

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

**PLANNING
& REGIONAL AFFAIRS**

the within Council Bill No. 110549
considered the same and respectfully recommend that the same:

Pass as amended

3-0

2/24/95

Full Council vote 11-0

(Chow-Narris ex)



Committee Chair

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ORDINANCE 117514

AN ORDINANCE relating to land use and zoning, amending Sections 23.32.016, and 23.47.004 and adding a new Chapter 23.73 to the Seattle Municipal Code to create the Pike/Pine Overlay District; and adopting amendments to the Official Land Use Map to establish the new Overlay District.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map of the City of Seattle, SMC 23.32.016, is hereby amended to create the Pike/Pine Overlay District. The boundaries of the Pike/Pine Overlay District are shown on Figure 1 attached hereto.

Section 2. Section 23.47.004 of the Seattle Municipal Code, as last amended by Ordinance 117430, is further amended as follows:

23.47.004 Permitted and prohibited uses

A. All uses shall either be permitted outright, prohibited or permitted as a conditional use according to Chart A, except to the extent that Chart A may be superseded by Chapter 23.67 Southeast Seattle Reinvestment Area(-) , or by Chapter 23.73 Pike/Pine Overlay District.

* * *

Section 3. A new Chapter 23.73 is hereby added to the Seattle Municipal Code as follows:

**Chapter 23.73
Pike/Pine Overlay District**

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.

23.73.004 Pike/Pine Overlay District Established

There is hereby established pursuant to Chapter 23.56 of the Seattle Municipal Code, the Pike/Pine Overlay District as shown on the Official Land Use Map, Chapter 23.32, and Exhibit 23.73.004A.

23.73.006 Application of Regulations

Land which is located within the Pike/Pine Overlay District, as shown on Exhibit 23.73.004A, is subject to the regulations of the underlying zone 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.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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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 street:

- East Pike Street
- East Pine Street
- East Union Street, east of Broadway Ave; 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 Section B, above, or as provided for in Section 23.47.023.D; and

2) A density of one unit per 400 square feet of lot area is permitted.

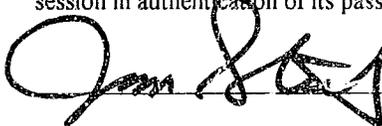
D. Commercial use limit

All structures greater than thirty feet (30') in height are limited to no more than fifty percent (50%) of the structure's gross floor area in non-residential use. In no case shall non-residential use exceed the total gross floor area of the first two floors of the structure.

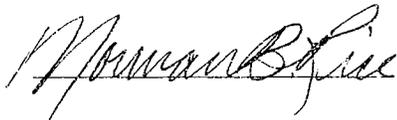
Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

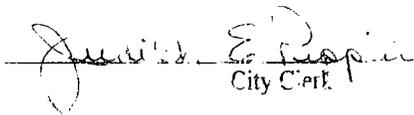
Passed by the City Council the 27th day of February, 1995, and signed by me in open session in authentication of its passage this 27th day of February, 1995.

