrictive covenants; or provide equitable development uses.
- Exempt eligible development from participation in Design Review and parking minimums.
- Direct the Directors of the Seattle Department of Construction and Inspections (SDCI), the Office of Planning and Community Development (OPCD), and OH to promulgate a Director's Rule for administering the program.

The pilot program would end by 2035 or after 35 qualifying projects have applied, whichever is earlier.

Adopted Documents: *SEPA Threshold Determination for Connected Communities and Equitable Development Pilot Program.* Prepared January 12, 2024, by OPCD.

### ENVIRONMENTAL DETERMINATION

After reviewing a completed environmental checklist and other information on file, including the OPCD threshold determination issued on January 12, 2024, the Seattle City Council Central Staff has determined that the amendments described above will not have a probable significant adverse environmental impact and has issued a Determination of Non-Significance (DNS) under the State Environmental Policy Act (no Environmental Impact Statement required).

## **HOW TO COMMENT**

Comments regarding this DNS and adoption or potential environmental impacts may be submitted through August 7, 2025. Comments may be sent to:

Seattle City Council Central Staff  
600 4<sup>th</sup> Avenue, Floor 2  
PO Box 34025  
Seattle, WA 98124-4025  
Attn: Ketil Freeman, AICP  
ketil.freeman@seattle.gov

## **HOW TO APPEAL**

To appeal to the City's Hearing Examiner, the appeal must be in writing. Appeals may be filed online at [www.seattle.gov/examiner/efile.htm](http://www.seattle.gov/examiner/efile.htm), or mailed to the City of Seattle Hearing Examiner, P.O. Box 94729, Seattle, WA 98124-4729. Appeals must be received prior to 5:00 P.M. on August 14, 2025, and be accompanied by a \$120.00 filing fee. The fee may be paid by check payable to the City of Seattle or a credit/debit card (Visa and MasterCard only) or payment by telephone at 206-684-0521.

*This proposal may be exempt from administrative or judicial appeal pursuant to RCW 36.70A.070(2).*

## **INFORMATION AVAILABLE**

Copies of the threshold determination; checklist; adopted OPCD DNS dated January 12, 2024; and proposed bill may be obtained from: <https://seattle.legistar.com/Legislation.aspx> by searching for "121011".

Questions regarding the legislation may be directed to Ketil Freeman at the City Council Central Staff at (206) 295-3827 or via email at [ketil.freeman@seattle.gov](mailto:ketil.freeman@seattle.gov).

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

**Amendment 1 Version 2 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rinck

Correct a typographical error in the introduced legislation to clarify the definition of a qualifying community development organization

**Effect:** Council Bill 121011 would create a pilot program that would allow larger development for projects on sites where qualifying community development organizations (QCDOs) have a legally established and ongoing property-related interest. The intent of the bill is to provide incentives for QCDOs to participate in mixed-use projects that support community needs and seek to reduce displacement.

As introduced, CB 121011 contains a typographical error that would inadvertently limit the types of qualifying organizations to public development authorities and housing authorities. The intent of the legislation is to include those types of organizations and not-for-profit organizations that have as their purpose the creation or preservation of affordable housing, affordable commercial space, affordable arts space, community gathering spaces, or equitable development uses. This amendment also clarifies that requirements for ownership and control of qualifying development by a QCDO can apply to one or more QCDOs. This would allow for participation in a qualifying development by multiple QCDOs with a development partner.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\* \* \*

**23.40.091 Definitions for Sections 23.40.090 through 23.40.097**

For the purposes of Sections 23.40.090 through 23.40.097:

\* \* \*

“Qualifying community development organization” means a nonprofit organization registered with the Washington Secretary of State ~~or~~, a public development authority created pursuant to RCW 35.21.730, or a public housing authority created pursuant to RCW 35.82.030,

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

that has as its purpose the creation or preservation of affordable housing, affordable commercial space, affordable arts space, community gathering spaces, or equitable development uses. A qualifying community development organization may consist of a partnership among one or more qualifying community development organizations, one or more qualifying community development organizations and a partnering for-profit development entity, or a partnership or limited liability company of which at least one qualifying community development organization serves as the controlling general partner or managing member.

“Qualifying development” means a development located on a site in which a qualifying community development organization has a legally established and ongoing property-related interest on the date of complete building permit application submittal. To have a legally established and ongoing property-related interest, a qualifying community development organization, alone or in combination with other qualifying community development organizations, shall own at least 51 percent of the property or have a controlling and active management role in a corporation or partnership that owns a property, such as a sole managing member of a limited liability company or sole general partner of a limited partnership.

\* \* \*

**Amendment 2 Version 1 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rinck

Provide more flexibility in income requirements by requiring that restricted units be moderate-income units

**Effect:** Council Bill 121011 would require that 25 percent of units in a development be affordable to lower-income households.

As introduced, CB 121011 set requirements for income-restricted units that mirrored requirements applicable to the multifamily tax exemption program. This amendment would broaden the requirements to allow restricted units to be “moderate-income units.”

Unit, Moderate-income is defined by the Land Use Code as, “a dwelling unit that, for a minimum period of at least 50 years, is a restricted unit affordable to and reserved solely for families with annual incomes not to exceed 80 percent of median income for rental units or 100 percent of median income for ownership units according to one or more regulatory agreements, covenants, or other legal instruments that, as a condition to issuance of the first building permit that includes the structural frame for the structure that includes the moderate-income unit, shall be executed and recorded on the title of the property and are enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency if approved by the Director of Housing.” ([SMC 23.84A.040](#))

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\* \* \*

**23.40.092 Enrollment period and eligibility requirements**

\* \* \*

B. To qualify for the Roots to Roofs Bonus Pilot Program, development must meet the following eligibility requirements:

1. Be a qualifying development;

2. Be located in a Neighborhood Residential; Multifamily, except Highrise; Commercial; or Seattle Mixed zone;

3. In commercial zones, have at least 75 percent of gross floor area in residential or equitable development use;

4. Not be located in a designated historic district, unless it is on a site with historical racially restrictive covenants; and

5. Have at least 25 percent of dwelling units as moderate-income units, be  
~~restricted units, as follows:~~

~~a. As renter occupied restricted units for at least 50 years to income-  
eligible households with annual incomes at or below the following percentages of Area Median  
Income (AMI):~~

~~1) At or below 40 percent of AMI for congregate residence  
sleeping rooms;~~

~~2) At or below 40 percent of AMI for dwelling units - small  
efficiency (SEDUs) in a proposed development that also includes studio, one bedroom, two-  
bedroom, or three bedroom dwelling units;~~

~~3) At or below 50 percent AMI for SEDUs in a project without  
any other type of dwelling unit;~~

~~4) At or below 60 percent of AMI for studio dwelling units;~~

~~5) At or below 70 percent of AMI for one bedroom units; and~~

Ketil Freeman  
Land Use Committee  
July 21, 2025  
D#1a

~~c) At or below 80 percent of AMI for two or more bedroom~~

~~dwelling units; or~~

~~b. As permanent owner occupied restricted units for income eligible~~  
~~households with annual incomes at or below 80 percent of AMI.~~

\* \* \*

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#1a

### Amendment 3 Version 2 to CB 121011 – Roots to Roofs

**Sponsor:** Councilmember Rinck  
Owner equity participation incentive

**Effect:** CB 121011 allows for a qualifying development (1) to achieve greater floor area for development in areas with historical racially restrictive covenants and (2) to have a certain amount of floor area in equitable development uses be exempt from FAR calculations.

This amendment would also allow qualifying development on a site owned by a homeowner, who has maintained a property as a principal residence for at least thirty years and who has a household income less than 120% of area median income, to achieve greater floor area, provided that the owner has the option of purchasing or renting a unit in the development and participating in a developer fee above and beyond the negotiated sales price of the property.

The amount of extra floor area would be the same as that available for development on a site with historical racially restrictive covenants. However, extra floor area on a site with both a historical racially restrictive covenant and a legacy homeowner would not get both bonuses.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\*\*\*

#### **23.40.091 Definitions for Sections 23.40.090 through 23.40.097**

For the purposes of Sections 23.40.090 through 23.40.097:

\*\*\*

“Owner equity development” means a development for which, on the date of complete building permit application submittal by a qualifying community development organization some or all of the development site is owned by a person or family with an

annual income not to exceed 120 percent of area median income and who have continually resided in a dwelling unit on the property for the preceding thirty years. Any executed agreement between the qualifying community development organization and the homeowner(s) shall provide the homeowner(s) with a defined share of any development fee. This share shall be calculated separately from, and in addition to, the fair market value of the property, which shall be determined by the lesser of two independent appraisals conducted prior to closing or transfer. For rental development, the homeowner shall receive preference in renting units. For affordable or mixed-income ownership development, the homeowner may apply their share of the development fee to acquire one or more units in the development. In mixed-income projects, the homeowner may acquire either market-rate or affordable units, depending on their share amount and unit availability, as permitted under affordability guidelines.

\*\*\*

#### **23.40.094 Development otherwise subject to the requirements of Chapter 23.44**

\*\*\*

B. Development permitted pursuant to Section 23.40.092 located in a neighborhood residential zone and on a site with historical racially restrictive covenants or an owner equity development may meet the following development standards:

1. The maximum lot coverage is 75 percent of lot area.
2. The FAR limit is 2.5. The FAR limit applies to the total chargeable floor area of all structures on the lot.

\*\*\*

### **23.40.095 Development otherwise subject to the requirements of Chapter 23.45**

A. Floor area for development permitted pursuant to Section 23.40.092 located in a multifamily zone

1. The FAR limits for eligible development are shown in Table A for 23.40.095.

**Table A for 23.40.095**  
**FAR limits for development permitted pursuant to Section 23.40.092**

	<b>FAR limit</b>	<b>FAR limit <u>for owner equity development or on sites with historical racially restrictive covenants</u></b>	<b>Maximum additional exempt FAR<sup>1</sup></b>
LR1 and LR2	2.0	2.4	1.0
LR3 outside urban centers and urban villages	2.5	3.2	1.0
LR3 inside urban centers and urban villages	3.0	3.8	1.0
MR	5.6	5.8	1.0

Footnote to Table A for 23.40.095  
<sup>1</sup> Gross floor area for uses listed in subsection 23.40.095.A.2 are exempt from FAR calculations up to this amount.

2. In addition to the FAR exemptions in subsection 23.45.510.D, an additional FAR exemption up to the total amount specified in Table A for 23.40.095 is allowed for any combination of the following floor area:

- a. Floor area in dwelling units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area in equitable development use;
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. All floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as determined pursuant to subsection 23.54.015.B.4.

\*\*\*

**23.40.096 Development otherwise subject to the requirements of Chapter 23.47A**

\*\*\*

B. Floor area for development permitted pursuant to Section 23.40.092 located in a NC zone or C zone

1. The FAR limits for eligible development is shown in Table B for 23.40.096.

**Table B for 23.40.096**  
**FAR limits for development permitted pursuant to Section 23.40.092**

Mapped height limit (in feet)	FAR limit	FAR limit <u>for owner equity development or on sites with historical racially restrictive covenants</u>	Maximum additional exempt FAR <sup>1</sup>
30	3.00	3.25	0.5
40	3.75	4.00	1.0
55	4.75	5.00	1.0

**Table B for 23.40.096**  
**FAR limits for development permitted pursuant to Section 23.40.092**

Mapped height limit (in feet)	FAR limit	FAR limit <u>for owner equity development or on sites with historical racially restrictive covenants</u>	Maximum additional exempt FAR <sup>1</sup>
65	4.50	5.75	1.0
75	5.50	6.00	1.0
85	7.25	7.50	2.0
95	7.50	7.75	2.0

Footnote to Table B for 23.40.096

<sup>1</sup> Gross floor area for uses listed in subsection 23.40.096.B.2 are exempt from FAR calculations up to this amount.

2. In addition to the FAR exemptions in subsection 23.47A.013.B, an additional FAR exemption up to the total amount specified in Table B for 23.40.096 is allowed for any combination of the following floor area:

- a. Floor area in dwelling units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area in equitable development use; and
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. All floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as determined pursuant to subsection 23.54.015.B.4.

\*\*\*

Section 3. The Directors of the Seattle Department of Construction and Inspections, the Office of Housing, and the Office of Planning and Community Development, shall in consultation with the Equitable Development Initiative Advisory Board promulgate by Director's Rule:

A. A process and criteria for verifying that an organization is a qualifying community development organization with a legally established and ongoing property-related interest in a site that would make it eligible to apply for development under the pilot program created by this ordinance. A qualifying community development organization may consist of a partnership between a qualifying community development organization and one or more community development organizations that do not have as their purpose the creation or preservation of affordable housing, or affordable commercial space, affordable arts space, community gathering spaces, or equitable development uses. Partnering community development organizations could include incorporated entities that advocate or provide services for refugees, immigrants, communities-of-color, members of the LGBTQIA communities, members of the community experiencing homelessness, and persons at risk of economic displacement. Partnering community development organizations could also include community-based organizations eligible for the new Jumpstart Acquisition and Preservation Program, which was added to the Housing Funding Policies through Ordinance 126611.

B. A regulatory definition of "equitable development use" and a process and criteria for ensuring that an equitable development use will continue to occupy leasable space for the life of a development.

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#1a

C. A rule requiring participation for qualifying development in census tracts identified by the Office of Housing for the community preference policy for participation in the Community Preference Program.

D. A process and criteria for verifying that an owner equity development application includes the agreement described in the definition for owner equity development.

\*\*\*

Ketil Freeman  
Land Use Committee  
July 21, 2025  
D#2a

**Amendment 4 Version 1 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rivera

**Author:** Councilmember Hollingsworth

Limit the number of pilot program applications to 5 per district

**Effect:** Council Bill 121011 would create a pilot program that would be limited by the number of applications and by time. Specifically, the pilot would expire by the end of 2035 or after 35 applications have been filed, whichever is sooner.

This amendment would limit the number of applications for each Council district to no more than five.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\* \* \*

**23.40.092 Enrollment period and eligibility requirements**

A. The enrollment period for the Roots to Roofs Bonus Pilot Program expires on the earlier of: when applications meeting the requirements of Section 23.40.092 have been submitted for 35 projects; or December 31, 2035. The Director shall not accept applications for more than five projects for each Council district.

\* \* \*

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

**Amendment 5 Version 2 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rivera

**Author:** Councilmember Hollingsworth

Allow floor area in an equitable development use to convert to another allowed use after fifty years

**Effect:** Council Bill 121011 would establish incentives, such as Floor Area Ratio (FAR) exemptions, for development that includes floor area in an equitable development use, which would be defined as, “activities, as determined by rule, where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions, that comprise a cultural population at risk of displacement.”

This amendment would clarify that eligible floor area in an equitable development use would need to remain in that category of uses for fifty years, after which it could be converted to another use allowed by development regulations. The equitable use requirement would be secured by a covenant or other legal instrument and be enforceable by the City.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\* \* \*

**23.40.091 Definitions for Sections 23.40.090 through 23.40.097**

For the purposes of Sections 23.40.090 through 23.40.097:

“Equitable development use” means activities, as determined by rule, where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions, that comprise a cultural population at risk of displacement. Equitable development uses may include but are not limited to activities such as

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

gathering space, arts and cultural space, educational programming or classes, childcare centers, direct services, job training, or space for other social or civic purposes. Equitable development uses may also include commercial uses, such as commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods. Space occupied by an equitable development use must remain in that use or another equitable development use for a period of at least 50 consecutive years. The requirement that space be occupied by an equitable development use shall be subject to a covenant, regulatory agreement, or other legal instrument recorded on the title of the property and enforceable by The City of Seattle.

\* \* \*

Ketil Freeman  
Land Use Committee  
July 21, 2025  
D#1a

**Amendment 6 Version 1 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rivera

**Author:** Councilmember Hollingsworth

Specify elements for Council and Planning Commission review in 2030

**Effect:** Council Bill 121011 contemplates that the pilot program would be reviewed by the Council in consultation with the Planning Commission by the end of the first quarter of 2030.

This amendment would expand the contemplated review to specify details on proposed and developed projects, including information on partnership structures utilized by program participants and rents charged for residential and equitable development uses.

Amend Section 4 of Council Bill 121011, as follows:

Section 4. By March 31, 2030, the City Council, in consultation with the Seattle Planning Commission, will evaluate the pilot to assess its effectiveness in achieving the following objectives:

- A. Providing affordable workforce housing for communities and households that are cost-burdened;
- B. Providing neighborhood-serving equitable development uses;
- C. Forestalling or preventing economic and physical displacement of current residents; and
- D. Demonstrating a variety of missing middle housing types that are affordable to households with a range of household incomes.

The evaluation shall include a review of the number of applications by district, and type of development proposed, and the partnership structure associated with each qualifying development. For built projects, the review shall also include rents charged for residential units by size and unit type and the rents charged for equitable development space in the development with a comparison to market rents for each submarket in which a qualifying development is located.

Ketil Freeman  
Land Use Committee  
July 24, 2025  
D#1a

**Amendment 7 Version 1 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rivera

**Author:** Councilmember Hollingsworth

Qualifying Development Definition

**Effect:** Council Bill 121011 defines “qualifying development” as a development in which a qualifying community development organization has a “legally established and ongoing property-related interest.” That interest can include majority ownership of a property or a controlling role in a corporate entity undertaking the development.

This amendment would modify the definition of qualifying development to require both majority ownership in a property and a controlling role corporate entity.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\*\*\*

**23.40.091 Definitions for Sections 23.40.090 through 23.40.097**

For the purposes of Sections 23.40.090 through 23.40.097:

\*\*\*

“Qualifying development” means a development located on a site in which a qualifying community development organization has a legally established and ongoing property-related interest on the date of complete building permit application submittal. To have a legally established and ongoing property-related interest, a qualifying community development

Ketil Freeman  
Land Use Committee  
July 24, 2025  
D#1a

organization shall own at least 51 percent of the property ~~or~~ and have a controlling and active management role in a corporation or partnership that owns a property, such as a sole managing member of a limited liability company or sole general partner of a limited partnership.

\*\*\*

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

**Amendment 8 Version 2 to CB 121011 – Roots to Roofs**

**Sponsor:** Councilmember Rivera

**Author:** Councilmember Hollingsworth

Limitation on Tier 2 tree removal

**Effect:** Council Bill 121011 establishes alternative development standards for qualifying development, including additional allowable lot coverage in neighborhood residential zones. Development that maximizes use of lot coverage can result in tree removals.

This amendment would prohibit removal of tier two trees for development on sites in neighborhood residentially-zoned sites in identified Environmental Justice Priority Areas, which generally include census tracts in southeast Seattle, much of the Central Area, South Park, Highland Park, the University District, Lake City, and Bitter Lake. The [2021 City of Seattle Tree Canopy Assessment Final Report](#) identifies those tracts as having greater relative tree loss between 2016 and 2021.

Amend Section 2 and 3 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal Code as follows:

\*\*\*

**23.40.093 Alternative development standards**

A. In lieu of otherwise applicable development standards contained in Chapters 23.44, 23.45, 23.47A, and 23.48, a proposed development that meets the requirements of Section 23.40.092 may meet the applicable alternative development standards of Sections 23.40.094 through 23.40.097. A determination by the Director that development meets the alternative development standards of Section 23.40.094 through 23.40.097 is a Type I decision.

B. Split-zoned lots

1. On lots located in two or more zones, the FAR limit for the entire lot shall be the highest FAR limit of all zones in which the lot is located, provided that at least 51 percent of the total lot area is in the zone with the highest FAR limit.

2. On lots located in two or more zones, the height limit for the entire lot shall be the highest height limit of all zones in which the lot is located, provided that at least 51 percent of the total lot area is in the zone with the highest height limit.

3. For the purposes of subsections 23.40.090 through 23.40.097, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

C. Eligible projects are exempt from the requirements of Chapter 23.41 and Section 23.54.015.

D. Notwithstanding the requirements of subsection 25.11.070, no Tier 2 trees may be removed for development on sites in neighborhood residential zones located in environmental justice priority areas identified by the Director's rule promulgated pursuant to this ordinance.

\*\*\*

Section 3. The Directors of the Seattle Department of Construction and Inspections, the Office of Housing, and the Office of Planning and Community Development, shall in consultation with the Equitable Development Initiative Advisory Board promulgate by Director's Rule:

\*\*\*

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

D. A rule identifying environmental justice priority areas for the purposes of protecting  
Tier 2 trees. The boundaries of environmental justice priority areas should be consistent with  
those identified in the 2021 *City of Seattle Tree Canopy Assessment Final Report*.

