

Ordinance No. 122829

Council Bill No. 116349

AN ORDINANCE relating to land use and zoning and the Sand Point Overlay District; amending the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to modify and rename the subarea boundaries of the Sand Point Overlay District; and amending Seattle Municipal Code Sections 23.72.004, 23.72.008, 23.72.010, and 23.84A.025.

Related Legislation File:

Date Introduced and Referred: 9.15.08	To: (committee): Parks & Seattle Center (PSC)
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 10-20-08	Date Presented to Mayor: 10-21-08
Date Signed by Mayor: 10.28.08	Date Returned to City Clerk: 10.29.08
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The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Rasmussen

Committee Action:

Date	Recommendation	Vote
9/23/08	as amended PASS 3-0	TR, RC, TB

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

Full Council Action:

Date	Decision	Vote
10-13-08	Held 1 week	
10-20-08	Passed 9-0 As Amended 	

ORDINANCE 122829

AN ORDINANCE relating to land use and zoning and the Sand Point Overlay District; amending the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to modify and rename the subarea boundaries of the Sand Point Overlay District; and amending Seattle Municipal Code Sections 23.72.004, 23.72.008, 23.72.010, and 23.84A.025.

BE 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 modify and rename the sub-area boundaries of the Sand Point Overlay District located on Plat 8W, page 49, Plat 8E, page 48, Plat 17E, page 66, and Plat 17W, page 65 of the official Land Use Map as shown on Attachment 1 attached to this ordinance.

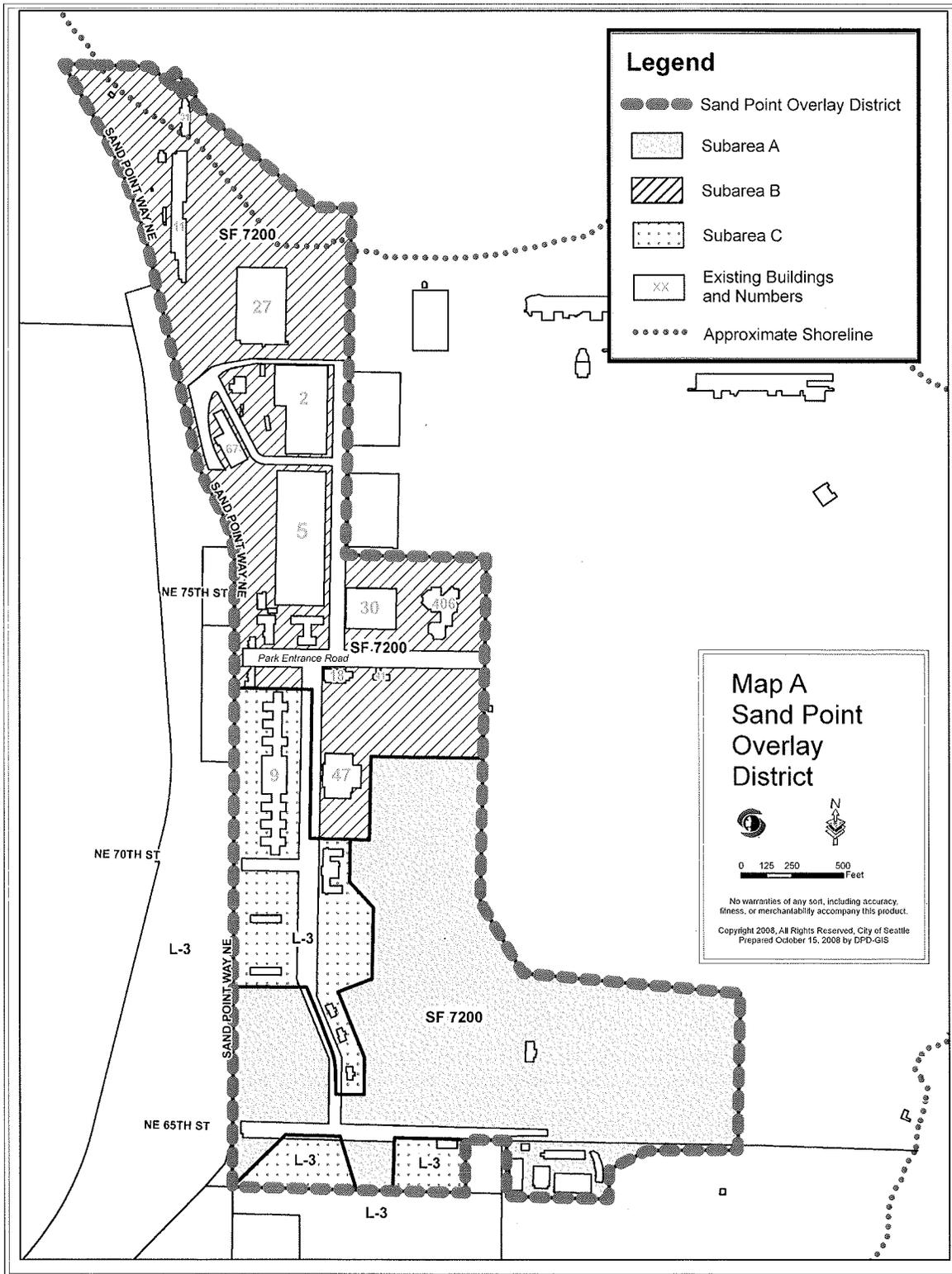
Section 2. Section 23.72.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

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, including ((comprised of two))three subareas - A, ((and)) B, and C. Subarea A includes one area zoned Single Family 7200 (SF 7200), Subarea B includes one area zoned SF 7200, and Subarea C includes three areas zoned L3, as shown on the City's Official Land Use Map, Chapter 23.32, and Map A for 23.72.004. The Sand Point Overlay District includes the Naval Station Puget Sound Sand Point Historic District, shown on Map B for 23.72.004 and eligible to be listed on the National Register of Historic Places.

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1 Section 4. Section 23.72.008 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122311, is amended as follows:

3 **23.72.008 Uses permitted in specified areas within the Sand Point Overlay District.**

4 A. Within Subarea A depicted on Map A for 23.72.004, any area not occupied by
5 structures in existence as of July 18, 1997, paved parking areas in existence as of July 18, 1997,
6 or rights-of-way in existence as of July 18, 1997, is limited to open space uses such as parks and
7 playgrounds.

8
9 B. Uses Permitted Within Portions of Subarea B ((Zoned Single-family as Depicted))
10 depicted on Map A.

11 1. Principal Uses Permitted Outright. In addition to the principal uses permitted
12 by the provisions of Section 23.44.006, the following principal uses are permitted outright in
13 Subarea B as depicted on Map A for 23.72.004, subject to subsection B4 ((in structures existing
14 as of July 18, 1997, in all portions of Subarea B that are in single-family zones.)):

15
16 a. Custom and craft work ((and accessory retail sales and services));

17 b. Dry boat storage, limited to storage of non-motorized, hand-launchable
18 boats such as kayaks, canoes and sail boats;

19 c. Indoor and outdoor sports and recreation;

20 ((b-))d. Institutions, except hospitals;

21 ((e-))e. Lecture and meeting halls;

22 ((d- Motion picture studios;))

23 f. Motion picture theater not to exceed 500 seats within Building 47;

24 g. Offices, limited to a total of 86,000 gross square feet in the entire
25 subarea;

1 h. Performing arts theaters;

2 ~~((e. Indoor and outdoor sports and recreation;))~~

3 ~~((f. Police training facilities;))~~

4 ~~((g.))~~ i. Research and development laboratories;

5 j. Restaurants without drive-in lanes, limited to no more than 2,500 square

6 feet per business establishment;

7 ~~((h.))~~ k. Storage of fleet vehicles including ((and)) accessory service and
8 repair;((and))

9 ~~((i.))~~ l. Warehouses((-)); and

10 m. General retail sales and service, up to 6,000 square feet per business
11 establishment.

12 2. Accessory Uses. Accessory uses that meet the following standards and that are
13 customarily incidental to the principal uses permitted outright, are permitted outright:

14 a. The area devoted to the accessory use is limited no more than
15 20 percent of the gross floor area of the principal use it serves;

16 b. Only principal uses permitted by this section and by the applicable
17 provisions of Chapter 23.60 are allowed as accessory uses.

18 3. When not in use as a motion picture studio, a structure with an established use
19 as a motion picture studio as of July 18, 1997 may be used for indoor and outdoor sports and
20 recreation.

21 ~~((3))~~ 4. ~~((Within Subarea A, Park Area depicted on Map A, area))~~ Any area not
22 occupied by ((existing)) structures in existence as of July 18, 1997, ((existing)) paved parking

1 areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, is limited
2 to open space, dry boat storage or recreation uses (~~(, such as parks and playgrounds)~~).

3 ~~((B))~~C. Uses Permitted Within ~~((Portions of))~~ Subarea C ~~((B Zoned Lowrise 3 as~~
4 ~~Depicted))~~ depicted on Map A. In addition to the uses permitted outright in ~~((accordance with))~~
5 Section 23.45.004~~((23.45.006))~~, the following principal uses are permitted outright in Subarea C
6 as depicted on Map A for 23.72.004 ~~((within structures existing as of July 18, 1997, in the~~
7 ~~portions of Subarea B zoned L3))~~:

- 9 1. Food processing;
- 10 2. Horticulture;
- 11 3. Institutions, except hospitals;
- 12 4. Lecture and meeting halls;
- 13 5. Medical service uses, excluding animal health services, mortuary and funeral

14 services; and

- 15 6. Offices, in structures in existence as of July 18, 1997.~~((; and~~
- 16 7. Restaurants.~~))~~

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19 Section 5. Section 23.72.010 of the Seattle Municipal Code, which Section was last
20 amended by Ordinance 118794, is amended as follows:

21 **23.72.010 Development standards.**

22 A. Within areas zoned single-family, changes of use within existing structures that are
23 subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and new structures shall
24 conform to the development standards for single-family development in Chapter 23.44,
25 Residential Single-family, except as modified in subsections D-H of this section and except as
26 provided in section 23.72.012.
27
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1 B. Within areas zoned Lowrise 3, changes of use within existing structures that are
2 subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and new structures shall
3 conform to the development standards of Chapter 23.45 applicable to Lowrise 3 development,
4 except as modified in subsections D - H of this section and except as provided in Section
5 23.72.012.
6

7 C. Density. A maximum of two hundred (200) dwelling units may be established within
8 the boundaries of the Sand Point Overlay District. Residential uses provided by the University of
9 Washington shall not count toward the maximum site density established in this subsection.

10 D. New structures. Demolition of existing structures and construction of new structures in
11 the Sand Point Overlay District are permitted if in compliance with the following provisions and
12 if consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April
13 1998, as documented by a letter from the State Historic Preservation Officer certifying that the
14 proposal is consistent with the Plan:
15

16 1. Any new structure shall be located on and limited to the footprint of a structure
17 that existed on the site as of July 18, 1997, except for:
18

19 a. an indoor and outdoor tennis center to be located within Subarea B as
20 depicted on Map A for 23.72.004,

21 b. affordable housing structures to be located within L3 zoned portions of
22 the overlay district, and

23 c. dry boat storage.
24

25 2. In determining the footprint of structures existing on July 18, 1997, interior
26 courtyards enclosed by three or more building walls at least 10 feet in height may be included as
27 part of the footprint.
28

1 3. Except for a proposed new tennis center in Subarea B, for which the height
2 limit is 45 feet, and except for any new structure used for nonmotorized dry boat storage, for
3 which the height limit is 15 feet, the height limit of a new structure is the greater of the height
4 limit of the underlying zone or the height of the structure that existed on the same site as the new
5 structure as of July 18, 1997.

6
7 E. Rooftop features on existing non-residential structures. Stair penthouses, elevator
8 penthouses and mechanical equipment on non-residential structures in existence as of July 18,
9 1997 may extend up to the higher of 15 feet above the maximum height limit or 15 feet above
10 the roof elevation existing as of July 18, 1997, so long as the combined total coverage of all
11 rooftop features above the roof elevation does not exceed (1) 25 percent of the roof area, if the
12 rooftop features do not include screened mechanical equipment, or (2) 30 percent of the roof
13 area, if the combined features include screened mechanical equipment. The addition of rooftop
14 features is permitted only if also consistent with the Sand Point Historic Properties Reuse and
15 Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's Standards for
16 Rehabilitation, as evidenced by a letter of approval from the State Historic Preservation Officer.

17
18 F. Lighting. Changes of use within existing structures that are subject to SEPA
19 requirements in Seattle Municipal Code Chapter 25.05 and all new structures shall comply with
20 the following lighting standards:

21
22 1. Exterior lighting shall be shielded and directed away from adjacent uses.

23 2. Exterior lighting shall not exceed the height of the structure on which it is
24 located or the height limit of the underlying zone in which it is located, whichever is less.

25 3. All exterior lighting features shall be consistent with the Sand Point Historic
26 Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's
27 Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic Preservation Officer.

1 Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic
2 Preservation Officer.

3 G. Solid waste and recycling storage space. Changes of use within existing structures
4 that are subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and all new
5 structures shall provide storage space for solid waste containers in accordance with the following
6 table:

7
8 Table A for 23.72.010
9 Solid Waste and Recyclable Materials Storage Space Standards

<u>Structure size</u>	<u>Minimum area</u>	<u>Container type</u>
<u>0-5,000 square feet</u>	<u>82 square feet</u>	<u>Rear-loading</u>
<u>5,001 – 15,000 square feet</u>	<u>125 square feet</u>	<u>Rear-loading</u>
<u>15,001-50,000 square feet</u>	<u>175 square feet</u>	<u>Front-loading</u>
<u>Over 50,000 square feet</u>	<u>225 square feet</u>	<u>Front-loading</u>

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13 1. The storage space shall comply with the following standards:

14 a. The storage space shall have no horizontal dimension (width and depth)
15 less than 6 feet.

16
17 b. The floor of the storage space shall be level and hard-surfaced (garbage
18 or recycling compactors require a concrete surface).

19
20 c. If located outdoors, the storage space shall be screened from public
21 view and designed to minimize light and glare impacts.

22 d. The storage space shall be located adjacent to the structure it serves and,
23 if located outdoors, it shall not be located between a street-facing facade of the structure and the
24 street.

