

Ordinance No. 120459

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The City of Seattle

Council Bill No. 113747

Council Bill/Ordinance

AN ORDINANCE relating to land use and zoning, amending Plat 36W, page 102, Plat 36E, page 103, Plat 40W, page 110, and Plat 40E, page 111, of the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to designate boundaries for the Station Area Overlay District near the proposed Capitol Hill light rail station; and amending SMC Section 23.70.004 to delete Exhibit 11.

7/17/01 *Drafted Rep*

CF No. _____

7-23-01 *Hol*

Date Introduced: <u>7/11 - 9 2001</u>		
Date 1st Referred:	To: (committee) <u>Land Use Committee</u>	
Date 2nd Referred:	To: (committee)	
Date 3rd Referred:	To: (committee)	
Date of Final Passage: <u>7-30-01</u>	Full Council Vote: <u>6-3-01</u>	
Date Presented to Mayor: <u>7-30-01</u>	Date Approved: <u>7-31-01</u>	
Date Returned to City Clerk: <u>7-31-01</u>	Date Published: <u>4 pag</u>	T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Voted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

7-30-01 *Pass*

This file is complete and ready

Law Department

Law Dept. Review

Council Bill/Ordinance sponsored by:

John A

Councilmember

Committee Action:

7/17/01 Divided Report

7-23-01 Hold 1 week

7-30-01 Passed 6-3 (No: Licata, Nicastio
Steinbrueck)

This file is complete and ready for presentation to Full Council.

Committee: _____
(initial/date)

Law Department

MLW

Law Dept. Review

OMP
Review

City Clerk
Review

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Indexed

ORDINANCE 120459

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2
3 AN ORDINANCE relating to land use and zoning, amending Plat 36W, page 102, Plat 36E,
4 page 103, Plat 40W, page 110, and Plat 40E, page 111, of the Official Land Use
5 Map, Seattle Municipal Code (SMC) Chapter 23.32, to designate boundaries for the
6 Station Area Overlay District near the proposed Capitol Hill light rail station; and
7 amending SMC Section 23.70.004 to delete Exhibit 1I.
8

9 WHEREAS, RCW 81.104 directs municipalities to regulate land uses in a manner that
10 supports high capacity transportation systems; and
11

12 WHEREAS, in November 1996, the voters of the three-county Sound Transit district
13 approved Sound Move, the ten-year regional transit system plan, which includes a
14 23-mile new electric light rail line connecting SeaTac, Tukwila, and Seattle; and
15

16 WHEREAS, Sound Transit is proceeding to implement the Sound Move plan, including the
17 light rail component; and
18

19 WHEREAS, in April 1998, the City of Seattle and Sound Transit executed a Memorandum
20 of Agreement for Intergovernmental Cooperation for the Central Link Light Rail
21 Transit Project (hereinafter, the MOA), as authorized by Ordinance 118927; and
22

23 WHEREAS, under the terms of the MOA, the City has been conducting station area
24 planning and related public involvement activities for light rail station areas in
25 Seattle; and
26

27 WHEREAS, the City Council adopted Resolution 29867 in December 1998, establishing
28 goals and strategies to promote transit-oriented development in light rail station
29 areas; and
30

31 WHEREAS, the City has given guidance to Sound Transit as to preferred light rail routes
32 and station locations, and desired patterns for development around light rail stations,
33 in previous legislation, including Resolution 29904 adopted on February 22, 1999;
34 and
35

36 WHEREAS, on February 25, 1999, the Sound Transit Board of Directors identified the
37 Locally Preferred Alternative (LPA) light rail alignment and station locations; and
38

39 WHEREAS, on November 18, 1999, the Sound Transit Board selected and authorized the
40 implementation of the Locally Preferred Alternative alignment for the Central Link
41 Light Rail Project and station locations; and
42



1 WHEREAS, On April 10, 2000, the City Council adopted Resolution 30128, approving the
2 light rail alignment, station locations, and maintenance base location for the Central
3 Link Light Rail Project in the City of Seattle; and
4

5 WHEREAS, the City Council adopted Resolution 30165 in September 2000, approving
6 concept-level station area planning recommendations for the areas around the light
7 rail stations; and
8

9 WHEREAS, the Station Area Interim Overlay District was established in March 1999 by
10 Ordinance 119394, which expires on September 1, 2001, around proposed Sound
11 Transit Link light rail stations for the purpose of preserving opportunities for transit
12 and pedestrian-oriented development in accordance with Council approved goals and
13 objectives; and
14

15 WHEREAS, the City Council established a new Chapter 23.61, Station Area Overlay
16 District (C.B. 113740), to the Seattle Municipal Code, establishing permanent
17 regulations to prohibit uses incompatible with transit-oriented development and
18 revising development standards within approximately one-quarter mile of proposed
19 Sound Transit light rail stations; and
20

21 WHEREAS, the City Council adopted Resolutions 29942, 29830, 29979, 29976, 29995,
22 29869, 29903 and 29808 in 1998 through 1999, approving neighborhood plans
23 applicable to each of the station areas affected by this ordinance; and
24

25 WHEREAS, the City Council finds that this ordinance should be adopted for the reasons
26 contained in the Executive Analysis and Recommendation; and
27

28 WHEREAS, the City Council finds that these proposed amendments will implement the
29 policies contained in RCW 81.104 and be consistent with the resolutions identified
30 above, and will promote the health, safety and welfare of the general public;
31

32 **NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS**
33 **FOLLOWS:**
34

35 **Section 1.** The Official Land Use Map, Chapter 23.32 of the Seattle Municipal
36 Code is amended to designate the boundaries of the Station Area Overlay District on Plat
37 36W, page 102, Plat 36E, page 103, Plat 40W, page 110, and Plat 40E, page 111, of the
38 Official Land Use Map, as shown on Exhibit A attached to this ordinance.
39



MLP/BT/GAB
Capitol Hill Station Area Overlay District Boundaries
C.B. 113747_
7/18/01
v4

1 **Section 2.** The City Clerk is hereby authorized and directed to file a copy of this
2 ordinance and attached Exhibit A at the King County Records and Elections Division, and to
3 deliver copies of the same to the Director of the Department of Design, Construction and
4 Land Use and to the King County Assessor's Office.
5



FILED
CITY OF SEATTLE

Return Address:

2001 OCT 29 AM 11: 00

Seattle City Clerk's Office

600 4th Avenue, Room 104 CITY CLERK

Seattle, WA 98104



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PAGE 001 OF 006
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KING COUNTY, WA

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled
ORDINANCE # 120459

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Grantor(s) (Last name first, then first name and initials) 1.City of Seattle Additional names on page-----
of document.