Ketil Freeman  
Land Use Committee  
August 27, 2025  
D#2a

### Amendment 9 Version 2 to CB 121011 – Roots to Roofs

**Sponsor:** Councilmember Rivera

Concentration of pilot development in centers

**Effect:** Council Bill 121011 establishes alternative development standards for qualifying development in most zones where residential development is allowed.

This amendment would limit the locations of qualifying development to Regional Centers, Urban Centers, and Neighborhood Centers, which is where the proposed Comprehensive Plan contemplates more intense development may occur.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal

Code as follows:

\*\*\*

#### **23.40.093 Alternative development standards**

A. In lieu of otherwise applicable development standards contained in Chapters 23.44, 23.45, 23.47A, and 23.48, a proposed development that is wholly located within an urban center or urban village; or within a regional center, urban center, or neighborhood center, as those centers may be designated through the ordinance introduced as Council Bill 120985; and meets the requirements of Section 23.40.092 may meet the applicable alternative development standards of Sections 23.40.094 through 23.40.097. A determination by the Director that development meets the alternative development standards of Section 23.40.094 through 23.40.097 is a Type I decision.

\*\*\*



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

## Legislation Text

---

**File #:** CB 121045, **Version:** 1

---

### CITY OF SEATTLE

### ORDINANCE \_\_\_\_\_

### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; updating timelines for City review of land use permits; amending Sections 23.76.005 and 23.76.010 of the Seattle Municipal Code; and amending Resolution 31602 to update the City Council Rules for Quasi-Judicial Proceedings.

WHEREAS, Revised Code of Washington (RCW) 36.70B.080 identifies timelines for local review of project permits; and

WHEREAS, RCW 36.70B.140 allows local governments by ordinance to exclude landmark designations, street vacations, or other approvals relating to the use of public areas or facilities, or other project permits, whether administrative or quasi-judicial, that the local government by ordinance or resolution has determined present special circumstances that warrant a review process or time periods for approval that are different from that provided in RCW 36.70B.080; and

WHEREAS, the City Council Rules for Quasi-Judicial Proceedings were last updated in 2015, since which time the City Clerk has started to accept electronic filing of documents; and

WHEREAS, filing documents electronically allows for shorter timelines for filing of responses to those filings;

NOW, THEREFORE,

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

Section 1. Section 23.76.005 of the Seattle Municipal Code, last amended by Ordinance 125587, is amended as follows:

#### **23.76.005 Time for decisions**

A. Except as otherwise provided in this Section 23.76.005 or otherwise agreed to by the applicant, land

use decisions on applications shall be made under the following timelines:

1. Type I: within ((120)) 65 days after the applicant has been notified that the application is complete((,)) ;
2. Type II: within 100 days after the applicant has been notified that the application is complete;
3. Type III: within 170 days after the applicant has been notified that the application is complete, provided that the Director shall issue a recommendation within 100 days;
4. Type IV: as provided in subsection 23.76.005.E.2; and
5. Type V: no timeline for final decision.

B. In determining the number of days that have elapsed ((~~after the notification that the application is complete~~)) for purposes of subsection 23.76.005.A, the following periods shall be excluded:

1. All periods of time during which ((~~the applicant has been requested by~~)) the Director ((to)) or Hearing Examiner has requested that the applicant correct plans, perform required studies, or provide additional required information, until ((~~the Director determines that the request has been satisfied~~)) the day responsive information is resubmitted by the applicant;
2. Any extension of time mutually agreed upon by the Director or Hearing Examiner and the applicant;
3. For projects for which an EIS has been required, the EIS process time period established in subsection 23.76.005.((B))C; and
4. Any time period for filing an appeal or request for further consideration of the land use decision to the Hearing Examiner or City Council as applicable, and the time period to consider and decide the appeal ((; and)) .

((5. All periods of time during which the applicant has been requested by the Director to pay past due permit fees, until the Director determines that the request has been satisfied or until the permit is cancelled for failure to pay fees.))

((B))C. The time required to prepare an EIS shall be agreed to by the Director and applicant in writing.

Unless otherwise agreed to by the applicant, a final environmental impact statement shall be issued by the Director within one year following the issuance of a Determination of Significance for the proposal, unless the EIS consultant advises that a longer time period is necessary. In that case, the additional time shall be that recommended by the consultant, not to exceed an additional year.

((C))D. The time limits established by subsections 23.76.005.A, ((and)) 23.76.005.B, and 23.76.005.C do not apply if a permit application:

1. Requires an amendment to the Comprehensive Plan or the Land Use Code; ((or))
2. Requires the siting of an essential public facility;
3. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete; or
4. Requires the vacation of public right-of-way.

((D))E. Exclusions pursuant to RCW 36.70B.140(1)((-))

1. Type II decisions. There is no time limit for a decision on an application that includes an exception from ((the regulations for Environmentally Critical Areas,)) Chapter 25.09.
2. ((Type III decisions.
  - a. The Director shall issue a recommendation within 120 days as that time is calculated pursuant to subsections 23.76.005.A, B, and C; and
  - b. The Hearing Examiner shall issue a decision within 90 days of issuance of the Director's recommendation, except that in determining the time limits for Type III decisions established in this subsection 23.76.005.D.2.b, the following periods shall be excluded:

1) The time during which a Type III decision is remanded by the Hearing Examiner for further information or analysis. The Hearing Examiner shall set a reasonable period for the remand after consideration of the nature and complexity of the issues, and, if practicable, after consultation

~~with the parties about the reasonableness of the remand period;~~

2) All periods of time during which the applicant has been requested by the Director to pay past due permit fees, until the Director determines that the request has been satisfied; and  
3) Any extension of time mutually agreed upon by the Hearing Examiner and the applicant.

3.) Type IV Council land use decisions((.))

a. There is no time limit for decisions on Major Institution master plans.  
b. All other Type IV Council land use decisions and any associated Type II decisions listed in subsection 23.76.006.C.2, except for the exclusions listed in subsections 23.76.005.((D))E.1 and 23.76.005.((D))E.3.c, shall be made within the following time periods:

1) The Director shall issue a recommendation within ((120)) 100 days as that time period is calculated pursuant to subsections 23.76.005.A, 23.76.005.B, ((and)) 23.76.005.C, and 23.76.005.D;  
2) The Hearing Examiner shall issue a recommendation within 90 days of issuance of the Director's recommendation; and  
3) The Council shall issue its decision within 90 days of receipt of the Hearing Examiner recommendation, except that if a timely appeal is filed with the City Clerk, the Council shall issue its decision within 120 days of receipt of the Hearing Examiner recommendation.

c. In determining the time limits for Type IV Council land use decisions established in this subsection 23.76.005.((D))E, the following periods shall be excluded:

1) The time during which a Type IV Council land use decision is remanded by the Hearing Examiner or the City Council for further information or analysis. The Hearing Examiner or the Council shall set a reasonable period for the remand after consideration of the nature and complexity of the issues, and, if practicable, after consultation with the parties about the reasonableness of the remand period; and

2) ((All periods of time during which the applicant has been requested by the Director to pay past due permit fees, until the Director determines that the request has been satisfied; and  
3))) Any extension of time mutually agreed upon by the Hearing Examiner and the applicant or the City Council and the applicant.

((E))E. Type V Council land use decisions are legislative decisions to which no time limits apply.

Section 2. Section 23.76.010 of the Seattle Municipal Code, last amended by Ordinance 127288, is amended as follows:

### **23.76.010 Applications for Master Use Permits**

\* \* \*

D. All applications shall contain the submittal information required by the applicable sections of this Title 23, Land Use Code; Title 15, Street and Sidewalk Use; Chapter 25.05, Environmental Policies and Procedures; Chapter 25.09, Regulations for Environmentally Critical Areas; Chapter 25.12, Landmarks Preservation; Chapter 25.16, Ballard Avenue Landmark District; Chapter 25.20, Columbia City Landmark District; Chapter 25.22, Harvard-Belmont Landmark District; Chapter 25.24, Pike Place Market Historical District; and other codes as determined applicable and necessary for review by the Director. All shoreline substantial development, conditional use or variance applications shall also include applicable submittal information as specified in WAC 173-27-180. The Director shall ((make available, in writing, a general list of)) outline the submittal requirements for a complete application in the permit application.

E. Notice of Complete Application.

1. The Director shall determine whether an application is complete and shall notify the applicant in writing within 28 days of the date the application is filed whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete. Within 14 days of receiving the additional information, the Director shall notify the applicant in writing if the application is still incomplete and what additional information is necessary. An application shall be deemed to

be complete if the Director does not notify the applicant in writing that the application is incomplete by the deadlines in this subsection 23.76.010.E. A determination that the application is complete is not a determination that the application is vested.

2. A Master Use Permit application is procedurally complete for purposes of this Section 23.76.010 if it meets the submittal requirements (~~((established by the Director in subsection 23.76.010.D and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently)) outlined on the permit application.~~ The determination of completeness shall not preclude the Director from requesting additional information or studies either at the time the application is determined complete or subsequently, if additional information is required to complete review of the application or substantial changes in the permit application are proposed. However, if the submittal requirements outlined on the permit application have been met the need for additional information or studies may not preclude a determination of completeness.

3. A determination under this Section 23.76.010 that an application is complete is not a determination that the application is vested. A vesting determination shall be made only if needed because of a change in applicable laws and shall entail review of the application for compliance with RCW 19.27.095, RCW 58.17.033, and Section 23.76.026.

\* \* \*

Section 3. Exhibit A to Resolution 31602 is amended as shown in Exhibit A to this ordinance.

Section 4. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scheereen Dedman, City Clerk

(Seal)

Exhibits:

Exhibit A - City Council Rules for Quasi-Judicial Proceedings (2025 Rules), As Amended

**CITY COUNCIL RULES FOR QUASI-JUDICIAL PROCEEDINGS (((2015))) 2025  
Rules)**

**TABLE OF CONTENTS**

I.	Applicability and Purpose .....	page 2
II.	Definitions .....	page 3
III.	Appearance of Fairness .....	page ((5))4
IV.	General Procedures .....	page 6
V.	Procedures Before Committee Action.....	page 7
VI.	Committee Action .....	page ((13))12
VII.	Preparation and Transmittal of Committee Recommendation to Council .....	page ((16))15
VIII.	Council Action .....	page ((17))16
IX.	Actions After Council Decision .....	page ((18))17
X.	Effect of Council Decision.....	page ((19))18
XI.	Maintenance of Record of Quasi-Judicial Proceeding .....	page ((19))18

## **I. APPLICABILITY AND PURPOSE**

- A. The purpose of these rules is to establish procedures for quasi-judicial actions before the City Council and to implement the Appearance of Fairness Doctrine, Revised Code of Washington (RCW) Chapter 42.36.
- B. Pursuant to Seattle Municipal Code (SMC) Chapter 23.76, the following Type IV Land Use Decisions, along with any integrated decision to exercise substantive State Environmental Policy Act (SEPA) authority and any associated Type II land use decisions listed in subsection 23.76.006.C.2, are governed by these rules:
  1. A Council conditional use;
  2. An amendment to the Official Land Use Map, except for an area-wide amendment or a correction of an error on the Official Land Use Map due to a cartographic or clerical mistake;
  3. Approval of a property use and development agreement (PUDA) that is required as a condition of rezone approval, or an amendment of a PUDA that represents a major departure from the terms of the prior decision, pursuant to Section 23.76.058;
  4. Major institution master plan adoption, a major amendment to a major institution master plan, or renewal of a major institution master plan development plan component pursuant to Chapter 23.69;
  5. A public project as defined in Section 23.84A.030 that requires City Council approval.
- C. The following quasi-judicial actions are also governed by these rules:
  1. An amendment to a PUDA that was required as a condition of rezone approval that represents a minor departure from the terms of the PUDA, pursuant to Section 23.76.058;
  2. A request to extend a Type IV Land Use Decision pursuant to Section 23.76.060;
  3. An appeal of an individual's final assessment for a Local Improvement District pursuant to Section 20.04.090;
  4. An appeal of the Hearing Examiner's recommendation on controls and incentives for a designated Seattle landmark pursuant to Section 25.12.630;
  5. An appeal of the Director of Housing's decision to deny an application for a multifamily housing property tax exemption pursuant to Section 5.73.060;
  6. Other action that is quasi-judicial or subject to the Appearance of Fairness Doctrine as defined in these rules.
- D. All references to Chapters and Sections in these rules are to the SMC unless stated otherwise. In case of conflict between these rules and the SMC, the SMC controls.

## II. DEFINITIONS

- A. “Appearance of Fairness Doctrine” refers to the provisions of RCW chapter 42.36.
- B. “Appellant” means a person who submits an appeal of a Hearing Examiner’s recommendation or decision on a quasi-judicial action covered by these rules, or an appeal of the Director of Housing’s decision to deny an application for a multifamily housing property tax exemption.
- C. “Certificate of Service” means a signed sworn statement that a document has been either mailed by first class mail or emailed on the date stated in the certificate to the persons named at the addresses listed in the certificate.
- D. “Committee” means the City Council committee charged with making recommendations on a quasi-judicial action.
- E. “Ex parte communication” means any direct or indirect communication between a Councilmember and a proponent, opponent, or party of record that is made outside a Council hearing or meeting considering a quasi-judicial action and that concerns the merits of the quasi-judicial action pending before the City Council.
- F. “Party of record” means:
  1. any person who appeals a recommendation or decision in a quasi-judicial action;
  2. the City agency making a recommendation, decision or determination on a quasi-judicial action and any of its employees or agents, except that the Hearing Examiner is not a party of record;
  3. the owner(s) of the property subject to the quasi-judicial action;
  4. any person who filed an application for a permit or development approval that is the basis for the quasi-judicial action;
  5. any person granted party status through intervention at the Hearing Examiner proceeding or during the City Council quasi-judicial proceeding; and
  6. for an extension of a Type IV Land Use Decision or a minor amendment to a PUDA, any person who commented to the Department of Planning and Development (DPD) on the request for extension or minor amendment.
- G. “Pending” means the period of time during which a quasi-judicial action is under consideration by the Council. For purposes of these rules, a quasi-judicial action is considered to be under consideration by the Council beginning when the matter is date-stamped by the City Clerk, which for actions based upon a Hearing Examiner recommendation is pursuant to subsection IV.E of these rules. A quasi-judicial action

remains under consideration before the Council until the final termination of all judicial appeals of the Council decision in the quasi-judicial matter.

- H. “Person” means an individual, partnership, corporation, entity, association, or public or private organization of any character.
- I. “Quasi-judicial action” or “quasi-judicial matter” means an action of the City Council that determines the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial action does not include a legislative action adopting, amending, or revising a comprehensive, community, or neighborhood plan; zoning regulation; other land use planning document; or area-wide amendment to the Official Land Use Map.
- J. “Quasi-judicial proceeding” means the procedure by which Council considers a quasi-judicial action.
- K. “Record, procedural” means the procedural and pre-hearing documents and materials filed with the City Clerk and considered by the Council that are not part of the substantive record, and the disclosures of ex-parte communications placed on the record as required by RCW chapter 42.36 and these rules.
- L. “Record, substantive” means the Hearing Examiner’s record as supplemented by the Council pursuant to these rules, including the transcript or recording or both of the hearing before the Hearing Examiner, the exhibits admitted into evidence, and the other documents in the Hearing Examiner proceeding; or, for an appeal of a denial of an application for a multifamily housing property tax exemption by the Director of Housing, the exhibits and other documents compiled by the Director of Housing in denying the application; or, for a minor amendment to a PUDA or a request to extend a Type IV Land Use Decision, the materials submitted to DPD and the DPD recommendation, and any additional information used by the Council.
- M. “Valid” means submitted in compliance with all requirements of the SMC and these rules.

### **III. APPEARANCE OF FAIRNESS**

- A. While a quasi-judicial action is pending before Council, no member of the City Council may engage in an ex parte communication.
- B. If an ex parte communication occurs, then:
  - 1. The Councilmember shall, either orally or in writing, place in the procedural record the substance of any such ex parte communication; and

2. The Councilmember shall make a public announcement at each meeting or hearing on the quasi-judicial action of the content of any such ex parte communication and the right of parties of record to rebut the substance of the communication. As one means of accomplishing this, the Council may announce at each meeting or hearing that there has been an ex parte communication, that a written summary of such communication is available, and that the parties of record have an opportunity to rebut the substance of the communication.
- C. The prohibition against ex parte communication does not preclude a member of the Council from questioning the parties of record concerning matters in the record during the meetings or hearings before the Council on the quasi-judicial action.
- D. Anyone seeking to rely on the appearance of fairness doctrine to disqualify a Councilmember from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the person. If the basis was known or reasonably should have been known prior to the issuance of a decision and was not raised prior to the issuance of the decision, it may not be relied on to invalidate the decision.
- E. If a Councilmember is challenged for violating the appearance of fairness doctrine or for bias or prejudice, the Councilmember shall respond on the record by either:
  1. Agreeing with the challenge and disqualifying himself or herself from acting on the quasi-judicial matter. The disqualified Councilmember may not vote and may not participate in the hearing and deliberation process, even if not voting. In addition, the disqualified Councilmember should not discuss the merits of the proposal with other Councilmembers; or
  2. Disagreeing with the challenge and:
    - a. Stating on the record why the Councilmember believes that there has been no violation of the appearance of fairness doctrine; or
    - b. Stating on the record why the Councilmember believes that he or she is not biased or prejudiced.
- F. If a challenge to a Councilmember would cause a lack of a quorum or would result in an inability to obtain a majority vote as required by law, any such challenged Councilmember is permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the Councilmember publicly discloses the basis for disqualification prior to rendering a decision. Such participation shall not subject the decision to a challenge by reason of violation of the appearance of fairness doctrine.

#### **IV. GENERAL PROCEDURES**

- A. The Council may refer any quasi-judicial action to the appropriate Council committee to review the merits of the action and to make a recommendation to the full Council.
- B. If a committee is authorized to make a ruling or determination on a procedural matter, the committee chair may make that procedural ruling or determination, or may refer such ruling or determination to the committee for discussion and vote.
- C. A document required to be filed with the City Clerk pursuant to these rules shall be filed by hard copy or electronic means, per the City Clerk's requirements for filing documents. If the City Clerk receives a ((mailing-))document after a deadline, even if the mailing is postmarked on the day of the deadline or the electronic transmittal is sent on the day of the deadline, the ((mailing-))document will not be considered as having met the deadline.
- D. A notice, request, reply, or response to someone other than the City Clerk may be sent by either first class mail or electronic means, depending on the means of transmittal authorized or indicated by the recipient.
- E. If the quasi-judicial proceeding includes a Hearing Examiner recommendation or decision, the date reflected in the City Clerk's date-stamp is one of the following:
  1. The date notice of the application for a Type IV Land Use Decision listed in subsection I.B of these rules is filed by DPD with the City Clerk, pursuant to Section 23.76.040.
  2. The date the Hearing Examiner's or designated officer's decision on the final assessment roll for a Local Improvement District is filed with the City Clerk.
  3. The date the Landmark Preservation Board recommendation on controls and incentives for a designated Seattle landmark about which the owner and Board staff are unable to reach an agreement is filed with the City Clerk.
- F. If the last day of a period specified by these rules is a Saturday, Sunday, or federal or City holiday, the deadline runs until 5 p.m. on the next day that is not a Saturday, Sunday, or federal or City holiday.
- G. When calculating the number of days that a notice or motion must be provided prior to a committee meeting or hearing, the day after the notice or motion is provided is the first day of the period, and the day of the meeting or hearing is the last day of the period.
- H. Time requirements in these rules are strictly applied.
- I. A motion is limited to 20 double-spaced pages, excluding declarations, exhibits, attachments, and appendices.

