#4
CB 117541

Yesler Terrace: Proposed amendment for Full Council on September 4, 2012

In C.B. 117541 (Land Use Code amendment and rezone ordinance), page 42, amend the definition of "replacement unit" in SMC 23.75.020.B as follows to be consistent with the definition of the term in the Cooperative Agreement:

"Replacement unit" means one of the first 561 new or renovated housing units constructed in the Yesler Terrace redevelopment area, to be occupied by or reserved for Yesler Terrace residents who must relocate due to demolition and construction or households with incomes no higher than 30 percent of median income, as defined in Section 23.84A.025, at the time of initial occupancy by the household, subject to the term of and commitment to affordability in subsection 23.75.085.C.2.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to land use and zoning, amending various chapters of Title 23 of the Seattle Municipal Code (SMC) to incorporate new zoning provisions for Yesler Terrace; adding a new SMC Chapter 23.75 to establish use provisions and development standards for the new Master Planned Community – Yesler Terrace (MPC-YT) zone, including an affordable housing incentive program as authorized by RCW 36.70A.540; amending SMC Section 25.05.800 to establish limits for categorical exemptions from environmental review in the MPC-YT zone; amending the Official Land Use Map, SMC Chapter 23.32, to rezone properties in the Yesler Terrace neighborhood from LR3 and DMR/C 65/65-85 to MPC-YT; approving and adopting Yesler Terrace Master Planned Community Design Guidelines; revising design review and platting procedures for the MPC-YT zone; and revising procedures for project review under a planned action ordinance; all to implement the Comprehensive Plan and to allow redevelopment of Yesler Terrace to achieve a mix of residential, commercial, and other uses; appropriate urban density; and more affordable housing, environmental sustainability, and publicly accessible open space than would be likely to result from development under existing zoning.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Reserved.

Section 2. Section 23.22.020 of the Seattle Municipal Code, which section was last amended by Ordinance 121291, is amended as follows:

23.22.020 Content of preliminary plat application((.))

A. Every preliminary plat application shall consist of one (((~~1~~))) or more maps together with written data including the following:

1. The name of the proposed subdivision;

2. North arrow and scale; the location of existing property lines; streets, building, if any; watercourses and all general features;

3. The legal description of the land contained within the subdivision;

4. The names and addresses of all persons, firms and corporations holding interest in the lands, including easement rights and interest;

5. The proposed names, locations, widths, dimensions and bearings of proposed streets, alleys, easements, parks, lots, building lines, if any, and all other information necessary to interpret the plat, including the location of existing utility and access easements which are to remain, all horizontal references (any reference to bearings, azimuths, or geographical or state plane coordinates) shall reference the North American Datum of 1983 (1991 adjustment);

6. The location of streets in adjoining plats and the approximate locations of adjoining utilities and proposed extensions into the plat;

7. The names of adjoining plats;

8. The name, address and telephone number and seal of the registered land surveyor who made the survey or under whose supervision it was made;

9. The date of the survey;

10. All existing monuments and markers located by the survey;

11. The zoning classification applicable to the land within the subdivision;

12. The conditions of or the limitations on dedications, if any, including slope rights;

13. Contour intervals as required, based upon the North American Vertical Datum of 1988;

14. Property information including, but not limited to, address, legal description, and Assessor's Parcel number;

15. Evidence of ownership or authorization from the property owner to make the application;

16. A signed statement of financial responsibility by the applicant and owner acknowledging financial responsibility for all applicable permit fees;

17. Drainage plan;

18. Landscape plan;

19. Identification of any adjacent property within ((~~three hundred (300)~~))300 feet of the proposed subdivision that is owned or controlled by the applicant; and

20. Specific location and description of all trees at least ((~~six (6)~~))6 inches in diameter measured ((~~four and one-half (4½)~~))4½ feet above the ground, with species indicated.

B. Any plat submitted that covers only a part of the subdivider's tract shall be accompanied by a sketch showing the proposed future street system in the remainder of the tract so that the street layout of the tract may be considered as a whole.

C. The plat shall comply with the technical requirements of Subchapter V.

D. For a preliminary plat of property entirely within the MPC-YT zone, an applicant may propose a single final plat for the entire property covered in the preliminary plat, or multiple final plats with each final plat covering a portion of the property covered in the preliminary plat. If an applicant proposes to proceed with more than one final plat, then the preliminary plat application shall designate which portion of the property, and facilities and improvements, will be included in each final plat.

Section 3. Section 23.22.028 of the Seattle Municipal Code, which section was last amended by Ordinance 118794, is amended as follows:

23.22.028 Effect of preliminary plat approval((~~.~~))

A. Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision facilities and improvements as required in the approved preliminary plat((~~upon issuance of the final plat~~)). Development shall be in strict accordance with the plans and specifications as prepared or approved by the Director of Transportation and subject to any conditions imposed by the Hearing Examiner.

B. If the Hearing Examiner approves of the applicant proceeding with more than one final plat pursuant to subsection 23.22.054.B, then approval of the preliminary plat shall constitute approval for the use of multiple final plats.

((~~B~~))C. No subdivision requirements ((~~which~~))that become effective after the approval of a preliminary plat for a subdivision shall apply to such subdivision unless the Hearing Examiner determines that a change in conditions created a serious threat to the public health or safety.

Section 4. Section 23.22.054 of the Seattle Municipal Code, which section was last amended by Ordinance 119791, is amended as follows:

23.22.054 Public use and interest((.))

A. The Hearing Examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The Hearing Examiner shall consider all relevant facts to determine whether the public interest will be served by the subdivision and dedication, and if it finds that the proposed plat makes appropriate provision for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, fire protection facilities, parks, playgrounds, sites for school and schoolgrounds, sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, is designed to maximize the retention of existing trees, and that the public use and interest will be served by the platting of subdivision, then it shall be approved. If the Hearing Examiner finds that the proposed plat does not provide the appropriate elements or that the public use and interest will not be served, then the Hearing Examiner may disapprove the proposed plat. Dedication of land to any public body may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Hearing Examiner shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners.

B. If an applicant proposes to proceed with more than one final plat pursuant to subsection 23.22.020.D, the Hearing Examiner shall inquire into the feasibility of the proposed use of multiple final plats and shall approve or disapprove the use of multiple final plats as part of the preliminary plat decision. The Hearing Examiner shall approve the use of multiple final plats only if, in the event that fewer than all of the multiple final plats are completed, the public use and interest will still be served. If the Hearing Examiner approves use of multiple final plats, then the Hearing Examiner shall impose any conditions on the preliminary plat approval that may be necessary to serve the public use and interest in connection with the use of multiple final plats, including but not limited to conditions ensuring that street connectivity is maintained and

that appropriate provision has been made for the facilities and improvements described in subsection 23.22.054.A to be provided in a timely manner to serve the property in each final plat. If the Hearing Examiner approves use of multiple final plats, then the Hearing Examiner shall designate in the preliminary plat approval the time period for completion of the facilities and improvements required for each final plat.

Section 5. Section 23.22.064 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.22.064 Filing with Director of Transportation

A. Time of Filing.

1. A final plat (or final plats, if use of multiple final plats is authorized pursuant to Section 23.22.054.B) meeting all the requirements of RCW Chapter 58.17 and of this ((~~chapter~~))Chapter 23.22, shall be filed with the Director of Transportation within seven years of the date of preliminary plat approval. For a preliminary plat of land entirely within the MPC-YT zone, the Director may administratively extend this time period to a maximum of ten years from the date of preliminary plat approval only if the applicant has made substantial progress in development of the subdivision facilities and improvements in the preliminary plat at the time that the extension is granted.

2. Within 30 days of the date of filing of the final plat, unless the applicant consents to an extension of the time period, final plats shall be approved or disapproved by action of the Council, or returned to the applicant. This approval shall proceed pursuant to the procedures of this ((e)) Chapter 23.22.

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C. Multiple Final Plats. If authorized in the preliminary plat approval, portions of an approved preliminary plat of property entirely within the MPC-YT zone may be processed and approved in more than one final plat filed within the time period specified in subsection 23.22.064.A (including any extension that may be granted pursuant to that subsection).

Section 6. Subsection A of Section 23.22.066 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended as follows:

23.22.066 Technical standards for final plat((.))

A. ((~~The~~))A final plat shall be prepared upon the best grade of tracing medium and shall be 18 inches by 22 inches in size. The accuracy and completeness of the map ((~~shall be~~))are the sole responsibility of a registered land surveyor whose seal shall appear on the plat and who shall make field surveys and investigations as necessary to insure that the map is complete and accurate in every detail. The preparation of the tracing shall be by an experienced draftsperson((~~man~~)) and work shall conform to established standards of workmanship. The final plat shall be presented at a scale not smaller than 100 feet to 1-inch and shall contain and show the following:

1. The name of the subdivision;

2. The lines, widths and names of all streets, avenues, places, parks or other public property, and the location of monuments marking the same;

3. The length and direction of all lot lines, also the angles made by lot lines with the street lines;

4. The location of control points and monuments together with all ties;

5. The names of all subdivisions immediately adjacent;

6. The scale and north point;

7. The boundary of the tract as covered by the plat showing courses and distance on the plat;

8. The initial point;

9. All protective improvements and restrictions on uses; and

10. All dedications and all conveyances to a homeowner's nonprofit maintenance corporation in lieu of dedication.

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Section 7. Section 23.22.070 of the Seattle Municipal Code, which section was last amended by Ordinance 118409, is amended as follows:

23.22.070 Director's action on final plat((.))

The Director of Transportation shall refer ((~~the~~))a final plat to the Director who shall review the final plat for substantial conformance to the approved preliminary plat, including any requirements or conditions imposed by the Hearing Examiner, and to the standards established by RCW Chapter 58.17 and this ((~~e~~))Chapter 23.22. The Director shall within ten ((~~(10)~~)) days furnish the Director of Transportation with a report regarding the conformance of the plat. The Director of Transportation shall review the final plat for the following:

A. That the proposed final plat bears the certificates and statements of approval required by state law and this ((~~e~~))Chapter 23.22;

B. That a title insurance report furnished by the subdivider confirms the title of the land and the proposed subdivision is vested in the name of the owners whose signatures appear on the plat certificate;

C. If use of multiple final plats is not authorized in the preliminary plat approval pursuant to subsection 23.22.054.B, ((~~T~~))that the facilities and improvements required to be provided by the subdivider have been completed, or alternatively, except as otherwise provided in subsection 23.22.070.E, that the subdivider will provide a bond in a form approved by the City Attorney and in an amount commensurate with the cost of improvements remaining to be completed, conditioned upon the construction and installation of improvements within a fixed time set by the Council, not to exceed two ((~~(2)~~)) years after final approval of the plat;

D. If use of multiple final plats is authorized in the preliminary plat approval pursuant to subsection 23.22.054.B, that the facilities and improvements required by the preliminary plat approval as conditions to final plat approval have been completed, or alternatively, that the subdivider will provide a bond or other security in a form approved by the City Attorney and in an amount commensurate with the cost of improvements remaining to be completed, conditioned

upon the construction and installation of improvements within a time period to be fixed by the City Council;

E. In the case of any final plat of property in the MPC-YT zone, whether or not multiple final plats are used, if there are facilities and improvements required by the preliminary plat approval as conditions to development of all or part of the subdivided property, but not as conditions to final plat approval, that have not been completed at the time final plat approval is sought and the subdivider will not provide a bond or other security for completion of those improvements as set forth in subsections 23.22.070.C and 23.22.070.D, then:

1. the subdivider has submitted to the Director of Transportation and the Director of Transportation has approved a phasing plan that designates the particular facilities and improvements that must be completed as conditions to specified types or levels of development within particular areas of the final plat, consistent with the preliminary plat approval; and

2. each owner of any property where development is to be conditioned under the phasing plan has executed and delivered in recordable form a covenant against that property in favor of the City, to be recorded upon final plat approval, by which the owner agrees, on behalf of itself and its successors in interest and assigns, to construct the facilities and improvements required by the preliminary plat approval as conditions related to development on that property and not to construct any structure unless the facilities and improvements required by the preliminary plat approval have been completed to the extent required for such structure by the phasing plan approved by the Director of Transportation pursuant to subsection 23.22.070.E.1;

((~~D~~))F. That the map is technically correct and accurate as certified by the registered land surveyor responsible for the plat.

Section 8. Section 23.22.072 of the Seattle Municipal Code, which section was last amended by Ordinance 118409, is amended as follows:

23.22.072 Submission of final plat to Council((~~.~~))

A. Pursuant to the requirements of RCW 58.17.150, the Director of Transportation shall not modify the conditions or requirements made in the approval of ((~~the~~))a preliminary plat when making recommendations on ((~~the~~)) a final plat without the consent of the subdivider.

B. If the Director and the Director of Transportation determine that the requirements of this ((~~subtitle~~))Subtitle II are met, the Director of Transportation shall certify that ((~~the~~))a proposed final plat meets the requirements of RCW Chapter 58.17 and this ((~~chapter~~))Chapter 23.22, and shall forward a complete copy of the proposed plat to the Council.

C. If either Director determines that the requirements of this ((~~c~~))Chapter 23.22 have not been met, ((~~the~~))a final plat shall be returned to the applicant for modification, correction or other action as may be required for approval; provided((~~,~~)) that the final plat shall be forwarded to the Council together with the determination of the Directors, upon written request of the subdivider.

Section 9. Subsection A of Section 23.22.074 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.22.074 Council determination of final plat

A. The Council shall determine:

1. Whether ((~~the~~))a final plat is in substantial conformance with the approved preliminary plat;

2. Whether the requirements imposed when the preliminary plat was approved have been met;

3. Whether the bond, if required by the City, is sufficient in its terms to assure completion of improvements; ((~~and~~))

4. Whether the covenant described in subsection 23.22.070.E.2, if required, has been executed in form and substance acceptable to the Council; and

5. Whether the requirements of state law and the Seattle Municipal Code that were in effect at the time of preliminary plat approval have been satisfied by the sub-divider.

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Section 10. Section 23.22.078 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.22.078 Resubmission

A. Any final plat disapproved by the Council or returned to the applicant may, at the sub-divider's option, be resubmitted for approval upon satisfaction of the following conditions:

1. The sub-divider has corrected those deficiencies of the final plat, attachments to it, or improvements, any or all of which caused the final plat to be returned or disapproved;

2. The final plat is resubmitted within the time period specified in subsection 23.22.064.A (including any extension that may be granted pursuant to that subsection) ((~~seven year period after the date of approval of the preliminary plat as provided in Section 23.22.064~~)) or within six months from the date of Council disapproval whichever is later;

3. The final plat was not disapproved by Council with prejudice against resubmission;

4. The sub-divider has not accepted any proffered refund of filing fees paid for individual lots.

B. Any subdivision, the final plat of which is disapproved for reasons of nonconformance with the approved preliminary plat and any requirements or conditions attached to it, may be submitted as a preliminary plat, and shall be considered a new and separate application for all intents and purposes.

Section 11. Section 23.30.010 of the Seattle Municipal Code, which section was last amended by Ordinance 123770, is amended as follows:

23.30.010 Classifications for the purpose of this ((~~subtitle~~))Subtitle III

A. General zoning designations. The zoning classification of land shall include one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC" the classification shall include both "RC" and one additional multifamily zone designation in this subsection 23.30.010.A.

Zones	Abbreviated
Residential, Single-family 9,600	SF 9600
Residential, Single-family 7,200	SF 7200
Residential, Single-family 5,000	SF 5000
Residential Small Lot	RSL
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
Residential, Multifamily, Midrise	MR
Residential, Multifamily, Highrise	HR
Residential-Commercial	RC
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Master Planned Community – Yesler Terrace	MPC-YT
Seattle Mixed	SM
Commercial 1	C1
Commercial 2	C2
Downtown Office Core 1	DOC1
Downtown Office Core 2	DOC2
Downtown Retail Core	DRC
Downtown Mixed Commercial	DMC
Downtown Mixed Residential	DMR
Pioneer Square Mixed	PSM
International District Mixed	IDM
International District Residential	IDR
Downtown Harborfront 1	DH1
Downtown Harborfront 2	DH2
Pike Market Mixed	PMM
General Industrial 1	IG1
General Industrial 2	IG2
Industrial Buffer	IB
Industrial Commercial	IC

B. Suffixes—Height Limits, Letters and Incentive Provisions. The zoning classification for land subject to some of the designations in subsection 23.30.010.A include one or more

numerical suffixes indicating height limit(s) or a range of height limits, or one or more letter suffixes indicating certain overlay districts or designations, or numerical suffixes enclosed in parentheses indicating the application of incentive zoning provisions, or any combination of these. A letter suffix may be included only in accordance with provisions of this title expressly providing for the addition of the suffix. A zoning classification that includes a numerical or letter suffix or other combinations denotes a different zone than a zoning classification without any suffix or with additional, fewer or different suffixes. Except where otherwise specifically stated in this title or where the context otherwise clearly requires, each reference in this title to any zoning designation in subsection 23.30.010.A without a suffix, or with fewer than the maximum possible number of suffixes, includes any zoning classifications created by the addition to that designation of one or more suffixes.

Section 12. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone certain properties shown on page 117 of the Official Land Use Map from LR3 and DMR/C 65/65-85 to MPC-YT, as shown in Exhibit A attached to this ordinance. The Department of Planning and Development and Code publisher shall indicate by appropriate legends on published copies of the relevant portion of the Official Land Use Map that the applicable use and development standards in the MPC-YT zone vary by location and upon the occurrence of certain contingencies, as specified in Subchapter 2 of Chapter 23.75.

Section 13. Section 23.40.006 of the Seattle Municipal Code, which section was last amended by the ordinance introduced as C.B. 117430, is amended as follows:

23.40.006 Demolition of housing

No demolition permit for a structure containing a dwelling unit shall be issued unless one of the following conditions is satisfied, and provided that no permit for demolition of a structure containing a dwelling unit may be issued if the new use is for non-required parking:

A. The structure is a residential use in a single family zone and was not occupied as rental housing during the prior 12 months, unless such demolition aids expansion of an adjacent non-residential use; or

B. A permit or approval has been issued by the Director according to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, to change the use of the structure or the premises; or

C. A permit or approval has been issued by the Director to relocate the structure containing a dwelling unit to another lot, whether within the City limits or outside the City limits, to be used, on the new lot, as a dwelling unit; or

D. A complete building permit application for construction of a new principal structure on the same lot as the structure to be demolished has been submitted to the Director, the demolition permit application and the building permit application are categorically exempt from review under Chapter 25.05, Environmental Policies and Procedures, the issuance of some other approval is not required by Title 23 or Title 25 as a condition to issuing the demolition permit, and the Director has approved a waste diversion plan pursuant to Section 23.40.007; ((~~or~~))

E. Demolition of the structure is ordered by the Director for reasons of health and safety under Chapter 22.206 or 22.208 of the Housing and Building Maintenance Code, or under the provisions of the Seattle Building Code((~~.~~)); or

F. The structure is in the MPC-YT zone.

Section 14. Subsection A of Section 23.40.020 of the Seattle Municipal Code, which section was last amended by Ordinance 123770, is amended as follows:

23.40.020 Variances

A. Variances may be sought from the provisions of Subtitle III, Divisions 2, 3 and ((~~3~~))4 of this Land Use Code, except for the establishment of a use that is otherwise not permitted in the zone in which it is proposed, for a structure height in excess of that shown on the Official Land Use Map or in excess of a height limit established in this Land Use Code, from the provisions of Section 23.55.014.A, or from the provisions of Chapters 23.52 and 23.58A. Applications for prohibited variances shall not be accepted for filing.

Section 15. Subsection A of Section 23.41.004 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.41.004 Applicability

A. Design review required.

1. Design review is required for any new multifamily, commercial, or industrial development proposal that exceeds one of the following thresholds in Table A for 23.41.004:

Table A for 23.41.004:
Thresholds for Design Review

	Zone	*Threshold*
a.	Lowrise (LR3)	8 dwelling units
b.	Midrise (MR)	20 dwelling units
c.	Highrise (HR)	20 dwelling units
d.	Neighborhood Commercial (NC1, 2, 3)	4 dwelling units or 4,000 square feet of nonresidential gross floor area
e.	Commercial (C1, C2)	((~~Four~~))4 dwelling units or 12,000 square feet of nonresidential gross floor area, located on a lot in an urban center or urban village[1], or on a lot that abuts or is across a street or alley from a lot zoned single family, or on a lot located in the area bounded by: NE 95th St., NE 145th St., 15th Ave. NE, and Lake Washington
f.	Seattle Mixed (SM)	20 units or 12,000 square feet of nonresidential gross floor area
g.	Industrial Commercial (IC) zone within all designated urban villages and centers	12,000 square feet of nonresidential gross floor area
h.	Master Planned Community (MPC)[2]	20 dwelling units or 12,000 square feet of nonresidential gross floor area

Footnotes to Table A for 23.41.004

[1]Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

[2]If an application in a Master Planned Community zone does not include a request for departures, the applicable design review procedures are in Section 23.41.020. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014.

2. Design review is required for all new Major Institution development proposals that exceed any applicable threshold listed in this subsection 23.41.004.A, unless the structure is located within a Major Institution Overlay (MIO) district.

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Section 16. Section 23.41.010 of the Seattle Municipal Code, which section was last amended by Ordinance 123392, is amended as follows:

23.41.010 Design review guidelines

A. The "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" ((~~and~~)), neighborhood design guidelines approved by the City Council and identified in subsection 23.41.010.B, and Master Planned Community design guidelines approved by the City Council and identified in subsection 23.41.010.C provide the basis for Design Review Board recommendations and City design review decisions, except in Downtown, where the "Guidelines for Downtown Development, 1999" apply. Neighborhood design guidelines and Master Planned Community design guidelines are intended to augment and make more specific the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" and the "Guidelines for Downtown Development, 1999." To the extent there are conflicts between neighborhood design guidelines or Master Planned Community design guidelines and the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" or "Guidelines for Downtown Development, 1999", the neighborhood design guidelines or Master Planned Community design guidelines prevail.

B. The following ((~~N~~))neighborhood design guidelines are approved:

1. "University Community Design Guidelines, 2000;"
2. "Pike/Pine Urban Center Village Design Guidelines, 2010;"
3. "Roosevelt Urban Village Design Guidelines, 2000;"
4. "Ballard Municipal Center Master Plan Area Design Guidelines, 2000;"
5. "West Seattle Junction Urban Village Design Guidelines, 2001;"
6. "Green Lake Neighborhood Design Guidelines, 2001;"
7. "Admiral Residential Urban Village Design Guidelines, 2002;"
8. "South Lake Union Neighborhood Design Guidelines, 2005;"
9. "Northgate Urban Center and Overlay District Design Guidelines, 2010;"
10. Belltown Urban Center Village Design Guidelines, 2004;
11. Wallingford Neighborhood Design Guidelines, 2005;
12. Capitol Hill Neighborhood Design Guidelines, 2005;

13. Greenwood/Phinney Neighborhood Design Guidelines, 2005;

14. Othello Neighborhood Design Guidelines, 2005;

15. North Beacon Hill Design Guidelines, 2006;

16. North District/Lake City Guidelines, 2006;

17. Morgan Junction Neighborhood Design Guidelines, 2007;

18. Upper Queen Anne Neighborhood Design Guidelines, 2009; and

19. Uptown Neighborhood Design Guidelines, 2009.

C. The following Master Planned Community design guidelines are approved:

1. Yesler Terrace Master Planned Community Design Guidelines, 2012, Exhibit B to the ordinance introduced as Council Bill 117541.

Section 17. Subsections A and B of Section 23.41.012 of the Seattle Municipal Code, which section was last amended by Ordinance 123809, are amended as follows:

23.41.012 Development standard departures

A. Departure from Land Use Code requirements may be permitted for new multifamily, commercial, and Major Institution development as part of ((~~the~~))a design review process. Departures may be allowed if an applicant demonstrates that departures from Land Use Code requirements would result in a development that better meets the intent of adopted design guidelines.

B. Departures may be granted from any Land Use Code standard or requirement, except for the following:

1. Procedures;

2. Permitted, prohibited or conditional use provisions, except that departures may be granted from development standards for required street-level uses;

3. Residential density limits;

4. In Downtown zones, provisions for exceeding the base FAR or achieving bonus development as provided in Chapter 23.49, Downtown Zoning;

5. In Downtown zones, the minimum size for Planned Community Developments as provided in Section 23.49.036;

6. In Downtown zones, the average floor area limit for stories in residential use in Table 23.49.058.D.1;

7. In Downtown zones, the provisions for combined lot developments as provided in Section 23.49.041;

8. In Downtown Mixed Commercial zones, tower spacing requirements as provided in subsection 23.49.058.E;

9. Downtown view corridor requirements, provided that departures may be granted to allow open railings on upper level roof decks or rooftop open space to project into the required view corridor, provided such railings are determined to have a minimal impact on views and meet the requirements of the Building Code;

10. Floor Area Ratios;

11. Maximum size of use;

12. Structure height, except that:

a. Within the Roosevelt Commercial Core building height departures up to an additional 3 feet may be granted for properties zoned NC3-65, (Map A for 23.41.012, Roosevelt Commercial Core);

b. Within the Ballard Municipal Center Master Plan area building height departures may be granted for properties zoned NC3-65, (Map B for 23.41.012, Ballard Municipal Center Master Plan Area). The additional height may not exceed 9 feet, and may be granted only for townhouses that front a mid-block pedestrian connection or a park identified in the Ballard Municipal Center Master Plan;

c. In Downtown zones building height departures may be granted for minor communication utilities as set forth in ((~~S~~))subsection 23.57.013.B;

d. Within the Uptown Urban Center building height departures up to 3 feet of additional height may be granted if the top floor of the structure is set back at least 6 feet in addition to all required building setbacks((.));

e. Within the Upper Queen Anne Hill Residential Urban Village and Neighborhood Commercial zones within the Upper Queen Anne neighborhood, Map C for 23.41.012 Upper Queen Anne Commercial Areas, building height departures up to 3 feet of additional height may be granted if the top floor of the structure is set back at least 6 feet in addition to all required building setbacks;

f. Within the PSM 85-120 zone in the area shown on Map A for 23.49.180, departures may be granted from development standards that apply as conditions to additional height, except for floor area ratios and provisions for adding bonus floor area above the base FAR((.));

13. Quantity of parking required, minimum and maximum parking limits, and minimum and maximum number of drive-in lanes, except that within the Ballard Municipal Center Master Plan area required parking for ground level retail uses that abut established mid-block pedestrian connections through private property as identified in the "Ballard Municipal Center Master Plan Design Guidelines, 2000" may be reduced, but shall not be less than the required parking for Pedestrian-designated areas shown in Table D for Section 23.54.015;

14. Provisions of the Shoreline District, Chapter 23.60;

15. Standards for storage of solid-waste containers;

16. The quantity of open space required for major office projects in Downtown zones as provided in subsection 23.49.016.B;

17. Noise and odor standards;

18. Standards for the location of access to parking in Downtown zones;

19. Provisions of Chapter 23.52, Transportation Concurrency Project Review System;

20. Provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements, except that departures may be granted from the access easement standards in Section 23.53.025 and the provisions for structural building overhangs in Section 23.53.035;

21. Affordable housing production conditions within the MPC-YT zone, pursuant to Section 23.75.085;

22. Limits on floor area for uses within the MPC-YT zone, as provided in Sections 23.75.085 and 23.75.090 or as applicable under Section 23.75.040;

23. Limits on number, distribution, and gross floor area per story for highrise structures within the MPC-YT zone, as provided in Section 23.75.120 or as applicable under Section 23.75.040;

((~~21~~))24. Definitions; ((~~and~~))

((~~22~~))25. Measurements((~~.~~)); and

((~~23~~))26. Lot configuration standards in subsections 23.22.100.C.3, 23.24.040.A.9, and 23.28.030.A.3, which may be modified as authorized in those provisions.

***

Section 18. A new Section 23.41.020 is added to the Seattle Municipal Code as follows:

23.41.020 Master Planned Community design review process

A. Scope. This Section 23.41.020 applies only to development proposals in Master Planned Community zones that do not include a request for departures. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014. For purposes of this Section 23.41.020, "highrise structure" and "non-highrise structure" are as defined in Section 23.75.020.

B. A preapplication conference is required for any application subject to this Section 23.41.020 unless waived by the Director, pursuant to Section 23.76.008.

C. Early design guidance.

1. An early design guidance process is required only if a proposal includes a highrise structure.

2. Following a pre-application conference, if required, and site visits by Design Review Board members assigned to review a proposed project, an early design guidance public meeting with the Design Review Board shall be held for each proposal that includes a highrise structure.

3. The purpose of the early design guidance public meeting is to identify concerns about the site and the proposed project, review the design guidelines applicable to the site, determine neighborhood priorities among the design guidelines, and explore design concepts and/or options.

4. At the early design guidance public meeting, the project proponents shall present the following information:

a. An initial site analysis addressing site opportunities and constraints, the uses of all adjacent buildings, and the zoning of the site and adjacent properties;

b. A drawing of existing site conditions, indicating topography of the site and the location of structures and prominent landscape elements on or abutting the site (including but not limited to all trees 6 inches or greater in diameter measured 4½ feet above the ground, with species indicated);

c. Photos showing the facades of adjacent development, trees on the site, general streetscape character and territorial or other views from the site, if any;

d. A zoning envelope study that includes a perspective drawing;

e. A description of the proponent's objectives with regard to site development; and

f. A development proposal, which may include possible design options if so elected by the applicant.

5. Based on the concerns expressed at the early design guidance public meeting or in writing to the Design Review Board, the Board shall identify any guidelines that may not be applicable to the site and identify those guidelines of highest priority to the neighborhood. The Board shall make preliminary design recommendations, incorporating any community consensus

regarding design expressed at the meeting, to the extent the consensus is consistent with the design guidelines and reasonable in light of the facts of the proposed development.

6. The Director shall distribute a summary of the public comments and the Board's preliminary design recommendations from the early design guidance meeting to all persons who provided an address for notice at the meeting, submitted written comments, or made a written request for notice.

D. Application for Master Use Permit

1. Timing.

a. If a proposal does not include a highrise structure, then following the pre-application conference or the Director's waiver of a pre-application conference pursuant to Section 23.76.008, the applicant may apply for a Master Use Permit.

b. If a proposal includes a highrise structure, then following the early design guidance public meeting, distribution of the meeting summary, and any additional optional meetings that the applicant chooses to hold with the public and the Design Review Board, the applicant may apply for a Master Use Permit.

2. The Master Use Permit application shall include a supporting site analysis and an explanation of how the proposal addresses the applicable design guidelines, in addition to standard MUP submittal requirements as provided in Chapter 23.76, and in the case of a highrise structure, the application shall also include a response to the Board's preliminary design recommendations from the early design guidance meeting.

E. Design review process and decision.

1. Director's decision for non-highrise proposals. For a development proposal that does not include a highrise structure, the Director shall make a Type I design review decision. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines, with consideration of public comments on the proposed project. The Director may condition a proposed project to achieve greater consistency with design guidelines and to achieve the purpose and intent of this Chapter 23.41.

2. Design Review Board recommendation for highrise development proposals.

a. If the proposal includes a highrise structure, then during a recommendation meeting, the Board shall review the record of public comments on the project's design, the project's conformance to the guidelines applicable to the proposed project, and the staff's review of the project's design and its application of the design guidelines.

b. At a recommendation meeting, the Design Review Board shall determine whether the proposed design submitted by the applicant is consistent with applicable design guidelines. The Design Review Board may recommend to the Director whether to approve or conditionally approve the proposed project based on the design guidelines. The Design Review Board shall hold no more than two recommendation meetings on the proposed project, following the required early design guidance meeting and any optional meetings that the project proponent may hold with the public or the Design Review Board. If the Design Review Board does not issue a recommendation that a proposed project be approved, conditionally approved, or denied by the end of the second recommendation meeting, the remaining design review process shall proceed through design review pursuant to subsection 23.41.020.E.1.

3. Director's decision for development proposals including a highrise structure.

a. For a development proposal including a highrise structure, the Director shall make a Type I design review decision. The Director may condition approval of a development proposal to achieve greater consistency with design guidelines and to achieve the purpose and intent of this Chapter 23.41.

b. The Director shall consider public comments on the proposed project and the recommendation of the Design Review Board. If four or more members of the Design Review Board agree in their recommendation to the Director, the Director shall issue a decision consistent with the recommendation of the Design Review Board, unless the Director concludes that the recommendation of the Design Review Board:

1) Reflects inconsistent application of the design review guidelines; or

2) Exceeds the authority of the Design Review Board; or

3) Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or

4) Conflicts with the requirements of state or federal law.

Section 19. Subsection D of Section 23.53.025 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.53.025 Access easement standards

If access by easement has been approved by the Director, the easement shall meet the following standards. Surfacing of easements, pedestrian walkways required within easements, and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements Manual.

***

D. Vehicle Access Easements Serving Ten ((~~(10)~~)) or more Residential Units.

1. Easement width shall be a minimum of ((~~thirty-two (32)~~))32 feet;

2. The easement shall provide a surfaced roadway at least ((~~twenty-four (24)~~))24 feet wide, except in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet;

3. No maximum length shall be set. If the easement is over ((~~six hundred (600)~~))600 feet long, a fire hydrant may be required by the Director;

4. A turnaround shall be provided unless the easement extends from street to street;

5. Curbcut width from the easement to the street shall be the minimum necessary for safety access;

6. No single-family structure shall be located closer than ((~~ten (10)~~))10 feet to an easement;

7. One ((~~(1)~~)) pedestrian walkway shall be provided, extending the length of the easement.

***

Section 20. Subsection B of Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 123939, is amended as follows:

23.54.015 Required parking

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B. Parking requirements for specific zones.

1. Parking in downtown zones is regulated by Section 23.49.019 and not by this Section 23.54.015.

2. Parking in the MPC-YT zone is regulated by Section 23.75.180 and not by this Section 23.54.015.

((~~2~~))3. Parking for major institution uses in the Major Institution Overlay District is regulated by Sections 23.54.015 and 23.54.016.

((~~3~~))4. Parking in the Northgate Overlay District is regulated by Chapter 23.54 except as modified by Section 23.71.016.

((~~4~~))5. No parking is required for single-family residential uses in single-family zones on lots less than 3,000 square feet in size or 30 feet in width where access to parking is permitted through a required yard abutting a street according to the standards of subsection 23.44.016.B.2.

((~~5~~))6. No parking is required for urban farms or community gardens in residential zones.

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Section 21. Section 23.54.016 of the Seattle Municipal Code, which section was last amended by Ordinance 123939, is amended as follows:

23.54.016 Major Institutions – ((~~P~~))parking and transportation

Except in the MPC-YT zone, Major Institution uses are subject to the following transportation and parking requirements:

A. General Provisions.

1. Minimum requirements for parking quantity are established in subsection 23.54.016.B.

2. The maximum number of spaces provided for the Major Institution use shall not exceed 135 percent of the minimum requirement, unless additional spaces are approved through administrative or Council review as provided in subsection 23.54.016.C. For a Major Institution use in an urban center or the Station Area Overlay District, the maximum limit shall not exceed 135 percent of the minimum parking requirements calculated pursuant to subsection 23.54.016.B.2.

3. Parking requirements for Major Institutions with more than one type of institutional use (for example, a hospital and a university), if applicable, shall be calculated for each use separately, and then added together to derive the total number of required spaces.

4. When a permit application is made for new development at an existing Major Institution and the new development is a hospital or located outside an urban center or the Station Area Overlay District, parking requirements shall be calculated both for the entire Major Institution and for the proposed new development. If there is a parking deficit for the entire institution, the institution shall make up a portion of the deficit in addition to the quantity required for the new development, according to ((~~the provisions of~~)) subsection 23.54.016.B.3. If there is a parking surplus above the maximum allowed number of spaces for the institution as a whole, required amounts of parking for new development will first be applied to the surplus in the required ratio of long-term and short-term spaces. Additional parking shall be permitted only when no surplus remains.

5. When determining parking requirements, individuals fitting into more than one category (for example, a student who is also an employee or a faculty member who is also a doctor) shall not be counted twice. The category requiring the greater number of parking spaces shall be used.

B. Parking Quantity Required.

1. In urban centers and the Station Area Overlay District, no parking is required for Major Institution uses, except for hospitals.

2. For all other Major Institutions the minimum number of parking spaces required is as follows:

a. Long-term Parking.

1) Medical Institutions. A number of spaces equal to 80 percent of hospital-based doctors; plus 25 percent of staff doctors; plus 30 percent of all other employees present at peak hour;

2) Educational Institutions. A number of spaces equal to 15 percent of the maximum students present at peak hour, excluding resident students; plus 30 percent of employees present at peak hour; plus 25 percent of the resident unmarried students; plus one space for each married student apartment unit.

b. Short-term Parking.

1) Medical Institutions. A number of spaces equal to one space per six beds; plus one space per five average daily outpatients;

2) Educational Institutions. A number of spaces equal to five percent of the maximum students present at peak hour excluding resident students.

c. Additional Short-term Parking Requirements. When one of the following uses is a Major Institution use, the following additional short-term parking requirements shall be met. Such requirements may be met by joint use of parking areas and facilities if the Director determines that the uses have different hours of operation according to subsection 23.54.020.G:

1) Museum. One space for each 250 square feet of public floor area;

2) Theater, Auditorium, or Assembly Hall. One space for each 200 square feet of audience assembly area not containing fixed seats, and one space for every 10 seats for floor area containing fixed seats;

3) Spectator Sports Facility Containing Fewer than 20,000 Seats. One space for each 10 permanent seats and one space for each 100 square feet of spectator assembly area not containing fixed seats;

4) Spectator Sports Facility Containing 20,000 or More Seats. One space for each 10 permanent seats and one bus space for each 300 permanent seats.

d. Bicycle Parking. Bicycle parking meeting the development standards of subsections 23.54.015.K.2 through 23.54.015.K.6 and subsection 23.54.016.D.2 shall be provided in the following quantities:

1) Medical Institutions. A number of spaces equal to two percent of employees, including doctors, present at peak hour;

2) Educational Institutions. A number of spaces equal to 10 percent of the maximum students present at peak hour plus five percent of employees.

If at the time of application for a master use permit, the applicant can demonstrate that the bicycle parking requirement is inappropriate for a particular institution because of topography, location, nature of the users of the institution or other reasons, the Director may modify the bicycle parking requirement.

3. Parking Deficits. In addition to providing the minimum required parking for a new structure, five percent of any vehicular or bicycle parking deficit as determined by the minimum requirements of this subsection 23.54.016.B, existing on the effective date of the ordinance codified in this section, shall be supplied before issuance of a certificate of occupancy.

C. Requirement for a Transportation Management Program.

1.When a Major Institution proposes parking in excess of 135 percent of the applicable minimum requirement for short-term parking spaces calculated pursuant to subsections 23.54.016.A and 23.54.016.B, or when a Major Institution prepares a master plan or applies for a master use permit for development that would provide 20 or more parking spaces or increase the Major Institution's number of parking spaces by 20 or more above the level existing on May 2, 1990, a transportation management program shall be required or an existing

transportation management program shall be reviewed and updated. The Director shall assess the traffic and parking impacts of the proposed development against the general goal of reducing the percentage of the Major Institution's employees, staff and/or students who commute in single-occupancy vehicles (SOV) during the peak period to 50 percent or less, excluding those employees or staff whose work regularly requires the use of a private vehicle during working hours.

2. Transportation management programs are prepared and implemented in accordance with the Director's Rule governing Transportation Management Programs. The Transportation Management Program shall be in effect upon Council adoption of the Major Institution master plan.

3. If an institution has previously prepared a transportation management program, the Director, in consultation with the Director of Transportation shall review the Major Institution's progress toward meeting stated goals. The Director shall then determine:

a. That the existing program should be revised to correct deficiencies and/or address new or cumulative impacts; or

b. That the application will not be approved until the Major Institution makes substantial progress toward meeting the goals of its existing program; or

c. That a new program should be developed to address impacts associated with the application; or

d. That the existing program does not need to be revised.

4. Through the process of reviewing a new or updated transportation management program in conjunction with reviewing a master plan, the Council may approve in excess of 135 percent of the minimum requirements for long-term parking spaces, or may increase or decrease the required 50 percent SOV goal, based upon the Major Institution's impacts on traffic and opportunities for alternative means of transportation. Factors to be considered shall include, but not be limited to:

a. Proximity to a street with 15 minute transit service headway in each direction;

b. Air quality conditions in the vicinity of the Major Institution;

c. The absence of other nearby traffic generators and the level of existing and future traffic volumes in and through the surrounding area;

d. The patterns and peaks of traffic generated by Major Institution uses and the availability or lack of on-street parking opportunities in the surrounding area;

e. The impact of additional parking on the Major Institution site;

f. The extent to which the scheduling of classes or work shifts reduces the transportation alternatives available to employees and/or students or the presence of limited carpool opportunities due to the small number of employees; and

g. The extent to which the Major Institution has demonstrated a commitment to SOV alternatives.

5. The provision of short-term parking spaces in excess of 135 percent of the minimum requirements established in subsection 23.54.016.B.2 may be permitted by the Director through preparation or update of a Transportation Management Program. In evaluating whether to allow more than 135 percent of the minimum, the Director, in consultation with the Director of Transportation, shall consider evidence of parking demand and opportunities for alternative means of transportation. Factors to be considered shall include but are not necessarily limited to the criteria contained in subsection 23.54.015.D.1.b and the following:

a. The nature of services provided by Major Institution uses which generate short-term parking demand; and

b. The extent to which the Major Institution manages short-term parking to ensure its availability to meet short-term parking needs.

Based on this review, the Director shall determine the amount of additional short-term parking to be permitted, if any.

6. When an institution applies for a permit for development included in its master plan, it shall present evidence that it has made substantial progress toward the goals of its transportation management program as approved with a master plan, including the SOV goal. If substantial progress is not being made, as determined by the Director in consultation with the Seattle Department of Transportation and metropolitan King County, the Director may:

a. Require the institution to take additional steps to comply with the transportation management program; and/or

b. Require measures in addition to those in the transportation management program which encourage alternative means of transportation for the travel generated by the proposed new development; and/or

c. Deny the permit if previous efforts have not resulted in sufficient progress toward meeting the SOV goals of the institution.

D. Development Standards for Parking.

1. Long-term Parking.

a. Carpools and vanpools shall be given guaranteed spaces in a more convenient location to the Major Institution uses they serve than SOV spaces, and shall be charged substantially less than the prevailing parking rates for SOVs.

b. There shall be a charge for all non-carpool/vanpool long-term parking spaces.

2. Bicycle Parking.

a. Required bicycle parking shall be in a convenient location, covered in the same proportion as auto parking spaces and provided free of charge.

b. Bicycle rack designs shall accommodate locking of the bicycle frame and both wheels with chains, cables, or U-shaped bicycle locks to an immovable rack or stall.

3. Joint use or shared use of parking areas and facilities shall be encouraged if approved by the Director according to the standards of ((~~S~~))subsection 23.54.020.((-))G.

4. The location and design of off-street parking and access to off-street parking shall be regulated according to the general standards of Chapter 23.54 and the specific standards of the underlying zone in which the parking is located.

Section 22. Subsection B of Section 23.54.035 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.54.035 Loading berth requirements and space standards

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B. Exception to Loading Requirements.

1. For uses with less than 16,000 square feet of gross floor area that provide a loading space on a street or alley, the loading berth requirements may be waived by the Director if, after review, the Director of Transportation finds that the street or alley berth is adequate.

2. Within the South Lake Union Urban Center <u>and within the MPC-YT zone, if</u> ((~~and when~~)) multiple buildings share a central loading facility, loading berth requirements may be waived or modified if the Director finds, in consultation with the Director of Transportation, the following:

a. All loading is proposed to occur on-site; or

b. Loading that is proposed to occur in a public right-of-way can take place without disrupting pedestrian circulation or vehicular traffic; and

c. Once located at a central loading facility, goods can be distributed to other buildings on-site without disrupting pedestrian circulation or vehicular traffic.

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Section 23. Subsection A of Section 23.54.040 of the Seattle Municipal Code, which section was enacted by Ordinance 123495, is amended as follows:

23.54.040 Solid waste and recyclable materials storage and access

A. Except as provided in subsection ((~~I of this Section~~))23.54.040.<u>I</u>, in downtown, multifamily, <u>master planned community,</u> and commercial zones, storage space for solid waste

and recyclable materials containers shall be provided as shown in Table A for 23.54.040 for all new structures, and for existing structures to which two or more dwelling units are added.

1. Residential uses proposed to be located on separate platted lots, for which each dwelling unit will be billed separately for utilities, shall provide one storage area per dwelling unit that has minimum dimensions of 2 feet by 6 feet.

2. Residential development for which a home ownership association or other single entity exists or will exist as a sole source for utility billing may meet the requirement in subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.

3. Nonresidential development shall meet the requirement in Table A for 23.54.040.

Table A for 23.54.040: Shared Storage Space for Solid Waste Containers	
Residential Development	**Minimum Area for Shared Storage Space**
2-8 dwelling units	84 square feet
9-15 dwelling units	150 square feet
16-25 dwelling units	225 square feet
26-50 dwelling units	375 square feet
51-100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C
Nonresidential Development (Based on gross floor area of all structures on the lot)	**Minimum Area for Shared Storage Space**
0—5,000 square feet	82 square feet
5,001—15,000 square feet	125 square feet
15,001—50,000 square feet	175 square feet
50,001—100,000 square feet	225 square feet
100,001—200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed use development that contains both residential and nonresidential uses, shall meet the requirements of subsection 23.54.040.B.	

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Section 24. Section 23.57.011 of the Seattle Municipal Code, which section was last amended by Ordinance 123668, is amended as follows:

23.57.011 ((~~Lowrise, Midrise and Highrise zones~~)) Multifamily zones and Master Planned Community zones

A. Uses Permitted Outright.

1. Amateur radio devices accessory to a residential use that meet the development standards of subsection 23.57.011.C are permitted outright.

2. Communication devices accessory to residential, public facility, public utility, major institution or institutional use are permitted outright when they meet the development standards of subsection 23.57.011.C.

3. Mechanical equipment, associated with minor communication utilities whose antennas are located on another site or in the right-of-way, is permitted outright where the equipment is completely enclosed within a structure that meets the development standards of the zone. The equipment shall not emit radiofrequency radiation, and shall not result in the loss of a dwelling unit. Antennas attached to City-owned poles in the right-of-way shall follow the terms and conditions contained in Section 15.32.300.

4. Minor communication utilities are permitted outright on existing freestanding major or minor telecommunication utility towers. Minor communication utilities locating on major communication utility towers are subject to the limitations of Sections 23.57.003 and 23.57.005.

B. Uses Permitted by Administrative Conditional Use. The establishment or expansion of a minor communication utility regulated pursuant to Section 23.57.002, may be permitted as an Administrative Conditional Use when they meet the development standards of subsection 23.57.011.C and the following criteria, as applicable:

1. The project shall not be substantially detrimental to the residential character of nearby residentially zoned areas, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall

include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.

2. The visual impacts that are addressed in Section 23.57.016 shall be mitigated to the greatest extent practicable.

3. Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:

a. The antenna is at least ((~~one hundred (~~))100((~~)~~)) feet from a MIO boundary, and

b. The antenna is substantially screened from the surrounding neighborhood's view.

4. If the minor communication utility is proposed to exceed the zone height limit, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.

5. If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.

C. Development standards.

1. Location. Minor communication utilities and accessory communication devices regulated pursuant to Section 23.57.002 and amateur radio towers:

a. Are prohibited in a required front or side setback.

b. May be located in a required rear setback, except for transmission towers.

c. ((~~In all Lowrise, Midrise and Highrise zones, minor communication utilities and accessory communication devices~~)) ((~~m~~))May be located on rooftops of buildings, including sides of parapets and penthouses above the roofline. Rooftop space within the following parameters ((~~shall~~))does not count toward ((~~meeting~~)) open space or amenity area requirements: the area 8 feet from and in front of a directional antenna and at least 2 feet from the back of a directional antenna, or, for an omnidirectional antenna, 8 feet away from the antenna in all directions. Public Health—Seattle & King County may require a greater distance for paging facilities after review of the Non-Ionizing Electromagnetic Radiation (NIER) report.

2. Height and Size.

a. The height limit of the zone shall apply to minor communication utilities and accessory communication devices, except as may be permitted in this subsection 23.57.011.C.

b. The maximum diameter of dish antennas shall be 6 feet, except for major institutions within the Major Institution Overlay District, regulated through an administrative conditional use in subsection 23.57.011.B above.

c. The maximum height of an amateur radio tower shall be no more than 50 feet above existing grade. Cages and antennas may extend to a maximum additional 15 feet. The base of the tower shall be setback from any lot line a distance at least equivalent to one-half the height of the total structure, including tower or other support, cage and antennas.

3. Visual Impacts. All minor communication utilities and accessory communication devices, except for facilities located on buildings designated by the Seattle Landmarks Preservation Board, facilities governed by Section 23.57.014, and amateur radio towers, shall meet the standards set forth in Section 23.57.016.

4. Access and Signage. Access to transmitting minor communication utilities and to accessory communication devices shall be restricted to authorized personnel by fencing or other means of security. Warning signs at every point of access to the rooftop or common area shall be posted with information on the existence of radio frequency radiation.

5. Reception Window Obstruction. When, in the case of an accessory communications device or minor communications utility that would otherwise comply with this ((s)) Section 23.57.011, the strict adherence to all development standards would result in reception window obstruction in all permissible locations on the subject lot, the Director may grant a waiver from the screening requirements of Section 23.57.016. Approval of a waiver shall be subject to the following criteria:

a. The applicant shall demonstrate that the obstruction is due to factors beyond the control of the property owner, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception-window obstruction.

b. The applicant shall use material, shape and color to minimize visual impact.

Section 25. Section 23.69.022 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

23.69.022 Uses permitted within 2,500 feet of a Major Institution Overlay District((.))

A. A Major Institution shall be permitted to lease space, or otherwise locate a use outside a Major Institution Overlay (MIO) District, and within ((~~two thousand five hundred (2,500)~~))2,500 feet of the MIO District boundary, subject to the following limitations:

1. The provisions of this ((~~s~~))Section 23.69.022 shall not apply to contractual arrangements with other entities, except for leases or other agreements for occupying space.

2. No such use shall be allowed at street level in a commercial zone, unless the use is determined to be similar to a general sales and service use, eating and drinking establishment, major durables retail sales, entertainment use or child care center and is allowed in the zone. If the use is allowed in the zone but is determined not to be similar to a general sales and service use, eating and drinking establishment, major durables retail sales, entertainment use or child care center, the Director may not allow the use at street level in a commercial zone

unless provided otherwise in an adopted master plan or in a Council-approved neighborhood plan;

3. Except as permitted in an adopted master plan, the use shall not result in the demolition of a structure(s) that contains a residential use nor shall it change a residential use to a nonresidential use.

4. The use(s) shall conform to the use and development standards of the applicable zone.

5. The use shall be included in the Major Institution's approved Transportation Management Program if it contains students or employees of the Major Institution.

6. If a Master Use Permit is required for the use, the Director shall notify the Advisory Committee of the pending permit application and the committee shall be given the opportunity to comment on the impacts of the proposed use.

B. A medical service use that is over 10,000 square feet shall be permitted to locate within 2,500 feet of a medical MIO District only as an administrative conditional use subject to the conditional use requirements of ((~~S~~))subsection 23.47A.006.A.4 or ((~~S~~))subsection 23.50.014.B.12.

C. A Major Institution that leases space or otherwise locates a use in a Downtown zone shall not be subject to the limitations established in subsection((s)) 23.69.022.A or 23.69.022.B with respect to that space or use((~~A or B of this section~~)), except that subsections 23.69.022.A.3 and 23.69.022.A.4 ((~~A3 and A4~~)) shall apply.

D. A Major Institution that leases space or otherwise locates a use in a Master Planned Community zone is not subject to the limitations established in subsection 23.69.022.A or 23.69.022.B with respect to that space or use, except that subsection 23.69.022.A.4 applies.

Section 26. In Title 23, Subtitle III, of the Seattle Municipal Code, a new Division 4 and Chapter 23.75 are added as follows:

Division 4 Master Planned Communities

Chapter 23.75 Master Planned Communities

Subchapter 1 Purpose and intent

23.75.002 Purpose and intent

Comprehensive Plan Land Use Element Section C establishes a Master Planned Community designation (MPC). The purpose of this Chapter 23.75 and the Master Planned Community zone is to implement the Comprehensive Plan by regulating land use within MPC zones. By allowing greater flexibility in the application of zoning and development requirements, an MPC zone designation is intended to support highly coordinated infill development with a higher level of environmental sustainability, affordable housing, and publicly accessible open space than is typically provided through conventional lot-by-lot development.

Subchapter 2 Yesler Terrace

Part 1: General

23.75.010 Scope of provisions

This Subchapter 2 of Chapter 23.75 establishes the authorized uses and development standards for the Master Planned Community - Yesler Terrace (MPC-YT) zone. The MPC-YT zone is shown on the Official Land Use Map. Certain use provisions and development standards are applied on a sector or block basis, according to sectors and blocks defined in Section 23.75.020, and limits established on a sector or block basis are generally allocated to lots pursuant to Section 23.75.040. If not stated otherwise, use provisions and development standards apply on a lot basis.

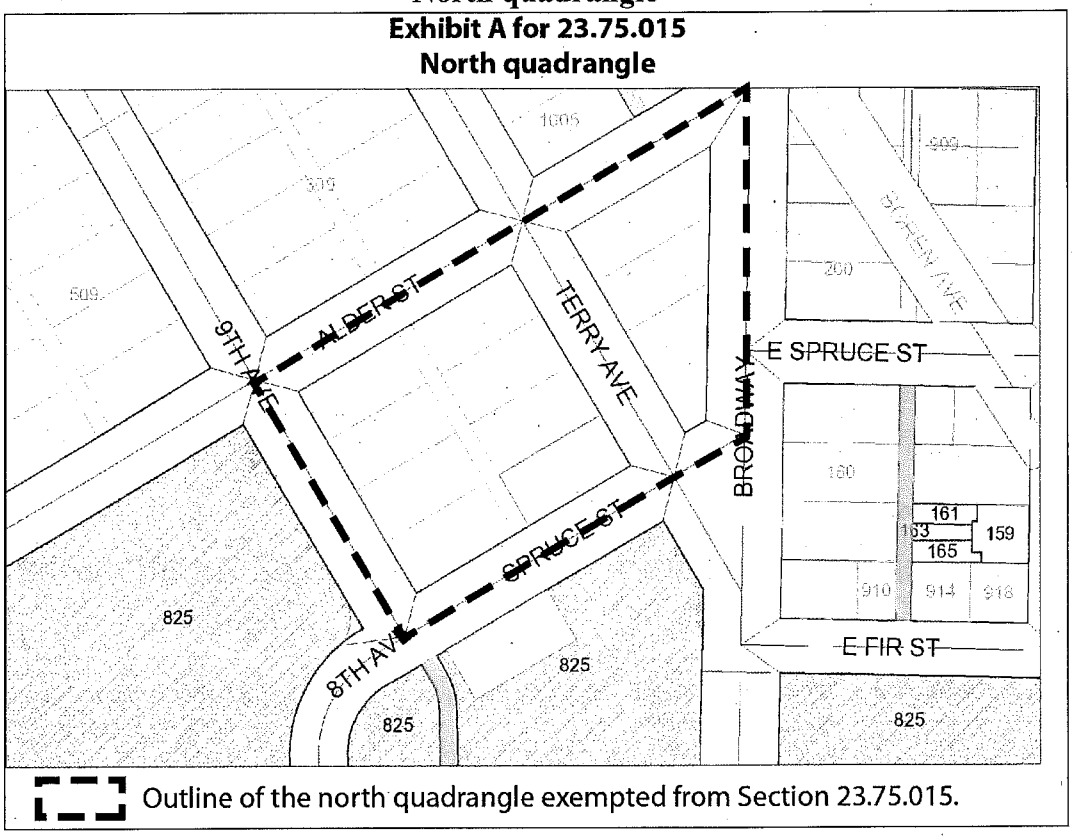
23.75.015 Applicability of use and development standards

A. This Section 23.75.015 applies to the entire MPC-YT zone except for:

1. the land identified as the north quadrangle in Exhibit A for 23.75.015, for which the whole of this Chapter 23.75 except for this Section 23.75.015 will apply on and following the effective date of this ordinance; and

2. renovations and additions to the existing steam plant building in Block 2, for which the provisions of Chapter 23.45 applicable to property zoned LR3 shall apply instead of this Chapter 23.75, regardless of whether or not an approved final plat has been recorded.

Exhibit A for 23.75.015
North quadrangle



B. Part 2 and Part 3 of Chapter 23.75 shall not be applied for purposes of a land use decision other than a Type III decision unless, as of the date of that land use decision:

1. there has been recorded, after January 1, 2012, an approved final plat of subdivision that includes the property for which the land use decision is made; and

2. the Director of Transportation has filed with the City Clerk a certificate confirming that the City has accepted dedications, in a recorded plat or otherwise, establishing streets as necessary to complete, substantially as depicted in Exhibit A for 23.75.020, at least the portions of the streets that include or abut any part of the block where property subject to the

decision is located and that are necessary to connect those portions to the improved street grid in each direction.

C. If, pursuant to subsection 23.75.015.B, Part 2 and Part 3 of Chapter 23.75 are not applied for purposes of a land use decision, the provisions of Chapter 23.45 that apply to property zoned LR3 shall be applied instead.

D. Uses and structures established pursuant to subsection 23.75.015.C are included for purposes of application of aggregate limits to proposed development under Part 2 and Part 3 of Chapter 23.75 and allocations of those limits to lots under Section 23.75.040.

E. The intent of this Section 23.75.015 is that all of Chapter 23.75 be in effect, for purposes of 23.76.026 and any other "vesting" laws or ordinances, as to all property in the MPC-YT zone, both before and after the events described in subsections 23.75.015.B.1 and 23.75.015.B.2.

23.75.020 Definitions

A. Scope and Applicability.

1. General Rule. The terms set forth in quotation marks in this Section 23.75.020, when used in this Chapter 23.75, have the meanings set forth unless the context otherwise requires.

2. Definitions in Chapter 23.84A. For purposes of this Chapter 23.75, definitions in this Chapter 23.75 supersede any definitions of the same terms in Chapter 23.84A.

B. Defined Terms.

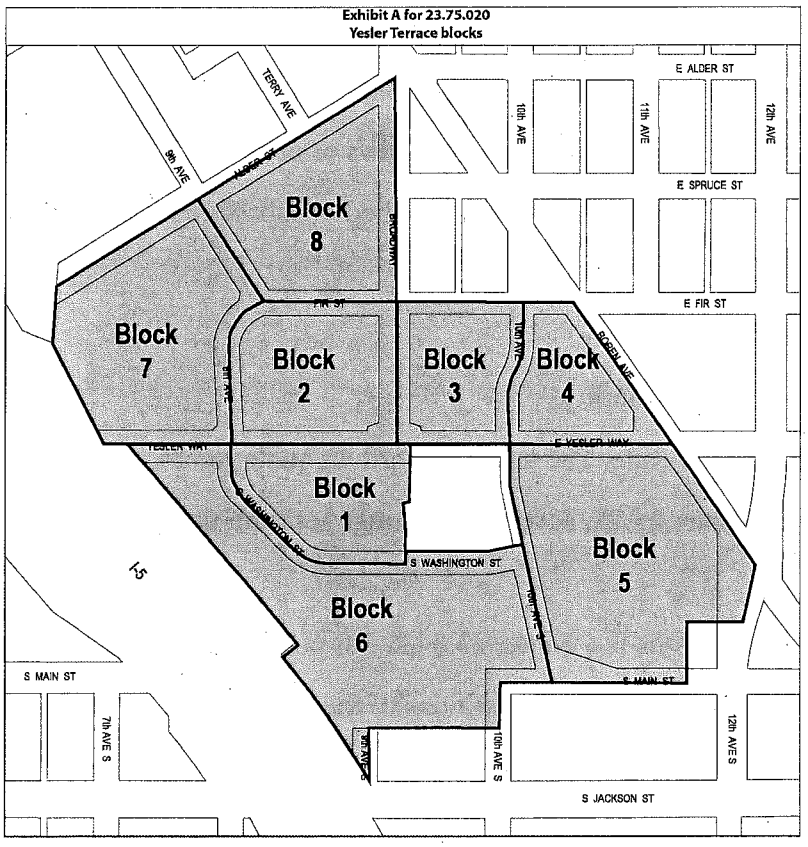
"Access drive" means a vehicle access easement providing access to two or more lots and meeting the requirements of 23.53.025.

"Affordable housing" means housing, not existing as of January 1, 2012, committed to be provided to meet the conditions to increase residential floor area under Table A for 23.75.085.

"Base setback" means the minimum setback required, if any, for the portion of a façade between zero and 50 feet in height.

"Block" means one of the areas identified with a block number in Exhibit A for 23.75.020. Block margins align with the margins of the MPC-YT zone; with street centerlines of Yesler Way, E. Yesler Way, Broadway, 8th Ave., 9th Ave., and 10th Ave; the centerline of E. Fir Street projected westerly from Broadway, as shown; the centerline of S. Washington Street, as shown; and the centerline of 10th Ave S., between E. Yesler Way and S. Main St., as shown.

Exhibit A for 23.75.020
Yesler Terrace blocks



"Boundary" means any of the following, and for purposes of development standards means whichever of the following is closest to a given side of a structure: a lot line; the margin of an access drive; the margin of a pedestrian pathway; or the margin of a park that is open to the public.

"Build-to line" means any of the boundaries identified as build-to lines in Section 23.75.140.

"Certificate of occupancy" means the first certificate of occupancy issued by the City for a structure, whether temporary or permanent.

"Highrise structure" means a structure that exceeds 85 feet in height, as measured pursuant to Section 23.86.006.

"Non-highrise structure" means a structure that is not a highrise structure.

"Pedestrian pathway" means an area defined by a final plat or recorded permanent easement, with no horizontal dimension less than 32 feet at any point, that (1) includes a portion subject to a public easement, allowing pedestrian access from one side of a block to another side of the same block, and not allowing motor vehicle use except for emergency or maintenance vehicles and except that a pedestrian pathway may intersect an access drive; and (2) outside of the public easement portion, is dedicated on terms that do not allow any gross floor area of a structure, but may allow structures such as sign kiosks, arbors, fences, and freestanding walls, and may allow projections from structures such as decks or patios.

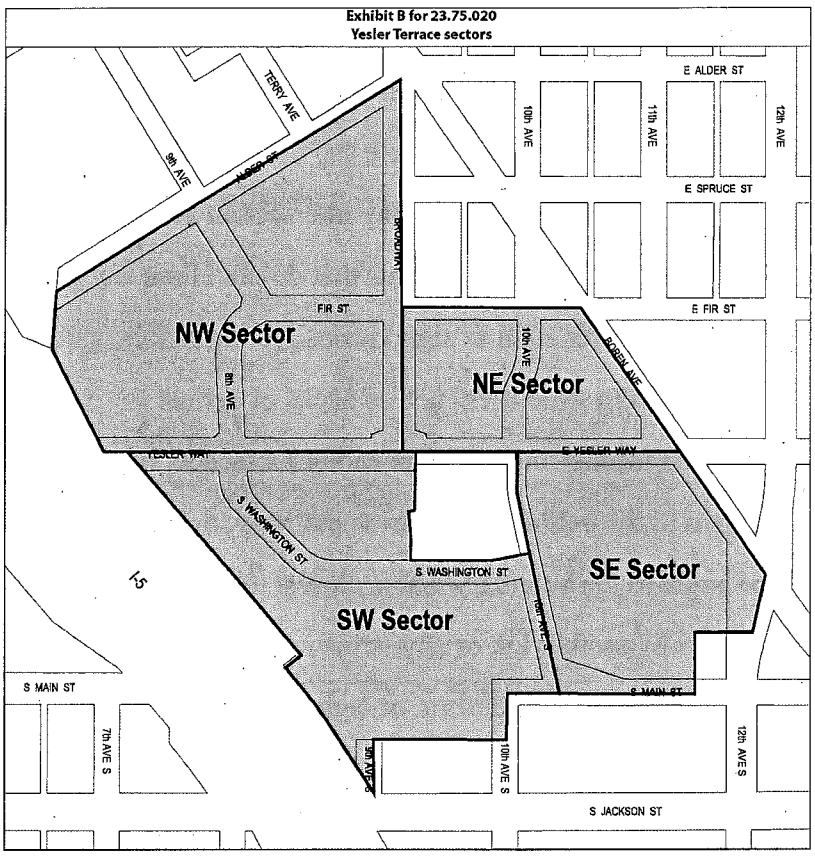
"Regulated façade" means the portion of a façade, if any, that is adjacent to a street, a park that is open to the public, a pedestrian pathway, or an access drive; is oriented at less than a 90 degree angle to the boundary that is closest to the facade; and is not separated from that boundary by any part of another lot, or any structure except a retaining wall, deck, freestanding wall, fence, ramp, solar collector, or sign.

"Replacement unit" means one of the new or renovated housing units constructed in the Yesler Terrace redevelopment area, to be occupied by or reserved for Yesler Terrace residents who must relocate due to demolition and construction or households with incomes no higher than 30 percent of median income, as defined in Section 23.84A.025, at the time of initial occupancy by the household, subject to the term of and commitment to affordability in subsection 23.75.085.C.2.

"Residential floor area" means gross floor area in residential use plus gross floor area of live-work units, except that it does not include any floor area of residential structures existing as of January 1, 2012.

"Sector" means one of the areas identified in Exhibit B for 23.75.020. Sector margins align with the margins of the MPC-YT zone, with street centerlines of Yesler Way, E. Yesler Way and Broadway, as shown, and with the border between Block 5 and Block 6.

Exhibit B for 23.75.020
Yesler Terrace sectors



"Setback condition" for any location means the circumstance determining the setbacks that may be required under Section 23.75.140, including the type of special setback area or the type of boundary closest to a façade of a structure, as applicable.

"Smallest bounding rectangle" means the smallest rectangle that can be drawn in plan view to enclose all portions of a highrise structure located above 85 feet.

"Yesler Terrace redevelopment area" means the MPC-YT zone as well as the area bounded by Boren Ave, E. Yesler Way, 14th Ave., and E. Fir Street.

"60 percent of MI unit" means a dwelling unit of affordable housing, other than a replacement unit or 80 percent of MI unit, to be occupied by or reserved solely for households with incomes no higher than 60 percent of median income, as defined in Section 23.84A.025, at the time of initial occupancy by the household, subject to the term of and commitment to affordability in subsection 23.75.085.C.2.

"80 percent of MI unit" means a dwelling unit of affordable housing, other than a replacement unit or 60 percent of MI unit, to be occupied by or reserved solely for households with incomes no higher than 80 percent of median income, as defined in Section 23.84A.025, at the time of initial occupancy by the household, subject to the term of and commitment to affordability in subsection 23.75.085.C.2.

Part 2 Use provisions and limits

23.75.040 Aggregate standards and allocations

A. Definitions. For purposes of this Section 23.75.040:

1. "Limit" means one of the following:

a. the maximum residential floor area that may be located in the MPC-YT zone, as determined for each tier under Section 23.75.085;

b. the maximum residential floor area that may be located in each sector, as set forth in Section 23.75.085;

c. the maximum nonresidential floor area, by category of use, that may be located in the MPC-YT zone, as determined under Section 23.75.090;

d. the maximum number of highrise structures that may be located in a sector, as set forth in Section 23.75.120;

e. in certain blocks, the number of highrise structures for which alternative development standards may be elected, as set forth in Section 23.75.120;

f. the maximum number of parking spaces, in addition to those based on a ratio to residential units, that that may be located within the NW sector without a special exception, as set forth in Section 23.75.180;

g. the maximum number of parking spaces, in addition to those based on a ratio to residential units and those allowed as described in subsection 23.75.040.A.1.f, that may be located within the NW sector with a special exception, as set forth in Section 23.75.180; and

h. the maximum number of surface parking spaces in a block, as set forth in Section 23.75.180.

2. "Allocation document" means a recorded final plat, declaration or covenant, as it may be established or amended in accordance with subsection 23.75.040.C; is signed by all owners of record of lots subject to the allocation document; provides that pursuant to this Section 23.75.040, the lots are combined for the purposes of that limit except to the extent that the limit is allocated to specific lots as approved by the Director; provides for possible reallocation among lots by agreement of the owners of only those lots; and provides notice that the current allocation to any lot must be determined from the records of the Department. The same plat, declaration or covenant may include multiple allocation documents for different limits and may create different combined lots for different limits.

3. "Combined lot" means two or more lots that have been combined for purposes of any limit under an allocation document, and that remain so combined under subsection 23.75.040.D.3.

4. "Formula parking allowance" means the maximum number of parking spaces allowed in a sector based on ratios to developed non-parking uses under Section 23.75.180.

B. General rules. Development on any lot in the MPC-YT zone shall not exceed, in any quantity subject to a limit listed in subsection 23.74.040.A.1, that portion of the limit allocated to that lot in accordance with this Section 23.75.040. The Director shall apply each limit by requiring as a condition of permit approval that a lot have a sufficient unused allocation of that limit according to this Section 23.75.040 for the proposed development. The same use or

structure may require sufficient allocations of more than one of the limits. A permit for development on a lot may not be denied based on a limit if the lot has a sufficient, valid, unused allocation of the limit under this Section 23.75.040.

C. Allocation document.

1. The owners of all lots that are subject to a limit, whether or not contiguous, and upon which no part of the limit has yet been used, may combine the lots for purposes of that limit pursuant to an allocation document approved by the Director, and may then allocate the limit among those lots as the owners may elect, subject to approval by the Director under this subsection 23.75.040.C.

2. The Director shall approve an allocation document only if the Director determines, as a Type I decision, that the document is consistent with this Chapter 23.75 and provides for an allocation process that will specify the allocations of one or more limits consistent with this Chapter 23.75 in a manner that will maintain consistency with those limits and allow the Director to determine the validity of each allocation to be made. To facilitate administration of this Chapter 23.75, the Director may establish, by rule, procedural requirements for allocation documents and allocations under them, and may approve or disapprove provisions in allocation documents for limits or conditions on allocations or reallocations in addition to those required.

3. Any amendment to an allocation document is effective only if signed by all owners of record of all property subject to the allocation document and only if the Director approves the allocation document as amended, as a Type I decision, based on a determination that it is consistent with the requirements for an allocation document and with allocations previously made.

4. Unless initial allocations to each lot are specified in the allocation document, in order to establish the initial allocation to the first lot to which an allocation is made, the process must require written approval of the owners of all lots initially combined. In order to establish the initial allocation to each other lot, the written approval of the owners of all

remaining lots combined for purposes of that limit is required as provided in subsection 23.75.040.D.3.

D. Allocations of limits.

1. Unless all lots subject to a limit have been combined pursuant to subsection 23.75.040.C for purposes of a limit, each lot has an allocation of that limit in the same proportion as the lot area bears to the area of all lots subject to the limit, rounded down to the nearest integer, which may be zero. For purposes of this subsection 23.75.040.D.1, the area of every lot subject to a limit and the total area of all lots subject to the limit is determined as of the date when the first Master Use Permit application is submitted for the use of any part of the limit on any lot, so that the allocations of the limit to all lots are then fixed, subject to any reallocations under subsection 23.75.040.D.7.

2. If lots are combined pursuant to subsection 23.75.040.C for purposes of a limit, then

a. before any allocation is made to one of those lots pursuant to this Section 23.75.040, the combined lot has an undivided allocation of that limit equal to the entire limit; and

b. as allocations to specific lots are made pursuant to this Section 23.75.040, the undivided allocation of that limit to the remaining combined lot is reduced by each amount so allocated.

3. If, after a lot is combined with one or more other lots pursuant to subsection 23.75.040.C for the purposes of a limit, an allocation of that limit is made to the lot in accordance with subsection 23.75.040.D.5, then the lot has the allocation so approved, and is no longer part of a combined lot for purposes of that limit. The lot may remain eligible to receive additional allocations, transfer an unused portion of its allocation to other lots, or both, pursuant to the allocation document and subject to any applicable rules issued by the Director.

4. When a specific lot has been made part of a combined lot and no allocation of the limit to the specific lot has been approved by the Director, no development of that lot

requiring an allocable portion of that limit is permitted, except that if the combined lot is a single development site for purposes of an application, then the limit is for the combined lot as determined under subsection 23.75.040.D.2.

5. Pursuant to processes established in an allocation document consistent with 23.75.140.C, the portion of a limit allocated to a lot shall be initially established, and may be modified, in a manner that maintains consistency with the limit, in each case effective upon approval of the allocation or reallocation by the Director, as a Type I decision. The Director shall approve the allocation or reallocation under processes established in an allocation document, provided that:

a. the owners of the lots affected have provided written approval; and

b. the Director determines that the proposed allocation or reallocation is consistent with this Chapter 23.75 and with any relevant applications then pending, and with requirements of form and procedure established by the Director, and that any special conditions in the allocation document, are satisfied.

6. The allocation document may provide for reallocations among lots to which initial allocations have been made, with the written approval of the owners of the lots affected. A limit may not be reallocated in any manner that would create a nonconformity, or increase the extent of any nonconformity, based on established uses or structures, or based on any development for which a permit has been issued or is pending.

7. If lot lines are modified or new lots are created, then except to the extent otherwise provided in an allocation document or pursuant to agreements among owners approved by the Director, each new or modified lot shall have a share of each of the total allocations previously applicable to all lots affected by the modification of lot lines or creation of the new lots, in the same proportion as the area of that lot bears to the area of all such lots, except that the allocation to any new or modified lot shall be adjusted to the extent required so as not to create a nonconformity, or increase the extent of any existing nonconformity. To the extent necessary to offset any disproportionate allocation required to avoid a nonconformity, allocations to other

new or modified lots shall be reduced in proportion to their respective lot areas. All reallocated limits that otherwise would include fractions shall be rounded down to the next integer. For purposes of adjustment of allocations described in this subsection 23.75.040.D.7, a combined lot then existing for any limit is treated as a single lot for that limit.

E. Formula parking allowance transfers.

1. The portion of the formula parking allowance for a sector permitted on any lot is that portion attributable to the non-parking uses developed on that lot, except as permitted in this subsection 23.75.040.E.

2. To the extent that the amount of parking existing, established by permit, and subject to pending applications for permits on a lot is less than the amount allowed under this subsection 23.75.040.E, the owner of that lot may transfer formula parking credits to another lot in the sector, in a manner prescribed by the Director.

3. The transfer of formula parking credits increases the number of parking spaces permitted on the lot receiving the transfer and reduces the number of spaces permitted on the lot from which the transfer is made by the same amount.

23.75.050 Permitted uses

A. Except as provided in this Section 23.75.050, Section 23.75.060, and Section 23.75.070, all uses are permitted outright, both as principal uses and as accessory uses.

B. Permitted uses in Block 1 are restricted to:

1. Parks and accessory uses, including farmers markets or crafts markets or displays; and

2. Eating and drinking establishments and general sales and service uses, limited to one story and no more than 1,500 square feet of gross floor area for all such uses. No more than 700 square feet of accessory outdoor seating is permitted.

23.75.060 Prohibited uses

The following uses are prohibited as both principal and accessory uses, except as provided in this Section 23.75.060 or Section 23.75.070:

A. Adult cabarets, adult motion picture theaters, and adult panorams;

B. Animal shelters and kennels;

C. Animal husbandry;

D. Communication utilities, major;

E. Drive-in businesses;

F. General manufacturing uses;

G. Heavy manufacturing uses;

H. High-impact uses;

I. Jails;

J. Mobile home parks;

K. Outdoor storage, except for outdoor storage associated with community gardens, florists, and horticulture uses;

L. Recycling;

M. Sales and services, heavy, except for major durables retail sales;

N. Solid waste management;

O. Storage as a principal use;

P. Transportation facilities, air;

Q. Vehicle storage and maintenance, except if fully enclosed and used exclusively by Seattle Housing Authority vehicles;

R. Warehouses and mini-warehouses; and

S. Work release centers.

23.75.070 Conditional uses

A. Conditional use criteria.

1. All applications for conditional uses are subject to the procedures described in Chapter 23.76.

2. A conditional use is not allowed if it would be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

3. In authorizing a conditional use, the Director may impose requirements or conditions to avoid or mitigate adverse impacts.

4. The Director shall deny a conditional use if the Director determines that the negative impacts cannot be mitigated satisfactorily.

B. The Director may permit the following uses as administrative conditional uses if the provisions of this Section 23.75.070 are met:

1. Animal husbandry, as an accessory use only;

2. District energy supply facilities;

3. Recycling, as an accessory use only;

4. Sales and services, automotive; and

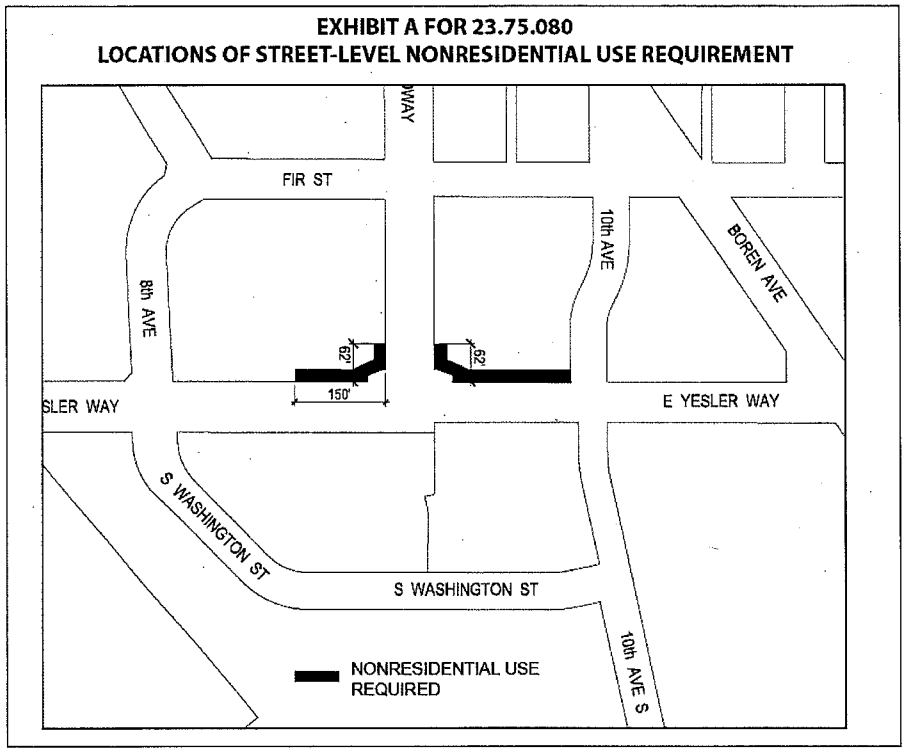
5. Solid waste management, as an accessory use only.

23.75.080 Street-level uses

A. Nonresidential uses are not allowed to occupy, in the aggregate, more than 20 percent of the total street-level street-facing façades, along S. Washington Street, of all structures on a lot, except that abutting lots may be combined and treated as one lot for purposes of this subsection 23.75.080.A pursuant to an agreement among the lot owners, satisfactory to the Director and recorded with the King County Recorder.

B. Any lot abutting any of the following sides of street segments, illustrated in Exhibit A for 23.75.080, is subject to requirements in subsection 23.75.080.C:

Exhibit A for 23.75.080
Locations of street-level nonresidential use requirement



1. Both sides of Broadway, from Yesler Way to 62 feet north of the north margin of Yesler Way;

2. The north side of East Yesler Way from the east margin of Broadway to the west margin of 10th Avenue; and

3. The north side of Yesler Way from the west margin of Broadway to 150 feet west of the west margin of Broadway.

C. Along the street segments identified in subsection 23.75.080.B, one or more of the following uses are required along at least 80 percent of the street-level, street-facing façade of each structure. The usable space of these uses must have a minimum depth of 30 feet.

1. All institutions except hospitals and private clubs;

2. Eating and drinking establishments;

3. General sales and services;

4. Human service uses;

5. Indoor sports and recreation;

6. Lodging uses;

7. Major durables retail sales;

8. Medical services;

9. Office designated for use by Seattle Housing Authority for redevelopment planning or leasing purposes; or

10. Theaters and spectator sport facilities.

23.75.085 Residential floor area limits; affordable housing incentive program

A. Purpose. The provisions of this Section 23.75.085 are intended to implement an affordable housing incentive program as authorized by RCW 36.70A.540.

B. Findings. Pursuant to the authority of RCW 36.70A.540, the City finds that:

1. The phased redevelopment of the properties in the MPC-YT zone addresses the need for increased residential development to achieve local growth management and housing policies; and

2. The terms of the affordable housing incentive program in this Section 23.75.085 take into account that federal funding is expected for housing that will replace existing public housing and that will serve households with incomes, at the time of initial occupancy by the household, at or below 30 percent of median income, but that for affordable housing not receiving federal subsidies, the higher income levels specified in the definitions of "60 percent of MI unit" and "80 percent of MI unit" in this Chapter 23.75, rather than the level stated for rental housing in the definition of "low-income households" in RCW 36.70A.540, are needed to address local housing market conditions.

C. Residential floor area limits.

1. The aggregate residential floor area limit for built and permitted development on all lots within the MPC-YT zone is established in Table A for 23.75.085 and subject to the following conditions:

a. The aggregate residential floor area limit is increased in stages, referred to as "tiers," when affordable housing is provided in accordance with the terms of this Section 23.75.085 in amounts sufficient to satisfy the conditions for the next tier according to Table A for 23.75.085.

b. The Tier 1 limit is the base, so no affordable housing needs to be provided in order for aggregate residential floor area to reach the Tier 1 limit.

c. If the total amount of constructed or permitted floor area reaches the applicable tier limit, but affordable housing production conditions have not been satisfied, no further building permits for residential floor area may be issued except for replacement units, 60 percent of MI units, or 80 percent of MI units. In counting total permitted residential floor area, projects with expired or cancelled permits shall not be included.

d. After the maximum residential floor area allowed has been increased to Tier 4, no Master Use Permit for a development including residential floor area shall be issued unless the development application includes a number of 80 percent of MI units equal to 4.5 percent of the total number of dwelling units in the application that are not either replacement units or 60 percent of MI units.

Table A for 23.75.085
Maximum floor area limits for residential uses based on affordable housing production[1]

	Affordable housing production conditions for the Yesler Terrace redevelopment area (cumulative) to increase maximum floor area limit to the next tier	Maximum residential floor area allowed in the MPC-YT zone
Tier 1 (base)	• 187 replacement units • 80 60% of MI units • A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.	1,400,000 square feet
Tier 2	• 374 replacement units • 160 60% of MI units • A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.	2,750,000 square feet
Tier 3	• 561 Replacement units • 290 60% of MI units • A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.	3,350,000 square feet
Tier 4	Not applicable	3,950,000 square feet

Footnotes to Table A for 23.75.085

[1]Housing existing as of January 1, 2012 does not count toward the affordable housing production conditions or the maximum residential floor area allowed.

2. In order to count toward the conditions to a higher tier under Table A for 23.75.085, affordable housing shall be committed under recorded covenants or instruments, acceptable to the Director of Housing, to satisfy the following requirements:

a. Term. The affordable housing shall serve only income eligible households for replacement units, 60 percent of MI units, or 80 percent of MI units, as defined in Section 23.75.020, for a minimum of fifty years from the date when the affordable housing becomes available for occupancy as determined by the Director of Housing.

b. Affordability. Units must be committed to affordability as follows:

1) Except as permitted in subsection 23.75.085.C.2.b.5, for replacement units, monthly rent, including basic utilities, shall be as allowed under the 1937 U.S.

Housing Act, as amended, and agreements between the Seattle Housing Authority and the U.S. Department of Housing & Urban Development (HUD) and, for City-funded replacement units, agreements between the Seattle Housing Authority and the City of Seattle. Rent may increase in proportion to household income for qualifying tenants provided that rent shall not exceed 30 percent of 80 percent of median income. For purposes of this section, Yesler Terrace residents who are eligible to return pursuant to a relocation plan adopted by the Seattle Housing Authority shall be deemed to have met initial occupancy requirements.

2) Except as permitted in subsection 23.75.085.C.2.b.5, for 60 percent of MI units, monthly rent, including basic utilities, shall not exceed 30 percent of 60 percent of median income.

3) For 80 percent of MI units that are rental housing, monthly rent, including basic utilities, shall not exceed 30 percent of 80 percent of median income.

4) For 80 percent of MI units that are offered for sale, the initial sale price shall not exceed an amount determined by the Director of Housing to be affordable to a household with an income, at the time of initial occupancy by the household, no higher than 80 percent of median income. The unit shall be subject to recorded covenants or instruments satisfactory to the Director of Housing providing for sales prices on any resales consistent with affordability requirements on the same basis for at least fifty years. The Director of Housing is authorized to adopt, by rule, the method of determining affordability, including estimated monthly housing costs and requirements relating to down payment amount and homebuyer contributions.

5) The Director of Housing is authorized to amend covenants to adjust affordability and income limits up to a maximum of 30 percent of 80 percent of median income if the Director of Housing determines that:

a) in the case of replacement units, a reduction in federal operating subsidies has made such funding insufficient to maintain the replacement units for households with incomes at or below 30 percent of median income;

b) in the case of 60 percent of MI units, after 40 years from initial occupancy of a building, rent levels are insufficient to operate and maintain the units or to meet any required debt coverage ratios as required by financing;

c) the number of units with adjusted affordability has been minimized to the extent practical, and

d) one or more agreements are entered into between the housing owner and the Director of Housing committing the housing owner(s) to new affordability and occupancy requirements effective when replacement units and/or 60 percent of MI units are vacated and available for occupancy by new tenants.

c. Size. If provided in a development permitted under a single master use permit that includes dwelling units other than affordable housing, the average net floor area of the affordable housing units shall be no smaller than the average net floor area per unit of the development as a whole.

d. Location. Affordable housing must be located within the Yesler Terrace redevelopment area. No more than 140 of the replacement units shall be located east of Boren Avenue. A minimum of 50 replacement units shall be located in at least five of the eight blocks west of Boren Avenue. When provided within a development permitted under a single master use permit that includes dwelling units other than affordable housing, the affordable housing shall generally be distributed throughout the development.

3. No subsidies for 80 percent of MI units; exceptions

a. The associated covenant required in order for an 80 percent of MI unit to count toward the conditions to a higher tier under Table A for 23.75.085 must include provisions prohibiting subsidies provided for or related to that unit. For purposes of this subsection 23.75.085.C.3, "subsidies" includes federal loans or grants, City of Seattle housing loans or grants, developer contributions for affordable housing made in exchange for bonus floor area in a zone other than MPC-YT, county housing funds, and State of Washington housing funds, except as provided in this subsection 23.75.085.C.3.

b. Housing that is or upon completion would be subject to any restrictions on the income of occupants, rents, or sale prices, independent of requirements in this Section 23.75.085 and Chapter 5.73, may not be counted as affordable housing under this Section 23.75.085, except as provided in subsection 23.75.085.C.3.c.

c. For purposes of this subsection 23.75.085.C.3, the following do not constitute a subsidy, and any related conditions regarding incomes, rents, or sale prices do not constitute restrictions:

1) Any benefit to the developer of discounted land sales prices;

2) Use of Washington State Housing Finance Commission bonds and 4-percent low-income housing tax credits; and

3) The qualification for and use of property tax exemptions pursuant to Chapter 5.73.

D. Production.

1. A unit of affordable housing that satisfies the conditions of subsection 23.75.085.C shall be counted for purposes of Table A for 23.75.085 when the affordable housing is subject to recorded covenants or instruments that conform to this Section 23.75.085 and are satisfactory to the Director of Housing in form, content and priority. Any unit or units of housing provided as a condition to bonus floor area pursuant to any Land Use Code section other than 23.75.085 shall not be counted for purposes of Table A for 23.75.085.

2. All dwelling units other than replacement units, 60 percent of MI units, and 80 percent of MI units shall be counted as completed when a Master Use Permit for construction of those units has been issued, unless and until either

a. the Master Use Permit decision is cancelled before the Master Use Permit is issued, or the Master Use Permit issued pursuant to such decision expires or is cancelled, without the highrise structure having been constructed; or

b. a ruling by a hearing examiner or court of competent jurisdiction reversing or vacating such decision, or determining such decision or the Master Use Permit issued thereunder to be invalid, becomes final and no longer subject to judicial review.

E. Tier determination. Upon application by any owner within the MPC-YT zone, the Director may make a Type I decision as to the residential floor area tier in effect.

F. Rules. The Director and the Director of Housing are authorized jointly to adopt rules to interpret and implement the provisions of this Section 23.75.085, in addition to rules that may be adopted by the Director of Housing independently as authorized in this Section 23.75.085.

G. Distribution of residential floor area limits by sector. Table B for 23.75.085 establishes residential maximum floor area limits by sector. The sum of the sector allocations exceeds the maximum established for the entire zone, but this subsection 23.75.085.G does not allow the total amount of residential floor area in all sectors combined to exceed the limit in effect under Table A for 23.75.085.

Table B for 23.75.085
Distribution of residential floor area

Sector	Maximum residential floor area*
NW sector	1,500,000 square feet
NE sector	875,000 square feet
SW sector	1,437,500 square feet
SE sector	1,125,000 square feet

*While the sum of the sector allocations in this table exceeds the maximum established for the entire zone, this subsection 23.75.085.G does not allow the total amount of residential floor area in all sectors combined to exceed the limit in effect under Table A for 23.75.085.

H. Floor area subject to the limits in this Section 23.75.085 is all residential gross floor area except for accessory parking and floor area in residential structures existing as of January 1, 2012.

I. Fees. For developments that include 80 percent of MI units provided to meet affordable housing production conditions in this Section 23.75.085, the applicant and owner shall pay fees to the Office of Housing as specified under Section 22.900G.015.

23.75.090 Nonresidential floor area limits

A. Nonresidential floor area. Except as provided in subsection 23.75.090.B, the aggregate nonresidential floor area limits for built and permitted development on all lots within the MPC-YT zone are as follows:

1. Combined floor area for office, medical services, and lodging shall not exceed 900,000 square feet.

2. Combined floor area for all other nonresidential uses shall not exceed 150,000 square feet.

B. Floor area subject to the limits in this Section 23.75.090 is all nonresidential gross floor area except:

a. Community clubs or centers;

b. Child care centers;

c. Family support centers;

d. Human service uses;

e. Accessory parking;

f. Floor area below grade; and

g. Floor area within landmark structures existing and designated as of January 1, 2012.

23.75.095 Maximum size of use

A. Size limits in this Section 23.75.095 apply to the total size of a business establishment, except that if a business establishment includes more than one principal use, size limits apply separately to the size of each principal use that the business establishment proposes within the MPC-YT zone.

B. Sales and services uses are limited to no more than 25,000 square feet of gross floor area per business establishment.

C. In each sector except the NW sector, office and lodging are limited to no more than 25,000 square feet of gross floor area per business establishment.

D. In each sector except the NW Sector, medical services are limited to no more than 15,000 square feet of gross floor area per business establishment, except that as a special exception pursuant to Chapter 23.76 the Director may permit a single business establishment containing medical services uses up to 25,000 square feet of gross floor area, based on consideration of the following factors:

a. Whether the amount of medical services uses existing and proposed in the vicinity would result in an area containing a concentration of medical services that compromises the neighborhood's mixed use character; and

b. Whether medical service uses would disrupt a continuous commercial street front, particularly of general sales and services uses, or significantly detract from an area's overall neighborhood-serving commercial character.

Part 3 Development standards

23.75.100 Structure height

A. Structure height is not allowed to exceed the applicable height limit established in Exhibit A for 23.75.100. In areas shown in Exhibit A for 23.75.100 where the height limit is "85/" followed by a second number, 85 feet is the applicable height limit for non-highrise structures. The number following the "/"is the applicable height limit for highrise structures.

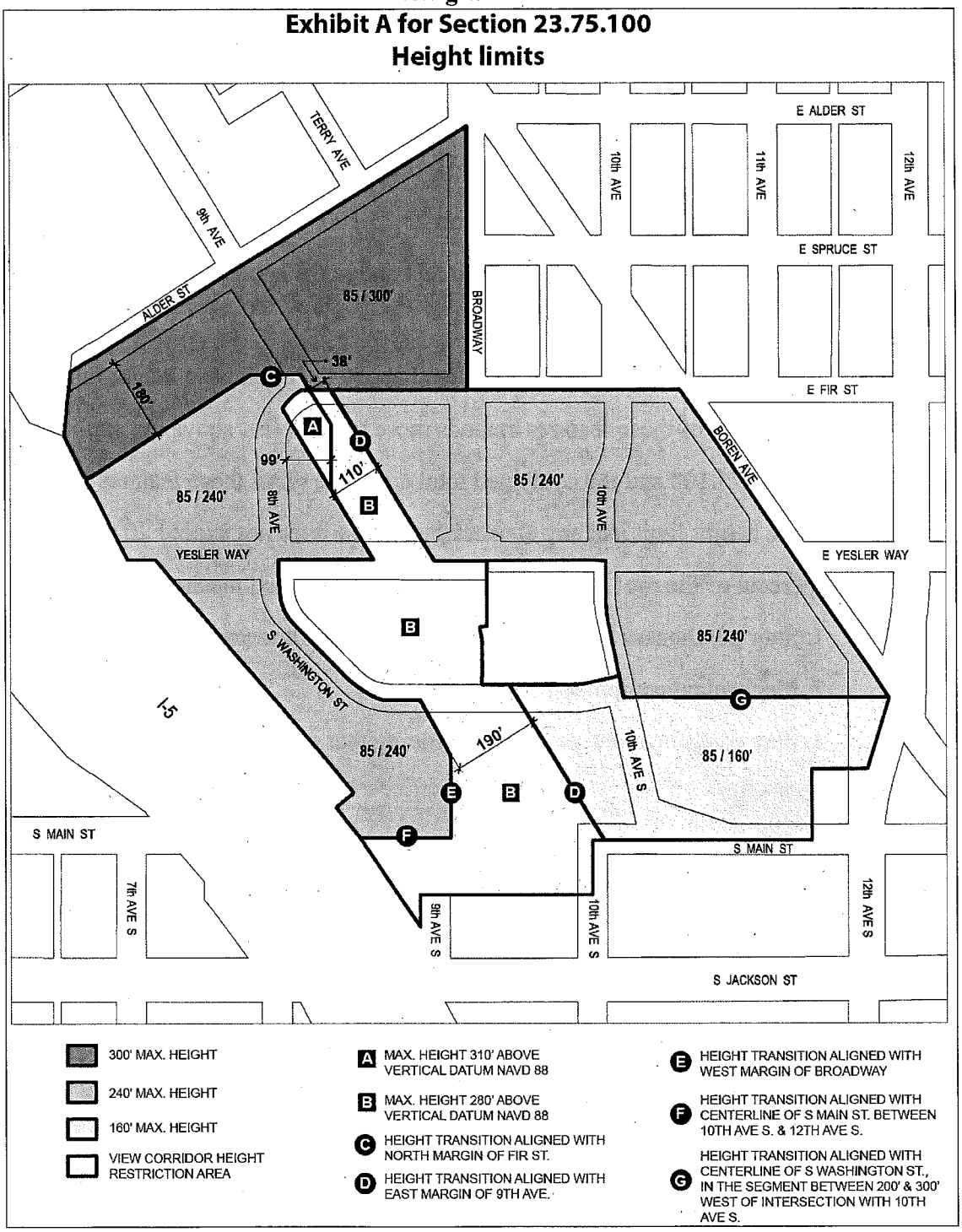
B. The number, distribution, and maximum gross floor area per story of highrise structures are restricted according to Section 23.75.120.

C. Structure height is measured pursuant to Section 23.86.006.A, except in the view corridor height restriction areas depicted in Exhibit A for 23.75.100, where solely for the purposes of this Section 23.75.100 and Section 23.75.110, structure height is measured from an elevation above a fixed sea level measurement, the North American Vertical Datum of 1988 (NAVD 88).

D. If a structure is within more than one of the areas designated on Exhibit A for 23.75.100, the height limits apply separately to the portions of the structure in each area.

Exhibit A for Section 23.75.100

Height limits



23.75.110 Rooftop features

A. Flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer to any lot line than 50 percent of their height above the roof portion where attached.

B. Open railings, planters, skylights, clerestories, parapets and firewalls may extend 4 feet above the applicable height limit set in Section 23.75.100.

C. Rooftop solar collectors may extend 10 feet above the applicable height limit set in Section 23.75.100.

D. The following rooftop features may extend above the applicable height limit set in Section 23.75.100 if none of those features extends more than 15 feet above the applicable height limit set in Section 23.75.100 and the combined total coverage of all those features that extend above the applicable height limit and any elevator penthouse does not exceed 20 percent of the roof area, or 25 percent of the roof area if the total includes screened mechanical equipment:

1. Stair penthouses that are not also elevator penthouses;

2. Mechanical equipment;

3. Play equipment and open-mesh fencing that encloses it, if the fencing is at least 5 feet from the roof edge;

4. Chimneys;

5. Sun and wind screens;

6. Penthouse pavilions for the common use of residents;

7. Covered or enclosed common amenity areas; and

8. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.

E. Subject to the roof coverage limits in subsection 23.75.110.D, height exceptions for elevator penthouses are as follows:

1. Within the view corridor height restriction area depicted in Exhibit A for 23.75.100, an elevator penthouse may extend above the applicable height limit by up to 15 feet.

2. Outside the view corridor height restriction area depicted in Exhibit A for 23.75.100, an elevator penthouse may extend above the applicable height limit by up to 25 feet. If the elevator provides access to a highrise rooftop that includes residential amenity area or a green roof, the penthouse may extend above the applicable height limit by up to 35 feet.

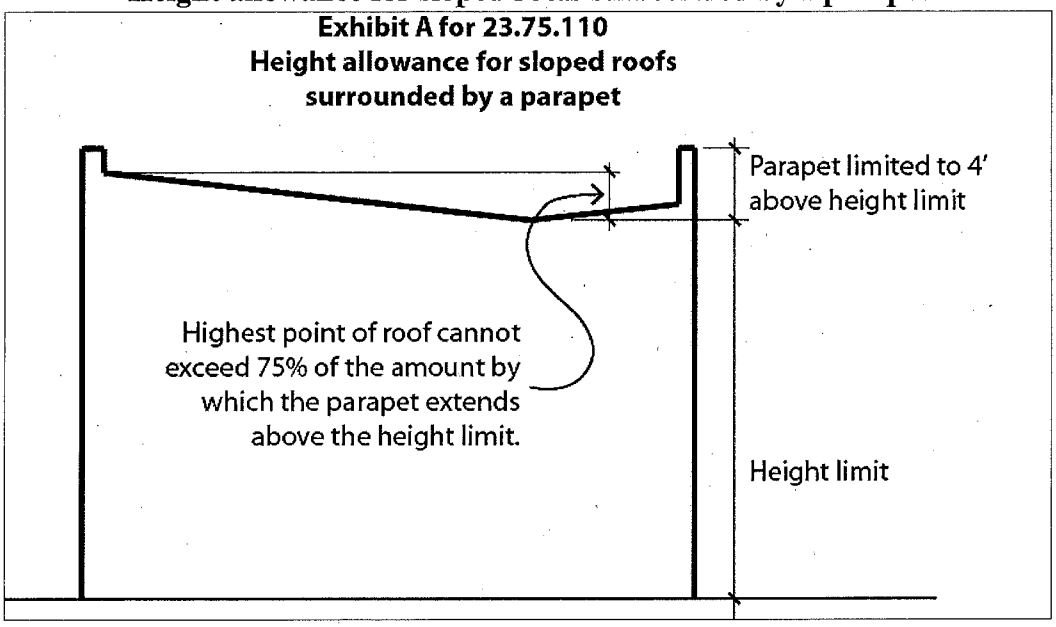
3. A stair penthouse may be the same height as an elevator penthouse if the elevator and the stairs are located within a common penthouse.

F. Greenhouses and solariums are permitted to extend 15 feet above the applicable height limit, if, together with all features gaining additional height through subsections 23.75.110.D and 23.75.110.E, they do not exceed 50 percent of the roof area.

G. To protect solar access for property to the north, the applicant shall locate the rooftop features listed in this Section 23.75.110 that extend above the applicable height limit at least 10 feet from the northerly edge of the roof, except that stair and elevator penthouses may extend to the edge of the roof for a total length along the edge of not more than 30 feet.

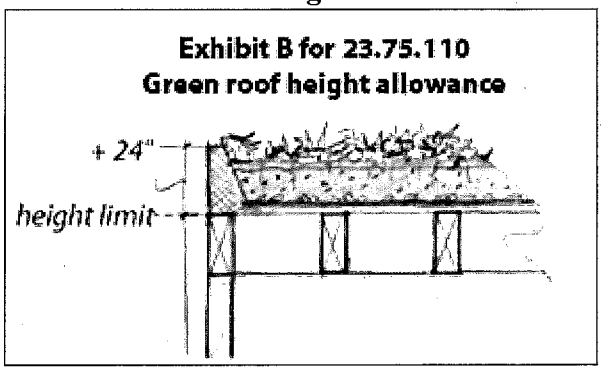
H. Portions of a sloped roof that are completely surrounded by a parapet may exceed the applicable height limit to allow drainage, provided that the highest point of the roof does not exceed the applicable height limit in Section 23.75.100 by more than 75 percent of the amount by which the parapet extends above the height limit. See Exhibit A for 23.75.110.

Exhibit A for 23.75.110
Height allowance for sloped roofs surrounded by a parapet



I. For any structure with a green roof, up to 24 inches of additional height above the applicable height limit in Section 23.75.100 is allowed to accommodate the structural requirements, roofing membranes, and soil for that green roof. See Exhibit B for 23.75.110.

Exhibit B for 23.75.110
Green roof height allowance



23.75.120 Limitations on highrise structures

A. Number and distribution of highrise structures. Table A for 23.75.120 establishes limits on the number and distribution of highrise structures by sector. No highrise structures are allowed in Block 1.

Table A for 23.75.120 Number and distribution of highrise structures	
Sector	**Maximum number of highrise structures**
NW	5
NE	2
SE	3
SW	3

B. Maximum gross floor area per story, by block as shown in Exhibit A for 23.75.020.

1. In Blocks 2, 3, and 4:

a. If structure height is 160 feet or less, each story wholly or in part above 85 feet is limited to a maximum of 15,000 square feet of gross floor area.

b. If structure height exceeds 160 feet, each story wholly or in part above 85 feet is limited to a maximum of 11,000 square feet of gross floor area.

2. In Blocks 5 and 6:

a. If structure height is 125 feet or less, each story wholly or in part above 85 feet is limited to a maximum of 15,000 square feet of gross floor area.

b. If structure height exceeds 125 feet, each story wholly or in part above 85 feet is limited to a maximum of 11,000 square feet of gross floor area.

3. Highrise structures in Blocks 7 and 8 are subject to the same standards that apply in subsection 23.75.120.B.1, except that one highrise structure on each of these two blocks is allowed to meet the following standards in lieu of those in subsection 23.75.120.B.1:

a. If structure height is 125 feet or less, each story wholly or in part above 85 feet is limited to a maximum of 35,000 square feet of gross floor area.

b. If structure height exceeds 125 feet, each story wholly or in part above 85 feet is limited to a maximum of 24,000 square feet of gross floor area.

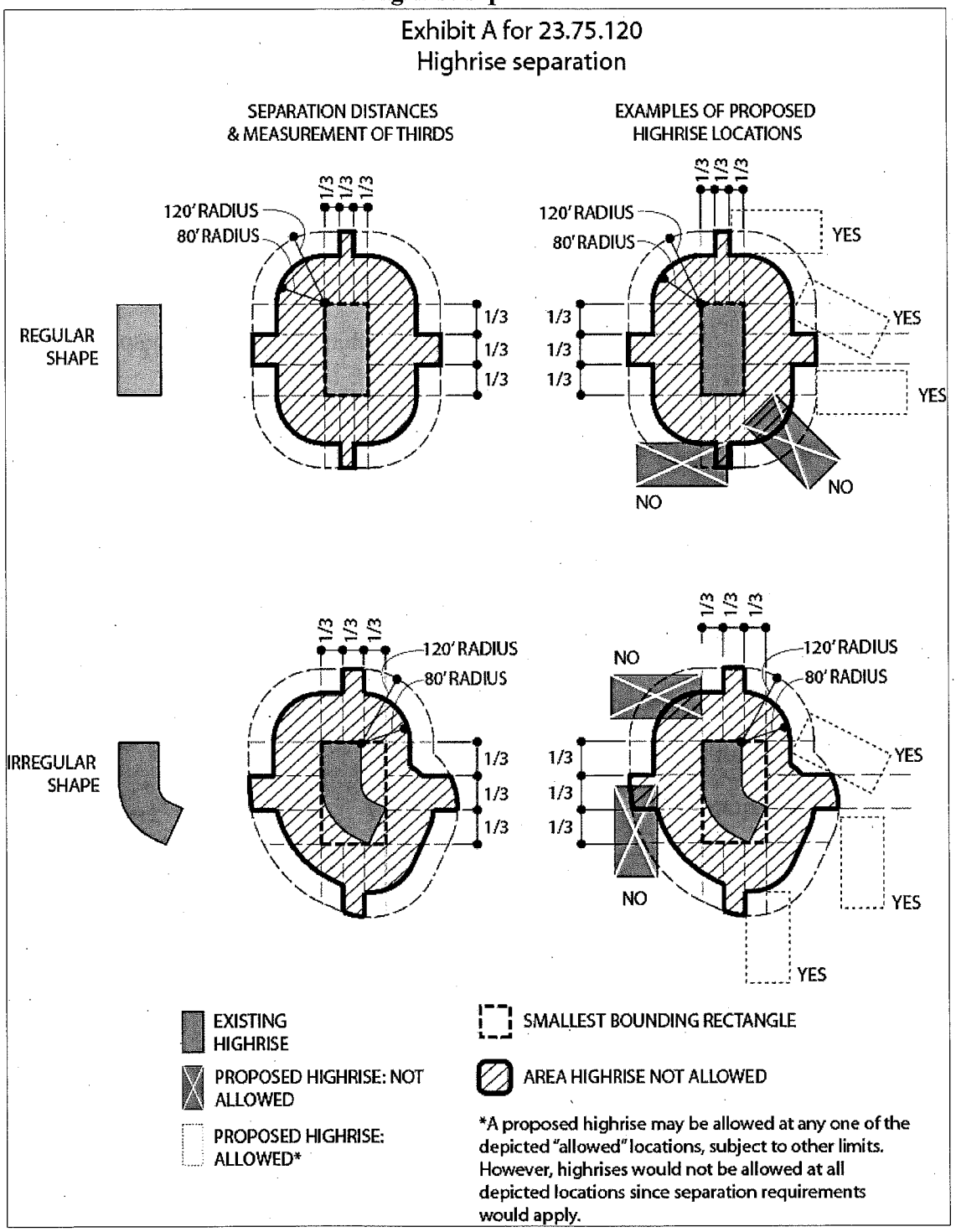
C. Highrise separation.

1. All portions of a proposed highrise structure above 85 feet in height shall be separated horizontally from all portions of an existing highrise structure above 85 feet, whether on the same block or a different block, as follows and as illustrated in Exhibit A for 23.75.120:

a. If the façade or smallest bounding rectangle of a proposed highrise structure does not overlap with the middle third of any façade of an existing highrise structure, or with the middle third of any side of the smallest bounding rectangle of an existing highrise structure, the minimum separation is 80 feet from all portions of the existing highrise structure.

b. If the façade or smallest bounding rectangle of a proposed highrise structure does overlap with the middle third of any façade of an existing highrise structure, or with the middle third of any side of the smallest bounding rectangle of an existing highrise structure, the minimum separation is 120 feet from all portions of the existing highrise.

Exhibit A for 23.75.120
Highrise separation



2. For purposes of this subsection 23.75.120.C, an "existing highrise structure" is either:

a. a highrise structure that is physically present; or

b. a proposed highrise structure for which a Master Use Permit decision that includes approval of the highrise structure has been approved for issuance, unless and until either:

1) the Master Use Permit decision is cancelled before the Master Use Permit is issued, or the Master Use Permit issued pursuant to such decision expires or is cancelled, without the highrise structure having been constructed; or

2) a ruling by a hearing examiner or court of competent jurisdiction reversing or vacating such decision, or determining such decision or the Master Use Permit issued thereunder to be invalid, becomes final and no longer subject to judicial review.

23.75.130 Maximum width of regulated facade

Each regulated façade is limited to 240 feet in width, except for structures in Block 6 where an open space with a minimum width of 40 feet, measured parallel to the street, and a minimum depth of 30 feet separates a portion of the façade from the street, dividing the regulated facade into segments with a maximum width of 240 feet each.

23.75.140 Setbacks and projections

A. General requirements and special setback areas.

1. Except as otherwise provided in this Section 23.75.140, minimum setbacks are required as follows:

a. According to Exhibit A for 23.75.140 where no special setback condition identified in subsection 23.75.140.C, 23.75.140.D, or 23.75.140.E applies to the boundary; or

b. According to Exhibit B for 23.75.140 where a special setback condition identified in subsection 23.75.140.C, 23.75.140.D, or 23.75.140.E applies to the boundary.

2. If a location identified for a special setback condition in subsection 23.75.140.C, 23.75.140.D, or 23.75.140.E is described in reference to a park, access drive, pedestrian pathway, or other easement that has not been established by a final plat or recorded

instrument at the time a permit decision is made, the applicable general minimum setback applies in that location rather than the special setback condition.

Exhibit A for 23.75.140
General minimum setbacks

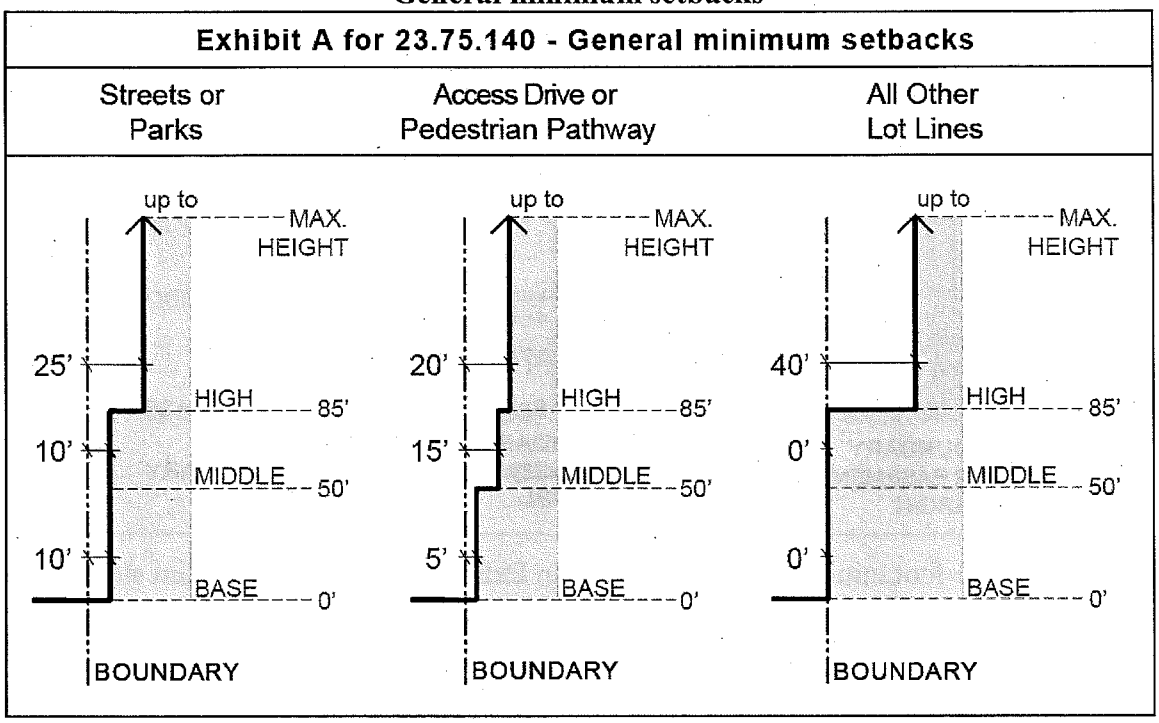
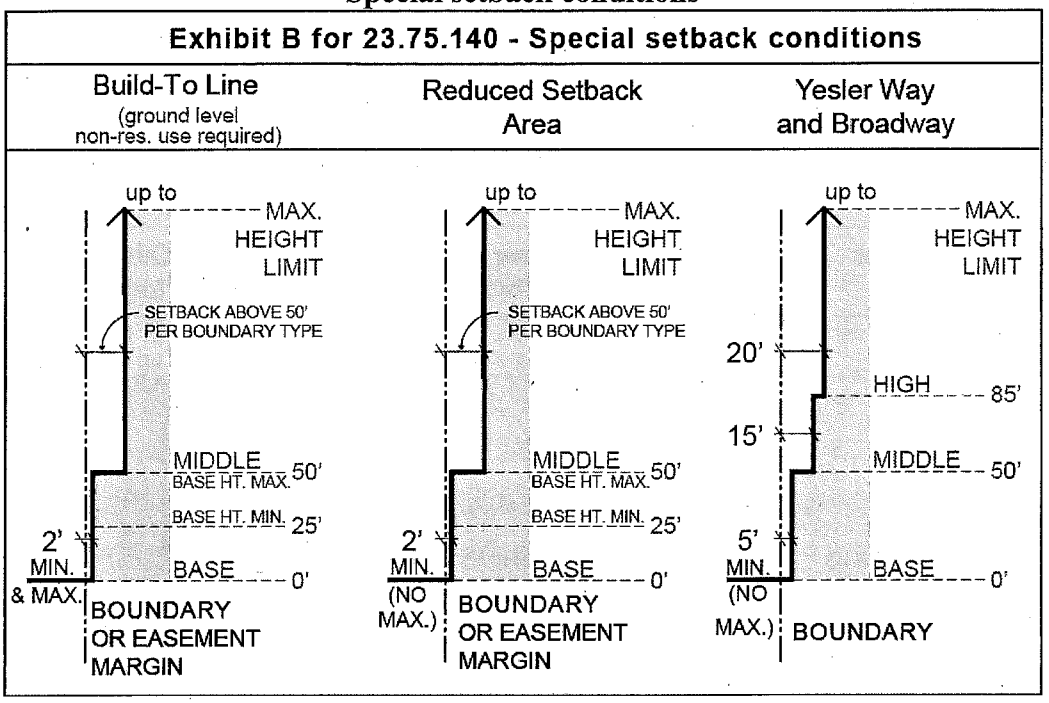
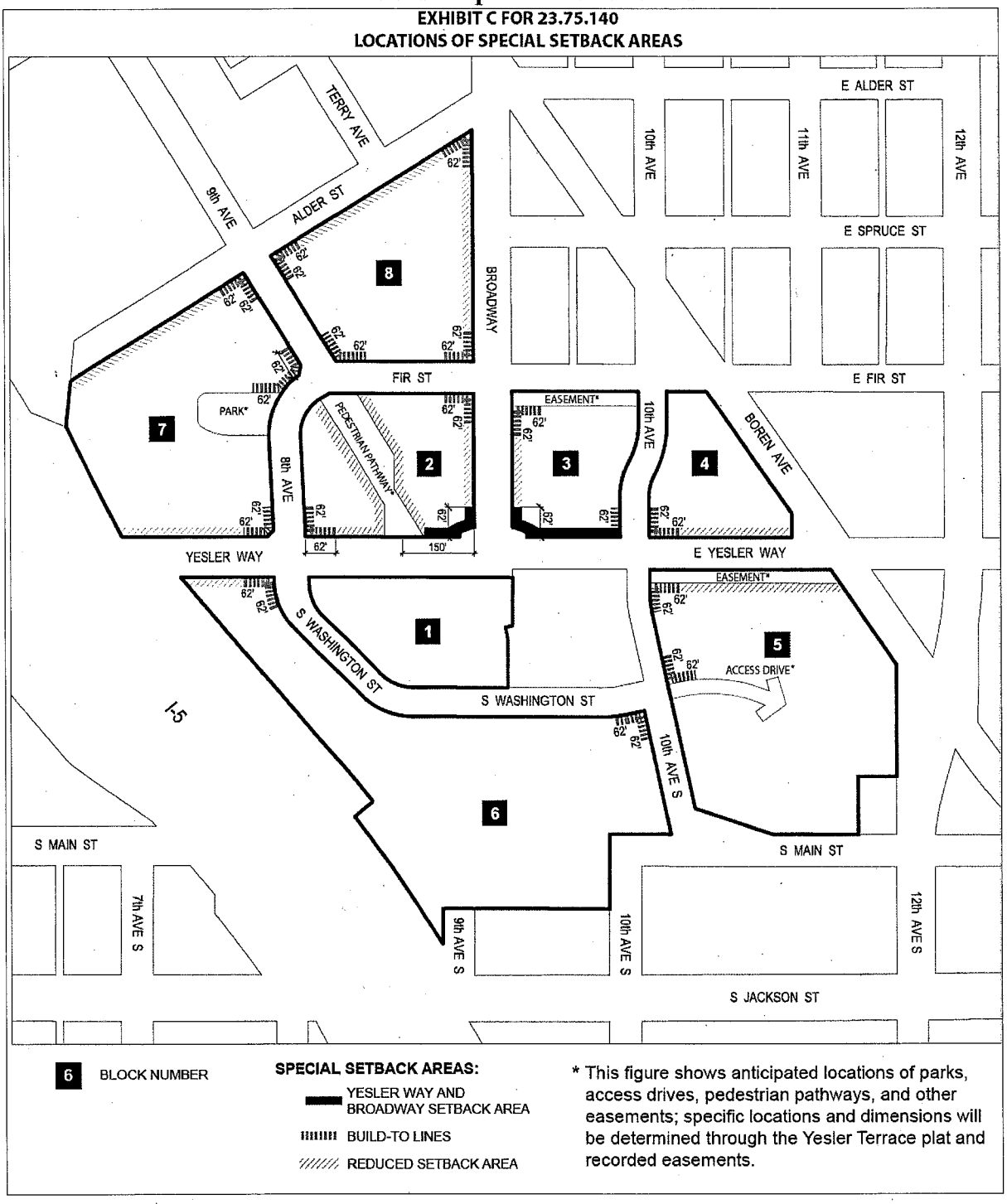


Exhibit B for 23.75.140
Special setback conditions



B. The 10-foot minimum setback shown in Exhibit A for 23.75.140 from streets or parks open to the public is reduced to 7 feet for a residential structure that is partially separated from the street or park by a ground-floor-level courtyard that is at least 30 feet wide and 20 feet deep.

Exhibit C for 23.75.140
Locations of special setback areas



C. Build-to line.

1. The following locations, illustrated in Exhibit C for 23.75.140, are subject to this subsection 23.75.140.C:

a. At the following street intersection locations, the build-to line extends 62 feet along street lot lines in both directions from the intersection of the margins of the street rights of way:

1) the southwest and southeast corners of the intersection of Alder Street and 9th Avenue;

2) the southwest corner of the intersection of Alder Street and Broadway;

3) the northwest and northeast corners of the intersection of Fir Street and 9th Avenue;

4) the northwest and southwest corners of the intersection of Fir Street and Broadway;

5) the northwest and northeast corners of the intersection of 8th Avenue and Yesler Way;

6) the southwest corner of the intersection of South Washington Street and Yesler Way;

7) the northeast corner of the intersection of 10th Avenue and East Yesler Way; and

8) the southwest corner of the intersection of 10th Avenue and South Washington Street.

b. If a park open to the public is established by dedication or easement in Block 7, the build-to line extends 62 feet westerly along the most northerly boundary of the park, measured from the point where that boundary meets any street.

c. Near the southeast corner of the intersection of Fir Street and Broadway, the build-to line extends from the intersection of the east margin of Broadway and the south

margin of any area abutting Fir Street established for public access by easement, 62 feet southerly along Broadway and 62 feet easterly along the margin of the easement area.

d. From the northwest corner of the intersection of 10th Avenue and East Yesler Way, the build-to line extends northerly 62 feet along the west margin of 10th Avenue.

e. If a pedestrian or multi-use trail is established for public access by easement in Block 5 near the southerly margin of East Yesler Way and connecting to 10th Avenue near the southeast corner of the intersection of 10th Avenue and East Yesler Way, the build-to line extends from the intersection of the east margin of 10th Avenue and the south margin of the public easement area, 62 feet southerly along the east margin of 10th Avenue and 62 feet easterly along the south margin of the public easement area.

f. If a pedestrian pathway or access drive is established in Block 5 connecting 10th Ave. with Boren Ave. or 12th Ave, then from the intersection of 10th Avenue and the north margin of the pedestrian pathway or access drive, the build-to line extends 62 feet northerly along the easterly margin of 10th Ave. and 62 feet easterly along the north margin of the pedestrian pathway or access drive.

2. Except as otherwise permitted in this subsection 23.75.140.C, any regulated façade abutting a nonresidential use in the first story partially or completely above grade is required to have a minimum and maximum setback of 2 feet from the build-to line, from ground level to a height of at least 25 feet. The portion of the façade that is 2 feet from the build-to line may continue above 25 feet up to a maximum of 50 feet in height. Above the portion that is 2 feet from the build-to line, all other portions of the facade are subject to the minimum setbacks otherwise applicable above 50 feet, based on the boundary type and condition.

3. Any portion of a façade that abuts residential units, including live-work units, in the first story partially or completely above grade, is subject to the applicable setback depicted in Exhibit A for 23.75.140.

4. The portion of a façade, if any, that abuts residential lobbies and common amenity areas must be set back consistent with either subsection 23.75.140.C.2 or 23.75.140.C.3, as the applicant elects.

5. Building entries are not subject to any maximum setback.

D. Reduced setback areas.

1. The following locations, illustrated in Exhibit C for 23.75.140, are "reduced setback areas," and are subject to this subsection 23.75.140.D except where other special setback conditions apply pursuant to this Section 23.75.140:

a. All street lot lines along Alder St. and Broadway;

b. All street lot lines along the north margin of Yesler Way and E. Yesler Way;

c. All street lot lines along the south margin of Yesler Way in Block 6;

d. The southerly margin of a pedestrian or multi-use trail established for public access by easement near the southerly margin of E. Yesler Way in Block 5, running substantially parallel to E. Yesler Way; and

e. Boundaries abutting both sides of any pedestrian pathway in Block 2.

2. In the locations identified in subsection 23.75.140.D.1, the minimum setback for any façade abutting a nonresidential use, residential lobby, or residential amenity area in the first story partially or completely above grade is 2 feet, up to a maximum of 50 feet above finished grade. No maximum setback requirement applies. For any portion of a façade that abuts residential units in the first story partially or completely above grade, including live-work units, the applicable setback in Exhibit A for 23.75.140 is required.

E. Yesler and Broadway special setback area. Any lot abutting any of the following sides of street segments, illustrated in Exhibit C for 23.75.140, is subject to the "Yesler and Broadway" setback depicted in Exhibit B for 23.75.140.

1. Both sides of Broadway, from Yesler Way to 62 feet north of the north margin of Yesler Way;

2. The north side of East Yesler Way from the east margin of Broadway to the west margin of 10th Avenue; and

3. The north side of Yesler Way from the west margin of Broadway to 150 feet west of the west margin of Broadway.

F. Exceptions. Setbacks required by this Section 23.75.140 are subject to the exceptions in subsections 23.75.140.G through 23.75.140.K.

G. Highrise structures. For a highrise structure, one portion of the façade up to a maximum of 40 feet in width may project to the base setback at any or all heights up to the applicable height limit in Exhibit A for 23.75.100.

H. Underground parking. The base setback, if greater than 4 feet, is reduced to 4 feet for the aboveground portion of partially underground parking that meets the requirements of Section 23.75.180.

I. No minimum setback is required at lots lines abutting Interstate 5 right-of-way, or along the western margin of Block 7 where any lot in the MPC-YT zone abuts the Harborview MIO district with no intervening right-of-way.

J. Structures in required setbacks.

1. For residential uses in structures subject to required setbacks from a street or a park open to the public, bay windows and other portions of structures containing enclosed space may project a maximum of 4 feet into required setbacks, provided that the projection does not exceed 30 feet in width, and provided that no portion of the projection is closer than 2 feet from the boundary. Portions of structures allowed to project into required setbacks under this subsection 23.75.140.J.1 shall be separated by a minimum of one-half the width of the wider of the two projections.

2. Porches, balconies, and decks may project a maximum of 6 feet into required setbacks, provided that no portion of the porch, balcony, or deck is closer than 2 feet from the boundary. Overhead weather protection may project a maximum of 2 feet beyond the edge of a porch, balcony, or deck.

3. Cornices, eaves, gutters, roofs, and other forms of weather protection may project a maximum of 4 feet beyond the building façade into required setbacks.

4. Ramps or other devices necessary for access for the disabled and elderly, which meet Seattle Building Code, Chapter 11, are permitted in required setbacks.

5. Fences, bulkheads, freestanding walls and other similar structures.

a. Fences, freestanding walls and other similar structures 4 feet or less in height above existing or finished grade, whichever is lower, are permitted in required setbacks. The 4 foot height may be averaged along sloping grade for each 6 foot long segment of the fence or freestanding wall, but in no case may any portion of the fence or freestanding wall exceed 6 feet in height.

b. Bulkheads and retaining walls used to raise grade are permitted in any required setback when limited to 6 feet in height, measured above existing grade. In a required setback area, any portion of a bulkhead or retaining wall that is parallel to a sidewalk and greater than 4 feet in height must be set back a minimum of 2 feet from the applicable boundary. An open guardrail of no more than 42 inches in height may be placed on top of the bulkhead or retaining wall. If a fence is placed on top of a bulkhead or retaining wall, the maximum combined height is limited to 9 feet, and no portion of the fence may be greater than 42 inches in height.

c. Bulkheads and retaining walls used to protect a cut into existing grade in a required setback shall not exceed the minimum height necessary to support the cut. An open guardrail of no more than 42 inches in height may be placed on top of the bulkhead or retaining wall. A fence must be set back a minimum of 3 feet from such a bulkhead or retaining wall.

6. Setback requirements do not limit underground structures.

7. Solar collectors are permitted within required setbacks, provided that they are located at least 10 feet above finished grade.

8. Freestanding structures, signs, and similar structures 6 feet or less in height above existing or finished grade, whichever is lower, are permitted in required setback areas, provided that signs meet the provisions of Chapter 23.55.

K. Any projection that extends over a public right-of-way, pedestrian pathway, or access drive is required to comply with the provisions of Section 23.53.035, treating a pedestrian pathway as a sidewalk and an access drive as an alley, except that the minimum vertical clearance is 10 feet above a sidewalk or pedestrian pathway and 26 feet above an access drive.

23.75.145 Façade articulation

A. Intent. The intent of the design standards in this Section 23.75.145 is to:

1. Enhance facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street;

2. Foster a sense of community by integrating new pedestrian-oriented multifamily development with the neighborhood street environment and by promoting designs that allow easy surveillance of the street by area residents; and

3. Promote livability by providing a sense of openness and access to light and air.

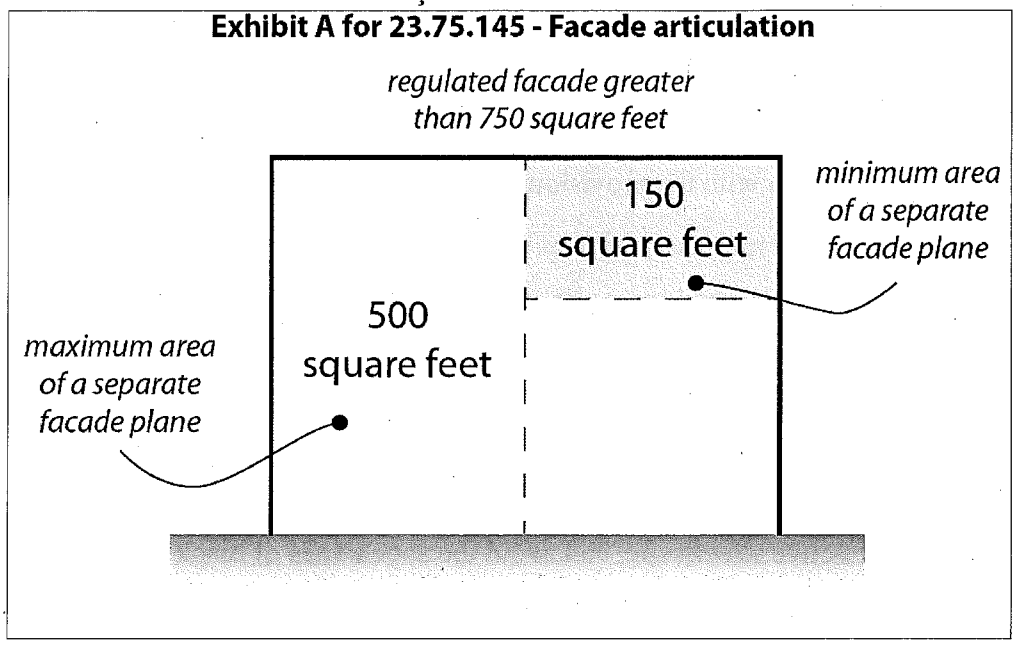
B. Application of provisions. This Section 23.75.145 applies to all structures that contain residential uses and do not undergo any type of design review pursuant to Chapter 23.41. For those structures, the standards apply to regulated facades between finished grade and 50 feet above finished grade.

C. For the purposes of this Section 23.75.145, the facade includes all vertical and substantially vertical surfaces enclosing interior space, including gables and dormers.

D. Façade articulation.

1. If a regulated façade exceeds 750 square feet in area, division of the façade into separate facade planes is required (see Exhibit A for 23.75.145).

Exhibit A for 23.75.145
Façade articulation



2. In order to be considered a separate façade plane for the purposes of this subsection 23.75.145.D, a portion of the façade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting façade planes by a minimum depth of 18 inches.

3. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows and doors on all regulated facades.

E. The Director may allow exceptions to the façade articulation requirements in this Section 23.75.145, if the Director determines that the façade will meet the intent of subsection 23.75.145.A through one or more of the following façade treatments:

1. Variations in building materials and/or color, or both, that reflect the stacking of stories or reinforce the articulation of the façade;

2. Incorporation of architectural features that add interest and dimension to the façade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or balconies; or

3. Landscaping elements such as trellises or modular green walls that accommodate vegetated walls covering a minimum of 25 percent of the façade surface.

23.75.150 Residential amenity areas

A. Amount required. The required amount of amenity area is equal to 5 percent of the total residential gross floor area.

B. General requirements.

1. All dwelling units shall have access to a common amenity area or private amenity area.

2. No more than 50 percent of the required amenity area may be enclosed within a structure. Enclosed area within a structure that is not common amenity area does not count as required amenity area.

3. Required amenity area that is not enclosed shall be open to the sky, except for any overhead weather protection or balconies, and except that structural projections that do not provide floor area, such as garden windows, may extend up to 2 feet into a required amenity area if they are at least 8 feet above the surface of the amenity area.

4. Areas open to the public by easement do not qualify as required amenity areas. Portions of a pedestrian pathway that are not subject to a public easement may qualify as required amenity area.

5. Parking areas, access drives, and driveways do not qualify as required amenity areas, except that portions of an access drive other than driving surfaces, parking surfaces, or areas dedicated to public use by easement may provide a maximum of 50 percent of the required amenity area.

6. Pursuant to subsection 23.57.011.C.1, rooftop areas adjacent to minor communication utilities or accessory communication devices do not qualify as required amenity areas.

C. To count as required amenity area in Blocks 6 and 7, unenclosed amenity areas must be separated from Interstate 5 by an intervening structure a minimum of 10 feet in height, other than a fence or rail.

D. Common amenity area requirements. This subsection 23.75.150.D applies to common amenity area counted as required amenity area.

1. Common amenity areas are allowed to be shared among dwelling units in multiple structures on a lot or among lots within the same block, or both. Where a common amenity area is shared among lots:

a. All residents of all lots among which the amenity area is shared shall have access to the common amenity area, and the total common and private amenity area shall meet or exceed the amenity area requirements for all residential uses on all those lots combined.

b. A certificate of occupancy shall not be issued for a residential structure for which a permit has been issued based on shared amenity area until all dwelling units in that structure have access to amenity area sufficient to meet the requirements of this Section 23.75.150.

2. Each common amenity area is required to be at least 250 square feet in area and is required to have a minimum horizontal dimension of 10 feet. For an unenclosed common amenity area, the minimum area and dimension shall be reduced by 30 percent if the applicant demonstrates that the unenclosed common amenity area is an extension of an enclosed common amenity area.

3. Common amenity area is required to include elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, or art.

E. Private amenity area.

1. To count toward the required amount of amenity area in subsection 23.75.150.A, any single private amenity area must have an area no less than 30 square feet, and is required to have a minimum horizontal dimension of 5 feet.

2. Gardening in pots and planters shall be allowed in private amenity areas that are counted toward the minimum required amenity area, and no lease provision, covenant, agreement, or rule that prohibits or penalizes such gardening in any such area shall be made or enforced.

23.75.160 Landscaping and street trees

A. Landscaping requirements.

1. Standards. All landscaping provided to meet requirements under this Section 23.75.160 is required to meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings.

2. Green Factor requirement. A minimum Green Factor score of 0.30, computed pursuant to Section 23.86.019 except as otherwise provided in this Section 23.75.160, is required for any lot with development containing:

a. more than four dwelling units built after January 1, 2012;

b. more than 4,000 square feet of nonresidential uses built after January 1, 2012; or

c. more than 20 automobile parking spaces built after January 1, 2012.

3. Landscape elements provided within pedestrian pathways, access drives, or parks may not be counted toward meeting the minimum requirement in 23.75.160.A.2.

B. Street tree requirements. Street trees are required when a proposed development is on a lot that abuts a street. Existing street trees shall be retained unless removal is approved by the Director of Transportation. The Director, in consultation with the Director of Transportation, shall determine the number, type, and placement of street trees to be provided in order to:

1. improve public safety;

2. promote compatibility with existing street trees;

3. match trees to the available space in the planting strip;

4. maintain and expand the urban forest canopy;

5. encourage healthy growth through appropriate spacing;

6. protect utilities; and

7. allow access to the street, structures and lot.

23.75.170 Street-level development standards

A. The standards in this Section 23.75.170 apply to the portion of a regulated facade between 18 inches and 12 feet above finished grade at the base of the facade.

B. Blank façade segments.

1. For purposes of this Section 23.75.170, Section 23.86.028 does not apply, and facade segments are considered blank where the portion identified in subsection 23.75.170.A does not include at least one of the following:

a. Windows, not including glass blocks or opaque glass;

b. Entryways or doorways, not including doors or entryways to garages, utilities, or loading access;

c. Stairs, stoops, or porticos; or

d. Decks or balconies.

2. Blank segments may not exceed 15 feet in width, except that a blank segment up to 30 feet in width is allowed if the Director determines, as a Type I decision, that the blank segment will be enhanced by architectural detailing, artwork, vegetated wall, or similar features to provide visual interest.

3. Blank segments shall be separated from one another by at least one feature listed in subsection 23.75.170.B.1 that is at least two feet wide.

C. Standards for units at regulated facades. This subsection 23.75.170.C applies where dwelling units or live-work units abut a regulated facade.

1. Except along Boren Avenue or Boren Ave S., and except where the setback is reduced pursuant to 23.75.140.B, each dwelling unit with its lowest floor level 6 feet or less above finished grade and facing onto a street or park open to the public shall have direct access to a private amenity area located between the dwelling unit and the park or street. The floor

level at the doorway providing access from the dwelling unit to the amenity area shall not be lower than finished grade at the closest point of the closest boundary.

2. At least 20 percent of the façade area shall consist of doors and/or transparent windows. Where live-work units abut the facade, at least 50 percent of the façade area shall consist of doors and/or transparent windows.

3. Where finished grade along the boundary is sloped greater than 7.5 percent for a segment at least 30 feet long, the requirements of subsection 23.75.170.C.2 are reduced by 50 percent.

D. Standards for non-residential uses, residential lobbies, and residential amenity areas near finished grade. This subsection 23.75.170.D applies to each façade regulated by 23.75.170.A where the façade does not abut a dwelling unit or live-work unit.

1. For façades located less than 10 feet from a boundary, at least 75 percent of the area of the façade shall consist of doors and/or transparent windows.

2. For façades located 10 feet or more from a boundary, at least 50 percent of the area of the façade shall consist of doors and/or transparent windows.

3. Where finished grade along the boundary is sloped greater than 7.5 percent for a segment at least 30 feet long, the requirements in this subsection 23.75.170.D are reduced by 50 percent.

23.75.180 Parking

A. Parking is regulated by this Section 23.75.180 and not by Sections 23.54.015, 23.54.016, 23.54.030.A, or 23.54.030.B, except for bicycle parking, which is required pursuant to subsection 23.54.015.K. Parking maximums in this Section 23.75.180 do not include parking for dwelling units existing as of January 1, 2012, so long as those units exist.

B. There is no minimum requirement for parking spaces for motor vehicles. Maximum motor vehicle parking space limits are as follows:

1. For the NW Sector, parking shall not exceed 1,350 spaces, plus 0.7 spaces per dwelling unit or live-work unit in the sector, except that up to an additional 450 parking spaces

may be permitted as a special exception pursuant to Chapter 23.76. When deciding whether to grant a special exception, the Director shall consider evidence of parking demand for nonresidential uses and alternative means of transportation, including but not limited to the following:

a. Whether the additional parking will substantially encourage the use of single occupancy vehicles;

b. Characteristics of the work force and employee hours, such as multiple shifts that end when transit service is not readily available;

c. Proximity of transit lines to the lot and headway times of those lines;

d. Whether the additional parking will adversely affect vehicular and pedestrian circulation in the area; and

e. Potential for shared use of additional parking as residential or short-term parking.

2. For the NE, SE, and SW Sectors, Table A for 23.75.180 establishes maximum parking allowed based on the uses on a lot, subject to any transfer of unused parking allowance between lots in the same sector under Section 23.75.040.

Table A for 23.75.180
Maximum motor vehicle parking limits for NE, SE, and SW Sectors

Use	Maximum parking allowed[1]
Residential	0.7 spaces/dwelling unit or live-work unit[2]
Office	1 space/1,000 square feet of gross floor area
All other uses	1 space/500 square feet of gross floor area

Footnote to Table A for 23.75.180

[1] Based on the development of one or more uses on the lot where the parking is located, subject to any transfer of unused allowance between lots in the same sector under Section 23.75.040.
[2] One additional space beyond this maximum limit shall be allowed for each dwelling unit with 3 or more bedrooms.

C. Barrier-free parking is required consistent with Seattle Building Code requirements.

D. For purposes of this Section 23.75.180, all parking is classified as "surface parking," as defined in Section 23.84A.030, or as "aboveground," "partially underground," or "underground," as shown in Exhibit A for 23.75.180 and described as follows:

1. "Aboveground parking" means any portion of a parking garage where:

a. the structure projects more than 4 feet in height above finished grade within 30 feet of a build-to line or reduced setback area; or

b. the structure projects more than 6 feet in height above finished grade in any other location.

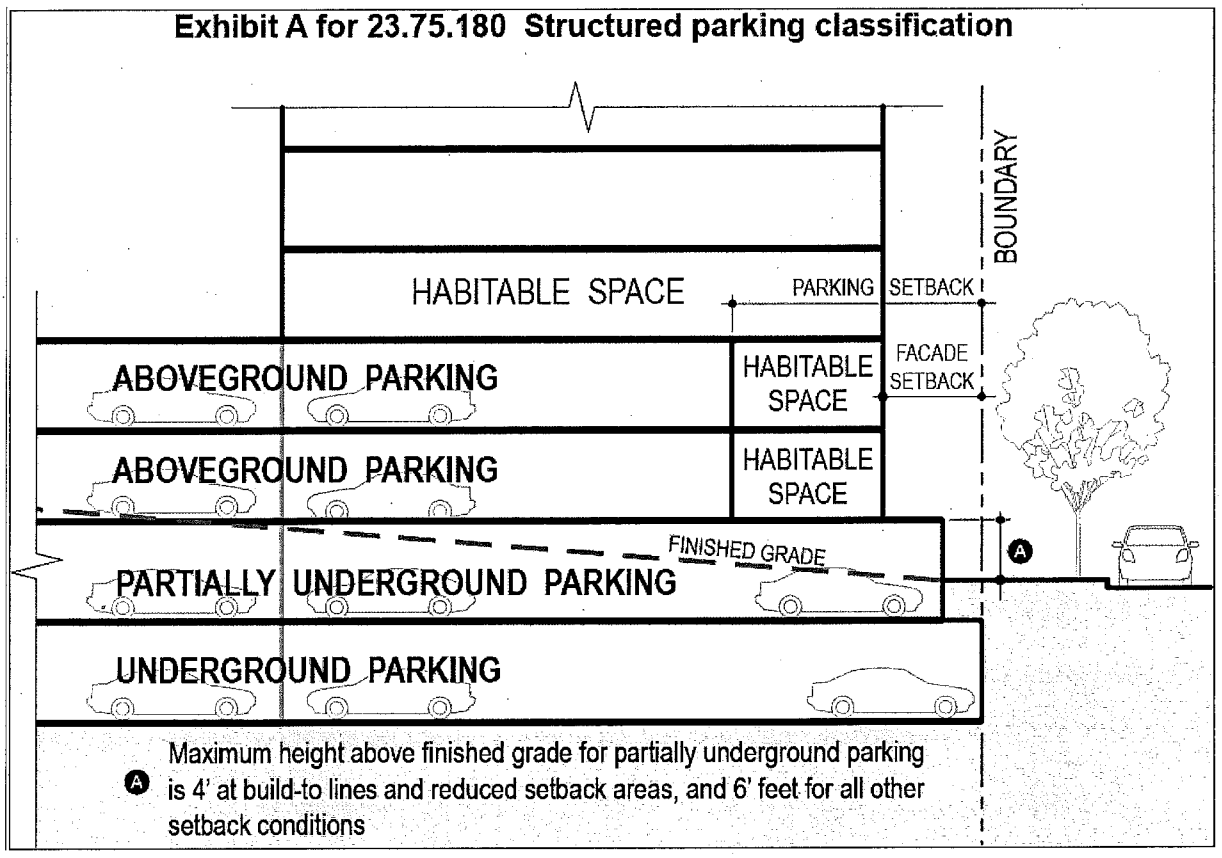
2. "Partially underground parking" means any portion of a parking garage where:

a. the structure projects 4 feet or less in height above finished grade within 30 feet of a build-to line or reduced setback area; or

b. the structure projects 6 feet or less in height above finished grade along any other location.

3. "Underground parking" means a story of parking garage where all floor area, walls, and ceiling structure are entirely below finished grade, excluding access.

Exhibit A for 23.75.180
Structured parking classification



E. Standards for surface parking.

1. The total number of surface parking spaces may not exceed 12 spaces per block.

2. No more than five surface parking spaces may abut one another, and each group of abutting surface parking spaces shall be separated from other surface parking spaces by a minimum of 30 feet, measured between the two closest spaces.

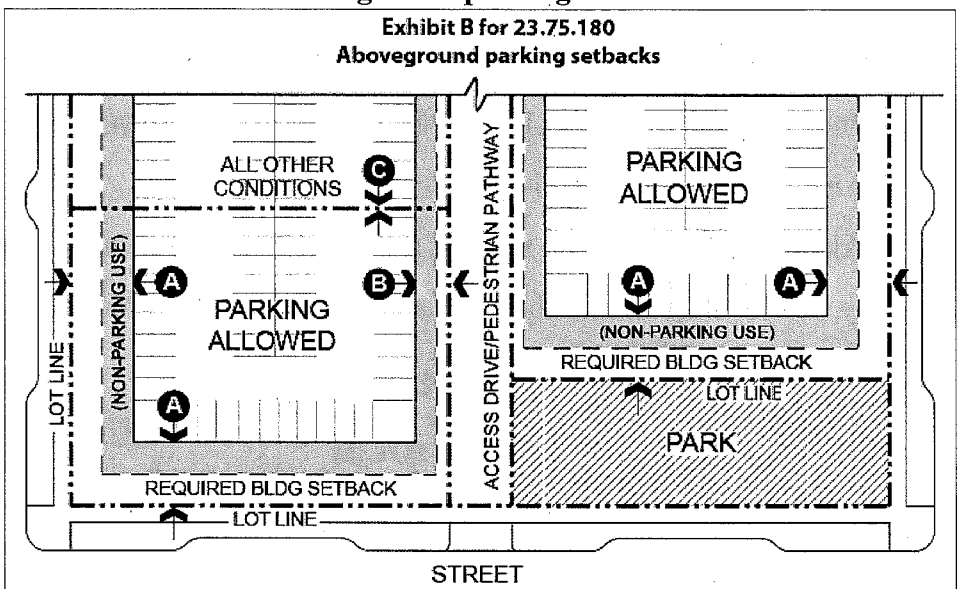
3. Parking spaces located on an access drive are not allowed within 30 feet of entrances to parking garages.

4. Surface parking is not allowed in the required setback between a building and a street or park that is open to the public.

F. Aboveground parking is subject to the following requirements.

1. Minimum setbacks for aboveground parking are established in Exhibit B for 23.75.180. No parking setbacks are required from lot lines abutting the Interstate 5 right-of-way.

Exhibit B for 23.75.180
Aboveground parking setbacks



AREA ABUTTING LOT	MIN. SETBACK
A Street or park	30 feet
B Access drive or pedestrian pathway	25 feet
C All other conditions	0 feet

2. Parking within 50 feet of a street, park that is open to the public, access drive, or pedestrian pathway may not exceed three levels of aboveground parking.

3. Aboveground parking and loading areas shall be separated from each regulated facade by a normally occupied use along at least 80 percent of the width of the regulated facade, except where parking access and/or loading access occurs. The remaining part of the façade shall include architectural detailing, artwork, vegetated walls, or other landscape features, with an opaque screen at least 3.5 feet high on each story.

4. If aboveground parking or an aboveground loading area abuts any façade other than a regulated façade, that façade shall be enhanced with architectural detailing, artwork,

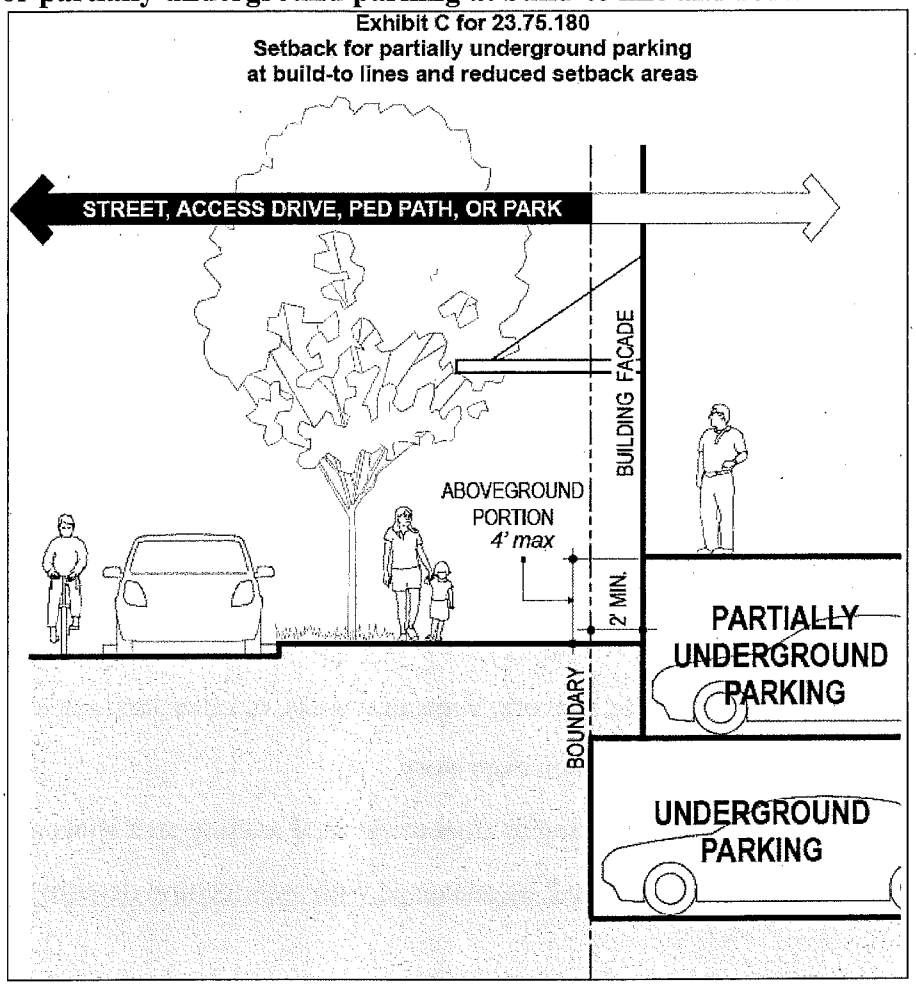
vegetated walls, or other landscape features. Each story shall have an opaque screen at least 3.5 feet high.

G. Partially underground parking is subject to the following requirements:

1. At build-to lines and in reduced setback areas as depicted in Exhibit C for 23.75.140, partially underground parking is required to be set back at least 2 feet from the boundary, as shown in Exhibit C for 23.75.180. In these locations, the aboveground portion of the parking garage is not allowed to exceed 4 feet above finished grade.

2. Along boundaries that do not abut a street, park that is open to the public, pedestrian pathway, or access drive, no setback is required for partially underground parking.