Grantee(s) (Last name first, then first name and initials) 1.N/A 2.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) Additional reference
#'s on page -----of document N/A

Assessor's Property Tax Parcel/Account Number/ N/A

Assessor Tax # not yet assigned.

g:\recorder.doc

2001 082 1001583

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10 supports high capacity transportation systems; and

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13 approved Sound Move, the ten-year regional transit system plan, which includes a
14 23-mile new electric light rail line connecting SeaTac, Tukwila, and Seattle; and

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16 WHEREAS, Sound Transit is proceeding to implement the Sound Move plan, including the
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WHEREAS, the City Council adopted Resolution 30165 in September 2000, approving concept-level station area planning recommendations for the areas around the light rail stations; and

WHEREAS, the Station Area Interim Overlay District was established in March 1999 by Ordinance 119394, which expires on September 1, 2001, around proposed Sound Transit Link light rail stations for the purpose of preserving opportunities for transit and pedestrian-oriented development in accordance with Council approved goals and objectives; and

WHEREAS, the City Council established a new Chapter 23.61, Station Area Overlay District (C.B. 113740), to the Seattle Municipal Code, establishing permanent regulations to prohibit uses incompatible with transit-oriented development and revising development standards within approximately one-quarter mile of proposed Sound Transit light rail stations; and

WHEREAS, the City Council adopted Resolutions 29942, 29830, 29979, 29976, 29995, 29869, 29903 and 29808 in 1998 through 1999, approving neighborhood plans applicable to each of the station areas affected by this ordinance; and

WHEREAS, the City Council finds that this ordinance should be adopted for the reasons contained in the Executive Analysis and Recommendation; and

WHEREAS, the City Council finds that these proposed amendments will implement the policies contained in RCW 81.104 and be consistent with the resolutions identified above, and will promote the health, safety and welfare of the general public;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to designate the boundaries of the Station Area Overlay District on Plat 36W, page 102, Plat 36E, page 103, Plat 40W, page 110, and Plat 40E, page 111, of the Official Land Use Map, as shown on Exhibit A attached to this ordinance.



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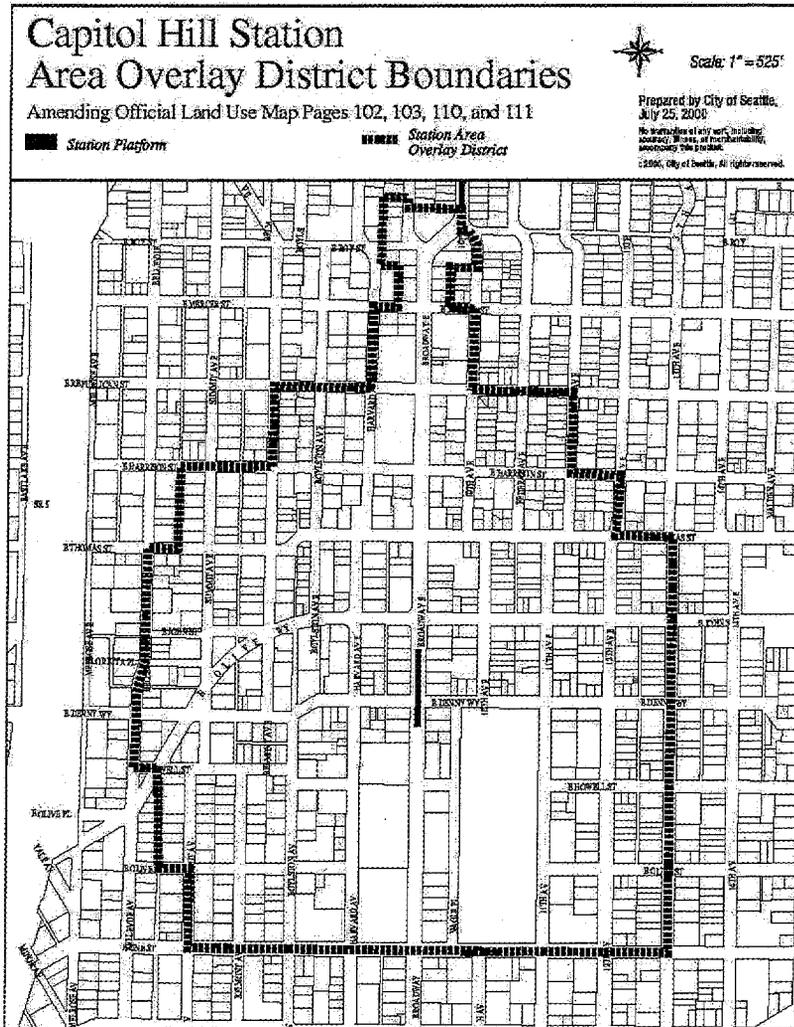
MLP/ET/GAB
Capitol Hill Station Area Overlay District Boundaries
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1 **Section 2.** The City Clerk is hereby authorized and directed to file a copy of this
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7/18/01
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ACTING CITY CLERK



**Legislative Department
Seattle City Council
Memorandum**

Date: July 20, 2001
To: All Councilmembers
From: Geri Beardsley, Legislative Analyst
Subject: Divided Report for Council Bills 113740-113748
Station Area Planning Overlay, Pedestrian Designation and Rezones

This Divided Report summarizes the Council's Landlord/Tenant and Land Use Committee recommendations on eight Council Bills (C.B. 113740-113748) which implement some of the land use recommendations in the adopted Concept-level Station Area Planning Recommendations (Res. 30165). For more information about the legislation and the issues, please see my July 16, 2001 Decision Agenda or feel free to call me at 684-8148.