## **V. PROCEDURES BEFORE COMMITTEE ACTION**

### **A. Appeals.**

- 1. Who May File an Appeal**
  - a. An appeal of a Hearing Examiner's recommendation on any Type IV Land Use Decision, including any associated Type II land use decision and any integrated decision to approve, condition, or deny based on substantive SEPA authority, may be filed by any person who submitted a written comment to the DPD Director or an oral or written comment to the Hearing Examiner on the matter.
  - b. An appeal of an individual's final assessment for a Local Improvement District may be filed only by a party who made a timely protest at the initial hearing, pursuant to Section 20.04.090.D. Failure to file an appeal does not limit use of the judicial appeal process under RCW 35.44.200.
  - c. An appeal of the Hearing Examiner's recommendation on controls and incentives for a designated Seattle landmark may be filed only by a party of record to the Hearing Examiner process.
  - d. An appeal of the Director of Housing's decision to deny an application for a multifamily housing property tax exemption may be filed only by the applicant.
- 2. Filing Deadline for an Appeal**
  - a. An appeal of the Hearing Examiner's recommendation on a Type IV Land Use Decision must be filed with the City Clerk by 5 p.m. of the 14th calendar day following the date of the Hearing Examiner's recommendation.
  - b. An appeal of an individual's final assessment for a Local Improvement District must be filed with the City Clerk by 5 p.m. of the 14th calendar day following the date of the Hearing Examiner's or designated officer's decision.
  - c. An appeal of the Hearing Examiner's recommendation on controls and incentives for a designated Seattle landmark must be filed with the City Clerk and served on all other parties of record by 5 p.m. of the 14th calendar day after the Hearing Examiner's decision is served on the party appealing.
  - d. An appeal of the Director of Housing's denial of an application for a multifamily housing property tax exemption must be filed with the City Clerk by 5 p.m. of the 30th calendar day following the receipt of the denial.
- 3. Form and Content of Appeal.** An appeal shall be in writing and:
  - a. Clearly identify specific objections to the recommendation or decision;
  - b. Specify the relief sought;

- c. For an appeal of an individual's final assessment for a Local Improvement District, state clearly on the cover or cover page the number of the Local Improvement District and the appellant's name, and shall comply with Section 20.04.110; and
- d. If desired, include a request to supplement the record, pursuant to subsection V.B. of these rules.

4. Rejection or Clarification of Appeal.

- a. The Council may reject an appeal that does not comply with the form and content requirements.
- b. The Council may request clarification of an appeal. Council staff will provide the request for clarification to:
  - i. The parties of record for an appeal of the Hearing Examiner's recommendation on a Type IV Land Use Decision;
  - ii. The parties of record for an appeal of the Hearing Examiner's recommendation for controls and incentives for a designated Seattle landmark;
  - iii. Those persons who were provided written notice of the Director of Housing's decision for an appeal of the denial of a multifamily housing property tax exemption;
  - iv. The appellant for an appeal of an individual's final assessment for a Local Improvement District, and the City Attorney.
- c. Any response from the appellant must be filed, along with a certificate of service, with the City Clerk and copies provided to those who received a copy of the request for clarification by 5 p.m. of the ~~((10th))~~ 7th calendar day after copies of the request for clarification were provided by Council staff.

5. Circulation of appeal.

- a. Upon receipt of a valid appeal, Council staff will provide notice of the appeal to the following persons, and shall complete a certificate of service to be included in the Clerk File for the matter:
  - i. those persons who were provided written notice of the Hearing Examiner's recommendation for an appeal of a Type IV Land Use Decision, or of the Hearing Examiner's recommendation for controls and incentives for a designated Seattle landmark;

- ii. those persons who were provided written notice of the Director of Housing's decision for an appeal of the denial of a multifamily housing property tax exemption;
- iii. the appellant for an appeal of an individual's final assessment for a Local Improvement District, as well as the City Attorney.

- b. Notice must be provided at least 21 calendar days prior to the date the committee is to consider the matter.
- c. The notice shall include:
  - i. A copy of each appeal;
  - ii. Instructions for filing a response, including a list of the parties of record on whom any response and certificate of service must be served;
  - iii. If a request to supplement the record has been filed, a copy of the request to supplement the record and instructions for responding; and
  - iv. Notice of the first committee meeting at which the matter will be considered.

- 6. Response. Only a party of record may respond to an appeal. Any response must be filed, along with a certificate of service, with the City Clerk and copies provided to the other parties of record, by 5 p.m. of the ((40<sup>th</sup>)) 7th calendar day after the notice of appeal was provided by Council staff.
- 7. Reply. Any reply from a person who filed an appeal must be filed with the City Clerk, along with a certificate of service, and copies provided to the other parties of record, by 5 p.m. of the 7th calendar day after the response was filed with the City Clerk.

B. Request to Supplement the Record on an Action other than an Extension of a Type IV Land Use Decision, a Minor Amendment to a PUDA, or an Appeal of an Individual's Final Assessment for a Local Improvement District.

- 1. Filing a Request to Supplement the Record. A request to supplement the record may be filed only by a party of record or as part of a motion to intervene, and must be filed with the City Clerk, along with a certificate of service, no later than:
  - a. If an appeal has been filed, the deadline for filing a reply; or
  - b. If no appeal is filed, ((28))21 calendar days after the Hearing Examiner provides copies of the recommendation or decision on the quasi-judicial action.
- 2. Form and Content of a Request to Supplement the Record.
  - a. A request to supplement the record shall be in writing, and:
    - i. include a brief description of the nature of and a copy of the evidence proposed to be added; and

- ii. explain how the evidence proposed to be added meets the standard for supplementation, i.e., why it was not available or could not reasonably have been produced at the time of the open record hearing before the Hearing Examiner, or, for an appeal of a denial of an application for a multifamily housing property tax exemption, at the time the Director of Housing denied the application for the exemption.
- b. Testimony proposed to be added to the record must be presented by affidavit, by declaration conforming to the standards of RCW 9A.72.085, or in a transcript.
- c. A request to supplement the record must be submitted as either:
  - i. a separate section of an appeal, a response, a reply, or a motion to intervene; or
  - ii. a separate document attached to an appeal, a response, a reply, or a motion to intervene; or
  - iii. if no appeal has been filed, a separate document.

3. Circulation of a Request to Supplement the Record.
  - a. If a request to supplement the record is filed with an appeal that is valid, Council staff will provide it together with the appeal to the same persons to whom Council staff provides notice of the appeal pursuant to subsection V.A.5.a of these rules, along with instructions for responding to the request to supplement the record.
  - b. If a request to supplement the record is filed at some other time but by the deadline provided in subsection V.B.1 of these rules, the person filing the request must also provide a copy of the request and a certificate of service to those to whom the Hearing Examiner provided copies of the recommendation or decision.
4. Response to Request to Supplement the Record. A response may be filed by a party of record or any person who filed a pending motion to intervene. Any response must be filed together with a certificate of service with the City Clerk and copies provided to the other parties of record and to any person who filed a motion to intervene, by 5 p.m. of the ~~((10th))~~7th calendar day after the request to supplement the record was provided as required by subsection V.B.3 of these rules.
5. Content of Response. A response to a request to supplement the record shall be in writing and address the standard for supplementation described in subsection V.B.2.a.ii of these rules.
6. Reply. Any reply must be in writing and be filed along with a certificate of service with the City Clerk and copies provided to the other parties of record and to any person who filed a motion to intervene, by 5 p.m. of the 7th calendar day after the

response was filed. A reply must respond only to the arguments made in any response and not raise new issues.

C. Motions in a Proceeding other than an Extension of a Type IV Land Use Decision or a Minor Amendment to a PUDA.

1. Motion to Intervene in an Action Other Than an Appeal of an Individual's Final Assessment for a Local Improvement District.
  - a. If a valid appeal has been filed, then a person may file a motion to intervene to participate in a quasi-judicial action as a party of record. The motion may not be filed before notice of an appeal is provided according to subsection V.A.5 of these rules. The motion may be filed no later than the deadline for filing a reply to the appeal. The motion to intervene shall be in writing and be filed along with a certificate of service with the City Clerk, with copies provided to parties of record. The motion to intervene must state the basis for intervention and how the person making the request is affected by or interested in the quasi-judicial action, and must include any request to supplement the record.
  - b. In considering a motion to intervene, the committee shall consider:
    - i. whether the motion to intervene shows a substantial or significant interest in the quasi-judicial action that is not otherwise adequately represented by a party of record;
    - ii. whether intervention can be accomplished without unduly delaying the proceeding or prejudicing the rights of any party of record; and
    - iii. whether the person filing the motion either participated in the Hearing Examiner proceeding, or failed to do so because he or she was unable to do so.
  - c. If it grants a motion to intervene, the committee may limit the nature and scope of the participation, including the issues the intervenor may address.
2. Other Motions. Any other motion may be filed by a party of record. If a valid appeal has been filed, such ((Such)) a motion shall be in writing and be filed along with a certificate of service with the City Clerk no later than 28 calendar days after the Hearing Examiner or Director of Housing provides copies of the recommendation or decision on the quasi-judicial action. If no valid appeal has been filed, such a motion shall be in writing and be filed along with a certificate of service with the City Clerk no later than 7 calendar days after Council staff has sent notice of the first Council meeting to consider the quasi-judicial action. The person filing the motion must send a copy of the motion together with a copy of the

certificate of service to those persons who were provided written notice of the Hearing Examiner's recommendation or decision, or, for an appeal of the denial of a multifamily housing property tax exemption, of the Director of Housing's decision.

3. Response. Any response to a motion shall be in writing, and be filed by a party of record along with a certificate of service with the City Clerk, and copies provided to the other parties of record, by 5 p.m. on the ~~((10th))~~7th calendar day after the motion was filed. If the response is to a motion to intervene, the party filing the response shall also provide a copy of the response and certificate of service to the person who filed the motion to intervene.
4. Reply. The person who filed a motion may file a written reply with the City Clerk along with a certificate of service, with copies provided to the other parties of record, by 5 p.m. of the 7th calendar day after the response was filed with the City Clerk. A reply must respond only to the arguments made in any response and not raise new issues.

## VI. COMMITTEE ACTION

- A. The committee shall schedule time at a committee meeting to consider the quasi-judicial action. For an appeal of an individual's final assessment for a Local Improvement District, the committee shall, within 15 days following the filing of the appeal with the City Clerk, set the time and place for the hearing on the appeal.
- B. Notice.
  1. Unless some other time is required by law, Council staff shall provide notice of each committee meeting at which a quasi-judicial action is to be considered to the parties of record, and to any person who filed a pending motion to intervene, as follows:
    - a. at least 21 calendar days prior to the first meeting; and
    - b. at least 7 calendar days prior to any subsequent meeting; and
    - c. at least 21 calendar days prior to the first meeting at which a DPD Director or Hearing Examiner recommendation on a remanded quasi-judicial action is discussed.
  2. For an application for a minor PUDA amendment or an extension of a Type IV Land Use Decision, Council staff shall provide notice of the committee meeting at which the action is to be considered to the applicant, those who commented to DPD on the application, and those who requested notification of Council meetings on the matter, at least 21 calendar days prior to the first meeting, and at least 7 calendar days prior to

any subsequent meeting. The notice shall state that written comments will be accepted, and that oral comments may be permitted at the first meeting.

C. Committee Consideration of the Quasi-judicial Action. At a committee meeting, the committee will take the following actions, except that subsections VI.C.1 and VI.C.2 of these rules do not apply to a minor amendment to a PUDA or a request to extend a Type IV Land Use Decision:

1. Consider and decide any request to supplement the record. The committee, at its discretion, may permit a person who submitted a request to supplement the record, and any party of record who submitted a response, to orally address the committee concerning whether the evidence proposed to be added meets the standard for supplementation set forth in subsection V.B.2 of these rules. If the committee permits, each person generally will be allowed 5 minutes to address the committee, unless there are extraordinary circumstances, in which case the committee shall determine the amount of time to allow. The committee may:
  - a. Deny the request to supplement the record;
  - b. Determine that the evidence proposed to be added to the record meets the standard for supplementation set forth in subsection V.B.2 of these rules, and grant the request to supplement in whole or part. If the committee votes to supplement the record:
    - i. each document or exhibit so added shall be labeled as a Council exhibit, with consecutive letters [A, B, . . . Z, AA, etc.]. The name of the party submitting the exhibit shall be noted on the label; and
    - ii. the committee shall also decide whether to recommend that the Council remand the matter to the Hearing Examiner or Director of Housing. The Council may remand the matter only if it determines that the recommending or decision-making agency should reconsider the application in light of the new evidence or material.
2. Consider and decide any motion, including a motion to intervene. In ruling on any motion, the committee may, in its discretion, permit the person who made the motion and any person who submitted a response to orally address the committee concerning the motion. If the committee permits, each such person will generally be allowed 5 minutes to address the committee, unless the committee determines there are extraordinary circumstances, in which case the committee shall determine the amount of time to allow.

3. Consider the merits of the proposed action and vote on a recommendation to full Council.
  - a. The committee, in its discretion, may hear oral argument from:
    - i. any person who submitted an appeal;
    - ii. any person who submitted a response; and
    - iii. any person who was permitted to intervene.
  - b. For a minor amendment to a PUDA or a request to extend a Type IV Land Use Decision, the committee will accept written comments, and may permit oral comments at the first meeting, from the applicant and any person who submitted comments to DPD on the proposed amendment or extension or who requested notification of Council meetings on the matter.
  - c. Oral argument or comment, if permitted, must be based on the evidence in the record.
  - d. If oral argument or comment is permitted, each person will generally be allowed 5 minutes, unless there are extraordinary circumstances, in which case the committee shall determine the amount of time to allow. The party who filed an appeal goes first and may reserve a portion of time for rebuttal. The committee may ask questions or extend the time for argument at the discretion of the committee chair.
  - e. After the oral argument or comment, if allowed, the committee may discuss the merits and vote at this meeting on its recommendation to the Council, or it may continue consideration of the matter to a subsequent committee meeting to discuss the merits and vote.
  - f. The committee may recommend:
    - i. that the Council approve, approve with conditions, modify, or deny the quasi-judicial action; or
    - ii. that the Council remand the application if it has voted to supplement the record and determines that the Hearing Examiner, DPD, Department of Neighborhoods (DON), or Director of Housing should reconsider the application in light of the new evidence; or
    - iii. that the Council remand the application for additional information or a new proposal or both, only for a major institution master plan, an amendment to a major institution master plan, or renewal of a major institution master plan development plan component.

4. Site visit. A Councilmember may visit the location of a quasi-judicial proposal to better understand the evidence in the record, but a Councilmember shall not make any findings, conclusions, or decisions based on information learned during a site visit, and shall not go onto private property without the permission of the owner. A Councilmember shall not engage in ex parte communication during a site visit.
5. Standard of Review.
  - a. In any quasi-judicial action, the Council shall apply applicable law and the decision shall, except as specified in subsection VI.C.5.b of these rules or unless otherwise specified by law, be supported by substantial evidence in the record.
  - b. For an appeal of an individual's final assessment for a Local Improvement District, the Hearing Examiner's or designated officer's decision shall be accorded substantial weight and the burden of establishing the contrary is upon the appealing party. The Council may adopt or reject, in whole or in part, the findings, recommendations, and decision of the Hearing Examiner or designated officer or make such other disposition of the matter as is authorized by RCW 35.44.100 and SMC Section 20.04.090.B.

## **VII. PREPARATION AND TRANSMITTAL OF COMMITTEE RECOMMENDATION TO COUNCIL**

- A. Preparation of Recommendation. After the committee votes on a recommendation, Council staff shall prepare:
  1. proposed findings of fact and conclusions of law and a proposed decision for Council based on the committee's recommendation;
  2. a report explaining each position, proposed alternative findings and conclusions, and a proposed decision based on the record for each position, if the committee vote is divided; and
  3. an ordinance and any related documents, if an ordinance is required.
- B. Transmittal of Committee's Recommendation to Council. Council staff shall make the documents listed in subsection VII.A of these rules available to the Council prior to any vote.
- C. Introduction of Ordinance. If an ordinance is required, it shall be introduced according to Council procedures, except that it does not require Councilmember sponsorship.
- D. Execution of PUDA. Any PUDA or amendment to a PUDA shall be executed by all legal and beneficial owners of the property that is the subject of the contract rezone prior to any Council vote.

## **VIII. COUNCIL ACTION**

- A. The Council shall make its decision based solely on the evidence in the record.
- B. No public comment addressing the merits of a quasi-judicial action is permitted at any Council meeting. If public comment does occur, the substance of the comment may not be considered by the Council in making its decision.
- C. The Council may approve, approve with conditions, modify, remand, or deny the quasi-judicial action. The Council may remand the application only if:
  - 1. the committee voted to supplement the record and determined that the Hearing Examiner, DPD, DON, or Director of Housing should reconsider the application in light of the new evidence; or
  - 2. for a major institution master plan, an amendment to a major institution master plan, or renewal of a major institution master plan development plan component, the committee determined that there is need for additional information or a new proposal or both.
- D. The Council shall adopt written findings of fact and conclusions to support its decision.
- E. Council decisions.
  - 1. Decisions on the following quasi-judicial actions are made by ordinance:
    - a. An amendment to the official land use map;
    - b. An amendment to a PUDA;
    - c. Adoption of, or a major amendment to, a major institution master plan, or renewal of a major institution master plan development plan component;
    - d. An appeal of the Hearing Examiner's recommendation on controls and incentives for a designated Seattle landmark; and
    - e. An extension of a Type IV Land Use Decision originally adopted by ordinance.
  - 2. Decisions on the following quasi-judicial actions are not made by ordinance:
    - a. A Council conditional use;
    - b. A public project approval;
    - c. An appeal of an individual's final assessment for a Local Improvement District;
    - d. An appeal of the Director of Housing's denial of an application for a multifamily housing property tax exemption; and
    - e. An extension of a Type IV Land Use Decision not originally adopted by ordinance.
- F. The Council's decision on a Type IV Land Use Decision, to the extent such information is available to the Council, shall contain the name and address of the owner of the

property, of the applicant, and of each person who filed an appeal with the Council, unless such person abandoned the appeal or such person's claims were dismissed before the hearing.

G. If the Council remands a proposed new or amended major institution master plan or the renewal of a major institution master plan development plan component, Council staff will send to the major institution the request for additional information or a new proposal or both on the issue that was not adequately addressed.

## **IX. ACTIONS AFTER COUNCIL DECISION**

**A. Transmittal of Council Decision.**

1. The City Clerk shall prepare a letter of transmittal to accompany the findings of fact, conclusions, and decision. The letter shall state the time and place for seeking judicial review. The Council's decision is issued, for purpose of seeking judicial review pursuant to the Land Use Petition Act, on:
  - a. the date that the Council passed the ordinance for decisions made by ordinance; or
  - b. the date three days after a copy of the decision is transmitted by the City Clerk for decisions not made by ordinance.
2. The City Clerk shall promptly provide the letter of transmittal and a copy of the Council's findings of fact, conclusions, and decision to:
  - a. For a Type IV Land Use Decision, an appeal of an individual's final assessment for a Local Improvement District, or an appeal of the Hearing Examiner's recommendation on controls and incentives for a designated Seattle landmark: the Hearing Examiner and all parties of record.
  - b. For an appeal of the Director of Housing's denial of an application for a multifamily housing property tax exemption, a minor amendment to a PUDA, or an extension of a Type IV Land Use Decision: all parties of record.

B. Shoreline Reclassification. For a shoreline environment reclassification, DPD shall file a copy of the Council's findings, conclusions, and decision with the State Department of Ecology. A shoreline environment reclassification is not effective until approved by the Department of Ecology.

C. Recording of PUDA. The City Clerk shall record any executed PUDA with the King County Recorder as soon as practicable, and no later than 30 days after the passage of the ordinance.

D. Local Improvement District. The City Clerk shall file the original Council decision in the record of the Local Improvement District.

## **X. EFFECT OF COUNCIL DECISION**

- A. The Council's decision is final and conclusive unless the Council retains jurisdiction. Unless the decision is reversed or remanded on appeal, the Director of DPD, DON, Director of Housing, and other departments are bound by the Council's decision and shall incorporate the terms and conditions of the Council's decision in any permit issued to the applicant or in approved plans.
- B. No ordinance confirming an assessment roll for a Local Improvement District shall be enacted by the Council until all appeals to the City Council about the assessment roll are decided.

## **XI. MAINTENANCE OF RECORD OF QUASI-JUDICIAL PROCEEDING**

The City Clerk shall maintain the official record of the Council's decision in a quasi-judicial matter. The following documents shall be included in the official record of a quasi-judicial Council action addressed by these rules:

- A. If there is one, the Hearing Examiner's record, including exhibits, and recordings and transcripts of hearings. However, the City Clerk shall maintain oversize exhibits only for a period of three months after the Council's decision, or, if a judicial appeal is filed, until such time as the judicial appeal is resolved. After the three months or the resolution of any judicial appeal, the City Clerk may substitute photographs of oversize exhibits for the oversize exhibits and may destroy the oversize exhibits unless the party who submitted the oversize exhibits requests that they be returned.
- B. Any evidence admitted by the Council to the substantive record as a result of a request to supplement the record;
- C. For a minor amendment to a PUDA or a request to extend a Type IV Land Use Decision, the materials submitted to DPD and the DPD recommendation, and any additional information used by the Council;
- D. The Council's procedural record; and
- E. The Council's findings, conclusions, and decision.

