ORDINANCE No. 119637

COUNCIL BILL No. 112741

AN ORDINANCE amending SMC Section 23.34.020 and SMC Section 23.34.022, relating to Lowrise 3 and Lowrise 4 rezone evaluation criteria, exempting the Morgan Junction Urban Village from certain locational criteria used in rezone evaluation, and relating to the Morgan Junction Neighborhood Plan.

COMPTROLLER FILE No.

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|---|---|
| Introduced: 6-21-99 | By: Conlin |
| Referred: 6-21-99 | To: Neighborhoods, Growth Planning & Civic Engag |
| Referred: | To: |
| Referred: | To: |
| Reported: | Second Reading: |
| Third Reading: 9/7/99 | Signed: 9/7/99 |
| Presented to Mayor: 9/8/99 | Approved: SEP 08 1999 |
| Returned to City Clerk: SEP 09 1999 | Published: F.T. 7 pages |
| Vetoed by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

Law Department

The City

Honorable President:

Your Committee on

to which was referred the within Co
report that we have considered the

8/24/99

7-0 Excused: Chase

SMEAD 78 YSP 17117

Department

# The City of Seattle--Legislative Department

Date Reported
and Adopted

**REPORT OF COMMITTEE**

ole President:

ommittee on

n was referred the within Council Bill No.
hat we have considered the same and respectfully recommend that the same:

8/24/99 Pass as amended (updated)

unanimous

Conlin yes

7-0 Clevard, Chase, Drago Rayler yes

Committee Chair

SMEAD 79 YSP 17117

*BM:bm*
112741v2.doc
*August 27, 1999*
*(Ver. 2)*

# ORDINANCE 119637

**AN ORDINANCE amending SMC Section 23.34.020 and SMC Section 23.34.022, relating to Lowrise 3 and Lowrise 4 rezone evaluation criteria, exempting the Morgan Junction Urban Village from certain locational criteria used in rezone evaluation, and relating to the Morgan Junction Neighborhood Plan.**

WHEREAS, the City Council has adopted a Morgan Junction Neighborhood Plan Comprehensive Plan policy that provides that special Lowrise 3 and Lowrise 4 locational criteria for the evaluation of rezones to the L3 and L4 designations inside of urban villages shall not apply in the Morgan Junction Residential Urban Village; and

WHEREAS, notice as required by the Land Use Code, Chapter 23.76 was given concerning the proposed amendments to Chapter 23.34, and a public hearing was held on August 6, 1999 at which public testimony was received and considered;

**NOW THEREFORE,**

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

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

B. Locational Criteria.

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

a. Properties already zoned L3;

b. Properties in areas already developed predominantly to the permitted L3 density and where L3 scale is well established; or

c. Properties within an urban center or village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing

development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City Council after January 1, 1995. This subsection c. shall not apply in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, ((~~or~~)) in the Upper Queen Anne Residential Urban Village, or in the Morgan Junction Residential Urban Village.

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

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

a. Development Characteristics of the Area.

(1) Either:

(a) Areas that are already developed predominantly to the permitted L3 density and where L3 scale is well established, or

(b) Areas that are within an urban center or urban village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City

Council after January 1, 1995. This subsection (b) shall not apply in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, ((~~or~~)) in the Upper Queen Anne Residential Urban Village, or in the Morgan Junction Residential Urban Village.

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

b. Relationship to the Surrounding Areas.

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

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

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

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

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

B. Locational Criteria.

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

a. Properties already zoned L4;

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

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

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

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

a. Development Characteristics of the Area.

(1) Either:

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

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

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

(3) Areas generally platted with alleys that can provide access to parking, allowing the street frontage to remain uninterrupted by driveways, thereby promoting a street environment better suited to the level of pedestrian activity associated with higher density residential

environments;

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

b. Relationship to the Surrounding Areas.

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

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

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

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

*BM:bm*
112741v2.doc
*August 27, 1999*
*(Ver. 2)*

**Section 3.** 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 7th day of September, 1999, and signed by me in open session in authentication of its passage this 7th day of September, 1999.

President of the City Council

Approved by me this 8th day of September, 1999.