 President of the City Council

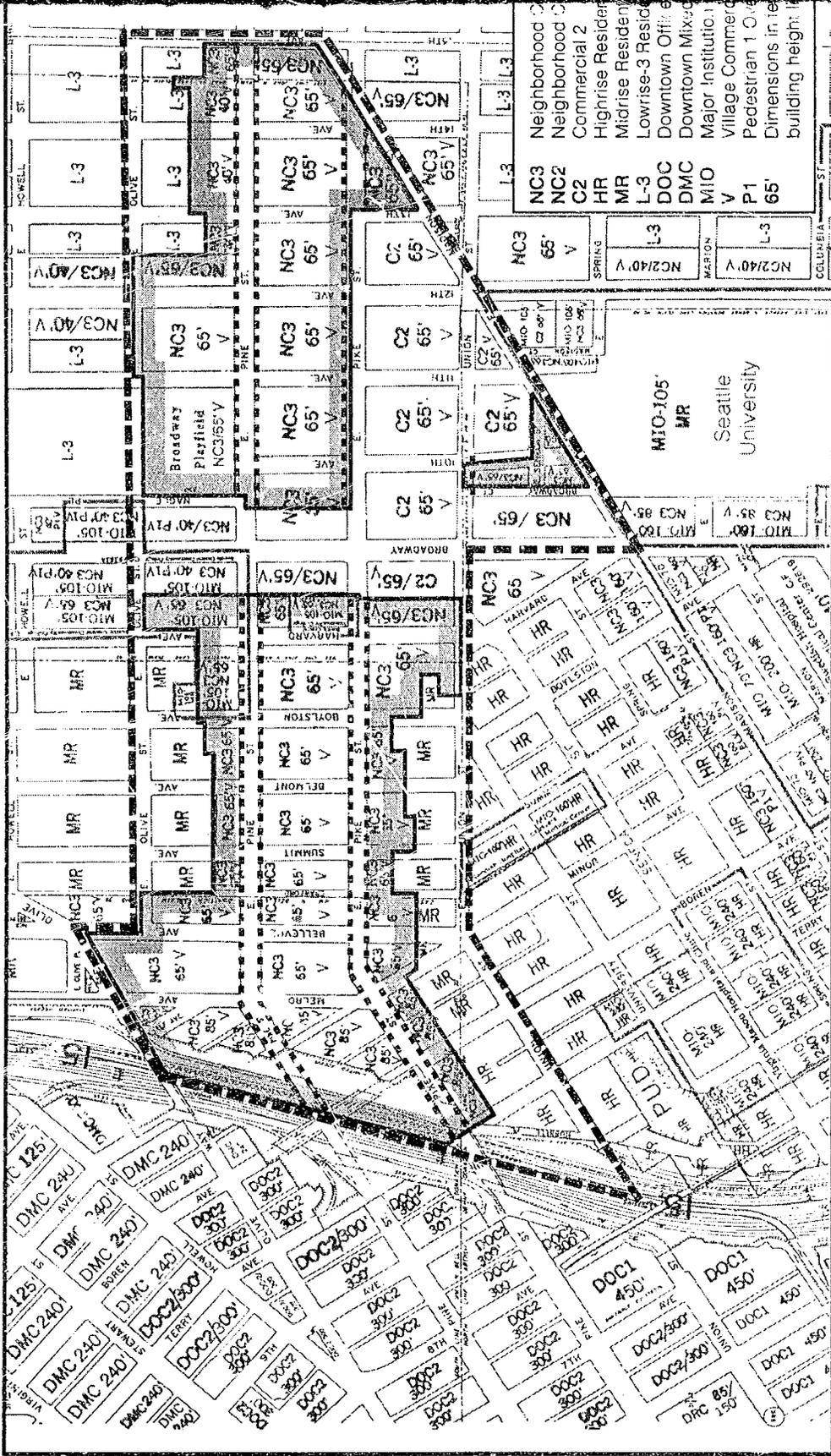
Approved by me this 3 day of March, 1995.

 Mayor

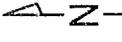
Filed by me this 3 day of March, 1995.

 City Clerk

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



The zoning on this exhibit is current as of [unclear]. Please refer to the Official Land Use Map of the City of Seattle, Department of Construction and Land Use for accurate zoning information.

