

ORDINANCE No. 119394

Law Department

COUNCIL BILL No. 112597

The City

AN ORDINANCE relating to land use and zoning, adding a Chapter 23.70, Station Area Interim Overlay District, to the Seattle Municipal Code, establishing interim regulations to prohibit uses incompatible with transit-oriented development and revising parking standards within approximately one-quarter mile of proposed Sound Transit light rail stations.

Honorable President:

Your Committee on _____

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. _____

3-3-99 Full Council
Ex

Introduced: <u>MAR 1 1999</u>	By: <u>DRAGO</u>
Referred: <u>MAR 1 1999</u>	To: <u>FULL COUNCIL</u>
Referred:	To:
Referred:	To:
Reported:	Second Reading:
Third Reading: <u>3-3-99</u>	Signed: <u>3-3-99</u>
Presented to Mayor: <u>3-3-99</u>	Approved:
Returned to City Clerk: <u>MAR 3 1999</u>	Published: <u>hell 5/8/99</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:



Department

The City of Seattle--Legislative Department

Area Interim
prohibit
s within

REPORT OF COMMITTEE

Date Reported
and Adopted

Committee President:

Committee on

which was referred the within Council Bill No.

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

9-99 Full Council: Passed

No: McIver

Excused: MC, RC,



Committee Chair

ORDINANCE 119394

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4 AN ORDINANCE relating to land use and zoning, adding a Chapter 23.70, Station Area
5 Interim Overlay District, to the Seattle Municipal Code, establishing interim regulations to
6 prohibit uses incompatible with transit-oriented development and revising parking
7 standards within approximately one-quarter mile of proposed Sound Transit light rail
8 stations.

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

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

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

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

24
25 WHEREAS, under the terms of the MOA, the City is conducting station area planning for light
26 rail station areas in Seattle; and

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

30
31 WHEREAS, the City has given guidance to Sound Transit as to preferred light rail routes and
32 station locations, and desired patterns for development around light rail stations, in
33 previous legislation, including Resolution 29904 adopted on February 22, 1999; and

34
35 WHEREAS, on February 25, 1999, the Sound Transit Board of Directors identified the
36 Locally Preferred Alternative (LPA) light rail alignment and station locations; and

37
38 WHEREAS, the City Council and Mayor want to ensure that station area planning proceeds in
39 a rational and orderly manner for the stations identified in the LPA, and to avoid, to the
40 extent possible, applicants acquiring vested rights to establish uses that are not compatible
41 with the City's goals and strategies for station area planning; NOW THEREFORE,
42
43

1 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

2 **Section 1.** The City Council hereby makes the following legislative findings of fact and
3 declarations:

- 4 1. RCW 81.104 directs the City to regulate land uses in a manner which supports high
5 capacity transportation. Accordingly, the City has adopted general goals and strategies to
6 achieve transit-oriented development near proposed light rail stations. The Sound Transit
7 Board identified a locally preferred alternative for rail system alignment and station location
8 on February 25, 1999.
- 9 2. The City has also begun a specific, station area planning process to encourage transit-
10 oriented development. Development of detailed station area plans may include proposals to
11 change the City's zoning to achieve transit-oriented development. The City has adopted a
12 work plan for these measures.
- 13 3. If development occurs or is vested before station area plans and permanent zoning changes
14 are completed, the purposes of RCW 81.104 and the City's station area plans may be
15 thwarted. Accordingly it is necessary for the City to temporarily foreclose the vesting of
16 rights to development which may be inconsistent with transit-oriented development.
- 17 4. The City has legal authority to establish interim measures pursuant to the authority granted
18 by Article 11, Section 11 of the Washington Constitution, the Growth Management Act,
19 RCW 36.70A.390, and Matson v. Clark County, 79 Wn. App. 641 (1995).