The legislation replaces interim regulations with permanent regulations, including rezones, a permanent Station Area Overlay District (SAOD) and amendments to the Land Use Code identifying Principal Pedestrian Streets (with a pedestrian designation). These regulations apply to eight areas including: Henderson, Othello, Edmunds/Columbia City, McClellan, Beacon Hill, First Hill, Capitol Hill (permanent station area overlay only) and University District.

The LTLU Committee reviewed and discussed prior versions of this legislation over the last two years. The LTLU Committee held a public hearing on the current versions of the proposed legislation on July 9, 2001. Committee discussion and vote took place on July 17, 2001. One note regarding timing, a full Council vote by July 30, 2001 is necessary if the Council wants the permanent overlay to take effect prior to the expiration of the interim overlay.

A. Overall Approach -- Whether or Not to Proceed with Permanent Overlay, Pedestrian Designation and Rezones

Committee Recommendation: Yes, move forward now with all legislation by adopting permanent station area overlay, pedestrian designation and rezones. (Note, this particular vote was not on any specific legislation, so while it signals the intent of the Committee, each Council Bill was then acted on separately and all were amended as shown in subsequent sections of this Divided Report).

Vote: 4-1-1. Yes 4 (Conlin, McIver, Pageler, Wills), No 1 (Nicastro), Abstain 1 (Licata)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations and reflect a significant amount of work with neighborhoods. The types of zoning in the legislation are the types we want to see in these neighborhoods. The certainty of permanent regulations helps prevent speculation as well as

disinvestment as property owners wait. Sound Transit is still proceeding to plan for light rail and has indicated that the area south of downtown is their highest priority.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt a permanent station area overlay.

B. Permanent Station Area Overlay – C.B. 113740

Committee Recommendation: Do Pass with amendment to clarify that locational criteria in Land Use Code refer to "proposed" station areas and high capacity transit.

Vote: 3-2-1. Yes 3 (Conlin, Pageler, Wills), No 2 (Licata, Nicastro), Abstain 1 (McIver)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Nicastro: Given the uncertainty with Sound Transit, it is premature for the City to adopt a permanent station area overlay. Licata: Support pedestrian overlays and rezones to encourage pedestrian-friendly environment and housing, but do not support permanent station area overlay at this time.

C. Individual Station Areas – C.B. 113741-113748 -- Possible Amendments

1. Beacon Hill -- C.B. 113741.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 4-1-2. Yes 4 (Conlin, McIver, Pageler, Wills), No 1 (Nicastro), Abstain 2 (Licata, Steinbrueck)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

2. NE 45th Street -- C.B. 113742.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 3-1-2. Yes 3 (Conlin, McIver, Pageler), No 1 (Nicastro), Abstain 2 (Licata, Steinbrueck)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

3. McClellan -- C.B. 113743.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 3-1-2. Yes 3 (Conlin, Pageler, Steinbrueck), No 1 (Nicastro), Abstain 2 (Licata, McIver)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

4. Henderson -- C.B. 113744.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 3-1-2. Yes 3 (Conlin, McIver, Pageler), No 1 (Nicastro), Abstain 2 (Licata, Steinbrueck)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

5. Othello -- C.B. 113745.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines and with substantive amendments to restrict density of some properties (Seattle Housing Authority properties being rezoned to Lowrise 4 and Lowrise 4/Residential Commercial are restricted to the density in the Lowrise 2 zone as prescribed by SMC 23.45.008(A). For affected parcels (about 59% of New Holly 3), this reduces the allowable density from one unit per 600 square feet to one unit per 1200 square feet.)

Vote: 4-1-2. Yes 4 (Conlin, McIver, Pageler, Wills), No 1 (Nicastro), Abstain 2 (Licata, Steinbrueck)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations. The restriction on density addresses concerns raised by Councilmembers and the community.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

6. Edmunds -- C.B. 113746.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines and with substantive amendments to remove Seattle Housing Authority properties (Rainier Vista) from permanent station area overlay, pedestrian designation and rezones. Consider rezones for those properties through a quasi-judicial rezone.

Vote: 4-1-2. Yes 4 (Conlin, McIver, Pageler, Wills), No 1 (Nicastro), Abstain 2 (Licata, Steinbrueck)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations. The quasi-judicial rezone is a more appropriate tool for the Council to condition the project based on potential impacts.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

7. Capitol Hill -- C.B. 113747.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 5-1-1. Yes 5 (Conlin, McIver, Pageler, Steinbrueck, Wills), No 1 (Nicastro), Abstain 2 (Licata)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

8. First Hill -- C.B. 113748.

Committee Recommendation: Do Pass with technical amendment to revise whereas clause to eliminate use of blank lines.

Vote: 4-1-1. Yes 4 (Conlin, Pageler, Steinbrueck, Wills), No 1 (Nicastro), Abstain 1 (McIver)

Majority Position: This legislation implements station area planning recommendations and neighborhood planning recommendations.

Minority Position: Given the uncertainty with Sound Transit, it is premature for the City to adopt this legislation.

SAP divided report version 2



**Legislative Department
Seattle City Council
Memorandum**

Date: July 16, 2001
To: All Councilmembers
From: Geri Beardsley, *Geri Beardsley* Legislative Analyst
Subject: Decision Agenda for Council Bills 113740-113748 – Station Area Planning Overlay, Pedestrian Designation and Rezones

A. Background

The Council's Landlord/Tenant and Land Use Committee is currently considering legislation that implements some of the land use recommendations in the adopted Concept-level Station Area Planning Recommendations (Res. 30165).

The Council established the Interim Station Area Overlay District on March 3, 1999 (Ord. 119394). The interim regulations expire on September 1, 2001. The legislative package now being reviewed by the Council establishes permanent regulations, including rezones, a permanent Station Area Overlay District (SAOD) and amendments to the Land Use Code identifying Principal Pedestrian Streets (with a pedestrian designation). These regulations apply to eight areas including: Henderson, Othello, Edmunds/Columbia City, McClellan, Beacon Hill, First Hill, Capitol Hill (permanent station area overlay only) and University District.

The legislation will encourage the areas around proposed light rail stations to become mixed use (residential and commercial) neighborhoods where people can live and work and where walking, biking, and using transit are alternatives to driving. In addition, proposed changes for areas south of Downtown are intended to help achieve the "town centers" contemplated in neighborhood plans, while increasing transit-oriented development opportunities in limited areas that are currently automobile-oriented. Current zoning in areas north of Downtown already supports development appropriate to implement neighborhood plans and TOD goals, so the legislation is more limited for these areas. However, the proposed rezones in these areas will strengthen existing Pedestrian Districts.

The LTLU Committee has reviewed and discussed prior versions of this legislation over the last two years. The LTLU Committee held a public hearing on the current versions of the proposed legislation on July 9, 2001. Committee discussion and possible vote is scheduled for July 17, 2001. One note regarding timing, a full Council vote by July 30, 2001 is necessary if the Council wants the permanent overlay to take effect prior to the expiration of the interim overlay.

The issues identified below and possible amendments are intended to address a number of issues that were raised in public comments, by staff and/or that Councilmembers asked staff to explore. We can discuss the issues in more detail at the July 17 Committee meeting, but I wanted to give you some framework for your discussion with this decision agenda. Please feel free to contact me at 684-8148 if you have questions. You can also contact Mike Podowski in the Strategic Planning Office at 386-1988.



B. Overall Approach -- Whether or Not to Proceed with Permanent Overlay, Pedestrian Designation and Rezones

This issue has been raised in response to concerns that enacting regulations for station areas is premature given the uncertainties about light rail funding, timing and station locations. In discussions with Councilmembers and Executive staff, we have come up with four options for the Committee to consider: A) adopt all legislation now; B) do not adopt the permanent station area overlay, but adopt the pedestrian designation and rezones; C) do not adopt any legislation now, but continue to work with neighborhoods to ensure that the proposed legislation implements neighborhood plans; and D) do not adopt any legislation now, but consider reviewing the legislation again if and when Sound Transit's plans are more certain.

There are a number of factors the Council should be aware of in discussing this issue. First, Sound Transit's target date of 2006 to begin operating light rail has now been postponed until 2009. Sound Transit's Board has confirmed that the area south of downtown will be their highest priority and those station locations are not in question. However, for some, there is some uncertainty as to whether light rail will be constructed at all. Second, the City's contract with the Regional Transit Authority (now Sound Transit) provides for a final payment (of \$500,000) after Council action on this legislation, which Sound Transit might contest if this legislation is not adopted. Third, Executive staff and neighborhood groups substantially modified the legislation from last year's proposal to respond to community concerns and to ensure that it supports implementation of neighborhood plans in addition to implementation of the station area planning. These factors and others are shown in the table below.

Options for Overall Approach:

A. Adopt Permanent Station Area Overlay, Pedestrian Designation and Rezones	B. Do Not Adopt Permanent Station Area Overlay, Only Adopt Pedestrian Designation and Rezones	C. Do Not Adopt Any Legislation and Revisit Neighborhood Planning Issues	D. Do Not Adopt Any Legislation and Revisit If and When Sound Transit's Plans Are More Certain
<ul style="list-style-type: none"> ▪ Legislation supports station area planning, including City's adopted Concept-level Station Area Planning Recommendations ▪ Legislation supports neighborhood plan recommendations, regardless of timing of light rail ▪ Legislation has been revised to address many issues raised by neighborhoods ▪ Sound Transit Board 	<ul style="list-style-type: none"> ▪ Pedestrian designation and rezones still support neighborhood plan implementation ▪ Can act on permanent station area overlay at a later date when light rail is more certain ▪ Interim Station Area Overlay expires September 1, 2001, but rezones will control some uses (less than with permanent station area overlay) ▪ Doesn't include 	<ul style="list-style-type: none"> ▪ Doesn't acknowledge work of Executive staff and neighborhood groups to ensure legislation supports neighborhood plan implementation ▪ Unclear how additional work would be funded and when it would happen ▪ Contract with RTA contemplates Council action to implement station 	<ul style="list-style-type: none"> ▪ Timing and funding of light rail is uncertain ▪ Can act on legislation at later date when light rail is more certain ▪ Some do not support overlay and rezones because of potential impacts on their property and/or businesses ▪ Contract with RTA contemplates Council action to implement

<p>voted that highest priority is light rail south of downtown (which includes areas where most of the legislation is proposed)</p> <ul style="list-style-type: none"> ▪ Contract with RTA contemplates Council action to implement station area planning recommendations prior to final payment ▪ Interim Station Area Overlay expires September 1, 2001, but permanent regulations will control uses 	<p>Overlay's provisions to encourage housing (proposal permits Single-Purpose Residential uses outright and eliminates 64% upper-level lot coverage limit for residential uses)</p> <ul style="list-style-type: none"> ▪ Contract with RTA contemplates Council action to implement station area planning recommendations prior to final payment 	<p>area planning recommendations prior to final payment</p> <ul style="list-style-type: none"> ▪ Interim Station Area Overlay expires September 1, 2001 	<p>station area planning recommendations prior to final payment</p> <ul style="list-style-type: none"> ▪ Interim Station Area Overlay expires September 1, 2001 ▪ Lack of clarity about when the process would be restarted adds to uncertainty for property owners
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Committee Action:

Move forward now?

Options:

- A. Adopt permanent station area overlay, pedestrian designation and rezones (if yes, then proceed to Sections C and D below)
- B. Do not adopt permanent station area overlay, only adopt pedestrian designation and rezones (if yes, vote "Do Not Pass" on Overlay in Section C below and then proceed to Section D)
- C. Do not adopt any legislation and revisit neighborhood planning issues (if yes, then hold all legislation or vote "Do Not Pass" on all eight Council Bills)
- D. Do not adopt any legislation and revisit if and when Sound Transit's plans are more certain (if yes, then hold all legislation or vote "Do Not Pass" on all eight Council Bills)

Reminder, each of these options assumes that the Interim Station Area Overlay will expire on September 1, 2001 and that the Council does not intend to extend the expiration date again.

Vote: _____



C. Permanent Station Area Overlay – C.B. 113740 -- Possible Amendments

This Section identifies possible amendments to the permanent station area overlay based on my review of the issues; public comments; and discussions with Councilmembers, the Law Department and staff from the Legislation Department, Strategic Planning Office and Department of Design, Construction and Land Use.

1. Locational Criteria. Issue: locational criteria refer to light rail stations even though none exist now.

Possible amendment: amend locational criteria to reflect proximity to "proposed" station areas and high capacity transit:

23.34.089 Locational Criteria - Station Area Overlay District.

A. *Establishing A Station Area Overlay District. In reviewing a proposal to establish a Station Area Overlay District, the following criteria shall be considered:*

1. *Function. To preserve or encourage a diverse, mixed-use community with a pedestrian orientation around proposed light rail stations or access to other high capacity transit, where incompatible automobile-oriented uses are discouraged and transit-oriented use and development is encouraged.*

2. *Desired Characteristics. The Station Area Overlay District designation is most appropriate in areas generally characterized by one or more of the following:*

- a. *high levels of pedestrian activity at street level in commercial and mixed use zones; or*
- b. *presence of a wide variety of retail/service activities in commercial and mixed use zones; or*
- c. *minimal pedestrian-auto conflicts; or*
- d. *medium to high residential density in close proximity to proposed light rail stations or access to other high capacity transit.*

3. *Physical Conditions Favoring Designation as Station Area Overlay District. The station area overlay district shall be located around a proposed light rail station or access to other high capacity transit and include land within approximately one thousand three hundred and twenty feet (1,320') of the station or stop. Other factors to consider in including properties within the overlay district include, but are not limited to the following:*

- a. *presence of medium to high density residential zoning in proximity to the light rail station or access to other high capacity transit;*
- b. *presence of a commercial or mixed use area where goods and services are available to the public and where opportunities for enhancement of the pedestrian environment exist;*
- c. *opportunities for new development to access transit, bicycle and pedestrian modes of transportation;*
- d. *opportunities for construction of new development that will support ~~light rail~~ transit;*
- e. *properties zoned Single Family may only be included within the overlay district when it can be demonstrated that the criteria for Single Family designation cannot be satisfied.*

B. Revising the boundaries of a Station Area Overlay District.

1. *When a proposal is made to include land within an existing Station Area Overlay District, the land proposed to be added must be contiguous to the Station Area Overlay District, be consistent with the criteria prescribed in subsection A, above, and satisfy the function and locational criteria for a commercial or multifamily zone designation.*

2. *When a proposal is made to remove land from an existing Station Overlay District, the land proposed to be removed must be contiguous to land lying outside the boundary and not meet the criteria in subsection A of this section.*

2. 64% Upper-level Lot Coverage Limit for Residential Uses. Issue: in Neighborhood Commercial zones, residential uses are subject to a limit that above 13 feet, the building can only occupy 64% of the building envelope. This limit doesn't change the allowable density, but does affect design flexibility. Currently, projects with residential uses must go through Design Review to waive the 64% upper-level lot coverage limit. Commercial projects are not subject to the limit. The proposed legislation treats residential uses like commercial uses by eliminating the 64% upper-level lot coverage limit for residential uses.

Possible amendment: Stick with status quo, which currently requires Design Review for a residential use to exceed the 64% upper-level lot coverage limit. This action requires an amendment to strike Section 3 of the Council Bill.

3. Other Issues. Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues include a request for additional notification prior to approval of work release centers and not allowing commercial or mixed-use buildings to convert to Single-Purpose Residential buildings because such conversions might contribute to the loss of existing neighborhood commercial uses. We can discuss these in more detail or I can prepare options if Councilmembers request them.

Committee Action:

Amend Council Bill?

Pass Council Bill as amended?

Vote: _____

D. Individual Station Areas – C.B. 113741-113748 -- Possible Amendments

This Section identifies possible amendments to the legislation for individual station areas based on my review of the issues; public comments; and discussions with Councilmembers, the Law Department and staff from the Legislation Department, Strategic Planning Office and Department of Design, Construction and Land Use.



1. Beacon Hill -- C.B. 113741.

a. Amend Whereas clause per City Clerk request to avoid use of blanks:

WHEREAS, ~~on _____~~ the City Council enacted Ordinance _____ established ~~ing~~ a new Chapter 23.61, Station Area Overlay District, (C.B. 113740) to the Seattle Municipal Code, establishing permanent regulations to prohibit uses incompatible with transit-oriented development and revising development standards within approximately one-quarter mile of proposed Sound Transit light rail stations; and

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay) and strike C.B. Exhibit B (map with permanent station area overlay).

c. Other Issues: Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues included not rezoning any property in the Beacon Hill area and rezoning one parcel from Lowrise 1 to Lowrise 3. We can discuss these in more detail or I can prepare options if Councilmembers request them.

Committee Action:

Amend Council Bill?

Pass Council Bill as amended?

Vote: _____

2. NE 45th Street -- C.B. 113742.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay), amend C.B. Section 4 to refer to "First Hill" rather than "Capitol Hill" and strike C.B. Exhibit B (map with permanent station area overlay).

c. Other Issues: Several other issues were raised in public comments, but I have not prepared options to address because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These

issues included not extending the pedestrian designation south of NE 45th St. We can discuss these in more detail or I can prepare options if Councilmembers request them.

