

Ordinance No. 121846

no walk-in for 6/6/05

The City of Seattle - Legislative Department

Council Bill No. 115281

Council Bill/Ordinance sponsored by Peter Steinbrueck
Councilmember **STEINBRUECK**

An ordinance relating to land use and zoning; amending Seattle Municipal Code Section 23.47.012 to allow expansion of an existing administrative office use for a single entity with over 500,000 square feet of gross floor area within the Station Area Overlay District in the University District Northwest Urban Center Village.

Committee Action:

3-0 PS, RC, TR as amended
6-27-05 Passed As Amended 9-0

CF No. _____

Date Introduced:	JUN - 6 2005	
Date 1st Referred:	To: (committee)	Urban Development & Planning ✓
Date Re - Referred:	JUN - 6 2005	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	6-27-05	
Date Presented to Mayor:	Date Approved:	7/5/05
Date Returned to City Clerk:	Date Published:	T.O. ✓ F.T. ✓
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

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ORDINANCE 121846

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Section 23.47.012 to allow expansion of an existing administrative office use for a single entity with over 500,000 square feet of gross floor area within the Station Area Overlay District in the University District Northwest Urban Center Village.

WHEREAS, support for economic development is expressed in goals and policies in the Comprehensive Plan and in the adopted University Community Urban Center Neighborhood Plan; and

WHEREAS, this ordinance is consistent with City Council adopted Resolution 30605, recognizing the need for economic revitalization in the University District, directing the Executive to provide recommendations about ways to stimulate economic activity in the University District in support of the neighborhood businesses; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection B of Section 23.47.012 of the Seattle Municipal Code is amended, a new subsection D is added and the remaining subsections are relettered accordingly, which Section was last amended by Ordinance 121359, as follows:

23.47.012 Structure height and floor area ratio.

B. Floor Area Ratios. Structures sixty-five (65) feet in height or less shall not be subject to floor area ratio provisions. Mixed use structures shall meet the standards for mixed use development, as described in Section 23.47.008.

1. Floor area ratios (FARs) shall apply to structures in zones with eighty-five (85) foot, one hundred twenty-five (125) foot and one hundred sixty (160) foot maximum height limits according to Chart C, except as provided by subsections B.2, B.3 and D of this section.



CHART C
PERMITTED FLOOR AREA RATIO (FAR)

Structures Higher than 65 Feet	Height Limit Zones		
	85'	125'	160'
Mixed-use structure total	6	6	7
Any single use within a mixed-use structure	4.5	5	5
Single-purpose structure total	4.5	5	5

2. The following FAR provisions apply to lots zoned NC3 with a one hundred and sixty (160) foot height limit and located within the First Hill Urban Village:

- a. Residential floor area is exempt from FAR limits; and
- b. The maximum FAR for nonresidential uses within mixed use structures is seven (7); and
- c. The maximum FAR for nonresidential structures is five (5); except that the FAR may be increased to seven (7) when a structure's street front at street level is occupied by retail sales and service uses and meets the development standards for nonresidential uses as provided in subsections 23.47.008 B and C.

3. 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 this ordinance 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 five hundred thousand (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.



* * *

1
2 D. Within the Station Area Overlay District within the University District Northwest

3 Urban Center Village, maximum structure height may be increased to one hundred twenty-five
4 (125) feet and permitted FAR is eight (8) when all of the following are met:

5 1. The lot is within two (2) blocks of a planned or existing light rail station;

6 2. The proposed use of the lot is functionally related to other office development,

7 permitted prior to 1971, to have over ⁹² ~~have~~ five hundred thousand (500,000) square feet of gross
8 floor area to be occupied by a single entity;

9
10 3. A transportation management plan for the life of the use includes incentives for
11 light rail and other transit use by the employees of the office use;

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
DPD	Mike Podowski/386-1988	Amanda Allen/684-8894

Legislation Title:

An ordinance relating to land use and zoning; amending Seattle Municipal Code Section 23.47.012 to allow expansion of an existing administrative office use for a single entity with over 500,000 square feet of gross floor area within the Station Area Overlay District in the University District Northwest Urban Center Village.