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Legislative	Lish Whitson/425-390-2431	N/A

### **1. BILL SUMMARY**

#### **Legislation Title:**

AN ORDINANCE relating to land use and zoning; updating timelines for City review of land use permits; amending Sections 23.76.005 and 23.76.010 of the Seattle Municipal Code; and amending Resolution 31602 to update the City Council Rules for Quasi-Judicial Proceedings.

#### **Summary and Background of the Legislation:**

This bill adopts the default project permit review timelines of Revised Code of Washington Section 36.70B.080 for certain permit types. RCW 3670B.080 sets the following default timelines:

- For permits that do not require public notice or a public hearing: 65 days
- For permits that require public notice, but not a public hearing: 100 days
- For permits that require both a public notice and a public hearing: 170 days

The bill uses the current categories of project types identified in Chapter 23.76 to apply these deadlines. Type I permits, which do not require public notice or hearing, would have a deadline of 65 days. Type II permits, which do require public notice, but not a public hearing would have a deadline of 100 days. Type III permits, which require both public notice and a hearing would have 170 days.

The bill relies on provisions in RCW 36.70B.140, to set different deadlines for certain types of projects. It maintains the deadline for City review of applications for rezones and other Type IV quasi-judicial actions (300 days for a rezone without an appeal, and 330 days for a rezone with an appeal).

The bill also amends the determination of completeness provisions of Section 23.76.010 to better align with RCW 36.70B.070. Specifically, the City must outline the permit submittal requirements on the permit application. The need for additional information or studies may not preclude a determination of completeness if the permit submittal requirements are met.

Finally, the bill updates the City Council Rules for Quasi-Judicial Actions to clarify that electronic filing of documents is permitted. Because almost all filings are currently made via e-mail and thus are available to all parties almost immediately, the bill updates the rules to shorten timelines for filing responses to seven days. The previous timelines, which allowed ten days for various filings, had assumed that documents would be mailed.

### **2. CAPITAL IMPROVEMENT PROGRAM**

Does this legislation create, fund, or amend a CIP Project?

Yes  No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

Yes  No

#### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

Decreasing the time to review permits, as required under RCW 36.70B.080 will require increased coordination around permit review between City Departments. The 2025-2026 Adopted Budget included a reorganization of the Seattle Department of Construction and Inspections that was intended to implement a department-wide organizational redesign in 2025. Mayor Harrell has issued an executive order to further improve permit review times and interdepartmental coordination.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

This bill aligns with work already occurring in the Department and other permit review agencies to decrease permit review times and increase Customer Success.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

The bill codifies State regulations. The City is obligated to meet the deadlines listed in the bill.

### 4. OTHER IMPLICATIONS

**a. Please describe how this legislation may affect any departments besides the originating department.**

The bill codifies permit review deadlines that the City is currently required to meet. Seattle Department of Construction and Inspections is most impacted by these requirements, but many other City Departments review permits, including: Seattle Department of Transportation, Seattle Public Utilities, Seattle City Light, Seattle Fire Department, Seattle Department of Neighborhoods, Seattle Hearing Examiner, and the Seattle City Council.

**b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

Not applicable

**c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

**i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

Decreasing the amount of time required to review development permits and sticking to timelines in the Code may lower the costs and risks associated with developing in Seattle. Lower costs and risk could help to increase the amount of housing that gets permitted. If resources are applied, as they have been proposed to be, to helping all applicants, including new applicants, non-English speakers, and others with less experience or resources, including members of vulnerable or historically disadvantaged communities, then the impacts to those groups may be minimal.

In the Race and Social Justice report on the Design Review program, members of historically disadvantaged communities identified that they valued the opportunity to provide input during the permitting process, but did not have the same level of expertise with the program as wealthier and more highly resourced communities. To the extent that meeting the deadlines in the bill results in less time for City staff to educate people new to the permitting process, there could be inequities in how people are able to engage in the process.

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

Not applicable

**iii. What is the Language Access Plan for any communications to the public?**

SDCI provides materials on their website in sixteen languages.

**d. Climate Change Implications**

**i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

Not applicable

**ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

Not applicable.

e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?

RCW 36.70B.080 includes new requirements for reporting to the State on the City's permit review timelines. These reports will enable the City to track its implementation of the bill and success in meeting the timelines the bill codifies.

## 5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.

- Is a public hearing required?
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?

## 6. ATTACHMENTS

### Summary Attachments:

None



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

## Legislation Text

---

**File #:** CB 121047, **Version:** 1

---

### CITY OF SEATTLE

#### ORDINANCE \_\_\_\_\_

#### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to Seattle's construction codes; limiting the areas for which substantial alterations are required to spaces or buildings greater than 7,000 square feet in gross area; amending existing substantial alteration requirements; and amending Section 311 of the Seattle Existing Building Code, adopted by Ordinance 127108.

WHEREAS, small businesses in Seattle have faced significant economic disruption due to the COVID-19

public health emergency and its aftermath, including prolonged closures, rising costs, and difficulty reactivating vacant commercial storefronts; and

WHEREAS, since February 2020, Seattle's commercial districts have experienced high vacancy rates,

especially in small retail and food service spaces, as regulatory, physical, and financial hurdles have made it difficult for new tenants to occupy formerly active storefronts; and

WHEREAS, Downtown retail has been particularly impacted by vacancies and existing permitting requirements prevent rapid activation of vacant storefronts; and

WHEREAS, Section 311.1.1 of the Seattle Existing Building Code requires significant cost and time-consuming building upgrades when a building is reoccupied after 24 months of vacancy, even in situations where there is no change in use, size, or safety risk, creating a substantial barrier to small business reactivation downtown and in the city's neighborhood business districts; and

WHEREAS, the Governance Accountability and Economic Development Committee held a Roundtable Discussion on Improving the Building Permitting Process on February 13, 2025, where substantial alterations were discussed as a risk factor for projects; and

WHEREAS, this proposed amendment to Section 311 of the Seattle Existing Building Code will clarify that businesses reoccupying certain small commercial spaces after pandemic-era vacancy will not automatically trigger substantial alteration requirements, while maintaining life safety considerations, enabling them to return to operation more affordably and quickly; NOW, THEREFORE,

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

Section 1. Section 311 of the Seattle Existing Building Code, enacted by Ordinance 127108, is amended as follows:

\* \* \*

**[S] 311.1.1 Definition.** For the purpose of this section, spaces or buildings greater than 7,000 square feet gross area, *substantial alteration* or repair means any one of the following, as determined by the *code official*:

1. *Repair* of a building with a *damage ratio* of 60 percent or more.
2. Remodeling or an *addition* that substantially extends the useful physical or economic life of the building or a significant portion of the building, other than typical tenant remodeling.
3. A change of a significant portion of a building to an occupancy that is more hazardous than the existing occupancy, based on the combined life and fire risk as determined by the *code official*. The *code official* is permitted to use Table 311.1 as a guideline.

**Exception:** Where the area of change of occupancy is less than 20 percent of the building gross floor area.

~~((4. Reoccupancy of a building that has been substantially vacant for more than 24 months in occupancies other than Group R-3.))~~

**SDCI Informative Note.** 311.1.1 item #2 does not apply where alterations convert HVAC heating systems, water heating systems, or both from fossil fuel or electric resistance to heat pump systems, and where the only additional alterations provide necessary electrical power, structural support, or air circulation for the

heat pump system.

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

President \_\_\_\_\_ of the City Council

Approved /      returned unsigned /      vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

Scheereen Dedman, City Clerk

(Seal)

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
SDCI	Micah Chappell	Nick Tucker/Jennifer Breeze

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to Seattle's construction codes; limiting the areas for which substantial alterations are required to spaces or buildings greater than 7,000 square feet in gross area; amending existing substantial alteration requirements; and amending Section 311 of the Seattle Existing Building Code, adopted by Ordinance 127108.

#### **Summary and Background of the Legislation:**

Substantial alteration is a Seattle code amendment that requires certain upgrades when significant work is being performed on a building, when a change of occupancy results in a more hazardous occupancy, and when the building has been vacant for more than 2 years. A project designated as a substantial alteration is required to upgrade the building fire and life safety systems to current code and may require upgrades to the existing structural system, heating and ventilation systems, and building envelope.

The legislation adopts amendments to the 2021 Seattle Existing Building Code (SEBC) that have been identified as opportunities to reduce costs for small business, accelerate retail occupancy, and support economic recovery in reactivating vacant commercial storefronts. SDCI, OED, business stakeholders, and community organizations support this legislation that limits the areas that substantial alteration requirements are applied. This legislation will apply to projects vested to the 2021 SEBC and later and is not retroactive.

First, this legislation will exempt buildings and spaces 7,000 square feet or less in gross area from the requirements of substantial alterations.

Second, the legislation includes clarification to the change of occupancy, item #3 of the definition of substantial alteration. This clarifies that SDCI will not apply this definition where the change of occupancy is 20 percent or less of the overall building area.

The final change included in this legislation is removing a vacancy of greater than 24 months, item #4, from the definition of substantial alteration. Over the past eight years, SDCI has very rarely triggered substantial alterations solely based on vacancy. In addition, SDCI has offered flexibility on the 24-month duration during economic downturns. Vacancy has typically been evaluated together with one of the other triggers in deciding whether a project is a substantial alteration. Striking item #4 makes it clear to business owners that vacancy will not trigger substantial alteration provisions.

SDCI evaluated all substantial alteration permits issued under the SEBC for the past two code cycles. While past permitting volumes are not an exact predictor of the impact of this legislation, permit records indicate approximately 180 commercial, institutional, industrial and multi-family substantial alteration permits were issued over the past eight years. Applying the 7,000 square foot exemption to those projects, approximately 44 percent of projects vested to the 2015 SEBC and 53 percent of projects vested to the 2018 SEBC code would not be required to get a substantial alteration permit.

If the permitting volume remains stable, by 2030, this legislation could support the reactivation of more than 50 small commercial tenant spaces by reducing time-consuming regulatory barriers, therefore reducing costs for small business reactivation in Seattle.

This legislation will impact Seattle's policies for resiliency and net-zero building emissions that are supported by substantial alteration requirements. Businesses in small spaces exempted from substantial alteration requirements by this legislation will be permitted to make improvements or reactivate small spaces without updating those buildings to current fire or life safety standards, or improving seismic deficiencies, unless updates are required by other code provisions.

## **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?**  Yes  No

## **3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation have financial impacts to the City?**  Yes  No

### **3.a. Appropriations**

**This legislation adds, changes, or deletes appropriations.**

### **3.b. Revenues/Reimbursements**

**This legislation adds, changes, or deletes revenues or reimbursements.**

#### **Revenue/Reimbursement Notes:**

Permit fee revenue is not expected to be significantly impacted by the changes in this legislation. City enforcement and staff time may be reduced, as fewer permits will require intensive review of full-building system upgrades.

### 3.c. Positions

**This legislation adds, changes, or deletes positions.**

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.** Unknown

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.** N/A

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

Not adopting this ordinance would continue to subject small, long-vacant commercial spaces to disproportionate upgrade requirements, resulting in:

- Continued vacancies, particularly in BIPOC-owned or small-footprint businesses.
- Deferred building investment and potential deterioration.
- Reduced economic activity in neighborhood business districts.

**Please describe how this legislation may affect any City departments other than the originating department.**

N/A

## 4. OTHER IMPLICATIONS

- Is a public hearing required for this legislation? No**
- Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation? No**
- Does this legislation affect a piece of property? No**
- Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**
  - How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

Vulnerable and historically disadvantaged communities have fewer resources to activate vacant small business spaces. This legislation will ensure that vulnerable

communities are not left behind as our business districts transition back to an active and vibrant, small business-driven economy.

- ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.** N/A
- iii. **What is the Language Access Plan for any communications to the public?**  
OED is working to establish culturally appropriate messaging for this small business legislation. SDCI is working to update Tips and other guidance for equitable application of the code changes.

**e. Climate Change Implications**

- i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.** This legislation could increase carbon emissions by allowing improvements or reactivation of small spaces without updating building systems to current Seattle Energy Code standards.
- ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.** This legislation targets smaller spaces but could reduce resiliency to climate change by allowing improvements or reactivation of small spaces without requiring an update to heating, ventilation, or the building envelope.
- f. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?** N/A
- g. **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?** N/A

**5. ATTACHMENTS**

**Summary Attachments:** None.



# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104

## Legislation Text

---

**File #:** CB 121048, **Version:** 1

---

### CITY OF SEATTLE

#### ORDINANCE \_\_\_\_\_

#### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; adopting temporary regulations to exempt housing projects that meet Mandatory Housing Affordability requirements using on-site performance units from Design Review, and allowing permit applicants for all housing subject to Full Design Review the option of complying with Design Review pursuant to Administrative Design review; temporarily suspending and allowing voluntary design review of proposed development in Titles 23 and 25 of the Seattle Municipal Code, consistent with Chapter 333, Laws of 2023; and amending Section 23.41.004 of the Seattle Municipal Code.

WHEREAS, on October 18, 1993 the City Council adopted Ordinance 116909, establishing a Design Review program; and

WHEREAS, the City Council intended for the Design Review program to encourage better design and site planning to: help new development enhance the character of the City and sensitively fit into neighborhoods; provide flexibility in the application of development standards to meet the intent of the Land Use Code, City policy, neighborhood objectives, and mitigate the impacts of new development on neighborhoods; and promote and support communication and mutual understanding among applicants, neighborhood, the City, and the community of the future development early on and throughout the development review process; and

WHEREAS, Engrossed Substitute House Bill 1293 (Chapter 333, Laws of 2023) added new requirements for local design review programs starting June 30, 2025; and

WHEREAS, the Seattle Department of Construction and Inspections (SDCI) is working on permanent legislation to amend the Design Review Program to comply with Engrossed Substitute House Bill 1293 and to respond to the stakeholder and public engagement recommendations, including reducing design

review requirements and design review permit review times to promote housing production and thereby reduce housing costs in a time of great need in the City and region; and

WEHREAS, SDCI is also working on updates to the Seattle Design Guidelines and Design Guidelines for Downtown Development to make project design and permitting simpler to promote housing production and reduce housing costs; and

WHEREAS, this proposed interim ordinance makes the Design Review Program voluntary for six months to give Seattle additional time to comply with Engrossed Substitute House Bill 1293; and

WHEREAS, by making the Design Review Program voluntary, the proposed ordinance will decrease permit review times to promote housing production and reduce housing costs at a time of great need in the City and region; and

WHEREAS, in July 2023, the City adopted temporary affordable housing Design Review regulations through Ordinance 126854, with an effective date of August 14, 2023, and an expiration date of August 14, 2025, to exempt housing projects that meet Mandatory Housing Affordability (MHA) requirements using on-site performance units from Design Review, adopting a work plan; and

WHEREAS, this proposed ordinance will reenact the temporary affordable housing Design Review regulations; and

WHEREAS, the Design Review exemption for projects that meet MHA requirements using onsite performance units resulted in a marked increase in the overall number of performance units. In 2023, prior to the MHA onsite exemption, a total of 119 MHA performance units were in service. From the adoption of the MHA onsite exemption through April of 2025, an additional 211 onsite performance units have been proposed. This Design Review exemption pilot has shown its potential to more than double MHA onsite performance units; and

WHEREAS, this proposed interim ordinance, in concert with a forthcoming permanent ordinance, seeks to mitigate displacement in the long-term by increasing housing production and reducing housing costs;

and

WHEREAS, SDCI evaluated the environmental impact of the proposed ordinance, prepared a threshold determination under the State Environmental Policy Act, and sought public comment on the ordinance;

NOW, THEREFORE,

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

Section 1. Section 23.41.004 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

**23.41.004 Applicability**

\* \* \*

E. Temporary provisions

1. Developments with units provided on-site to comply with Chapter 23.58C through the performance option

a. A development proposal subject to design review under subsection 23.41.004.A that is complying with Chapter 23.58C solely through the performance option by providing affordable units on-site according to subsection 23.58C.050.C shall be exempt from design review if the applicant files a valid and complete building permit application electing the exemption while this ordinance is in effect.

b. A development proposal subject to design review under subsection 23.41.004.A that is complying with Chapter 23.58C solely through the performance option by providing affordable units on-site according to subsection 23.58C.050.C that is vested according to Section 23.76.026 prior to the effective date of this ordinance may elect to be processed as allowed by subsection 23.41.004.E.

c. The design review exemption under subsection 23.41.004.E.1 shall be rescinded for a development proposal that changes from the performance option to the payment option at any time prior to issuance of a building permit.

d. Requests for departures. If a project subject to design review under subsection

23.41.004.A is exempt from design review according to subsection 23.41.004.E.1, the Director may consider requests for departures from any development standard in this Title 23, except as otherwise limited in subsection 23.41.012.B.

e. Departures decision. Requests for departures according to subsection 23.41.004.E.1.d shall be evaluated and may be granted by the Director as a Type I decision if the departure would result in additional housing units being constructed.

2. Low-income housing

a. Notwithstanding any contrary provision of this Title 23, the Director may consider requests for departures from any development standard in this Title 23, except as otherwise limited in subsection 23.41.012.B, for low-income housing.

b. Departures decision. Requests for departures shall be evaluated by the Director, in consultation with the Office of Housing, in light of the particular population designed to be served by the project, and may be granted by the Director as a Type I decision if the departure would result in additional housing units being constructed.

3. The provisions of this subsection 23.41.004.E shall be in effect for six months from the effective date of this ordinance.

F. Interim suspension of required design review for all proposed development

1. Notwithstanding any contrary provision of this Title 23 and Title 25, including but not limited to Chapters 23.40, 23.41, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.57, 23.58B, 23.58C, 23.60A, 23.61, 23.73, 23.76, 25.05, 25.11, 25.16, 25.20, and 25.22, required design review is temporarily suspended for all proposed development.

2. Applicants of proposed development that is being reviewed pursuant to the full, administrative, or streamlined design review process as of the effective date of this ordinance may elect to continue review under the design review process or withdraw the proposed development from the design

review process. Applicants of all other proposed development may elect, at any time during the effective period of this ordinance, their proposed development be reviewed pursuant to the full, administrative, or streamlined design review process.

3. The provisions of this subsection 23.41.004.F shall be in effect for six months from the effective date of this ordinance.

Section 2. The interim regulations set forth in Section 1 of this ordinance shall be in effect for a period of six months from the effective date of this ordinance and shall automatically expire after the six month period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 3. The City Council may renew these interim regulations for one or more six-month periods in accordance with RCW 36.70A.390.

Section 4. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

President \_\_\_\_\_ of the City Council

Approved /      returned unsigned /      vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

Scheereen Dedman, City Clerk

(Seal)

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Seattle Department of Construction and Inspections	Chanda Emery	Jennifer Breeze

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; adopting temporary regulations to exempt housing projects that meet Mandatory Housing Affordability requirements using on-site performance units from Design Review, and allowing permit applicants for all housing subject to Full Design Review the option of complying with Design Review pursuant to Administrative Design review; temporarily suspending and allowing voluntary design review of proposed development in Titles 23 and 25 of the Seattle Municipal Code, consistent with Chapter 333, Laws of 2023; and amending Section 23.41.004 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** During the 2023 session, the State legislature passed House Bill (HB) 1293, which requires Seattle and other cities and counties that have a design review program to meet certain requirements.

HB 1293 requirements include:

- Using objective rather than subjective guidelines;
- Having only one public meeting as part of the review process;
- Regulating building exteriors only;
- Maintaining the density, height, bulk, or scale at what zoning allows; and
- Integrating design review into the development permit process.

In addition, the City Council adopted a Statement of Legislative Intent (SLI), [City Council SLI SDCI 4A1](#), in 2022. The SLI directed Seattle Department of Construction and Inspections (SDCI) and Office of Planning and Community Development (OPCD) to work with a stakeholder group to analyze the outcomes of Seattle's design review program and recommend best practices, and options for program modifications, including addressing barriers to equitable participation. SDCI and OPCD delivered this [analysis](#) to Council in August 2024. The Mayor's Housing Subcabinet has also directed SDCI to make land use codes and permitting processes simpler and more efficient, to reduce the time and cost of permitting housing.