Paul Schell, Mayor

Filed by me this 9th day of September, 1999.

City Clerk

**(SEAL)**

*BM:bm*
MJL3L4.DOC
*June 16, 1999*
*(Ver.1)*

# ORDINANCE _____

**AN ORDINANCE amending SMC Section 23.34.020 and SMC Section 23.34.022, relating to Lowrise 3 and Lowrise 4 rezone evaluation criteria, exempting the Morgan Junction Urban Village from certain locational criteria used in rezone evaluation, and relating to the Morgan Junction Neighborhood Plan.**

WHEREAS, the City Council has adopted a Morgan Junction Neighborhood Plan Comprehensive Plan policy that provides that special Lowrise 3 and Lowrise 4 locational criteria for the evaluation of rezones to the L3 and L4 designations inside of urban villages shall not apply in the Morgan Junction Residential Urban Village; and

WHEREAS, notice as required by the Land Use Code, Chapter 23.76 was given concerning the proposed amendments to Chapter 23.34, and a public hearing was held on August 6, 1999 at which public testimony was received and considered;

**NOW THEREFORE,**

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

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

B. Locational Criteria.

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

a. Properties already zoned L3;

b. Properties in areas already developed predominantly to the permitted L3 density and where L3 scale is well established; or

c. Properties within an urban center or village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing

development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City Council after January 1, 1995. This subsection c. shall not apply in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, ((~~or~~)) in the Upper Queen Anne Residential Urban Village, or in the Morgan Junction Urban Village.

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

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

a. Development Characteristics of the Area.

(1) Either:

(a) Areas that are already developed predominantly to the permitted L3 density and where L3 scale is well established, or

(b) Areas that are within an urban center or urban village, except as provided in this subsection below, where less emphasis shall be placed on density and scale compatibility with existing development, when the designation will be consistent with the densities required for the center or village category as established in Section B of the Land Use Element of the Comprehensive Plan, unless otherwise indicated by a neighborhood plan adopted or amended by the City

Council after January 1, 1995. This subsection (b) shall not apply in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, ((~~or~~)) in the Upper Queen Anne Residential Urban Village, or in the Morgan Junction Urban Village.

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

b. Relationship to the Surrounding Areas.

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

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

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

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

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

B. Locational Criteria.

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

a. Properties already zoned L4;

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

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

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

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

a. Development Characteristics of the Area.

(1) Either:

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

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

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

(3) Areas generally platted with alleys that can provide access to parking, allowing the street frontage to remain uninterrupted by driveways, thereby promoting a street environment better suited to the level of pedestrian activity associated with higher density residential environments;

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

b. Relationship to the Surrounding Areas.

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

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

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

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

**Section 3.** 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 _____ day of _____, 1999, and signed by me in open session in authentication of its passage this _____ day of _____, 1999.

_____
President of the City Council

Approved by me this _____ day of _____, 1999.

_____
Paul Schell, Mayor

Filed by me this _____ day of _____, 19____.

_____
City Clerk

**(SEAL)**

# STATE OF WASHINGTON - KING COUNTY

110540
City of Seattle, City Clerk

—ss.

No. ORDINANCE IN

## 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:119637/ORD FULL

was published on

10/04/99

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

R. Patterson

Subscribed and sworn to before me on

10/04/99

M. Olivarez

Notary Public for the State of Washington,
residing in Seattle

Morgan Junction Residential Urban Village; and

WHEREAS, notice as required by the Land Use Code, Chapter 23.76 was given concerning the proposed amendments to Chapter 23.34, and a public hearing was held on August 6, 1999 at which public testimony was received and considered;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

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

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

a. Development Characteristics of the Area.

(1) Either:

(a) Areas that are already developed predominantly to the permitted L3 density and where L3 scale is well established, or

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

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

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

B. Locational Criteria.

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

a. Properties already zoned L4;

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

Publication ordered by JUDITH PIPPIN, City Clerk.

((Boldface denotes deletion.))

Date of official publication in Daily Journal of Commerce, Seattle, October 4, 1999.

10/4(110540)

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:

## FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE