

Ordinance No. 123790

Council Bill No. 117294

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, modifying development standards, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

Related Legislation File:

Clerk File 311759

Date Introduced and Referred: <u>Sept. 19, 2011</u>	To: (committee): <u>Built Environment</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>12.19.11</u>	Date Presented to Mayor: <u>12.20.11</u>
Date Signed by Mayor: <u>12.28.11</u>	Date Returned to City Clerk: <u>12.29.11</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

^{WEST SEATTLE TRIANGLE}
The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Sam Liccardo

Tom Roemer

Committee Action:

Date	Recommendation	Vote
<u>11.30.11</u>	<u>PASS 4-0 SC, TB, TR, SB</u>	
	<u>AS AMENDED</u>	

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

Full Council Action:

Date	Decision	Vote
<u>12.19.11</u>	<u>Pass as amended</u>	<u>9-0</u>

ORDINANCE 123790

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, modifying development standards, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to rezone properties located on page 150 and page 137 of the Official Land Use Map, as shown on Exhibit A attached to this ordinance.

Section 2. A new section 23.47A.009 of the Seattle Municipal Code is added as follows:

23.47A.009 Standards Applicable to Specific Areas

A. Resolution of Standards Conflicts. In the event there is a conflict between this subsection 23.47A.009 and other sections of Title 23, the provisions of this subsection shall apply.

B. West Seattle Junction Hub Urban Village. The following provisions apply to development in the NC3 85(4.75) zone.

1. Lot Coverage Limit. The maximum lot coverage permitted for principal and accessory structures shall not exceed 80 percent on lots 40,000 square feet in size or greater.

2. The total permitted FAR is as identified in subsection 23.47A.013.F.

3. Maximum Width of Structures. The maximum width of all portions of a structure measured parallel to a north-south street lot line is 275 feet.

4. Setback and Separation Requirements.

a. The following standards apply to structures greater than 250 feet in width measured parallel to a north-south street lot line:

1) A minimum separation of 30 feet is required between structures that are adjacent to the same north-south street lot line; and

2) A minimum setback of 15 feet is required from side lot lines that are not street side lot lines and that separate lots that abut the same north-south street lot line; and

3) Structures permitted in required setback and separation areas pursuant to subsections 23.47.A.009.A.4.a and A.4.b are:

a) Decks with open railings may project up to 5 feet into the required setback or separation area if they are no lower than 20 feet above existing or finished grade. Decks may cover no more than 20 percent of the total setback or separation area.

b) Eaves, cornices and gutters may project no more than 18 inches from the structure façade.

c) Ramps or other devices necessary for access for the disabled and elderly that meet Seattle Building Code, Chapter 11, are permitted.

d) Stairs or ramps to accommodate changes in grade are permitted.

e) Underground structures are permitted.

f) Within the setback area identified in subsection

23.47A.009.A.4.b, unenclosed porches or steps for residential units no higher than 4 feet above the grade at the street lot line closest to the porch are permitted.

b. A setback of at least ten feet from the street lot line is required along non-arterial north-south avenues for at least 25percent of the lot frontage or 100 feet of the lot frontage, whichever is less.

c. Required setback and areas separating structures identified in subsections 23.47A.009. A.4.a and A.4.b shall include landscaping, paving and lighting. Sidewalks for pedestrian access, plazas or other approved amenity or landscaped areas are permitted in required setback or separation areas.

d. Upper-Level Setback Requirements along SW Alaska Street.

1) Structures exceeding 65 feet in height on lots abutting SW Alaska Street between 38th Avenue SW and California Avenue SW shall maintain a minimum setback of 10 feet for that portion of the structure between 45 feet and 55 feet in height.

2) For portions of a structure above 55 feet in height, an additional minimum setback is required at a rate of at least 1 foot of setback for every 5 feet of height that exceeds 55 feet, up to the maximum allowable height.

3) Structures located within 100 feet of Fauntleroy Way SW are exempt from the upper-level setback requirement.

4) Heights in this subsection 23.47A.009.A.4.d shall be measured from the middle of the street lot line along SW Alaska Street.

B. Reserved.

Section 3. Section 23.47A.013 of the Seattle Municipal Code, which section was last amended by Ordinance 123770, is amended as follows:

23.47A.013 Floor area ratio

A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C zones.

1. All gross floor area not exempt under subsection ~~((D of this Section))~~ 23.47A.013.D is counted against the maximum gross floor area allowed by the permitted FAR.

2. ~~((When))~~ If there are multiple structures on a lot, the highest FAR limit applicable to any structure on the lot applies to the combined non-exempt gross floor area of all structures on the lot, subject to subsection ~~((A4 of this subsection))~~ 23.47A.013.A.4.

3. Above-grade parking within or covered by a structure or portion of a structure must be included in gross floor area calculations, except as provided in subsection 23.47A.013.D.6 ~~((D6))~~.

4. ~~((When))~~ If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Except as provided in subsections 23.47A.013.C, 23.47A.013.D, ~~((and))~~ 23.47A.013.E, and 23.47A.013.F, maximum FAR allowed in C zones and NC zones is shown in Table A for 23.47A.013, provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.

Table A for 23.47A.013						
Maximum Floor Area Ratio (FAR) Outside of the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
1. Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	3	4.25	4.5	5	5
2. Total permitted for any single use within a mixed-use structure.	n/a	n/a	4.25	4.5	5	5
3. Total permitted for all uses within a mixed- use structure containing residential and non-residential uses.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay Districts is shown in Table B for 23.47A.013, provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.

Table B for 23.47A.013						
Maximum Floor Area Ratio (FAR) in the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
Maximum FAR	3	4	5.75	6	6	7

D. The following gross floor area is not counted toward FAR:

1. Gross floor area below grade;

2. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

3. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;

4. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to 15 percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection 23.47A.013.D is deducted; and

5. Within the First Hill Urban Center Village, on lots zoned NC3, with a 160 foot height limit, all gross floor area occupied by a residential use.

6. On a lot containing a peat settlement-prone environmentally critical area, above-grade parking within or covered by a structure or portion of a structure where the Director finds that locating a story of parking below grade is infeasible due to physical site conditions such as a high water table, if either:

a. the above-grade parking extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level or roof above, pursuant to subsection 23.47A.012.A.6; or

b. all of the following conditions are met:

1 1) no above-grade parking is exempted by subsection
2 23.47A.013.D.6.a;
3 2) the parking is accessory to a residential use on the lot;
4 3) total parking on the lot does not exceed one space for each
5 residential dwelling unit plus the number of spaces required by this Code for non-residential
6 uses; and
7


8 4) the amount of gross floor area exempted by this subsection
9 23.47A.013.D.6.b ((D6b)) does not exceed 25 percent of the area of the lot in zones with a height
10 limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or
11 greater.
12

13 E. Within the Station Area Overlay District within the University District Northwest
14 Urban Center Village, for office structures permitted prior to 1971, the area of the lot for
15 purposes of calculating permitted FAR is the tax parcel created prior to the adoption of
16 Ordinance 121846 on which the existing structure is located, provided the office structure is to
17 be part of a functionally related development occupied by a single entity with over 500,000
18 square feet of area in office use. The floor area of above grade pedestrian access is exempt from
19 the FAR calculations of this subsection, and the maximum permitted FAR is 8.
20

21 F. Within the West Seattle Junction Hub Urban Village, on lots zoned NC3 85(4.75), the
22 total permitted FAR for all uses within a mixed use structure containing residential and non-
23 residential uses is 5.5.
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1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 19th day of December, 2011, and
5 signed by me in open session in authentication of its passage this
6 19th day of December, 2011.

7 

8
9 President _____ of the City Council

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11 Approved by me this 28 day of December, 2011.

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14 Michael McGinn, Mayor

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16 Filed by me this ²⁹~~28~~ day of December, 2011.
17 ₄₁

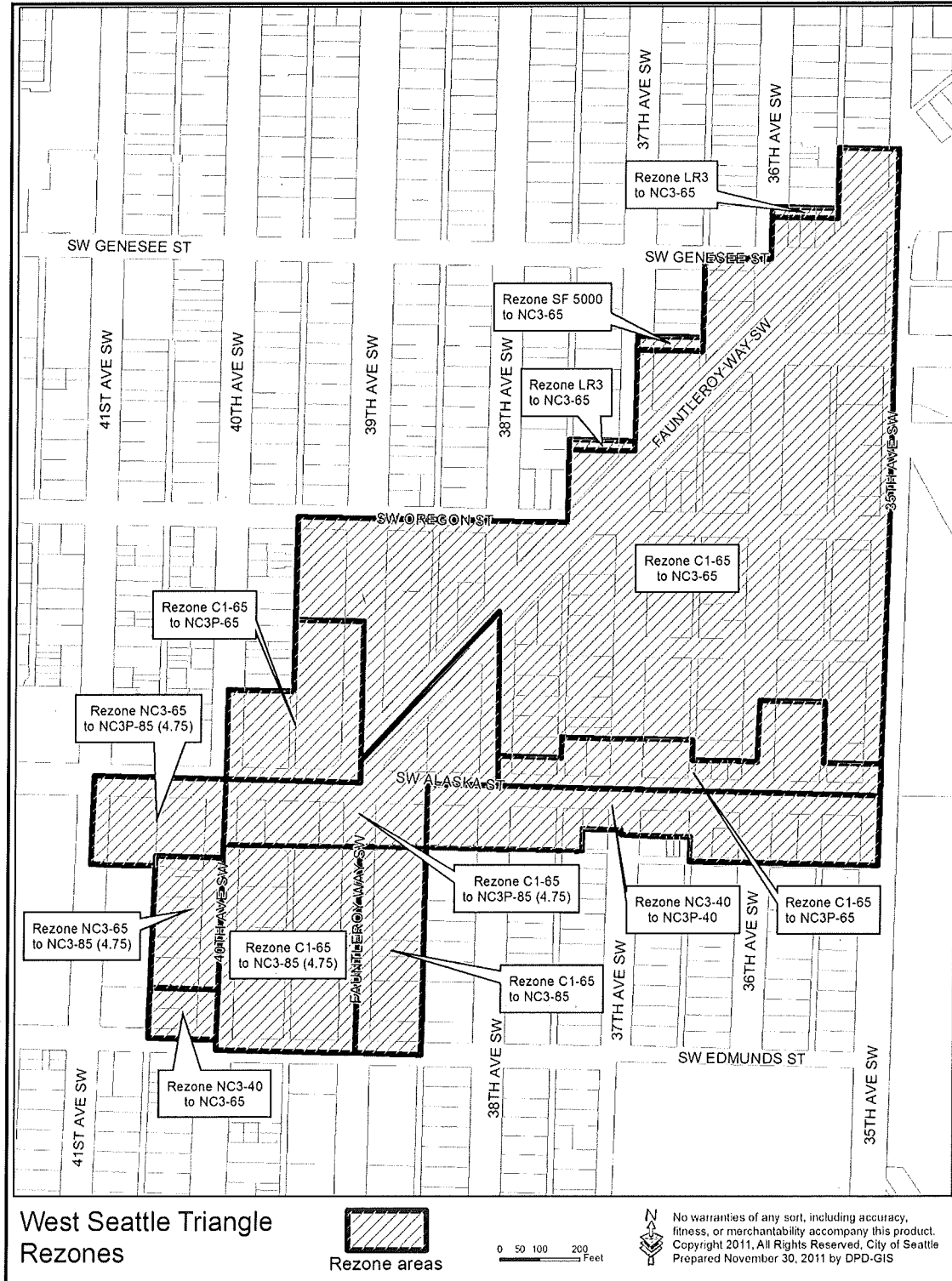
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19 Monica Martinez Simmons, City Clerk

20 (Seal)

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23 Attachment: Exhibit A, West Seattle Triangle Rezones
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Exhibit A - West Seattle Triangle Rezones



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning and Development	Susan McLain, /4-0432	Joe Regis 615-0087

Legislation Title:

AN ORDINANCE relating to land use and zoning, modifying development standards, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

Summary of the Legislation:

The bill would accomplish the following:

- Rezone the area from a general commercial 1 (C1) zone to the neighborhood commercial 3 (NC3) zone in an approximately seven-block area. The new zone designation would require pedestrian-oriented street frontages in structures consistent with the area's location at the hub of transit within the urban village. In an approximately two-block area, allowable height is proposed to increase to 85'. Zoned capacity as a result of the proposal could result in up to 301,193 square feet of additional floor area throughout the planning area for both residential and non-residential uses combined¹.
- Extend an existing Pedestrian (P) designation along SW Alaska Street between 36th Avenue SW and 42nd Avenue SW.
- Establish standards to modify the bulk and scale of structures and enhance the pedestrian environment in the proposed NC3 85' zone. New proposed development standards include a maximum lot coverage limit, an upper-level setback along SW Alaska Street, and a maximum structure width in the north-south direction.
- Apply incentive zoning programs for affordable housing would be required for development that exceeds 4.75 FAR in the NC3 85' zone.

¹ This assumes 850 square feet per residential unit.



Background:

The West Seattle Triangle planning project was initiated to identify future development directions for streets and properties in the Triangle planning area. DPD staff undertook an extensive public involvement process that involved over 35 public meetings. Staff is currently completing a Streetscape Concept Plan that will be appended to the Seattle Right of Way Improvements Manual to guide future street investments. In addition, the bill includes land use and zoning amendments for the area.

Planning for the West Seattle Triangle was initiated in 2008 in response to three factors:

1) the West Seattle Junction Hub Urban Village Neighborhood Plan recommended planning for this area, at an important gateway to West Seattle; 2) the closure of a prominently-located auto dealership in 2007 left several acres of land vacant; and 3) King County Metro's plan for Bus RapidRide "C" line, scheduled to begin service in 2012 with two stops in the Triangle Planning Area.

Please check one of the following:

☐ This legislation does not have any financial implications.

☒ This legislation has financial implications.

Implications:

a) Does the legislation have indirect financial implications, or long-term implications?
This legislation would likely generate minor financial implications for the City in two ways.

First, the legislation would provide a modest amount of additional development capacity in the area, which could result in a minimal increase in demand for municipal services to be provided by the full range of city departments. The increase in the need for additional services is expected to be balanced by the corresponding increase in property tax revenues, sales tax revenues and other revenues associated with increased development.

Second, a more immediate cost of implementing the legislation is the impact on DPD to process the area-wide legislative rezone. Costs to process the rezone include updating land use and zoning maps, permit tracking systems, and GIS systems. DPD's IT department estimates that a total staff time required would be 186 hours @ \$65.00/hour = \$12,090 + a 20% contingency = \$14,508. This amount would be funded out of the DPD's IT unit and would be accommodated within existing budget authority and staffing levels.

Additional review time would be required for those projects in incentive zoning areas, resulting in additional costs that would be determined on a project-by-project basis. DPD permit review staff estimate that projects in neighborhood commercial zones would require an additional 3.5 hours of review time by DPD and Office of Housing (OH) staff to review the project against incentive zoning provisions. This would result in a total of \$875 in costs per permit that is subject to incentive zoning. In the case of the proposed West Seattle



Triangle rezone, incentive zoning provisions could be applied in an approximately 2 block area. This area contains properties owned by nine separate owners. If all nine properties were to develop and participate in the incentive zoning program within a 20 year planning horizon, 31.5 additional hours of DPD project review and coordination would be required over that time frame.

The Office of Housing works with DPD and with all developers who take advantage of affordable housing incentive zoning programs. Currently, one staff person at OH administers the program on behalf of that department. As of early 2011, the Office of Housing is authorized to collect a \$550 permit fee, \$65 per unit fee for monitoring of affordable rental housing, and \$300 fee for transfer or sale of affordable owner-occupied housing. These fees ensure that this legislation has no fiscal impacts for OH.

b) What is the financial cost of not implementing the legislation?

There is no direct financial cost of not implementing the legislation. However, the proposed Land Use Code and zoning amendments complement the West Seattle Triangle Streetscape Concept Plan and a related Urban Design Framework document that identifies the preferred direction of development and investments in the neighborhood. Also, given the unstable economy at this time, not implementing this proposal may subject the city to loss of business, jobs and potential tax dollars due to lost opportunities to stimulate new development and economic activity.

c) Does this legislation affect any departments besides the originating department?

The Office of Housing would be affected as described under section a) above.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

There are other rezone scenarios that could achieve similar objectives in the area. For example, the City Council could enact a rezone to neighborhood commercial zoning without an increase in height/density. However, such an alternative would not likely include the design- and development standards that are identified in the bill.

e) Is a public hearing required for this legislation?

The City Council is required to hold a public hearing on the proposal and is expected to conduct a public hearing in autumn of 2011.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Notification for the public hearing was placed in the DJC, the Seattle Times and other local media.

g) Does this legislation affect a piece of property?

The legislation affects an approximately seven-block area that is identified as Exhibit A to the bill.

h) Other Issues: None anticipated.



C. Susan McLain
DPD West Seattle Triangle FISC
September 1, 2011
Version #1

List attachments to the fiscal note below: None.





City of Seattle
Office of the Mayor

September 6, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached Council Bill containing amendments to the Land Use Code and rezones for the West Seattle Triangle planning area. The bill includes development standards that will help enhance the pedestrian environment and better connect Triangle residents and businesses with the West Seattle Junction. The amendments emphasize the importance of the Triangle within the West Seattle Junction Hub Urban Village where additional housing and jobs will be accommodated near transit along with the services necessary to support them.

Planning for the West Seattle Triangle was initiated in 2008 after King County Metro announced plans for a Bus RapidRide route with stops in the area. In addition, the closure of local businesses, such as the Huling auto dealership, resulted in several acres of vacant property which present a unique opportunity. As a result, the community asked the Mayor and City Council to support an evaluation of local zoning requirements, as well as land use and design issues to help guide future development and enhance the Triangle area.

The Council Bill is the culmination of a planning process that included more than 35 public meetings involving area residents, property owners, business interests and others interested in the future of this gateway to West Seattle. This planning process also resulted in a streetscape concept plan that will guide street improvements in the area and improve the pedestrian environment.

Thank you for your consideration of this legislation. Should you have questions, please contact Susan McLain at 684-0432.

Sincerely,

MICHAEL MCGINN
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcgin@seattle.gov



ORDINANCE _____

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, modifying development standards, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code is amended to rezone properties located on page 150 and page 137 of the Official Land Use Map, as shown on Exhibit A attached to this ordinance.

Section 2. A new section 23.47A.009 of the Seattle Municipal Code is added as follows:

23.47A.009 Standards Applicable to Specific Areas

A. West Seattle Junction Hub Urban Village. The following provisions apply to development in the NC3 85(4.75) zone.

1. Lot Coverage Limit. The maximum lot coverage permitted for principal and accessory structures shall not exceed 80 percent on lots 40,000 square feet in size or greater.

2. The total permitted FAR is as identified in subsection 23.47A.013.F.

3. Maximum Width of Structures. The maximum width of all portions of a structure measured parallel to a north-south street lot line is 275 feet.

4. Setback and Separation Requirements.

a. In the event there is a conflict between the standards of this subsection 23.47A.009.A.4 and the provisions of Section 23.47A.014, the more restrictive standard applies.

b. The following standards apply to structures greater than 250 feet in width measured parallel to a north-south street lot line:



1) A minimum separation of 30 feet is required between structures that abut the same north-south street lot line; and

2) A minimum structure setback of 15 feet is required from side lot lines that are not street side lot lines and that separate lots that abut the same north-south street lot line; and

3) Structures permitted in required setback and separation areas are:

a) Decks with open railings may project up to 5 feet into the required setback or separation area if they are no lower than 20 feet above existing or finished grade. Decks may cover no more than 20 percent of the total setback or separation area.

b) Eaves, cornices and gutters may project no more than 18 inches from the structure façade.

c) Ramps or other devices necessary for access for the disabled and elderly that meet Seattle Building Code, Chapter 11, are permitted.

d) Underground structures are permitted.

e) This subsection 23.47A.009.A.4.b.3 supersedes the provisions of 23.47A.014.E as applied to structures permitted in required setback and separation areas pursuant to this subsection 23.47A.009.A.4.b.

c. Required setback and areas separating structures identified in subsection 23.47A.009. A.4. b shall be landscaped, and may include paving and lighting to enhance pedestrian safety and comfort for building occupants and/or the general public. Sidewalks for



pedestrian access, plazas or other approved amenity or landscaped areas are permitted in required setback or separation areas.

d. Upper-Level Setback Requirements along SW Alaska Street.

1) Structures exceeding 65 feet in height on lots abutting SW Alaska Street between 38th Avenue SW and California Avenue SW shall maintain a minimum setback of 10 feet for that portion of the structure between 45 feet and 55 feet in height.

2) For portions of a structure above 55 feet in height, an additional minimum setback is required at a rate of at least 1 foot of setback for every 5 feet of height that exceeds 55 feet, up to the maximum allowable height.

3) Structures located within 100 feet of Fauntleroy Way SW are exempt from the upper-level setback requirement.

4) Heights in this subsection 23.47A.009.A.4.d shall be measured from the middle of the street lot line along SW Alaska Street.

B. Reserved.

Section 3. Section 23.47A.013 of the Seattle Municipal Code, which section was enacted by Ordinance 123564, is amended as follows:

23.47A.013 Floor area ratio

A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C zones.

1. All gross floor area not exempt under subsection ((D of this Section)) 23.47A.013.D is counted against the maximum gross floor area allowed by the permitted FAR.



2. ~~((When))~~ If there are multiple structures on a lot, the highest FAR limit applicable to any structure on the lot applies to the combined non-exempt gross floor area of all structures on the lot, subject to subsection ~~((A4 of this subsection))~~ 23.47A.013.A.4.

3. Above-grade parking within or covered by a structure or portion of a structure must be included in gross floor area calculations, except as provided in subsection 23.47A.013.D.6 ~~((D6))~~.

4. ~~((When))~~ If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Except as provided in subsections C, D, ~~((and))~~ E, and F of this Section 23.47A.013, maximum FAR allowed in C zones and NC zones is shown in Table A for 23.47A.013.

Table A for 23.47A.013 Maximum Floor Area Ratio (FAR) Outside of the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
1. Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	3	4.25	4.5	5	5
2. Total permitted for any single use within a mixed-use structure.	n/a	n/a	4.25	4.5	5	5
3. Total permitted for all uses within a mixed- use structure containing residential and non-residential uses.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay Districts is shown in Table B for 23.47A.013.



Table B for 23.47A.013 Maximum Floor Area Ratio (FAR) in the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
Maximum FAR	3	4	5.75	6	6	7

D. The following gross floor area is not counted toward FAR:

1. Gross floor area below grade;
2. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;
3. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;
4. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to 15 percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection 23.47A.013.D is deducted; and
5. Within the First Hill Urban Center Village, on lots zoned NC3, with a 160 foot height limit, all gross floor area occupied by a residential use.
6. On a lot containing a peat settlement-prone environmentally critical area, above-grade parking within or covered by a structure or portion of a structure where the Director



finds that locating a story of parking below grade is infeasible due to physical site conditions such as a high water table, if either:

a. the above-grade parking extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level or roof above, pursuant to subsection 23.47A.012.A.6; or

b. all of the following conditions are met:

- 1) no above-grade parking is exempted by subsection 23.47A.013.D.6.a;
- 2) the parking is accessory to a residential use on the lot;
- 3) total parking on the lot does not exceed one space for each residential dwelling unit plus the number of spaces required by this Code for non-residential uses; and
- 4) the amount of gross floor area exempted by this subsection 23.47A.013.D.6.b ((D6b)) does not exceed 25 percent of the area of the lot in zones with a height limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater.

E. Within the Station Area Overlay District within the University District Northwest Urban Center Village, for office structures permitted prior to 1971, the area of the lot for purposes of calculating permitted FAR is the tax parcel created prior to the adoption of Ordinance 121846 on which the existing structure is located, provided the office structure is to be part of a functionally related development occupied by a single entity with over 500,000



1 square feet of area in office use. The floor area of above grade pedestrian access is exempt from
2 the FAR calculations of this subsection, and the maximum permitted FAR is 8.

3 F. Within the West Seattle Junction Hub Urban Village, on lots zoned NC3 85(4.75), the
4 total permitted FAR for all uses within a mixed use structure containing residential and non-
5 residential uses is 5.5.

THIS VERSION IS NOT ADOPTED



Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2011, and signed by me in open session in authentication of its passage this ____ day of _____, 2011.

President _____ of the City Council

Approved by me this ____ day of _____, 2011.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2011.