Summary of the Legislation: The Department of Planning and Development (DPD) is proposing to amend the Land Use Code to allow additional development density in the NC3 65' and 85' zoned areas of the University District Northwest Urban Center Village (UDNWUCV) for sites containing large, functionally related office uses that are located within two blocks of an existing or planned light rail transit station. In those locations, a single user of a functionally related office complex, which has a transportation management plan giving incentives for light rail and transit use, would be allowed a one-time, maximum structure height of one hundred twenty-five (125) feet and a Floor Area Ratio (FAR) of eight (8), allowing a building that contains gross floor area equal to eight times the area of the site on which it is constructed.

The proposal would also allow FAR for existing office structures in the SAOD, which were permitted prior to 1971, which was prior to the establishment of the FAR limits of Title 23, to allocate that structure's FAR to the parcel on which the office structure is located. Also, the proposal would allow pedestrian access improvements, which don't add floor area occupied by office use, to be excluded from FAR calculations. This will allow other portions of the blocks on which these structures are located to be developed in accordance with the density limits of current zoning.

Background: While the UDNUCV possesses ample development capacity to accommodate the number of jobs and housing units anticipated by the Comprehensive Plan, the area has struggled to attract housing and employment development, beyond that related to the University of Washington. Neighborhood serving businesses, including retail, have had to contend with a stagnant or diminishing customer base. In response, the Mayor is proposing the accompanying legislation.



Mike Podowski
May 13, 2005
University District Office Amendment
Version #1

Expansion of employment opportunities in close proximity to the light rail station helps carry out the applicable goals and policies of the Comprehensive Plan. This type of development is key to meeting planned job creation in the urban center and maintaining the balance of uses called for in the Comprehensive Plan.

X This legislation does not have any financial implications.

Attachment A: Director's Report and Recommendation



DIRECTOR'S REPORT AND RECOMMENDATION

University District Office Amendment

Introduction

The Department of Planning and Development (DPD) is proposing to amend the City's Land Use Code (Seattle Municipal Code, Title 23) to allow expansion of existing administrative office uses for a single entity with over 500,000 square feet of gross floor area. This amendment is proposed to apply within the University District Urban Center, and within the (Light Rail) Station Area Overlay District (SAOD). *A map of the station area is attached at the end of this report.* For purposes of allowing the expansion, the maximum structure height permitted would be 125 feet and a maximum density limit of eight FAR would be permitted. The expansion would be subject to certain conditions including: the requirement of a transportation management plan; and the office use must be within two blocks of a proposed light rail transit station.

Background

The University District SAOD was established in 2001 as part of the planning effort for the development of a light rail transit system in Seattle. The SAOD was applied to areas surrounding proposed station areas to help ensure that land uses and development in the vicinity of light rail stations contributed positively to the pedestrian environment and through appropriate residential and commercial densities, supported ridership projection to make light rail successful. The provisions of the SAOD apply to all multifamily and commercial zones, generally within ¼ mile (a reasonable walking distance) of the proposed light rail station (originally planned for the southeast corner of NE 45th Street and 15th Avenue NE, now planned at NE 45th Street and Brooklyn Avenue NE).

In addition, the SAOD is contained within the boundaries of the University District Northwest Urban Center Village (UDNWUCV, *a map of this area is also included at the end of this report*). Urban centers are an important element of the region's growth management strategy and are recognized in the City of Seattle Comprehensive Plan as compact, highly developed urban areas characterized by high density, mixed-use development, well served by public transit.

While the University District Urban Center possesses ample development capacity to accommodate the number of jobs and housing units anticipated by the Comprehensive Plan, the area has struggled to attract housing and employment development, beyond that related to the University of Washington (UW). Neighborhood serving businesses, including retail, have had to contend with a stagnant or diminishing customer base. The City has undertaken several initiatives to strengthen economic activity in the area including:

- The Seattle Department of Transportation refurbished the sidewalks and street furnishings along the Ave.
- A coalition of major businesses and the UW contributed funds to support a third shift of Seattle Police patrols to make the Ave a safer and more inviting evening destination.
- Amendments to Seattle's noise ordinance enabled more effective enforcement of noise violations and other loud disturbances in the surrounding neighborhood.



- The Mayor and Council amended the 1998 Agreement between the City of Seattle and the University of Washington to remove the 550,000 square foot limit on UW leasing activity in the vicinity of its campus to encourage development that conforms to the City's neighborhood commercial zoning and pedestrian areas requirements.
- The City Council and the Office of Economic Development commissioned a real estate market analysis titled *University District Market Analysis (UDMA)*. The study was prepared by the firm of Gardner Johnson.
- The Mayor proposed Land Use Code amendments to spur housing development in the fall of 2004. These amendments include allowing additional height for housing.