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

3. McClellan -- C.B. 113743.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay), modify C.B. Exhibit A (slightly modifying pedestrian designation) and strike C.B. Exhibit B (map with permanent station area overlay).

c. Other Issues: Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues included increasing the landscaped buffer east of Cheasty Blvd. from 20' to 50'. We can discuss these in more detail or I can prepare options if Councilmembers request them.

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

4. Henderson -- C.B. 113744.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay), modify C.B. Exhibit A



(slightly modifying the pedestrian designation) and strike C.B. Exhibit B (map with permanent station area overlay).

c. Other Issues: Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues included not applying the permanent station area overlay or the pedestrian overlay to several properties and rezoning one parcel from Lowrise 1 to Neighborhood Commercial 2 with a 40' height limit. We can discuss these in more detail or I can prepare options if Councilmembers request them.

Committee Action:

Amend Council Bill?

Pass Council Bill as amended?

Vote: _____

5. Othello -- C.B. 113745.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay), and strike C.B. Exhibit C (map with permanent station area overlay).

c. SHA/New Holly 3. The legislation includes SHA properties within the permanent station area overlay and pedestrian designation, and also rezones the SHA properties. Most of the SHA property is located within the third phase of the SHA's redevelopment at New Holly. SHA also has a quasi-judicial rezone application pending for rezones for these properties.

1) Approve legislative rezones and overlays as proposed. This action requires no further changes to the legislation.

2) Amend to remove SHA property from overlay boundary, pedestrian designation and from properties to be rezoned. Review SHA's proposal for New Holly 3 through quasi-judicial contract rezone.

Under Option A ("adopt all legislation") for the overall approach, this action requires amending C.B. Exhibit A (to remove SHA properties from the pedestrian designation and rezones), striking Exhibit B (legal descriptions for SHA properties) and amending Exhibit C (to remove SHA properties from the permanent station area overlay boundaries). Under Option B ("don't adopt permanent station area overlay") for the overall approach, this action requires

amending C.B. Exhibit A (to remove SHA properties from the pedestrian designation and rezones) and striking C.B. Exhibit B (legal descriptions of SHA properties).

3) Amend to restrict density of New Holly 3 by limiting the allowable density of Lowrise 4 zone to those of Lowrise 2 densities. For affected parcels, this reduces the allowable density from one unit per 600 square feet to one unit per 1200 square feet. (Note, this only affects those parcels to be zoned to Lowrise 4 within New Holly 3.)

Under Options A or B for the overall approach, this would require amending C.B. Section 1 (describing the rezones) as follows:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to rezone certain properties located on Plat 73W, page 174, and Plat 73E, page 174, of the Official Land Use Map, as shown on Exhibit A and described in Exhibit B, as it pertains to property owned by the Seattle Housing Authority, attached to this ordinance. Those parcels rezoned to Lowrise 4 that are located within Areas A, D and F as shown on Exhibits A and B are restricted as follows: the allowable density shall be restricted to the density in the Lowrise 2 zone.

This action would also require an amendment to Exhibit A (map showing rezones) to add the Ordinance for Council Bill 113745 to the parcels rezoned to Lowrise 4 (located with Areas A, D and F on Exhibit A.

d. Other Issues. Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues include a request for no rezones of any property. We can discuss these in more detail or I can prepare options if Councilmembers request them.

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

6. Edmunds -- C.B. 113746.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B. Section 2 (describing mapping the permanent station area overlay) and strike C.B. Exhibit C (map with permanent station area overlay).



c. SHA/Rainier Vista. The legislation includes SHA properties within the permanent station area overlay and pedestrian designation and also rezones the SHA properties. The SHA property is located within the Rainier Vista area, which SHA plans to redevelop under a HOPE VI Federal Grant. SHA also has a quasi-judicial rezone application pending for rezones for these properties.

1) Approve legislative rezones and overlays as proposed. This action requires no further changes to the legislation.

2) Amend to remove SHA property from overlay boundary, pedestrian designation and from properties to be rezoned. Review SHA's proposal for Rainier Vista through quasi-judicial contract rezone.

Under Option A ("adopt all legislation") for the overall approach, this action requires amending C.B. Exhibit A (to remove SHA properties from the pedestrian designation and rezones), striking Exhibit B (legal descriptions for SHA properties) and amending Exhibit C (to remove SHA properties from the permanent station area overlay boundaries). Under Option B ("don't adopt permanent station area overlay") for the overall approach, this action requires amending C.B. Exhibit A (to remove SHA properties from the pedestrian designation and rezones) and striking C.B. Exhibit B (legal descriptions of SHA properties).

3) Amend to restrict density of Lowrise 4 zones to Lowrise 2 densities. For affected parcels, this reduces the allowable density from one unit per 600 square feet to one unit per 1200 square feet. (Note, this only affects those parcels to be rezoned to Lowrise 4 in the Rainier Vista proposal.)

(Under Options A or B for the overall approach, this action requires amending C.B. Section 1 (describing the rezones) as follows:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to rezone certain properties located on Plat 58E, page 145, and Plat 59W, page 146, Plat 65E, page 158, and Plat 66W, page 159 of the Official Land Use Map, as shown on Exhibit A and described in Exhibit B, as it pertains to property owned by the Seattle Housing Authority, attached to this ordinance. Those parcels rezoned to Lowrise 4 that are located within Areas B, C and F as shown on Exhibits A and B are restricted as follows: the allowable density shall be restricted to the density in the Lowrise 2 zone.

This action would also require an amendment to Exhibit A (map showing rezones) to add the Ordinance for Council Bill 113746 to the parcels rezoned to Lowrise 4 (located with Areas B, C and F on Exhibit A).

Several Councilmembers have asked me about a slight variation on this density restriction: they have asked whether the Council could approve the rezones for SHA, but limit the total number of allowable dwelling units to 1010. I do not recommend this approach because I think it would be impractical for the Department of Design, Construction and Land Use to administer given the variety of zones, the possible phasing of the project and the likelihood that SHA will redevelop with a variety of partners.

d. Other Issues. Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues include a request for less neighborhood commercial zoning. We can discuss these in more detail or I can prepare options if Councilmembers request them.