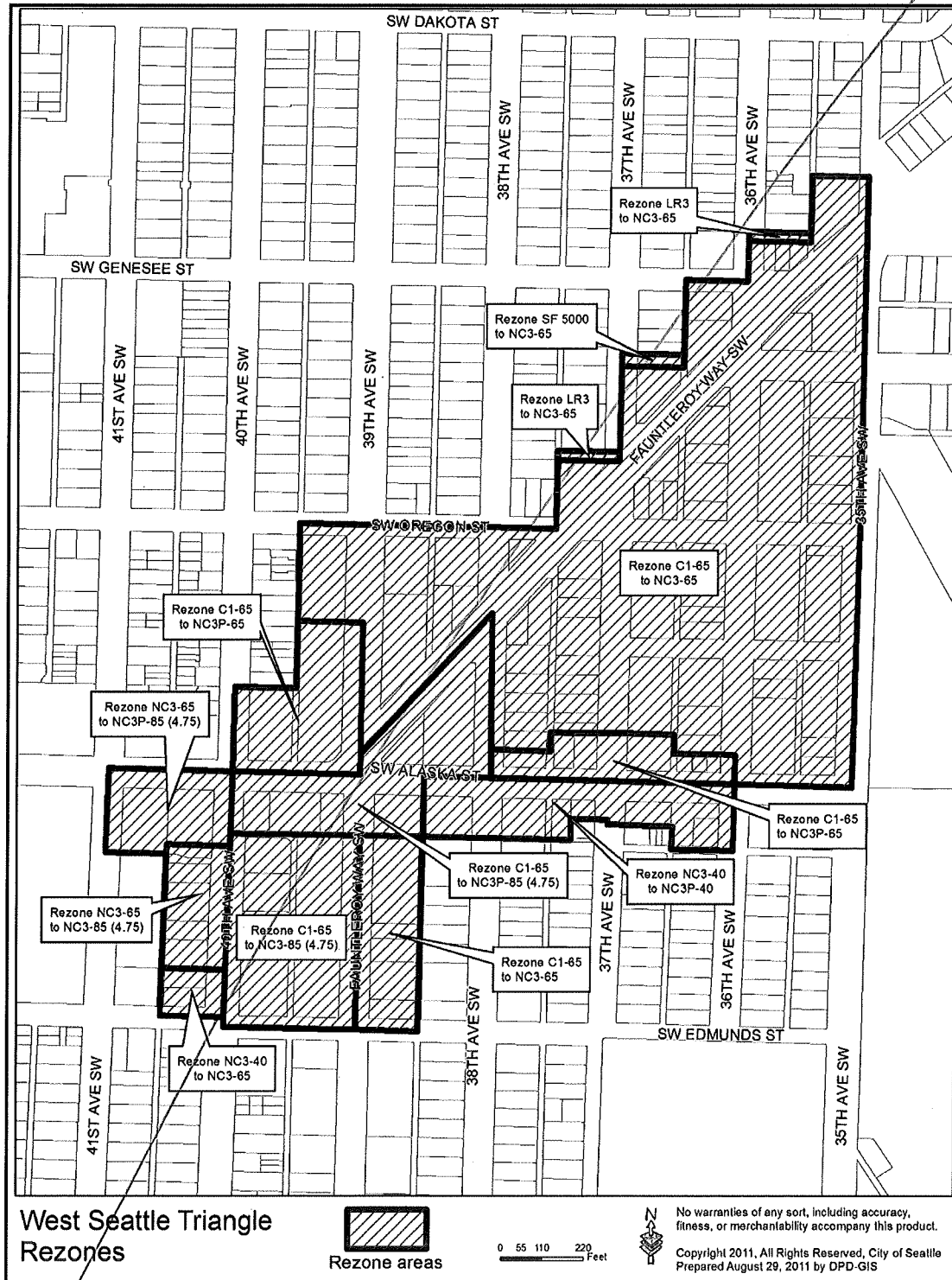
Monica Martinez Simmons, City Clerk

(Seal)

Attachment: Exhibit A, West Seattle Triangle Rezones



West Seattle Triangle Rezones



THIS VERSION IS NOT ADOPTED



ORDINANCE

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, modifying development standards, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

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2. The total permitted FAR is as identified in subsection 23.47A.013.F.

3. Maximum Width of Structures. The maximum width of all portions of a structure measured parallel to a north-south street lot line is 275 feet.

4. Setback and Separation Requirements.

a. In the event there is a conflict between the standards of this subsection 23.47A.009.A.4 and the provisions of Section 23.47A.014, the more restrictive standard applies.

b. The following standards apply to structures greater than 250 feet in width measured parallel to a north-south street lot line:



1 1) A minimum separation of 30 feet is required between structures
2 that abut the same north-south street lot line; and

3 2) A minimum structure setback of 15 feet is required from side lot
4 lines that are not street side lot lines and that separate lots that abut the same north-south street
5 lot line; and

6 3) Structures permitted in required setback and separation areas
7 are:
8

9 a) Decks with open railings may project up to 5 feet into
10 the required setback or separation area if they are no lower than 20 feet above existing or
11 finished grade. Decks may cover no more than 20 percent of the total setback or separation area.