20
21 **Section 2.** A new Chapter 23.70, Station Area Interim Overlay District, is hereby added
22 to the Seattle Municipal Code, Title 23, to read as follows:

Chapter 23.70 Station Area Interim Overlay District

23.70.002 Purpose and Intent

The intent of this Chapter is to regulate land uses in a manner which supports transit-oriented development.

23.70.004 Station Area Interim Overlay District Established

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Station Area Interim Overlay District, as depicted on Exhibit 1A-J.

23.70.006 Application of Regulations

All land located within the Station Area Interim Overlay District is subject to the regulations of the underlying zone unless specifically modified by the provisions of this Chapter. In the event of a conflict between the provisions of the Station Area Interim Overlay District and the underlying zone, the provisions of this Chapter prevail, except that where a conflict exists between the provisions of this Chapter and Chapter 23.69, Major Institution Overlay District, the provisions of Chapter 23.69 prevail.

23.70.008 Use Restrictions

For property zoned Commercial (NC1, NC2, NC3, C1, C2) and located within the Station Area Interim Overlay District, the following uses are prohibited:

- A. Principal Use Parking
- B. Drive-in Businesses
- C. Vehicle Repair (major or minor)
- D. Towing Services
- E. Heavy Commercial Services

1 F. Sales, Service and Rental of Commercial Equipment and Construction Materials

2 G. Sale of Heating Fuel

3 H. Mini-warehouse

4 I. Warehouse

5 J. Outdoor Storage

6 K. Sales and Rental of Motorized Vehicles

7 **23.70.010 Location of and Access to Parking**

8 For all uses located in Commercial 1 or Commercial 2 (C1, C2) zones within the Station Area
9 Interim Overlay District, the location of and access to parking shall be as required in
10 Neighborhood Commercial Zones, as provided in Section 23.47.032 (A), (B) and (D).

11
12 **Section 3.** Pursuant to SMC 25.05.880, the City Council finds that an exemption under
13 SEPA for this action is necessary to prevent development that is inconsistent with the City's
14 goals and strategies for transit-oriented development and growth management strategy. SEPA
15 review of any permanent regulations proposed for replacement of the existing zoning will be
16 conducted.

17
18 **Section 4.** Based on the preamble to this ordinance and the findings of fact and
19 declarations in Section 1, the City Council finds that the provisions of SMC Section 23.76.062
20 should be waived for the adoption of this ordinance.

21

1 **Section 5.** This Ordinance expires March 1, 2000.

2
3 **Section 6.** This ordinance shall take effect and be in force thirty (30) days from and
4 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
5 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6
7 PASSED by the City Council the 3rd day of March, 1999, and signed by
8 me in open session in authentication of its passage this 3rd day of March, 1999.

9
10 Joe Arcia
11 President of the City Council

12
13 Approved by me this 3rd day of March, 1999.

14
15 Joe Arcia
16 Mayor pro tem

17
18 Filed by me this 3rd day of March, 1999.

19
20 Janice E. Ryan
21 City Clerk

22
23
24
25 (Seal)
26

23.70.004 Exhibit 1A Henderson Station



Scale: 1" = 505'

