

ORDINANCE No. 119521

COUNCIL BILL No. 112716

*Law*  
The City

AN ORDINANCE relating to land use and zoning; amending Chapter 23.34 of the Seattle Municipal Code to correct inadvertent text omissions in Ordinance 119403 that would have amended Lowrise 3 and 4 rezone evaluation criteria as proposed by the Queen Anne Neighborhood Plan.

Honorable President:  
Your Committee on \_\_\_\_\_  
to which was referred the within \_\_\_\_\_  
report that we have considered the \_\_\_\_\_

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>JUN 7 1999</i>	By: <b>CONLIN</b>
Referred: <i>JUN 7 1999</i>	To: Neighborhoods Growth Planning and Civic Engagement Committee
Referred:	To:
Referred:	To:
Reported: <b>6-28-99</b>	Second Reading:
Third Reading: <b>6-28-99</b>	Signed: <b>6-28-99</b>
Presented to Mayor: <b>6-28-99</b>	Approved: <i>JUL - 6 1999</i>
Returned to City Clerk: <i>JUL - 6 1999</i>	Published: <i>Full 7/19</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*6/22/99 - ms*  
  
**6-28-99 Full**

*(10)*

*Law Department*

The City of Seattle--Legislative Department

Date Reported  
and Adopted

REPORT OF COMMITTEE

able President:

Committee on

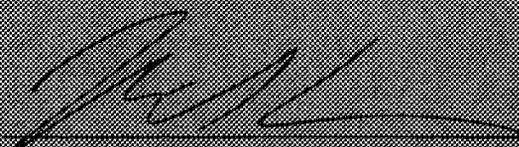
was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

6/22/99 - passed unanimously  
Conho yes  
Lecato ye

28-99 Full Council: Passed 9-0

(15)



Committee Chair

ORDINANCE 119521

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2  
3 AN ORDINANCE relating to land use and zoning; amending Chapter 23.34 of the Seattle  
4 Municipal Code to correct inadvertent text omissions in Ordinance 119403 that  
5 would have amended Lowrise 3 and 4 rezone evaluation criteria as proposed by the  
6 Queen Anne Neighborhood Plan.

7 WHEREAS, after substantial public review the City Council adopted Ordinance 119403 that  
8 incorporated portions of the Queen Anne Neighborhood Plan into the  
9 Comprehensive Plan, and sought to amend SMC Chapter 23.34 to exempt the Upper  
10 Queen Anne Residential Urban Village from certain rezone evaluation criteria  
11 regarding rezones of land to the Lowrise 3 and Lowrise 4 designations; and

12 WHEREAS, notice as required by the Land Use Code, Chapter 23.76 was given concerning  
13 the proposed amendments to Chapter 23.34, and a public hearing was held on  
14 October 7, 1998; and

15 WHEREAS, the City Council by Ordinance 119403 adopted a Comprehensive Plan policy  
16 calling for the exemption the Upper Queen Anne Residential Urban Village from  
17 certain rezone evaluation criteria regarding rezones of land to the Lowrise 3 and  
18 Lowrise 4 designations; and

19 WHEREAS, text that was intended to amend the Land Use Code was inadvertently omitted  
20 from the ordinance;

21 **NOW THEREFORE,**

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

23 **Section 1.** Subsection B of Section 23.34.020 of the Seattle Municipal Code, as  
24 last amended by Ordinance 119403, is further amended as follows:

B. Locational Criteria.

1. Threshold Conditions. Subject to subsection B2 of this section,  
properties that may be considered for an L3 designation are limited to the  
following:

- 1 a. Properties already zoned L3;
- 2 b. Properties in areas already developed predominantly to the
- 3 permitted L3 density and where L3 scale is well established; or
- 4 c. Properties within an urban center or village, except as provided in this subsection
- 5 below, where less emphasis shall be placed on density and scale compatibility with existing
- 6 development, when the designation will be consistent with the densities
- 7 required for the center or village category as established in Section B of
- 8 the Land Use Element of the Comprehensive Plan, unless otherwise indicated
- 9 by a neighborhood plan adopted or amended by the City Council after January
- 10 1, 1995. This subsection ((B(4))) c. shall not apply in the Wallingford Residential Urban
- 11 Village, ((or)) in the Eastlake Residential Urban Village, or in the Upper Queen Anne
- 12 Residential Urban Village.

13 2. Properties designated as environmentally critical may not be rezoned

14 to an L3 designation, and may remain L3 only in areas predominantly

15 developed to the intensity of the L3 zone.

16 3. Other Criteria. The Lowrise 3 zone designation is most appropriate in

17 areas generally characterized by the following:

18 a. Development Characteristics of the Area.

19 (1) Either:

20 (a) Areas that are already developed predominantly to the permitted

21 L3 density and where L3 scale is well established, or

22

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1 (b) Areas that are within an urban center or urban village, except as provided in this  
2 subsection below, where less emphasis shall be placed on density and scale compatibility  
3 with existing development, when the designation will be consistent with the  
4 densities required for the center or village category as established in  
5 Section B of the Land Use Element of the Comprehensive Plan, unless  
6 otherwise indicated by a neighborhood plan adopted or amended by the City  
7 Council after January 1, 1995. This subsection (( B3a(1) ))(b) shall not apply in the  
8 Wallingford Residential Urban Village, ((~~or~~)) in the Eastlake Residential Urban Village, or  
9 in the Upper Queen Anne Residential Urban Village.

10 (2) Areas where the street pattern provides for adequate vehicular  
11 circulation and access to sites. Locations with alleys are preferred.  
12 Street widths should be sufficient for two (2) way traffic and parking  
13 along at least one (1) curbside.

14 b. Relationship to the Surrounding Areas.

15 (1) Properties in areas that are well served by public transit and  
16 have direct access to arterials, so that vehicular traffic is not required  
17 to use streets that pass through less intensive residential zones;

18 (2) Properties in areas with significant topographic breaks, major  
19 arterials or open space that provide sufficient transition to LDT or L1  
20 multifamily development;

21 (3) Properties in areas with existing multifamily zoning with close  
22 proximity and pedestrian connections to neighborhood services, public open  
23 spaces, schools and other residential amenities;

1 (4) Properties that are adjacent to business and commercial areas with  
2 comparable height and bulk, or where a transition in scale between areas of  
3 larger multifamily and/or commercial structures and smaller multifamily  
4 development is desirable.

5 **Section 2.** Subsection B of Section 23.34.022 of the Seattle Municipal Code, as  
6 last amended by Ordinance 119403, is further amended as follows:

7 **B. Locational Criteria.**

8 1. Threshold Conditions. Subject to subsection B2 of this section,  
9 properties that may be considered for an L4 designation are limited to the  
10 following:

11 a. Properties already zoned L4;

12 b. Properties in areas already developed predominantly to the  
13 permitted L4 density and where L4 scale is well established; or

14 c. Properties within an urban center or urban village, except as provided in this subsection  
15 below, where less emphasis shall be placed on density and scale compatibility with existing  
16 development, when the designation will be consistent with the densities  
17 required for the center or village category as established in Section B of  
18 the Land Use Element of the Comprehensive Plan, unless otherwise indicated  
19 by a neighborhood plan adopted or amended by the City Council after January  
20 1, 1995. This subsection ((B4))c. shall not apply in the Wallingford Residential Urban  
21 Village, ((or)) in the Eastlake Residential Urban Village, or in the Upper Queen Anne  
22 Residential Urban Village.

1 2. Properties designated as environmentally critical may not be rezoned  
2 to an L4 designation, and may remain L4 only in areas predominantly  
3 developed to the intensity of the L4 zone.

4 3. Other Criteria. The Lowrise 4 zone designation is most appropriate in  
5 areas generally characterized by the following:

6 a. Development Characteristics of the Area.

7 (1) Either:

8 (a) Areas that are already developed predominantly to the permitted  
9 L4 density and where L4 scale is well established, or

10 (b) Areas that are within an urban center or urban village, except as provided in this  
11 subsection below, where less emphasis shall be placed on density and scale compatibility  
12 with existing development, when the designation will be consistent with the  
13 densities required for the center or village category as established in  
14 Section B of the Land Use Element of the Comprehensive Plan, unless  
15 otherwise indicated by a neighborhood plan adopted or amended by the City  
16 Council after January 1, 1995. This subsection (~~(B3a(1))~~)(b) shall not apply in the  
17 Wallingford Residential Urban Village, (~~(e)~~) in the Eastlake Residential Urban Village, or  
18 in the Upper Queen Anne Residential Urban Village.

19 (2) Areas of sufficient size to promote a high quality, higher density  
20 residential environment where there is good pedestrian access to amenities;

21 (3) Areas generally platted with alleys that can provide access to  
22 parking, allowing the street frontage to remain uninterrupted by driveways,  
23 thereby promoting a street environment better suited to the level of

1 pedestrian activity associated with higher density residential  
2 environments;

3 (4) Areas with good internal vehicular circulation, and good access to  
4 sites, preferably from alleys. Generally, the width of principal streets in  
5 the area should be sufficient to allow for two (2) way traffic and parking  
6 along at least one (1) curbside.

7 b. Relationship to the Surrounding Areas.

8 (1) Properties in areas adjacent to concentrations of employment;

9 (2) Properties in areas that are directly accessible to regional  
10 transportation facilities, especially transit, providing connections to  
11 major employment centers, including arterials where transit service is good  
12 to excellent and street capacity is sufficient to accommodate traffic  
13 generated by higher density development. Vehicular access to the area  
14 should not require use of streets passing through less intensive  
15 residential areas;

16 (3) Properties with close proximity and with good pedestrian  
17 connections to services in neighborhood commercial areas, public open  
18 spaces and other residential amenities;

19 (4) Properties with well-defined edges providing sufficient separation  
20 from adjacent areas of small scale residential development, or where such  
21 areas are separated by zones providing a transition in the height, scale  
22 and density of development.

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1           **Section 3.** This ordinance shall take effect and be in force thirty (30) days from  
2 and after its approval by the Mayor, but if not approved and returned by the Mayor within  
3 ten (10) days after presentation, it shall take effect as provided by Municipal Code Section  
4 1.04.020.

5           Passed by the City Council the 28<sup>th</sup> day of June, 1999, and  
6 signed by me in open session in authentication of its passage this 28<sup>th</sup> day of  
7 June, 1999.

8 [Signature]  
President of the City Council

9 Approved by me this 6<sup>th</sup> day of July, 1999

10 [Signature]  
Paul Schell, Mayor

11 Filed by me this 6<sup>th</sup> day of July, 1999.

12 [Signature]  
13 City Clerk

14 (SEAL)

TIME A DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*[Handwritten Signature]*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

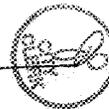
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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PRESIDENT'S SIGNATURE



STATE OF WASHINGTON - KING COUNTY

107918  
City of Seattle, City Clerk

—ss.

No. ORD IN FULL

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

CT:ORD 119521/FULL

was published on

07/16/99

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

*R. Peterson*

Subscribed and sworn to before me on

07/16/99

*McWhirter*

Notary Public for the State of Washington,  
residing in Seattle

When all of the Bonds of a single maturity are...

or, if no such determination is made, on a pro-...  
...shall redeem any Term Bonds, if not redeemed...  
...of the Bonds may be subject to redemption...

- a. Properties already zoned L3;
- b. Properties in areas already developed predominantly to the permitted L3 density and where L3 scale is well established; or
- c. Properties within an urban center or village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City Council after January 1, 1999. This subsection (B)(1)(c) shall not apply in the Wallingford Residential Urban Village, (or) in the Eastlake Residential Urban Village, or in the Upper Queen Anne Residential Urban Village.

2. Properties designated as environmentally critical may not be rezoned to an L3 designation, and may remain L3 only in areas predominantly developed to the intensity of the L3 zone.

3. Other Criteria. The Lowrise 2 zone designation is most appropriate in areas generally characterized by the following:

- a. Development Characteristics of the Area.
  - (1) Either:
    - (a) Areas that are already developed predominantly to the permitted L3 density and where L3 scale is well established; or
    - (b) Areas that are within an urban center or urban village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City Council after January 1, 1999. This subsection (B)(1) shall not apply in the Wallingford Residential Urban Village, (or) in the Eastlake Residential Urban Village, or in the Upper Queen Anne Residential Urban Village.
  - (2) Areas where the street pattern provides for adequate vehicular circulation and access to sites. Locations with alleys are preferred. Street widths should be sufficient for two (2) way traffic and parking along at least one (1) curbside.

b. Relationship to the Surrounding Areas.

- (1) Properties in areas that are well served by public transit and have direct access to arterials, so that vehicular traffic is not required to use streets that pass through less intensive residential zones;
- (2) Properties in areas with significant topographic breaks, major arterials or open space that provide sufficient transition to LDT or L1 multifamily development;
- (3) Properties in areas with existing multifamily zoning with close proximity and pedestrian connections to neighborhood services, public open spaces, schools and other residential amenities;
- (4) Properties that are adjacent to business and commercial areas with comparable height and bulk, or where a transition in scale between areas of larger multifamily and/or commercial structures and smaller multifamily development is desirable.

SECTION 2. Subsection B of Section 23.34.022 of the Seattle Municipal Code, as last amended by Ordinance 119403, is further amended as follows:

B. Locational Criteria.

1. Threshold Conditions. Subject to subsection B2 of this section, properties that may be considered for an L4 designation are limited to the following:

- a. Properties already zoned L4;
- b. Properties in areas already developed predominantly to the permitted L4 density and where L4 scale is well established; or
- c. Properties within an urban center or urban village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City Council after January 1, 1999.