12 b) Eaves, cornices and gutters may project no more than 18
13 inches from the structure façade.

14 c) Ramps or other devices necessary for access for the
15 disabled and elderly that meet Seattle Building Code, Chapter 11, are permitted.

16 d) Underground structures are permitted.

17 e) Within the setback area identified in subsection
18 23.47A.009.A.4.c, unenclosed porches or steps for residential units no higher than 4 feet above
19 the grade at the street lot line closest to the porch are permitted.

20 f) This subsection 23.47A.009.A.4.b.3 supersedes the
21 provisions of 23.47A.014.E as applied to structures permitted in required setback and separation
22 areas pursuant to this subsection 23.47A.009.A.4.b.
23
24
25
26



c. A continuous building setback of at least ten feet from the street lot line is required along non-arterial north-south avenues for at least 25% of the lot frontage or 100 feet of the lot frontage, whichever is less.

d. Required setback and areas separating structures identified in subsection 23.47A.009. A.4. b shall include landscaping, paving and lighting. Sidewalks for pedestrian access, plazas or other approved amenity or landscaped areas are permitted in required setback or separation areas.

e. Upper-Level Setback Requirements along SW Alaska Street.

1) Structures exceeding 65 feet in height on lots abutting SW Alaska Street between 38th Avenue SW and California Avenue SW shall maintain a minimum setback of 10 feet for that portion of the structure between 45 feet and 55 feet in height.

2) For portions of a structure above 55 feet in height, an additional minimum setback is required at a rate of at least 1 foot of setback for every 5 feet of height that exceeds 55 feet, up to the maximum allowable height.

3) Structures located within 100 feet of Fauntleroy Way SW are exempt from the upper-level setback requirement.

4) Heights in this subsection 23.47A.009.A.4.d shall be measured from the middle of the street lot line along SW Alaska Street.

B. Reserved.

Section 3. Section 23.47A.013 of the Seattle Municipal Code, which section was enacted by Ordinance 123564, is amended as follows:



23.47A.013 Floor area ratio

A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C zones.

1. All gross floor area not exempt under subsection ~~((D of this Section))~~

23.47A.013.D is counted against the maximum gross floor area allowed by the permitted FAR.

2. ~~((When))~~ If there are multiple structures on a lot, the highest FAR limit applicable to any structure on the lot applies to the combined non-exempt gross floor area of all structures on the lot, subject to subsection ~~((A4 of this subsection))~~ 23.47A.013.A.4.

3. Above-grade parking within or covered by a structure or portion of a structure must be included in gross floor area calculations, except as provided in subsection 23.47A.013.D.6 ~~((D6))~~.

4. ~~((When))~~ If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Except as provided in subsections 23.47A.013.C, 23.47A.013.D, ~~((and))~~ 23.47A.013.E, and 23.47A.013.F, maximum FAR allowed in C zones and NC zones is shown in Table A for 23.47A.013, provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.



Table A for 23.47A.013 Maximum Floor Area Ratio (FAR) Outside of the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
1. Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	3	4.25	4.5	5	5
2. Total permitted for any single use within a mixed-use structure.	n/a	n/a	4.25	4.5	5	5
3. Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay Districts is shown in Table B for 23.47A.013, provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.

Table B for 23.47A.013 Maximum Floor Area Ratio (FAR) in the Station Area Overlay District						
	Height Limit					
	30'	40'	65'	85'	125'	160'
Maximum FAR	3	4	5.75	6	6	7

D. The following gross floor area is not counted toward FAR:

1. Gross floor area below grade;



2. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

3. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;

4. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to 15 percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection 23.47A.013.D is deducted; and

5. Within the First Hill Urban Center Village, on lots zoned NC3, with a 160 foot height limit, all gross floor area occupied by a residential use.

6. On a lot containing a peat settlement-prone environmentally critical area, above-grade parking within or covered by a structure or portion of a structure where the Director finds that locating a story of parking below grade is infeasible due to physical site conditions such as a high water table, if either:

a. the above-grade parking extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level or roof above, pursuant to subsection 23.47A.012.A.6; or

b. all of the following conditions are met:



1) no above-grade parking is exempted by subsection

23.47A.013.D.6.a;

2) the parking is accessory to a residential use on the lot;

3) total parking on the lot does not exceed one space for each residential dwelling unit plus the number of spaces required by this Code for non-residential uses; and

4) the amount of gross floor area exempted by this subsection

23.47A.013.D.6.b ((D6b)) does not exceed 25 percent of the area of the lot in zones with a height limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater.

E. Within the Station Area Overlay District within the University District Northwest Urban Center Village, for office structures permitted prior to 1971, the area of the lot for purposes of calculating permitted FAR is the tax parcel created prior to the adoption of Ordinance 121846 on which the existing structure is located, provided the office structure is to be part of a functionally related development occupied by a single entity with over 500,000 square feet of area in office use. The floor area of above grade pedestrian access is exempt from the FAR calculations of this subsection, and the maximum permitted FAR is 8.