The UDMA identified a variety of strategies for stimulating the preservation and revival of retail and entertainment uses along the Ave and in the District. These strategies included additional rental and owner-occupied housing in the area to increase year round residents. More residents increase neighborhood stability and investment, and provide additional opportunities for retail and service businesses to flourish.

The District supports two of the city's major employers including the University of Washington and Safeco Insurance. The University District has been the headquarters for Safeco since 1936. They employ between 1,600 and 2,200 employees at this facility, which includes a 22-story tower among three smaller 4-story buildings. Removing the limits on the leasing activity by the University of Washington was an important step in promoting employment opportunities in the University District. Encouraging other large employers, such as Safeco, to expand their services and maintain a presence in the District, would complement these and other steps taken to promote the District's economic revitalization.

Existing development within two blocks of the light rail station is variable. Some sites are underdeveloped compared to existing zoning. Other sites were developed according to historic zoning provisions that allowed taller, denser development including the Meany Hotel tower, built in the 1930s, at approximately 178' in height, and the Safeco office tower, built in the early 1970s at approximately 310' in height.

Existing Zoning

Current zoning was adopted in 1986. The area within two blocks of the planned light rail station location at Brooklyn Avenue NE and NE 45th Street is zoned Neighborhood Commercial 3 with a height limit of 85' (NC3/85) on either side of NE 45th Street, west of Brooklyn Avenue NE. East of Brooklyn Avenue NE, on either side of NE 45th Street, the height limit is 65'. The NC3 zone is intended to accommodate a wide variety of commercial activity that serves a local, citywide and regional clientele. A mix of uses is permitted in this zone including residential, retail and offices. The scale of commercial development is generally permitted to extend from lot line to lot line, to the height limit. Within the surrounding area new development may achieve a wide range of height and scale. The tallest height permitted is 105' on the University of Washington Campus. Surrounding the commercially zoned area around the proposed light rail station and at the perimeter of the urban center village, the area is zoned Lowrise, allowing multifamily residential structures with pitched roofs to a maximum of 35' in height.



Description of the Proposal

The proposed Land Use Code amendments would allow additional development density in the NC3 65' and 85' zoned areas of the UDNWUCV for sites containing large, functionally related office uses that are located within two blocks of an existing or planned light rail transit station. In those locations, a single user of a functionally related office complex, which has a transportation management plan giving incentives for light rail and transit use, would be allowed a one-time, maximum structure height of one hundred twenty-five (125) feet and a Floor Area Ratio (FAR) of eight (8), allowing a building that contains gross floor area equal to eight times the area of the site on which it is constructed.

The proposal would also allow FAR for existing office structures in the SAOD, which were permitted prior to 1971, which was prior to the establishment of the FAR limits of Title 23, to allocate that structure's FAR to the parcel on which the office structure is located. Also, the proposal would allow pedestrian access improvements, which don't add floor area occupied by office use, to be excluded from FAR calculations. These provisions apply only if that existing office structure is part of a functionally interrelated facility for a single office user. This will allow other portions of the blocks on which these structures are located to be developed in accordance with the density limits of current zoning. The amendments place limits on the ability of existing large office uses to expand in the area. The goal is to allow established, large employers to expand while also preserving reasonable opportunities for a mix of uses in this urban center neighborhood.

Consistency with Comprehensive and Neighborhood Plans

The proposed code amendments are consistent with adopted policies in the Comprehensive and University Community Urban Center (UCUC) Neighborhood Plans. Applicable goals/policies from the Comprehensive Plan, related to urban centers include:

UVG18 – Designate as urban centers unique areas of concentrated employment and housing, with direct access to high-capacity transit, and a wide range of supportive land uses such as retail, recreation, public facilities, parks and open space.

UV18 – Promote the balance of uses in each urban center or urban center village indicated by one of the following functional designations, assigned as follows...3. Mixed residential and employment...University District Northwest [Urban Center Village].

EDG1 – Add approximately 84,000 jobs in the city over the 20-year period covered by this plan, in order to ensure long-term economic security and social equity to all Seattle residents.

EDG3 – Support the Urban Village Strategy by encouraging the growth of jobs in Urban Centers and Hub Urban Villages and by promoting the health of neighborhood commercial districts.



EDG5 – Encourage the growth of key economic sectors that build on Seattle’s competitive advantages to provide sustained growth in the future.

EDG7 – Foster a positive business climate in Seattle by ensuring adequate public services, infrastructure and high quality customer service.

Expansion of a large office development in close proximity to the light rail station helps carry out the applicable goals and policies of the Comprehensive Plan, particularly those listed above. Besides the University of Washington, Safeco is the largest employer in this urban center and is key to meeting planned job creation in the urban center and maintaining the balance of uses called for in the Comprehensive Plan.

Applicable policies from the Neighborhood Plan that are adopted in the Comprehensive Plan call for:

UC-G2 – Vibrant commercial districts serving local needs and offering regional specialties.

UC-G3 – An efficient transportation system that balances different modes, including public transit, pedestrian, bicycle and automobile and minimizes negative impacts to the community.

The proposed code amendments are consistent with applicable goals and policies from the UCUC Neighborhood Plan. Related goals include supporting long-term commercial redevelopment to maintain the UCUC’s diverse economic base (Goal 2), encouraging redevelopment that supports and derives benefit from public transit, both bus and rail (Goal 3).

Analysis

While project-specific details are not available for future office development consistent with the proposed code amendments, analysis at a theoretical level is possible, estimating future development at a location qualifying for the additional height and floor area permitted under the proposed amendments. The location of an anticipated development would have two components on the blocks on either side of Brooklyn Avenue NE, north of NE 43rd Street:

- 1) 296,640 square feet of office use on a 37,080 square foot site, occupying most of the half-block located on the east side of Brooklyn Avenue NE (this site is zoned NC3 65’); and
- 2) 79,200 square feet of office use on an approximately 17,600 square foot site facing NE 43rd Street between NE 12th and Brooklyn Avenues (this site is zoned NC3 85’).

This represents a development that contains 375,840 square feet in total. The development contains an amount of floor area roughly equal to eight times the site area or a floor area ratio



(FAR) of 8 with a height limit of 125' on one lot and an FAR of 4.5 and a height limit of 85' on the other.

The analysis focuses on the difference in development that would be permitted by the proposed amendments compared to what could be built under the current zoning. Currently no FAR limits are applied in NC3 zones with a 65' height limit. Additionally, standards within a station area overlay district allow a building to achieve the height limit while occupying the site to the property lines. This results in an effective allowed FAR that is approximately 5.75 for the NC3 65' zone and a maximum of 4.5 FAR for single uses in the NC3 85' zone¹. The increment of difference in development potential allowed by the proposal vs. the existing code is approximately 227,000 to 276,000 square feet. These figures account for existing development that is likely to remain.

The impacts related to development that may achieve the scope and scale anticipated by the proposed amendments are limited due to the criteria by which development may qualify to make use of the amendments. In addition, new development making use of the amendments is relatively small compared to the existing zoning capacity of the urban center, which is sufficient to accommodate established employment targets for this area in the Comprehensive Plan.

Employment Target for the University District Northwest Urban Center Village*

Employment Target	Commercial Development Needed to meet the Employment Target (350 Square feet per job)
6,140 jobs	2,149,000 square feet

*While the code amendment applies to a more limited area, the UNIVERSITY DISTRICT NORTHWEST [URBAN CENTER VILLAGE] is the appropriate area of comparison for purposes of tracking development vs. Comprehensive Plan targets.

Transportation impacts of the development allowed by the proposed amendments may be evaluated based on a methodology that is commonly used by the City. Trip generation rates are determined using information in the Trip Generation Manual prepared by the Institute of Transportation Engineers (ITE), which summarizes the results of traffic studies throughout the country. These results are typically adjusted to reflect the conditions encountered in specific areas, in this case the University District Northwest Urban Center Village. This area is well served by transit and commuting by walking or bicycling is common. Thus, relying on standard ITE rates, without adjustment, results in an overestimation of trip generation for development in the UDNWUCV.

¹The comparison of existing to proposed development potential resulting from this proposal is informed by changes to commercial zoning that the City is considering independent of this proposal. The City is currently considering changes to commercial zoning regulations as part of its Neighborhood Business District Strategy (NBDS). The applicable change proposed to development standards in the NBDS is related to the amount of floor area permitted, using a floor area ratio (FAR) of 5.75 to regulate density in the 65' zone.