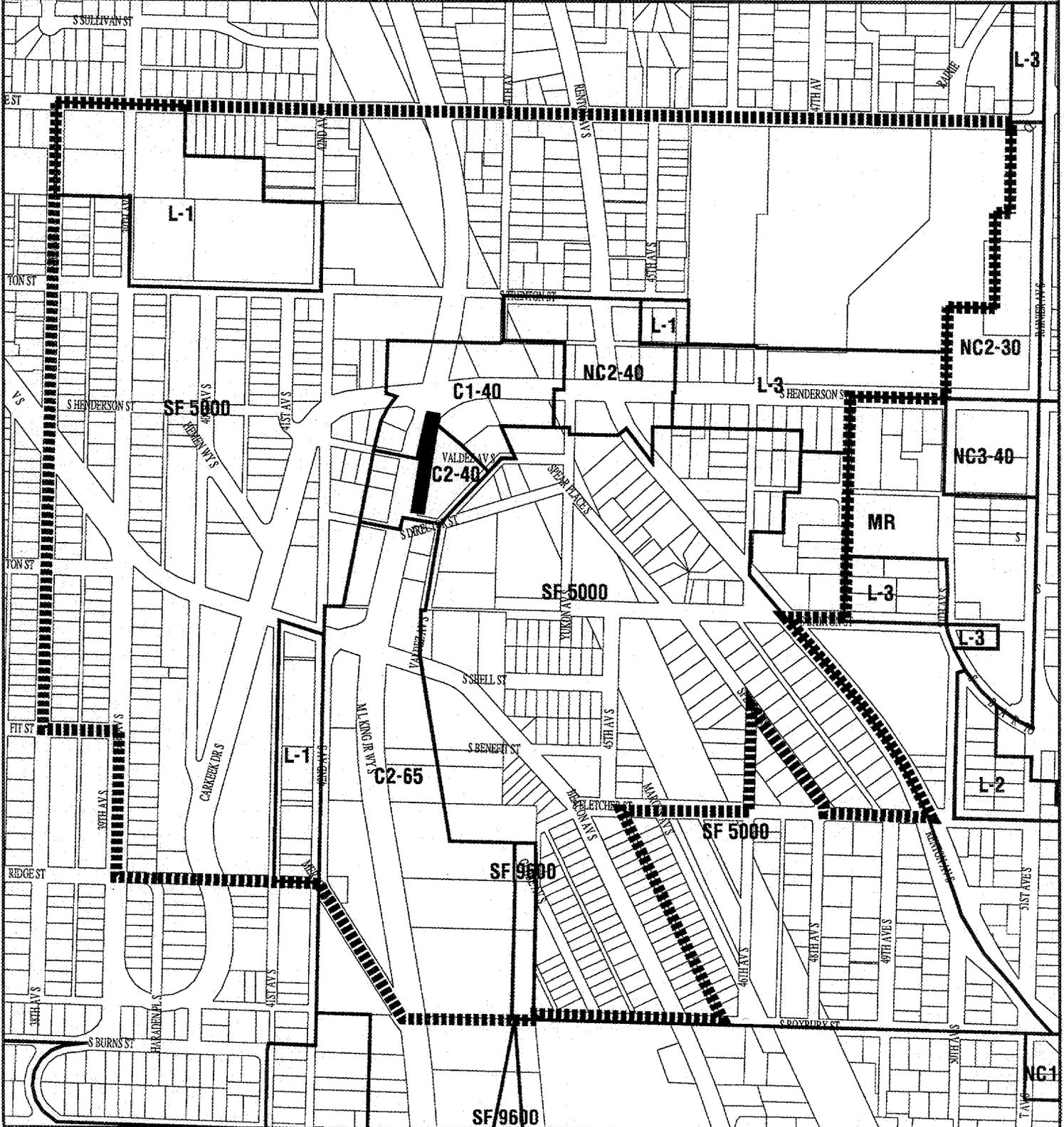
- Zoning Boundary P1/P2 P1 or P2 Overlay
- Station Area Interim Overlay District
- MIO Zoning
- Station Platform

Prepared by City of Seattle, DCLU, February 25, 1999

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Note: Zoning depicted as of February 24, 1999, and is subject to change.