SDCI is proposing amendments to the land use code to update design review to carry out state law, direction from the City Council and Mayor. Carrying out these state mandates is intended to update the design review program to be more efficient, better meet the current needs of the City for new investment, particularly in varying and more housing options throughout the City and focus the program on good design outcomes for development projects that are most likely to impact the character of neighborhoods.

This legislation would temporarily suspend required design review for six months, making design review voluntary for proposed development. These regulations will be in place while SDCI works to update the design review program and guidelines as required by ESHB 1293, as well as updating affordable housing measures. These permanent changes are intended to update the design review program to be more efficient; better meet the current needs of the city for new investment, particularly in varying and more housing options throughout the city; and focus the program on good design outcomes for developments that are most likely to impact the character of neighborhoods with the highest concentrations of residents and visitors. The additional time is needed for City staff to respond to the stakeholder and public engagement recommendations and to work through code amendments, Director's Rules, Tips, and guidance documents to clarify code requirements and procedures. Permanent legislation and new Design Guidelines are anticipated for council review following the 2025 budget process.

The interim suspension applies to three types of design review: Streamlined Design Review (SDR), Administrative Design Review (ADR), and Full Design Review (FDR) with Design Review Board (DRB) input. Design review does not apply to single-family detached residences. Design review does not include life and safety reviews which are regulated by other permits and other parts of the Seattle Municipal Code.

This legislation also reenacts temporary regulations established by Ordinance 126854 for six months. The temporary regulations exempt proposed development that meet Mandatory Housing Affordability requirements using on-site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed development as a Type I decision.

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

Yes  No

#### 3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

No, the legislation does not have any associated costs. The proposed legislation would suspend required Design Review and would not add additional staffing or program costs.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

No, the legislation does not have any associated costs. The proposed legislation would suspend required Design Review and would not add additional staffing or program costs.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

No, the legislation does not have any associated costs. The proposed legislation would suspend required Design Review and would not add additional staffing or program costs. Not implementing the legislation makes the City vulnerable to legal challenges for money damages which could result in financial impacts to the City.

#### **4. OTHER IMPLICATIONS**

**a. Please describe how this legislation may affect any departments besides the originating department.**

The City department with direct responsibility for implementation and enforcement of this legislation is the Seattle Department of Construction and Inspections (SDCI), the originating department.

**b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

Yes. The legislation affects properties citywide, largely zoned multifamily, commercial, downtown and industrial. The SDCI recommended thresholds for design review of permit applications would result in an estimated reduction of 58 design review applications per year. This is a roughly estimated 40 percent reduction from the 145 applications reviewed per year for a representative base year that is a higher activity year.

**c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

**i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

The legislation is not anticipated to negatively impact vulnerable or historically disadvantaged communities. Potential benefits of the proposal to those communities include:

- Encouraging the production of housing by speeding up permitting (and thus project completion) for some projects, allowing units to reach the housing market more quickly, increasing supply; and
- Enhancing web-based tools, which could allow for increased efficiency and transparency in the permit process.

SDCI's engagement strategy included focused outreach and engagement with Black, Indigenous, and People of Color (BIPOC) communities, BIPOC Design Review Stakeholders (BIPOC DRS), Design Review Board members past and present, SDCI Design Review staff, BIPOC-led social development organizations and BIPOC youth. Feedback gathered from BIPOC communities focused on program and guideline deficiencies; community assets and priorities; public engagement methods; and considerations for fostering equitable development in Seattle. Community members expressed that the overall complexity and timeliness of the process can be a large barrier to the successful completion of development projects. Thus, the draft legislation was prepared to address these concerns by simplifying the processes and steps and streamlining the process (refer to "*Seattle Design Review Program & Design Guidelines: Fall 2024 Outreach*" report prepared by Seva Workshop, January 2025 for additional information).

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

In October and November of 2024, SDCI engaged with over 1,500 community members about the Design Review program and Design Guidelines and how they can be improved to address community goals and issues, support equitable development, and support needed and future development in their communities. The engagement was conducted through stakeholder interviews and focus groups, outreach at community events, and an online survey.

An analysis of survey responses, interviews, and focus group discussions centered on five specific themes: the Design Review program, design guidelines, community assets and priorities, public engagement, and equitable development. The feedback collected was utilized to formulate recommendations and identify areas for further exploration to enhance the program, prioritize community goals and interests, support new development that is mindful of and encourages culturally rooted and enriched urban design.

**iii. What is the Language Access Plan for any communications to the public?**

Project documents including the SEPA Draft legislation and the City's SEPA Determination, pursuant to environmental review under the State Environmental Policy Act (SEPA) will be published on the SDCI website with options for multiple languages including the top tier languages used in Seattle. Notices will also be published in the *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin.

**d. Climate Change Implications**

**i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

This legislation is likely to have little to no impact on carbon emissions. The proposal does not change current zoning including land and shoreline uses. The proposed changes would continue to allow land uses and land use patterns that are compatible with the objectives and intent of the Comprehensive Plan.

ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

This legislation is likely to have no impact on climate change.

e. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

This legislation does not include a new initiative nor any major programmatic expansion.

## 5. CHECKLIST

**Is a public hearing required?**

Yes. The City Council is required to hold a public hearing on the proposal and will conduct a public hearing during their review of the proposed legislation anticipated to be held in 2025.

**Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**

Yes. Publication of notice of the Council public hearing will be made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin. Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation, and publication of notice of the environmental determination was also made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin.

**If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

Yes.

**Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

No.

## 6. ATTACHMENTS

**Summary Attachments:** None.

## Director's Report and Recommendation

### Interim Suspension Ordinance— Implementing HB 1293

#### Proposal Summary and Background

During the 2023 session, the State legislature passed [House Bill \(HB\) 1293](#), which requires Seattle and other cities and counties that have a design review program to meet certain requirements by June 30, 2025.

HB 1293 requirements include:

- Using objective rather than subjective guidelines;
- Having only one public meeting as part of the review process;
- Regulating building exteriors only;
- Maintaining the density, height, bulk, or scale at what zoning allows; and
- Integrating design review into the development permit process.

The Seattle Department of Construction and Inspections (SDCI) is proposing new interim legislation to meet the ESHB deadline of June 30, 2025. The proposed interim legislation will temporarily suspend required design review for six-months, making design review voluntary for proposed development. These regulations will be in place while SDCI works to update the design review program and guidelines as required by ESHB 1293, as well as updating affordable housing measures. The permanent changes are intended to update the design review program to be more efficient; better meet the current needs of the city for new investment, particularly in varying and more housing options throughout the city; and focus the program on good design outcomes for developments that are most likely to impact the character of neighborhoods with the highest concentrations of residents and visitors. The additional time is needed for City staff to respond to the stakeholder and public engagement recommendations and to work through code amendments, Director's Rules, Tips, and guidance documents to clarify code requirements and procedures. Permanent legislation and new Design Guidelines are anticipated for council review following the 2025 budget process.

The interim suspension applies to three types of design review: Streamlined Design Review (SDR), Administrative Design Review (ADR), and Full Design Review (FDR) with Design Review Board (DRB) input. Design review does not apply to single-family detached residences. Design review does not include life and safety reviews which are regulated by other permits and other parts of the Seattle Municipal Code.

This legislation also extends temporary regulations established by Ordinance 126854 for an additional six months. The temporary regulations exempt proposed development that meet Mandatory Housing Affordability requirements using on-site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed development as a Type I decision.

#### Public Outreach

In 2022 the City Council also adopted a Statement of Legislative Intent (SLI), [City Council SLI SDCI 4A1](#). The SLI directed SDCI and the Office of Planning and Community Development (OPCD) to work with a stakeholder group to analyze the outcomes of Seattle's design review program and recommend best practices, and options for program modifications, including addressing barriers to equitable participation. SDCI and OPCD delivered this [analysis](#) to Council in August 2024. The Mayor's Housing Subcabinet has also directed SDCI to make land use codes and permitting processes simpler and more efficient, to reduce the time and cost of permitting housing.

In October-November 2024, SDCI worked with a consultant (Seva Workshop) to conduct public outreach focused on Design Review Program changes. The outreach efforts resulted in a report dated January 2025 and included a set of recommendations related to the overall Design Review Program, Design Guidelines, prioritizing important community assets through design review, public engagement, and equitable development.

As a result of initial outreach feedback, SDCI recommends the interim suspension Ordinance to allow for additional outreach and further development of the permanent legislation to address SHB1293.

#### Comprehensive Plan Goals and Policies

The proposal is consistent with relevant goals and policies in the Seattle 2035 Comprehensive Plan including:

- **(Housing) Goal HG3** – Achieve greater predictability in project approval timelines, achievable densities and mitigation costs.
- **HG6** – In order to control the effects of regulatory processes on housing price, strive to minimize the time taken to process land use and building permits, subject to the need to review projects in accordance with applicable regulations. Continue to give priority in the plan review process to permits for very low-income housing.
- **HG7** – Periodically assess the effects of City policies and regulations on housing development costs and overall housing affordability, considering the balance between housing affordability and other objectives such as environmental quality, urban design quality, maintenance of neighborhood character and protection of public health, safety and welfare.
- **(Economic Development) EDG3** – Support the Urban Village Strategy by encouraging the growth of jobs in Urban Centers and Hub Urban Villages and by promoting the health of neighborhood commercial districts.
- **(Land Use) LU55** - Employ a design review process to promote development that:

- Enhances the character of the city
- Respects the surrounding neighborhood context, including historic resources
- Enhances and protects the natural environment
- Allows for diversity and creativity in building design and site planning
- Furthering community design and development objectives
- Allows desired intensities of development to be achieved

### **Recommendation**

The Director of SDCI recommends that the City Council adopt the proposed interim design review legislation to avoid potential preemption by ESHB 1293. It allows for additional time for City staff to respond to the stakeholder and public engagement recommendations to work through code amendments, Director's Rules, Tips, and guidance documents to clarify code requirements and procedures. Permanent legislation and new Design Guidelines are anticipated for council review following the 2025 budget process.

This legislation also extends temporary regulations established by Ordinance 126854 for an additional six months. The temporary regulations exempt proposed development that meet Mandatory Housing Affordability requirements using on-site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed development as a Type I decision.

The proposal is consistent with the Comprehensive Plan and with recently adopted State law directing the adoption of proposed land use code amendments for design review.



# SEATTLE CITY COUNCIL

August 4, 2025

## NOTICE OF A SEATTLE CITY COUNCIL PUBLIC HEARING ON INTERIM LEGISLATION TEMPORARILY SUSPENDING REQUIRED DESIGN REVIEW

The Seattle City Council's Land Use Committee will hold a public hearing on September 3, 2025, starting at 2:00 PM, on a bill to make design review voluntary for proposed development to comply with House Bill 1293, for a period of six months, while the City continues to evaluate permanent updates and changes to the design review program.

### PUBLIC HEARING

The City Council's Land Use Committee will hold a public hearing to take comments on the draft interim legislation on Wednesday, September 3, 2025, at 2:00 PM. The hearing will be held in:

City Council Chambers  
2nd Floor, Seattle City Hall  
600 Fourth Avenue, Seattle, WA

Persons who wish to participate in or attend the hearing may be offered the opportunity to do so remotely. If this is the case, the City Council will provide instructions in the meeting agenda on how to participate remotely. Please check the Land Use Committee agenda a few days prior to the meeting at <http://www.seattle.gov/council/committees>. Print and communications access is provided on prior request. Seattle City Council Chambers is accessible. Directions to the City Council Chambers, and information about transit access and parking are available at <http://www.seattle.gov/council/meet-the-council/visiting-city-hall>.

### WRITTEN COMMENTS

For those unable to attend the public hearing, written comments may be sent to:

Councilmember Solomon  
600 Fourth Avenue, Floor 2  
PO Box 34025  
Seattle, WA 98124-4025  
or by email to [council@seattle.gov](mailto:council@seattle.gov)

Written comments should be received by Wednesday, September 3, 2025, at 12:00 PM.

### INFORMATION AVAILABLE

Information about the interim suspension ordinance can be found here: [Project Documents - SDCI | seattle.gov](#)

Questions regarding the legislation can be directed to Crystal Torres, Land Use Planner at 206-684-5887 or [crystal.torres@seattle.gov](mailto:crystal.torres@seattle.gov), Gordon Clowers, Planning and Development Specialist at 206-684-8375 or [Gordon.Clowers@seattle.gov](mailto:Gordon.Clowers@seattle.gov), or HB Harper, Council Central Staff at 425-566-0645 or [hb.harper@seattle.gov](mailto:hb.harper@seattle.gov).

8/4/2025

## M E M O R A N D U M

**To:** Land Use Committee  
**From:** HB Harper, Central Staff  
**Subject:** Interim Design Review Legislation

---

On September 3, 2025, the Land Use Committee (Committee) will hold a public hearing on and discuss [Council Bill \(CB\) 121048](#), an ordinance adopting temporary regulations to make design review voluntary for a period of six months.

### **Changes in State Law**

During the 2023 session, the State legislature passed [House Bill \(HB\) 1293](#), which requires Seattle and other cities and counties that have a design review program to:

- Use objective rather than subjective guidelines;
- Have only one public meeting as part of the review process; and
- Integrate design review into the development permit process.

The proposed interim legislation will temporarily suspend required design review for six months, making design review voluntary for proposed development. These regulations will be in place while Seattle Department of Construction and Inspections (SDCI) works to [update the design review program](#) and guidelines as required by HB 1293.

### **Design Review in Seattle Municipal Code**

Seattle's Design Review program, Seattle Municipal Code Chapter 23.41, was created in 1993. It is inconsistent with the requirements of HB 1293 in two key ways: 1) it uses subjective design guidelines, designed to grant flexibility to designers but not providing predictability to developers, and 2) for major projects, it includes more than one public meeting.

There are three types of [design review in Seattle](#): Streamlined Design Review (SDR), Administrative Design Review (ADR), and Full Design Review (FDR). SDR is reviewed by SDI staff and not appealable to the Hearing Examiner; it includes public comment but no design review public meeting. ADR is reviewed by City staff; it is appealable to the Hearing Examiner. ADR includes public comment but no design review public meeting. FDR is appealable to the Hearing Examiner and is also reviewed by Design Review Boards at two or more public meetings.

CB 121048 applies to all types of design review and provides that applicants may elect to continue review under the design review process or withdraw the proposed development from the design review process. Requests for departures, which would previously have been part of

the design review process, are proposed to be evaluated by the Director as a Type I decision, not appealable to the Hearing Examiner.

This legislation also extends temporary regulations established by [Ordinance 126854](#) for an additional six months. The temporary regulations exempt proposed developments that meet Mandatory Housing Affordability requirements using on site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed developments as a Type I decision.

### **Public Outreach and Stakeholder Feedback**

SDCI and the Office of Planning and Community Development (OPCD) have been working with a stakeholder group to analyze the outcomes of Seattle's design review program and recommend best practices and options for program modifications, including addressing barriers to equitable participation. The additional time provided by this interim ordinance is needed for City staff to respond to the stakeholder and public engagement [recommendations](#) and to work through code amendments, Director's Rules, Tips, and guidance documents to clarify code requirements and procedures.

### **Next Steps**

A briefing and possible vote is anticipated on September 17, 2025.

Permanent legislation and new Design Guidelines are anticipated for council review following the 2025 budget process.

cc:      Ben Noble, Director  
            Lish Whitson, Lead Analyst



## Legislation Text

---

**File #:** CB 121049, **Version:** 1

---

### CITY OF SEATTLE

#### ORDINANCE \_\_\_\_\_

#### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code (SMC) at page 8 of the Official Land Use Map to rezone land in the Lake City neighborhood.

WHEREAS, the Lake City Community Center was severely damaged by fire in 2023 and Seattle Parks and

Recreation and the Seattle Office of Housing are partnering to pursue an innovative project to rebuild the community center in a mixed-use building with a new community center at the ground level and multiple stories of affordable housing above it; and

WHEREAS, Seattle continues to face significant housing affordability challenges as an estimated 32 percent of all households in the city are cost burdened, and of these, close to 50,000 households are severely cost-burdened and at especially high risk of housing insecurity; and

WHEREAS, new rent- and income-restricted affordable housing is one of the most direct ways the City can support affordable housing for its residents and aid community members at risk of displacement; and

WHEREAS, rebuilding a new Lake City community center is a high priority for residents and workers in Lake City and a new community center will provide an important public service to households throughout Lake City and adjacent neighborhoods; and

WHEREAS, this ordinance would increase development capacity for housing and community serving uses and maintain a Mandatory Housing Affordability requirement on a group of parcels that include currently lightly used or vacant properties; and

WHEREAS, this proposal will be compatible with the planned land use pattern envisioned in the

Comprehensive Plan and the Seattle Municipal Code, since the proposal meets rezone criteria, and would be consistent with the precedent of the mix of uses in other nearby areas and would provide a more gradual stepped transition between higher intensity and lower intensity zoned areas; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on June 9, 2025; and

WHEREAS, the proposed rezone meets criteria in the Land Use Code as discussed in the Director's Report accompanying this ordinance; NOW, THEREFORE,

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

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone properties identified on page 8 of the Official Land Use Map as shown on Attachment 1 to this ordinance.

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

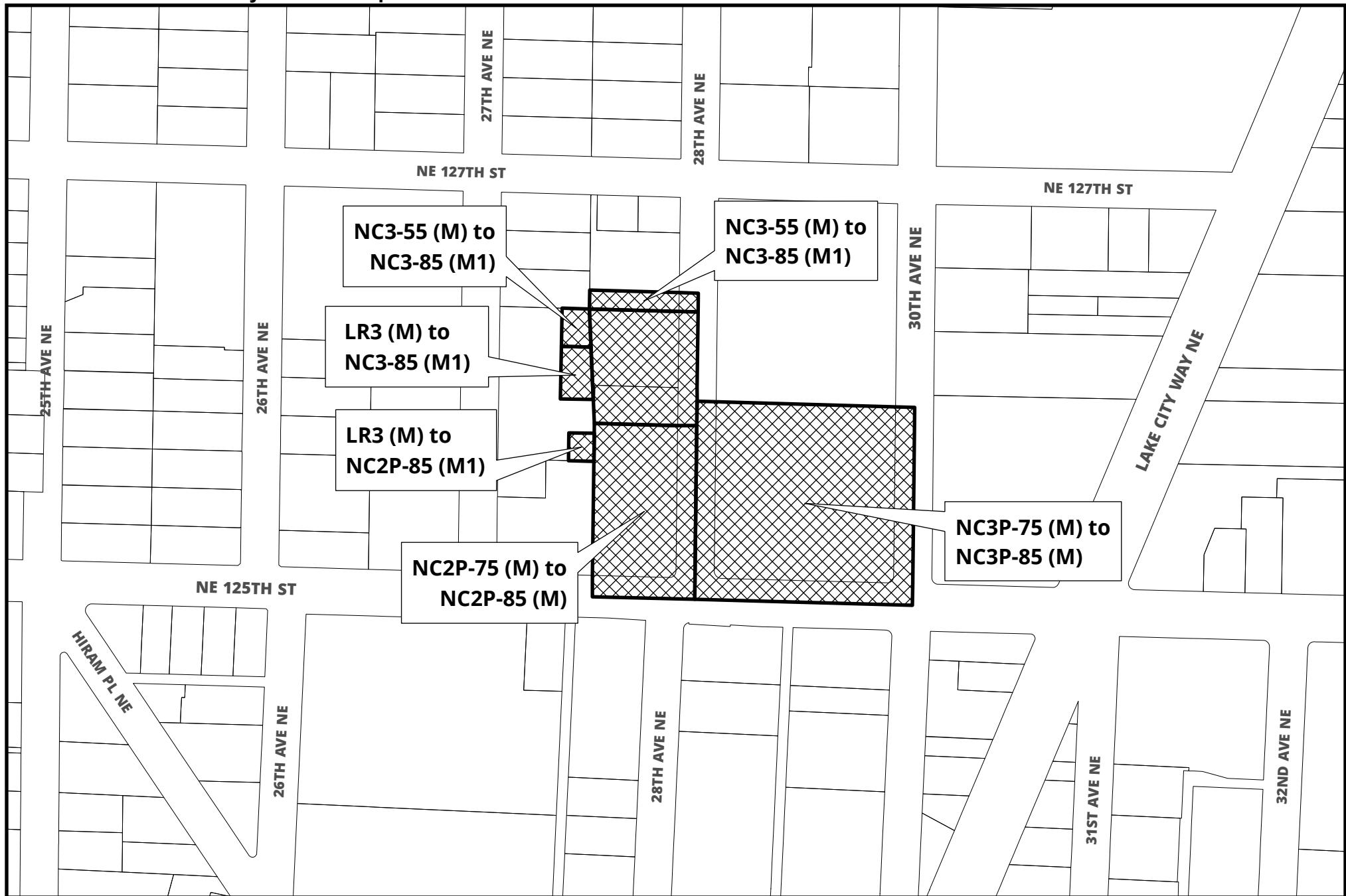
---

\_\_\_\_\_  
Scheereen Dedman, City Clerk

(Seal)

Attachments:  
Attachment 1 - Lake City Rezone Map

# Attachment 1 - Lake City Rezone Map



**Rezone area**

Map prepared by  
OPCD. June 2025



## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Office of Planning & Community Development (OPCD)	Jonathan Morales	Jennifer Breeze

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 8 of the Official Land Use Map to rezone land in the Lake City neighborhood.