Using ITE data for general office use and shopping center together with mode of travel data (whether employees commute by transit, car, walking or biking, etc.) compiled by Safeco as part of their requirements under the state Commute Trip Reduction (CTR) Act, trip generation estimates were prepared. The estimate is based on a potential net increase in development potential ranging from 227,550 to 276,560 square feet results in net increase of about 1,410 daily trips, 196 AM peak hour trips and about 179 PM peak hour trips. These estimates use the high end of the square footage range and are based on an analysis prepared by Heffron Transportation, Inc, dated April 21, 2005. The Heffron analysis shows that effects of additional development allowed by the proposed code amendments would not have significant impacts on the transportation system or traffic operations in the University District. Delays at studied intersections increased by a maximum of only 3.2% compared to overall growth projected for the area in the year 2010.

Existing development within two blocks of the light rail station is variable. On the low end of the spectrum are sites underdeveloped with respect to existing zoning. Sites developed according to preexisting zoning that allowed taller, denser development are also present. The Meany Hotel tower, built in the 1930s, is approximately 178' tall and is located on the northwest corner of the intersection of NE 45 Street and Brooklyn Avenue NE. The Safeco office tower, built in the early 1970s, is across NE 45th Street from Meany Hotel and is approximately 310' tall. These towers dominate the skyline in the UDNWUCV. The proposed code amendment would allow a third building in the proximity of these existing towers. Though much lower than the Meany or Safeco towers, at 125', the new development would help establish a pattern with the tallest buildings in the area located within the vicinity of the planned light rail station.

Other development within the vicinity of the Safeco site includes a building containing the Neptune theater and other lowrise office and residential buildings. The theater building is on the southeast corner of the intersection of NE 45th Street and Brooklyn Avenue NE. South of NE 43rd Street are two multifamily buildings, the Felch House and the Washington Manor Apartments. While not listed as Seattle Landmarks, the Neptune and the two multifamily buildings were inventoried in 2001 for the City of Seattle's Historic Preservation Office in the Department of Neighborhoods. This survey provides the basis for nominating and evaluating structures as potential landmarks. They represent lower-scaled buildings in the area that are not likely to be redeveloped in the near future and would serve as the greatest contrast between existing and proposed development. Zoning on two sites allows new development up to 65' tall, and on the third up to 85'. This variety in height and scale of development is common in urban center neighborhoods throughout the city where the majority of future growth is anticipated to occur.

The resulting land use pattern would be consistent with City policies identifying the greatest development density in the center of an urban center village and near transit.

Recommendation

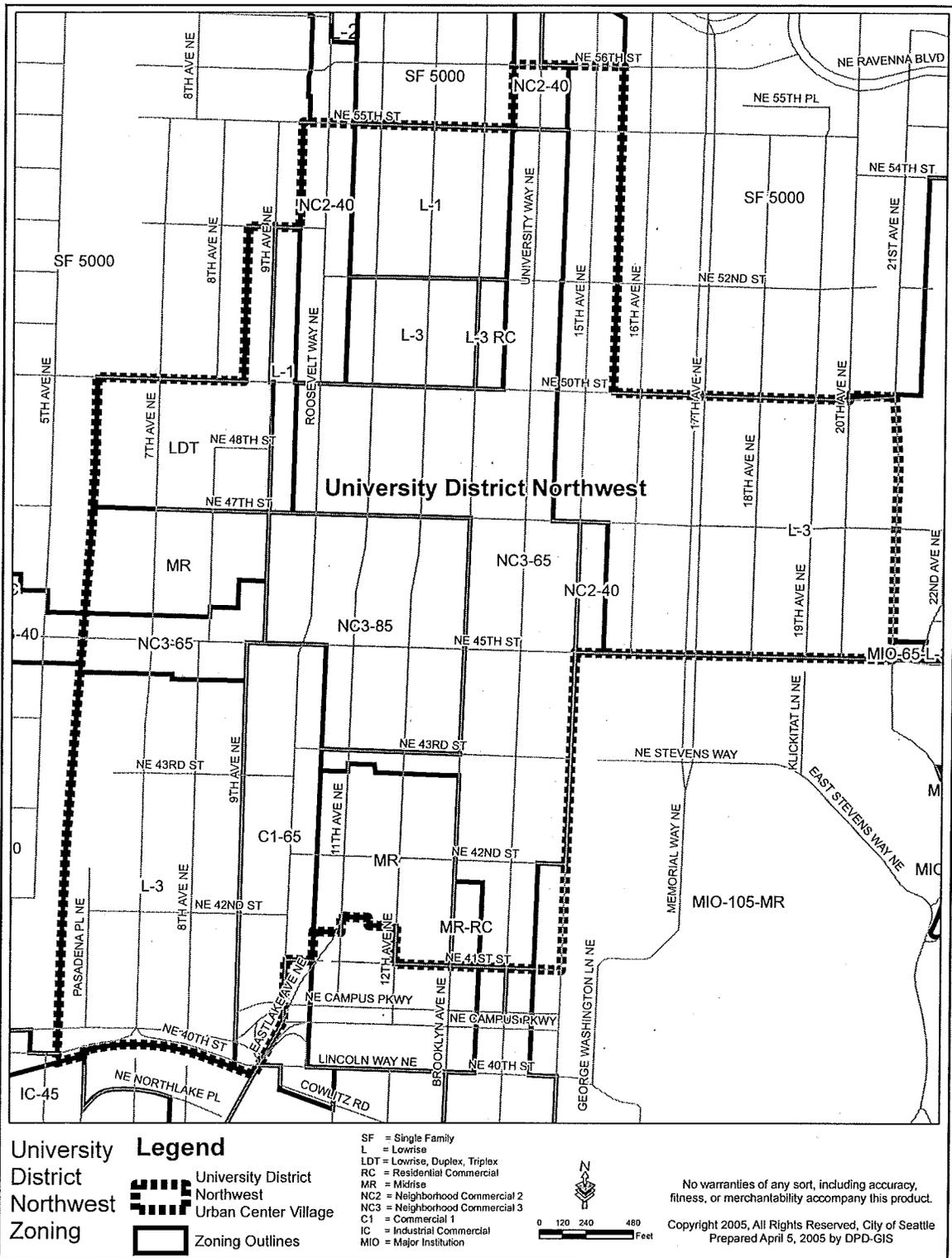
The combined effect of being within the SAOD and a commercial zone in the University District Northwest Urban Center Village, in addition to proximity to other major jobs and transportation