23.70.004 Exhibit 1B

Othello Station



Scale: 1" = 560'

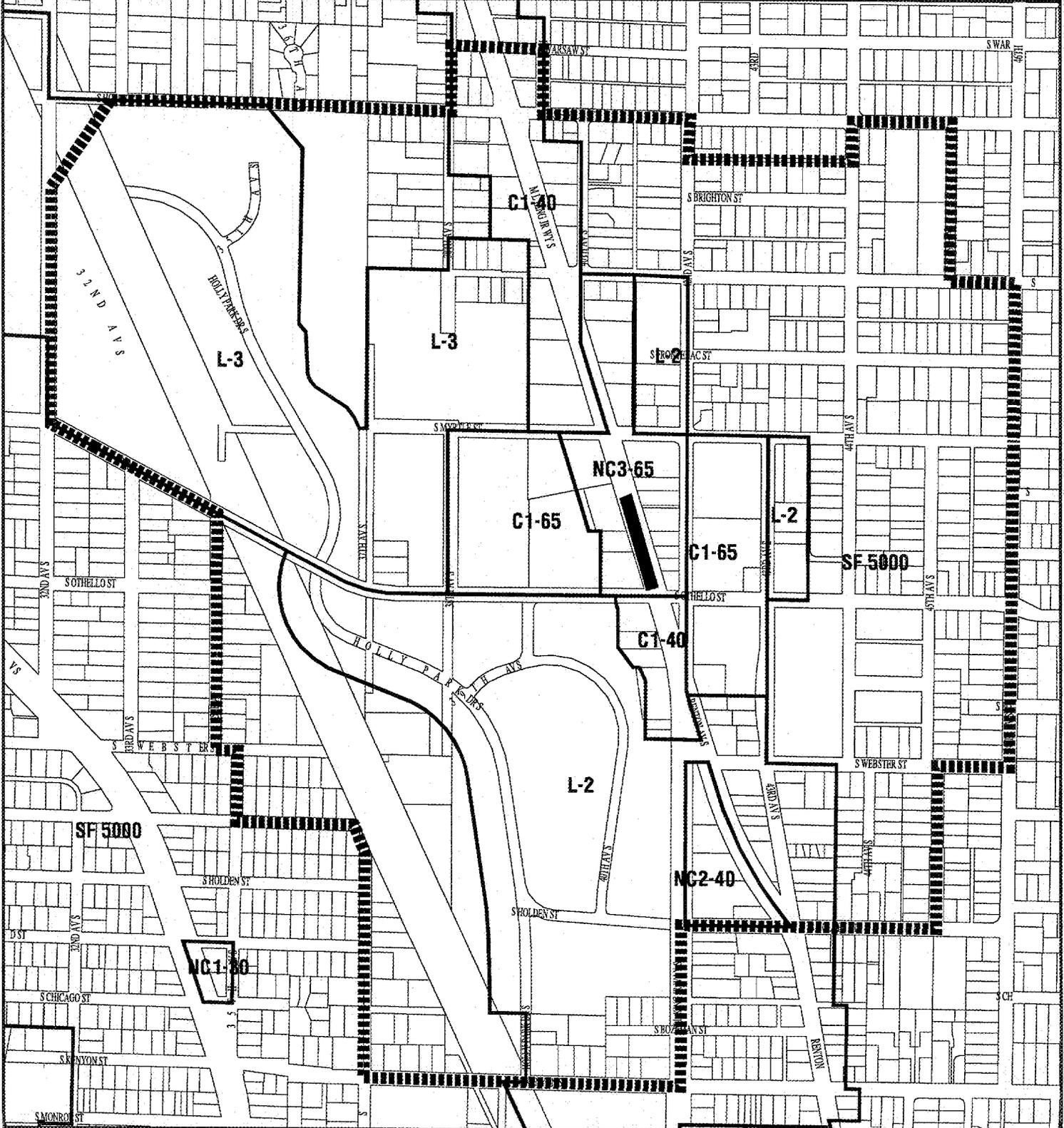
- Zoning Boundary
- P1/P2 P1 or P2 Overlay
- Station Area Interim Overlay District
- MIO Zoning
- Station Platform

Prepared by City of Seattle,
DCLU, February 25, 1999

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23.70.004 Exhibit 1E McClellan Station



Scale: 1" = 570'

N Zoning Boundary P1/P2 P1 or P2 Overlay **|||||** Station Area Interim Overlay District