25 e. The storage space shall not be located in any required driveways,
26 parking aisles, or parking spaces for the structure.

1 f. The storage space shall not block or impede any fire exits, any public
2 rights-of-ways or any pedestrian or vehicular access.

3 g. The storage space shall be located to minimize noise and odor to
4 building occupants and neighboring developments.

5 h. Access standards:

6 (1). For rear-loading containers:

7 (a) Any ramps to the storage space shall have a 6 percent
8 slope or less, and

9 (b) Any gates or access routes shall be a minimum of 6 feet
10 wide; and

11 (2) For front-loading containers:

12 (a) Direct access shall be provided from the alley or street
13 to the containers,

14 (b) Any gates or access routes shall be a minimum of 10
15 feet wide, and

16 (c) If accessed directly by a collection vehicle into a
17 structure, a 21 - foot overhead clearance shall be provided.

18 2. The solid waste and recyclable materials storage space specifications required
19 in subsection 1 shall be included on the plans submitted with the permit application in
20 addition to the numbers and sizes of containers.

21 3. The Director, in consultation with the Director of Seattle Public Utilities, may
22 grant departures from the requirements of subsection 1, as a Type I Master Use Permit decision,
23

1 if the applicant proposes alternative workable measures that meet the intent of this subsection.

2 4. All solid waste and recyclable storage features shall be consistent with the Sand
3 Point Historic Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of
4 the Interior's Standards for Rehabilitation, as evidenced by a letter of approval from the State
5 Historic Preservation Officer.

6 H. Landscaping. Changes of use within existing structures that are subject to SEPA
7 requirements in Seattle Municipal Code Chapter 25.05 and all new structures shall comply with
8 the following landscape standards:

9 1. Street trees along dedicated rights of way shall be provided pursuant to the
10 requirements and exceptions in the underlying zone.

11 2. Landscaping of surface parking areas.

12 a. Surface parking areas shall be landscaped as follows:

<u>Number of spaces</u>	<u>Required landscaped area</u>
<u>20 to 50</u>	<u>18 square feet per parking space</u>
<u>51-99</u>	<u>25 square feet per parking space</u>
<u>100 or more</u>	<u>35 square feet per parking space</u>

13 b. Each landscaped area shall be no smaller than 100 square feet and shall
14 be enclosed by permanent curbs or structural barriers.

15 c. No part of a landscaped area shall be less than 4 feet in any dimension
16 except those parts created by turning radii or angles of parking spaces.

17 d. No parking space shall be more than 60 feet from a required landscaped
18 area.

19 e. Landscaping that meets the dimension standards in this subsection may
20 be provided in above-ground containers or similar planting areas.

21 3. Surface parking areas shall be screened from direct street view by a minimum
22

1 of 3- foot high landscaped areas.

2 4. To provide pedestrian and vehicular access, breaks not to exceed the width of
3 any required curbcuts or sight triangles are permitted in required landscaping.

4 5. All landscaping features shall be consistent with the Sand Point Historic
5 Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's
6 Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic
7 Preservation Officer.

8
9 Section 6. The following subsection of Section 23.84A.025 of the Seattle Municipal
10 Code, which Section was last amended by Ordinance 122311, is amended as follows:

11 **23.84A.025 "M."**

12 ***

13
14 "Medical services" means a commercial use in which health care for humans or animals
15 ("animal health services") is provided on an outpatient basis, including but not limited to offices
16 for doctors, dentists, veterinarians, chiropractors, and other health care practitioners, or in which
17 mortuary or funeral services are provided. Permitted accessory uses include associated office,
18 research and laboratory uses.

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22 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
23 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
24 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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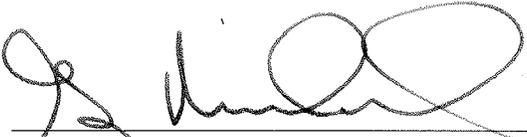
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Passed by the City Council the 20th day of October, 2008, and signed by me in
open session in authentication of its passage this 20th day of October, 2008.



President _____ of the City Council

Approved by me this 28th day of October, 2008.



Gregory J. Nickels, Mayor

Filed by me this 29th day of October, 2008.

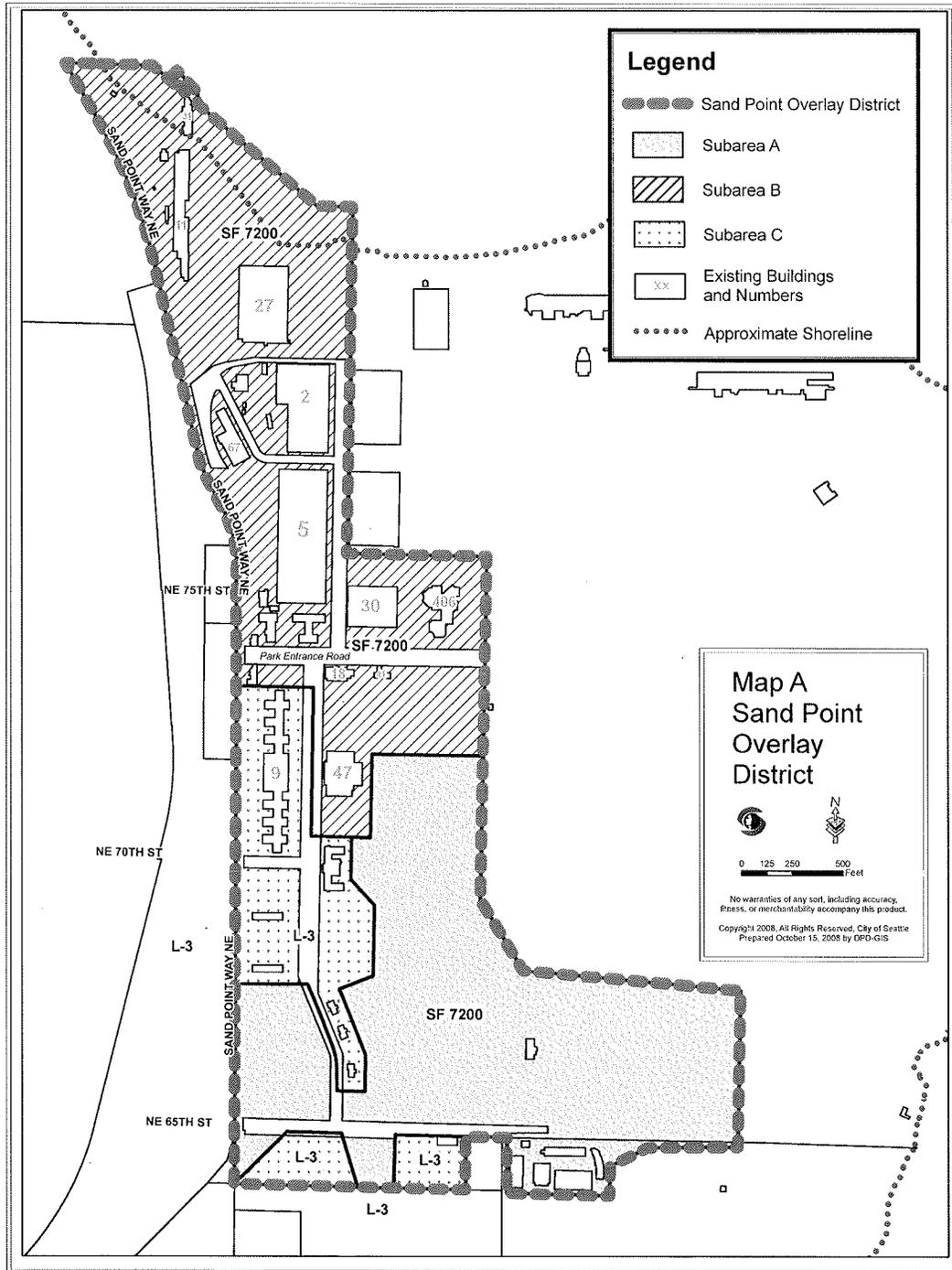


City Clerk

(Seal)

Attachment 1: Rezone Map/Overlay District Boundaries.

Rezone Map/Overlay District Boundaries.



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Planning Development/Legislative	Susan McLain, DPD, 684-0432 Michael Jenkins, 615-1674	Jennifer Devore, 615-1328

Legislation Title:

AN ORDINANCE relating to land use and zoning and the Sand Point Overlay District; amending the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to modify and rename the subarea boundaries of the Sand Point Overlay District; and amending Seattle Municipal Code Sections 23.72.004, 23.72.008, 23.72.010, and 23.84A.025.

• **Summary of the Legislation:**

The Seattle Department of Parks and Recreation is proposing to update use and development standards for the Sand Point Overlay District. The proposed amendments would:

- allow additional land uses beyond those currently allowed;
- allow rooftop mechanical equipment to extend fifteen feet above the height of existing buildings;
- allow the construction of a tennis center structure up to 45 feet tall;
- allow reconstruction of buildings on the footprint of existing buildings; and
- expand the boundaries of the Overlay District to include Building 27.

• **Background:**

The amendments are intended to allow the continued reuse and redevelopment of the former naval base at Warren G. Magnuson Park. The original Overlay District was adopted by the City Council in 1997. Over time it has become clear that some uses identified in the Sand Point Physical Development Management Plan (1997) were not clearly identified as permitted uses in the Land Use Code. Further, the Seattle Parks Department, manager of the Park and the former naval base, has identified a need for more effective signage and updated development standards. Finally, the transfer of Building 27 from the Federal government was completed in 2002, making it necessary to formally include this former airplane hanger into the boundaries of the Sand Point Overlay District.

The amendments will allow the former Sand Point naval station to serve the recreation, education, arts, cultural, environmental and economic development needs of the community. Thank you for your consideration of this legislation.

X This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)



Attachment A: Director's Report

Background

The Seattle Department of Parks and Recreation (Parks) is proposing amendments to the Land Use Code to assist the continued redevelopment of the former naval base at Sand Point, now called Warren G. Magnuson Park. The City owns, and Parks manages, Warren G. Magnuson Park, which is the site of a former naval station. Development within the western portion of the former naval station is regulated by the provisions of the Sand Point Overlay District, adopted in 1997, as well as the underlying Single Family and Lowrise zoning. The remainder of the site is regulated by the underlying Single Family zoning and the Shoreline Master Program.

From 1925 to the early 1970s, the entire peninsula belonged to the U.S. Navy as part of Naval Air Station-Seattle, known later as Naval Station Puget Sound. The eastern portion of the peninsula was transferred to the City in the mid-1970s for Magnuson Park. Beginning in 1991, when the remainder of the base was identified for closure, the City took the lead in developing a plan for reuse of the property. This effort culminated in transfer of naval station property to the City of Seattle and to the University of Washington.¹

In 1997 the City Council adopted the Sand Point Physical Development Management Plan (Resolution 29429 and in 1999, Resolution 30063)², Sand Point Amendments to the Comprehensive Plan (Ordinance 118622), and the Sand Point Overlay District (Ordinance 118624), which applies special use and development standards to the area. The Sand Point Overlay District is the subject of this report and will be discussed further on the following pages.

On November 1, 1999, the Seattle City Council adopted a conceptual plan map (Resolution 30063) to provide guidance for future design of the entire park/overlay district area. A vision statement was crafted by the Sand Point Blue Ribbon Committee for the Sand Point Magnuson Park to "...integrate multiple uses—park and recreation, the arts, environmental protection and restoration, education and residential—which will work together to create a unique park in our region...."³

Ordinance 119299 authorized the Superintendent of Parks and Recreation to administer the Sand Point Physical Development Plan, Construction Management Plan, Transportation Plan, Parking Plan, Site Design Guidelines, Historic Properties Reuse and Protection Plan, and any amendments to any of these or other plans pertaining to the City's Sand Point properties that may be approved by the City. The City owns the majority of the property, which Parks manages. The organization Solid Ground has a 51-year lease for properties in the southwest corner of the park, providing transitional housing and services. The University of Washington owns five buildings, located primarily along the western boundary of the park.

¹ The National Oceanic and Atmospheric Administration (NOAA), the National Biological Service, and the General Services Administration also own land on the peninsula.

² The 1997 Physical Development Plan for Sand Point identified six activity areas for the peninsula. These areas included the following uses: recreation, education and community activities, arts, culture and community center, residential uses, federal institutional uses and open space/recreation expansion areas in Magnuson Park.

³ Sand Point Blue Ribbon Committee, Charles Royer, Chair, Report to the Mayor and the Seattle City Council, Executive Summary, City of Seattle, February 1999.



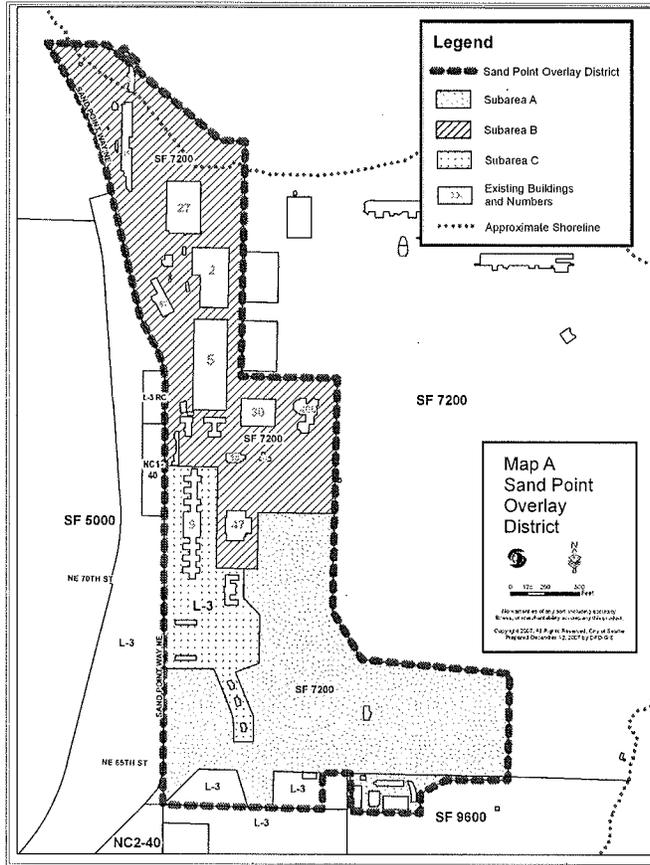
The Sand Point Overlay District

In 1997 the City Council adopted the Sand Point Overlay District, Seattle Municipal Code (SMC) chapter 23.72. In general, the overlay expands permitted uses in the underlying single family and Lowrise zones “to integrate the property into the city of Seattle as a multi-purpose regional center” to provide recreation, education, arts, cultural and community activities; to provide increased shoreline public access and enhanced open space and natural areas; to provide affordable housing and social services for homeless families; and to provide low-impact economic development to provide employment and services for residents of the property and the broader community.⁴

Overlay district development standards are also meant to address the unique structures and other features at the former naval base that were not contemplated by the underlying single family and multifamily zones. These features include former airplane hangars and barracks and former airplane runways that serve as roads. The overlay district (as proposed to be amended) is depicted on the following map.

