

Chapter 23.67
SOUTHEAST SEATTLE REINVESTMENT AREA

Sections:

- 23.67.010 Purpose and intent.**
23.67.020 Establishment of Southeast Seattle Reinvestment Area (SESRA).
23.67.030 Application of regulations.
23.67.040 Southeast Seattle Reinvestment Area—Rezoning for boundary changes.
23.67.050 Use restrictions—Prohibited uses.
23.67.060 Public notice requirements for rezoning applications.

23.67.010 Purpose and intent.

The purpose of this chapter is to implement the Southeast Seattle Reinvestment Area Policy, Resolution 28401 and adopted Land Use Policies by creating a Southeast Seattle Reinvestment Area (SESRA). The intent is to promote community revitalization and investment, and to encourage development which supports business activity and provides employment opportunities and needed services to the residents of Southeast Seattle.
(Ord. 116145 § 3(part), 1992.)

23.67.020 Establishment of Southeast Seattle Reinvestment Area (SESRA).

There is established, pursuant to Chapter 23.59 of the Seattle Municipal Code, an overlay district known as the Southeast Seattle Reinvestment Area (SESRA) as shown on the Official Land Use Map, Chapter 23.32.
(Ord. 118414 § 48, 1996; Ord. 116145 § 3(part), 1992.)

23.67.030 Application of regulations.

All property within the SESRA boundaries shall be subject to both the requirements of its zone classification and to the requirements of this chapter. In the event of conflict between this chapter and underlying zone requirements, the requirements of this chapter shall prevail.
(Ord. 116145 § 3(part), 1992.)

23.67.040 Southeast Seattle Reinvestment Area—Rezoning for boundary changes.

A. A rezoning pursuant to Chapter 23.34 shall be required to change the established boundaries of the SESRA or to rezone property within the SESRA. A rezoning shall be subject to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

B. SESRA Boundaries.

1. Areas to be included within the SESRA boundaries shall demonstrate all of the following characteristics:

a. An existing concentration of commercial activity or commercial activity and vacant land which ab-

uts Rainier Avenue South or Martin Luther King, Jr. Way South; or has access to these arterials without going through residential zones;

b. Adequate existing infrastructure or improvements are being planned to accommodate increased development; and

c. Adequate buffers or transition areas that can reduce impacts to adjacent residential or otherwise less intensively zoned areas.

2. In addition to the above criteria, one (1) or more of the following conditions shall be met:

a. The area contains vacant land, or vacant or dilapidated structures, parking or open storage uses and is abutting or across the street or alley from an existing concentration of commercial activity; or

b. The area is identified by the City as a Business Improvement Area; or

c. The area is targeted for Federal or State economic development funds; or

d. The area can provide opportunities for expansion of existing businesses or location of new business enterprises within an existing commercial node; or

e. The area has the potential to strengthen or reinforce a concentration of retail activity, personal services, employment centers or business incubators.

C. Rezone Criteria for Property Within SESRA. A rezoning within the boundaries of the SESRA shall be subject to the general rezoning criteria of Chapter 23.34 and the locational criteria for the proposed classifications. In addition, the criteria contained in this section shall also apply. No single location shall be expected to meet all criteria, nor shall the criteria be ranked in order of importance. Specific conditions may be established as part of the rezoning process to ensure negative impacts on the area and its surroundings are mitigated.

1. The proposed designation shall strengthen and reinforce existing commercial nodes, and encourage the development and retention of businesses while retaining or providing adequate buffers between commercial and residential areas; or

2. The proposed designation shall enhance the vitality of business activity according to the following:

a. Increase and enhance pedestrian activity, thereby increasing property surveillance and public safety, and

b. Enable an established business to expand rather than relocate outside the Rainier Valley or increase employment and job training opportunities for residents of the surrounding area or

c. Increase retail, entertainment, or personal services for residents of the surrounding area, or

d. Encourage development on land which is vacant or contains abated or dilapidated buildings, or

e. Increase recreational opportunities in Southeast Seattle.

(Ord. 120691 § 20, 2001; Ord. 116145 § 3(part), 1992.)

For current SMC, contact
the Office of the City Clerk

23.67.050 Use restrictions—Prohibited uses.

A. Whether a use is permitted outright, or as a conditional use, or whether a use is prohibited shall be governed by the provisions of the underlying zone; provided that in addition to uses prohibited by the underlying zone, the following principal uses shall be prohibited throughout the Southeast Seattle Reinvestment Area:

1. Outdoor storage (accessory outdoor storage permitted);
2. Animal control shelters;
3. Helistops;
4. Heliports;
5. Adult motion picture theaters;
6. Adult panorams;
7. Salvage yards;
8. Recycling centers;
9. Work release centers;
10. Construction services;
11. Towing services.

(Ord. 116145 § 3(part), 1992.)

23.67.060 Public notice requirements for rezone applications.

In addition to the notice requirements for Type IV re-zones contained in Chapter 23.76, public notice shall also be provided by publishing the notice of application in at least one (1) community newspaper in the area affected by the proposal.

(Ord. 116145 § 3(part), 1992.)

Chapter 23.69

MAJOR INSTITUTION OVERLAY DISTRICT

Sections:

Subchapter I Establishment of Overlay District

- 23.69.002 Purpose and intent.**
23.69.004 Major Institution Overlay District established.
23.69.006 Application of regulations.
23.69.007 Definition of development.

Subchapter II Use Provisions

- 23.69.008 Permitted uses.**
23.69.012 Conditional uses.

Subchapter III. (Reserved)

Subchapter IV Development Standards

- 23.69.020 Development standards.**
23.69.021 Signs in Major Institution Overlay Districts.

Subchapter V Uses Outside a Major Institution Overlay District

- 23.69.022 Uses permitted within 2,500 feet of a Major Institution Overlay District.**
23.69.023 Major Institution acquisition, merger or consolidation.

Subchapter VI Procedures

Part 1 Major Institution Designation

- 23.69.024 Major Institution designation.**

Part 2 Major Institution Master Plan

- 23.69.025 Intent of Major Institution master plans.**
23.69.026 Determination to prepare a master plan.
23.69.028 Major Institution master plan—General provisions.
23.69.030 Contents of a master plan.
23.69.032 Master plan process.
23.69.033 Approval of master use permits prior to master plan adoption.
23.69.034 Effect of master plan adoption.
23.69.035 Changes to a master plan.
23.69.036 Master plan renewal.

Subchapter I Establishment of Overlay District

23.69.002 Purpose and intent.

The purpose of this chapter is to regulate Seattle's major educational and medical institutions in order to:

A. Permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;

B. Balance a Major Institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods;

C. Encourage the concentration of Major Institution development on existing campuses, or alternatively, the decentralization of such uses to locations more than two thousand five hundred (2,500) feet from campus boundaries;

D. Provide for the coordinated growth of major institutions through major institution conceptual master plans and the establishment of major institutions overlay zones;

E. Discourage the expansion of established major institution boundaries;

F. Encourage significant community involvement in the development, monitoring, implementation and amendment of major institution master plans, including the establishment of citizen's advisory committees containing community and major institution representatives;

**For current SMC, contact
the Office of the City Clerk**

G. Locate new institutions in areas where such activities are compatible with the surrounding land uses and where the impacts associated with existing and future development can be appropriately mitigated;

H. Accommodate the changing needs of major institutions, provide flexibility for development and encourage a high quality environment through modifications of use restrictions and parking requirements of the underlying zoning;

I. Make the need for appropriate transition primary considerations in determining setbacks. Also setbacks may be appropriate to achieve proper scale, building modulation, or view corridors;

J. Allow an increase to the number of permitted parking spaces only when it is 1) necessary to reduce parking demand on streets in surrounding areas, and 2) compatible with goals to minimize traffic congestion in the area;

K. Use the TMP to reduce the number of vehicle trips to the major institution, minimize the adverse impacts of traffic on the streets surrounding the institution, minimize demand for parking on nearby streets, especially residential streets, and minimize the adverse impacts of institution-related parking on nearby streets. To meet these objectives, seek to reduce the number of SOVs used by employees and students at peak time and destined for the campus;

L. Through the master plan: 1) give clear guidelines and development standards on which the major institutions can rely for long-term planning and development; 2) provide the neighborhood advance notice of the development plans of the major institution; 3) allow the city to anticipate and plan for public capital or programmatic actions that will be needed to accommodate development; and 4) provide the basis for determining appropriate mitigating actions to avoid or reduce adverse impacts from major institution growth; and

M. Encourage the preservation, restoration and reuse of designated historic buildings.
(Ord. 120691 § 21, 2001; Ord. 117929 § 8, 1995; Ord. 115002 § 23(part), 1990.)

23.69.004 Major Institution Overlay District established.

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Major Institution Overlay District, which shall overlay each Major Institution designated according to the provisions of Section 23.69.024. All land within the Major Institution Overlay (MIO) District shall be designated with one (1) of the following height limits as shown on the Official Land Use Map, Chapter 23.32:

Designation	Height Limit
MIO-37	37 feet
MIO-50	50 feet
MIO-65	65 feet

Designation

MIO-70	70 feet
MIO-90	90 feet
MIO-105	105 feet
MIO-160	160 feet
MIO-200	200 feet
MIO-240	240 feet

Height Limit

(Ord. 118414 § 50, 1996; Ord. 115002 § 23(part), 1990.)

23.69.006 Application of regulations.

A. All land located within the Major Institution Overlay District shall be subject to the regulations and requirements of the underlying zone unless specifically modified by this chapter or an adopted master plan. In the event of irreconcilable differences between the provisions of this chapter and the underlying zoning regulations, the provisions of this chapter shall apply.

B. For the University of Washington, notwithstanding subsection A of this section above, the 1998 agreement between The City of Seattle and the University of Washington, or its successor, shall govern relations between the City and the University of Washington, the master plan process (formulation, approval and amendment), uses on campus, uses outside the campus boundaries, off-campus land acquisition and leasing, membership responsibilities of CUCAC, transportation policies, coordinated traffic planning for special events, permit acquisition and conditioning, relationship of current and future master plans to the agreement, zoning and environmental review authority, resolution of disputes, and amendment or termination of the agreement itself. Within the Major Institution Overlay (MIO) Boundaries for the University of Washington, development standards of the underlying zoning may be modified by an adopted master plan, or by an amendment or replacement of the 1998 agreement between the City of Seattle and University of Washington.
(Ord. 120691 § 22, 2001; Ord. 118981 § 3, 1998; Ord. 115002 § 23(part), 1990.)

23.69.007 Definition of development.

A. "development" is the establishment of any new Major Institution use or the expansion of an existing Major Institution use, the relocation of an existing Major Institution use for a period of at least one (1) year, or the vacation of streets for such uses.
(Ord. 115002 § 23(part), 1990.)

Subchapter II Use Provisions

23.69.008 Permitted uses.

A. All uses that are functionally integrated with, or substantively related to, the central mission of a Major Institution or that primarily and directly serve the users of an institution shall be defined as Major Institution uses and shall be permitted in the Major Institution Overlay (MIO) District. Major Institution uses shall be permitted either

For current SMC, contact
the Office of the City Clerk

outright or as conditional uses according to the provisions of Section 23.69.012. Permitted Major Institution uses shall not be limited to those uses which are owned or operated by the Major Institution.

B. The following characteristics shall be among those used by the Director to determine whether a use is functionally integrated with, or substantively related to, the central mission of the Major Institution. No one (1) of these characteristics shall be determinative:

1. Functional contractual association;
2. Programmatic integration;
3. Direct physical circulation/access connections;
4. Shared facilities or staff;
5. Degree of interdependence;
6. Similar or common functions, services, or products.

C. Major Institution uses shall be subject to the following:

1. Major Institution uses which are determined to be heavy traffic generators or major noise generators shall be located away from abutting residential zones;

2. Uses which require the presence of a hazardous chemical, extremely hazardous substance or toxic chemical that is required to be reported under Title III of the Superfund Amendments and Reauthorization Act of 1986 or its associated regulations, shall be reviewed by the Director. The Director shall consult with the Seattle-King County Department of Public Health and The City of Seattle Fire Department.

Based on this consultation and review, the Director may prohibit the use, or impose conditions regulating the amount and type of such materials allowed on-site, or the procedures to be used in handling hazardous or toxic materials;

3. Where the underlying zone is commercial, uses at street level shall complement uses in the surrounding commercial area and be located in a manner which provides continuity to the commercial street front. Where the underlying zoning is a pedestrian-designated zone, the regulations of Section 23.47.042 governing required street level uses shall apply.

D. When a use is determined to be a Major Institution use, it shall be located in the same MIO District as the Major Institution with which it is functionally integrated, or to which it is related, or the users of which it primarily and directly serves. To locate outside but within two thousand five hundred (2,500) feet of that MIO District, a Major Institution use shall be subject to the provisions of Section 23.69.022.

E. Major Institution uses, outside of, but within two thousand five hundred (2,500) feet of the boundary of the MIO District, which were legally established as of January 1, 1989 and are located on sites which are not contiguous with the MIO District shall be permitted uses in the zone in which they are located when:

1. The use is located on a lot which was contained within the boundary of an MIO District as it existed on May 2, 1990; or

2. The site was deleted from the MIO District by master plan amendment or renewal according to the provisions of Sections 23.69.035 and 23.69.036.

F. Uses other than those permitted under subsections A and B of this section shall be subject to the use provisions and development standards of the underlying zone. (Ord. 118362 § 10, 1996; Ord. 115002 § 23(part), 1990.)

23.69.012 Conditional uses.

A. All conditional uses shall be subject to the following:

1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

2. The benefits to the public of the use shall outweigh the negative impacts of the use.

3. In authorizing a conditional use, adverse impacts may be mitigated by imposing conditions such as landscaping and screening, vehicular access controls and any other measures needed to mitigate adverse impacts on other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.

B. Administrative Conditional Uses.

1. Development otherwise requiring preparation of a master plan may be permitted by the Director as an administrative conditional use according to the standards of Section 23.69.033.

2. In considering an application for a conditional use, the Director's decision shall be based on the following criteria:

- a. Parking areas and facilities, trash and refuse storage areas, ventilating mechanisms and other noise-generating or odor-generating equipment, fixtures or facilities shall be located so as to minimize noise and odor impacts on the surrounding area. The Director may require measures such as landscaping, sound barriers, fences, mounding or berming, adjustments to parking location or setback development standards, design modification, limits on hours of operation or other similar measures to mitigate impacts; and

- b. Required landscaping shall be compatible with neighboring properties. Landscaping in addition to that required by the Code may be required to reduce the potential for erosion or excessive stormwater runoff, to minimize coverage of the site by impervious surfaces, to screen parking, or to reduce noise or the appearance of bulk and scale; and

- c. Traffic and parking impacts shall be minimized; and

- d. To reduce the impact of light and glare, exterior lighting shall be shielded or directed away from resi-

dentially zoned properties. The Director may require that the area, intensity, location or angle of illumination be limited.

C. Council Conditional Uses. Helistops, when determined to meet the criteria of Section 23.69.008, may be permitted by the Council as a Council Conditional Use when:

1. The helistop is needed to save lives; and
2. Use of the helistop is restricted to life-threatening emergencies; and
3. The helistop is located so as to minimize impacts on the surrounding area.

The Director's report to the Council shall examine alternative locations for the helistop as identified by the major institution, including sites outside the institution's boundaries, which would accomplish the purpose of the helistop with a lesser impact upon the surrounding area. (Ord. 115043 § 14, 1990; Ord. 115002 § 23(part), 1990.)

Subchapter III. (Reserved)

Subchapter IV Development Standards

23.69.020 Development standards.

A. Major Institution uses shall be subject to the development standards for institutions of the underlying zone in which they are located, except for the dispersion requirements of the underlying zoning for institutions.

B. Development standards for Major Institution uses within the Major Institution Overlay District, except the provisions of Chapter 23.52, may be modified through adoption of a Major Institution Master Plan according to the provisions established in Subchapter VI, Part 2 of this chapter.

C. Maximum structure heights for structures containing Major Institution uses may be allowed up to the limits established pursuant to Section 23.69.004 through the adoption of a master plan for the Major Institution. A rezone shall be required to increase maximum structure height limits above levels established pursuant to Section 23.69.004.

D. The demolition of structures containing residential uses which are not Major Institution uses shall be prohibited if the demolition is intended to provide a parking lot or structure to accommodate nonrequired parking or to reduce a parking deficit.

E. When a pedestrian designation in a commercial zone occurs along a boundary or within a campus, the blank facade standards of the underlying zoning shall apply. (Ord. 117383 § 10, 1994; Ord. 115002 § 23(part), 1990.)

23.69.021 Signs in Major Institution Overlay Districts.

A. General Standards.

1. Signs shall be stationary and shall not rotate.

2. No flashing, changing-image, message board signs or signs using video display methods, except as permitted as defined in Section 23.55.005, Video display methods, shall be permitted.

3. Signs may be electric, externally illuminated, or nonilluminated.

B. The following signs shall be permitted in all Major Institution overlay districts, regardless of the facing zone:

1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding sixty-four (64) square inches in area;

2. Memorial signs or tablets, and the names of buildings and dates of building erection when cut into a masonry surface or constructed of bronze or other non-combustible materials;

3. Signs for public facilities indicating danger and/or providing service or safety information;

4. Properly displayed national, state and institutional flags.

C. Signs across a street, alley or easement from a residential zone, and signs which face an abutting lot in a residential zone, shall meet the following standards:

1. Sign area shall be limited to:

- a. Thirty-five (35) square feet per sign face for main entrance signs;

- b. Such size as is necessary for emergency entrance signs to be clearly visible; and

- c. Twenty (20) square feet per sign face for all other signs.

2. The number of signs permitted shall be as follows:

- a. One (1) identifying sign for each use per street frontage; plus

- b. One (1) sign for each entrance to the institution; plus

- c. Emergency entrance and directional signs as necessary.

3. Pole, ground, roof, wall, marquee, under-marquee, projecting or combination signs shall be permitted.

4. The maximum height of any portion of a pole sign shall be twelve (12) feet.

5. No portion of a roof sign shall:

- a. Extend beyond the height limit of the overlay district;

- b. Exceed a height above the roof in excess of the height of the structure on which the sign is located; or

- c. Exceed a height of thirty (30) feet above the roof, measured from a point on the roofline directly below the sign or from the nearest adjacent parapet.

D. Signs across from nonresidential zones shall have no area, type or number limitations.

E. Off-premises signs shall not be permitted, except for sign kiosks.

(Ord. 120466 § 9, 2001; Ord. 120388 § 14, 2001; Ord. 118362 § 13, 1996; Ord. 115165 § 12, 1990.)

For current SMC, contact
the Office of the City Clerk

**Subchapter V Uses Outside a Major Institution
Overlay District**

**23.69.022 Uses permitted within 2,500 feet of a
Major Institution Overlay District.**

A. A Major Institution shall be permitted to lease space, or otherwise locate a use outside a Major Institution Overlay (MIO) District, and within two thousand five hundred (2,500) feet of the MIO District boundary, subject to the following limitations:

1. The provisions of this section shall not apply to contractual arrangements with other entities, except for leases or other agreements for occupying space.

2. No such use shall be allowed at the street-level in a commercial zone, unless the use is determined to be similar to a personal and household retail sales and service use, eating and drinking establishment, customer service office, entertainment use or child care center and is allowed in the zone. If the use is allowed in the zone but is determined not to be similar to a personal and household retail sales and service use, eating and drinking establishment, customer service office, entertainment use or child care center, the Director may not allow the use at street level in a commercial zone unless provided otherwise in an adopted master plan or in a Council-approved neighborhood;

3. Except as permitted in an adopted master plan, the use shall not result in the demolition of a structure(s) that contains a residential use nor shall it change a residential use to a nonresidential use; and

4. The use(s) shall conform to the use and development standards of the applicable zone; and

5. The use shall be included in the Major Institution's approved Transportation Management Program if it contains students or employees of the Major Institution; and

6. If a Master Use Permit is required for the use, the Director shall notify the Advisory Committee of the pending permit application and the committee shall be given the opportunity to comment on the impacts of the proposed use.