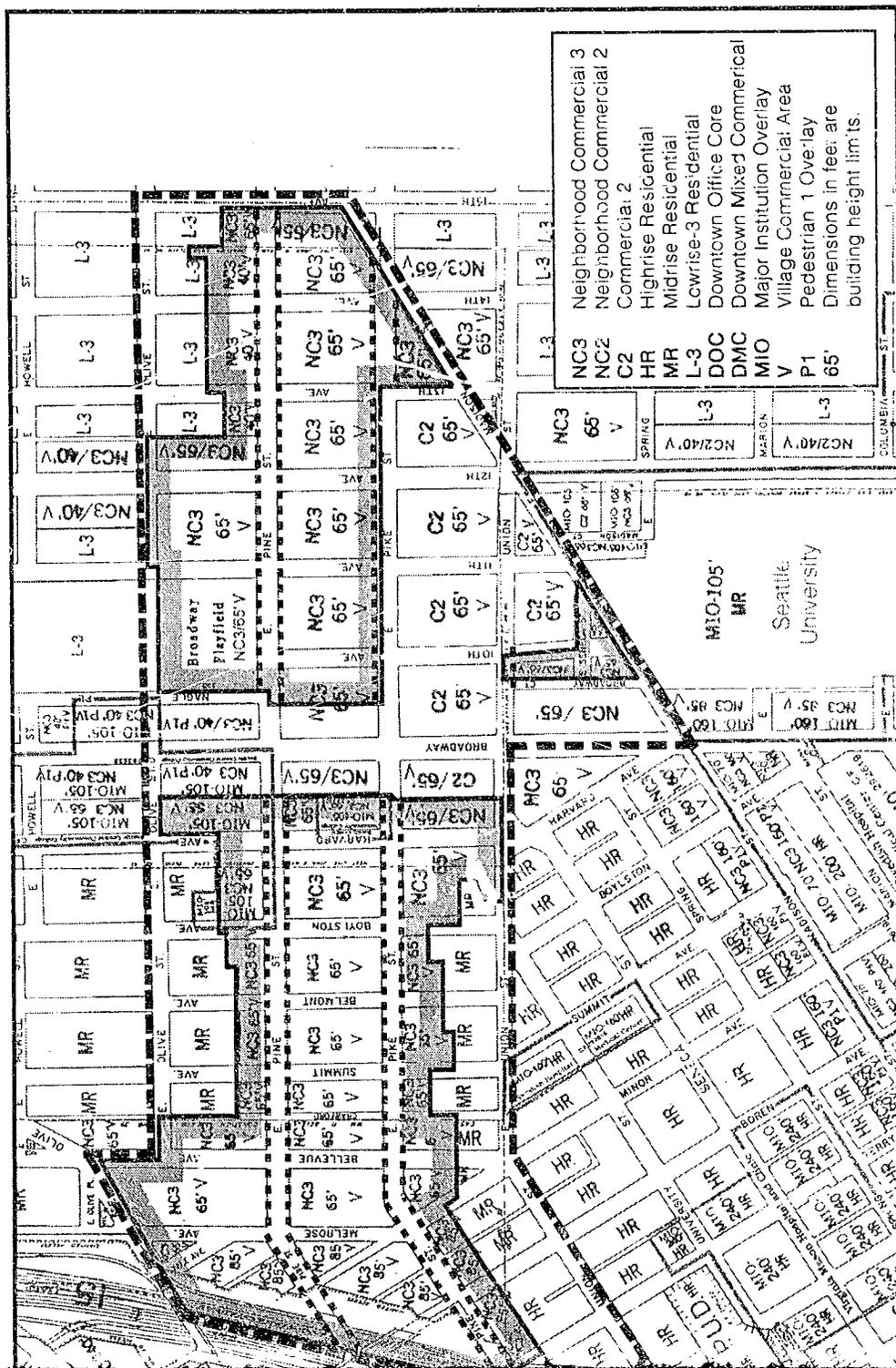


- Pike/Pine Planning Area boundary
- Pike/Pine Overlay District boundary
- commercial uses required at street level

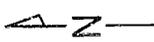
Exhibit 23.73.004A
Pike/Pine Overlay District

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Attachment A



The zoning on this exhibit is current as of April 3, 1995. Please refer to the Official Land Use Map at the Department of Construction and Land Use for more accurate zoning information.



district

- Pike/Pine Planning Area boundary**
- Pike/Pine Overlay District boundary**
- commercial uses required at street level**

- Neighborhood Commercial 3
- Neighborhood Commercial 2
- Commercial 2
- Highrise Residential
- Midrise Residential
- Lowrise-3 Residential
- Downtown Office Core
- Downtown Mixed Commercial
- Major Institution Overlay
- Village Commercial Area
- Pedestrian 1 Overlay
- Dimensions in feet: are building height limits.

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23.73.006 Application of Regulations

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9508240964 117514-0000 SEATTLE COUNTY RECORDS 004 RTD 10:00

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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Subchapter II Use and Development Standards

23.73.008 Uses

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23.47.008.

C. Single-purpose residential structures

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

2) A density of one unit per 400 square feet of lot area is permitted.

D. Commercial use limit

All structures greater than thirty feet (30') in height are limited to no more than fifty percent (50%) of the structure's gross floor area in non-residential use. In no case shall non-residential use exceed the total gross floor area of the first two floors of the structure.

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 27th day of February, 1995, and signed by me in open session in authentication of its passage on the 27th day of February, 1995.

James J. ...
Mayor of the City Council

Approved by me this 3 day of March, 1995.

...
Mayor

Filed by me this 3 day of March, 1995.

Judith E. ...
City Clerk

IT IS DUE TO THE QUALITY OF THE DOCUMENT.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

I, JUDITH E. PIPPM, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF

AS THE SAME APPEARS ON FILE AND IS KEPT IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 21st day of August, 1995
JUDITH E. PIPPM
CITY CLERK

BY: Margaret Carter
DEPUTY CLERK

9508240964

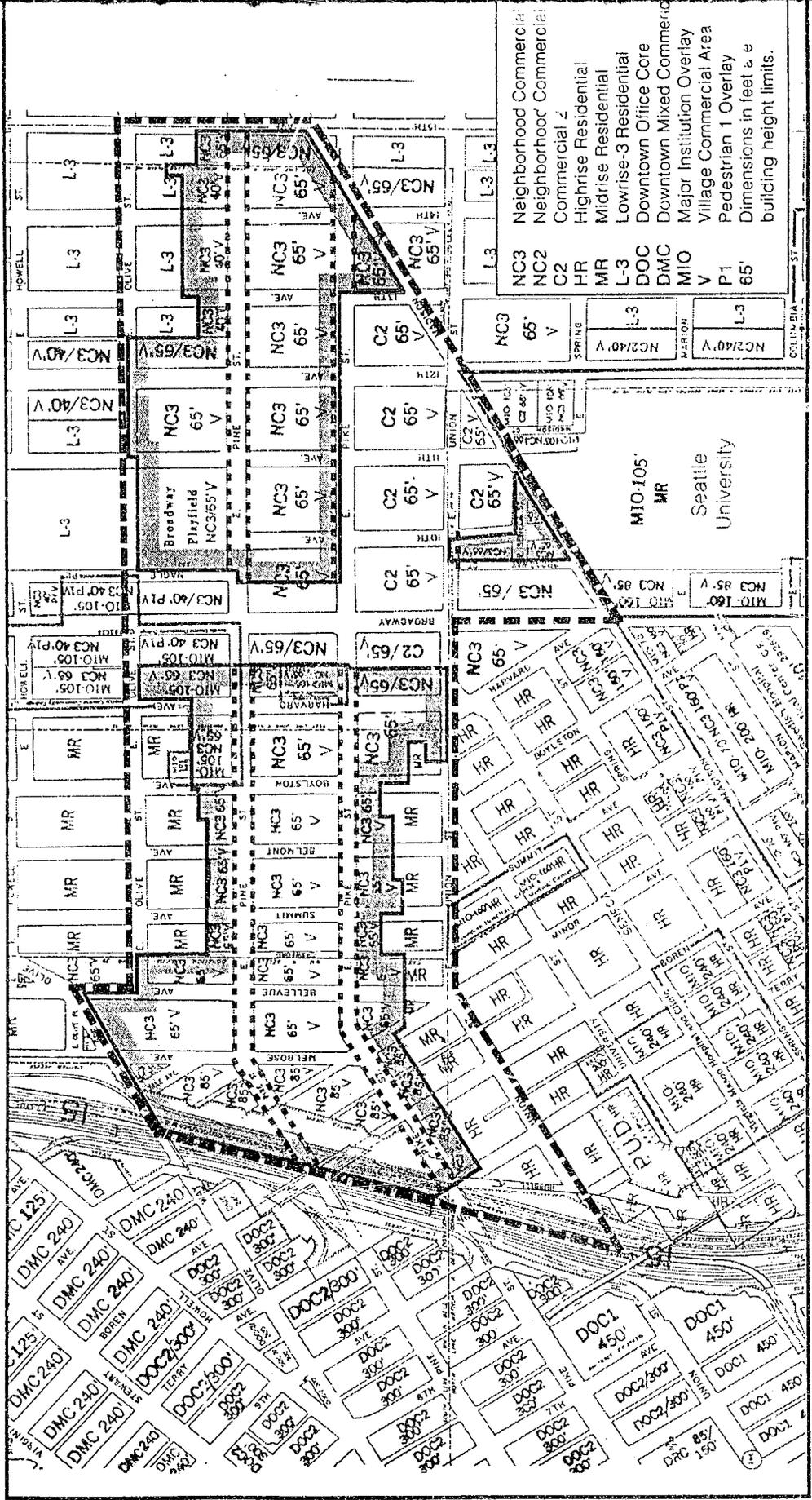


Exhibit 23.73.004A
 Pike/Pine Overlay District

- Pike/Pine Planning Area boundary
- Pike/Pine Overlay District boundary
- commercial uses required at street level

The zoning on this exhibit is current as of April 3, 19
 Please refer to the Official Land Use Map at the
 Department of Construction and Land Use for more
 accurate zoning information.

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C. Single-purpose residential structures

- 1) Single-purpose residential structures are permitted outright where commercial use is not required by Section B, above, or as provided for in Section 23.47.023.C; and
- 2) A density of one unit per 400 square feet of lot area is permitted.

D. Commercial use limit

All structures greater than thirty feet (30') in height are limited to no more than fifty percent (50%) of the structure's gross floor area in non-residential use. In no case shall non-residential use exceed the total gross floor area of the first two floors of the structure.

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 5. This ordinance shall take effect and be in force on April 3, 1995.

Passed by the City Council the ____ day of _____, 1995, and signed by me in open session in authentication of its passage this ____ day of _____, 1995.

President of the City Council

Approved by me this ____ day of _____, 1995.

Mayor

Filed by me this ____ day of _____, 1995.

City Clerk

NOTICE: IF THE DOCUMENT IS NOT THE QUALITY OF THE DOCUMENT.

City of Seattle

Executive Department--Office of Management and Budget

Diana Gare, Director
Norman B. Rice, Mayor

January 20, 1995

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted

REQUESTING DEPARTMENT: Construction and Land Use

SUBJECT: AN ORDINANCE relating to land use and zoning, amending Sections 23.32.016, and 23.47.004 and adding a new Chapter 23.73 to the Seattle Municipal Code to create the Pike/Pine Overlay District; and adopting amendments to the Official Land Use Map to establish the new Overlay District.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Ethan Melone at 684-8066.

Sincerely,

Norman B. Rice
Mayor

by


Tom Tierney, Director

legis/melone11

Enclosure

cc: Director, Construction and Land Use

*Approved,
RBT
1-25-95*



COPY RECEIVED
95 JAN 23 PM 4:40
SEATTLE CITY ATTORNEY

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Seattle
Department of Construction and Land Use



MEMORANDUM

TO: Jim Street, City Council President
VIA: Tom Tierney, Director, OMP
Attn.: Ethan Melone
Ethan Melone
FROM: Rick Krochalis, Director
DATE: January 18, 1995
SUBJECT: Proposed Pike/Pine Overlay District

We are pleased to submit the attached ordinance to create a zoning overlay district for the Pike/Pine neighborhood. In June 1993, City Council adopted Resolution 28657 recognizing the Goals and Policies of the 1991 Pike/Pine Planning Study. With the Resolution, Council also directed the Department of Construction and Land Use (DCLU) to make a recommendation regarding implementation of a proposed Urban Neighborhood Overlay, as described in the Study. DCLU examined the proposal and recommends adoption of a Pike/Pine Overlay District, as described below. The Overlay would apply to parcels within the Study Area (as shown in Attachment A) which are zoned Neighborhood Commercial 3 (NC3), and would:

- require commercial uses at the street level at certain locations;
- permit outright single-purpose residential structures (i.e., apartment buildings) at higher densities in locations where commercial uses are not required;
- limit the amount of non-residential uses allowed in structures over 30 feet in height; and
- prohibit new drive-in businesses.

Environmental review of the Pike/Pine Planning Study (per Seattle's SEPA Ordinance) was completed by the Department of Neighborhoods in September, 1992.