**Summary and background of the Legislation:** This proposal would implement zoning changes on land in the Lake City neighborhood on a collection of four land parcels totaling approximately 3.1 acres, including three parcels that are city-owned, and one parcel that is privately owned. The parcels are located along 28<sup>th</sup> Ave NE, east and west, and between NE 125<sup>th</sup> St and NE 127<sup>th</sup> St.

The parcels have a high potential for infill development with affordable multi-family housing and community serving uses. Two parcels are owned by Seattle Parks and Recreation and Seattle Finance and Administrative Service, which is currently proposed to have a new Lake City Community Center with affordable housing on its upper floors. The primary effect of the rezone is a ten-foot increase in height for existing Neighborhood Commercial (NC) zoned parcels, and changes to existing LR3 zones to unify the proposed zoning to NC-85 throughout.

### **2. CAPITAL IMPROVEMENT PROGRAM**

Does this legislation create, fund, or amend a CIP Project?  Yes  No

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

Does this legislation amend the Adopted Budget?  Yes  No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

The legislation is expected to expedite and help facilitate infill development of affordable housing and community serving uses in the Lake City neighborhood. Future development on the subject sites would require permits, and as a result, permit fees would be charged by the City. The legislation will have minor impacts to SDCI staff, as they will be called on to update the zoning maps.

**Is there financial cost or other impacts of *not* implementing the legislation?**

Not implementing this legislation could delay commencement of affordable housing and community uses in the Lake City neighborhood. Furthermore, a proposed Lake City Community Center and affordable housing project could help preserve per unit public

funding by \$6,000 or 2%, which may not be possible if the legislation does not get implemented.

#### **4. OTHER IMPLICATIONS**

**a. Does this legislation affect any departments besides the originating department?**

The Office of Housing has tentatively awarded funds for possible affordable housing developments on sites affected by this legislation. The legislation will assist moving forward with possible redevelopment permit applications and eventual OH allocation of the funds. Seattle Parks and Recreation has a proposed project to rebuild the community center on sites affected by this legislation.

**b. Is a public hearing required for this legislation?**

Yes. A public hearing is expected to be held in Fall 2025.

**c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

No.

**d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

A SEPA Notice for this action was published in the Daily Journal of Commerce on June 9, 2025. Publication for the Public Hearing would be noticed in the Daily Journal of Commerce.

**e. Does this legislation affect a piece of property?**

The legislation will apply to four parcels along 28<sup>th</sup> Ave, between NE 125<sup>th</sup> St and NE 127<sup>th</sup> St, in the Lake City neighborhood, as described above.

**f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

This legislation will assist in allowing potential development of affordable housing and community-serving uses that have strong support from organizations affiliated with communities of color. Expected future uses include city-funded affordable housing and a new Lake City Community Center.

**g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

No new initiative or major programmatic expansion is proposed.

**Attachments:** None.

## **Director's Report**

### **Lake City Rezone**

#### **June 2025**

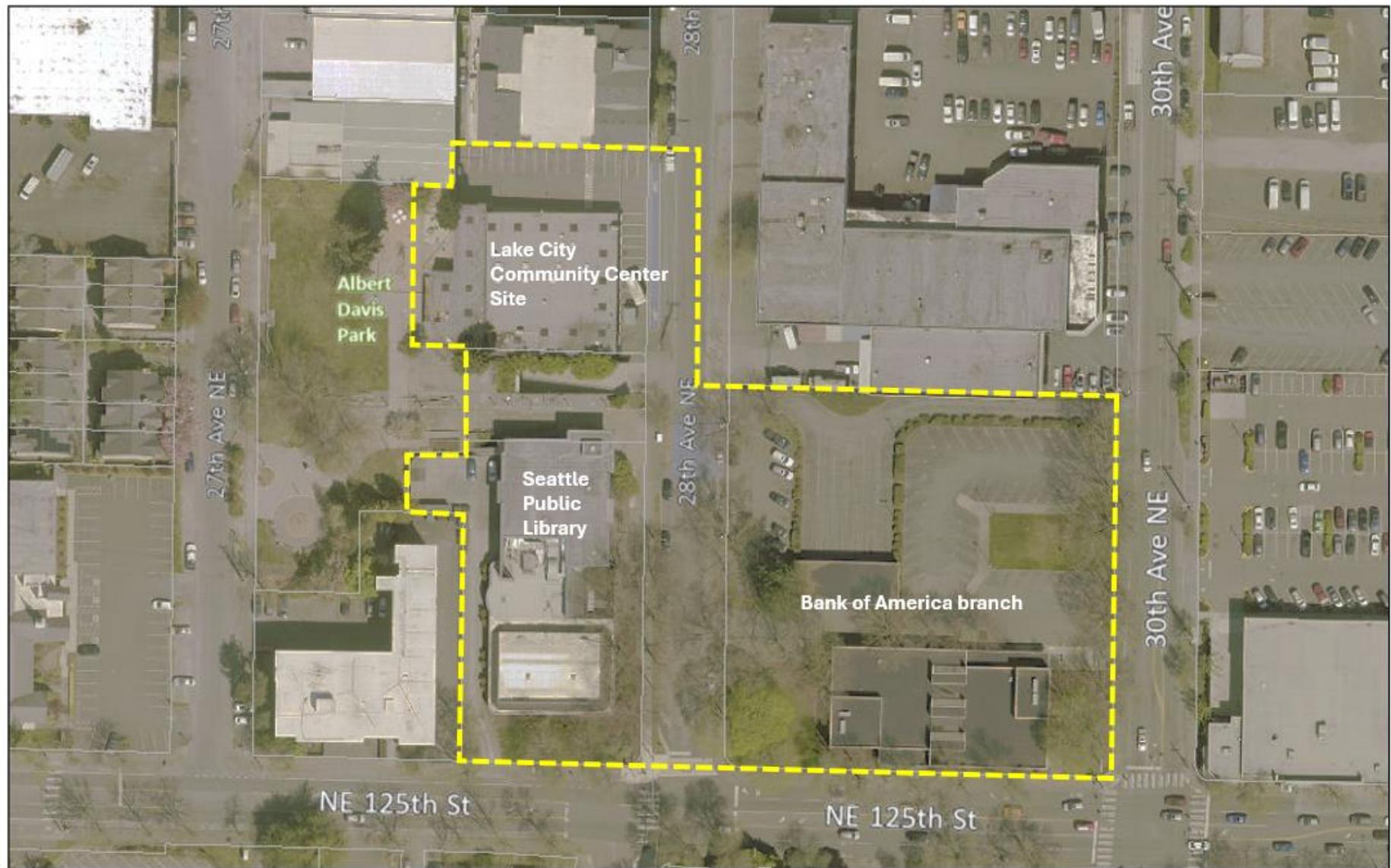
#### **PROPOSAL SUMMARY**

The Office of Planning and Community Development (OPCD) proposes legislation to rezone land in the Lake City neighborhood on a collection of four land parcels on two blocks near the heart of the Lake City Hub Urban Village and proposed Urban Center per the One Seattle Plan. The parcels have a high potential for infill development with affordable multi-family housing and community serving uses. The parcels are owned by the City of Seattle Parks and Recreation (SPR), City of Seattle Finance and Administrative Service (FAS), the City of Seattle Public Library (SPL), and one parcel in private ownership by Bank of America that is currently used as a local branch. The parcels in ownership by SPR and FAS are expected to host development of a new Lake City Community Center with affordable housing on its upper floors.

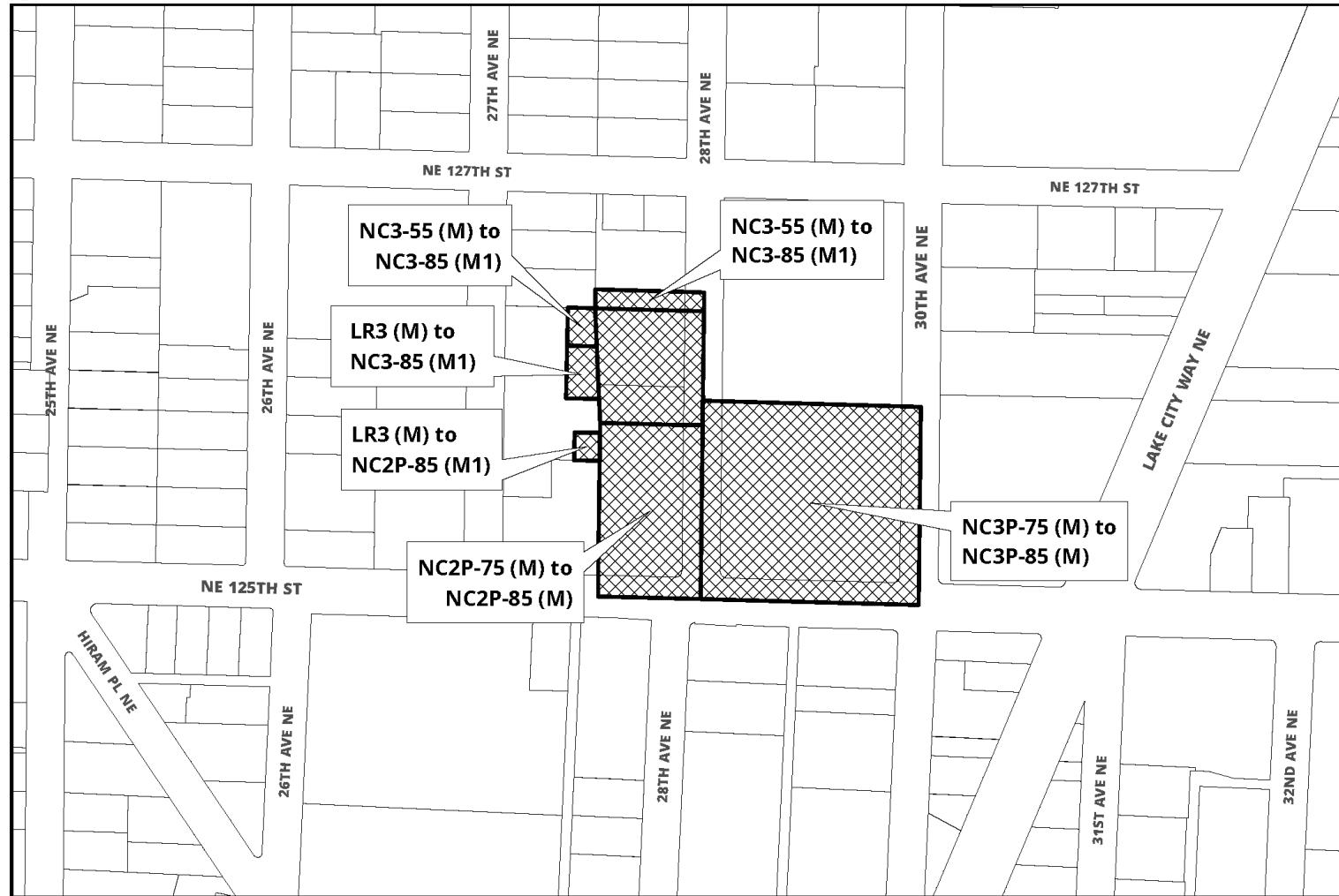
In total the proposal would affect approximately 3.1 acres of land. The parcels are located to the east and the west sides of 28<sup>th</sup> Ave. NE in the blocks to the north of NE. 125<sup>th</sup> St. See also maps and photographs on the following pages.

The proposal would change the zoning of the four parcels to a Neighborhood Commercial zone with an 85' height limit. The majority of the affected area is currently zoned Neighborhood Commercial with a 75' height limit. Therefore, the primary effect of this proposal is to increase the height limit by 10' and increase the allowed maximum Floor Area Ratio (FAR) by 0.25 from 5.5 to 5.75. The intent is to incrementally increase capacity for housing and affordable housing in an efficient way by allowing construction with five full stories of wood-framed construction to be located over two stories of space that can accommodate commercial and community-oriented uses at street level. Other nuances to the proposed zoning change are described later in this director's report.

## Affected Area



## Proposed Rezone



Map prepared by  
OPCD, June 2025

View of the Lake City Community Center Site Looking in a Northerly Direction



## **PROPOSAL AND ANALYSIS**

The sites proposed for rezone include lands owned by the City of Seattle. The incremental zoning changes would increase development capacity to support greater densities or quantities of affordable housing. The proposed rezone supports development that would be in efficient configurations for cost-effective construction due to topographical factors, construction methods, and parcel size. No housing units will be eliminated since there is no existing housing on site. Although this proposal does not include construction, the zoning envelopes could facilitate an estimated 500 new housing units using general assumptions. No redevelopment or new housing is anticipated on the site of Seattle Public Library.

On the parcel owned by the Seattle Parks Department, not-for-profit affordable housing providers are interested in potential redevelopment of a new Lake City Community Center on the ground floor with rent- and income-restricted housing above. If this potential redevelopment proceeds, the affordable housing component of this development could likely be financed in part with support by the Office of Housing. The potential developer is interested in constructing a 7-story apartment building. If permitted, new apartment homes would be within one-half mile of frequent transit service on the # line on Lake City Way and would house Individuals/Families at 50-60% Area Median Income and Feature 2-3 bedroom 'family-sized' units. The site is directly adjacent to the Albert Davis Park and the Lake City Library and is therefore a location exceptionally well-served by public services.

In May of 2025 the Tent City 4 temporary encampment for unsheltered persons moved to the Lake City Community Center site. The community of around 100 people will stay there for up to six months according to an agreement with the City. Since planning and design for any future development would take much longer than six months before any construction might begin, this proposal does not affect the temporary land use as an encampment for unsheltered persons that will be present within the rezone area. The encampment will voluntarily move before any permanent construction on the Lake City Community Center site. The organization that runs the encampment has an enduring promise of not staying in any single location for more than one year.

The proposed rezone area also includes a private parcel of land currently occupied by a one-story Bank of America branch and large surface parking area. Inclusion of this parcel makes for a logical pattern of zones that stair-step down from 95' at Lake City Way, to 85' on the proposed rezone area, to 75' west of the proposed rezone area, and to 55' further west. Inclusion of the Bank of America parcel extends the housing capacity aspects of the rezone to a larger geography on a site that is well-positioned for future infill development.

### **Parcel Configuration and Correction of Boundary Mismatches**

The land owned by SPR is a large irregular parcel that contains both the community center / housing site and Albert Davis Park. This proposal only seeks to rezone the portion of this parcel that will be occupied by the community center and housing. The part of the parcel used as the Albert Davis Park space is zoned Lowrise 3. This proposal does not seek to change the LR3 zoning on the Albert Davis Park, except for a small portion of the LR3 zoned area along the east edge of the park that is intended to be used as part of the community center and housing footprint. This sliver of land is proposed for a rezone from LR3 to NC3-85. Additionally, a sliver of land to the north of the community center along the 28<sup>th</sup> Ave. NE frontage is zoned NC3-55 because the parcel boundary does not match the zoning boundary here.

This sliver of land will be rezoned from NC3-55 to NC3-85. These changes are corrections of inconsistencies between zoning boundaries and parcel boundaries on slivers of land and are not considered to be material or substantive changes to the zoning in the area.

Existing zoning on the Seattle Public Library site is the Neighborhood Commercial 2 (NC2) designation while the rest of the commercial land in the area is Neighborhood Commercial 3 (NC3). NC3 allows for a slightly larger range of commercial uses and larger maximum size of use for certain commercial uses than NC2. This proposal would not change the NC2 designation of the library site. No change or redevelopment at the library site is anticipated.

### **Pedestrian Overlay Zone**

Parcels fronting NE. 125<sup>th</sup> St. would retain the existing Pedestrian overlay zone. The pedestrian overlay zone is intended to ensure that commercial frontages and building features that are conducive to a pleasant pedestrian-oriented environment are located in new development that faces certain streets. Prior Lake City community plans called for NE. 125<sup>th</sup> St. to be a pedestrian oriented street with a P zone and this proposal does not alter the extent of the P zone designation.

### **Housing Affordability**

The most direct effect of this proposal on housing affordability is to encourage redevelopment of the community center and associated housing project. The redevelopment contemplated would yield approximately 113 affordable housing units available to households with incomes at 60% of AMI or below in family-sized homes. The proposed zoning increase is expected to increase the total number of affordable homes by 19 over the 94 that would likely result without the upzone, based on development assumptions. Furthermore, the increased capacity improves efficiency as it would reduce the per-unit public funding by OH by approximately \$6,000 or 2%.

The same type of efficiencies would be realized for redevelopment on other sites in the rezone area that may happen in the future – namely at the Bank of America site. This large, conveniently shaped parcel could accommodate approximately 400 homes. All areas within the rezone will continue to be subject to the City's Mandatory Housing Affordability (MHA). The current (M) suffix is proposed to be maintained in the rezone, which requires 5% of housing units to be set aside as affordable or an in-lieu payment of \$9.25 per sq. ft. Through MHA, redevelopment at the Bank of America site could be expected to yield approximately 20 affordable homes or \$3.5M of in-lieu payment.

### **Public Engagement**

The Lake City Community Center (LCCC) has been a key part of the neighborhood's history, serving as a hub for community activities. Formerly operated by the Lions Club and later Seattle Parks and Recreation (SPR) from 2017 to 2023, it brought together people of all ages and cultures despite its small capacity. Community members express the importance of the site as a public gathering place to City of Seattle staff through various channels, especially to Seattle Parks and Recreation (SPR) staff engaged in replacement of the community center.

After a fire in April 2023 led to its closure and demolition in early 2024, plans began for redevelopment. This redevelopment plans to combine a new community center with affordable housing and services near transit, offering multiple benefits to the growing neighborhood. In 2024 a not-for-profit affordable housing provider conducted community outreach regarding their desire to redevelop the affected sites.

The new Lake City Community Center is being designed through a close collaboration between the Development Team and Seattle Parks and Recreation staff. Providing valuable input along the way is the Project Advisory Team (PAT), a dedicated group of Lake City community members who bring diverse ages, experiences, and connections to local organizations. The PAT is closely engaged in the design process and supports the proposed rezone for additional height to accommodate increased housing capacity.

Additional opportunities for public comment is being provided through the SEPA environmental review process. Community members will have the opportunity to comment on the proposed zoning change during the City Council public hearing and City Council deliberation on the proposed action.

### **State Environmental Policy Act Review (SEPA)**

OPCD is issuing a SEPA checklist and a determination of non-significance (DNS) in June of 2025 for the proposed rezone. The decision will be published in the Seattle Daily Journal of Commerce and the City's Land Use Information Bulletin with a 14-day comment period.

### **Compatibility with Existing Use and Development Pattern**

A complete analysis of the SMC rezone criteria is provided below to document whether the rezone is appropriate. In addition, the following provides an overview of the compatibility between uses that could occur under the proposed rezones and the surrounding existing context and land use.

The area is entirely within the Lake City Urban Center as proposed in the One Seattle Plan update and is currently characterized as a Hub Urban Village in the Seattle 2035 Comprehensive Plan. One Seattle Plan Growth Strategy Policy G.S 4.3 provides a description of the planned vision and intent for growth within urban centers relevant to this rezone:

*GS. 4.3 Allow a wide range of housing types in Urban Centers. Urban Centers should generally allow buildings of 3 to 8 stories. Buildings greater than 8 stories may be appropriate in Urban Centers near significant transit investments, especially light rail stations, or near existing concentrations of amenities and services.*

The proposed rezone to the 85' height limit would facilitate new buildings in the 7-8 story range, consistent with GS 4.3.