B. A medical service use that is over ten thousand (10,000) square feet shall be permitted to locate within two thousand five hundred (2,500) feet of a medical MIO District only as an administrative conditional use subject to the conditional use requirements of Section 23.47.006 B8 or Section 23.50.014 B13.

C. A Major Institution that leases space or otherwise locates a use in a Downtown zone shall not be subject to the limitations established in subsections A or B of this section, except that subsection A3 and A4 shall apply. (Ord. 118362 § 15, 1996; Ord. 115165 § 3, 1990; Ord. 115043 § 15, 1990; Ord. 115002 § 23(part), 1990.)

**23.69.023 Major Institution acquisition, merger
or consolidation.**

A. Notwithstanding any other provisions of Title 23, one (1) Major Institution may acquire, merge with, or otherwise consolidate with, another Major Institution.

B. Within ten (10) days of the acquisition, merger or consolidation, the new/surviving Major Institution shall notify the Director of the acquisition, merger or consolidation and the name of the new/surviving Major Institution. Upon receiving this notice, the Director shall adjust the Official Land Use Map to reflect a single, combined Major Institution Overlay (MIO) District, with the single name of the new/surviving Major Institution, but only if the two institutions are contiguous. The entire MIO District of each Major Institution shall be included in the single, combined MIO District.

C. When the determination to prepare a master plan is made pursuant to Section 23.69.026 and after acquisition, merger or consolidation, the new/surviving institution shall prepare the master plan according to the following:

1. If the two former institutions were not contiguous, the new/surviving institution has the option of preparing a joint master plan for both contiguous portions of the Major Institution or a separate master plan for the contiguous portion of the Major Institution for which the master plan requirement is triggered.

2. If the two former institutions were contiguous, the new/surviving institution must prepare a master plan for the single, combined Major Institution.

(Ord. 118362 § 16, 1996; Ord. 116744 § 55, 1993; Ord. 115165 § 4, 1990.)

Subchapter VI Procedures

Part 1 Major Institution Designation

23.69.024 Major Institution designation.

A. Major Institution designation shall apply to all institutions which conform to the definition of Major Institution.

B. New Major Institutions.

1. When a medical or educational institution makes application for new development, or when a medical or educational institution applies for designation as a Major Institution, the Director shall determine whether the institution meets, or would meet upon completion of the proposed development, the definition of a Major Institution in Section 23.84.025. Measurement of an institution's site or gross floor area in order to determine whether it meets minimum standards for Major Institution designation shall be according to the provisions of Section 23.86.036.

2. If the Director determines that Major Institution designation is required, the Director shall not issue any permit that would result in an increase in area of Major Institution uses until the institution is designated a Ma-

Seattle Municipal Code
December 2019 Code update file
Text of the 2019 Code update file is for informational purposes only.
See the complete text of the 2019 Code update file on the City Clerk's website or
and this is not a complete text of the 2019 Code update file.

major Institution, a Major Institution Overlay District is established, and a master plan is prepared according to the provisions of Part 2, Major Institution Master Plan.

3. The Director's determination that an application for a Major Institution designation is required shall be made in the form of an interpretation and shall be subject to the procedures of Section 23.88.020.

4. The procedures for designation of a Major Institution shall be as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The Council shall grant or deny the request for Major Institution designation by resolution.

5. When the Council designates a new Major Institution, a Major Institution Overlay District shall be established by ordinance according to the procedures for amendments to the Official Land Use Map (rezones) in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

6. A new Major Institution Overlay District shall not be established and a Major Institution Overlay District Boundary shall not be expanded in Single-family or Industrial zones.

7. Boundaries of a Major Institution Overlay District and maximum height limits shall be established or amended in accordance with the rezone criteria contained in Section 23.34.124, and the purpose and intent of this chapter as described in Section 23.69.006, except that acquisition, merger or consolidation involving two (2) Major Institutions shall be governed by the provisions of Section 23.69.023.

C. The MIO district designation, including height limits and master plan provisions when one has been adopted, shall be revoked for an institution which no longer meets the definition of a Major Institution. The applicable zoning provisions shall be the provisions of the existing underlying zoning classification. When an MIO district designation of an institution is to be revoked, the City may consider rezoning the institution campus. Upon determination that an institution no longer meets the definition of a Major Institution, the Director shall notify the Council. The revocation of a Major Institution designation shall be subject to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, for Major Institution designation and revocation.

(Ord. 120691 § 23, 2001; Ord. 115165 § 6, 1990; Ord. 115002 § 23(part), 1990.)

Part 2 Major Institution Master Plan

23.69.025 Intent of Major Institution master plans.

The intent of the Major Institution Master Plan shall be to balance the needs of the Major Institutions to develop facilities for the provision of health care or educational

services with the need to minimize the impact of Major Institution development on surrounding neighborhoods. (Ord. 115002 § 23(part), 1990.)

23.69.026 Determination to prepare a master plan.

A. Any Major Institution may elect to prepare a master plan.

B. A Major Institution without an adopted master plan or with a master plan that includes an expiration date and that was adopted under Code provisions prior to the 1996 Major Institutions Ordinance shall be required to prepare a master plan in the following circumstances:

1. The establishment of a new Major Institution Overlay (MIO) District is required according to Section 23.69.024; or

2. Expansion of an MIO District boundary or change in a MIO District height designation is proposed; or

3. An application is filed for a structure containing Major Institution use(s) that is located within the MIO District and would exceed the development standards of the underlying zone and is not permitted under an existing master plan, provided other means of modifying development standards that apply to similar uses located in the zone may also be sought; or

4. A Major Institution proposes to demolish or change the use of a residential structure inside the boundaries of an MIO District, provided that a master plan need not be prepared when:

a. The use is changed to housing for the institution, or

b. Not more than two (2) structures containing not more than a total of four (4) dwelling units are demolished or changed to a nonresidential use within a two (2) year period and are replaced in the general vicinity by the same number of dwelling units.

C. A Major Institution with an adopted master plan that is not subject to subsection B of this section shall be required to prepare a new master plan in the following circumstances:

1. The Major Institution proposes to increase the total amount of gross floor area allowed or the total number of parking spaces allowed within the MIO District; or

2. A master plan has been in effect for at least ten (10) years and the institution proposes to expand the MIO District boundaries; or

3. A master plan has been in effect for at least ten (10) years and the institution proposes an amendment to the master plan that is determined to be major according to the provisions of Section 23.69.035, and the Director determines that conditions have changed significantly in the neighborhood surrounding the Major Institution since the master plan was adopted.

For current SMC, contact
the Office of the City Clerk

D. A master plan shall not be required for replacement of existing structures where the replacement structure:

1. Would be located on the same lot; and
2. Would not contain uses which would require a change of use and which the Director determines would not result in an increase in adverse impacts on the surrounding area; and
3. Would not exceed the height of the existing structure; and
4. Would not represent a significant increase in bulk over the existing structure; and
5. Would not represent a significant increase in gross floor area over the existing structure; and
6. Would not significantly reduce existing open area or landscaping.

E. If an institution proposes a major amendment of unusual complexity or size, the Advisory Committee may recommend, and the Director may require, that the institution develop a new master plan.

F. The Director shall determine whether a master plan is required. The Director's determination shall be final and shall not be subject to an interpretation or appeal. (Ord. 118362 § 17, 1996; Ord. 115165 § 7, 1990; Ord. 115002 § 23(part), 1990.)

23.69.028 Major Institution master plan— General provisions.

A. A master plan may modify the following:

1. Any development standard of the underlying zone, including structure height up to the limit established by the Major Institution Overlay (MIO) District;
2. Limits on housing demolition or conversion within the boundaries of the MIO District;
3. Limits on Major Institution uses at street level outside, but within two thousand five hundred feet (2,500') of, a MIO District Boundary;
4. Single-occupancy vehicle goals and maximum parking limitations.

B. Except as provided in Section 23.69.033, an application for a permit for development which requires preparation of a master plan shall not be approved prior to adoption of the master plan by the Council.

C. Changes to the boundaries of the MIO District or to a MIO District height limit shall require a rezone in addition to adoption of a master plan or major amendment, except that a boundary adjustment caused by the acquisition, merger or consolidation of two (2) contiguous Major Institutions shall be governed by the provisions of Section 23.69.023.

(Ord. 118362 § 18, 1996; Ord. 115165 § 8, 1990; Ord. 115002 § 23(part), 1990.)

23.69.030 Contents of a master plan.

A. The master plan is a conceptual plan for a Major Institution consisting of three (3) components: the development standards component, the development program

component and the transportation management program component.

B. The development standards component in an adopted master plan shall become the applicable regulations for physical development of Major Institution uses within the MIO District and shall supersede the development standards of the underlying zone. Where standards established in the underlying zone have not been modified by the master plan, the underlying zone standards shall continue to apply. Proposed development standards shall be reviewed according to the criteria contained in Section 23.69.032 E, Draft Report and Recommendation of the Director. The development standards component may be changed only through a master plan amendment.

C. The development standards component of a master plan shall include the following:

1. Existing underlying zoning of the area within the boundaries of the MIO District. If a change to the underlying zoning is proposed, the master plan shall identify the proposed zone(s), and the master plan shall be subject to rezone approval according to the procedures of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions; and

2. If modifications to the underlying zone development standards are proposed, the proposed modifications and reasons for the proposed modifications or for special standards tailored to the specific institution; and

3. Standards in the master plan shall be defined for the following:

- a. Structure setbacks along public rights-of-way and at the boundary of the MIO District. In no case shall any setback be less than is required in the underlying zone or by setback requirements applicable to structures on abutting lots or structures directly across a street or alley from a structure in the MIO District, whichever is greater,

- b. Height limits as provided for in Section 23.69.004,

- c. Lot coverage for the entire MIO District,

- d. Landscaping,

- e. Percentage of MIO District to remain in open space; and

4. The Major Institution may choose or the Director may require the Major Institution to address the following:

- a. Transition in height and scale between development within the MIO District and development in the surrounding area,

- b. Width and depth limits for structures or measures by which a reduction in the apparent bulk of a structure may be achieved,

- c. Setbacks between structures which are not located on a public right-of-way or along the boundary of the MIO District,

- d. Preservation of historic structures which are designated on federal, state or local registers,

For current SMC, contact
the Office of the City Clerk

e. View corridors or other specific measures intended to mitigate the impact of Major Institution development on the surrounding area,

f. Pedestrian circulation within and through the MIO District.

D. The development program component shall include the information set forth in subsection E of this section. With regard to future development, the development program component shall describe planned physical development, defined as development which the Major Institution has definite plans to construct. The development program may describe potential physical development or uses for which the Major Institution's plans are less definite. The development program may be amended according to the provisions of Section 23.69.035 without requiring amendment of the development standards component.

E. The development program component shall include the following:

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

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

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

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

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

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

c. Existing public and private street layout, and

d. Existing and planned parking areas and structures; and

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

6. Three (3) dimensional drawings to illustrate the height, bulk and form of existing and planned physical

development. Information on architectural detailing such as window placement and color and finish materials shall not be required; and

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

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

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

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

11. An analysis of the proposed master plan's consistency with the purpose and intent of this chapter as described in Section 23.69.006; and

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

13. A description of the following shall be provided for informational purposes only. The Advisory Committee, pursuant to Section 23.69.032 D1, may comment on the following but may not subject these elements to negotiation nor shall such review delay consideration of the master plan or the final recommendation to Council:

a. A description of the ways in which the institution will address goals and applicable policies under Education and Employability and Health in the Human Development Element of the Comprehensive Plan, and

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

F. The Transportation Management Program component shall satisfy the requirements of Section 23.54.016. The Transportation Management Program shall include, at a minimum, the following:

1. A description of existing and planned parking, loading and service facilities, and bicycle, pedestrian and traffic circulation systems within the institutional boundaries and the relationship of these facilities and systems to the external street system. This shall include a description of the Major Institution's impact on traffic and parking in the surrounding area; and

2. Specific institutional programs to reduce traffic impacts and to encourage the use of public transit, carpools and other alternatives to single-occupant vehicles.

Any specific agreements with the City for the provision of alternative modes of transportation shall also be included.

G. Environmental information and the master plan may be integrated into one (1) document.

H. Where two (2) or more institutions are located in close proximity to one another, the Director may require their combined land use, traffic and parking impacts on the surrounding area to be evaluated in the master plan for each institution.

(Ord. 120691 § 24, 2001; Ord. 118794 § 42, 1997; Ord. 118362 § 19, 1996; Ord. 115002 § 23(part), 1990.)

23.69.032 Master plan process.

A. Not less than sixty (60) days prior to applying for a master plan, the institution shall file a notice of intent to prepare a master plan with the Director.

B. Formation of a Citizens Advisory Committee.

1. Immediately following submittal of a notice of intent to prepare a master plan, the institution shall initiate the establishment of a Citizens Advisory Committee of at least six (6), but no more than twelve (12) members. In addition, all institutions with adopted master plans shall have a standing Advisory Committee.

2. Where there is more than one (1) Major Institution in the same general area, as determined by the Director, a single Advisory Committee serving more than one (1) institution may be permitted.

3. The institution, in consultation with the Director of the Department of Neighborhoods, shall develop a list of potential members to serve on the Advisory Committee. Groups from which members may be selected for appointment to the advisory committee shall include area community groups, residents, property owners, and business persons; consumer groups using the services of the institution; and any other persons or organizations directly affected by the actions of the institution. One member of the Advisory Committee shall be selected from persons in the area participating in neighborhood planning. One member of the Advisory Committee shall be a general community or citywide organization representative. To the extent possible, members of the Advisory Committee should possess expertise or experience in such areas as neighborhood organization and issues, land use and zoning, architecture or landscape architecture, economic development, building development and educational or medical services. A nonmanagement representative of the institution shall be included.

4. Members of the Advisory Committee shall have no direct economic relationship with the institution except as provided in subsection B3.

5. The Director of the Department of Neighborhoods shall review the list of potential members and recommend to the Council those individuals appropriate to achieve a balanced, independent and representative committee. After the recommendation has been submitted, the Department of Neighborhoods may convene the Advisory

Committee. The Council may confirm the Advisory Committee composition, make changes in the size and/or composition of the Advisory Committee, or remand the matter to the Director of the Department of Neighborhoods for further action. The Council shall establish the final composition of the committee through a memorandum of agreement with the institution, prepared by the Department of Neighborhoods, and adopted by resolution.

6. Four (4) nonvoting, ex-officio members of the Advisory Committee shall represent the Major Institution, the Department of Construction and Land Use, the Department of Neighborhoods and Seattle Transportation.

7. The Committee shall be staffed by the Department of Neighborhoods with the cooperation and assistance of the Major Institution. Technical assistance to the committee shall be provided by the Department of Construction and Land Use, Seattle Transportation and the Department of Neighborhoods.

8. During the master plan review and adoption process, the Council may, in the interest of ensuring representative community participation on the Advisory Committee, amend the size and/or composition of the Advisory Committee.

9. The City-University Community Advisory Committee (CUCAC) shall serve as the Advisory Committee for the University of Washington.

10. The Director of the Department of Neighborhoods shall promulgate rules applicable to advisory committees, including terms of office, selection of chairpersons, and methods of conflict resolution.

C. Application for a Master Plan.

1. Within one hundred twenty (120) days of filing a notice of intent to prepare a master plan, the institution shall submit an application and applicable fees for a master plan. This application shall include an environmental checklist and a concept plan. The requirement for the environmental checklist may be waived if the Director and the Major Institution agree that an Environmental Impact Statement (EIS) will be prepared. The concept plan shall consist of the following:

- a. Proposed institution boundaries; and
- b. A proposed site plan including planned development and an estimate of total gross floor area proposed by the Major Institution; and
- c. Planned uses; and
- d. Any planned street vacations and planned parking location and access; and
- e. A description of alternative proposals for physical development and decentralization options, including a detailed explanation of the reasons for considering each alternative; and
- f. A description of the uses and character of the neighborhood surrounding the major institution and how the Major Institution relates to the surrounding area. This shall include pedestrian connections, physical and visual access to surrounding amenities and services, and the rela-

relationship of the Major Institution to other Major Institution development within two thousand five hundred (2,500) feet of its MIO District boundaries.

2. The Advisory Committee shall review and may submit comments on the concept plan and if there is one, the environmental checklist.

3. After an application for a master plan has been filed, the Director, in consultation with the institution and the Advisory Committee, shall prepare a schedule for the completion of the master plan. The timelines described in this section shall be goals, and shall form the basis for the master plan schedule. The goal of the City Council shall be to make a decision on the master plan within twenty-four (24) months from the date of application.

4. Notice of application for a master plan shall be provided as required by Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

D. Development of Master Plan.

1. The Advisory Committee shall participate directly in the formulation of the master plan from the time of its preliminary concept so that the concerns of the community and the institution are considered. The primary role of the Advisory Committee is to work with the Major Institution and the City to produce a master plan that meets the intent of Section 23.69.025. Advisory Committee comments shall be focused on identifying and mitigating the potential impacts of institutional development on the surrounding community based on the purpose and intent of this chapter as described in Section 23.69.006, and as prescribed in Chapter 25.05, Environmental Policies and Procedures. The Advisory Committee may review and comment on the mission of the institution, the need for the expansion, public benefits resulting from the proposed new development and the way in which the proposed development will serve the public purpose mission of the Major Institution, but these elements are not subject to negotiation nor shall such review delay consideration of the master plan or the final recommendation to Council.

2. The Advisory Committee shall hold open meetings with the institution and City staff to discuss the master plan and resolve differences. The institution shall provide adequate and timely information to the Advisory Committee for its consideration of the content and level of detail of each of the specific elements of the master plan.

3. The threshold determination of need for preparation of an Environmental Impact Statement (EIS) shall be made as required by Chapter 25.05, SEPA Policies and Procedures.

4. If an EIS is required and an institution is the lead agency, it shall initiate a predraft EIS consultation with the Director. The Advisory Committee shall meet to discuss the scope of the document. The Advisory Committee shall submit its comments on the scope of the draft EIS to the lead agency and the Director before the end of the scoping comment period. The lead agency shall prepare a

final scope within one (1) week after the end of the scoping period.

5. The institution shall prepare a preliminary draft master plan within seventy (70) days of completion of the final scope of the EIS.

6. If an EIS is required, the institution or DCLU, whichever is lead agency, shall be responsible for the preparation of a preliminary draft EIS within seventy (70) days of the completion of the final scope, or approval of an EIS consultant contract, whichever is later.

7. The Advisory Committee, Seattle Transportation, the Director, and the institution shall submit comments on the preliminary draft master plan and the preliminary draft EIS to the lead agency within three (3) weeks of receipt, or on the environmental checklist and supplemental studies if an EIS is not required. If DCLU is the lead agency, a compiled list of the comments shall be submitted to the institution within ten (10) days of receipt of the comments.

8. Within three (3) weeks of receipt of the compiled comments, the institution shall review the comments and revise the preliminary draft master plan, if necessary, discussing and evaluating in writing the comments of all parties. The lead agency shall review the comments and be responsible for the revision of the preliminary draft EIS if necessary. If no EIS is required, the lead agency shall review the comments and be responsible for the annotation of the environmental checklist and revisions to any supplemental studies if necessary. Within three (3) weeks after receipt of the revised drafts, the Director shall review the revised drafts and may require further documentation or analysis on the part of the institution. Three (3) additional weeks may be spent revising the drafts for publication.

9. The Director shall publish the draft master plan. If an EIS is required, the lead agency shall publish the draft EIS.

10. The Director and the lead agency shall hold a public hearing on the draft master plan and if an EIS is required, on the draft EIS.

11. The Advisory Committee, Seattle Transportation and the Director shall submit comments on the draft master plan and if an EIS is required, on the draft EIS within six (6) weeks after the issuance of the draft master plan and EIS.

12. Within thirteen (13) weeks after receipt of the comments, the institution shall review the comments on the draft master plan and shall prepare the final master plan.

13. If an EIS is required, the lead agency shall be responsible for the preparation of a preliminary final EIS, following the public hearing and within six (6) weeks after receipt of the comments on the draft EIS. Seattle Transportation, the Director, and the institution shall submit comments on the preliminary final EIS.

For current SMC, contact
the Office of the City Clerk

14. The lead agency shall review the comments on the preliminary final EIS and shall be responsible for the revision of the preliminary final EIS, if necessary. The Director shall review the revised final document and may require further documentation or analysis on the part of the institution.

15. Within seven (7) weeks after preparation of the preliminary final EIS, the Director shall publish the final master plan and, if an EIS is required, the lead agency shall publish the final EIS.

E. Draft Report and Recommendation of the Director.

1. Within five (5) weeks of the publication of the final master plan and EIS, the Director shall prepare a draft report on the application for a master plan as provided in Section 23.76.050, Report of the Director.

2. In the Director's Report, a determination shall be made whether the planned development and changes of the Major Institution are consistent with the purpose and intent of this chapter, and represent a reasonable balance of the public benefits of development and change with the need to maintain livability and vitality of adjacent neighborhoods. Consideration shall be given to:

a. The reasons for institutional growth and change, the public benefits resulting from the planned new facilities and services, and the way in which the proposed development will serve the public purpose mission of the major institution; and

b. The extent to which the growth and change will significantly harm the livability and vitality of the surrounding neighborhood.

3. In the Director's Report, an assessment shall be made of the extent to which the Major Institution, with its proposed development and changes, will address the goals and applicable policies under Education and Employability and Health in the Human Development Element of the Comprehensive Plan.

4. The Director's analysis and recommendation on the proposed master plan's development program component shall consider the following:

a. The extent to which the Major Institution proposes to lease space or otherwise locate a use at street level in a commercial zone outside of, but within two thousand five hundred (2,500) feet of, the MIO District boundary that is not similar to a personal and household retail sales and service use, eating and drinking establishment, customer service office, entertainment use or child care center but is allowed in the zone. To approve such proposal, the Director shall consider the criteria in Section 23.69.035 D3;

b. The extent to which proposed development is phased in a manner which minimizes adverse impacts on the surrounding area. When public improvements are anticipated in the vicinity of proposed Major Institution development or expansion, coordination between the Major Institution development schedule and timing of public improvements shall be required;

c. The extent to which historic structures which are designated on any federal, state or local historic or landmark register are proposed to be restored or reused. Any changes to designated Seattle Landmarks shall comply with the requirements of the Landmarks Preservation Ordinance.¹ The Major Institution's Advisory Committee shall review any application to demolish a designated Seattle Landmark and shall submit comments to the Landmarks Preservation Board before any certificate of approval is issued;

d. The extent to which the proposed density of Major Institution development will affect vehicular and pedestrian circulation, adequacy of public facilities, capacity of public infrastructure, and amount of open space provided;

e. The extent to which the limit on the number of total parking spaces allowed will minimize the impacts of vehicular circulation, traffic volumes and parking in the area surrounding the MIO District.

5. The Director's analysis and recommendation on the proposed master plan's development standards component shall be based on the following:

a. The extent to which buffers such as topographic features, freeways or large open spaces are present or transitional height limits are proposed to mitigate the difference between the height and scale of existing or proposed Major Institution development and that of adjoining areas. Transition may also be achieved through the provision of increased setbacks, articulation of structure facades, limits on structure height or bulk or increased spacing between structures;

b. The extent to which any structure is permitted to achieve the height limit of the MIO District. The Director shall evaluate the specified limits on structure height in relationship to the amount of MIO District area permitted to be covered by structures, the impact of shadows on surrounding properties, the need for transition between the Major Institution and the surrounding area, and the need to protect views;

c. The extent to which setbacks of Major Institution development at ground level or upper levels of a structure from the boundary of the MIO District or along public rights-of-way are provided for and the extent to which these setbacks provide a transition between Major Institution development and development in adjoining areas;

d. The extent to which allowable lot coverage is consistent with permitted density and allows for adequate setbacks along public rights-of-way or boundaries of the MIO District. Coverage limits should insure that view corridors through Major Institution development are enhanced and that area for landscaping and open space is adequate to minimize the impact of Major Institution development within the MIO District and on the surrounding area;

e. The extent to which landscaping standards have been incorporated for required setbacks, for open space, along public rights-of-way, and for surface parking areas. Landscaping shall meet or exceed the amount of landscaping required by the underlying zoning. Trees shall be required along all public rights-of-way where feasible;

f. The extent to which access to planned parking, loading and service areas is provided from an arterial street;

g. The extent to which the provisions for pedestrian circulation maximize connections between public pedestrian rights-of-way within and adjoining the MIO District in a convenient manner. Pedestrian connections between neighborhoods separated by Major Institution development shall be emphasized and enhanced;

h. The extent to which designated open space maintains the patterns and character of the area in which the Major Institution is located and is desirable in location and access for use by patients, students, visitors and staff of the Major Institution;

i. The extent to which designated open space, though not required to be physically accessible to the public, is visually accessible to the public;

j. The extent to which the proposed development standards provide for the protection of scenic views and/or views of landmark structures. Scenic views and/or views of landmark structures along existing public rights-of-way or those proposed for vacation may be preserved. New view corridors shall be considered where potential enhancement of views through the Major Institution or of scenic amenities may be enhanced. To maintain or provide for view corridors the Director may require, but not be limited to, the alternate spacing or placement of planned structures or grade-level openings in planned structures. The institution shall not be required to reduce the combined gross floor area for the MIO District in order to protect views other than those protected under City laws of general applicability.

6. The Director's report shall specify all measures or actions necessary to be taken by the Major Institution to mitigate adverse impacts of Major Institution development that are specified in the proposed master plan.

F. Draft Advisory Committee Report.

1. At the same time the Director is preparing a written report on the master plan application, the Advisory Committee shall prepare a written report of its findings and recommendations on the final master plan. The Advisory Committee report shall include, in addition to its recommendations, the public comments it received. The document may incorporate minority reports.

2. The Advisory Committee report shall set forth any issues which the committee believes were inadequately addressed in the final master plan and final EIS and clearly state the committee's position on these issues.

3. The Advisory Committee report shall include a record of committee meetings, including the meetings' minutes.

G. Preparation of Final Director's Report and Final Advisory Committee Report.

1. The Director shall submit the draft Director's report to the Advisory Committee and the institution for their review.

2. Within three (3) weeks after receipt of the draft Director's Report, the Advisory Committee and the institution shall review and submit comments to the Director on the draft Director's Report.

3. Within two (2) weeks after receipt of the Advisory Committee's and institution's comments, the Director shall review the comments, and prepare a final Director's report using the criteria in subsection E of this section. The Director shall address each of the issues in the Advisory Committee's comments on the draft Director's Report. In addition, on those issues where the Director's recommendation differs from the Advisory Committee's recommendations, the Director shall include explanation of the difference.

4. The Director shall submit the final Director's Report to the Advisory Committee.

5. Within two (2) weeks after receipt of the final Director's Report, the Advisory Committee shall finalize its report according to subsection F of this section. The Advisory Committee report shall also include comments on the final Director's Report.

H. Hearing Examiner Consideration of the Master Plan.

1. The Hearing Examiner shall review the Director's report and recommendation and the Advisory Committee's report on the Director's report, as provided in Section 23.76.052, Hearing Examiner open record predecision hearing and recommendation.

2. If the Hearing Examiner considers the proposed master plan and all recommendations for changes, alternatives, mitigating measures and conditions, and determines that a significant master plan element or environmental issue was not adequately addressed by the proposed master plan, the Hearing Examiner may request the institution to prepare new proposals on the issues identified, may request the Director to conduct further analysis or provide clarification, and may request the Advisory Committee to reconvene for the limited purpose of commenting on the new proposals. The new proposals shall also be submitted to the Director, Advisory Committee and parties of record for comment. After the new proposals and comments have been received, the Hearing Examiner may:

a. Remand the new proposals and Advisory Committee comments and recommendation to the Director for further consideration and report; or

b. Hold the hearing record open for evidence on the new proposals, the Advisory Committee comments

and recommendation, and/or any comments pertaining to the limited issues which were presented by other parties of record.

3. The Hearing Examiner shall submit a recommendation to the Council on the proposed master plan within thirty (30) days following the hearing. In addition to the Hearing Examiner's recommendation, the Hearing Examiner shall transmit to the Council the proposed master plan, environmental documentation, the Advisory Committee's reports, and the report and recommendation of the Director.

I. Council Consideration of the Hearing Examiner's Recommendation.

1. The Council shall review and consider the Hearing Examiner's recommendation as provided in Section 23.76.054, Council consideration of Hearing Examiner recommendation. The goal of the Council shall be to take final action on the Hearing Examiner's recommendation no later than three (3) months after the date it receives the recommendation.

2. If the Council examines the proposed master plan and all recommendations for changes, alternatives, mitigating measures and conditions, and determines that a significant master plan element or environmental issue was not adequately addressed by the proposed master plan, the Council may request the institution to prepare new proposals on the issue identified, may request the Director to conduct further analysis or provide clarification, and may request the Advisory Committee to convene for the limited purpose of commenting on the new proposals. The new proposals shall also be submitted to the Director, Advisory Committee and parties of record for comment. After the new proposals and comments have been received, the Council may:

a. Remand the new proposals and Advisory Committee comments and recommendations to the Director for further consideration and report; or

b. Direct the Hearing Examiner to conduct another hearing and to reconsider the recommendation based on the new proposals, the Advisory Committee comments and recommendation, and/or any comments pertaining to the limited issues which were presented by other parties of record; or

c. Open the record for a hearing on the new proposals, the Advisory Committee comments and recommendation, and any comments pertaining to the limited issues which were presented by other parties of record.

J. Council Decision.

1. The Council's decision to adopt, adopt with conditions, or deny an application for a Major Institution Master Plan shall comply with the requirements of Section 23.76.056, Council decision on Hearing Examiner recommendation.

2. Adoption of a master plan shall be by ordinance. A master plan shall not become final until the ordin-

ance approving it becomes law pursuant to the City Charter.²

K. Requirement for Compiled Plan. Within thirty (30) days of adoption of a master plan by the Council, the institution shall submit a draft copy of the compiled adopted plan for the Director's review and approval. This compiled plan shall incorporate all changes and conditions imposed during the plan approval process. The Director shall review the compiled plan within thirty (30) days of receipt of the plan, and may request corrections or clarifications if necessary. Upon the Director's approval, the institution shall submit seven (7) written copies of the compiled adopted plan to the Director. The Director shall keep one (1) copy and distribute the other six (6) copies to the City Clerk's Office, the Strategic Planning Office, the Department of Neighborhoods and the Seattle Public Library (one (1) copy for the main downtown library and two (2) copies to go to the two (2) branch libraries nearest the institution). The institution shall also submit one (1) copy of the compiled adopted plan in electronic format for the City to post on the Public Access Network (PAN). No Master Use Permit for development first permitted in the adopted plan shall be issued until the compiled plan has been reviewed and approved by the Director except as provided in Section 23.69.033.

(Ord. 120691 § 25, 2001; Ord. 118981 § 4, 1998; Ord. 118912 § 37, 1998; Ord. 118794 § 43, 1997; Ord. 118409 § 209, 1996; Ord. 118362 § 20, 1996; Ord. 116744 § 56, 1993; Ord. 115906 § 1, 1991; Ord. 115002 § 23(part), 1990.)

1. Editor's Note: The Landmarks Preservation Ordinance is set out at Chapter 25.12 of this Code.

2. Editor's Note: The City Charter is set out at the front of this Code.

23.69.033 Approval of master use permits prior to master plan adoption.

An institution may submit an application for development requiring a master plan prior to the master plan's adoption at any time following application for a master plan. The application may be approved if the following conditions are met:

A. Development proposed in the Master Plan:

1. The Draft Environmental Impact Statement (DEIS) and the draft master plan have been published; and

2. The development standards shall be established through the conditional use process; and either

3. a. The end of the schedule for submittal to Council of the master plan has been reached, and

b. Review of the application has been completed by the advisory committee and it has made a recommendation to the Director, and

c. The Council has approved the development as a Council Conditional Use according to the criteria of Section 23.69.012 A; or

For current SMC, contact
the Office of the City Clerk

4. a. The advisory committee has reviewed the application and has recommended by a three-fourths (3/4) vote of all advisory committee members, with at least six (6) affirmative votes, approval of the application, and

b. The Director has approved the development as an Administrative Conditional Use according to the criteria of Section 23.69.012;

B. Development not proposed in the Master Plan:

1. The conditions of subsection A of this section have been met; and

2. The institution shall provide a statement describing the unforeseen conditions or circumstances which warrant the need to include the proposed development; and

3. An analysis of the environmental impacts of the new proposal shall be incorporated into the environmental analysis of the proposed master plan and shall be reviewed by the advisory committee; and

4. The published final master plan and final EIS shall be amended to include the proposed development.

(Ord. 118362 § 21, 1996; Ord. 115002 § 23(part), 1990.)

23.69.034 Effect of master plan adoption.

A. After a master plan has been adopted, the institution may develop in accordance with the adopted master plan.

B. The Director may approve applications requiring a master plan prior to final adoption of the master plan subject to the provisions of Section 23.04.040 F, Section 23.04.040 G, or Section 23.69.033.

C. The Director shall not issue any permit for any development which has not been included within the master plan unless the institution has met the requirements of Section 23.69.035, Master plan amendment.

D. Applications for master use permits for development contained in the adopted master plan shall be subject to the requirements of Chapter 25.05, Environmental Policies and Procedures.

E. The adopted master plan shall be referenced on the Official Land Use Map and placed on file in the Department.

F. Following adoption of a master plan, the citizens advisory committee shall continue to advise the institution and the City regarding implementation or renewal of the master plan or amendments to the master plan. If more than one (1) major institution is designated within the same general area, individual advisory committees may be consolidated into one (1) committee. The committee shall meet as necessary but no less than once annually to review the status of the master plan.

G. When a master plan has been adopted prior to the effective date of these provisions¹ and there is no standing advisory committee, an advisory committee shall be established in accordance with the provisions of subsection B of Section 23.69.032 at the time an application for an

amendment to the master plan, requiring Council approval, is made.

H. The Advisory Committee and the neighborhood planning group from the surrounding area, if applicable, will be notified of master use permit (MUP) applications for Major Institution uses within the Major Institution Overlay (MIO) District and for Major Institution structures outside of but within two thousand five hundred feet (2,500') of the MIO District boundaries, and shall have an opportunity to review and comment on the applications if there is a discretionary decision and formal comment period as part of the MUP.

I. The institution shall provide an annual status report to the Director and the Advisory Committee which shall detail the progress the institution has made in achieving the goals and objectives of the master plan. The annual report shall contain the following information:

1. The status of projects which were initiated or under construction during the previous year;

2. The institution's land and structure acquisition, ownership and leasing activity outside of but within two thousand five hundred feet (2,500') of the MIO District boundary;

3. Progress made in achieving the goals and objectives contained in the transportation management program towards the reduction of single-occupant vehicle use by institution employees, staff and/or students; and

4. Progress made in meeting conditions of master plan approval.

(Ord. 118362 § 22, 1996; Ord. 116744 § 57, 1993; Ord. 115165 § 9, 1990; Ord. 115002 § 23(part), 1990.)

1. Editor's Note: Ordinance 115002 was passed by the Council on March 26, 1990.

23.69.035 Changes to master plan.

A. A proposed change to an adopted master plan shall be reviewed by the Director and determined to be an exempt change, a minor amendment, or a major amendment.

B. Exempt Changes. An exempt change shall be a change to the design and/or location of a planned structure or other improvement from that shown in the master plan, which the Director shall approve without publishing an interpretation. Any new gross floor area or parking space(s) must be accompanied by a decrease in gross floor area or parking space(s) elsewhere if the total gross floor area or parking spaces permitted for the entire MIO District or, if applicable, the subarea would be exceeded. Each exempt change must meet the development standards for the MIO District. Exempt changes shall be:

1. Any new structure or addition to an existing structure not approved in the master plan that is twelve thousand (12,000) square feet of gross floor area or less; or

2. Twenty (20) or fewer parking spaces not approved in the master plan; or

For current SMC, contact
the Office of the City Clerk

3. An addition to a structure not yet constructed but approved in the master plan that is no greater than twenty percent (20%) of the approved gross floor area of that structure or twenty thousand (20,000) square feet, whichever is less; or

4. Any change in the phasing of construction, if not tied to a master plan condition imposed under approval by the Council; or

5. Any increase in gross floor area below grade.

C. Amendments. The Advisory Committee shall be given the opportunity to review a proposed minor or major amendment and submit comments on whether it should be considered minor or major, and what conditions (if any) should be imposed if it is minor. The Director shall determine whether the amendment is minor or major according to subsections D and E of this section. The Director's decision that a proposed amendment is minor or major shall be made in the form of an interpretation subject to the procedures of Chapter 23.88, Rules; Interpretation. If the Director and the Major Institution agree that a major amendment is required based on subsection E of this section, the interpretation process may be waived, and the amendment and environmental review process shall be subject to the provisions of subsection G of this section. After the Director makes a decision on whether an amendment is minor or major, the Advisory Committee shall be notified.

D. Minor Amendments. A proposed change to an adopted master plan shall be considered and approved as a minor amendment when it is not an exempt change according to subsection B of this section, when it is consistent with the original intent of the adopted master plan, and when it meets at least one of the following criteria:

1. The amendment will not result in significantly greater impacts than those contemplated in the adopted master plan; or

2. The amendment is a waiver from a development standard or master plan condition, or a change in the location or decrease in size of designated open space, and the proposal does not go beyond the minimum necessary to afford relief and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the Major Institution is located; or

3. The amendment is a proposal by the Major Institution to lease space or otherwise locate a use at street level in a commercial zone outside an MIO District, and within two thousand five hundred feet (2,500') of the MIO District boundary, and the use is allowed in the zone for but not permitted pursuant to Section 23.69.022. In making the determination whether the amendment is minor, the Director shall consider the following factors:

a. Whether an adequate supply of commercial-zoned land for business serving neighborhood residents will continue to exist, and

b. Whether the use will maintain or enhance the viability or long term potential of the neighborhood-serving character of the area, and

c. Whether the use will displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of personal and household retail sales and service uses, and

d. Whether the use supports neighborhood planning goals and objectives as provided in a Council-approved neighborhood plan.

E. Major Amendments. A proposed change to an adopted master plan shall be considered a major amendment when it is not an exempt change according to subsection B of this section or a minor amendment according to subsection D of this section. In addition, any of the following shall be considered a major amendment:

1. An increase in a height designation or the expansion of the boundary of the MIO District; or

2. Any change to a development standard that is less restrictive; or

3. A reduction in housing stock outside the boundary but within two thousand five hundred feet (2,500') of the MIO District, other than within a Downtown zone, that exceeds the level approved in an adopted master plan; or

4. A change to the single-occupancy vehicle goal of an approved transportation management program that increases the percentage of people traveling by single-occupancy vehicle; or

5. A use that requires Council Conditional Use approval, including but not limited to a helistop or a major communication utility, that was not described in an adopted master plan; or

6. The update of an entire development program component of a master plan that was adopted under Code provisions prior to the 1996 Major Institutions Ordinance where the institution proposes an increase to the total amount of gross floor area allowed or the total number of parking spaces allowed under the institution's existing development program component within the MIO District.

F. If the Director, after reviewing any Advisory Committee recommendation, determines that a proposed major amendment is of unusual complexity or size, the Director may require that the institution prepare a new master plan subject to Section 23.69.032.

G. If an amendment is determined to be major, the amendment and environmental review process shall be subject to the provisions of Section 23.69.032, Master plan process. However, a concept plan and preliminary draft plan shall not be required. Instead, the Major Institution shall submit a major amendment draft report as part of the application stating which parts of the master plan are proposed to be amended. If an EIS is required for the major amendment, the draft EIS shall be prepared after submittal

For current SMC, contact
the Office of the City Clerk

of the major amendment draft report. After comments are received on the major amendment draft report, the institution shall prepare the major amendment final report and if required, the final EIS. If an EIS is not required for the major amendment, the Director is not required to hold a public hearing on the major amendment draft report.