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

7. Capitol Hill -- C.B. 113748.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, vote "Do Not Pass" on this C.B. (it only applies the permanent station area overlay, it does not include rezones or extend the pedestrian designation).

c. Other Issues. Several other issues were raised in public comments, but I have not prepared options to address them because they are covered in the proposed amendments, Councilmembers did not ask me to follow up on them, or for a variety of other reasons. These issues include a request for overlay boundary adjustments to make the boundary more rectangular. We can discuss these in more detail or I can prepare options if Councilmembers request them.

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

8. First Hill -- C.B. 113748.

a. Amend Whereas clause per City Clerk request: see language proposed for Beacon Hill in Section D.1.a., above.

b. If Committee chooses Option B ("don't adopt permanent station area overlay") for the overall approach, amend to strike the entire Whereas clause in Section D.1.a, above, strike C.B.



Section 2 (describing mapping the permanent station area overlay) and strike C.B. Exhibit B (map with permanent station area overlay).

<p><u>Committee Action:</u></p> <p>Amend Council Bill?</p> <p>Pass Council Bill as amended?</p> <p>Vote: _____</p>
--

E. Next Steps

- Amend Legislation as necessary
- Possible Full Council Vote: July 23 or July 30 (If Committee has a divided report, the report must be available for a week prior to the full council vote -- unless the Council President and Committee Chair agree to a shorter timeline.)

SAP decision agenda version 5.doc

ORDINANCE _____

AN ORDINANCE relating to land use and zoning, amending Plat 36W, page 102, Plat 36E, page 103, Plat 40W, page 110, and Plat 40E, page 111, of the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to designate boundaries for the Station Area Overlay District near the proposed Capitol Hill light rail station; and amending SMC Section 23.70.004 to delete Exhibit 1I.

WHEREAS, RCW 81.104 directs municipalities to regulate land uses in a manner that supports high capacity transportation systems; and

WHEREAS, in November 1996, the voters of the three-county Sound Transit district approved Sound Move, the ten-year regional transit system plan, which includes a 23-mile new electric light rail line connecting SeaTac, Tukwila, and Seattle; and

WHEREAS, Sound Transit is proceeding to implement the Sound Move plan, including the light rail component; and

WHEREAS, in April 1998, the City of Seattle and Sound Transit executed a Memorandum of Agreement for Intergovernmental Cooperation for the Central Link Light Rail Transit Project (hereinafter, the MOA), as authorized by Ordinance 118927; and

WHEREAS, under the terms of the MOA, the City has been conducting station area planning and related public involvement activities for light rail station areas in Seattle; and

WHEREAS, the City Council adopted Resolution 29867 in December 1998, establishing goals and strategies to promote transit-oriented development in light rail station areas; and

WHEREAS, the City has given guidance to Sound Transit as to preferred light rail routes and station locations, and desired patterns for development around light rail stations, in previous legislation, including Resolution 29904 adopted on February 22, 1999; and

WHEREAS, on February 25, 1999, the Sound Transit Board of Directors identified the Locally Preferred Alternative (LPA) light rail alignment and station locations; and

WHEREAS, on November 18, 1999, the Sound Transit Board selected and authorized the implementation of the Locally Preferred Alternative alignment for the Central Link Light Rail Project and station locations; and



1 WHEREAS, On April 10, 2000, the City Council adopted Resolution 30128, approving the
2 light rail alignment, station locations, and maintenance base location for the Central
3 Link Light Rail Project in the City of Seattle; and
4

5 WHEREAS, the City Council adopted Resolution 30165 in September 2000, approving
6 concept-level station area planning recommendations for the areas around the light
7 rail stations; and
8

9 WHEREAS, the Station Area Interim Overlay District was established in March 1999 by
10 Ordinance 119394, which expires on September 1, 2001, around proposed Sound
11 Transit Link light rail stations for the purpose of preserving opportunities for transit
12 and pedestrian-oriented development in accordance with Council approved goals and
13 objectives; and
14

15 WHEREAS, on _____, the City Council enacted Ordinance _____, establishing a
16 new Chapter 23.61, Station Area Overlay District, to the Seattle Municipal Code,
17 establishing permanent regulations to prohibit uses incompatible with transit-
18 oriented development and revising development standards within approximately one-
19 quarter mile of proposed Sound Transit light rail stations; and
20

21 WHEREAS, the City Council adopted Resolutions 29942, 29830, 29979, 29976, 29995,
22 29869, 29903 and 29808 in 1998 through 1999, approving neighborhood plans
23 applicable to each of the station areas affected by this ordinance; and
24

25 WHEREAS, the City Council finds that this ordinance should be adopted for the reasons
26 contained in the Executive Analysis and Recommendation; and
27

28 WHEREAS, the City Council finds that these proposed amendments will implement the
29 policies contained in RCW 81.104 and be consistent with the resolutions identified
30 above, and will promote the health, safety and welfare of the general public;
31

32 **NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS**
33 **FOLLOWS:**
34

35 **Section 1.** The Official Land Use Map, Chapter 23.32 of the Seattle Municipal
36 Code is amended to designate the boundaries of the Station Area Overlay District on Plat
37 36W, page 102, Plat 36E, page 103, Plat 40W, page 110, and Plat 40E, page 111, of the
38 Official Land Use Map, as shown on Exhibit A attached to this ordinance.
39



1 **Section 2.** The City Clerk is hereby authorized and directed to file a copy of this
2 ordinance and attached Exhibit A at the King County Records and Elections Division, and to
3 deliver copies of the same to the Director of the Department of Design, Construction and
4 Land Use and to the King County Assessor's Office.
5



1 **Section 3.** Section 23.70.004 of the Seattle Municipal Code, which Section was
2 last amended by Ordinance (*First Hill Rezone Ordinance*), is further amended to delete
3 Exhibit 1I.