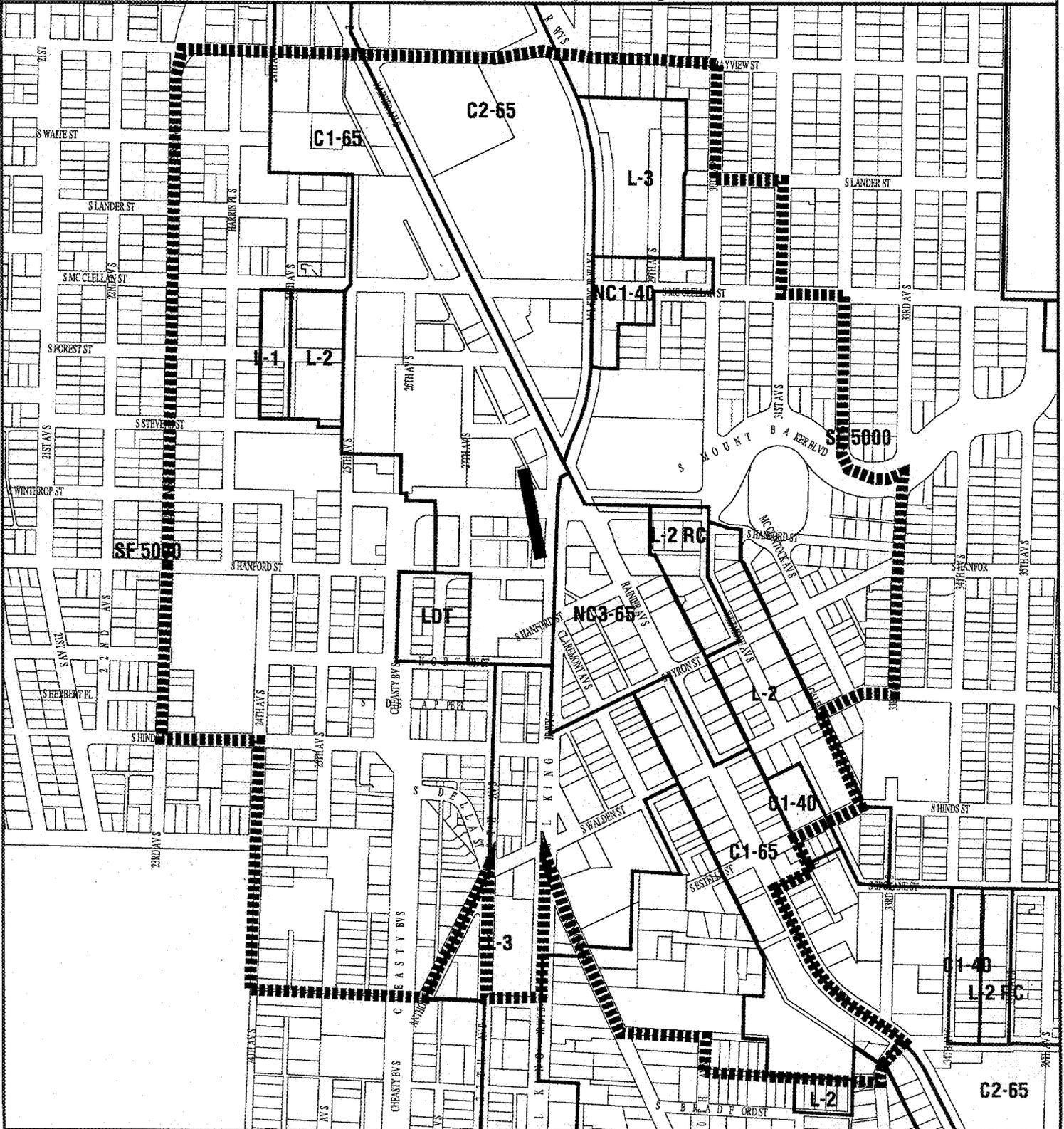
▨ MIO Zoning **■** Station Platform

Prepared by City of Seattle, DCLU, February 25, 1999

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23.70.004 Exhibit 1G Royal Brougham Station