H. Noncontiguous areas that are included in a MIO District as a result of a previously adopted master plan shall be deleted from the MIO District at the time a major amendment is approved unless the noncontiguous area was a former and separate MIO District. The change to the MIO District boundaries shall be in accordance with the procedures for City-initiated amendments to the Official Land Use Map as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, and shall not be subject to the rezone criteria contained in Section 23.34.124.

(Ord. 120691 § 26, 2001; Ord. 118362 § 23, 1996; Ord. 115165 § 10, 1990; Ord. 115002 § 23(part), 1990.)

23.69.036 Master plan renewal.

A. The process for renewal of a master plan's development program component shall follow the procedures provided in Section 23.69.032, Master plan process.

B. Noncontiguous areas which are included in a MIO District as a result of a previously adopted master plan shall be deleted from the MIO District at the time a new master plan development program component is adopted, unless the noncontiguous area was a former and separate MIO District. The change to the MIO District boundaries shall be in accordance with the procedures for City-initiated amendments to the Official Land Use Map as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, and shall not be subject to the rezone criteria contained in Section 23.34.124.

(Ord. 120691 § 27, 2001; Ord. 118362 §§ 24, 25, 1996; Ord. 115002 § 23(part), 1990.)

Chapter 23.71 NORTHGATE OVERLAY DISTRICT

Sections:

Subchapter I Establishment of Overlay District

- 23.71.001 Northgate Comprehensive Plan.**
- 23.71.002 Purpose and intent.**
- 23.71.004 Northgate Overlay District established.**
- 23.71.006 Application of regulations.**

Subchapter II Development Standards

Part 1 Northgate Overlay District General Development Standards

- 23.71.007 Substantial development.**

23.71.008

Development along major pedestrian streets.

23.71.010

Green streets.

23.71.012

Special landscaped arterials.

23.71.014

Open space.

23.71.016

Parking and access.

23.71.018

Transportation management program.

23.71.020

General Development Plan requirement.

23.71.024

Contents of a General Development Plan.

23.71.026

Exceptions granted through the General Development Plan process.

23.71.028

General Development Plan process.

23.71.029

Effect of General Development Plan approval.

23.71.030

Development standards for transition areas within the Northgate Overlay District.

23.71.036

Maximum width and depth of structures.

23.71.038

Standards for mixed use development in commercial zones within the Northgate Overlay District.

23.71.040

Density limits for residential uses in commercial zones within the Northgate Overlay District.

23.71.042

Standards for commercial-only structures in Residential/Commercial zones within the Northgate Overlay District.

23.71.044

Standards for single-purpose residential development in Commercial zones within the Northgate Overlay District.

Subchapter I Establishment of Overlay District

23.71.001 Northgate Comprehensive Plan.

Within the boundaries shown on SMC Section 23.71.004 Map A, the following policies and implementation guidelines from the Northgate Area Comprehensive Plan (1993) shall be considered as appropriate, whenever the Land Use Code or other City code or policies require such consideration. Appropriate policies also shall be considered by the Director in promulgating rules, in issuing interpretations related to the Land Use Code and in recommending changes to the Land Use Code. Some policies are included to describe the basis for existing development regulations and zoning:

- A. Policy 2: Implementation Guideline 2.1: Rezones;

**For current SMC, contact
the Office of the City Clerk**

B. Policy 3: Implementation Guideline 3.2: Commercial-only structures in R/C multifamily zones;

C. Policy 4: Implementation Guideline 4.1: Density limits for residential-only and mixed use in commercial zones;

D. Implementation Guideline 4.4: Create a new Midrise zone with an eighty-five (85) foot height limit;

E. Policy 5: Implementation Guideline 5.1: Setbacks and bulk provisions for lots abutting zone edges;

F. Policy 6: Implementation Guideline 6.2: Transportation Management Association Implementation Guideline 6.3: Bicycle facilities;

G. Policy 7: Implementation Guideline 7.3: Encourage transit access;

H. Policy 8: Implementation Guideline 8.1: Pedestrian circulation system;

I. Implementation Guideline 8.2: Designate pedestrian streets;

J. Implementation Guideline 8.4: Develop Green Streets;

K. Policy 9: Implementation Guideline 9.2: Permit certain exceptions to parking requirements;

L. Implementation Guideline 9.3: Control the amount of surface parking;

M. Policy 12: Implementation Guideline 12.5: Open Space Fund; and

N. Implementation Guideline 12.6: Priorities for open space.

(Ord. 120691 § 1, 2001.)

23.71.002 Purpose and intent.

The purpose of this chapter is to implement the Northgate Area Comprehensive Plan by regulating land use and development within the Northgate Overlay District in order to:

A. Create an environment in the Northgate Area that is more amenable to pedestrians and supportive of commercial development; and

B. To protect the residential character of residential neighborhoods; and

C. Support the use of Northgate as a regional high-capacity transportation center.

(Ord. 116795 § 2(part), 1993.)

23.71.004 Northgate Overlay District established.

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Northgate Overlay District, as shown on the City's Official Land Use Map, Chapter 23.32 and Map A.

(Ord. 120117 § 51, 2000: Ord. 118414 § 52, 1996: Ord. 116795 § 2(part), 1993.)

23.71.006 Application of regulations.

All land located within the Northgate Overlay District is subject to regulations of the underlying zone unless spe-

cifically modified by the provisions of this chapter. Where the boundaries of the Northgate Overlay District overlap with the boundaries of the Major Institution Overlay District, the zoning underlying a major institution shall be as modified by the Northgate Overlay District. In the event of irreconcilable differences between the provisions of the Northgate Overlay District and the underlying zone, the provisions of this chapter apply, except that where a conflict exists between the provisions of this chapter and Chapter 23.69, Major Institution Overlay District, the provisions of Chapter 23.69 take precedence, provided that the major institution may be granted an exception pursuant to SMC Section 23.71.026.

(Ord. 116795 § 2(part), 1993.)

Subchapter II Development Standards

Part 1 Northgate Overlay District General Development Standards

23.71.007 Substantial development.

For the purposes of this chapter, "substantial development" means any new development, or expansion or addition to existing development, when the new development, expansion or addition exceeds four thousand (4,000) square feet in gross floor area, excluding accessory parking area.

(Ord. 116795 § 2(part), 1993.)

23.71.008 Development along major pedestrian streets.

A. Northeast Northgate Way (from Third Avenue Northeast to 11th Avenue Northeast) and Fifth Avenue Northeast (from Northeast 113th Street to Northeast 105th Street) are designated as Major Pedestrian Streets as shown on Map A. Proposed use and development of property zoned commercial and abutting these streets shall meet the standards of this section.

B. Standards for Required Street-level Uses.

1. A minimum of sixty (60) percent of a commercially zoned lot's frontage on a major pedestrian street shall be occupied by one or more of the following uses, provided that drive-in businesses and outdoor storage are prohibited:

- a. Personal and household retail sales and service use;
- b. Eating and drinking establishments;
- c. Customer service offices;
- d. Entertainment uses;
- e. Lodging uses.

If a portion of the major pedestrian street frontage is required for access to on-site parking due to limited lot dimension, the Director may permit less than sixty (60) percent of the frontage to be occupied by such uses.

2. A minimum of eighty (80) percent of each structure fronting on a major pedestrian street shall be oc-

For current SMC, contact
the Office of the City Clerk

cupied at street-level by one or more of the uses listed in subsection B1 of this section or a building lobby permitting access to uses above or behind street-front uses. In no case shall pedestrian access to uses above or behind required streetfront uses exceed twenty (20) percent of the structure's major pedestrian street front. The remaining twenty (20) percent of the structure's street frontage may contain other permitted uses or pedestrian entrances (Exhibit 23.71.008 A).

3. Street-level uses shall occupy a minimum of the first ten (10) feet above sidewalk grade.

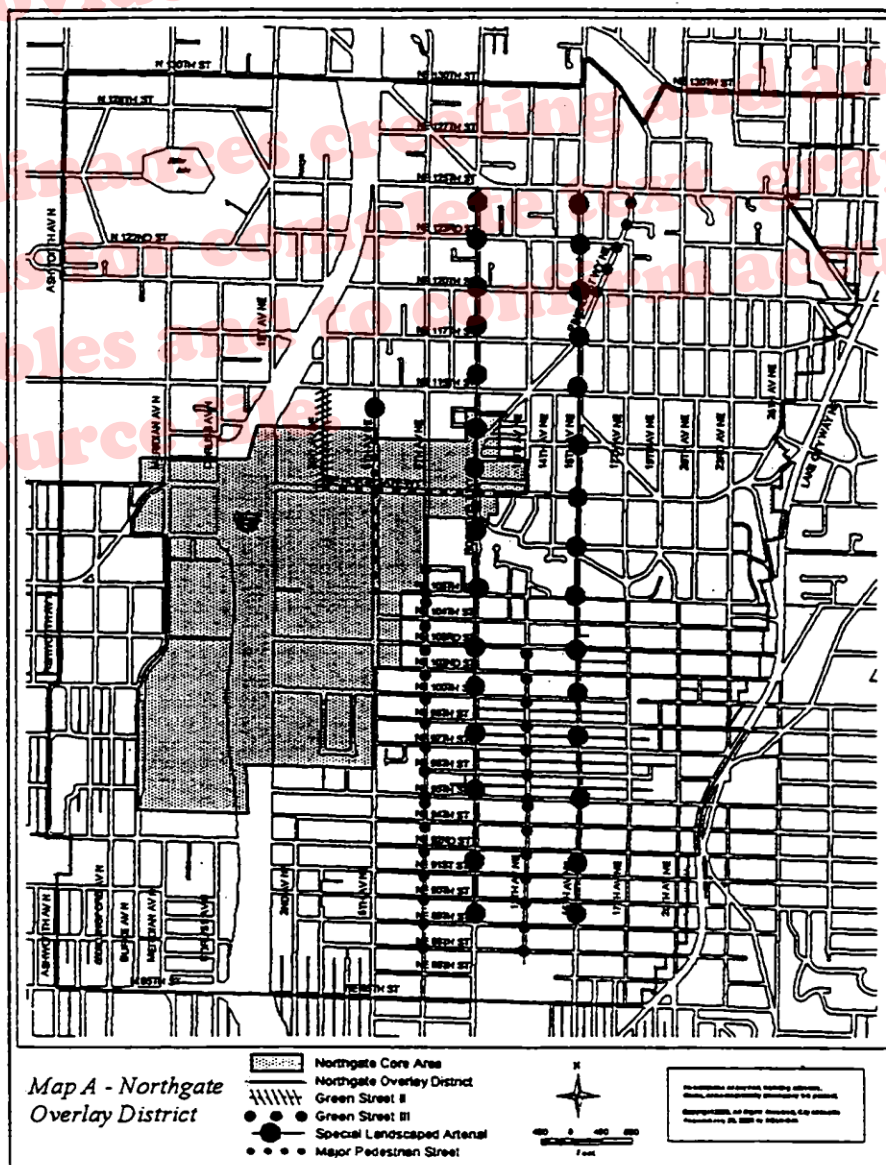
4. All required street-level uses along major pedestrian streets shall be set back no more than ten (10) feet from the street property line, except as necessary to provide open space as defined in Section 23.71.014 C or for bedrooms in a lodging structure, which may be set back a maximum of fifteen (15) feet. The owner shall design the area subject to this setback to include special pavers, as an extension of the sidewalk or with landscaping.

5. The principal entrances to required street-level uses on major pedestrian streets shall have direct access to the sidewalk and be within three (3) feet of the sidewalk grade elevation.

6. Personal and household retail sales and service uses greater than thirty thousand (30,000) square feet may locate a principal pedestrian entrance on a facade oriented to a parking area or the major pedestrian street. Where a principal pedestrian entrance is oriented to a parking area, an additional pedestrian entrance shall be located along the major pedestrian street. In lieu of the additional entrance, the owner may provide a ten (10) foot wide, landscaped pedestrian walkway from the major pedestrian street to the principal pedestrian entrance, provided that the walkway does not go through other businesses or parking areas.

For current SMC, contact
the Office of the City Clerk

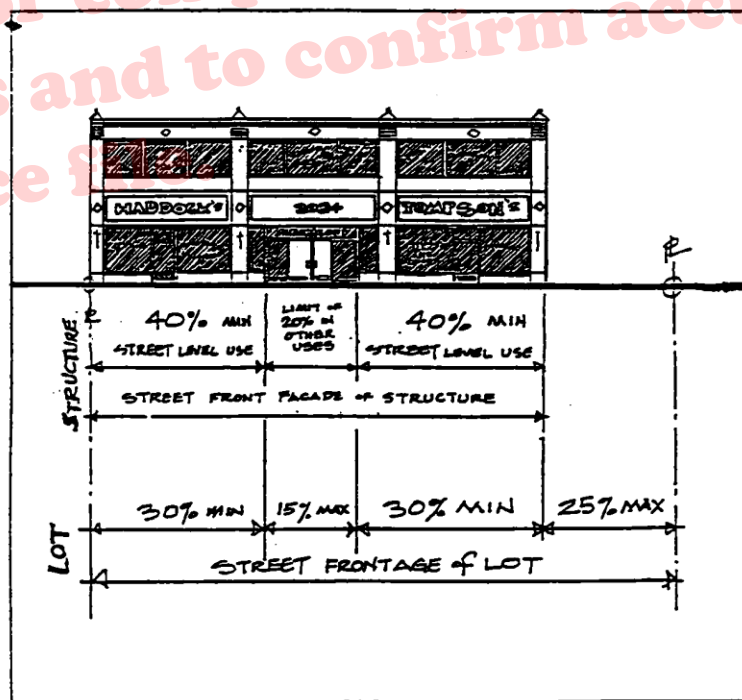
Seattle Municipal Code
December 2002 code update file
Text provided for historic reference only.



For current SMC, contact
the Office of the City Clerk

Seattle Municipal Code
December 2002 code update file
Text provided for historic reference only.

Exhibit 23.71.008 A
Required Street Level Uses



For current SMC, contact
the Office of the City Clerk

C. Parking Location and Screening. The following standards apply along major pedestrian streets:

1. Parking, or access to parking, shall not exceed forty (40) percent of a lot's frontage on a major pedestrian street.

2. Parking shall be located to the rear or side of a structure, within or under the structure, or within eight hundred (800) feet of the lot to which it is accessory.

3. Where parking within a structure occupies any portion of the major pedestrian street level of the structure, the parking shall be screened from public view from the major pedestrian street(s) by a street-level facade. The street-level facade shall be enhanced by architectural detailing, artwork, landscaping, or similar treatment that will add visual interest to the facade.

4. The perimeter of each floor of parking which is eight (8) feet or more above sidewalk grade shall have an opaque screen at least three and one-half (3½) feet high at its perimeter.

5. Surface parking areas shall be set back a minimum of fifteen (15) feet from the major pedestrian street lot line. The setback area, excluding driveways, shall be provided as landscaped or usable open space, as defined in Section 23.71.014.

6. Any nonconformity with respect to location, screening and landscaping of an existing parking area shall be eliminated at the time of a substantial development, if the area of the nonconformity is between the substantial development and the major pedestrian street. This requirement shall apply regardless of whether the substantial development increases lot coverage.

D. Parking Access and Curb Cuts.

1. When a lot abuts an alley which meets the standards of Section 23.53.030 C, access to parking shall be from the alley.

2. When a lot does not abut an improved alley, and the lot fronts on more than one (1) street, at least one of which is not a major pedestrian street, access to parking shall be from a street which is not a major pedestrian street.

3. If the lot does not abut an improved alley, and only abuts a major pedestrian street(s), access from the major pedestrian streets shall be limited to one (1), two (2) way curb cut within any three hundred (300) foot segment of that lot. For purposes of this subsection, a segment of a lot shall be measured as a lot's continuous streetside lot line unbroken by streets, alleys or property owned by another. A segment may front on two or more streets around corners.

E. Sidewalks.

1. The owner shall construct a sidewalk no less than twelve (12) feet in width.

2. The owner shall plant street trees adjacent to the major pedestrian street. The trees shall meet criteria prescribed by the Director of Transportation.

3. Planting strips are prohibited along major pedestrian streets.

4. The owner shall install street furniture and planting boxes adjacent to the major pedestrian street. The installation shall conform to the Seattle Street Improvement Manual.

F. Street Facade Standards

1. Transparency Requirements.

a. Sixty (60) percent of the width of the facade of a structure along the major pedestrian street shall be transparent.

b. A facade shall be considered transparent if it has clear or slightly tinted glass in windows, doors or display windows.

c. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Blank Facades.

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

b. Blank facade segments shall not exceed thirty (30) feet along the major pedestrian street front.

c. Blank facade segments which are separated by transparent areas of at least two (2) feet in width shall be considered separate facade segments for the purposes of this section.

3. Transparent and blank facade standards apply to the area of a facade between two (2) feet and eight (8) feet above the sidewalk.

G. Overhead Weather Protection.

1. Continuous overhead weather protection (i.e., canopies, awnings, marquees, and arcades) is required along at least sixty (60) percent of the street frontage of a commercial structure on a major pedestrian street.

2. The overhead weather protection must be provided over the sidewalk, or over a walking area within ten (10) feet immediately adjacent to the sidewalk. When provided adjacent to the sidewalk, the covered walking area must be at the same grade or within eighteen (18) inches of sidewalk grade and meet Washington state requirements for barrier-free access.

3. The covered area shall have a minimum width of six (6) feet, unless there is a conflict with street trees or utility poles, in which case the width may be adjusted to accommodate such features.

4. The lower edge of the overhead weather protection shall be a minimum of eight (8) feet and a maximum of twelve (12) feet above the sidewalk for projections extending a maximum of six (6) feet. For projections extending more than six (6) feet from the structure, the lower edge of the weather protection shall be a minimum of ten (10) feet and a maximum of fifteen (15) feet above the sidewalk.

(Ord. 118414 § 53, 1996; Ord. 118409 § 210, 1996; Ord. 116795 § 2(part), 1993.)

For current SMC, contact
the Office of the City Clerk

23.71.010 Green streets.

A. Green streets are identified on Map A.
B. Where an owner proposes substantial development adjacent to a street classified as a green street, the owner shall construct street and pedestrian improvements which meet standards promulgated by the Director and the Director of Transportation.

(Ord. 118409 § 211, 1996; Ord. 116795 § 2(part), 1993.)

23.71.012 Special landscaped arterials.

A. Special landscaped arterials are those arterials identified on Map A.

B. When an owner proposes substantial development on lots abutting special landscaped arterials, the owner shall provide the following:

1. Street trees meeting standards established by the Director of Seattle Transportation;

2. A six (6) foot planting strip and six (6) foot sidewalk if the lot is zoned SF, LDT, L1, or L2;

3. A six (6) foot planting strip and a six (6) foot sidewalk, or, at the owner's option, a twelve (12) foot sidewalk without a planting strip, if the lot is zoned NC2, NC3, RC, L4 or MR;

4. Pedestrian improvements, as determined by the Director, such as, but not limited to special pavers, lighting, benches and planting boxes.

(Ord. 118409 § 212, 1996; Ord. 116795 § 2(part), 1993.)

23.71.014 Open space.

A. Quantity of Open Space.

1. In all Commercial zones with a permitted height limit of forty (40) feet or less, a minimum of ten (10) percent of lot area shall be provided as landscaped or usable open space for all commercial and mixed use substantial development. A minimum of one-half ($\frac{1}{2}$) of the required open space shall be landscaped open space and a minimum of one-third ($\frac{1}{3}$) of the required open space shall be usable open space. The remainder shall be either landscaped or usable open space or may be provided in accordance with subsection A8 of this section.