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

8
9 **Section 5.** This ordinance shall take effect and be in force thirty (30) days from
10 and after its approval by the Mayor, but if not approved and returned by the Mayor within
11 ten (10) days after presentation, it shall take effect as provided by Municipal Code Section
12 1.04.020.

13 Passed by the City Council the ___ day of _____, 2001, and signed by me in
14 open session in authentication of its passage this ___ day of _____, 2001.

15
16 _____
17 President of the City Council

18 Approved by me this ___ day of _____, 2001.

19
20 _____
21 Paul Schell, Mayor

22 Filed by me this ___ day of _____, 2001.

23
24 _____
25 City Clerk

26 **(SEAL)**

Exhibit A (Station Area Overlay District Boundaries)



STATE OF WASHINGTON – KING COUNTY

--SS.

134623
City of Seattle, Clerk's Office

No. ORDINANCE

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

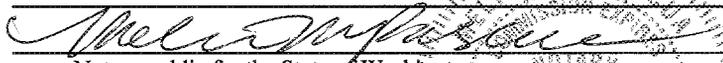
CT:120459 ORD. IN FULL

was published on

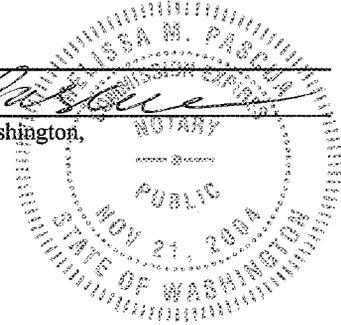
08/08/01


Subscribed and sworn to before me on

08/08/01


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

Capitol Hill Station Area Overlay District Boundaries

Amending Official Land Use Map Pages 102, 103, 110, and 111

 Station Platform

 Station Area
Overlay District

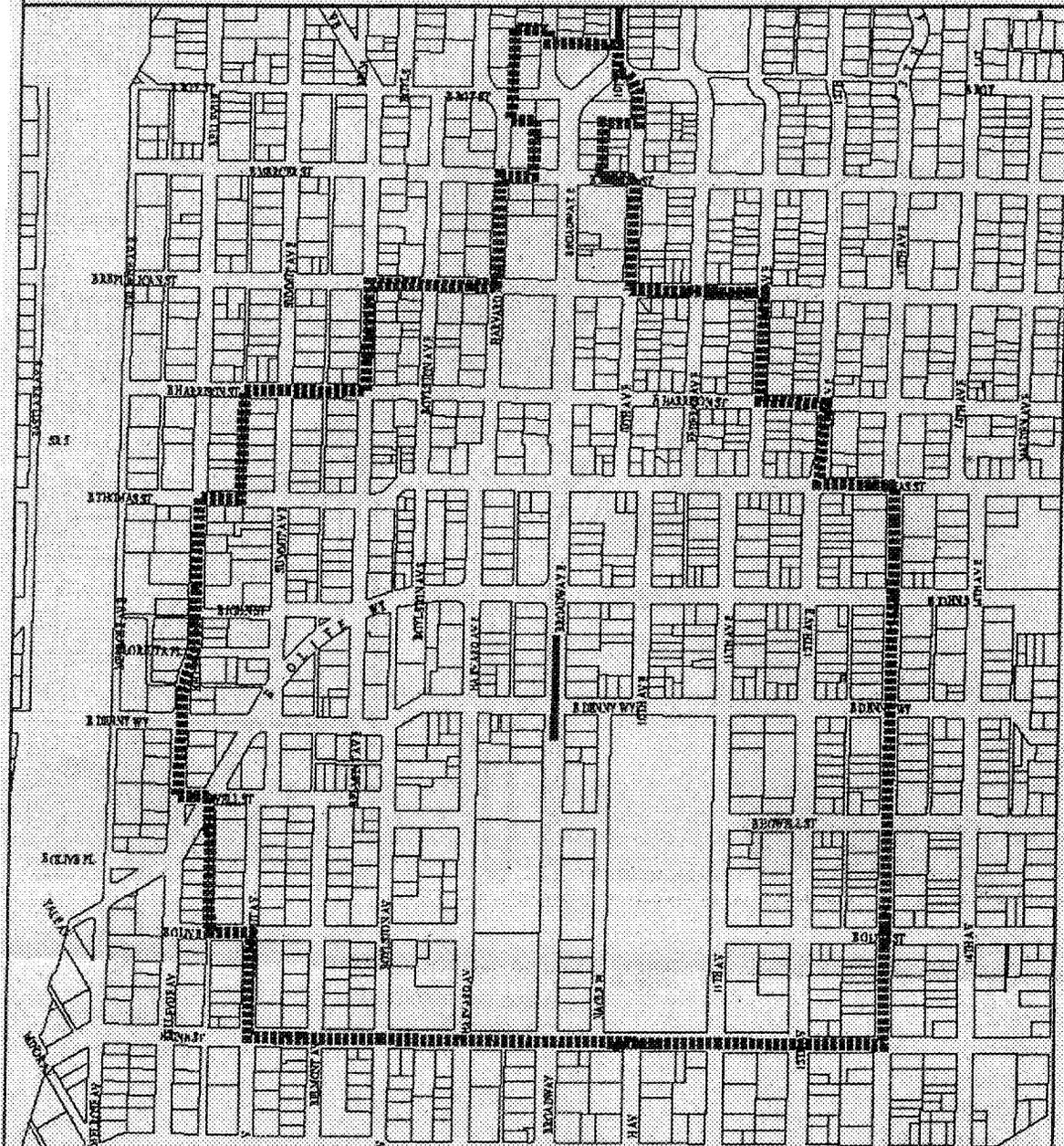


Scale: 1" = 525'

Prepared by City of Seattle,
July 25, 2000

The boundaries of any work, including
surveying, staking, or other fielding,
are shown for reference only.

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City of Seattle
ORDINANCE 120450

WHEREAS, on November 18, 1999, the Sound Transit Board selected and authorized the implementation of the Locally

SECTION 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to designate the bound-