investments, make land in this area well suited to serve as a location for a major private sector employer. An increase in employees will support the local housing and business markets. In addition, commercial development at this location allows for employees to be located in an area also planned for dense residential development, well served by public transit. This urban center-based growth strategy not only allows opportunities for people to work in the area, but to live nearby. People who work in the University District, but live elsewhere may go to and from work without need of a car due to existing and planned transit. The proximity to a variety of transit services makes it easier for workers to choose alternatives to automobile ownership. The University District, similar to downtown, has excellent bus and planned light rail service to other cities in King County as well as frequent service to Downtown, Capitol Hill and surrounding neighborhoods.

While supportive of major employers, use of the amendments is limited by the provisions of the proposal. These limits would allow established, qualifying large employers to stay and grow. The limits also would help ensure opportunities for smaller employers and other types of uses. Thus, the proposal is balanced with goals and policies for promoting overall economic development and fostering a mix of uses in this urban center neighborhood.

The Director recommends adoption of the proposed Land Use Code amendments.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 24, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill, which will amend the Land Use Code to allow additional development density in the University District, and within the Light Rail Station Area Overlay District (SAOD). Details regarding the proposed amendments are provided in the Director's Report, which is attached to the Fiscal Note that accompanies this Bill.

While the University District possesses ample development capacity to accommodate the number of jobs and housing units anticipated by the Comprehensive Plan, the area has struggled to attract housing and employment development, beyond that related to the University of Washington. Businesses that serve the neighborhood, have had to contend with a stagnant or diminishing customer base. Promoting increased employment in close proximity to the light rail station will help carry out the City's and neighborhood's shared vision of a vibrant and healthy University District. The expanded development authorized by this Bill is key to meeting planned job creation in this urban center and maintaining the balance of uses called for in the Comprehensive Plan.

Please join me in supporting this legislation. Together, we can realize our goals for increased employment opportunities for our citizens in a revitalized University District. Should you have questions, please contact Mike Podowski at 386-1988.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Nickels", written over a large, faint circular stamp or watermark.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@seattle.gov

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CHART C
PERMITTED FLOOR AREA RATIO (FAR)

Structures Higher than 65 Feet	Height Limit Zones		
	85'	125'	160'
Mixed-use structure total	6	6	7
Any single use within a mixed-use structure	4.5	5	5
Single-purpose structure total	4.5	5	5

2. The following FAR provisions apply to lots zoned NC3 with a one hundred and sixty (160) foot height limit and located within the First Hill Urban Village:

- a. Residential floor area is exempt from FAR limits; and
- b. The maximum FAR for nonresidential uses within mixed use structures is seven (7); and
- c. The maximum FAR for nonresidential structures is five (5); except that the FAR may be increased to seven (7) when a structure's street front at street level is occupied by retail sales and service uses and meets the development standards for nonresidential uses as provided in subsections 23.47.008 B and C.