The general vicinity of the rezone area is characterized by a wide range of existing land uses and building scales including but not limited to: 2-4 story multifamily residential structures; low-scale office and retail buildings; places of worship; public buildings such as the library; surface parking areas; and a scattering of larger 6-7 story mixed use structures. The 6-7 mixed-use structures in the vicinity are located along Lake City Way NE on the east side of that arterial roadway. The broader Lake City neighborhood includes several large auto dealerships. The Pierre Ford Service and Parts Department is located adjacent to the rezone area directly north of the Bank of America parcel. This varied pattern of existing land uses and scale is typical for an Urban Centers in Seattle. Infill mixed use development of 5-7 stories of wood-framed construction over a 1-2 story base is entirely compatible with and appropriate for the context. A

new-mixed use development would be consistent with the scale and functions of existing activities in the area and would continue the trend of other recent developments in nearby blocks. The only buildings currently on rezone area sites are the Seattle Public Library, which is not expected to change, and the Bank of America local branch buildings and its associated parking.

The following adjacencies are found within the blocks affected by the rezone. The north half of the block adjacent to the Bank of America site is entirely occupied by the Pierre Ford Service and Parts Department. In the block with City-owned land, the 4 story Villager Apartments building is located directly west of the library site, and the Albert Davis Park is located directly west of the part of the site expected for the new community center and housing. To the north of the city-owned land is another a 4-story mixed use multifamily structure with a small studio space for yoga at the ground floor. To the northwest of the rezone area there is a cluster of 1-story structures that appear to house a cross fit gym and an indoor baseball training facility. Potential new development is not expected to cause incompatible adjacencies with the auto parts and services use, or the cross-fit and athletics uses, or the existing mixed-use structure to the north of the community center site.

### **Interface with Albert Davis Park**

The interface of potential new development in the rezone area with the Albert Davis Park could cause some impact on the park. Up to a 7-story mixed use structure is likely to be developed directly east of an active open space public park. Impacts could include shadowing effects on the park at certain times of day and the visual impact of a tall structure located very close to the park. However, any proposed housing and community center project will undergo careful design and is being led by SPR. Any proposed project will undergo review by the Seattle Design Commission. It is expected that this high degree of oversight, and leadership by SPR will result in design choices that minimize potential negative impacts on the park. Possible treatments may include design that allows for direct access and a porous connection between the ground level community center and the adjacent Albert Davis Park space.

### **Pattern of Zoned Height Limits**

With regard to zoned height limits, the proposed rezones would provide a stepped transition from higher intensity commercial zoning to the east along Lake City Way (NC3-95), to the NC-85 zone on the proposed rezone area, then to more moderately scaled mixed use zoning of NC-75 and NC-55 further west. The proposal would also create a stepped series of height limits in the south-to-north direction from the subject parcels down to NC-55 and eventually to residential multifamily zones.

## REZONE CRITERIA EVALUATION

Tables below evaluate all SMC rezone criteria relevant to the proposal.

### General Rezone Evaluation and Rezone Criteria

SMC	Criterion	Evaluation
<b>23.34.007</b>	<b>Rezone Evaluation</b>	
23.34.007.B	No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.	Noted. Criteria are balanced in this evaluation.
23.34.007.C	Compliance with the provisions of this Chapter 23.34 shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Environment Policies shall be used in shoreline environment redesignations as provided in subsection 23.60A.042.C.	Noted. This evaluation is used for Comp Plan consistency analysis.
<b>23.34.008</b>	<b>General rezone criteria</b>	
23.34.008.B	Match Between Zone Criteria and Area Characteristics. The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.	The site is already zoned NC2 and NC3 and this designation closely matches the characteristics for this zone as noted below. The height limit is proposed to change.
23.34.008.C	Zoning History and Precedential Effect. Previous and potential zoning changes both in and around the area proposed for rezone shall be examined.	In 2019 the City incrementally rezoned the area to implement MHA.
23.34.008.D	Neighborhood Plans.	
1.	For the purposes of this title, the effect of a neighborhood plan, adopted or amended by the City Council after January 1, 1995, shall be as expressly	The Lake City Urban Design framework from 2016 was the last neighborhood planning document to be prepared for the area. Legislation to change zoning in Lake City to implement the plan was adopted in 2016.

	established by the City Council for each such neighborhood plan	
2.	Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.	The neighborhood plan was taken into consideration and this proposal does not deviate from guidance of the plan.
3.	Where a neighborhood plan adopted or amended by the City Council after January 1, 1995 establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan.	The Urban Design Framework provides some guidance for specific zones. This proposal is generally consistent with the plan's guidance but the proposal incrementally increases the height limit over what's included in the plan. OPCD believes this change is consistent with the plan including specific guidance in the plan about enhancing the civic center of Lake City and infill development.
4.	If it is intended that rezones of particular sites or areas identified in a Council adopted neighborhood plan are to be required, then the rezones shall be approved simultaneously with the approval of the pertinent parts of the neighborhood plan.	No amendment to a neighborhood plan is proposed or necessary.
<b>23.34.008.E</b>	<b>Zoning Principles</b>	
1.	The impact of more intensive zones on less intensive zones, or industrial and commercial zones on other zones, shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.	A transition between more intensive commercial zoning to the east on Lake City Way (NC-95) and to lower intensity commercial zoning to the west (NC-55) would be created by the proposal. Overall, this makes the transition more gradual.
2.	Physical buffers may provide an effective separation between different uses and intensities of development.	The area is generally flat without major natural physical features. A tapered landscape of height limits is the primary mechanism to achieve transition.
<b>3.</b>	<b>Zone boundaries</b>	
3.a.	In establishing boundaries, the following elements shall be considered: 1) Physical buffers as described in subsection 23.34.008.E.2; and 2) Platted lot lines.	Most of the zone boundaries are at lot lines or street edges. Minor corrections to zone boundaries not at a lot line are a part of this proposal for the parcel owned by Seattle Parks Department. The changes harmonize zone boundaries with the extent of the property for the future

		Community Center and housing development.
3.b.	Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.	The proposal would not change the pattern of commercially zoned areas facing each other across streets.
4.	In general, height limits greater than 55 feet should be limited to urban villages. Height limits greater than 55 feet may be considered outside of urban villages where higher height limits would be consistent with an adopted neighborhood plan, a major institution's adopted master plan, or where the designation would be consistent with the existing built character of the area.	The rezone area is within the proposed Lake City Urban Center (proposed in the One Seattle Plan update), and within the existing Lake City Hub Urban Village. Building heights up to 8 stories are appropriate for urban centers according to the One Seattle Plan Comprehensive Plan policy GS 4.3. The current designation as a Hub Urban Village is generally less dense than urban centers, as described in the Seattle 2035 Comprehensive Plan.
23.34.008.F	<b>Impact Evaluation.</b> The evaluation of a proposed rezone shall consider the possible negative and positive impacts on the area proposed for rezone and its surroundings	See below.
F.1	Factors to be examined include, but are not limited to, the following:	See below.
a.	Housing, particularly low-income housing;	The proposed rezone area would have a high likelihood of being developed with rent- and income-restricted affordable housing. There is no existing housing on site and therefore no risk of displacement.
b.	Public services;	Excellent public services are in place as discussed in the SEPA checklist and this Director's Report.
c.	Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;	Factors were considered and discussed in the SEPA checklist and decision.

d.	Pedestrian safety;	There are sidewalks in place on adjacent streets and improved bus stops within $\frac{1}{4}$ mile walk on NE 125 <sup>th</sup> St. and on Lake City Way NE.
e.	Manufacturing activity;	None in the vicinity.
f.	Employment activity;	Future uses on the site are expected to be primarily residential
g.	Character of areas recognized for architectural or historic value;	No historic resources or landmarks are known to be on the site or immediate vicinity.
h.	Shoreline view, public access, and recreation.	There are no views or shorelines in the affected area.
F.2	Service capacities. Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:	See rows below.
a.	Street access to the area;	Street access capacity would not be exceeded as discussed in the SEPA checklist and DNS.
b.	Street capacity in the area;	None of these capacities would be exceeded as discussed in the SEPA checklist, and environmental determination.
c.	Transit service;	
d.	Parking capacity;	
e.	Utility and sewer capacity;	Not applicable.
f.	Shoreline navigation;	
23.34.008.G	Changed circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this <a href="#">Chapter 23.34</a> .	No major changed circumstances to physical conditions on the ground, however, Lake City is proposed as an Urban Center in the proposed <i>One Seattle Plan</i> .  The rezone would be compatible and similar to other development in the immediate vicinity, and would meet the proposed densities envisioned for Urban Centers.
23.34.008.I	Critical areas. If the area is located in or adjacent to a critical area (Chapter <a href="#">25.09</a> ), the effect of the rezone on the critical area shall be considered.	No major ones present in the rezone area, see SEPA checklist.
c.	The number of existing single-family structures, not including detached accessory dwelling units, has been very stable or increasing in the last five years, or	There are no single family structures in the rezone area.

d.	The area's location is topographically and environmentally suitable for single-family residential developments.	The parcel size and position in a business district and on an arterial road make it more suitable for mixed use commercial or multi-family use.
----	---	---

<b>23.34.009</b>	<b>Height limits of the proposed rezone</b>	
If a decision to designate height limits in residential, commercial, or industrial zones is independent of the designation of a specific zone, in addition to the general rezone criteria of <a href="#">Section 23.34.008</a> , the following shall apply:		
A.	Function of the zone. Height limits shall be consistent with the type and scale of development intended for each zone classification. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.	The 85' height limit is consistent with the intended scale of mixed use development. There is no risk of residential displacement.
B.	Topography of the area and its surroundings. Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered.	The area is generally flat and no views will be blocked by the 85' limit.
C.1	The height limits established by current zoning in the area shall be given consideration.	The existing height limit is 10' less than proposed. Adjacent land to the east along Lake City Way is already zoned with a 95' height limit.
C.2	In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a good measure of the area's overall development potential.	Within the neighborhood area there are several existing 5-7 story mixed use buildings, built within the last 25 years. This is the predominant pattern of recent development.
D.1	Height limits for an area shall be compatible with actual and zoned heights in surrounding areas excluding buildings developed under Major Institution height limits; height limits permitted by the underlying zone, rather than heights permitted by the Major Institution designation, shall be used for the rezone analysis.	The proposed 85' height limit is consistent with adjacent property zoned with a 95' height limit and other 75' height limits nearby. Nearby structures on Lake City Way NE are 3 to 8 stories tall.
D.2	A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers, as described in subsection 23.34.008.D.2, are present.	A gradual transition in height limits from 95' (NC3-95), to 85 (NC3-85), to 75' (NC3-75), to 55' (NC3-55), to Lowrise zones would be created by the proposal.

E.	Neighborhood plans	The 2016 Lake City Urban Design Framework addresses the rezone area. The plan has been consulted and OPCD determines that the proposed changes are consistent with the vision and intent of the plan.
<b>23.34.072</b>	<b>Designation of commercial zones</b>	
A.	The encroachment of commercial development into residential areas shall be discouraged.	The zone is already NC and would not extend commercial zoning into new areas.
B.	Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in <a href="#">Section 23.34.010</a> .	Not applicable.
C.	Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections <a href="#">23.34.010</a> and <a href="#">23.34.011</a> of the Seattle Municipal Code	A transition from the NC commercial area to multifamily residential would be provided.
D.	Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas	The commercial area is contiguous with the existing commercial zones and mixed use center of the neighborhood.
E.	The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.	The area is already zoned commercial.
<b>23.34.076</b>	<b>Neighborhood Commercial 3 (NC3) zones, function and locational criteria.</b>	
A.	<b>Function.</b> To support or encourage a pedestrian-oriented shopping district that serves the surrounding neighborhood and a larger community, citywide, or regional clientele; that provides comparison shopping for a wide range of retail goods and services; that incorporates offices, business support services, and residences that are compatible with the retail character of the area; and where the following characteristics can be achieved:	See below.
A.1	A variety of sizes and types of retail and other commercial businesses at street level;	The zone designation would remain NC2 and NC3.
A.2	Continuous storefronts built to the front lot line	The zone would continue to promote a continuous line of storefronts stretching along NE 125 <sup>th</sup> St.
A.3	An atmosphere attractive to pedestrians;	Streets in the vicinity have wide sidewalks and recent

		pedestrian improvements. The P designation on NE 125 <sup>th</sup> St. would be retained.
A.4	Shoppers can drive to the area, but walk from store to store	Shoppers could walk from store to store and to nearby institutions including the proposed Community Center and existing public library.
B.	<b>Locational Criteria.</b> A Neighborhood Commercial 3 zone designation is most appropriate on land that is generally characterized by the following conditions:	
B.1	The primary business district in an urban center or hub urban village;	The area is entirely in the Lake City Urban Center.
B.2	Served by principal arterial;	Lake City Way NE two blocks to the east is a principal arterial and is on the frequent transit network.
B.3	Separated from low-density residential areas by physical edges, less-intense commercial areas or more-intense residential areas;	There are not strong edges to buffer residential areas
B.5	Excellent transit service	Transit service is excellent. The 65 and 75 buses run on NE 125 <sup>th</sup> St. and the 61, 322, 372 and 522 run on Lake City Way NE. All are within $\frac{1}{4}$ mile walking distance from the rezone area.

## CONCLUSION

This proposed rezone is consistent with the SMC rezone criteria as demonstrated in this report, and the Comprehensive Plan. A SEPA Determination of Non-Significance has been issued. The proposal would support important public policy objectives including encouraging affordable housing and it could provide a support to community-based organizations providing services in a future publicly owned Community Center. In addition to supporting policy goals on City-owned land, the proposal would more broadly increase the capacity for infill housing on another parcel not owned by the City of Seattle. The proposed rezone is recommended for approval by the OPCD Director.

A photograph of the Seattle City Hall building, featuring its distinctive curved glass facade and a large stone wall with the words "SEATTLE CITY HALL" engraved in large letters. The image is partially obscured by a blue semi-transparent overlay containing the title text.

# Lake City Area Rezone & Community Center Redevelopment

Land Use Committee Briefing  
August 6, 2025



**City of Seattle**

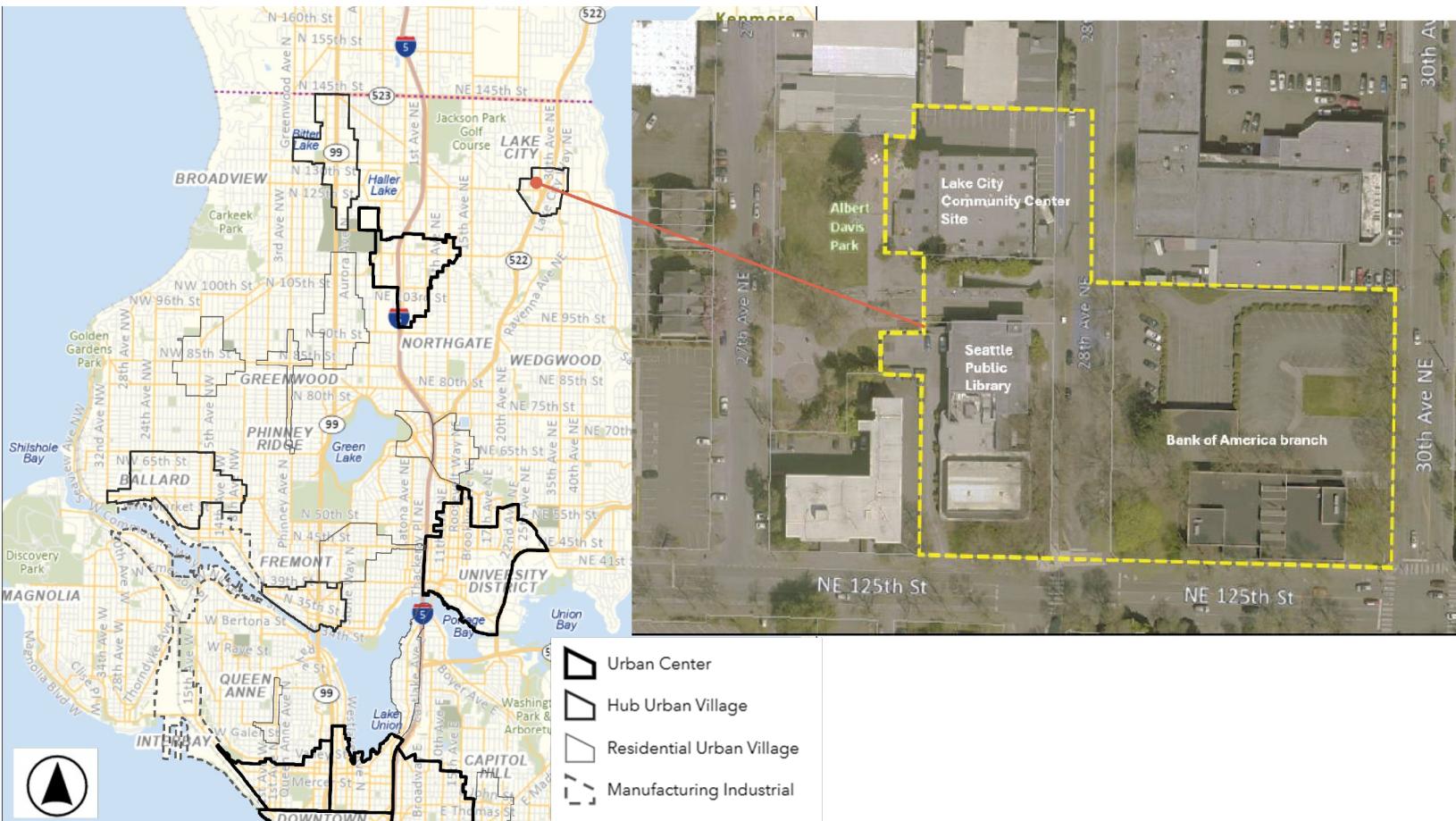
# Purpose

Staff will present rezone proposal on select parcels in Lake City, which will help facilitate future infill development potential, including on City-owned property.



**City of Seattle**

# General Location and Vicinity Map - Lake City Rezone Area



**City of Seattle**

# Proposed Rezone in Lake City



**City of Seattle**

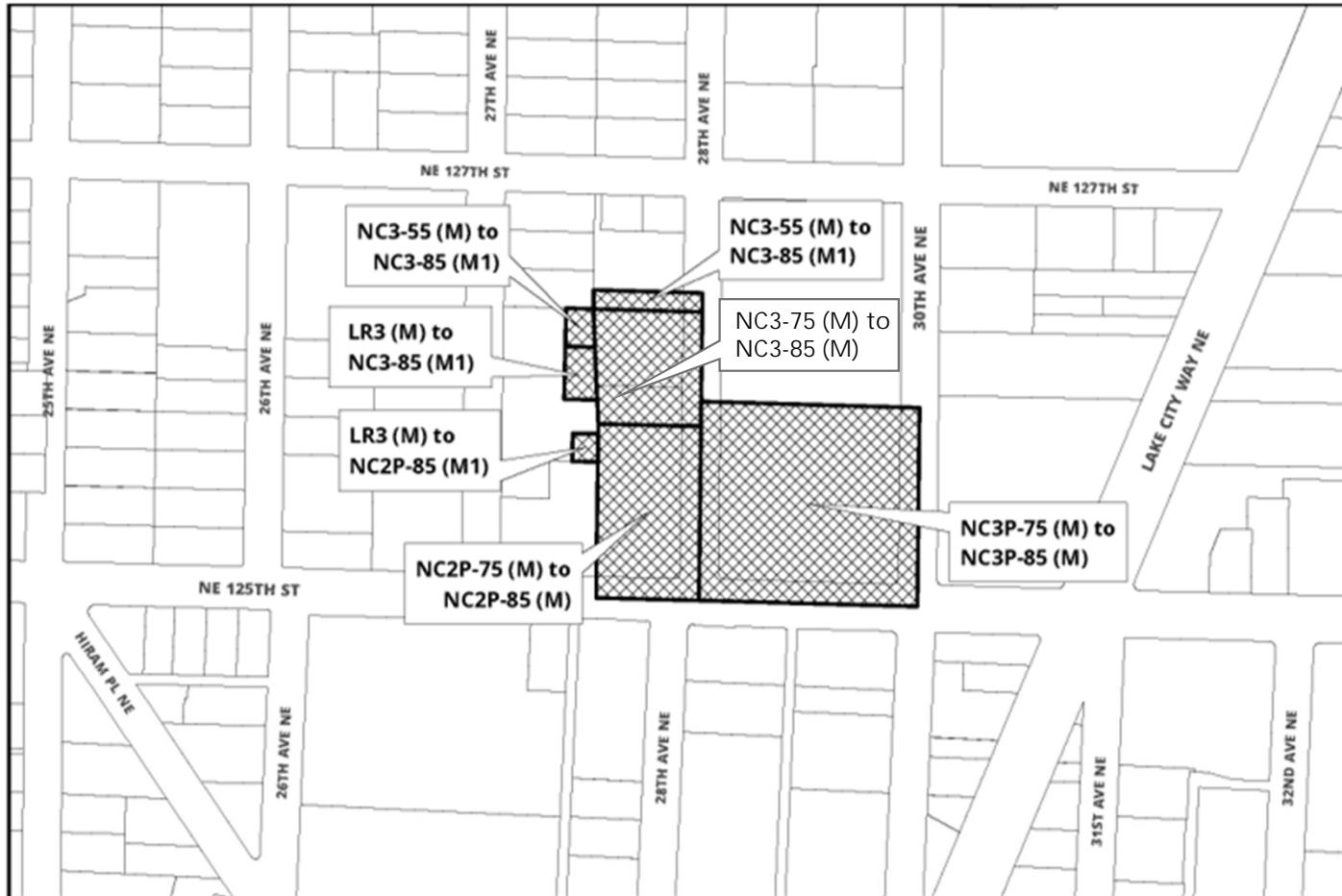
# Rezone area

- Collection of 4 parcels (totaling 3 acres) rezoned to NC2-85 and NC3-85.
- Three (3) of the parcels are City-owned (SPR, FAS, SPL) and one (1) is privately owned by Bank of America (BoA).
- For the SPR parcel, this proposal only seeks to rezone the area that will be redeveloped, excluding Albert Davis Park.
- Proposed rezone area allows for clean transitions from abutting land uses/zoning, and opportunities for future infill development, including on BoA site.



**City of Seattle**

## Proposed Rezone



Map prepared by  
OPCD, June 2025



## Overview

- Meets area-wide rezone criteria
- Unifies proposed zoning heights at 85'
- Rectifies split zoned parcel
- Provides for infill development opportunity, including existing Lake City Community Center site
- Maintains transitions from NC-95 to NC-55 (east to west)



**City of Seattle**

# Lake City Community Center Redevelopment



**City of Seattle**

# Mercy Housing Selected to Redevelop Site

- New community center on first two floors with housing above
- 113 new homes serving a mix of incomes (30%, 50%, 60% AMI)
  - Average affordability ~49% AMI
- Large share of homes set aside for families in 2, 3, and 4-bedroom apartments (68%)
- FamilyWorks will provide on-site services
- Childcare

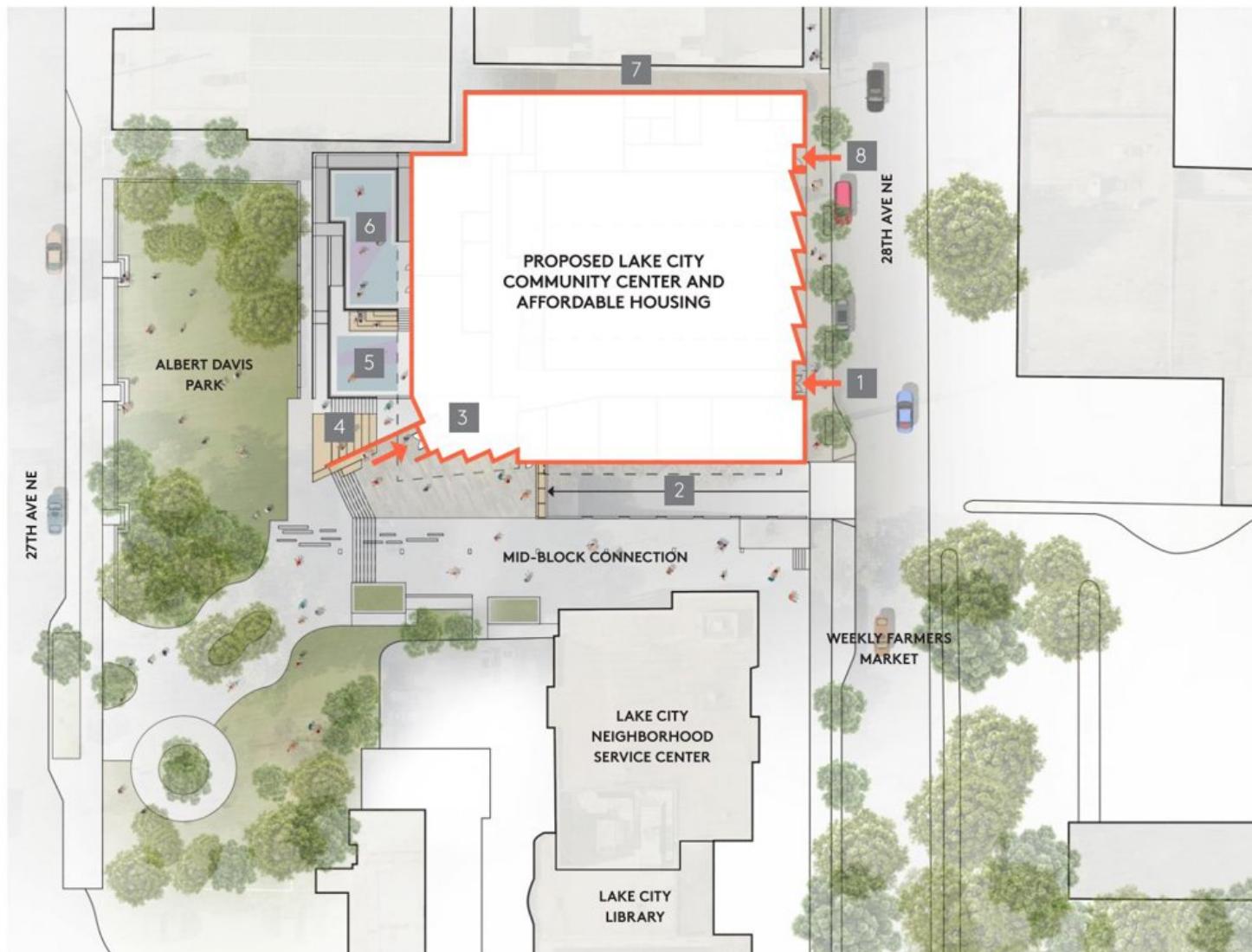


**City of Seattle**

VIEW FROM 28TH AVENUE NE



# Proposed Site Plan



## KEYNOTES

- 1 COMMUNITY CENTER MAIN ENTRY
- 2 EXISTING PARKING RAMP
- 3 COMMUNITY CENTER ENTRY
- 4 COMMUNITY CENTER TERRACE
- 5 NEW PARK PLAYGROUND
- 6 COMMUNITY CENTER CHILDCARE PLAY AREA
- 7 BUILDING SERVICE ACCESS
- 8 AFFORDABLE HOUSING ENTRY



# Project Timeline

Predevelopment  
(Q1 2025 - Q2 2027)

- Rezoning, design and permitting
- Securing financing
- Community engagement (SPR & DON)

Project Completion  
(Q1 2029)

- Lease up of homes
- Community center opens

Construction  
(Q2 2027 - Q4 2028)



**City of Seattle**

# Next Steps

## Rezone Process:

- Public Hearing – anticipated September 3, 2025
- Full Council Vote – tentatively September 9, 2025

## Lake City Community Center Redevelopment:

- Future entitlement process, including permits
- Next year: Council approval needed on future agreements i.e., ground lease, purchase and sale agreement, condo documents, etc.



**City of Seattle**

# Lake City Area Rezone & Community Center Redevelopment

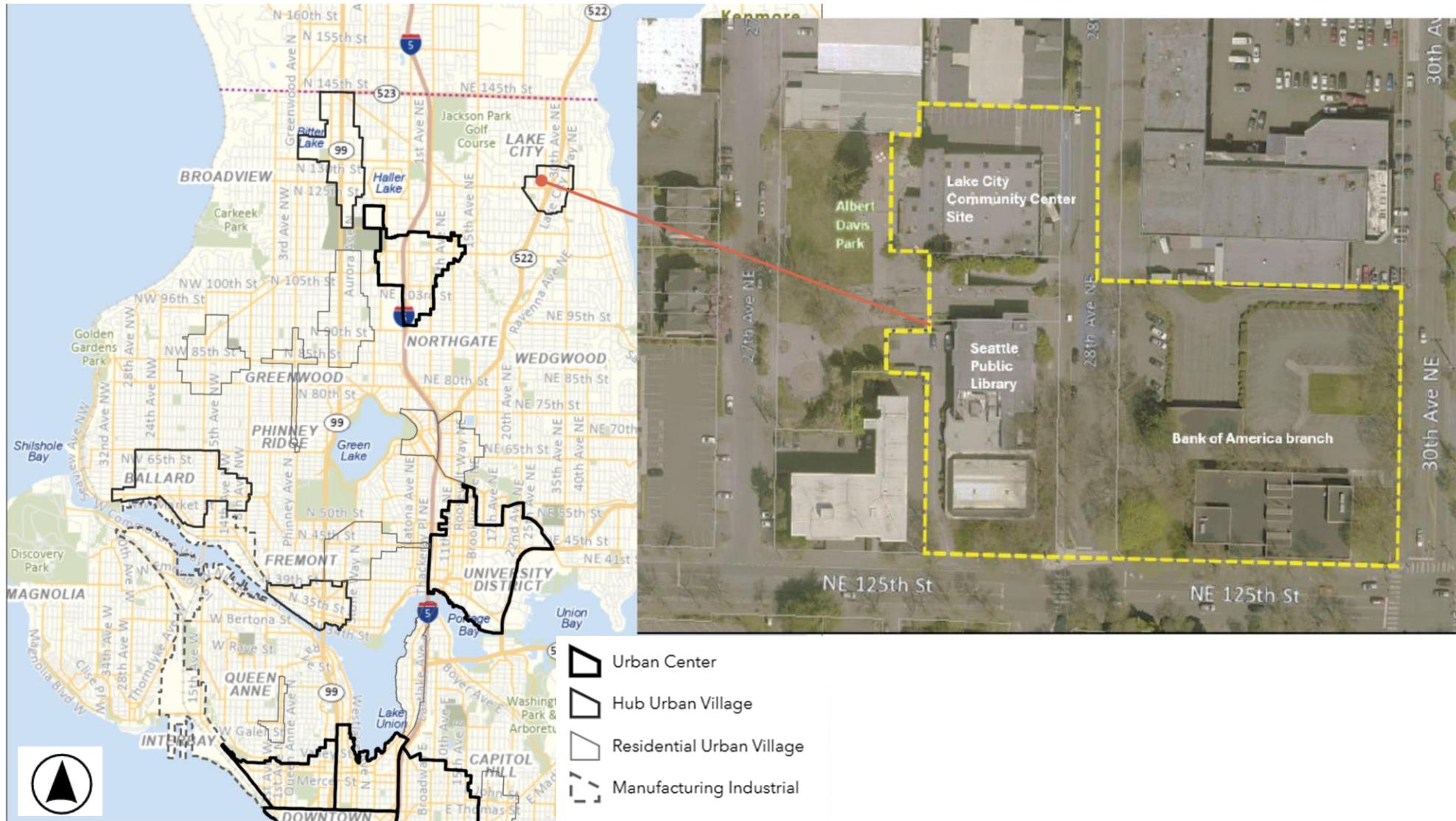
Land Use Committee Public Hearing  
September 3, 2025

# Purpose

Staff will present rezone proposal on select parcels in Lake City, which will help facilitate future infill development potential, including on City-owned property.

# General Location and Vicinity Map -

## Lake City Rezone Area



# Proposed Rezone in Lake City

# Rezone area

- Collection of 4 parcels (totaling 3 acres) rezoned to NC2-85 and NC3-85.
- Three (3) of the parcels are City-owned (SPR, FAS, SPL) and one (1) is privately owned by Bank of America (BoA).
- For the SPR parcel, this proposal only seeks to rezone the area that will be redeveloped, excluding Albert Davis Park.
- Proposed rezone area allows for clean transitions from abutting land uses/zoning, and opportunities for future infill development, including on BoA site.



## Overview

- Meets area-wide rezone criteria
- Unifies proposed zoning heights at 85'
- Rectifies split zoned parcel
- Provides for infill development opportunity, including existing Lake City Community Center site
- Maintains transitions from NC-95 to NC-55 (east to west)

### Proposed Rezone



Rezone area

Map prepared by  
OPCD, June 2025



City of Seattle 266

# **Lake City Community Center Redevelopment**

# Mercy Housing selected to redevelop site

- New community center on first two floors with housing above
- 113 new homes serving low-income Seattleites (with incomes of 30%, 50%, 60% of AMI)
- Large share of homes set aside for families in 2, 3, and 4-bedroom apartments (68%)
- FamilyWorks will provide on-site services
- Childcare



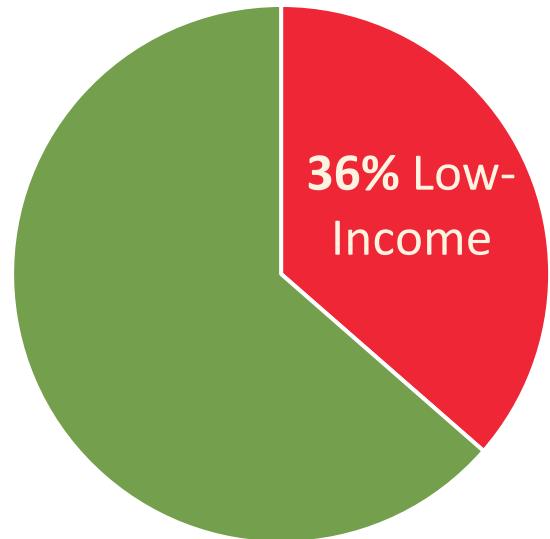
# What does 'low income' mean?

**Area Median Income (AMI)** is a measure established by HUD, used to determine eligibility for various human services and housing.

- **Low-income** households make less than 80% AMI
- **Very low-income** households make less than 50% AMI
- **Extremely low-income** households make less than 30% AMI

**Over 1/3 of Seattle households are low-income.**

Percentage of low-income households in Seattle



Source: US Department of HUD, CHAS 2015-2019, ACS 5-Year Estimates, Seattle

# Who is likely to live in affordable housing?



**Richie and Renee are expecting a baby. They'd like a 2-bedroom but are struggling to afford market rent.**

Richie, Grocery clerk: \$43,180  
Renee, Barista: \$39,020  
Household income: \$82,200

**Affordable monthly rent: \$2,055**

As a 3-person household, their household income is just below 60% AMI.

**60% 2BR rent limit = \$2,121**

# Proposed rents and income limits

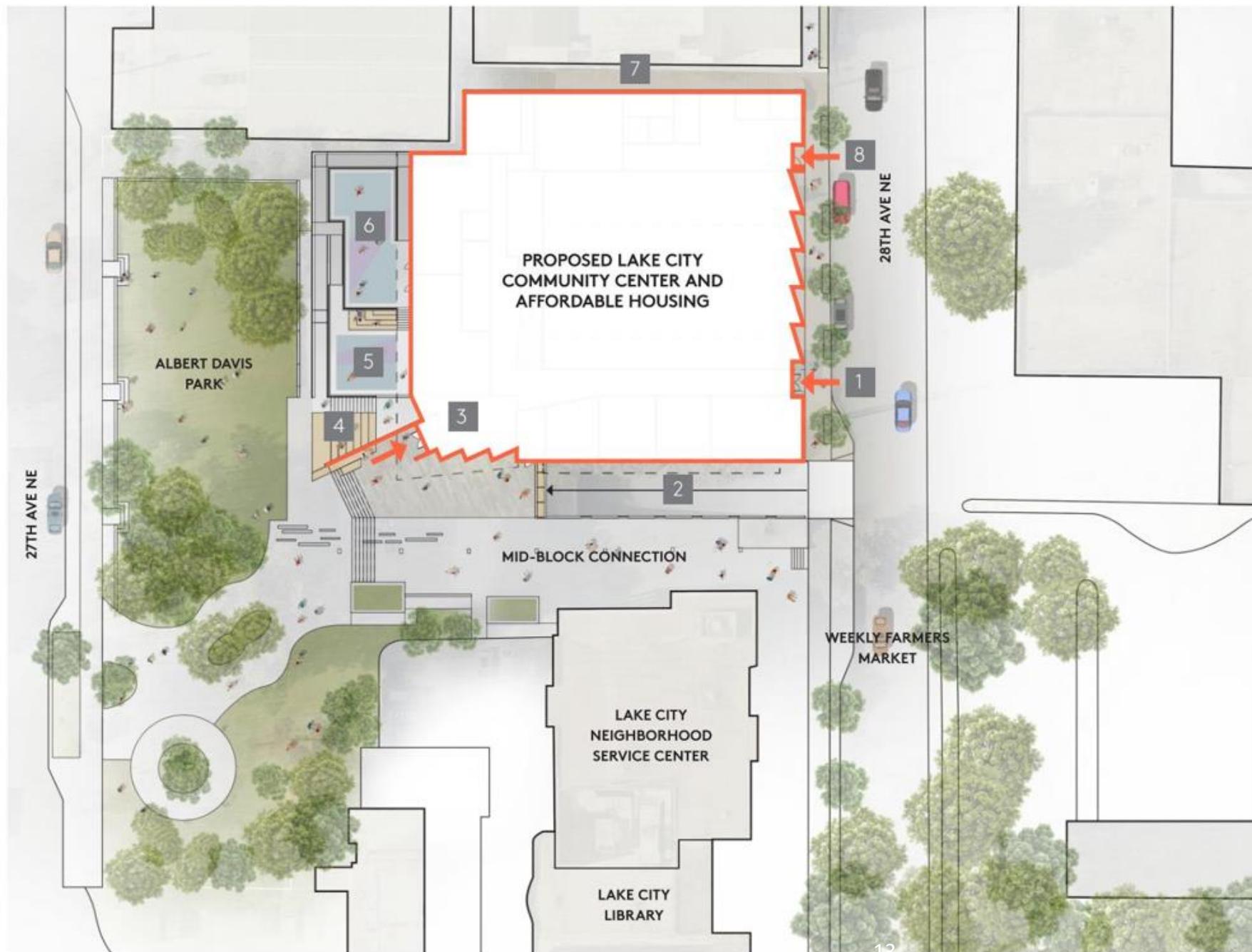
Bedrooms	30% AMI Rent	50% AMI Rent	60% AMI Rent
1-BR	\$883	\$1,473	\$1,767
2-BR	\$1,060	\$1,767	\$2,121
3- BR	\$1,225	\$2,042	\$2,451
4-BR	\$1,367	\$2,274	\$2,730
Household Size	30% AMI Income Limit	50% AMI Income Limit	60% AMI Income Limit
1 Person	\$33,000	\$55,000	\$66,000
2 People	\$37,710	\$62,850	\$75,420
3 People	\$42,420	\$70,700	\$84,840
4 People	\$47,130	\$78,550	\$94,260

[2025 Seattle Office of Housing Income and Rent Limits](#)

## VIEW FROM 28TH AVENUE NE



# Proposed Site Plan



## KEYNOTES

- 1 COMMUNITY CENTER MAIN ENTRY
- 2 EXISTING PARKING RAMP
- 3 COMMUNITY CENTER ENTRY
- 4 COMMUNITY CENTER TERRACE
- 5 NEW PARK PLAYGROUND
- 6 COMMUNITY CENTER CHILDCARE PLAY AREA
- 7 BUILDING SERVICE ACCESS
- 8 AFFORDABLE HOUSING ENTRY



# Project Timeline

## Predevelopment

(Q1 2025 - Q2 2027)



- Rezoning, design and permitting
- Securing financing
- Community engagement (SPR & DON)

## Construction

(Q2 2027 - Q4 2028)

## Project Completion

(Q1 2029)

- Lease up of homes
- Community center opens

# Next Steps

## Rezone Process:

- Full Council Vote – *tentatively* September 9, 2025

## Lake City Community Center Redevelopment:

- Future entitlement process, including permits
- Next year: Council approval needed on future agreements i.e., ground lease, purchase and sale agreement, condo documents, etc.