⁴ Seattle Municipal Code, Section 23.72.002.

Sand Point Overlay District Proposed Map⁵



⁵ A larger version of the proposed map and a depiction of the existing map can be found at the end of this report.



Proposed Land Use Code Changes

Land Use Code amendments to the overlay district will allow the rehabilitation of several World War-era structures to be available for active use by Seattle Parks and Recreation and the University of Washington. Since transfer of the property from the federal government in 1995, both the City and the University of Washington have made numerous unsuccessful attempts to rehabilitate existing buildings for uses permitted under the existing Code. Both entities have contemplated demolition of some of the buildings unless they are able to modify them for productive use.

During 2005 Parks issued three requests for proposals to develop programs for Magnuson Park. The proposed Land Use Code amendments will allow Parks and its concessionaires and lessees to make improvements, occupy the buildings and provide services at the park as contemplated by the planning documents previously adopted by Council. City Council approval for concession agreements and leases will be proposed under a separate action.

Land Use Code revisions will accommodate a multitude of conditions that have changed since the inception of the overlay district. For example, daily use of Warren G. Magnuson Park has increased and activity patterns have changed since the establishment of the overlay district. The City and the community have had time to refine plans for Magnuson Park, to understand the needs and impacts of various uses, to understand the limitations of remodeling World War-era buildings, and to manage use of the land on the Sand Point peninsula.

Several uses and development standards were recommended by the Sand Point Physical Development Management Plan but were not included in the Sand Point Overlay District regulations. These uses and updated development standards are proposed at this time.

The proposed amendments include changes to the Sand Point Overlay District subarea boundaries, permitted uses, development standards, and provisions for signage as follows:

- 1) Map amendments. Amend the Sand Point Overlay Map and the Seattle Official Land Use Map to modify the boundaries of the subareas of the overlay district, to add an additional sub-area and rename the existing subareas, and to create a more readable map. Existing and proposed maps are depicted in the appendices to this report.
- 2) Amendments Relating to Permitted Uses within new Sub-area B.
 - a) Remove “police training facility” as a permitted use as this use is no longer anticipated.
 - b) Remove “motion picture studios” as this is included in the definition of “custom and craft work,” which is a current allowed use.
 - c) Allow retail sales accessory to principal uses. Seattle Parks and Recreation envisions retail activities such as kayak rental, gift shops or craft shops associated with arts uses. Retail uses would only be allowed accessory to other permitted principal uses in the overlay district, and would be limited to 6,000 square feet per establishment.
 - d) Add new principal permitted uses within sub-area B of the Sand Point Overlay District:
 - Dry boat storage, limited to storage of non-motorized, hand-launchable boats such as kayaks, canoes and sail boats;
 - Motion picture theater not to exceed 500 seats within building 47;
 - Offices, limited to a total of 144,000 total square feet in the entire sub-area;

- Performing arts theater; and
 - Restaurants without drive-in lanes, limited to no more than 2,000 square feet per establishment.
- 3) Rooftop features on existing nonresidential buildings. Allow rooftop structures for mechanical equipment and stair and elevator penthouses on existing non-residential buildings to extend up to 15 feet above the existing roof elevation.
- 4) Replacement of historic structures with new structures. Allow historic structures to be replaced with new structures if they are built on and limited to the footprint of the historic structures they replace and if the demolition and replacement are consistent with the Sand Point Historic Properties Reuse and Protection Plan. Spaces between structures would continue to be maintained in open space use.
- 5) New tennis court structure. Allow one new indoor and outdoor tennis structure up to 45' in height, outside the footprint of an historic structure.

Consistency with Applicable Plans and Policies

Several planning documents and legal agreements provide the vision for the properties comprising Warren G. Magnuson Park. These are:

- The Sand Point Amendments to the Comprehensive Plan (Ordinance 118622, 1997)
- The Sand Point Physical Development Management Plan (Resolution 29429, 1997 and 30063, 1999)
- The Sand Point Historic Properties Reuse and Protection Plan (Resolution 29725, 1998)
- Sand Point/ Magnuson Park Final Design Guidelines (Resolution 29624, 1997)
- Recreation Use Covenant, Education Use Covenant and Historic Preservation Covenant between the City of Seattle, the University of Washington, the U.S. Secretary of the Interior and the U.S. Secretary of Education.

1. The Sand Point Amendments to the Comprehensive Plan provide land use, transportation, housing, capital facilities, utilities, and economic development policies.

Land use policies in the Sand Point Amendments to the Seattle Comprehensive Plan support the following uses within the overlay district:

- Policy LU2: Develop and promote the northern part of the property (Activity Area 1) as the *North Shore Recreation Area* with public park area, public access to Lake Washington, recreational, arts and cultural opportunities, and a recreational small boat activity center.
- Policy LU3: Develop and promote Activity Area 2 as an *Education and Community Activities Area* with open public areas, opportunities for education and educational support activities, selective economic development activities, and recreational, arts, and cultural activities.
- Policy LU4: Develop and promote Activity Area 3 as an *Arts, Culture and Community Center* for the development of arts, culture, community activities and open public areas in existing buildings and adjacent outdoor spaces.



- Policy LU5: Develop and promote Activity Area 4 as a *Park Open Space/Recreation Expansion of Magnuson Park*. Allow for an improved park entrance at the intersection of NE 65th and Sand Point Way NE, additional sports fields, unstructured open space, and a recreation center with gymnasium, theater, indoor swimming pool, and meeting spaces in an existing building.

In addition, a general policy in the City's Comprehensive Plan identifies the overall role of former naval air station:

Policy CR 22: Develop portions of the surplus Naval Station Puget Sound at Sand Point into a multi-purpose regional facility to support the arts and cultural activity.

2. The Sand Point Physical Development Management Plan. The Plan defines six activity areas, and provides guidance for infrastructure development and site management of sport fields, an off-leash dog area, and other recreational facilities.

The six activity areas in the Sand Point Physical Development Management Plan are:

- North Shore Recreation Area (Buildings 11N, 11S, 31),
- Education and Community Activity Area (Buildings, 2, 5A, 5B, 5C, 5D, 9, 12, 25, 27, 29, 67, 192/141),
- Arts & Cultural Center (Buildings 18, 30, 41, 138, 406, 222, 223),
- Residential Areas (Buildings 6, 26N, 26S, 224, 310, 330, 331, 332, 333, 334),
- Magnuson Park Open Space & Recreation Expansion Area (Buildings 15, 47, 345, 193, 228, 244, 301, 308, 340, 341, 344), and
- Federal Agency Acquisitions (Building 27).

The Sand Point Physical Development Management Plan designated the North Shore Recreation Area for a small craft center and waterfront park, including on-shore dry boat storage. The proposed amendments would include Building 27 in overlay district subarea B. After the National Oceanic and Atmospheric Administration declined to purchase the building and surrounding lands, the City authorized acquisition of Building 27 from the federal government. Ordinance 121015 authorizing final transfer of the property was passed in 2002.

3. The Sand Point Historic Properties Reuse and Protection Plan. The Sand Point Overlay District contains several older buildings that comprise an historic district that is eligible for listing in the National Register of Historic Places. Historic preservation covenants in property transfer documents require that the City of Seattle and the University of Washington review plans with and obtain approval of the Washington State Historic Preservation Officer prior to initiation of certain construction, alteration, remodeling, demolition or other action that would materially affect the integrity or appearance of historic resources at Sand Point. A map of the Sand Point Historic District can be found as Attachment C at the end of this report.

4. The Sand Point/ Magnuson Park Final Design Guidelines provide design guidance to physical development of the former Naval Air Station-Seattle, including construction related to buildings, utilities, recreational facilities, circulation systems, landscape and open space treatment, demolition, public art and other development. The guidelines provide detailed guidance on signs within the district.

5. Recreation Use Covenant, Historic Preservation Covenant, and Education Use Covenant were included as part of the Secretary of Interior's transfer of the Sand Point Naval Station to the City of Seattle. The Recreation Use Covenants require that the "property shall be used and maintained for public park and recreation purposes in perpetuity". The Historic Preservation Covenant requires approval of the National Park Service or its designee, the Washington State Historic Preservation Officer (SHPO), for "any construction, alteration, remodeling, demolition, disturbance of the ground surface, irrevocable disturbance of landscape settings, or other action that would materially affect the integrity, appearance, or historic value of structures or settings..." within the Sand Point Historic District. The Education Use Covenant requires that University-owned property be used for educational purposes for 30 years, and that the property not be used for any purposes other than those approved in advance by the U.S. Department of Education.

Summary of Recent Public Outreach Efforts

Parks engaged in a public outreach process in late 2006 to gather input on the proposals for the Magnuson Park campus development, including Land Use Code amendments. In September 2006, information fliers were mailed to more than 2,900 area residences informing them of upcoming meetings and the opportunity for public comment at meetings and in writing. A new web page, "Sand Point Historic District – Realizing the Vision" featured electronic copies of the proposed Land Use Code amendments and the development proposal. The web page and project contact information has remained online since 2006.

An open house was held on Oct. 10, 2006 when citizens met development partners, reviewed details of each proposal, asked questions, and took home informational fliers. More than forty people attended. Parks staff also presented information to the following community organizations: Magnuson Park Community Communications Committee (Sept. 26); Northeast District Council (Oct. 5); View Ridge Community Council (Oct. 17); and Magnuson Park Community Center Advisory Council (Oct. 19).

In late October 2006, Parks mailed a flier to 5,600 residents summarizing what was heard at the open house and at the various community meetings and announcing a public hearing held by the Board of Park Commissioners on Nov. 9. Staff briefed the Board of Park Commissioners on September 14 and November 9, 2006. At that briefing, the six proposals submitted for the development of facilities and programs in the buildings at Magnuson Park were described. The Board accepted written public comments on the proposals from late September through December 13th. After extensive discussion at their meeting on December 14th, the Board endorsed each of the proposals. The minutes and a video recording of that meeting are available on the Seattle Parks Department web site.

Three additional open house events were held in late November 2007 to provide information about proposed concession agreements and Land Use Code amendments and to receive public comments. Almost 300 members of the public attended.

Public comment at the open house and at presentations to community groups and testimony at the Board of Park Commissioners public hearing resulted in several hundred comments on the following topics:

- Use of Hangar 27 as a single-use venue (indoor sports complex) vs. retaining it for community space (roller skating, rummage/garage sales, etc.)
- Improvements to indoor sports facilities
- Tennis center layout with six indoor courts and three outdoor courts



- Conversion of racquetball courts to theater dressing rooms in Magnuson Community Recreation Center gym
- Inclusion of commercial concessionaires (restaurants, recreation program management, etc.) in a public park
- Topics relating to the proposed Land Use Code amendments: permitting electronic reader board signs along Sand Point Way or NE 65th St.; permitting larger signs on buildings
- Impacts of traffic and parking coupled with sports field development.

Discussion of the Proposed Amendments

1) Map and Boundary Amendment: Amend the Sand Point Overlay Map to modify boundaries of the subareas of the overlay district, to add an additional sub-area and rename others in order to create a more readable map. A copy of the existing and proposed “Sand Point Overlay District” is depicted on the final pages of this report. The existing map found in Section 23.72.004 of the Land Use Code was last amended in 1997.

Building 27 was still under Federal ownership at the inception of the Sand Point Overlay District. At that time, the building was intended to be part of the National Oceanic and Atmospheric Administration (NOAA) campus. That building is no longer needed by NOAA, and final transfer of the building to the City was authorized in 2002 by Ordinance 121015. It is serving recreation uses. Parks is proposing that Map A of the Sand Point Overlay District be amended to include three sub-areas as follows.

- Sub-area A includes areas with SF 7200 underlying zoning.
- Sub-area B includes areas with SF 7200 underlying zoning. It is proposed that Sub-area B include Building 27.
- Sub-area C includes areas with L3 zoning, except for the 2 areas of L-3 zoning at the far southern end of the Overlay District, which will remain in the District but outside of any subarea.

2) New Permitted Principal Uses⁶.

- Dry boat storage, limited to non-motorized, hand-launchable boats such as kayaks, canoes and sailboats

The Sand Point Physical Development Management Plan called for the creation of a “small craft center” in the North Shore Recreation Area. Phase one renovation of the North Shore Recreation Area was completed in mid-2006. This project created a new fish-friendly beach, new docks, and upland areas to support non-motorized boating activities such as dry boat storage.

Parks requests that “dry boat storage, limited to non-motorized, hand-launchable boats such as kayaks, canoes and sailboats” be permitted as a principal use within new sub-area B in the overlay district. A small boat house currently exists in the North Shore Recreation Area—the only shoreline area within the Overlay District. Expanded dry storage of boats will complement the small craft center in building 11 and the existing boat house.

- Motion picture theater not to exceed 500 seats in building 47

⁶ An inventory of historic uses at each building within the Overlay District can be found in Attachment E of this report.

- Performing arts theater

Partial renovation of Building 47, originally a Navy recreation center, was completed in 2003. The building is currently used as the Magnuson Community Center. An existing 500-seat theater from the naval era is located in one wing of the building. Various buildings have housed temporary performing arts theater events through temporary use permits over the past four years. Seattle Parks and Recreation requests that a “motion picture theater not to exceed 500 seats in building 47” and “performing arts theaters” be permitted uses in new sub-area B of the overlay district. This provision would allow other structures to be used as performing arts theaters elsewhere in new sub-area B.

The proposed community recreation activities are consistent with both the Sand Point Amendments to the Comprehensive Plan and the 1997 Sand Point Physical Development Management Plan. The motion picture theater is expected to provide a possible location for film series and film festivals consistent with its current use. The motion picture theater could not exceed the 500 seat capacity of the existing facility, thereby limiting potential impacts to those currently present.

- Offices, limited to 144,000 total square feet in the entire sub-area

Principal office uses would be limited to a total of 144,000 square feet in the entire new sub-area B. Principal office uses are currently permitted without limit within L3 zoned areas of the overlay district, the area that will become sub-area C on the new map. The square foot limitation in subarea B would reduce the possibility of a proliferation of administrative office uses that could detract from the public amenities focus of Sand Point. This proposed limitation is consistent with existing principal office spaces within new sub-area B as identified in Attachment D of this report.

The Recreation Use Covenant and the Education Use Covenant associated with the property transfer restrict uses to those that are consistent with the recreation- and education-related functions of the district. Several existing non-profit tenants, such as Plant Amnesty and EarthCorps, have principal use offices within the Overlay District.

- Restaurants without drive-in lanes, limited to no more than 2,000 square feet per establishment

The proposed amendment would permit restaurant uses within proposed sub-area B of the Overlay District. Restaurant uses of unlimited size are already allowed outright in the Lowrise-zoned proposed sub-area C. Building 11 has been identified as a potential location for a restaurant. Parks staff has not identified any other locations at this time.

Seattle Parks Department staff notes that restaurant uses in parks are not a new concept. While never formally acknowledged by City Council, the original Sand Point Park Master Plan (1975) identified a restaurant in the eastern portion of the park near the current motorized boat launch. Two other local park systems offer examples of commercial food concessions in parks today. The City of Renton has operated an Ivar's and Kidd Valley food concession at Gene Coulon Memorial Beach Park for 18 years. King County has operated a Subway and a Blazin' Bagels restaurant at Marymoor Park since 2005.

3) Rooftop Structures.

Allow limited rooftop structures for stair and elevator penthouses and mechanical equipment on existing nonresidential buildings to exceed height limits.



Most of the nonresidential buildings in the Sand Point Overlay District were constructed in a twenty year period prior to the Second World War. They generally consist of an initial core structure and multiple additions that expanded the footprint or height. Due to the age and condition of the buildings, they all require significant renovation to meet current building and energy code requirements. A majority of the buildings feature finished roof elevations greater than the residential height limit of thirty feet that applies throughout the overlay district. Roof heights on several existing buildings range up to fifty or sixty feet.

Construction of elevators and modern mechanical equipment in these buildings will require rooftop structures taller than currently permitted. Parks is requesting that certain rooftop structures on existing nonresidential buildings be permitted to extend up to fifteen feet above the existing roof elevation or fifteen feet above the maximum height limit, whichever is higher. The combined total coverage of all rooftop features permitted to extend above the height limit and above the existing roof elevation would not be allowed to exceed twenty five percent of the roof area or thirty percent of the roof area if the combined features include screened mechanical equipment. According to the proposed legislation, "The addition of rooftop features shall be consistent with the Sandpoint Historic Properties Reuse and Protection Plan dated April 1998, as evidenced by a letter of approval from the Sand Point Historic Preservation Coordinator."

4) New Structures

Proposed amendments would:

- A. Eliminate the requirement that the additional permitted uses only be allowed in structures existing as of 1997, the effective date of Chapter 23.72 of the Land Use Code.
- B. Allow new structures if "limited to the footprint of a structure that existed on the site" as of 1997, and if consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April 1998, as documented by the review and approval of the State Historic Preservation Officer. Allow new structures to be built to the height of the existing height limit or the height of any structure they replace, whichever is higher.
- C. The footprint restriction and maximum height limitations above would not apply to any proposed new indoor/outdoor tennis facility, whose height would be restricted to 45 feet. The footprint restriction also would not apply to affordable housing units built in the L-3 zones.

Since the Sand Point Overlay District was transferred from the Federal government to the City of Seattle, dilapidated conditions, escalating construction costs, the presence of hazardous materials, and unsuitable building layout have made reuse of some buildings infeasible under the existing Overlay District Code. In some cases, both the City and the University of Washington want to either construct new buildings or creatively adapt existing buildings to accommodate viable uses within the overlay district. In other cases, both entities have considered mothballing existing buildings that are not viable for renovation.

Current Land Use Code provisions for the Sand Point Overlay District do not prohibit demolition of existing buildings, nor do they prohibit construction of new buildings. Overlay provisions do, however, require that the "additional uses" permitted only by the overlay zone be located only in buildings that existed prior to July 18, 1997; they cannot be located in new buildings. This effectively limits the uses allowed in new buildings to the

uses permitted by the underlying Single Family zoning, which is not economically attractive, and which effectively discourages construction of new buildings.

The proposed Code amendments would allow the “additional principal uses permitted within the overlay district” to be located in either new or existing buildings—they would no longer limit those uses to the buildings existing prior to July 18, 1997. Except for a tennis center and affordable housing in Lowrise 3 portions of the District, the proposed amendments require that any new construction be limited to the footprint of a former building and the higher of the maximum height limit or the height of a former building. In addition, any areas between structures, paved parking areas and rights of way are limited to open space uses. In this way, the amendments explicitly require the retention of open space between buildings and paved areas consistent with the intent of current Code provisions.”

The retention of historic character is an important value for the Sand Point Overlay District. Through the transfer agreement with the Federal government and the associated Historic Preservation Covenant, the City of Seattle agreed to “make every effort to retain and reuse to the extent practicable, the historic structures.”⁷ The Historic Preservation Covenant allows construction, alteration, remodeling, demolition of structures within the historic district, but only with the approval of the National Park Service or Washington Historic Preservation Officer, pursuant to a detailed process identified in the Sand Point Historic Properties Reuse and Protection Plan (HPRP) of 1998. The proposed amendments require compliance and consistency with the HPRP to be documented by the State Historic Preservation Officer or the Sand Point Historic Preservation Coordinator.

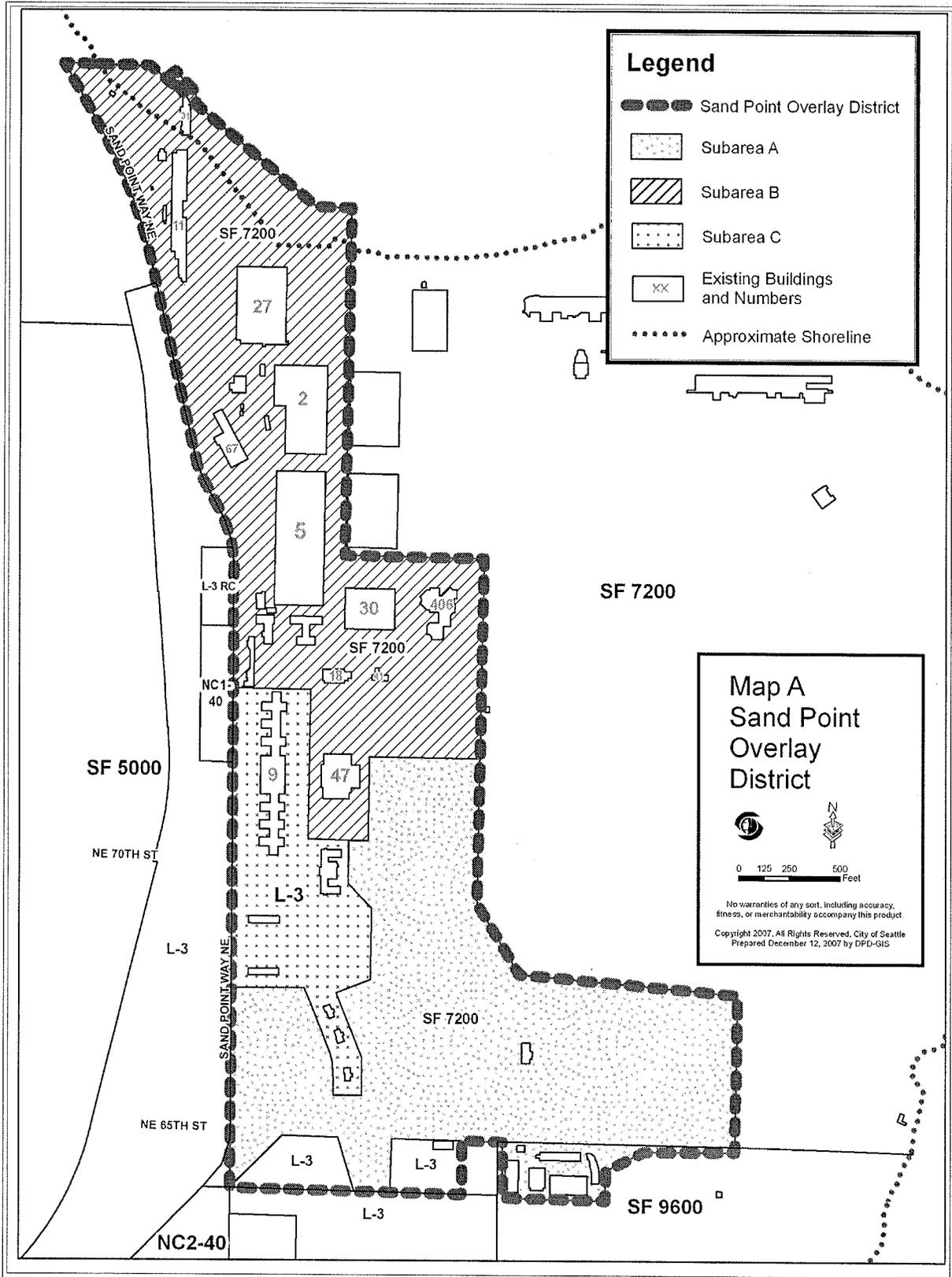
5) Tennis Center: Allow a new structure for an indoor and outdoor tennis center only in sub-area B.

The proposed amendment would permit a new structure for an indoor and outdoor tennis center within new sub-area B without it being located on the footprint of a prior building. In 2002 Seattle Parks worked with a citizen’s group to develop a conceptual design for an indoor and outdoor tennis center to be located between Buildings 18 and 47. The center was to include six indoor courts and eight outdoor courts. In 2006 the concept was re-initiated on a smaller scale, and six outdoor courts were proposed to be constructed and enclosed with an air-supported structure. Public meetings at the end of 2006 demonstrated strong community support for this concept. This amendment is an exception to the proposed change in development standards that will permit new structures in the Single Family zone to be constructed on the footprint of existing structures and extend up to the height of the original structure. The tennis structure would be allowed where no existing building currently exists and it would be allowed to extend up to 45-feet above finished grade.

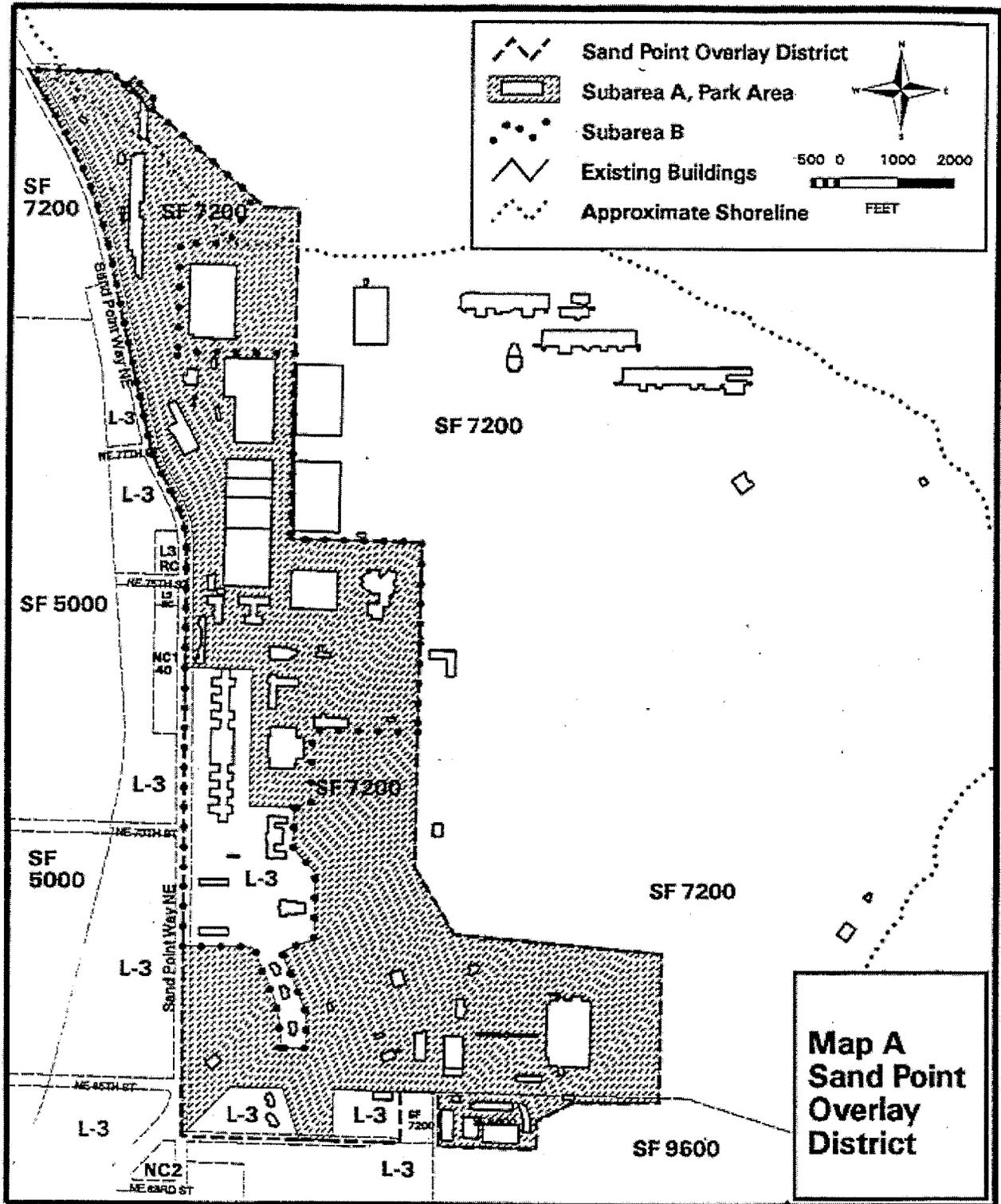
⁷ Quit Claim Deed, Naval Station Puget Sound (Sand Point), Exhibit C: Historic Preservation Covenant National Parks Service Public Benefit Conveyance, p. 18.



Attachment A Proposed Sand Point Overlay Map



**Attachment B
Existing Sand Point Overlay Map**

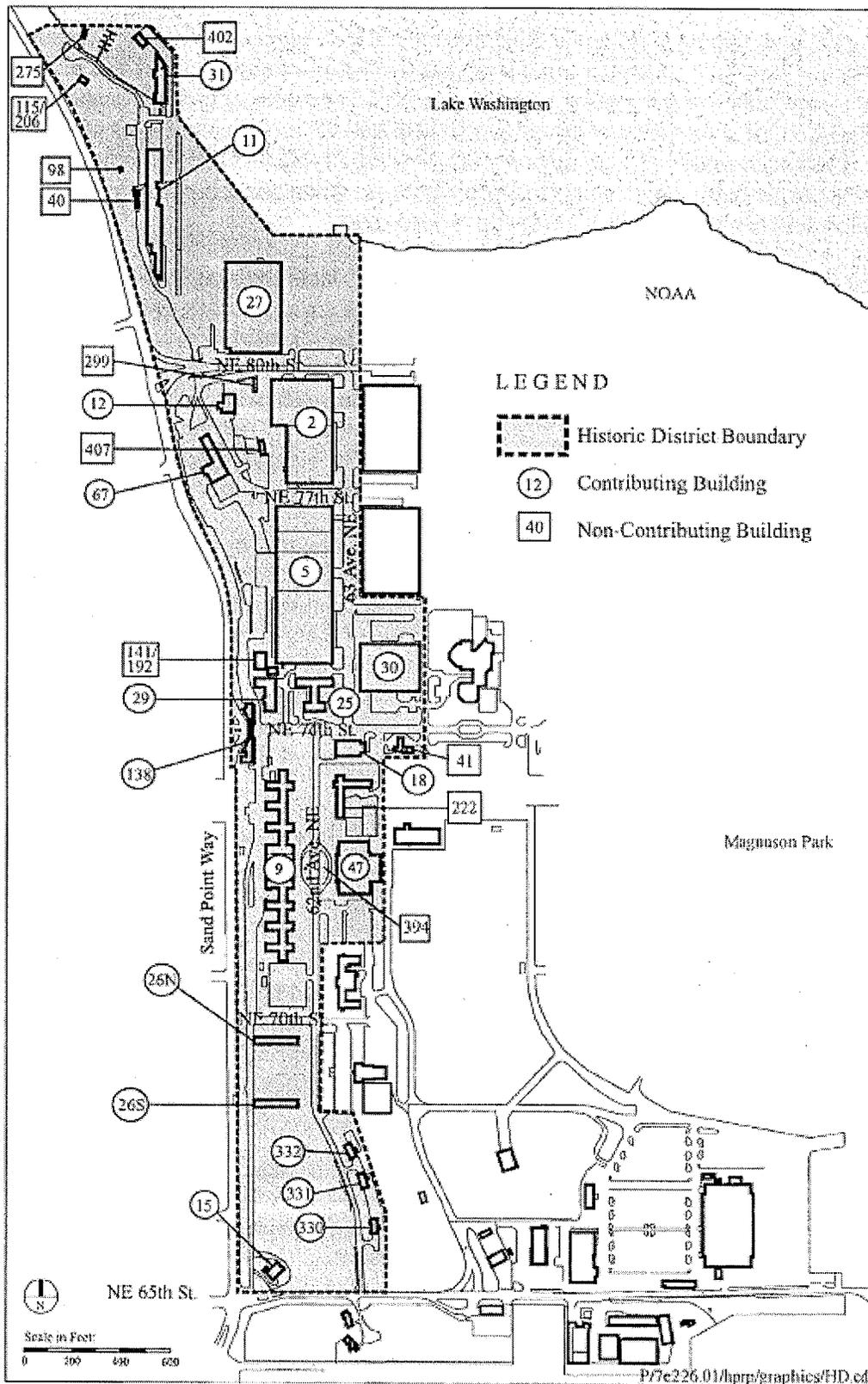


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Attachment C Sand Point Historic District



Attachment D
Existing Principal Use Office Space
Sand Point Overlay District New Sub-area B

Following is an inventory of existing office space within new sub-area B of the Sand Point District. Proposed Code amendments would not limit future principal office uses to these buildings. These and other buildings may also feature office uses accessory to principal uses within the Sand Point Overlay District.

Building Number	Building Name	Square Feet of Office Space
5	Warehouse/Storage	13,000
11	Public Works/ Shops	30,000
18	Fire Station	8,000
25	Administration	13,000
29	Dispensary	17,000
30	Personnel Support	35,000
67	Motor Pool Shop	15,000
138	Gate House	13,000
Existing Office Space & Proposed Office Use Cap		144,000



**Attachment E
Sand Point Overlay District
Historic Building Uses**

Building Number	Address	Owner	Year Built	Square Feet	Historic Navy Use: 1922-1970
2	7727 63 rd Avenue NE	Parks	1929	144,232	Aircraft assembly, repair
11	7777 62 nd Avenue NE	Parks	1940	59,206	Public works – workshops and administration, classrooms
12	7737 62 nd Avenue NE	Parks	1930 1942	5,433	Boiler steam plant
18	6305 NE 74 th Street	Parks	1936	14,137	Fire station and house
27	North Shore Recreation Area	Parks	1937	105,000	Hangar, offices
30	6310 NE 74 th Street	Parks	1938	80,066	Flight hangar, offices, control tower
31	North Shore Recreation Area	Parks	Pre-1938	7,940	Small craft boat house
38	NE 74 th Street	Parks	1937	62	Gate/Sentry House
40	North Shore Recreation Area	Parks	1943	924	Public works paint mixing
41	6327 NE 74 th Street	Parks	1939	2,030	Identification office, gas station
47	7110 62 nd Avenue NE	Parks	1941	50,060	Recreation building
67	7700 Sand Point Way NE	Parks	1941	33,720	Garage
138	7400 Sand Point Way NE	Parks	1942	12,806	Gate house
193		Parks	1943	93,334	Transfer hangar
345	6370 NE 65 th Street	Parks	1976	5,298	Vehicle service bays
406	6344 NE 74 th Street	Parks	1988	29,270	Brig
6	6818 62 nd Avenue NE	Solid Ground	1939	10,793	Bowling alley
26N	6831 62 nd Avenue NE	Solid Ground	1940	16,082	Officer's Club
26S	6801 62 nd Avenue NE	Solid Ground	1937	17,282	Officer's Club
224	6940 62 nd Avenue NE	Solid Ground	1944	38,264	Bachelor enlisted quarters

Building Number	Address	Owner	Year Built	Square Feet	Historic Navy Use: 1922-1970
310	6343 NE 65 th Street	Solid Ground	Pre-1959	4,020	
330	6524 62 nd Avenue NE	Solid Ground	1939	6,390	Commissioned officer's house
331	6610 62 nd Avenue NE	Solid Ground	1939	6,233	Commissioned officer's house
332	6622 62 nd Avenue NE	Solid Ground	1939	6,233	Commissioned officer's house
5A	7561 63 rd Avenue NE	UW	1929	29140	Storehouse
5B	7543 63 rd Avenue NE	UW	1929	43,800	Storehouse
5C	7527 63 rd Avenue NE	UW	1929	95,800	Storehouse
5D	7501 63 rd Avenue NE	UW	1929	248,770	Storehouse
9	7101 62 nd Avenue NE	UW	1929-1938	223,516	Enlisted barracks
25	6222 NE 74 th Street	UW	1937	27,892	Administration building
29	6200 NE 74 th Street	UW	1937	33,744	Hospital/Dispensary
42	7300 Sand Point Way NE	UW	1939	682	Electrical distribution shelter
141/192	7424 Sand Point Way NE	UW	1944/1974	4,784	Pressure training buildings



Note for Council Bill No. 116349

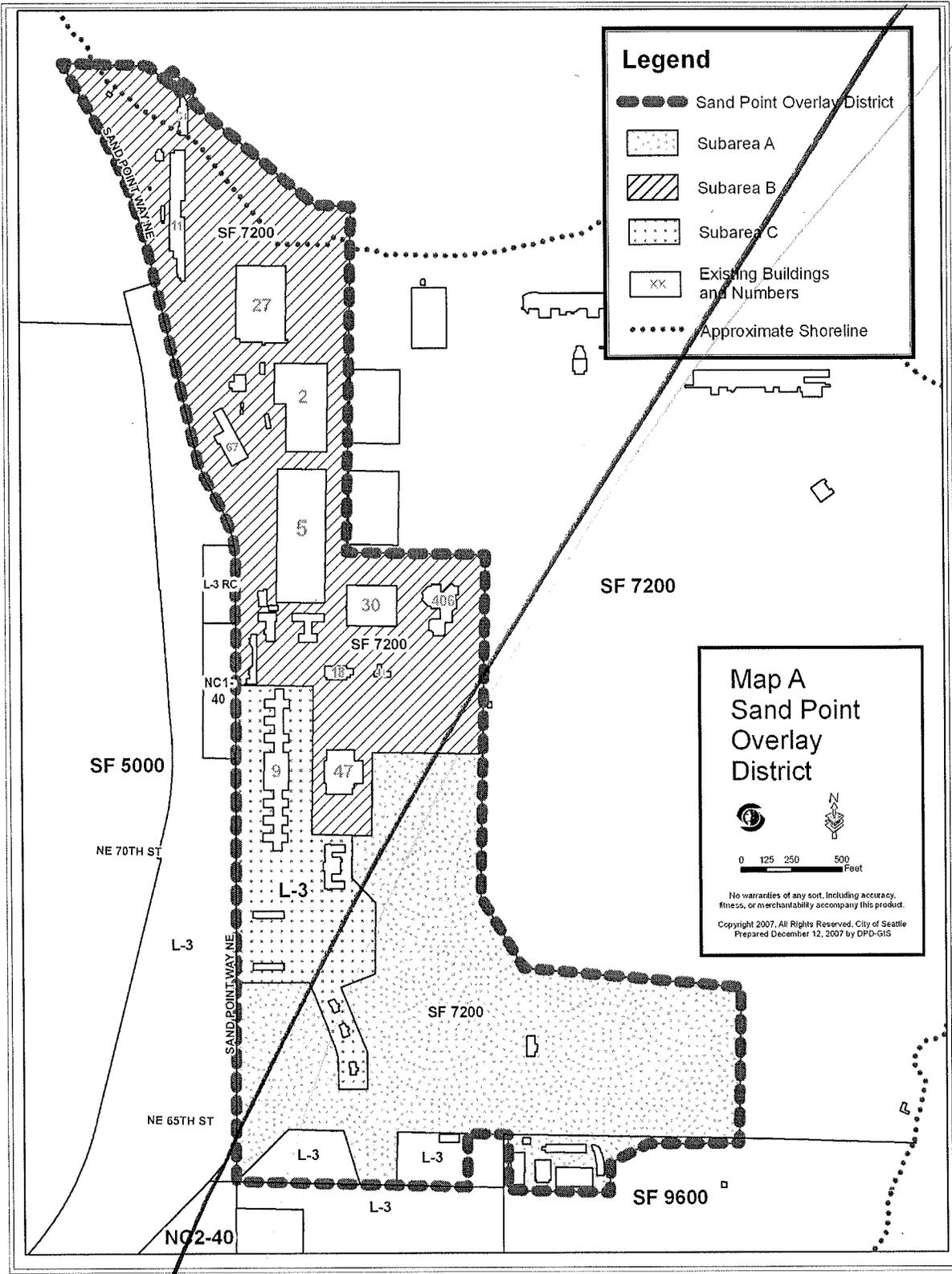
CB 116349 was introduced and referred to committee on September 15, 2008. Between the time that the bill was first introduced and the date of the first briefing on the bill (September 23, 2008) three versions had been prepared, all of which were done in consultation with the Law department.

The final committee review on September 23, 2008 considered version 4 of the bill. The Parks and Seattle Center committee voted to amend the bill. To implement those amendments, two additional drafts were prepared and reviewed by Law. Those amendments are reflected in version 6 (clean) and which was available for public comment, as required under GMA prior to Council vote. Version 6 (clean) was approved by Law.

Version 8 is a substitute bill reflecting amendments to be made by CM Rasmussen, which also received Law approval. Version 7 was a working copy

MJ

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1 **23.72.004 Sand Point Overlay District established**

2 Section 4. Section 23.72.008 of the Seattle Municipal Code, which section was last
3 amended by Ordinance 122311, is amended as follows:

4 **23.72.008 Uses permitted in specified areas within the Sand Point Overlay District.**

5 A. Within Subarea A depicted on Map A, any area not occupied by structures in
6 existence as of July 18, 1997, paved parking areas in existence as of July 18, 1997, or rights-of-
7 way in existence as of July 18, 1997, is limited to open space uses such as parks and
8 playgrounds.

9 B. Uses Permitted Within Portions of Subarea B (~~Zoned Single-family~~) as
10 (~~Depicted~~) depicted on Map A.

11 1. Principal Uses Permitted Outright. In addition to the principal uses permitted
12 by the provisions of Section 23.44.006, the following principal uses are permitted outright (~~in~~
13 ~~structures existing as of July 18, 1997, in all portions of Subarea B that are in single-family~~
14 ~~zones.)):~~

- 15 a. Custom and craft work (~~and accessory retail sales and services~~);
- 16 b. Dry boat storage, limited to storage of non-motorized, hand-launchable
17 boats such as kayaks, canoes and sail boats;
- 18 c. Indoor and outdoor sports and recreation;
- 19 (~~b.~~)d. Institutions, except hospitals;
- 20 (~~c.~~)e. Lecture and meeting halls;
- 21 (~~d. Motion picture studios;~~)
- 22 f. Motion picture theater not to exceed 500 seats within Building 47;
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g. Offices, limited to a total of 144,000 total square feet in the entire

subarea;

h. Performing arts theater;

~~((e. Indoor and outdoor sports and recreation;))~~

~~((f. Police training facilities;))~~

~~((g.))~~ j. Research and development laboratories;

k. Restaurants without drive-in lanes, limited to no more than 2,000 square

feet per establishment;

~~((h.))~~ l. Storage of fleet vehicles including ((and)) accessory service and

repair; and

~~((i.))~~ m. Warehouses.

2. Accessory Uses. Accessory uses customarily incidental to the principal uses permitted outright are permitted outright except that accessory general retail sales and services uses are limited to no more than 6,000 square feet per establishment.

3. When not in use as a motion picture studio, a structure with an established use as a motion picture studio as of July 18, 1997 may be used for indoor and outdoor sports and recreation.

~~((3))~~ 4. ~~((Within Subarea A, Park Area depicted on Map A, area))~~ Any area not occupied by ((existing)) structures in existence as of July 18, 1997, ((existing-)) paved parking areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, is limited to open space uses((;)) such as parks and playgrounds.

~~((B))~~ C. Uses Permitted Within ((Portions of)) Subarea C ((B Zoned Lowrise 3)) as ((Depicted)) depicted on Map A. In addition to the uses permitted outright in ((accordance



1 with))Section 23.45.004((23.45.006)), the following principal uses are permitted outright((within
2 structures existing as of July 18, 1997, in the portions of Subarea B-zoned L3)):

- 3 1. Food processing;
- 4 2. Horticulture;
- 5 3. Institutions, except hospitals;
- 6 4. Lecture and meeting halls;
- 7 5. Medical service uses, excluding animal health services;
- 8 6. Offices; and
- 9 7. Restaurants.

10
11 Section 5. Section 23.72.010 of the Seattle Municipal Code, which Section was last
12 amended by Ordinance 118794, is amended as follows:

13 **23.72.010 Development standards.**

14
15 A. Within areas zoned single-family, new structures shall conform to the development
16 standards for single-family development in Chapter 23.44, Residential Single-family, except as
17 modified in subsection D of this Section and except as provided in Section 23.72.012.

18
19 B. Within areas zoned Lowrise 3, new structures shall conform to the development
20 standards of Chapter 23.45 applicable to Lowrise 3 development except as modified in
21 subsection D of this section and except as provided in Section 23.72.012.

22
23 C. Density. A maximum of two hundred (200) dwelling units may be established within
24 the boundaries of the Sand Point Overlay District. Residential uses provided by the University of
25 Washington shall not count toward the maximum site density established in this subsection.

26 D. New structures. Demolition of existing structures and construction of new structures
27 in the Sand Point Overlay District is permitted if in compliance with the following provisions
28



1 and if consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April
2 1998, as documented by a letter from the State Historic Preservation Officer certifying that the
3 proposal is consistent with the Plan:

4 1. Any new structure shall be located on and limited to the footprint of a structure
5 that existed on the site as of July 18, 1997, except for:

6 a. an indoor and outdoor tennis center to be located within subarea B, and
7 b. affordable housing structures to be located within L-3 zoned portions of
8 the overlay district.

9 c. In determining the footprint of structures existing on July 18, 1997,
10 interior courtyards enclosed by three or more building walls at least ten (10) feet in height may
11 be included as part of the footprint.

12 2. Except for a proposed new tennis center in Subarea B, for which the height
13 limit is forty-five (45) feet, the height limit of a new structure is the greater of the height limit of
14 the underlying zone or the height of the structure that existed on the same site as the new
15 structure as of July 18, 1997.

16 E. Rooftop features on existing non-residential structures. Stair penthouses, elevator
17 penthouses and mechanical equipment on non-residential structures in existence as of July 18,
18 1997 may extend up to the higher of fifteen feet above the maximum height limit or fifteen (15)
19 feet above the roof elevation existing as of July 18, 1997, so long as the combined total coverage
20 of all rooftop features above the roof elevation does not exceed twenty five (25) percent of the
21 roof area and total rooftop coverage above the existing roof elevation does not exceed thirty (30)
22 percent of the roof area if the combined features include screened mechanical equipment. The
23 addition of such rooftop features is only permitted if also consistent with the Sand Point Historic
24 Properties Reuse and Protection Plan, dated April 1998.



1 Properties Reuse and Protection Plan, dated April 1998, as evidenced by a letter of approval
2 from the Sand Point Historic Preservation Coordinator.

3 Section 6. Section 23.84A.025 of the Seattle Municipal Code, which Section was last
4 amended by Ordinance 122311, is amended as follows:

5 **23.84A.025 "M."**

6 ***

7
8 "Medical services" means a commercial use in which health care for humans or animals
9 ("animal health services") is provided on an outpatient basis, including but not limited to offices
10 for doctors, dentists, veterinarians, chiropractors, and other health care practitioners, or in which
11 mortuary or funeral services are provided. Permitted accessory uses include associated office,
12 research and laboratory uses.
13

14 ***

15
16 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
17 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
18 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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Passed by the City Council the ____ day of _____, 2008, and signed by me in
open session in authentication of its passage this ____ day of _____, 2008.

President _____ of the City Council

Approved by me this ____ day of _____, 2008.

Gregory J. Nickels Mayor

Filed by me this ____ day of _____, 2008.

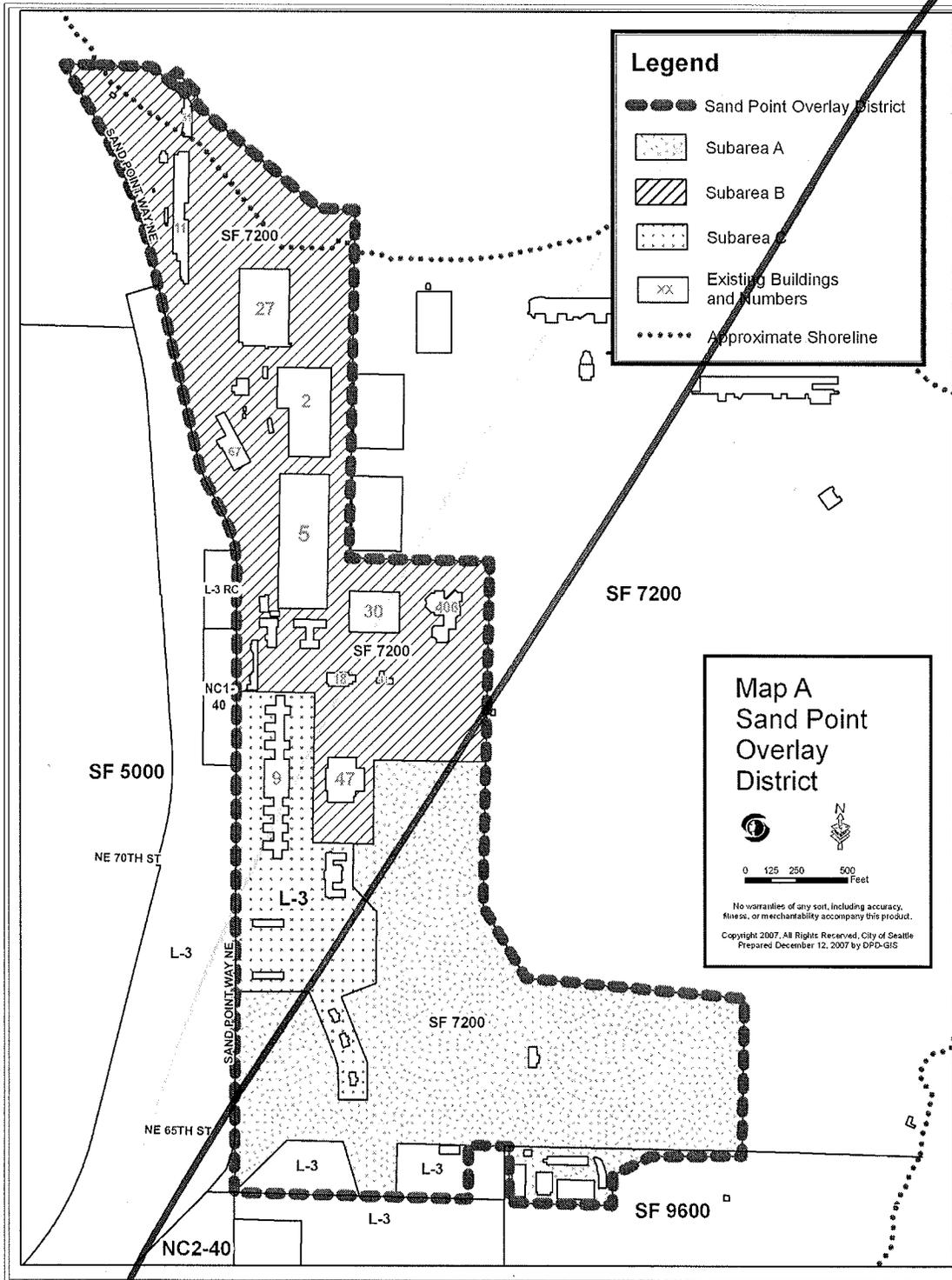
City Clerk

(Seal)

Attachment 1: Exhibit A – Rezone Map/Overlay District Boundaries.



1 **Exhibit A – Rezone Map/Overlay District Boundaries.**



ORDINANCE _____

AN ORDINANCE relating to land use and zoning and the Sand Point Overlay District; amending the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to modify and rename the subarea boundaries of the Sand Point Overlay District; and amending Seattle Municipal Code Sections 23.72.004, 23.72.008, 23.72.010, and 23.84A.025.

BE 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 modify and rename the sub-area boundaries of the Sand Point Overlay District located on Plat 8W, page 49, Plat 8E, page 48, Plat 17E, page 66, and Plat 17W, page 65 of the official Land Use Map as shown on Exhibit A attached to this ordinance.

Section 2. Section 23.72.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

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))~~ three subareas - A, ~~((and))~~ B and C. Subarea A includes one area zoned Single Family 7200 (SF 7200) and two areas zoned Lowrise 3 (L3), Subarea B includes one area zoned SF 7200, and Subarea C includes one area zoned L3, as shown on the City's Official Land Use Map, Chapter 23.32, and Map A. The Sand Point Overlay District includes the Naval Station Puget Sound Sand Point Historic District, shown on Map B and eligible to be listed on the National Register of Historic Places.

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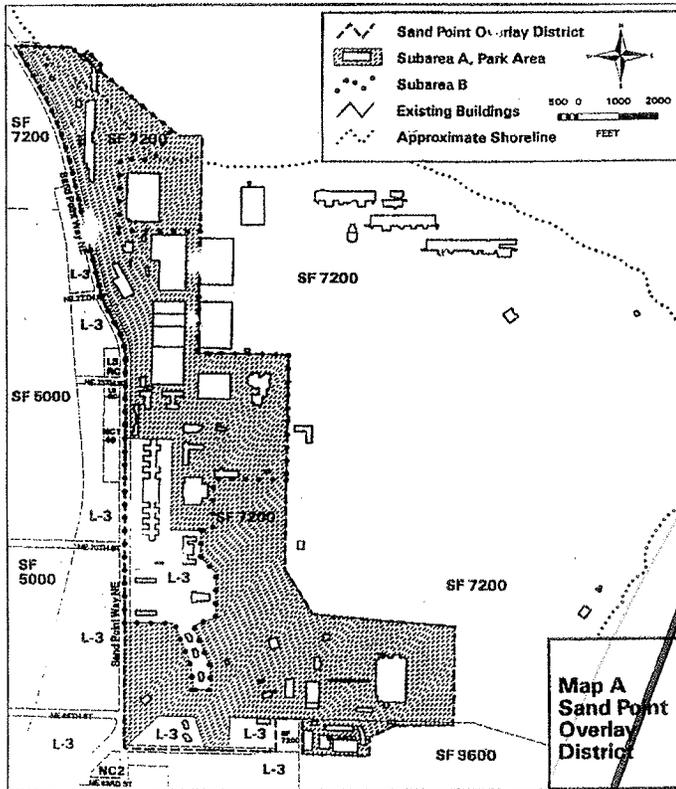
MAP B for 23.72.004 – Naval Station Puget Sound Sand Point Historic District

Section 3. Map A of Section 23.72.004 of the Seattle Municipal Code, which section was last amended by Ordinance 118794, is amended by replacing Map A with a new Map A as follows:

23.72.004 Sand Point Overlay District established



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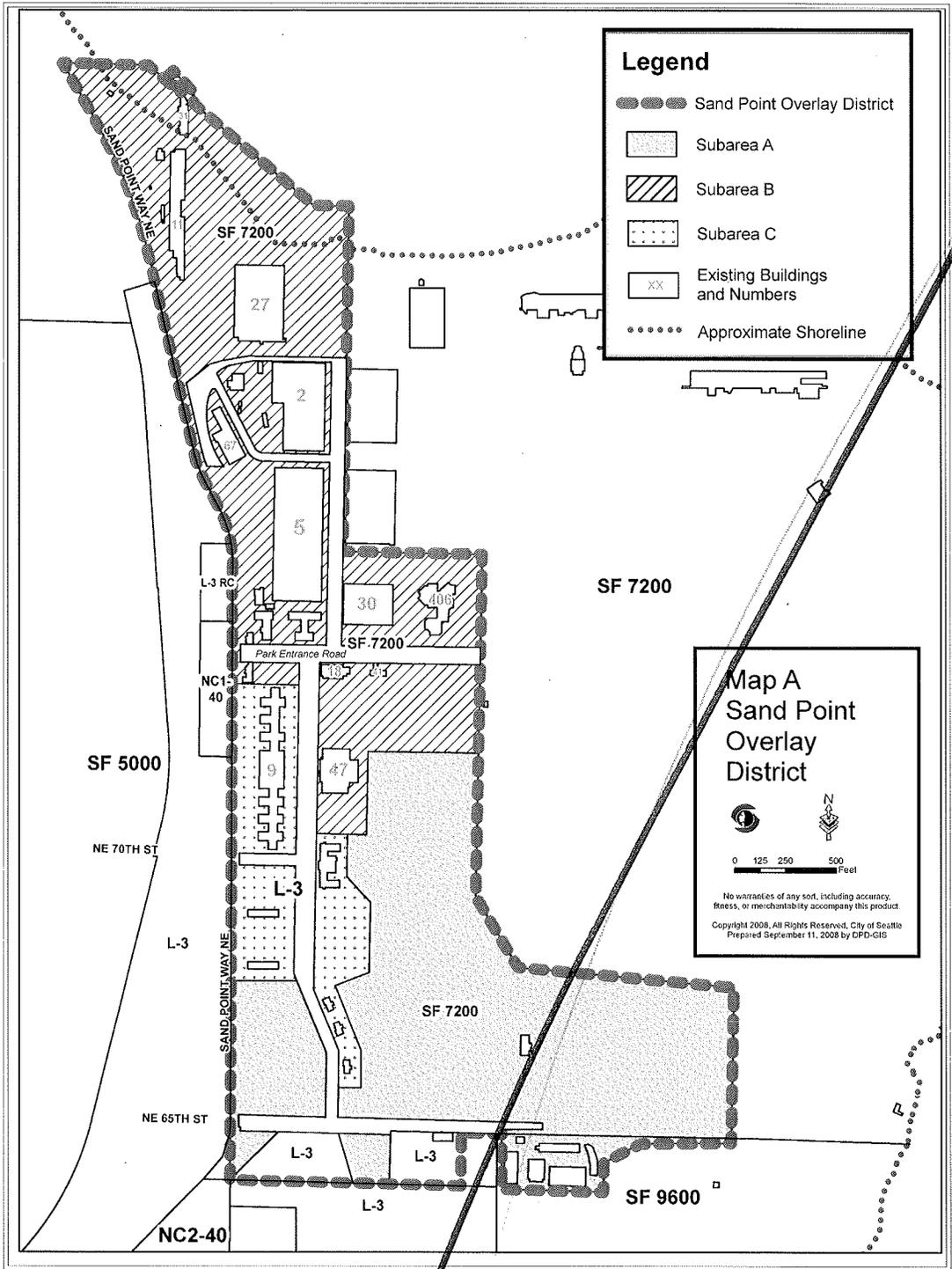
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23-681

(Scale 6:07 O.C.)



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1 Section 4. Section 23.72.008 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122311, is amended as follows:

3 **23.72.008 Uses permitted in specified areas within the Sand Point Overlay District.**

4 A. Within Subarea A depicted on Map A, any area not occupied by structures in
5 existence as of July 18, 1997, paved parking areas in existence as of July 18, 1997, or rights-of-
6 way in existence as of July 18, 1997, is limited to open space uses such as parks and
7 playgrounds.

8
9 B. Uses Permitted Within Portions of Subarea B ((Zoned Single-family as Depicted))
10 depicted on Map A.

11
12 1. Principal Uses Permitted Outright. In addition to the principal uses permitted
13 by the provisions of Section 23.44.006, the following principal uses are permitted outright ((~~in~~
14 ~~structures existing as of July 18, 1997, in all portions of Subarea B that are in single-family~~
15 ~~zones.))):~~

16 a. Custom and craft work ((~~and accessory retail sales and services~~));

17 b. Dry boat storage, limited to storage of non-motorized, hand-launchable
18 boats such as kayaks, canoes and sail boats;

19 c. Indoor and outdoor sports and recreation;

20 ((~~b.~~))d. Institutions, except hospitals;

21 ((~~e.~~))e. Lecture and meeting halls;

22 ((~~d. Motion picture studios;~~))

23 f. Motion picture theater not to exceed 500 seats within Building 47;

24 g. Offices, limited to a total of 86,000 total square feet in the entire
25 subarea;

1 h. Performing arts theater;

2 ~~((e. Indoor and outdoor sports and recreation;))~~

3 ~~((f. Police training facilities;))~~

4 ~~((g.))i. Research and development laboratories;~~

5 j. Restaurants without drive-in lanes, limited to no more than 2,500 square
6 feet per business establishment;

7 ~~((h.))k. Storage of fleet vehicles including ~~((and))~~ accessory service and~~

8 repair; and

9 ~~((i.))l. Warehouses.~~

10

11 2. Accessory Uses. Accessory uses that meet the following standards and that are
12 customarily incidental to the principal uses permitted outright, are permitted outright:

13 a. The area devoted to the accessory use is limited no more than
14 20 percent of the gross floor area of the principal use it serves, except that accessory general
15 retail sales and service uses are limited to no more than 6,000 square feet per establishment;

16 b. Only principal uses permitted by this section and by the applicable
17 provisions of Chapter 23.60 are allowed as accessory uses:

18 ~~((2))3. When not in use as a motion picture studio, a structure with an established~~

19 use as a motion picture studio as of July 18, 1997 may be used for indoor and outdoor sports and

20 recreation.

21 ~~((3))4. ~~((Within Subarea A, Park Area depicted on Map A, area))~~ Any area not~~

22 occupied by ~~((existing))~~ structures in existence as of July 18, 1997, ~~((existing-))~~ paved parking

23 areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, is limited

24 to open space, dry boat storage or recreation uses ~~((, such as parks and playgrounds)).~~



1 ~~((B))~~C. Uses Permitted Within ~~((Portions of))~~ Subarea C ~~((B Zoned Lowrise 3))~~as
2 ~~((Depicted))~~ depicted on Map A. In addition to the uses permitted outright in ~~((accordance with))~~
3 Section 23.45.004~~((23.45.006))~~, the following principal uses are permitted outright ~~((within~~
4 ~~structures existing as of July 18, 1997, in the portions of Subarea B zoned L3))~~:

- 5 1. Food processing;
- 6 2. Horticulture;
- 7 3. Institutions, except hospitals;
- 8 4. Lecture and meeting halls;
- 9 5. Medical service uses, excluding animal health services, mortuary and funeral
10 services; and,
- 11 6. Offices, in structures in existence as of July 18, 1997.~~((; and~~
12 ~~7. Restaurants.))~~

13 Section 5. Section 23.72.010 of the Seattle Municipal Code, which Section was last
14 amended by Ordinance 118794, is amended as follows:

15 **23.72.010 Development standards.**

16 A. Within areas zoned single-family, changes of use within existing structures that are
17 subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and new structures shall
18 conform to the development standards for single-family development in Chapter 23.44,
19 Residential Single-family, except as modified in subsections D-H of this section and except as
20 provided in section 23.72.012.

21 B. Within areas zoned Lowrise 3, changes of use within existing structures that are
22 subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and new structures shall
23 conform to the development standards of Chapter 23.45 applicable to Lowrise 3 development,
24

1 except as modified in subsections D - H of this section and except as provided in Section
2 23.72.012.

3 C. Density. A maximum of two hundred (200) dwelling units may be established within
4 the boundaries of the Sand Point Overlay District. Residential uses provided by the University of
5 Washington shall not count toward the maximum site density established in this subsection.
6

7 D. New structures. Demolition of existing structures and construction of new structures
8 in the Sand Point Overlay District is permitted if in compliance with the following provisions
9 and if consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April
10 1998, as documented by a letter from the State Historic Preservation Officer certifying that the
11 proposal is consistent with the Plan:

12 1. Any new structure shall be located on and limited to the footprint of a structure
13 that existed on the site as of July 18, 1997, except for:

- 14 a. an indoor and outdoor tennis center to be located within subarea B,
15 b. affordable housing structures to be located within L-3 zoned portions of
16 the overlay district, and
17 c. dry boat storage.

18 2. In determining the footprint of structures existing on July 18, 1997, interior
19 courtyards enclosed by three or more building walls at least 10 feet in height may be included as
20 part of the footprint.

21 3. Except for a proposed new tennis center in Subarea B, for which the height
22 limit is 45 feet and except for any new structure used for nonmotorized dry boat storage, for
23 which the height limit is 15 feet, the height limit of a new structure is the greater of the height
24 limit of the structure being demolished and the height limit of the structure to be constructed.
25

1 limit of the underlying zone or the height of the structure that existed on the same site as the new
2 structure as of July 18, 1997.

3 E. Rooftop features on existing non-residential structures. Stair penthouses, elevator
4 penthouses and mechanical equipment on non-residential structures in existence as of July 18,
5 1997 may extend up to the higher of 15 feet above the maximum height limit of 15 feet above
6 the roof elevation existing as of July 18, 1997, so long as the combined total coverage of all
7 rooftop features above the roof elevation does not exceed 25 percent of the roof area and total
8 rooftop coverage above the existing roof elevation does not exceed 30 percent of the roof area if
9 the combined features include screened mechanical equipment. The addition of rooftop features
10 is only permitted if also consistent with the Sand Point Historic Properties Reuse and Protection
11 Plan, dated April 1998, and the U.S. Secretary of the Interior's Standards for Rehabilitation, as
12 evidenced by a letter of approval from the State Historic Preservation Officer.

15 F. Lighting. Changes of use within existing structures that are subject to SEPA
16 requirements in Seattle Municipal Code Chapter 25.05 and all new structures shall comply with
17 the following lighting standards:

18 1. Exterior lighting shall be shielded and directed away from adjacent uses.
19 2. Exterior lighting shall not exceed the height of the structure on which it is
20 located or the height limit of the underlying zone in which it is located, whichever is less.

21 3. All exterior lighting features shall be consistent with the Sand Point Historic
22 Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's
23 Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic
24 Preservation Officer.

1 G. Solid waste and recycling storage space. Changes of use within existing structures
2 that are subject to SEPA requirements in Seattle Municipal Code Chapter 25.05 and all new
3 structures shall provide storage space for solid waste containers in accordance with the following
4 table:

5
6 Table A for 23.72.010
7 Solid Waste and Recyclable Materials Storage Space Standards

<u>Structure size</u>	<u>Minimum area</u>	<u>Container type</u>
0-5,000 square feet	82 square feet	Rear-loading
5,001 – 15,000 square feet	125 square feet	Rear-loading
15,001-50,000 square feet	175 square feet	Front-loading
Over 50,001 square feet	225 square feet	Front-loading

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11 1. The storage space shall comply with the following standards:
12 a. The storage space shall have no horizontal dimension (width and depth)
13 less than 6 feet;
14 b. The floor of the storage space shall be level and hard-surfaced (garbage
15 or recycling compactors require a concrete surface); and
16 c. If located outdoors, the storage space shall be screened from public
17 view and designed to minimize light and glare impacts.
18 d. The storage space shall be located adjacent to the structure it serves and,
19 if located outdoors, it shall not be located between a street-facing facade of the structure and the
20 street;
21 e. The storage space shall not be located in any required driveways,
22 parking aisles, or parking spaces for the structure;
23 f. The storage space shall not block or impede any fire exits, any public
24 rights-of-ways or any pedestrian or vehicular access; and
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1 g. The storage space shall be located to minimize noise and odor to
2 building occupants and neighboring developments.

3 h. Access standards:

4 (1). For rear-loading containers:

5 (a) Any ramps to the storage space shall be 6 percent slope
6 or less, and

7 (b) Any gates or access routes shall be a minimum of 6 feet
8 wide; and

9 (2) For front-loading containers:

10 (a) Direct access shall be provided from the alley or street
11 to the containers,

12 (b) Any gates or access routes shall be a minimum of 10
13 feet wide, and

14 (c) If accessed directly by a collection vehicle into a
15 structure, a 21 - foot overhead clearance shall be provided.

16 2. The solid waste and recyclable materials storage space specifications required
17 in subsection 1 shall be included on the plans submitted with the permit application in
18 addition to the numbers and sizes of containers.

19 3. The Director, in consultation with the Director of Seattle Public Utilities, may
20 grant departures from the requirements of subsection 1, as a Type I Master Use Permit decision,
21 if the applicant proposes alternative workable measures that meet the intent of this subsection.

22 4. All solid waste and recyclable storage features shall be consistent with the Sand
23 Point Historic Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of
24 Interior's National Historic Preservation Act Regulations, 36 CFR 60.101.



1 the Interior's Standards for Rehabilitation, as evidenced by a letter of approval from the State
2 Historic Preservation Officer.

3 H. Landscaping. Changes of use within existing structures that are subject to SEPA
4 requirements in Seattle Municipal Code Chapter 25.05 and all new structures shall comply with
5 the following landscape standards:

6
7 1. Street trees along dedicated rights of way shall be provided pursuant to the
8 requirements and exceptions in the underlying zone.

9 2. Landscaping of surface parking areas.

10 a. Surface parking areas shall be landscaped as follows:

<u>Number of spaces</u>	<u>Required landscaped area</u>
<u>20 to 50</u>	<u>18 square feet per parking space</u>
<u>51-99</u>	<u>25 square feet per parking space</u>
<u>100 or more</u>	<u>35 square feet per parking space</u>

14 b. Each landscaped area shall be no smaller than 100 square feet and shall
15 be enclosed by permanent curbs or structural barriers;

16
17 c. No part of a landscaped area shall be less than 4 feet in any dimension
18 except those parts created by turning radii or angles of parking spaces;

19 d. No parking space shall be more than 60 feet from a required landscape
20 area.

21 e. Landscaping that meets the dimension standards in this subsection may
22 be provided in above-ground containers or similar planting areas;

23
24 3. Surface parking areas shall be screened from direct street view by a minimum
25 of 3- foot high landscaped areas.

26 4. To provide pedestrian and vehicular access, breaks not to exceed the width of
27 any required curbcuts or sight triangles are permitted in required landscaping;
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Approved by me this ____ day of _____, 2008.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2008.