Scale: 1" = 584'

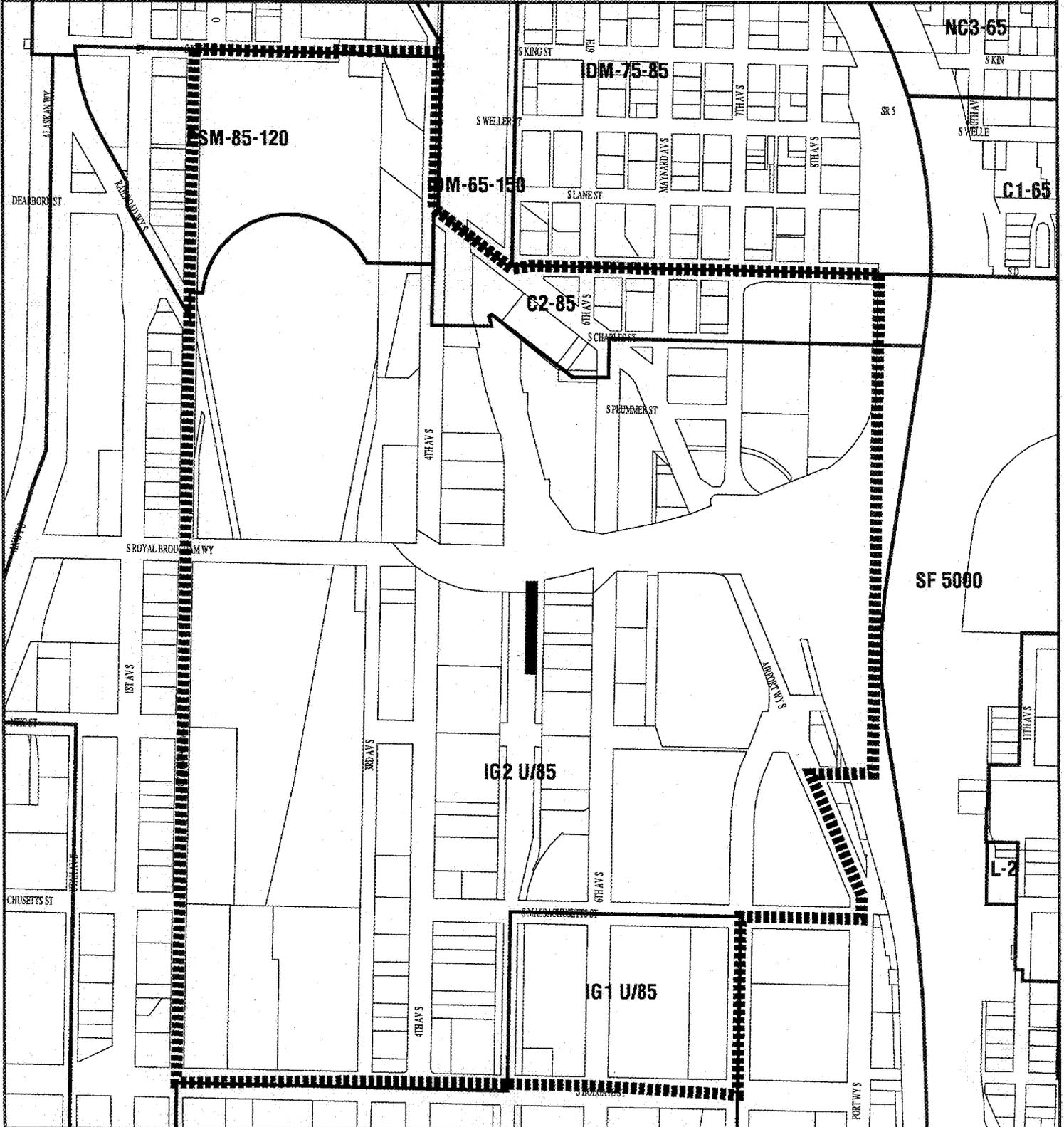
- Zoning Boundary P1/P2 P1 or P2 Overlay
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- MIO Zoning
- Station Platform

Prepared by City of Seattle,
DCLU, February 25, 1999

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Note: Zoning depicted as of February 24, 1999, and is subject to change.