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STATE OF WASHINGTON – KING COUNTY

--SS.

187929
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.

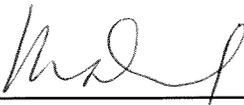
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121846 ORDINANCE

was published on

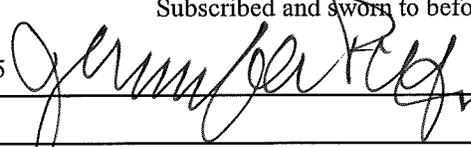
07/18/05

The amount of the fee charged for the foregoing publication is the sum of \$ 192.13, which amount has been paid in full.

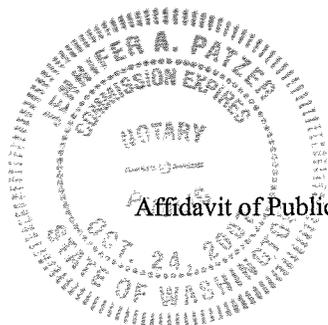


Subscribed and sworn to before me on

07/18/05



Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

State of Washington, King County

City of Seattle

ORDINANCE 121846

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Section 23.47.012 to allow expansion of an existing administrative office use for a single entity with over 500,000 square feet of gross floor area within the Station Area Overlay District in the University District Northwest Urban Center Village.

WHEREAS, support for economic development is expressed in goals and policies in the Comprehensive Plan and in the adopted University Community Urban Center Neighborhood Plan; and

WHEREAS, this ordinance is consistent with City Council adopted Resolution 30605, recognizing the need for economic revitalization in the University District, directing the Executive to provide recommendations about ways to stimulate economic activity in the University District in support of the neighborhood businesses; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection B of Section 23.47.012 of the Seattle Municipal Code is amended, a new subsection D is added and the remaining subsections are relettered accordingly, which Section was last amended by Ordinance 121359, as follows:

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B. Floor Area Ratios. Structures sixty-five (65) feet in height or less shall not be subject to floor area ratio provisions. Mixed use structures shall meet the standards for mixed use development, as described in Section 23.47.008.

1. Floor area ratios (FARs) shall apply to structures in zones with eighty-five (85) foot, one hundred twenty-five (125) foot and one hundred sixty (160) foot maximum height limits according to Chart C, except as provided by subsections B.2, B.3 and D of this section.

CHART C

PERMITTED FLOOR AREA RATIO (FAR)

Height Limit Zones

Structures Higher than 65 Feet	85'
125'	160'
Mixed-use structure total	6
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Any single use within a mixed-use structure	4.5
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Single-purpose structure total	4.5
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a. Residential floor area is exempt from FAR limits; and

b. The maximum FAR for nonresidential uses within mixed use structures is seven (7); and

c. The maximum FAR for nonresidential structures is five (5); except that the FAR may be increased to seven (7) when a structure's street front at street level is occupied by retail sales and service uses and meets the development standards for nonresidential uses as provided in subsections 23.47.008 B and C.

3. 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 this ordinance 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 five hundred thousand (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.

D. Within the Station Area Overlay District within the University District Northwest Urban Center Village, maximum structure height may be increased to one hundred twenty-five (125) feet and permitted FAR is eight (8) when all of the following are met:

1. The lot is within two (2) blocks of a planned or existing light rail station;

2. The proposed use of the lot is functionally related to other office development, permitted prior to 1971, to have over five hundred thousand (500,000) square feet of gross floor area to be occupied by a single entity;

3. A transportation management plan for the life of the use includes incentives for light rail and other transit use by the employees of the office use;

4. The development shall provide street level amenities for pedestrians and shall be designed to promote pedestrian interest, safety, and comfort through features such as landscaping, lighting and transparent facades, as determined by the Director; and

5. This subsection can be used only once per functionally related development.

Section 2. 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 27th day of June, 2005, and signed by me in open session in authentication of its passage this 27th day of June, 2005.

JAN DRAGO,

President of the City Council.

Approved by me this 5th day of July, 2005.

GREGORY J. NICKELS,

Mayor.

Filed by me this 8th day of July, 2005.

(Seal) JUDITH PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

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