City Clerk

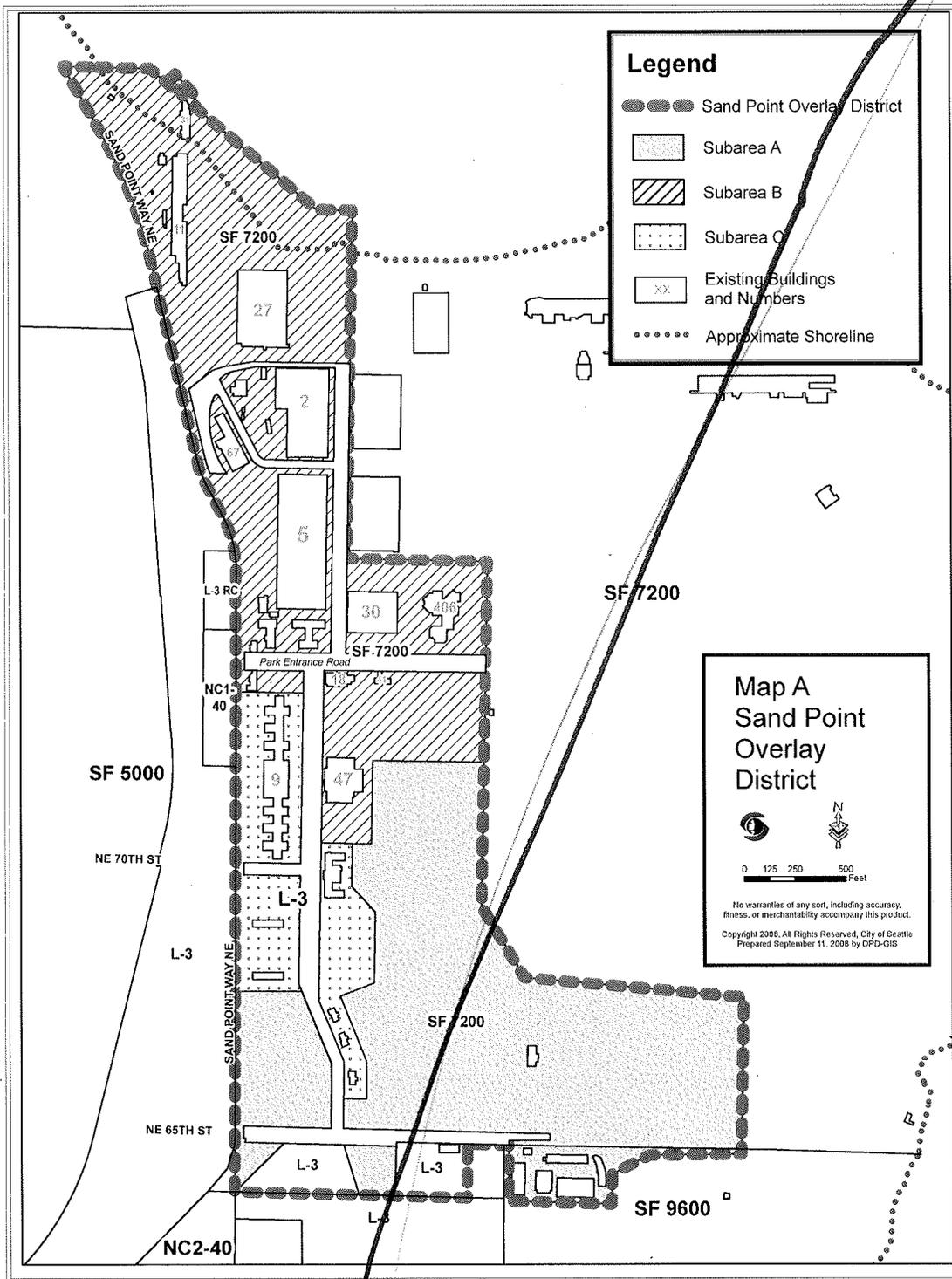
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Attachment 1: Exhibit A – Rezone Map/Overlay District Boundaries.



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Exhibit A – Rezone Map/Overlay District Boundaries.



STATE OF WASHINGTON – KING COUNTY

--SS.

230913
CITY OF SEATTLE, CLERKS OFFICE

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

CT:122829 ORDINANCE

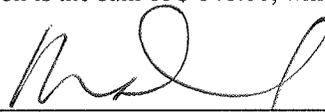
was published on

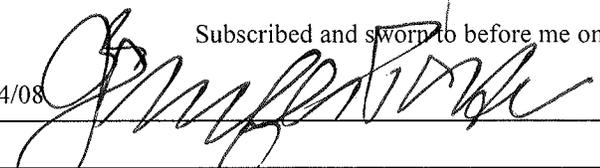
11/04/08

The amount of the fee charged for the foregoing publication is the sum of \$ 641.00, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
11/04/08 

Notary public for the State of Washington,
residing in Seattle

SEATTLE CITY NOTICES

ORDINANCE 122829

AN ORDINANCE relating to land use and zoning and the Sand Point Overlay District; amending the Official Land Use Map, Seattle Municipal Code (SMC) Chapter 23.32, to modify and rename the subarea boundaries of the Sand Point Overlay District; and amending Seattle Municipal Code Sections 23.72.004, 23.72.008, 23.72.010, and 23.84A.025.

BE ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

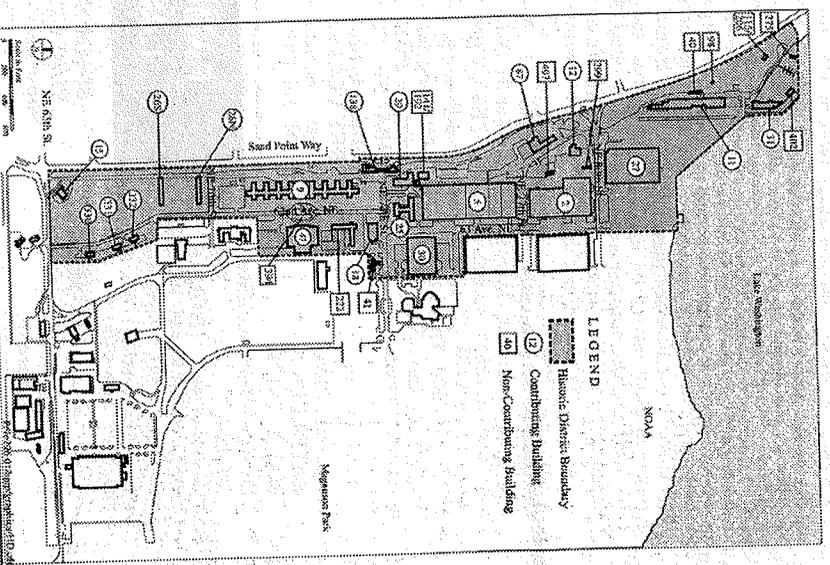
Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to modify and rename the sub-area boundaries of the Sand Point Overlay District located on Plat 8W, page 49, Plat 8E, page 48, Plat 17E, page 66, and Plat 17W, page 65 of the Official Land Use Map as shown on Attachment 1 attached to this ordinance.

Section 2. Section 23.72.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

23.72.004 Sand Point Overlay District established.

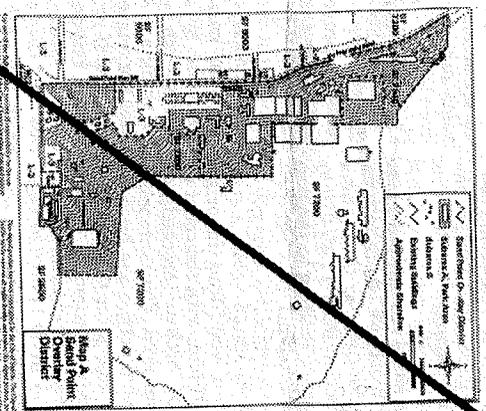
There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Sand Point Overlay District, including: (repealed) Subareas A, B, and C. Subarea A includes one area zoned Single Family 7200 (SF 7200). Subarea B includes one area zoned SF 7200, and Subarea C includes three areas zoned I.3, as shown on the City's Official Land Use Map, Chapter 23.32, and Map A for 23.72.004. The Sand Point Overlay District includes the Naval Station Puget Sound Sand Point Historic District, shown on Map B for 23.72.004 and eligible to be listed on the National Register of Historic Places.

Map B for 23.72.004 - Naval Station Puget Sound Sand Point Historic District



Section 3. Map A of Section 23.72.004 of the Seattle Municipal Code, which section was last amended by Ordinance 118794, is amended by replacing Map A with a new Map A as follows:

23.72.004 Sand Point Overlay District established



subarea:

- (f) Motion picture theater not to exceed 500 seats within Building 47
- (g) Motion picture theater to a total of 86,000 gross square feet in the entire
- (h) Performing arts theaters;
- (i) Police training facilities;
- (j) Research and development laboratories;
- (k) Restaurants without drive-in lanes, limited to no more than 2,500

feet per business establishment.

repair;

establishment.

2. Accessory Uses. Accessory uses that meet the following standards and customarily incidental to the principal uses permitted outright, are permitted outright:

- a. The area devoted to the accessory use is limited no more than 20 percent of the gross floor area of the principal use it serves;
- b. Only principal uses permitted by this section and by the applicable provisions of Chapter 23.60 are allowed as accessory uses.

2. When not in use as a motion picture studio, a structure with an establish-

recreation.

(3) (a) (i) Within Subarea A, Park Area, depicted on Map A, areas (A) Any area occupied by (existing) structures in existence as of July 18, 1997, (existing) paved areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, to open space, dry boat storage or recreation uses (such as parks and play grounds);

- (B) C. Uses Permitted Within (Portions of) Subarea C (B Zoned Lowrise 3-4 Depicted) depicted on Map A. In addition to the uses permitted outright in Section 23.45.004 (23-45-006), the following principal uses are permitted outright in Section 23.45.004 (23-45-006) (within structures existing as of July 18, 1997, in portions of Subarea B zoned I-3):
- 1. Food processing;
- 2. Horticulture;
- 3. Institutions, except hospitals;
- 4. Lecture and meeting halls;
- 5. Medical service uses, excluding animal health services, mortuary and services; and
- 6. Offices, in structures in existence as of July 18, 1997, (existing)

7. Restaurants;

Section 5. Section 23.72.010 of the Seattle Municipal Code, which Section was amended by Ordinance 118794, is amended as follows:

23.72.010 Development standards.

A. Within areas zoned single-family, changes of use within existing structures subject to SEPA requirements in Seattle Municipal Code Chapter 23.05 and new structures to the development standards for single-family development in Chapter 23.44 Residential Single-family, except as modified in subsections D-H of this section and except as modified in Section 23.72.012.

B. Within areas zoned Lowrise 3, changes of use within existing structures that subject to SEPA requirements in Seattle Municipal Code Chapter 23.05 and new structures to the development standards of Chapter 23.45 applicable to Lowrise 3 development, except as modified in subsections D - H of this section and except as provided in Section 23.72.012.

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 U.S. Department of Housing and Urban Development shall not count toward the maximum site density established in this subsection.

D. New structures. Demolition of existing structures and construction of new structures in the Sand Point Overlay District are permitted if in compliance with the following provisions if consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated 1998, as documented by a letter from the State Historic Preservation Officer certifying that the proposal is consistent with the Plan.

- 1. Any new structure shall be located on and limited to the footprint of that existed on the site as of July 18, 1997, except for:
 - a. an indoor and outdoor tennis center to be located within Subarea B, as depicted on Map A for 23.72.004;
 - b. affordable housing structures to be located within I.3 zoned areas of the overlay district; and
 - c. dry boat storage.

2. In determining the footprint of structures existing on July 18, 1997, the boundaries of the Sand Point Overlay District. Residential uses provided by the U.S. Department of Housing and Urban Development shall not count toward the maximum site density established in this subsection.

3. Except for a proposed new tennis center in Subarea B, for which the limit is 45 feet, and except for any new structure used for nonmotorized dry boat storage which the height limit is 15 feet, the height limit of a new structure is the greater of: (1) the height limit of the underlying zone or the height of the structure that existed on the same site as of July 18, 1997.

E. Rooftop features on existing non-residential structures. Stair penthouses, penthouses and mechanical equipment on non-residential structures in existence as of July 18, 1997 may extend up to the higher of 15 feet above the maximum height limit or 15 feet above the roof elevation existing as of July 18, 1997, so long as the combined total coverage of the roof features above the roof elevation does not exceed (1) 25 percent of the roof area, if the combined features include screened mechanical equipment, or (2) 30 percent of the roof area, if the combined features include screened mechanical equipment. The addition of features is permitted only if also consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic Preservation Officer.

F. Lighting. Changes of use within existing structures that are subject to SEPA requirements in Seattle Municipal Code Chapter 23.05 and all new structures shall meet the following lighting standards:

- 1. Exterior lighting shall be shielded and directed away from adjacent areas.
- 2. Exterior lighting shall not exceed the height of the structure on which it is located or the height limit of the underlying zone in which it is located, whichever is greater.
- 3. All exterior lighting features shall be consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April 1998, and the U.S. Secretary of the Interior's Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic Preservation Officer.

G. Solid waste and recycling storage space. Changes of use within existing structures shall provide storage space for solid waste containers in accordance with the following:

Structure size	Minimum area	Container type
0-5,000 square feet	82 square feet	Rear-loading
5,001 - 15,000 square feet	125 square feet	Rear-loading
15,001 - 50,000 square feet	175 square feet	Front-loading
Over 50,000 square feet	225 square feet	Front-loading

Table A for 23.72.010

- 1. The storage space shall comply with the following standards:
 - a. The storage space shall have no horizontal dimension (width) less than 6 feet.
 - b. The floor of the storage space shall be level and hard-surfaced.
- or recycling compactors require a concrete surface).

5. All landscaping features shall be consistent with the Sand Point Historic Properties Reuse and Protection Plan, dated April 1, 1986, and the U.S. Secretary of the Interior's Standards for Rehabilitation, as evidenced by a letter of approval from the State Historic Preservation Officer.

Section 6. The following subsection of Section 23.84A.025 of the Seattle Municipal Code, which Section was last amended by Ordinance 122311, is amended as follows:
23.84A.025 "M"

"Medical services" means a commercial use in which health care for humans or animals ("animal health services") is provided on an outpatient basis, including but not limited to offices for doctors, dentists, veterinarians, chiropractors, and other health care practitioners, or in which mortuary or funeral services are provided. Permitted accessory uses include associated office, research and laboratory uses.

Section 7. 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 20th day of October, 2008, and signed by me in open session in authentication of its passage this 20th day of October, 2008.

RICHARD CONLIN,

President of the City Council.

Approved by me this 28th day of October, 2008.

GREGORY J. NICKELS,

Mayor.

Filed by me this 29th day of October, 2008.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Attachment 1: Rezone Map/Overlay District Boundaries.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, November 4, 2008.

11/14(230913)

Rezone Map/Overlay District Boundaries.