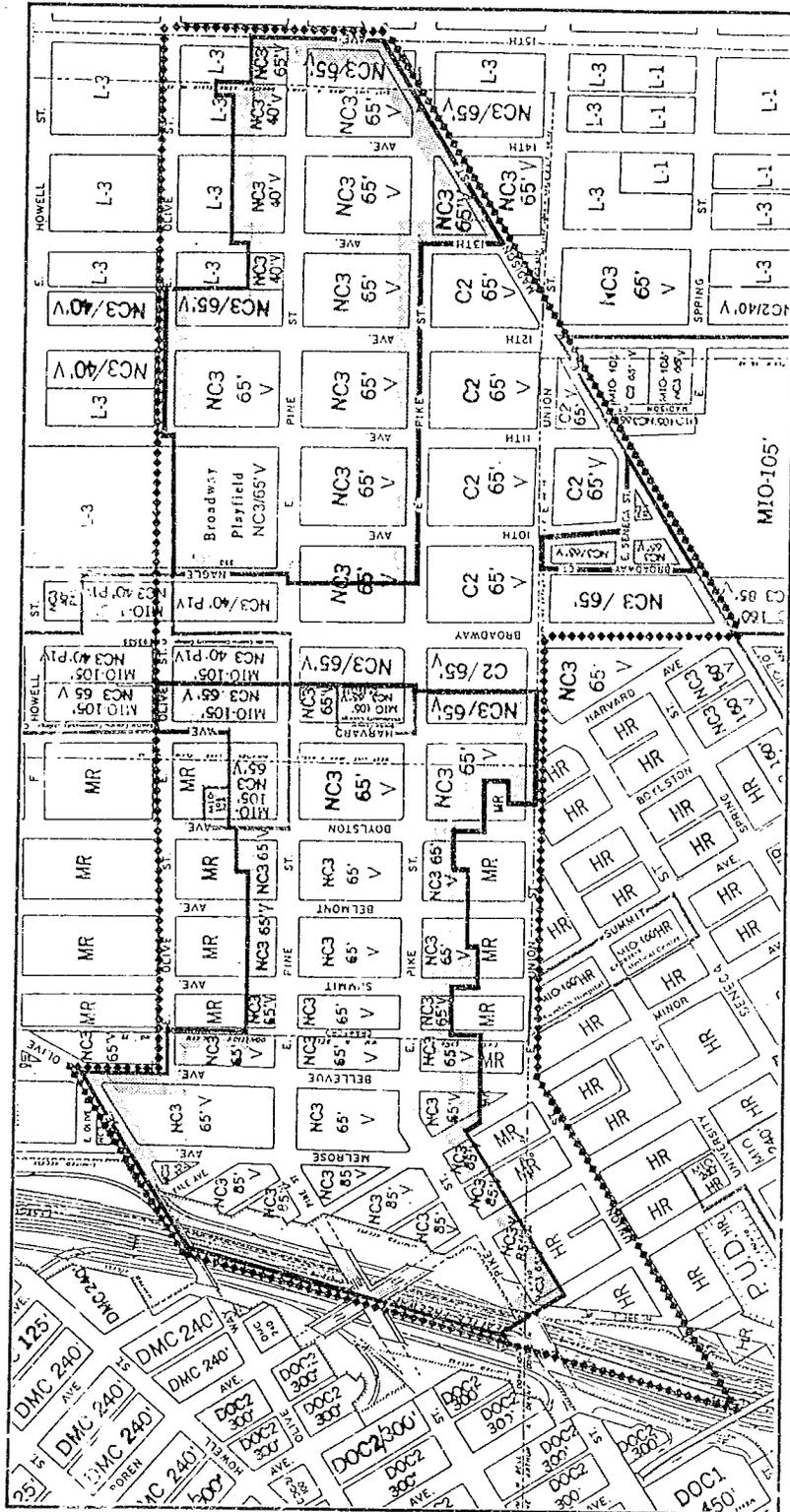
A public hearing has been scheduled for Wednesday, February 1, 1995, at 7:00 p.m. in the Council Chamber. Public notice has been provided by mailed notice to property owners and residents within the Study Area and 300 feet surrounding the area. In addition, notice has been provided in DCLU's General Mailed Release, the Daily Journal of Commerce, DCLU INFO and through contact with representatives of the Capitol Hill Community Council.

We estimate that the costs incurred by the Department to implement the Overlay (including training, codification, copying and revising the City's Official Land Use map to reflect the proposed Overlay) will be approximately \$206.00.

Attachment

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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Attachment A



The zoning on this exhibit is current as of April 3, 1995.
 Please refer to the Official Land Use Map at the
 Department of Construction and Land Use for more
 accurate zoning information.

- Pike/Pine Planning Area boundary
- _____ Pike/Pine Overlay District boundary

Exhibit 23.73.004A
 Pike/Pine Overlay District

STATE OF WASHINGTON - KING COUNTY

53061
City of Seattle, City Clerk

-ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD: 117514 IN FULL

was published on

06/07/41

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Subscribed and sworn to before me on

06/07/41

[Signature]

Notary Public for the State of Washington,
residing in Seattle

RECEIVED
JUN 12 1941
CITY OF SEATTLE
CITY CLERK
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Affidavit of Publication