STATE OF WASHINGTON - KING COUNTY

103069

City of Seattle, City Clerk

-ss.

No. FULL ORDINAN

Affidavit of Publication

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

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

CT:ORD 119394

was published on

03/11/99

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

[Handwritten signature]

Subscribed and sworn to before me on 03/11/99

[Handwritten signature]

Notary Public for the State of Washington, residing in Seattle

TIME AND DATE STAMP

SPONSORSHIP

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

Lex Prado

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

NOTICE TO CREDITORS against both
 Estate of **WILLARD R. WOOD** nonprobate as
 COURT OF Date of filing
City of Seattle Mar

ORDINANCE 119904

AN ORDINANCE relating to land use and zoning, adding a Chapter 23.70, Station Area Interim Overlay District, to the Seattle Municipal Code, establishing interim regulations to prohibit uses incompatible with transit-oriented development and revising parking standards within approximately one-quarter mile of proposed Sound Transit light rail stations.

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

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

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

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

WHEREAS, under the terms of the MOA, the City is conducting station area planning for light rail station areas in Seattle; and

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

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

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

WHEREAS, the City Council and Mayor want to ensure that station area planning proceeds in a rational and orderly manner for the stations identified in the LPA, and to avoid, to the extent possible, applicants acquiring vested rights to establish uses that are not compatible with the City's goals and strategies for station area planning: **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council hereby makes the following legislative findings of fact and declarations:

1. RCW 81.104 directs the City to regulate land uses in a manner which supports high capacity transportation. Accordingly, the City has adopted general goals and strategies to achieve transit-oriented development near proposed light rail stations. The Sound Transit Board identified a locally preferred alternative for rail system alignment and station location on February 25, 1999.
2. The City has also begun a specific, station area planning process to encourage transit-oriented development. Development of detailed station area plans may include proposals to change the City's zoning to achieve transit-oriented development. The City has adopted a work plan for these measures.
3. If development occurs or is vested before station area plans and permanent zoning changes are completed, the purposes of RCW 81.104 and the City's station area plans may be thwarted. Accordingly it is necessary for the City to temporarily foreclose the vesting of rights to development which may be inconsistent with transit-oriented development.
4. The City has legal authority to establish interim measures pursuant to the authority granted by Article 11, Section 11 of the Washington Constitution, the Growth Management Act, RCW 36.70A.390, and *Matson v. Clark County*, 79 Wn. App. 641 (1995).

Section 2. A new Chapter 23.70, Station Area Interim Overlay District, is hereby added

declarations in Section 1, the City Council finds that the provisions of SMC Section 23.70.004 should be waived for the adoption of this ordinance.

Section 5. This Ordinance expires March 1, 2000.

Section 6. This ordinance shall take effect and be in force thirty (30) days from after its approval by the Mayor, but if not approved and returned by the Mayor within days after presentation, it shall take effect as provided by Municipal Code Section 1.04

PASSED by the City Council the 3rd day of March, 1999, and signed by me in open session in authentication of its passage this 3rd day of March

Joe Aron
 President of the City Council

Approved by me this 3rd day of March, 1999.

Joe Aron
 Mayor

Filed by me this 3rd day of March, 1999.

Joan Edger
 City Clerk

(Seal)

Date of official publication in Daily Journal of Commerce, Seattle, March 10, 1999
 2/10/10306