2. In all Commercial zones with a permitted height limit greater than forty (40) feet, a minimum of fifteen (15) percent of lot area shall be provided as landscaped or usable open space for all commercial and mixed use substantial development. A minimum of one-third ($\frac{1}{3}$) of the required open space shall be landscaped open space and a minimum of one-fifth ($\frac{1}{5}$) of the required open space shall be usable open space. The remainder shall be either landscaped or usable open space or may be provided in accordance with subsection A8 of this section.

3. Open space may be provided as interior or exterior open space according to the standards provided in subsections 23.71.014 B and C. Interior open space may be used to satisfy up to twenty (20) percent of the open space requirement.

4. Reductions to Required Open Space. Required open space may be reduced if any of the following open space alternatives are provided:

a. Interior public meeting space or space accommodating a public library, either of which shall be free to the public and credited at two (2) times their actual area;

b. An on-site town square, urban plaza, active park, or passive park which meets the minimum size requirements prescribed in Table 23.71.014 A and which is consistent with the standards for such features contained in subsection 23.71.014 C. Such space shall be credited towards the open space requirement at 1.5 times the actual lot area occupied by such space.

5. Above-ground open space in the form of a publicly accessible terrace may satisfy up to thirty (30) percent of total required open space. Due to the more limited public access to such areas, such above-ground open space shall be credited at seventy-five (75) percent of actual area provided. Above-ground open space in combination with interior open space shall not exceed fifty (50) percent of the total area required for open space.

6. In no case shall required landscaped open space be reduced to less than five (5) percent of lot area. Required landscaping of surface parking areas may count towards the landscaped open space requirement to a maximum of five (5) percent of total lot area. Perimeter screening of a surface parking area may count towards the landscaped open space requirement in excess of five (5) percent.

7. When an owner proposes substantial development on lots forty thousand (40,000) square feet or less and adjacent to a major pedestrian street as designated in Section 23.71.008, the Director may reduce the total amount of required open space if the owner provides open space on the portion of the site abutting the major pedestrian street. The reduction does not apply to open space consisting of landscaping required for surface parking areas, screening, or to improvements provided within the street right-of-way.

8. Northgate Open Space Fund.

a. In lieu of providing the remainder of open space, as defined in subsections A1 and A2 of this section, an owner may make a payment to the Northgate Area Open Space fund, if such a fund is established by the City Council. The payment and use thereof shall be consistent with RCW 82.02.020.

b. An in-lieu of payment shall equal the assessed value of the land and improvements which would otherwise have been provided as open space.

c. Funds received from properties within the Northgate Core sub-area as shown on Map A, shall be applied to open space acquisition or improvements in the Northgate Core sub-area. Funds received from properties outside of the Northgate Core sub-area shall be applied to open space acquisition or improvements within one-half ($\frac{1}{2}$) mile of contributing sites.

B. Open Space Development Standards.

1. Landscaped Open Space.

a. Landscaped open space shall be provided outdoors in the ground or in permanently installed beds, planters, or in large containers which cannot be readily removed.

b. Landscaped open space shall have a minimum horizontal dimension of six feet (6'), except on lots which are ten thousand (10,000) square feet or less in area, where a minimum horizontal dimension of five feet (5') is allowed. Where screening and landscaping of a surface parking area is counted towards meeting the landscaped open space requirement it shall meet the minimum dimensions as required by the underlying zone.

2. Usable Open Space—General.

a. Usable open space shall be open to the public. The minimum size of usable open space is prescribed in Table 23.71.014 A. The Director may modify the requirements of Section 23.71.014 C, if the owner demonstrates that meeting the requirements is infeasible or the Director determines that the owner's proposal will better achieve the purpose of usable open space than the requirements prescribed herein.

b. Usable open space shall be located within three feet (3') of the elevation of abutting sidewalks, provide access of at least ten feet (10') in width and provide barrier-free access according to the Washington State Rules and Regulations for Barrier-Free Design.

c. Where proposed, skybridges shall provide a direct connection to the nearest usable open space at ground level. This connection shall be visible from the skybridge and shall be identified by signage at both entrances to the skybridge.

3. Usable Open Space—Exterior.

a. Usable open space may be provided as on-site exterior open space consisting of an active or passive park, courtyard, public meeting space, terrace, town square, urban garden, urban plaza, landscaped interior block pedestrian connection or urban trail.

b. Exterior usable open space shall meet the minimum standards contained in subsection 23.71.014 C.

c. Exterior usable open space shall be screened from streets and parking areas by landscaping, a fence or a wall, except along a major pedestrian street, in which case usable open space shall be accessible to or integrated into the adjoining sidewalk for at least fifty percent (50%) of its frontage.

4. Usable Open Space—Interior.

a. Usable open space may be provided as on-site interior open space consisting of an atrium/greenhouse, galleria, or public meeting space.

b. Interior usable open space shall provide direct pedestrian connections, with a clear path at least ten feet (10') wide, to exterior usable open space or public right-of-way. Such pedestrian connections shall not count toward interior usable open space requirements.

c. Interior usable open space shall meet the applicable standards contained in subsection 23.71.014 C.

C. Minimum Standards for Usable Open Space.

Table 23.71.014 A
Minimum Square Footage Requirements
For Usable Open Space

	Minimum Width	Minimum Area
Active park	80'	11,000 square feet
Atrium/greenhouse	40'	2,000 square feet
Courtyard	30'	2,000 square feet
Galleria	20'	2,000 square feet
10'		no minimum area
Passive park	100'	22,000 square feet
Public meeting space	30'	1,500 square feet
Terrace	10'	800 square feet
Town square	80'	11,000 square feet
Urban garden	10'	no minimum area
Urban plaza	50'	3,500 square feet

1. Active Park. An active park shall be essentially level, accessible from a public right-of-way and shall include areas for active recreation such as, but not limited to, ball fields, courts and children's play area(s). Public seating shall be provided.

2. Atrium/Greenhouse, Galleria. An atrium/greenhouse or galleria shall provide a large, enclosed, weather-protected space, generally covered by transparent and/or translucent material and meeting the following minimum standards and guidelines:

a. Location and Access. The location of an atrium/greenhouse or galleria shall be highly visible from the street and easily accessible to pedestrians. Pedestrian access should be designed to improve overall pedestrian circulation on the block.

b. Minimum Standards.

i. The minimum height shall be thirty feet (30').

ii. A minimum of fifteen percent (15%) of an atrium/greenhouse or galleria shall be landscaped.

iii. A minimum of fifteen percent (15%) of an atrium/greenhouse or galleria shall be reserved for public seating at a rate of one lineal foot for every thirty (30) square feet of floor area or one lineal foot of public seating area for every thirty (30) square feet of floor area.

iv. A minimum of thirty-five percent (35%) of the perimeter of an atrium/greenhouse or galleria shall be occupied by retail sales and service uses and sixty percent (60%) of every retail frontage on the atrium/greenhouse or galleria shall be transparent.

v. Perimeter walls of an atrium/greenhouse or galleria, excluding the wall of the structure, shall be no more than fifteen percent (15%) blank. All nontransparent perimeter walls shall include measures to reduce the effect of the blank wall including, but not limited to, architectural detailing, landscaping, modulation or art.

3. Courtyard. A courtyard shall meet the following minimum standards and guidelines:

a. Location and Access. A courtyard shall be adjacent to or attached to a structure or public sidewalk and shall be highly visible from adjacent sidewalks and public areas and have direct access to the streets on which it fronts. A courtyard shall be easily accessible and inviting to pedestrians and provide enclosure through use of design elements such as pedestrian walkways, structures containing retail uses, low planters or benches, and seating.

b. Fifty percent (50%) of the courtyard area, outside of areas of major pedestrian traffic, shall be level.

c. Courtyards shall include unit paving; landscaping, which encourages privacy and quiet; and pedestrian-scaled lighting and seating. Public seating shall be provided at a rate of one lineal foot of seating for every fifty (50) square feet of courtyard area.

4. Passive Park. Passive parks shall provide landscaped space for unstructured recreational activity such as walking or picnicking.

5. Public Meeting Space. Public meeting spaces shall be enclosed rooms available for use by the public free of charge, designed for the purposes of accommodating meetings, gatherings, or performances with seating capacity for at least fifty (50) people. Public meeting spaces shall be available to the public between the hours of ten a.m. (10:00 a.m.) and ten p.m. (10:00 p.m.) Monday through Friday and shall not count towards minimum parking requirements.

6. Terrace. A terrace is intended to provide additional opportunity for open space in areas of concentrated development.

a. Location and Access.

i. A terrace is a wind-sheltered area above street-level uses in a structure.

ii. A terrace should be easily accessible from the street and access should be plainly identified.

iii. Direct access by stairs, ramps or mechanical assist shall be provided from a public right-of-way or public open space to the terrace.

iv. The path of access must have a minimum width of ten feet (10').

b. A minimum of eighty percent (80%) of the terrace shall receive solar exposure from eleven a.m. (11:00 a.m.) until two p.m. (2:00 p.m.) PDT between the spring and autumn equinox.

c. Public seating shall be provided in an amount equal to one (1) seat for each thirty (30) square feet of terrace area or one lineal foot of public seating for each thirty (30) square feet of terrace area.

d. Terraces shall be landscaped in a manner which provides for the comfort and enjoyment of people in the space as well as creates a visual amenity for pedestrians and occupants of surrounding buildings.

e. A terrace shall be open to the public from at least seven a.m. (7:00 a.m.) until one (1) hour after sunset seven (7) days a week.

7. Town Square. A town square shall meet the criteria for an urban plaza and in addition, shall meet the following:

a. Location and Access. A town square shall be located adjacent to a major pedestrian street.

b. A large, essentially level, unobstructed area should characterize the center of a town square and be available for public events.

8. Urban Garden. Urban gardens are intended to provide color and visual interest to pedestrians and motorists and are characterized by such amenities as specialized landscaping, paving materials and public seating.

a. Location and Access. Urban gardens shall be located at or near sidewalk grade and adjacent to a public right-of-way or building lobby.

b. One (1) public seating space for each twenty (20) square feet of garden area or one (1) lineal foot of public seating for every twenty (20) square feet of garden area shall be provided.

c. Urban gardens shall be developed with unit paving and plant materials in a garden-like setting. Landscaping shall include a mix of seasonal and permanent plantings, including trees and shrubs. A water feature is encouraged.

d. A minimum of seventy-five percent (75%) of the garden area shall receive solar exposure from eleven a.m. (11:00 a.m.) until two p.m. (2:00 p.m.) PDT, between the spring and autumn equinox.

e. The garden shall be open to the public at least five (5) days a week from eight a.m. (8:00 a.m.) until seven p.m. (7:00 p.m.).

9. Urban Plaza. An urban plaza shall serve as a link between a building and the pedestrian network and/or as a focal point between two (2) or more buildings.

a. Location and Access.

i. An urban plaza shall be one (1) contiguous space, with at least one (1) edge abutting a street at a transit stop or anywhere along a major pedestrian street.

ii. The area within ten feet (10') of the sidewalk, along a minimum of fifty percent (50%) of each street frontage shall be within three feet (3') elevation of the adjoining public sidewalk.

b. There shall be no physical obstruction between an urban plaza and the sidewalk. The plaza should be distinguished from the public right-of-way by landscaping and/or a change in paving materials.

c. The aggregate area of retail kiosks and carts in an urban plaza should not exceed one hundred fifty (150) square feet or one percent (1%) of the total area of the plaza, whichever is greater.

d. Urban plazas shall have retail sales and service uses on frontage equivalent to at least fifty percent

(50%) of the perimeter of the plaza. The retail sales and service uses shall have direct access onto the plaza.

e. Urban plazas shall be landscaped and paved in such a way as to provide continuous access to the public right-of-way. A minimum of twenty percent (20%) and a maximum of thirty percent (30%) of the plaza shall be landscaped.

f. A minimum ratio of one (1) tree per seven hundred (700) square feet of plaza area is required. Trees should be arranged in such a manner as to define the perimeter of the space and to maximize solar exposure to the principal space.

g. A minimum of eighty-five percent (85%) of the plaza shall be uncovered and open to the sky, excluding deciduous tree canopies.

h. There shall be one (1) lineal foot of public seating area or one (1) public seat for every thirty-five (35) square feet of plaza area. Up to fifty percent (50%) of the seating may be moveable.

i. An urban plaza shall be open to the public during normal business hours, seven (7) days a week.

D. Reduction of Open Space Deficit. When substantial development is proposed for a site, the open space deficit for the entire site must be eliminated, provided that for sites subject to the General Development Plan provisions of Section 23.71.020, the deficit need not be eliminated but shall be reduced by an amount equal to fifty percent (50%) of the footprint of the substantial development together with fifty percent (50%) of the total footprint of any new parking area provided to meet the demand of the substantial development, together with fifty percent (50%) of any replacement parking provided.
(Ord. 116795 § 2(part), 1993.)

23.71.016 Parking and access.

A. Required Parking.

1. Off-street parking requirements are prescribed in Chapter 23.54, except as modified by this chapter. Minimum and maximum parking requirements for specified uses in the Northgate Overlay District are identified in Table 23.71.016 A.

Table 23.71.016 A
Minimum and Maximum Parking Requirements

	LONG TERM		SHORT TERM
	Minimum	Minimum	Maximum
Office, Administrative	0.9/1000	2.6/1000	0.2/1000
Office, Customer Service	1.0/1000	2.4/1000	1.6/1000
Commercial Retail			
Sales & Service	0.93/1000	2.4/1000	2.0/1000
Motion Picture	N/A	N/A	Min: 1/8 seats Max: 1/4 seats

2. Parking waivers as provided under Section 23.54.015 D shall apply in the Northgate Overlay District,

except that no waiver of parking may be granted to medical service uses.

3. Parking may exceed the maximums when provided in a structure, pursuant to a joint use parking agreement with the Metro Transit Center, if the spaces are needed only to meet evening and weekend demand or as overflow on less than ten percent (10%) of the weekdays in a year, and will otherwise be available for daytime use by the general public.

4. Short-term parking for motion picture theatres may be increased by ten percent (10%) beyond the maximum requirement, if these additional spaces are not provided as surface parking, will not adversely impact pedestrian circulation and will reduce the potential for overflow parking impacts on surrounding streets.

B. Additional Parking Waivers on Major Pedestrian Streets.

1. When the amount of required parking has been determined pursuant to subsection A of this section, waivers are permitted, as follows:

a. Parking shall not be required for the first one hundred fifty (150) seats of all motion picture theatre uses and the first seven hundred fifty (750) square feet for all eating and drinking establishments.

b. Parking shall not be required for an additional two thousand five hundred (2,500) square feet to a maximum of five thousand (5,000) square feet for all other required street-level personal and household retail sales and service uses.

2. The Director may permit an additional parking waiver up to a maximum of four thousand (4,000) square feet for eating and drinking establishments as a special exception subject to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The following factors shall be considered by the Director in making a determination whether to allow additional parking waivers for eating and drinking establishments:

a. Anticipated parking demand for the proposed use;

b. The extent to which an additional parking waiver is likely to create or add significantly to spillover parking in adjacent residential neighborhoods;

c. Whether land is available for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning land to a commercial designation;

d. The availability of shared or joint use parking within eight hundred feet (800') of the business establishment;

e. The Director may require that a transportation study be submitted for review by the Director;

f. The Director shall determine the content of the transportation study based on the following factors:

i. The size and type of the proposed use;

ii. The size of the requested parking waiver;

For current SMC, contact
the Office of the City Clerk

iii. Any anticipated impacts of an additional parking waiver.

3. Parking waivers permitted by this subsection shall apply to each street-level business establishment in a structure.

C. Reductions to minimum parking requirements for nonresidential uses as provided in Section 23.54.020 F shall not apply in the Northgate Overlay District.

D. Shared Parking.

1. Except as provided in subsection D2 of this section, shared parking, as provided in Section 23.54.020 G, is permitted for two (2) or more uses to satisfy all or a portion of minimum off-street parking requirements in the Northgate Overlay District.

2. Multipurpose convenience stores and general retail sales and service uses which are open to the public four (4) days or more a week after seven p.m. (7:00 p.m.) may not have shared parking.

E. Owners shall provide parking for bicycles which is protected from the weather. Owners shall provide bicycle lockers for storage of commuter bicycles.

F. Payment in Lieu of On-site Long-term Parking.

1. In lieu of providing up to twenty percent (20%) of the long-term parking which is otherwise required, the Director may permit an owner to make a payment to a Northgate Parking Commission, if a commission is established by the City Council. The payment shall be used to build a public parking structure for long-term parking within the Northgate Core area. The payment and use thereof shall be consistent with RCW 82.02.020.

2. The amount of the payment shall be based on the construction cost of a parking space in a structured garage in the Northgate Core area, as determined by the Northgate Parking Commission.

3. The Director shall apply the following criteria in determining whether to approve a payment in lieu:

a. Spillover parking would not occur which would significantly impact nearby residential neighborhoods;

b. The parking demand proposed to be met by in-lieu payment will not exceed the capacity provided by the long-term parking structure.

4. If a public parking structure is not constructed within six (6) years of the date of issuance of a certificate of occupancy for a development which made a payment in lieu, the City may use the payments to help reduce vehicle trips in the area. If the owner can show that the long-term parking demand of the site has been reduced enough to eliminate the need for the waived spaces, the amount of payments shall be returned to the property owner.

G. Parking Location and Access.

1. Parking location and access are subject to the provisions of the underlying zone, except as modified by this subsection and Section 23.71.008.

2. The following provisions shall apply to all new parking provided, the reconfiguration of more than two hundred fifty (250) parking spaces, or the replacement of existing surface parking with structured parking. Existing nonconforming parking used to meet the parking requirement for newly developed space or new uses shall not be required to meet these standards.

a. The first two hundred (200) proposed parking spaces located on-site may be located in either a surface parking area, or within or under a structure. In addition, seventy-five percent (75%) of the spaces in excess of two hundred (200) shall be accommodated either below grade or above grade in structures. All parking in excess of two hundred (200) spaces may be located off-site within eight hundred feet (800') of the site except as provided in subsection E1 of this section. The Director may waive or modify this requirement if site size, shape, or topography makes it infeasible to construct an accessory parking structure.

b. The first two hundred (200) proposed surface parking spaces may be increased to three hundred fifty (350) spaces if 1) the surface parking area does not cover more than thirty-five percent (35%) of the total lot area, and 2) the on-site open space requirement, in excess of the minimum required landscaped open space provided for in Section 23.71.014, is provided as usable open space which is contiguous to other usable open space on the site.

c. For surface parking areas exceeding two hundred fifty (250) parking spaces, a ten foot (10') wide landscaped pedestrian walkway separating each of these parking areas and connecting to the building is required, or separation of parking areas exceeding two hundred fifty (250) spaces shall be provided by structures on-site. These landscaped pedestrian walkways may be counted towards open space requirements as provided in Section 23.71.014.

3. Surface parking areas shall be screened and landscaped according to the provisions of the underlying zone.

(Ord. 117432 § 41, 1994; Ord. 116795 § 2(part), 1993.)

23.71.018 Transportation management program.

A. When substantial development is proposed which is expected to generate twenty-five (25) or more employee or student vehicle trips in any one (1) p.m. hour, the owner of the site upon which the substantial development is proposed shall prepare and implement a Transportation Management Program (TMP). The TMP shall include measures likely to achieve the goals for the proportion of single occupant vehicle (SOV) trips identified below. These goals are a fifteen percent (15%) reduction in the proportion of SOV trips by 1995, twenty-five percent (25%) by 1997, and thirty-five percent (35%) by 1999, from the 1990 SOV baseline rate of eighty-five percent (85%) for commute trips made by all students and employees working in the Northgate area (see Table 23.71.018 A).

1. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.

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

Table 23.71.018 A

Year/Goals	Commercial/Institutional	Residential
January 1, 1995	72%	62%
January 1, 1997	64%	59%
January 1, 2000	55%	55%

B. The owner of any site who proposes multifamily substantial development which is expected to generate fifty (50) or more vehicle trips in any one (1) p.m. hour shall prepare and implement a TMP. The TMP shall include measures likely to achieve goals for the proportion of SOV trips. These goals are a ten percent (10%) reduction in the proportion of SOV trips by 1995, fifteen percent (15%) by 1997 and twenty percent (20%) by 1999, from the 1990 SOV baseline rate (sixty-nine percent (69%) SOV) for commute trips by all residents living in the Northgate area (see Table 23.71.018 A).

For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

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

D. The TMP shall be approved by the Director if, after consulting with Seattle Transportation, the Director determines that the TMP measures are likely to achieve the SOV goals.

E. The owner of each property subject to this implementation guideline shall submit an annual progress report to the Director of Transportation, who will advise the Director of DCLU on compliance. The progress report shall contain:

1. The number of full and part-time employees, students and/or residents at a site during the peak hour;
2. A summary of the total p.m. peak hour vehicle trips generated by the site, including employees, students and residents;
3. A description of any programs, incentives, or activities or other measures targeted to reduce vehicle trips, in which employees, students or residents at the site participate;
4. The number of people participating in the TMP measures;
5. The peak hour proportion of SOV trips of the employees, students, and/or residents.

F. Seattle Transportation shall monitor compliance with the requirements of this section. If monitoring shows that the owner has not implemented the TMP measures or has not made sufficient progress toward achieving the TMP goals, the Director of Transportation may recommend that the Director:

1. Require modifications to the TMP program measures; and/or
2. Pursue enforcement action pursuant to the Land Use Code.

G. After approval of a TMP and issuance of a master use permit as prescribed in subsections C and D of this section, if the owner applies for a master use permit for additional development, before approving the new master use permit, the Director, after consulting with the Director of Transportation, shall review the implementation of the TMP. If substantial progress has not been made in achieving the goal for the proportion of SOV trips, the Director may:

1. Require the applicant to revise the TMP to include additional measures in order to achieve compliance with the TMP goal before the issuance of a permit; and/or
2. Require measures in addition to those in the TMP that encourage alternative means of transportation for the proposed new development; and/or
3. Deny the permit if the Director determines that the owner has failed to make a good-faith effort to implement the TMP; or
4. Determine that a revised or new program is not needed, and that the permit can be issued without changes to the existing TMP.

H. Compliance. To comply with this section, the owner of a site subject to the requirement for a TMP, must demonstrate that he or she has an approved TMP, has submitted the required annual reports, and has succeeded in accomplishing one (1) of the two (2) following objectives:

1. That the owner has implemented the measures contained in the TMP for the development project; and/or
2. That the owner has met the goal for SOV trips specified in subsection A of this section.

Failure to comply with the provisions of this section is a violation of the Land Use Code. The penalty for each violation is Two Hundred Fifty Dollars (\$250.00) per day.

I. A fund shall be established in the City's General Fund to receive revenue from fines for violations of this section. Revenue from fines shall be allocated to activities or incentives to reduce vehicle trips in the Northgate area. The Director of Transportation shall recommend to the Mayor and City Council how these funds should be allocated.

J. Seattle Transportation and DCLU shall prepare a Director's Rule explaining how each department shall implement this section.

(Ord. 118409 § 213, 1996; Ord. 117432 § 42, 1994; Ord. 116795 § 2(part), 1993.)

23.71.020 General Development Plan requirement.

A. On sites of six (6) acres or more the owner shall submit and obtain approval of a General Development Plan when one (1) or more of the conditions identified in subsection C of this section is met.

B. For the purposes of this section a "site" is all contiguous parcels of property, including parcels separated only by rights-of-way, which are under common ownership, or under the ownership of several individuals or entities who have agreed to common management of all or a portion of the parcels.

C. A General Development Plan shall be prepared when one (1) or more of the following occurs:

1. Development of more than four thousand (4,000) square feet of commercial floor area, or redevelopment of more than four thousand (4,000) square feet of commercial floor area, if the redevelopment includes a change of use; and/or
2. Creation of parking facilities for over forty (40) vehicle spaces; and/or
3. Rezone applications; and/or
4. Conditional use applications; and/or
5. Requests for variance(s) from the requirements of this chapter.

D. The General Development Plan shall be reviewed by the Director as a Type II master use permit decision, as provided in Chapter 23.76, Procedures For Master Use Permits and Council Land Use Decisions.

E. A General Development Plan is not required for that portion of a site for which a Major Institution Master Plan is required pursuant to Chapter 23.69.
(Ord. 116795 § 2(part), 1993.)

23.71.024 Contents of a General Development Plan.

A. The General Development Plan is a conceptual plan for site development consisting of the following eight (8) components:

1. The structure layout component shall include the following:

a. The general location of structures and areas of pedestrian and vehicular circulation;

b. Proposed lot coverage, floor area, height and uses anticipated in the structures; and

c. Three (3) dimensional drawings illustrating the height and form of proposed structures.

2. The pedestrian circulation component shall include the following:

a. The location of pedestrian routes providing access to all structures on the site, and an identification of pedestrian connections with adjacent areas; and

b. The location of a clearly marked landscaped pedestrian walkway from all structures to the nearest public sidewalk served by public transit.

3. The vehicular circulation component shall include the following:

a. Vehicular, bicycle, and service access to the site from abutting streets, as well as proposed internal site circulation; and

b. A description of any planned or anticipated street or alley vacations or the abandonment of existing street rights-of-way.

4. The parking and loading component shall include the location, type (surface or within a structure), and amount of parking and loading to meet parking and loading requirements.

5. The transportation management component shall be consistent with the requirements of Section 23.71.018.

6. The landscaping and open space component shall include the following:

a. The location and size of open space areas intended for public use;

b. A general plan indicating the amount, location and type of landscaping to be provided; and

c. A discussion of whether and how off-site open space payments, prescribed by Section 23.71.014, will be met.

7. The phasing component shall include a description of proposed development phases and plans, including development priorities, the probable sequence of development, estimated dates of construction and occupancy, and anticipated interim use of property awaiting development.

8. The topography and drainage component shall include the following:

a. Plans showing the proposed finished grades, drainage patterns, swales, creeks, retention ponds, and wetlands; and

b. The location and description of filtration devices for oil/water separation.

(Ord. 116795 § 2(part), 1993.)

For current SMC, contact
the Office of the City Clerk

23.71.026

Exceptions granted through the General Development Plan process.

A. To meet the intent of the Northgate Area Comprehensive Plan, the Director may authorize specified exceptions to the requirements of the Land Use Code in approving a General Development Plan, as specified below. An exception shall result in a better design solution given specific site conditions than would otherwise be possible through strict adherence to applicable development standards.

B. Approval of a General Development Plan may include granting of the following exceptions:

1. The DCLU Director may waive or modify provisions of the Land Use Code for mixed use development as follows:

a. Reductions may be permitted to the minimum amount of nonresidential use required in SMC Section 23.47.008, Mixed use structures.

b. For mixed use development in separate structures, as provided for in Section 23.71.038, the residential and nonresidential structures may be constructed at different times, provided that the phasing of the nonresidential portions of the development is specified in the General Development Plan.

2. To grant exceptions to the standards for mixed use development as specified in subsection B1 of this section, an applicant must demonstrate that the project meets the following criteria:

a. The project reinforces or creates pedestrian connections through the site and to the closest transit streets.

b. The project is locating multifamily development within six hundred sixty (660) feet (one-eighth (1/8) mile) of a street served by transit.

c. Sufficient commercial development exists in the immediate vicinity to maintain an active pedestrian environment with uses serving the local population.

3. Modification of Land Use Code requirements for screening and landscaping at the street property line, as provided in Section 23.47.016, may be permitted under the following conditions:

a. The objective of the screening and landscaping is met by a topographic break that makes the screening unnecessary.

b. A portion of the property's usable open space requirement is placed adjacent to the street, eliminating the need for screening and landscaping.

c. The Director determines that a proposed solution better meets the intent of the screening and landscaping requirements or there is no need for screening and landscaping on the site.

4. Exceptions may be granted to the provisions for parking location and access contained in subsections G2 and G3 of Section 23.71.016. An applicant must demonstrate that the project meets the following criteria:

a. The total number of parking spaces on a site does not exceed one hundred seventy-five (175) percent of the minimum Land Use Code requirement.

b. Clearly designated pedestrian walkways are provided between parking areas and buildings. Ten (10) foot wide landscaped pedestrian walkways must be adjacent to any parking area containing two hundred fifty (250) spaces. Two (2) adjacent parking areas of two hundred fifty (250) parking spaces each, may share a walkway.

5. Modifications may be granted to the requirements for sidewalk widths, provided that this exception shall not be granted for sidewalks along pedestrian designated streets. An exception may be granted under the following conditions:

a. Topographic breaks would separate the sidewalk from the site.

b. Topographic breaks would make the costs of increasing the sidewalk widths disproportionate to the benefits derived.

c. An alternate pedestrian route would better serve pedestrian circulation needs.

(Ord. 116795 § 2(part), 1993.)

23.71.028

General Development Plan process.

A. To obtain approval, a General Development Plan must be consistent with the Northgate Comprehensive Plan and the provisions of this chapter.

B. An Advisory Committee to the Director shall be established by the Director for each general development plan required. The composition of the committee shall be a balanced group representing all interests including the applicant, neighborhoods, the business community, and property owners, except that the applicant's representative shall not participate in a vote on the recommendation to the Director, as described in subsection B2 below. The Advisory Committee shall perform the following functions:

1. Review the contents of a draft general development plan; and

2. Within a time period established by the Director, recommend to the Director any suggested changes or additions to the draft general development plan.

(Ord. 119239 § 34, 1998; Ord. 116795 § 2(part), 1993.)

23.71.029

Effect of General Development Plan approval.

A. After a General Development Plan has been approved, the applicant may develop in accordance with the approved plan.

B. The Director shall not accept any application for nor issue any master use permit for development which has not been included in the approved General Development Plan or which is inconsistent with an approved General Development Plan.

For current SMC, contact
the Office of the City Clerk

C. Applications for master use permits for development contained in an approved General Development Plan are subject to the requirements of Chapter 25.05, SEPA Policies and Procedures.
(Ord. 116795 § 2(part), 1993.)

23.71.030 Development standards for transition areas within the Northgate Overlay District.

A. To promote compatibility between different types and intensities of development located within and along the boundary of the Northgate Overlay District, a transition shall be provided between zones where different intensities of development may occur.

B. The requirements of this section apply to development on lots in the more intensive zones under the following conditions:

1. Where a lot zoned Lowrise 4 (L4), Midrise (MR), Midrise/85 (MR/85) or Highrise (HR) abuts or is across a street or alley from a lot zoned Single Family (SF), Lowrise Duplex-Triplex (LDT), Lowrise 1 (L1), or Lowrise 2 (L2); and

2. Where a lot zoned Neighborhood Commercial 2 or 3 (NC2, NC3) with a height limit of forty (40) feet or greater abuts or is across a street or alley from a lot zoned Single Family (SF), Lowrise Duplex-Triplex (LDT), Lowrise 1 (L1), or Lowrise 2 (L2).

C. Side Setbacks Abutting or Across an Alley.

1. For multifamily structures an additional side setback of one (1) foot for each two (2) feet of a structure height above twenty (20) feet is required (Exhibit 23.71.032 A).

For current SMC, contact
the Office of the City Clerk

Seattle Municipal Code
December 2002 code update file
Text provided for historic reference only.

See ordinances creating and amending
sections for complete text, graphics,
and tables and to confirm accuracy of
this source file.

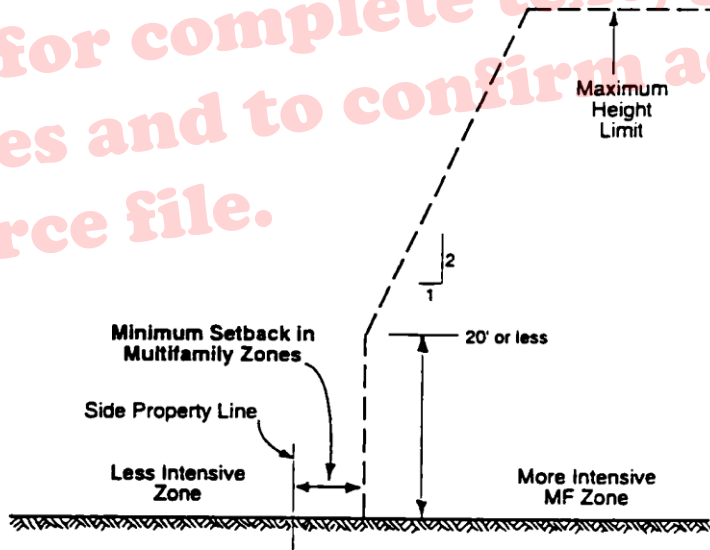


Exhibit 23.71.032A
Side Setbacks Multifamily Structures

For current SMC, contact
the Office of the City Clerk

2. A side setback of ten (10) feet is required for all portions of a commercial or mixed use structure twenty (20) feet or less in height (Exhibit 23.71.032 B).

3. An additional side setback of ten (10) feet is required for all portions of a commercial or mixed use structure exceeding twenty (20) feet (Exhibit 23.71.032 B).

4. Side setbacks shall be landscaped within five (5) feet of the abutting property line, unless the setback is used for parking, in which case the parking area shall be screened as otherwise required by this code.

D. Rear Setbacks Abutting or Across an Alley.

1. For multifamily structures, a rear setback of twenty (20) feet is required or the minimum required by the standards of the underlying zone for multifamily structures, whichever is greater.

2. A rear setback of ten (10) feet is required for all portions of a commercial or mixed use structure twenty (20) feet or less in height (Exhibit 23.71.032 C).

3. An additional rear setback of ten (10) feet is required for all portions of a commercial or mixed use structure exceeding twenty (20) feet (Exhibit 23.71.032 C).

For current SMC, contact
the Office of the City Clerk

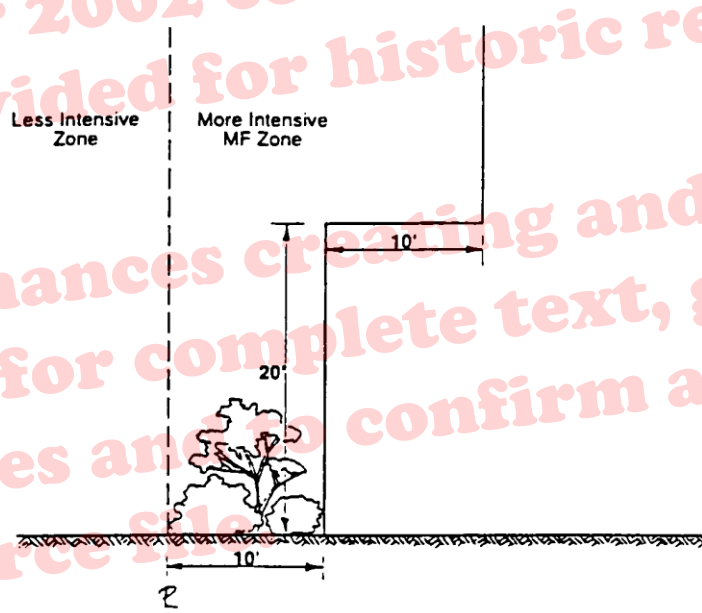


Exhibit 23.71.032B
Side Setbacks for Commercial/
Mixed Use Structures

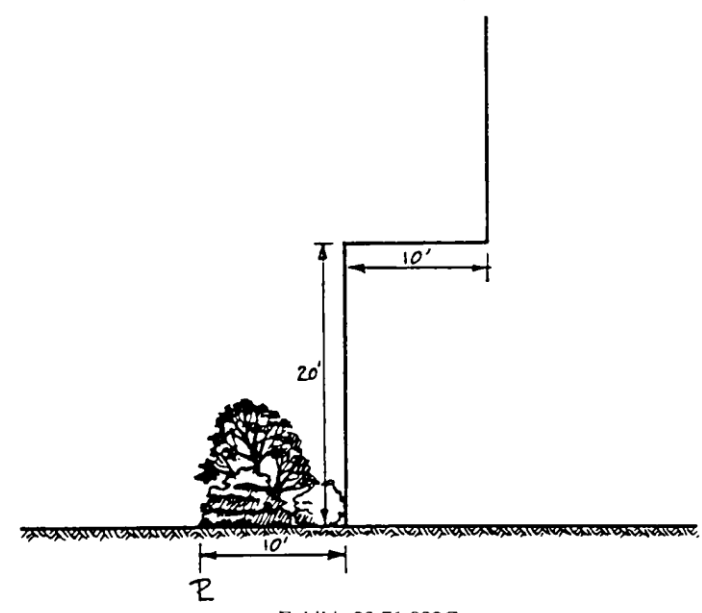


Exhibit 23.71.032C
Rear Setback for Commercial/Mixed Use Structures

4. Rear setbacks shall be landscaped unless used for parking, in which case the parking area shall be screened and landscaped as otherwise required by this code.

E. Side or Rear Setbacks for Multifamily Structures Abutting a Street. A side or rear setback of eight (8) feet, or the minimum required for multifamily structures by the underlying zone, whichever is greater, is required for portions of a multifamily structure thirty (30) feet or less in height along all street rights-of-way less than eighty (80) feet wide across from the less intensive zone. Portions of a multifamily structure in excess of thirty (30) feet in height shall be set back an additional one (1) foot for each two (2) feet of structure height above thirty (30) feet (Exhibit 23.71.032D).

F. Front Setbacks for Multifamily Structures Abutting a Street. Where the front lot line of the more intensively zoned lot is across a street right-of-way which is less than eighty (80) feet wide from the less intensively zoned lot, the minimum front setback shall be ten (10) feet for all portions of a multifamily structure thirty (30) feet or less in height. For portions of a structure exceeding thirty (30) feet in height, an additional front setback of one (1) foot for every two (2) feet of structure height in excess of thirty (30) feet shall be required (Exhibit 23.71.032E).

For current SMC, contact
the Office of the City Clerk

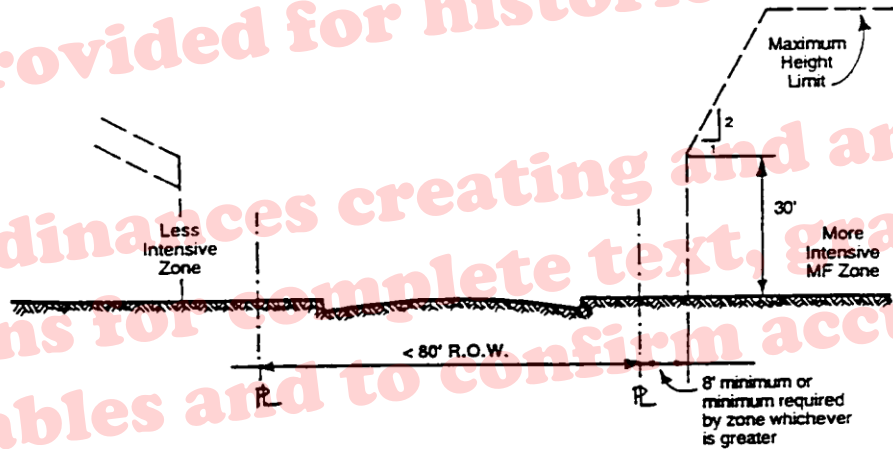


Exhibit 23.71.032D
Side and Rear Setbacks For Multifamily Structures
Across Streets < 80' From Less
Intense Residentially Zoned Lots

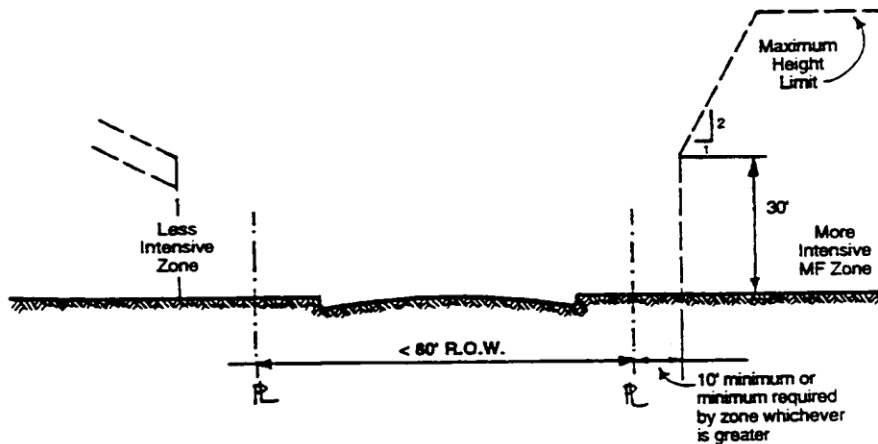


Exhibit 23.71.032E
Front Setbacks for Multifamily Structures
Across Streets < 80' from Less Intense
Residentially Zoned Lots

G. Setbacks for Commercial or Mixed Use Structures Abutting a Street. No side or rear setback abutting a street is required for the portion of commercial or mixed use structures containing street level retail sales and service uses oriented towards the street. Where blank walls, parking or other nonretail sales and service uses occupy portions of the structure facing the street a five (5) foot setback shall be required and screened and landscaped as required by the underlying zone.
(Ord. 116795 § 2(part), 1993.)

23.71.036 Maximum width and depth of structures.

The maximum width and depth requirements of this section shall apply only to portions of a structure within fifty (50) feet of a lot line abutting, or directly across a street right-of-way which is less than eighty (80) feet in width, from a less intensive residential zone as provided in Table 23.71.036 A.

TABLE 23.71.036 A STRUCTURE WIDTH AND DEPTH STANDARDS FOR TRANSITION AREAS			
Subject Site	Abutting Residential zone (or) zone across a street right-of-way less than eighty (80) feet in width	Maximum width	Maximum Depth
L4, MR, MR/85 and HR	Single Family, LDT, L1 or L2	Apartments 75 feet Townhouses 130 feet	65% depth of lot with no individual structure to exceed 90 feet
NC2 and NC3 w/40 feet or greater height limits in width.	Single Family, LDT, L1 or L2	Above a height of 30 feet, wall length shall not ex- ceed 80% of abutting lot line, to a maximum of 60 feet.	

(Ord. 116795 § 2(part), 1993.)

23.71.038 Standards for mixed use development in commercial zones within the Northgate Overlay District.

Residential and nonresidential uses in a mixed use development in a commercial zone shall meet the requirements of Section 23.47.008 to qualify as a mixed use development. The minimum standards of Section 23.47.008 may vary on sites subject to the requirements for General Development Plans as provided in Section 23.71.026.
(Ord. 118414 § 54, 1996: Ord. 116795 § 2(part), 1993.)

23.71.040 Density limits for residential uses in commercial zones within the Northgate Overlay District.

A. Residential uses in commercial zones with a thirty (30) foot height limit may not exceed a density of one (1) dwelling unit for every eight hundred (800) square feet of lot area.

B. Residential uses in commercial zones with a forty (40) foot height limit may not exceed a density of one (1) dwelling unit for every six hundred (600) square feet of lot area.

C. There is no density limit for residential use in commercial zones with height limits of sixty-five (65) feet or greater.

D. Development meeting the requirements for mixed use as provided in Section 23.71.038 is allowed a twenty (20) percent increase in permitted density over the density permitted by subsections A and B of this section.
(Ord. 116795 § 2(part), 1993.)

23.71.042 Standards for commercial-only structures in Residential/Commercial zones within the Northgate Overlay District.

A. Commercial uses permitted in a mixed use structure in Residential/Commercial (RC) zones as provided in Section 23.46.012 are permitted outright in single-purpose

For current SMC, contact
the Office of the City Clerk

commercial structures within the Northgate Overlay District.

B. Single-purpose commercial structures shall not exceed a size limit of .75 FAR or five thousand (5,000) square feet, whichever is less.

C. Single-purpose commercial structures in Residential/Commercial (RC) zones are subject to the development standards of Section 23.71.008 B4 and 23.71.008 F. (Ord. 116795 § 2(part), 1993.)

23.71.044 Standards for single-purpose residential development in Commercial zones within the Northgate Overlay District.

A. Single-purpose residential structures are subject to the conditional use requirements of Section 23.47.006 B and the following development standards within the Northgate Overlay District:

1. In all Commercial zones with a height limit of thirty (30) feet, single-purpose residential structures shall meet the development standards for residential structures in Lowrise 3 zones, except that no front setback is required.

2. In all Commercial zones with a height limit of forty (40) feet, single-purpose residential structures shall meet the development standards for residential structures in Lowrise 4 zones, except that no front setback is required.

3. In all Commercial zones with a height limit of sixty-five (65) feet, single-purpose residential structures shall meet the development standards for residential structures in Midrise zones, except that no front setback is required.

B. Single-purpose residential structures are prohibited in all commercial zones with a height limit of eighty-five (85) feet or greater, except as provided in Section 23.71.026 B for phased mixed use development under a General Development Plan. (Ord. 116795 § 2(part), 1993.)

**Chapter 23.72
SAND POINT OVERLAY DISTRICT**

Sections:

Subchapter I Establishment of Overlay District

23.72.002 Purpose and intent.

23.72.004 Sand Point Overlay District established.

23.72.006 Application of regulations.

Subchapter II Use and Development Standards

23.72.008 Uses permitted in specified areas within the Sand Point Overlay District.

23.72.010 Development standards.

23.72.012 Parking location.

23.72.014 Nonconformity.

Subchapter I Establishment of Overlay District

23.72.002 Purpose and intent.

The purpose of this chapter is to implement the Sand Point amendments to the Comprehensive Plan by regulating land use and development within the Sand Point Overlay District in order to integrate the property into the city of Seattle as a multi-purpose regional center that provides:

A. Expanded opportunity for recreation, education, arts, cultural and community activities;

B. Increased public access to the shoreline and enhanced open space and natural areas;

C. Opportunities for affordable housing and community and social services with a special priority for addressing the needs of homeless families;

D. Expanded opportunity for low-impact economic development uses which could provide employment and services for residents of the property and for the broader community.

(Ord. 118624 § 3(part), 1997.)

23.72.004 Sand Point Overlay District established.

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Sand Point Overlay District, comprised of two subareas A and B, as shown on the City's Official Land Use Map, Chapter 23.32, and Map A.

(Ord. 118794 § 44, 1997: Ord. 118624 § 3(part), 1997.)

23.72.006 Application of regulations.

All land located within the Sand Point Overlay District is subject to the regulations of the underlying zone unless specifically modified by the provisions of this chapter. In the event of irreconcilable differences between the provisions of the Sand Point Overlay District and the underlying zone, the provisions of this chapter shall apply. Portions of the Sand Point Overlay District that lie within the Shoreline District, regulated by the Seattle Shoreline Master Program (SSMP), Chapter 23.60, shall be governed by the provisions of the SSMP in addition to this chapter. In the event of a conflict the provisions of the SSMP shall prevail.

(Ord. 118624 § 3(part), 1997.)

Subchapter II Use and Development Standards

23.72.008 Uses permitted in specified areas within the Sand Point Overlay District.

A. Uses Permitted Within Subarea B as Depicted on Map A Zones Single-family.

**For current SMC, contact
the Office of the City Clerk**

1. Principal Uses Permitted Outright. In addition to the uses permitted by the provisions of Section 23.44.006, the following principal uses are permitted outright in structures existing as of the effective date of this chapter:1

- a. Custom and craft work and accessory retail sales and services;
 - b. Institutions, except hospital;
 - c. Lecture and meeting halls;
 - d. Motion picture studio;
 - e. Participant sports and recreation;
 - f. Police training facility;
 - g. Research and development laboratories;
 - h. Storage of fleet vehicles and accessory service and repair; and
 - i. Warehouse.
2. When not in use as a motion picture studio, a structure may be used for participant sports and recreation.

3. Within Subarea A, Park Area depicted on Map A, area not occupied by existing structures, existing paved parking areas or rights-of-way shall be limited to open space uses, such as parks and playgrounds.

B. Uses Permitted Within Subarea B as Depicted on Map A Zoned Lowrise 3, Principal Uses Permitted Outright. In addition to the uses permitted outright in accordance with Section 23.45.006, the following principal uses are permitted outright within structures existing as of the effective date of this chapter:1

1. Food processing for human consumption;
2. Horticultural use;
3. Institutions, except hospital;
4. Lecture and meeting halls;
5. Medical service uses;
6. Office; and
7. Restaurants without cocktail lounges.

(Ord. 118794 § 45, 1997; Ord. 118624 § 3(part), 1997.)

1. Editor's Note: Ordinance 118624, which enacted Chapter 23.72, takes effect July 18, 1997.

23.72.010 Development standards.

A. Within areas zoned single-family, new structures shall conform to the development standards for single-family development in Chapter 23.44, Residential, Single-family.

B. Within areas zoned Lowrise 3, new structures shall conform to the development standards of Chapter 23.45 applicable to Lowrise 3 development.

C. Density. A maximum of two hundred (200) dwelling units may be established within the boundaries of the Sand Point Overlay District. Residential uses provided by the University of Washington shall not count toward the maximum site density established in this subsection.
(Ord. 118794 § 46, 1997; Ord. 118624 § 3(part), 1997.)

23.72.012 Parking location.

Required parking may be provided anywhere within the Sand Point Overlay District, including public rights-of-way.

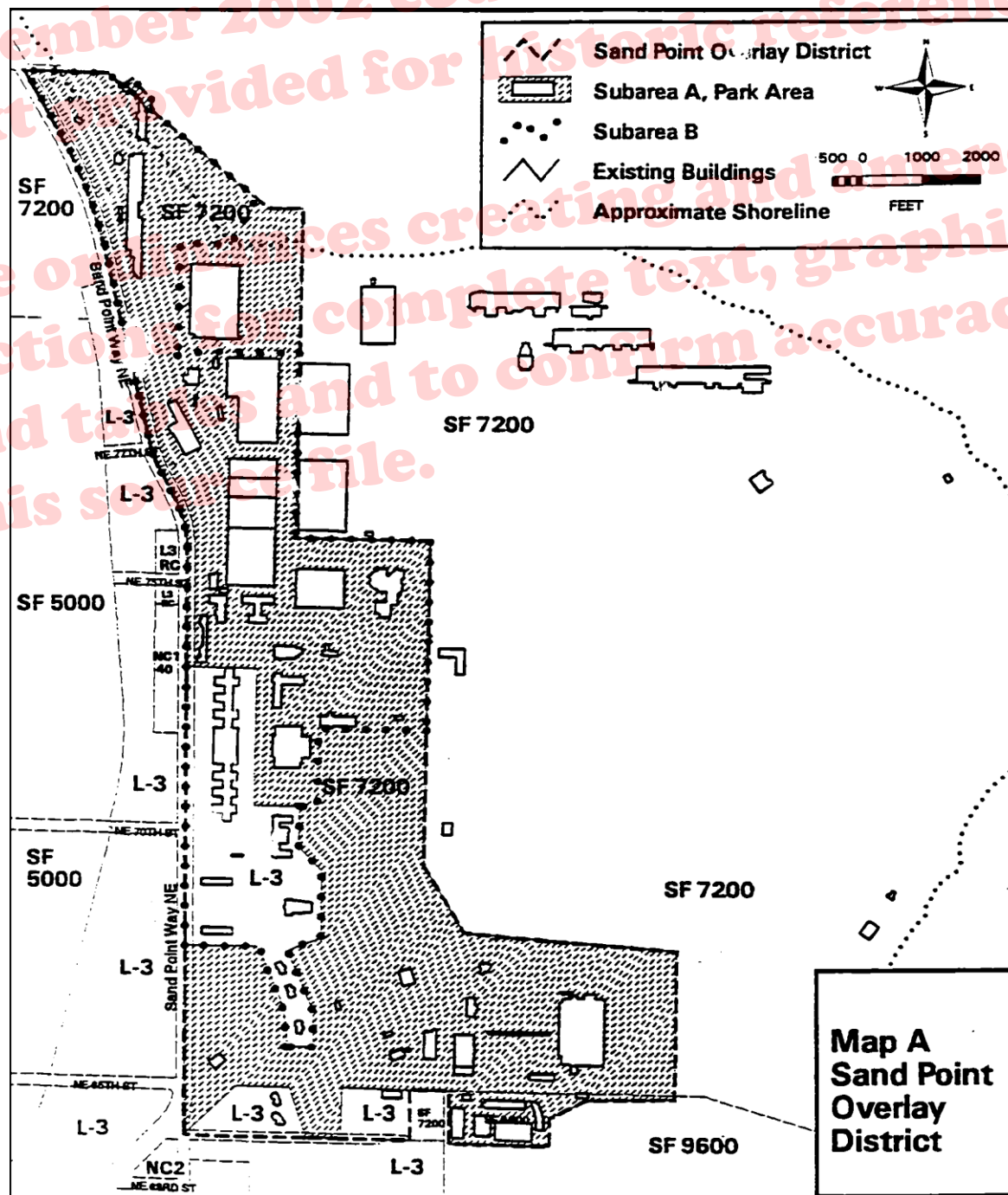
(Ord. 118624 § 3(part), 1997.)

23.72.014 Nonconformity.

The provisions of Chapter 23.42 pertaining to nonconformity apply except that further subdivision of property may be permitted by the Director even if nonconformity would be created with respect to a structure's relationship to lot lines or lot area. This provision shall only apply to structures in existence on the effective date of this chapter.
(Ord. 120293 § 10, 2001; Ord. 118624 § 3(part), 1997.)

For current SMC, contact
the Office of the City Clerk

Seattle Municipal Code
 December 2002 code update file
 Text provided for historic reference only.



Any user of this digital product assumes all responsibility for the use thereof, and agrees to hold the City of Seattle harmless from and against any damage, loss, or liability arising from any use of the product. This digital product has been copyrighted by the City of Seattle. The City of Seattle hereby reserves all rights thereto, and neither this digital product, nor any portion thereof, may be reproduced in any form or by any means without the express written authorization to the City of Seattle.

For current SMC, contact
 the Office of the City Clerk

Chapter 23.73
PIKE/PINE OVERLAY DISTRICT

Sections:

Subchapter I Establishment of Overlay District

- 23.73.002 Purpose and intent.**
23.73.004 Pike/Pine Overlay District established.
23.73.006 Application of regulations.

Subchapter II Use and Development Standards

- 23.73.008 Uses.**
23.73.010 Development standards.

Subchapter I Establishment of Overlay District

23.73.002 Purpose and intent.

The purpose of this chapter is to implement Resolution 28657, calling for development of the Pike/Pine Overlay District in order to preserve and enhance the balance of residential and commercial uses, by encouraging residential development and discouraging large, single-purpose commercial development.
(Ord. 117514 § 3 (part), 1995.)

23.73.004 Pike/Pine Overlay District established.

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Pike/Pine Overlay District as shown on the Official Land Use Map, Chapter 23.32, and Exhibit 23.73.004 A.

**For current SMC, contact
the Office of the City Clerk**

Seattle Municipal Code
December 2002 code update file
Text provided for reference only.



Exhibit 23.73.004A
Pike/Pine
Overlay District

300 0 300 Feet



Legend

- | | |
|----------------------------|------------------------------------------------------|
| Principal Freeway Streets | Commercial Uses Required at Street Level etc: |
| Pike/Pine Overlay District | Both Sides of Street |
| Existing Zone Boundaries | North Side Only |
| Blocks | South Side Only |

No representation of any kind, including accuracy, completeness, or timeliness, is made by the City of Seattle.

Copyright 2000,
City of Seattle
Prepared 3/04/2000
PCLB-CES

For current SMC, contact
the Office of the City Clerk

(Ord. 120004 § 5, 2000; Ord. 118414 § 55, 1996; Ord. 117514 § 3 (part), 1995.)

23.73.006 Application of regulations.

Land which is located within the Pike/Pine Overlay District, as shown on Exhibit 23.73.004 A, is subject to the regulations of the underlying zones unless specifically modified by the provisions of this chapter. In the event of a conflict between the provisions of this chapter and the underlying zone, the provisions of this chapter apply. In the event of a conflict between the provisions of this chapter and Chapter 23.69, Major Institution Overlay District, the provisions of Chapter 23.69 apply. (Ord. 117514 § 3 (part), 1995.)

Subchapter II Use and Development Standards

23.73.008 Uses.

A. In addition to uses otherwise prohibited in zones comprising the Pike/Pine Overlay District, the following use is prohibited:

Drive-in businesses.

B. Required Uses at Street Level.

1. Commercial use is required at street level for all structures fronting on the following streets:

East Pike Street;

East Pine Street;

East Union Street, east of Broadway; and

2. Mixed use structures must meet the standards prescribed by Section 23.47.008.

C. Single-purpose Residential Structures.

1. Single-purpose residential structures are permitted outright where commercial use is not required by subsection B, above, or as provided for in Section 23.47.023 B.

2. A density of one (1) unit per four hundred (400) square feet of lot area is permitted except that density shall be unlimited in areas where single-purpose residential is permitted outright as per Section 23.73.008 C1, subject to the following:

a. Single-spouse residential structures are located in NC zones with a height limit of sixty-five (65) feet or more; and

b. At least forty (40) percent of all units are rented to households at rents not exceeding thirty (30) percent of sixty (60) percent of the median income for the Seattle-Everett Standard Metropolitan Statistical Area, as defined by the United States Department of Housing and Urban Development (HUD).

c. Applicants shall demonstrate compliance with these income criteria for the life of the building.

D. Commercial Use Limit. All structures greater than thirty (30) feet in height are limited to no more than fifty (50) percent of the structure's gross floor area in nonresidential use. In no case shall nonresidential use exceed the

total gross floor area of the first two (2) floors of the structure.

(Ord. 120004 § 6, 2000; Ord. 118414 § 56, 1996; Ord. 117514 § 3 (part), 1995.)

23.73.010 Development standards.

A. Height Exception for Mixed Use Structures.

1. In zones with a sixty-five (65) foot height limit, the Director may permit the height of the structure to exceed the height limit of the zone by up to four (4) feet, only if the residential and nonresidential uses are located in the same structure and subject to the following:

a. The nonresidential use at street level requires a ceiling height that exceeds the minimum required ceiling height of thirteen (13) feet floor to ceiling to support business operations; and

b. The additional height will not permit an additional story to be built beyond what could be built under a sixty-five (65) foot height limit if a ceiling height of more than thirteen (13) feet floor to ceiling is not needed to support street level commercial uses.

B. Open Space.

1. Open space is not required for structures existing as of April 1, 2000, that are repaired, renovated or structurally altered to the extent permitted by the development standards of the Land Use Code, provided that street facing facades are retained and fifty (50) percent or more of the gross floor area is retained.

2. Open space is not required for new construction, when affordable housing is provided by a nonprofit organization that meets the following criteria:

a. At least forty (40) percent of the units are rented to households at rents not exceeding thirty (30) percent of sixty (60) percent of the median income, adjusted for household size, for the Seattle-Everett Standard Metropolitan Statistical Area, as defined by the United States Department of Housing and Urban Development (HUD); and

b. Applicants shall demonstrate compliance with these income criteria for the life of the building.

3. Existing residential uses that meet the open space requirements of Section 23.47.024, Open space standards, may eliminate the open space, provided they comply with the requirements of Section 23.73.010 B2.

C. Parking.

1. Required Parking. The minimum number of off-street parking spaces required for multifamily uses is specified in Chart A of Section 23.54.015, Required parking.

2. Location of Parking. Parking for residential shall be provided on the same lot as the principal use. Parking for nonresidential uses may be located on the lot or built into or under the structure or within eight hundred (800) feet of the lot on which the use is located. When parking is provided on a lot other than the lot of the use to

For current SMC, contact
the Office of the City Clerk

which it is accessory, the provisions of Section 23.54.025, Parking covenants, shall apply.
(Ord. 120004 § 7, 2000.)

Chapter 23.74 STADIUM TRANSITION AREA OVERLAY DISTRICT

Sections:

Subchapter I Establishment of Overlay District

23.74.002 Purpose, intent and description of the overlay district—Rezone requirement—Rezone criteria.

23.74.004 Stadium Transition Area Overlay District established.

23.74.006 Application of Regulations.

Subchapter II Uses and Development Standards

23.74.008 Uses.

23.74.009 Height.

23.74.010 Development standards.

Subchapter I Establishment of Overlay District

23.74.002 Purpose, intent and description of the overlay district—Rezone requirement—Rezone criteria.

A. Purpose and Intent. The purpose of this chapter is to implement the City's Comprehensive Plan, including the neighborhood plan for the Greater Duwamish Manufacturing/Industrial Center, by establishing a Stadium Transition Area Overlay District for the area shown on Exhibit 23.74.004 A. The Stadium Transition Area centers on large sports facilities and allows uses complementary to them. It is intended to contribute to a safer pedestrian environment for those attending events and permits a mix of uses, supporting the pedestrian-oriented character of the area as well as the surrounding industrial zone, while minimizing conflicts with industrial uses. Within the overlay district, use provisions and development standards are designed to create a pedestrian connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.

B. Relationship to Surrounding Activity of Areas Located Within the District. The District is an area where stadiums and similar major, regional attractions are located, in which transportation and other infrastructure can support additional development. It is an area surrounded by land with widely varying development patterns and land use characteristics including the mixed use urban

development of south Downtown, Pioneer Square, the working waterfront, and the industrial area.

The desired relationship of the Stadium Transition Area is with Pioneer Square and First Avenue, permitting strong pedestrian and transit links to the north. There should be well-defined edges between the pedestrian activity of the Stadium Transition Area and industrial activity surrounding it. The portion of Fourth Avenue South that is north of Royal Brougham and the main line railroad tracks create a strong edge to the east and should be the eastern boundary. South Holgate Street, the first major cross street to the south of Safeco Field, should be the southern boundary. Boundaries should not be shifted farther into the industrial area.

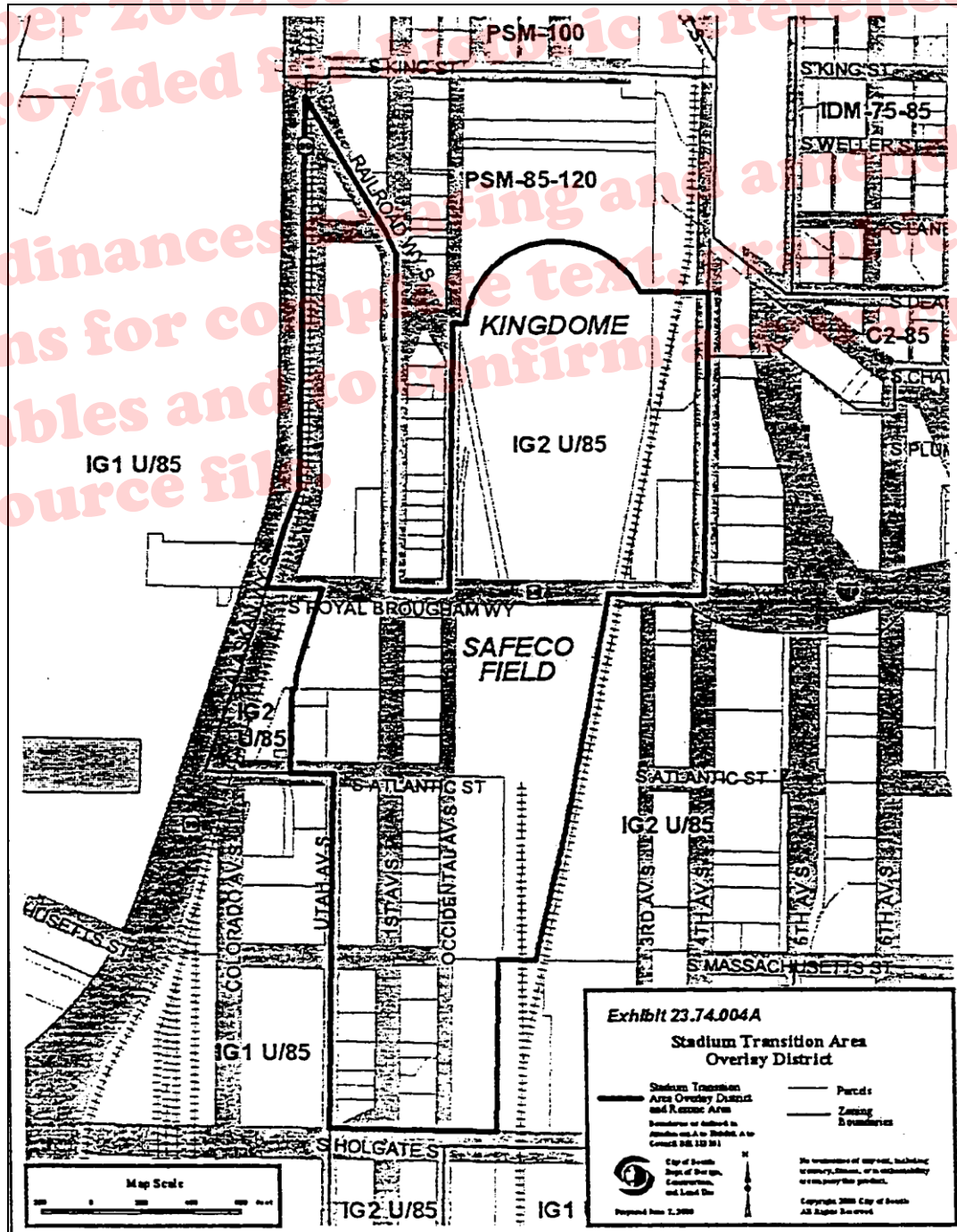
C. Rezones resulting in Boundary Changes to the Stadium Transition Overlay Area District. A rezone pursuant to Chapter 23.34 shall be required to change the established boundaries of the Stadium Transition Area Overlay District. A rezone shall be subject to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Areas to be included within the District boundaries shall be compatible with the purpose and intent as stated in this section, and shall either be areas developed as major spectator sports facilities, or areas that meet the criteria for Industrial Commercial zoning and are along preferred pedestrian routes that can provide safe and attractive passage for pedestrians between the stadiums and retail areas and transit service.
(Ord. 119972 § 10 (part), 2000.)

23.74.004 Stadium Transition Area Overlay District established.

There is established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Stadium Transition Area Overlay District, and the Official Land Use Map, Chapter 23.32, is hereby amended to show such District, as depicted on Exhibit 23.74.004 A.

**For current SMC, contact
the Office of the City Clerk**

See ordinances creating and amending
sections for complete text, figures,
and tables and to confirm accuracy of
this source file.



(Ord. 119972 § 10 (part), 2000.)

For current SMC, contact
the Office of the City Clerk

23.74.006 Application of Regulations.

Land located within the Stadium Transition Area Overlay District, as shown on Exhibit 23.74.004 A, is subject to the regulations of the underlying zone except as otherwise expressly provided in this chapter. In the event of a conflict between the provisions of this chapter and the underlying zone, the provisions of this chapter apply. Where the provisions of the underlying zone are more restrictive, that is not considered a conflict and compliance with the provisions of the underlying zone is required, except as specifically provided in this chapter. Where the provisions of this chapter are more restrictive, compliance with those provisions is required, subject to any departures that may be authorized pursuant to design review under Section 23.41.012 and to provisions for nonconforming uses and structures in Sections 23.50.008 and 23.50.010. (Ord. 119972 § 10 (part), 2000.)

Subchapter II Uses and Development Standards

23.74.008 Uses.

Notwithstanding the use provisions of the underlying zone, the following use provisions apply:

- A. The following uses are permitted outright:
 1. Medical services;
 2. Museums;
 3. Community centers;
 4. Private clubs;
 5. Religious facilities; and
 6. Community clubs.
- B. The following uses are permitted in buildings existing on September 1, 1999:
 1. Artist/Studio dwellings;
 2. Major institutions.
- C. The following uses are prohibited:
 1. Heavy manufacturing uses;
 2. High impact uses;
 3. Salvage and recycling facilities;
 4. Solid waste transfer stations;
 5. Animal services;
 6. Airports, land and water based;
 7. Sewage treatment plants;
 8. Solid waste incineration facilities;
 9. Hospitals;
 10. Elementary and secondary schools;
 11. Drive-in businesses, except gas stations;
 12. Transit vehicle bases;
 13. Principal use parking1;
 14. Lodging;
 15. Colleges2; and
 16. Universities2.

1. Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for general parking purposes or shared with another such facility to meet its required parking. A

spectator sports facility or exhibition hall within the Stadium Transition Overlay Area District may reserve nonrequired parking only outside the overlay district. Such reserved, nonrequired parking is allowed, shall be permitted to be used for general parking purposes, and is exempt from the maximum parking ratio, if:

- (a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall; and
- (b) The parking is reserved for events in the spectator sports facility or exhibition hall; and
- (c) The reserved parking is south of South Royal Brougham Way, west of 6th Avenue, South and north of South Atlantic Street. Parking that is provided to meet required parking will not be considered reserved parking.

2. Training facilities for industrial trades operated by colleges and universities are permitted.

(Ord. 119972 § 10 (part), 2000.)

23.74.009 Height.

A. Within the Stadium Transition Area Overlay District, maximum height limits of the underlying zone are not applicable to spectator sports facilities.

B. Parking garages accessory to spectator sports facilities north of South Royal Brougham Way may exceed the height limit if all the conditions in this subsection B are satisfied.

1. A Master Use Permit ("MUP") decision to permit the parking garage was issued before June 12, 2000.

2. Any height above the maximum height permitted by such MUP decision is allowed by the Director pursuant to applicable provisions of this title for modification of such decision.

3. The total height of the parking garage does not exceed 130 feet. If additional height is granted as described in subsection B2 above, exemptions for rooftop features from height limits of the underlying zone shall apply only to the extent the Director determines such features and exemptions are necessary to the operation of the structure.

4. All floor area above the maximum height allowed by such MUP decision is used as parking required for the spectator sports facility, or for storage or meeting space accessory to the spectator sports facility or exhibition hall.

(Ord. 119972 § 10 (part), 2000.)

23.74.010 Development standards.

A. Within the Stadium Transition Area Overlay District, the following development standards apply to all uses and structures except for spectator sports facilities:

1. Accessory Parking and Outdoor Storage.
 - a. Accessory parking or outdoor storage on any lot to the side of a structure on that lot shall not exceed sixty (60) feet of street frontage along 1st Avenue South or along Occidental Avenue South, and may not be located within the first forty (40) feet from any intersection de-

For current SMC, contact
the Office of the City Clerk

scribed in Section 23.74.010 C. Parking shall be screened in accordance with screening standards for Class II Pedestrian Streets in downtown zones.

b. The maximum parking ratio is one (1) space per six hundred fifty (650) square feet of gross floor area of all uses for which required parking is expressed in terms of square footage, except for institutions for which minimum parking requirements apply. Nonrequired parking accessory to a spectator sports facility or exhibition hall is not permitted in the overlay district, and is subject to the further limitations in footnote 6, Section 23.50.012, Chart A and footnote 1, Section 23.74.008.

2. Curb cuts. Curb cuts are limited to three (3) per block from along north-south streets and Railroad Way South within the area described in subsection C of this section. No curb cuts are allowed within the first forty (40) feet from any intersection described in subsection C of this section. On east-west streets outside the area described in subsection C of this section, curb cuts are limited to two (2) per block front. On east-west streets, additional curb cuts may be allowed if no other access is possible, including in the forty (40) feet from intersections described in subsection C of this section.

B. For the areas marked on Exhibit 23.74.010 A, the following development standards and provisions apply to all uses and structures except for spectator sports facilities:

1. Floor Area Ratio (FAR). The maximum FAR for all uses is 3.0. FAR limits of the underlying zone do not apply, but limits in Section 27.50.027 A1 on gross floor area of certain uses, including limits based on lot area, do apply.

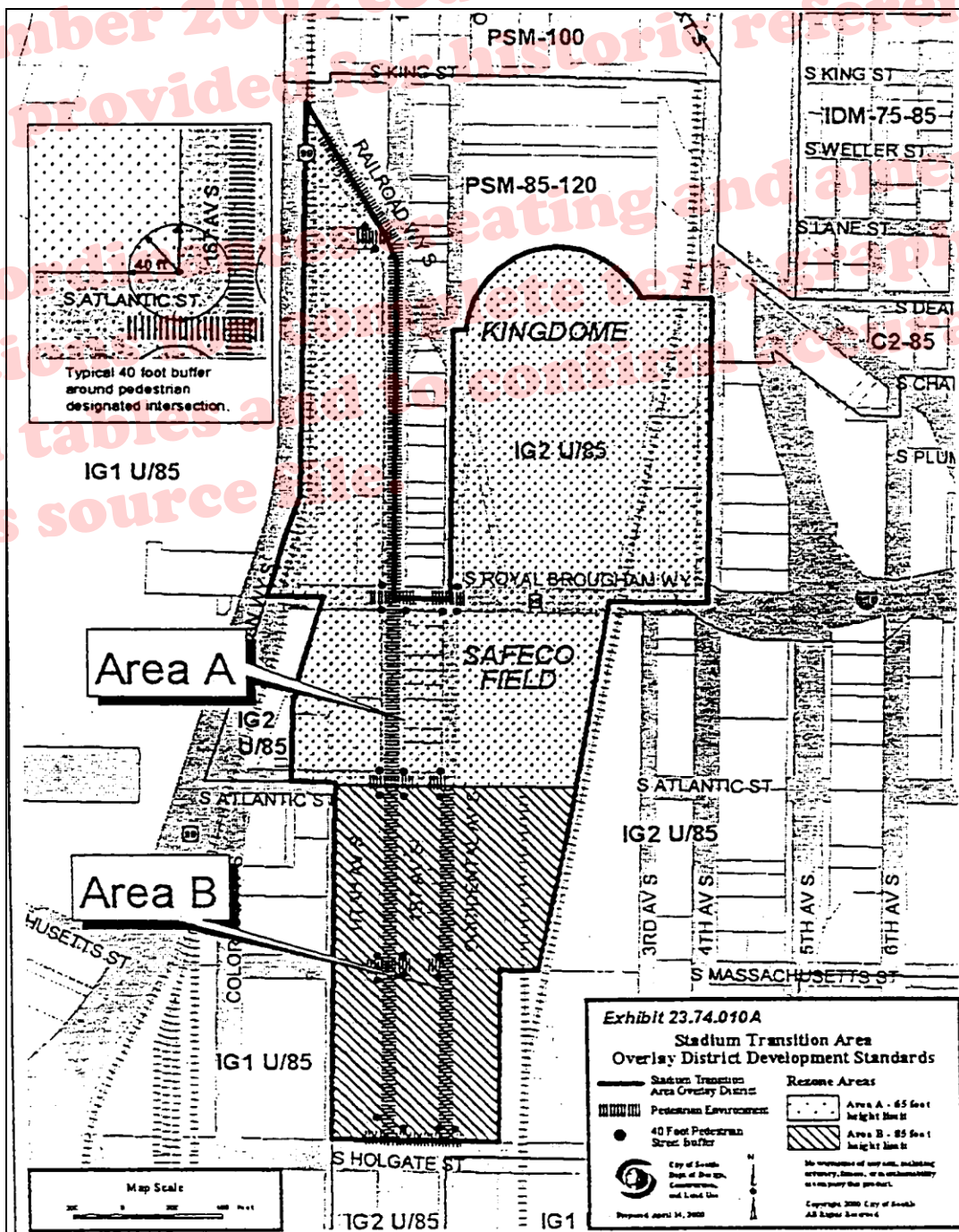
2. Exemptions. The first seventy-five thousand (75,000) square feet of street-level retail sales and service or street-level customer service office uses on any lot are exempt from the maximum FAR limit. Exemptions in Section 23.50.028 E also apply.

C. The following development standards apply to each use and structure, except spectator sports facilities, to the extent that the use or structure either is on a lot fronting on Railroad Way South, 1st Avenue South, South Holgate between 1st Avenue South and Occidental Avenue South, or Occidental Avenue South, or is within a forty (40) foot radius measured from any of the block corners of 1st Avenue South or Occidental Avenue South intersecting with the following streets: Railroad Way South, South Royal Brougham, South Atlantic, South Massachusetts, South Holgate and any other streets intersecting with 1st Avenue or Occidental Avenue South that may be established between South Holgate Street and Railroad Way South, as depicted in Exhibit 23.74.010 A. Railroad Way South, First Avenue South, South Holgate Street and Occidental Avenue South within the Stadium Transition Overlay District, and all street areas within a forty (40) foot radius of any of those block corners described above, are referred to in this section as the “pedestrian environment,” except that in applying this section to a through lot

abutting on Occidental Avenue South and on 1st Avenue South, Occidental Avenue South is not considered part of the pedestrian environment.

For current SMC, contact
the Office of the City Clerk

Seattle Municipal Code
December 2002 code update file
Text provided for historic reference only.



For current SMC, contact
the Office of the City Clerk

1. Street Facade Requirements. The following requirements apply to facades or portions thereof facing streets or portions of streets in the pedestrian environment:

a. Minimum Facade Height. Minimum facade height shall be twenty-five (25) feet, but minimum facade heights shall not apply when all portions of the structure are lower than the elevation of the required minimum facade height.

b. Facade Setback Limits.

(i) Within the first twenty-five (25) feet of height measured from sidewalk grade, all building facades must be built to within two (2) feet of the street property line for the entire facade length. For purposes of this subsection (C)(1)(b), balcony railings and other nonstructural features or nonstructural walls are not considered parts of the facade of the structure.

(ii) Above twenty-five (25) feet measured from sidewalk grade, the maximum setback is ten (10) feet, and no single setback area that is deeper than two (2) feet shall be wider than twenty (20) feet, measured parallel to the street property line.

(iii) The facade shall return to within two (2) feet of the street property line for a minimum of ten (10) feet, measured parallel to the street property line, between any two setback areas that are deeper than two feet.

2. Outdoor Service Areas. Gas station pumps, service islands, queuing lanes, and other service areas related to fueling are not allowed between any structure and the pedestrian environment area described in this section. Gas station pumps, service islands, queuing lanes, and other service areas related to fueling must be located behind or to the side of a gas station, as viewed from any street in such pedestrian environment and are not allowed between any structure on the same lot and the pedestrian environment area described in this section.

3. Screening and Landscaping. The requirements of Sections 23.50.016, 23.50.034, and 23.50.038, including requirements contingent on location near a commercial zone, apply to all new uses and structures. Requirements in Section 23.50.038 contingent on location near a residential lot do not apply. In addition, the screening and landscaping requirements for outdoor storage in subsections a and c of Section 23.47.016 D5 apply, with respect to street property lines abutting the pedestrian environment, to the following uses, where a principal or accessory use is located outdoors: outdoor storage (except for outdoor storage associated with florists and horticultural uses), surface parking, sales and rental of motorized vehicles, towing services, sales and rental of large boats, dry storage of boats, sales, service and rental of commercial equipment and construction materials, heavy commercial services, outdoor participant sports and recreation, wholesale showroom, mini-warehouse, warehouse and outdoor storage, transportation facilities, and utilities (except for utility service uses), and light and general manufacturing.

4. Blank Facades and Transparency Requirements. In addition to the blank facade requirements of Section 23.50.038 A2, the blank facade limits and transparency requirements of Section 23.49.076 C, D, E and F apply to facades or portions thereof facing streets in the pedestrian environment, except that requirements for Class I Pedestrian Streets and Green Streets do not apply.

5. Principal Pedestrian Entrances. A principal pedestrian entrance to a structure having a facade along Railroad Way South, 1st Avenue South, or Occidental Avenue South shall be located on Railroad Way South, 1st Avenue South, or Occidental Avenue South, respectively. If the structure has facades along both 1st Avenue South and Occidental Avenue South, a principal pedestrian entrance is required only on 1st Avenue South. (Ord. 119972 § 10 (part), 2000.)