F. Within the West Seattle Junction Hub Urban Village, on lots zoned NC3 85(4.75), the total permitted FAR for all uses within a mixed use structure containing residential and non-residential uses is 5.5.



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

4 Passed by the City Council the ____ day of _____, 2011, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2011.

7
8 _____
9 President _____ of the City Council

10
11 Approved by me this ____ day of _____, 2011.

12
13 _____
14 Michael McGinn, Mayor

15
16 Filed by me this ____ day of _____, 2011.

17
18 _____
19 Monica Martinez Simmons, City Clerk

20 (Seal)

21
22
23 Attachment: Exhibit A, West Seattle Triangle Rezones
24
25
26
27
28



STATE OF WASHINGTON – KING COUNTY

--SS.

279736

No. TITLE ONLY

CITY OF SEATTLE, CLERKS OFFICE

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:123774,790-123805

was published on

01/06/12

The amount of the fee charged for the foregoing publication is the sum of \$ 237.15, which amount has been paid in full.



Affidavit of Publication

[Signature]

Subscribed and sworn to before me on

01/06/12

[Signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation passed by the City Council on December 19, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123774

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 102 of the Official Land Use Map to rezone property located at 500 Fairview Avenue North from Industrial Commercial with a 65 foot height limit to Seattle Mixed with an 85 foot height limit; and accepting a Property Use and Development Agreement in connection therewith. (Petition by BMR-500 Fairview Avenue LLC, C.F. 311061, DPD Project 3011479)

ORDINANCE NO. 123790

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code Section 23.47A.013, enacting new Section 23.47A.009, modifying development standards, and amending the Official Land Use Map Chapter 23.32, at pages 137 and 150 to rezone areas within the West Seattle Junction Hub Urban Village.

ORDINANCE NO. 123791

AN ORDINANCE relating to the Seattle Center; authorizing the Director of Seattle Center to execute a new ten-year lease agreement with The Children's Museum, Seattle for the use and occupancy of certain space in the Center House.

ORDINANCE NO. 123792

AN ORDINANCE authorizing the Interlocal Agreement between the City of Seattle and the Port of Seattle promoting music and musicians primarily associated with Seattle and the Puget Sound region.

ORDINANCE NO. 123793

AN ORDINANCE granting the Board of Regents of the University of Washington permission to maintain and operate an underground pedestrian concourse tunnel under and across 6th Avenue north of University Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123794

AN ORDINANCE granting 2020 Fifth Avenue, LLC permission to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

ORDINANCE NO. 123795

AN ORDINANCE granting Cornish College of the Arts permission to maintain and operate a vehicular tunnel under and across the alley between 8th Avenue and 9th Avenue, north of Lenora Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123796

AN ORDINANCE relating to affordable housing; authorizing the Director of the Office of Housing to enter into and administer an Interlocal Cooperation Agreement with King County for a Regional Affordable Housing Program using revenues from a surcharge on document recording fees authorized by State law; and ratifying and confirming prior acts.

ORDINANCE NO. 123797

AN ORDINANCE authorizing the Superintendent of the Department of Parks and Recreation to amend the Ground Lease between the City of Seattle and the Center for Wooden Boats for development, operation and maintenance of an Education Center in Lake Union Park.

ORDINANCE NO. 123798

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept an extension and modification to certain lease and interlocal agreements with the City of Renton, Washington, and ratifying and confirming certain prior acts.

ORDINANCE NO. 123799

AN ORDINANCE relating to Seattle Public Utilities, authorizing the Director of Seattle Public Utilities to enter into an agreement with the City of Renton for the sale of water in an emergency from the City of Renton to the City of Seattle; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123800

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to execute, for and on behalf of The City of Seattle, an easement agreement granting a non-exclusive easement for ingress, egress, and public utilities under, over, and across The City of Seattle's fee-owned (municipal water pipeline property) for the benefit of abutting property owned by 112 Skyway Associates LLC located in the Skyway area of unincorporated King County just south of Seattle in the NW 1/4 of the NE 1/4 of Section 11, Township 23 North, Range 4 East, W. M.

ORDINANCE NO. 123801

AN ORDINANCE, relating to a vehicular and pedestrian ramp over North Northlake Way beneath the George Washington Memorial (Aurora Avenue) Bridge, amending Ordinance 118908, as amended by Ordinance 121855, updating the insurance and bond requirements, and amending the annual fee; renewing the term of the permit to the Quadrant Corporation; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123802

AN ORDINANCE relating to the use of Seattle Center Department property; amending Section 17.16.030 of the Seattle Municipal Code to authorize the Seattle Center Director to enter into leases with terms of up to ten years for food and beverage services in the Seattle Center House; establishing an oversight committee to review such leases; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123803

AN ORDINANCE related to the Board of Park Commissioners; authorizing a Get Engaged young adult position to the Board of Park Commissioners; changing the membership composition and terms of Park Commissioners; and amending Section 3.26.010 of the Seattle Municipal Code.

ORDINANCE NO. 123804

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2011 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

ORDINANCE NO. 123805

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, January 6, 2012.

1/6(279736)