Exhibit C for 23.75.180
Setback for partially underground parking at build-to line and reduced setback areas



3. Along boundaries that abut a street, park that is open to the public, pedestrian pathway, or access drive and are not subject to a build-to line or reduced setback area, partially underground parking is required to be set back at least 4 feet from the boundary, as shown in Exhibit D for 23.75.180, and must meet the following standards:

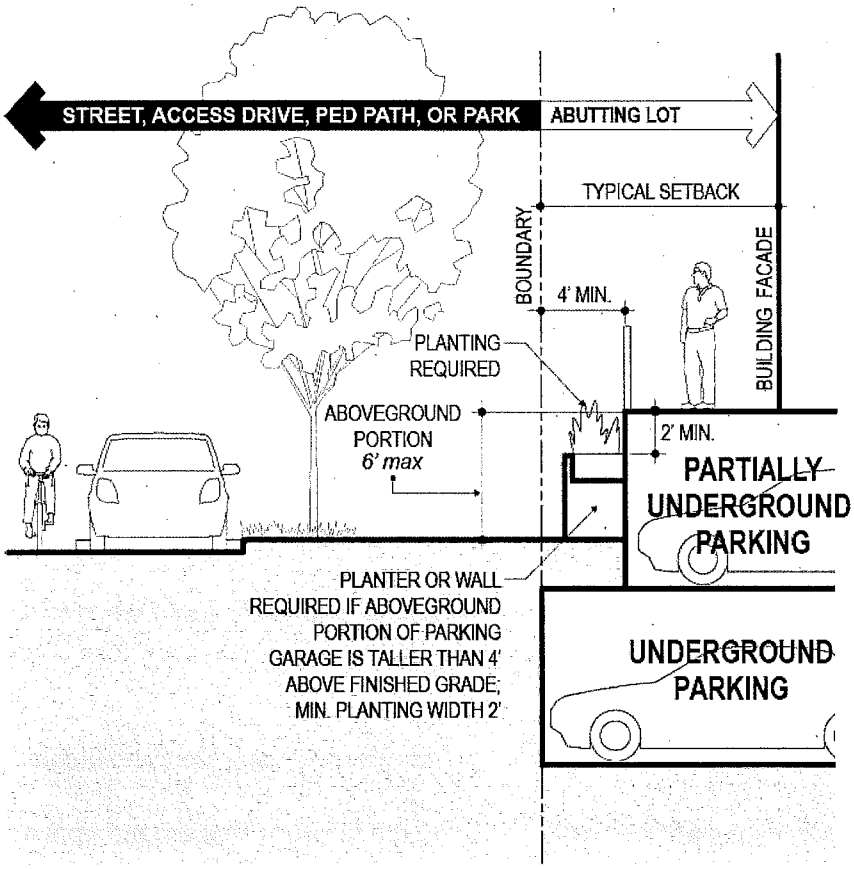
a. The aboveground portion is required to be no higher than 6 feet above the finished grade at the boundary.

b. If the aboveground portion of the parking garage is taller than 4 feet above finished grade, a wall or planter shall be provided between the parking garage and the boundary, as illustrated in Exhibit D for 23.75.180. The top of this wall or planter shall be at least two feet below the top of the aboveground portion of the parking garage, and the planting area shall be at least 2 feet in width. Vegetation shall be provided at the top of this wall or planter.

Exhibit D for 23.75.180

Setback for partially underground parking where 6 foot exposure is allowed

Exhibit D for 23.75.180
Setback for partially underground parking
where 6 foot exposure is allowed



H. Underground parking may extend to the lot line.

I. Parking and loading access.

1. Access for parking and for loading is required to meet the following requirements:

a. Access is not allowed within 40 feet of the curb line of an intersection.

b. Access is not allowed within 20 feet of a structure corner that includes a regulated façade on one or both sides.

2. Each access drive is required to include a dedicated pedestrian area along at least one side of the length of the drive. The dedicated pedestrian area is required to:

a. include a walking surface at least 6 feet wide along the length of the access drive; and

b. be separated from the access drive roadway by a raised curb, bollards, landscaping, or textured paving details.

3. Curb cuts are required to meet the standards of subsections 23.54.030.F and 23.54.030.G.

4. Driveways are required to meet the standards of subsection 23.54.030.D.

Section 27. Section 23.76.004 of the Seattle Municipal Code, which section was last amended by Ordinance 123939, is amended as follows:

23.76.004 Land use decision framework

A. Land use decisions are classified into five categories. Procedures for the five different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are generally categorized by type in Table A for 23.76.004.

B. Type I and II decisions are made by the Director and are consolidated in Master Use Permits. Type I decisions are decisions made by the Director that are not appealable to the Hearing Examiner. Type II decisions are discretionary decisions made by the Director that are subject to an administrative open record appeal hearing to the Hearing Examiner; provided that Type II decisions enumerated in subsections 23.76.006.C.2.c, d, f, and g, and SEPA decisions integrated with them as set forth in subsection 23.76.006.C.2.m ((~~23.76.006.C.2.l~~)), shall be made by the Council when associated with a Council land use decision and are not subject to administrative appeal. Type III decisions are made by the Hearing Examiner after conducting an open record hearing and not subject to administrative appeal. Type I, II or III decisions may be subject to land use interpretation pursuant to Section 23.88.020.

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((~~Table A for 23.76.004~~
~~LAND USE DECISION FRAMEWORK[1]~~

~~DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS~~))

Table A for 23.76.004 **LAND USE DECISION FRAMEWORK[1]**
DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS
TYPE I **Director's Decision** **(Administrative review through land use interpretation as allowed by Section 23.88.020[2])**
• Compliance with development standards
• Uses permitted outright
• Temporary uses, four weeks or less
• Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments
• Intermittent uses
• Interim use parking authorized under subsection 23.42.040.G
• Uses on vacant or underused lots pursuant to Section 23.42.038
• Certain street uses
• Lot boundary adjustments
• Modifications of features bonused under Title 24
• Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
• Temporary uses for relocation of police and fire stations
• Exemptions from right-of-way improvement requirements
• Special accommodation
• Reasonable accommodation
• Minor amendment to a Major Phased Development Permit
• Determination of public benefit for combined lot FAR
• Determination of whether an amendment to a property use and development agreement is major or minor
• Streamlined design review decisions((,)) pursuant to Section 23.41.018((,)) if no development standard departures are requested, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
• Shoreline special use approvals that are not part of a shoreline substantial development

permit
• Adjustments to major institution boundaries pursuant to subsection 23.69.023.B
• Determination that a project is consistent with a planned action ordinance
• Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance
• Other Type I decisions that are identified as such in the Land Use Code
TYPE II Director's Decision (Appealable to Hearing Examiner or Shorelines Hearing Board[3])
• Temporary uses, more than four weeks, except for temporary relocation of police and fire stations
• Variances
• Administrative conditional uses
• Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit[3]
• Short subdivisions
• Special Exceptions
• Design review decisions, except for streamlined design review pursuant to Section 23.41.018 if ((~~for which~~)) no development standard departures are requested, and except for design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
• Light rail transit facilities
• The following environmental determinations:
1. Determination of non-significance (EIS not required)
2. Determination of final EIS adequacy
3. Determinations of significance based solely on historic and cultural preservation
4. A decision to approve, condition or deny a permit for a project based on SEPA policies ((~~Policies~~)), except for a project determined to be consistent with a planned action ordinance
((~~5. A decision that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required)~~))
• Major Phased Developments
• Downtown Planned Community Developments
TYPE III Hearing Examiner's Decision (No Administrative Appeal)
• Subdivisions (preliminary plats)
COUNCIL LAND USE DECISIONS
TYPE IV (Quasi-Judicial) Council Land Use Decisions
• Amendments to the Official Land Use Map (rezones), except area-wide amendments and correction of errors
• Public projects that require Council approval
• Major Institution master plans, including major amendments, renewal of a master plan's development plan component, and master plans prepared pursuant to subsection 23.69.023.C after an acquisition, merger, or consolidation of major institutions((.))

• Major amendments to property use and development agreements
• Council conditional uses
TYPE V (Legislative) Council Land Use Decisions
• Land Use Code text amendments
• Area-wide amendments to the Official Land Use Map
• Corrections of errors on the Official Land Use Map due to cartographic and clerical mistakes
• Concept approvals for the location or expansion of City facilities requiring Council land use approval
• Major Institution designations and revocations of Major Institution designations
• Waivers or modifications of development standards for City facilities
• Adoption of or amendments to Planned Action Ordinances
Footnotes for Table A for 23.76.004: (1) Sections 23.76.006 and 23.76.036 establish the types of land use decisions in each category. This table is intended to provide only a general description of land use decision types. (2) Type I decisions are subject to administrative review through a land use interpretation pursuant to Section 23.88.020 if the decision is one that is subject to interpretation. (3) Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit, are appealable to the Shorelines Hearings Board along with all related environmental appeals.

Section 28. Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123939, is amended as follows:

23.76.006 Master Use Permits required

A. Type I, II and III decisions are components of Master Use Permits. Master Use Permits are required for all projects requiring one or more of these decisions.

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;

2. Establishment or change of use for uses permitted outright, interim use parking under subsection 23.42.040.G, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, and temporary uses for four weeks or less not otherwise permitted in the zone, and renewals of temporary uses for up to six months, except temporary uses and facilities for light rail transit facility construction and transitional encampments;

3. The following street use approvals:

a. Curb cut for access to parking whether associated with a development proposal or not;

b. Concept approval of street improvements associated with a development proposal, such as additional on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving;

c. Structural building overhangs associated with a development proposal;

d. Areaways associated with a development proposal;

4. Lot boundary adjustments;

5. Modification of the following features bonused under Title 24:

a. Plazas;

b. Shopping plazas;

c. Arcades;

d. Shopping arcades;

e. Voluntary building setbacks;

6. Determinations of Significance (determination that an environmental impact statement is required) for Master Use Permits and for building, demolition, grading and other construction permits (supplemental procedures for environmental review are established in Chapter 25.05, Environmental Policies and Procedures), except for Determinations of Significance based solely on historic and cultural preservation;

7. Discretionary exceptions for certain business signs authorized by subsection 23.55.042.D;

8. Waiver or modification of required right-of-way improvements;

9. Special accommodation pursuant to Section 23.44.015;

10. Reasonable accommodation;

11. Minor amendment to Major Phased Development Permit;

12. Determination of public benefit for combined lot development;

13. Streamlined design review decisions pursuant to Section 23.41.018((,)) if no development standard departures are requested pursuant to Section 23.41.012, and design review decisions in an MPC zone if no development standard departures are requested pursuant to Section 23.41.012;

14. Shoreline special use approvals that are not part of a shoreline substantial development permit;

15. Determination that a project is consistent with a planned action ordinance, except as provided in subsection 23.76.006.C;

16. Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance; and

((~~15~~))17. Other Type I decisions.

C. The following are Type II decisions:

1. The following procedural environmental decisions for Master Use Permits and for building, demolition, grading and other construction permits are subject to appeal to the Hearing Examiner and are not subject to further appeal to the City Council (supplemental procedures for environmental review are established in Chapter 25.05, Environmental Policies and Procedures):

a. Determination of Nonsignificance (DNS), including mitigated DNSs;

b. Determination that a final environmental impact statement (EIS) is adequate; and

c. Determination of Significance based solely on historic and cultural preservation.

2. The following decisions are subject to appeal to the Hearing Examiner (except shoreline decisions and related environmental determinations, which are appealable to the Shorelines Hearings Board):

a. Establishment or change of use for temporary uses more than four weeks not otherwise permitted in the zone or not meeting development standards, including the

establishment of temporary uses and facilities to construct a light rail transit system for so long as is necessary to construct the system as provided in subsection 23.42.040.F, but excepting temporary relocation of police and fire stations for 24 months or less;

b. Short subdivisions;

c. Variances; provided that the decision on variances sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

d. Special exceptions; provided that the decision on special exceptions sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

e. Design review decisions, ((~~including~~)) except for streamlined design review decisions pursuant to Section 23.41.018 if no development standard departures are requested pursuant to Section 23.41.012, and except for design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested pursuant to Section 23.41.012;

f. Administrative conditional uses((~~,~~)); provided that the decision on administrative conditional uses sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

g. The following shoreline decisions; provided that these decisions shall be made by the Council pursuant to Section 23.76.036 when they are sought as part of a Council land use decision (supplemental procedures for shoreline decisions are established in Chapter 23.60):

1) Shoreline substantial development permits;

2) Shoreline variances; and

3) Shoreline conditional uses;

h. Major Phased Developments;

i. Determination of project consistency with a planned action ordinance, only if the project requires another Type II decision; ((~~and EIS;~~))

j. Establishment of light rail transit facilities necessary to operate and maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

k. Downtown planned community developments;

l. Establishment of temporary uses for transitional encampments; and

m. Except for projects determined to be consistent with a planned action ordinance, decisions ((~~Decisions~~)) to approve, condition, or deny based on SEPA policies if such decisions are integrated with the decisions listed in subsections 23.76.006.C.2.a.through ((~~k~~))l; provided that, for decisions listed in subsections 23.76.006.C.2.c, d, f, and g that are made by the Council, integrated decisions to approve, condition, or deny based on SEPA policies are made by the Council pursuant to Section 23.76.036.

D. The following decision, including any integrated decision to approve, condition or deny based on SEPA policies, is a Type III decision made by the Hearing Examiner: subdivisions (preliminary plats).

E. The requirement for the Council to make the shoreline decisions listed in subsection 23.76.006.C.2.g if they are sought as part of a Council land use decision shall also apply for purposes of Chapter 23.60.

Section 29. Subsection D of Section 23.76.010 of the Seattle Municipal Code, which section was last amended by Ordinance 123913, is amended as follows:

23.76.010 Applications for Master Use Permits

***

D. All applications shall contain the submittal information required by the applicable sections of this Title 23, Land Use Code; Title 15, Street and Sidewalk Use; Chapter 25.05, Environmental Policies and Procedures; Chapter 25.09, Regulations for Environmentally Critical Areas; Chapter 25.12, Landmarks Preservation; Chapter 25.16, Ballard Avenue Landmark District; Chapter 25.20, Columbia City Landmark District; Chapter 25.22, Harvard-Belmont Landmark District; Chapter 25.24, Pike Place Market Historical District; and other codes as determined applicable and necessary for review by the Director. All shoreline substantial

development, conditional use or variance applications shall also include applicable submittal information as specified in WAC 173-27-180. The Director shall make available, in writing, a general list of submittal requirements for a complete application.

***

Section 30. Subsections A and B of Section 23.76.012 of the Seattle Municipal Code, which section was last amended by Ordinance 123913, are amended as follows:

23.76.012 Notice of application

A. Notice.

1. No notice of application is required for Type I decisions, except that notice of application is required for all projects in MPC zones that are subject to Master Planned Community design review in Section 23.41.020, as described in subsection 23.76.012.B.6.

2. Within 14 days after the Director determines that an application is complete ((~~decision is submitted~~)), for the following types of applications, the Director shall provide notice of the application and an opportunity for public comment as described in this Section 23.76.012:

a. Type II Master Use Permits;

b. Type III Master Use Permits;

c. Type IV Council land use decisions, provided that for amendments to property use and development agreements, additional notice shall be given pursuant to subsection 23.76.058.C; and

d. The following Type V Council land use decisions:

1) Major Institution designations and revocation of Major Institution designations;

2) Concept approvals for the location or expansion of City facilities requiring Council land use approval; and

3) Waivers or modification of development standards for City facilities.

3. Other Agencies with Jurisdiction. The Director shall provide notice to other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the project to the extent known by the Director.

4. Early Review Determination of Nonsignificance (DNS). In addition to the requirements of subsection A.3 of this Section 23.76.012, the Director shall provide a copy of the early review DNS notice of application and environmental checklist to the following:

a. State Department of Ecology;

b. Affected tribes;

c. Each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

d. Persons who submit a written request for this information and who provide an address for notice.

B. Types of notice required.

1. For projects subject to ((~~environmental review,~~)) a Type II environmental determination pursuant to Section 23.76.006 or design review pursuant to Section 23.41.014, the Department shall direct the installation of a large notice sign on the site, unless an exemption or alternative posting as set forth in this subsection 23.76.012.B is applicable. The large notice sign shall be located so as to be clearly visible from the adjacent street or sidewalk, and shall be removed by the applicant at the direction of the Department after final City action on the application is completed.

a. In the case of submerged land, the large notice sign shall be posted on adjacent dry land, if any, owned or controlled by the applicant. If there is no adjacent dry land owned or controlled by the applicant, notice shall be provided according to subsection 23.76.012.B.1.c.

b. Projects limited to interior remodeling, or that are subject to ((~~environmental review~~)) a Type II environmental determination pursuant to Section 23.76.006 only because of location over water or location in an environmentally critical area, are exempt from the large notice sign requirement.

c. If use of a large notice sign is neither feasible nor practicable to assure that notice is clearly visible to the public, the Director shall post ten placards within 300 feet of the site.

d. The Director may require both a large notice sign and the alternative posting measures described in subsection 23.76.012.B.1.c, or may require that more than one large notice sign be posted, if necessary to assure that notice is clearly visible to the public.

2. For projects that are categorically exempt from environmental review, the Director shall post one land use sign visible to the public at each street frontage abutting the site except that if there is no street frontage or the site abuts an unimproved street, the Director shall post more than one sign and/or use an alternative posting location so that notice is clearly visible to the public. The land use sign shall be removed by the applicant after final action on the application is completed.

3. For all projects requiring notice of application, the Director shall provide notice in the Land Use Information Bulletin. For projects ((~~subject to environmental review~~)) requiring installation of a large notice sign or subject to design review pursuant to Section 23.41.014, notice in the Land Use Information Bulletin shall be published after installation of the large notice sign required in subsection 23.76.012.B.1.

4. The Director shall provide mailed notice of:

a. applications for variances, administrative conditional uses, temporary uses for more than four weeks, shoreline variances, shoreline conditional uses, short plats, early design guidance process for administrative design review and streamlined administrative design review, subdivisions, Type IV Council land use decisions, amendments to property use and development agreements, Major Institution designations and revocation of Major Institution

designations, concept approvals for the location or expansion of City facilities requiring Council land use approval, and waivers or modification of development standards for City facilities; and

b. the first early design guidance meeting for a project subject to design review pursuant to Section 23.76.014.

5. For a project subject to design review, except streamlined design review pursuant to Section 23.41.018 for which no development standard departure pursuant to Section 23.41.012 is requested, notice of application shall be provided to all persons who provided an address for notice and either attended an early design guidance public meeting for the project or wrote to the Department about the proposed project before the date that the notice of application is distributed in the Land Use Information Bulletin.

6. For a project that is subject to both Type I decisions and Master Planned Community design review under Section 23.41.020, notice shall be provided as follows:

a. The Director shall provide notice of application in the Land Use Information Bulletin.

b. The Director shall post one land use sign visible to the public at each street frontage abutting the site, except that if there is no street frontage or the site abuts an unimproved street, the Director shall post more than one sign and/or use an alternative posting location so that notice is clearly visible to the public. The land use sign(s) shall be posted prior to publication of notice of application in the Land Use Information Bulletin, and shall be removed by the applicant after final action on the Master Use Permit application is completed.

c. For a project that includes a highrise structure as defined in Section 23.75.020, the Director shall also post ten placards within the right-of-way within 300 feet of the site. The land use placards shall be posted prior to publication of notice of application in the Land Use Information Bulletin, and shall be removed by the applicant after final action on the Master Use Permit application is completed.

d. Mailed notice shall be provided consistent with subsection 23.76.012.B.5.

7. No notice is required of a Type I determination whether a project is consistent with a planned action ordinance, except that if that determination has been made when notice of application is otherwise required for the project, then the notice shall include notice of the planned action consistency determination.

***

Section 31. Subsection C of Section 23.76.026 of the Seattle Municipal Code, which section was last amended by Ordinance 123913, is amended as follows:

23.76.026 Vesting

***

C. Design review component of master use permits.

1. If a complete application for a Master Use Permit is filed prior to the date design review becomes required for that type of project, design review is not required.

2. A complete application for a Master Use Permit that includes a design review component other than an application described in subsection 23.76.026.C.3 shall be considered under the Land Use Code and other land use control ordinances in effect on the date a complete application for the early design guidance process or ((~~SDR~~))streamlined design review guidance process is submitted to the Director, provided that such Master Use Permit application is filed within 90 days of the date of the early design guidance public meeting if an early design guidance public meeting is required, or within 90 days of the date the Director provided guidance if no early design guidance public meeting is required. If more than one early design guidance public meeting is held, then a complete application for a Master Use Permit that includes a design review component shall be considered under the Land Use Code and other land use control ordinances in effect at the time of the first meeting, provided that such Master Use Permit application is filed within 150 days of the first meeting. If a complete application for a Master Use Permit that includes a design review component is filed more than 150 days after the first early design guidance public meeting, then such Master Use Permit application shall be considered under the Land Use Code and other land use control ordinances in effect at the time

of the early design guidance public meeting that occurred most recently before the date on which a complete Master Use Permit application was filed, provided that such Master Use Permit application is filed within 90 days of the most recent meeting.

3. A complete application for a Master Use Permit that includes a Master Planned Community design review component, but that pursuant to subsection 23.41.020.C does not include an early design guidance process, shall be considered under the Land Use Code and other land use control ordinances in effect on the date the complete application is submitted.

***

Section 32. The following subsection of Section 23.84A.040 of the Seattle Municipal Code, which section was last amended by Ordinance 123872, is amended as follows:

23.84A.040 "U"

***

"Utility" means a use in which power, water or other similar items are provided or transmitted; or sewage is treated, or solid waste is stored, transferred, recycled or incinerated. High-impact uses and utility lines ((~~shall not be~~))are not considered utilities. Subject to the foregoing exclusions, utilities include but are not limited to the following uses:

1. "Communication utilities, major." See "communication devices and utilities."

2. "Communication utilities, minor." See "communication devices and utilities."

3. "District energy supply facility" means a utility use in which hot water, steam, or electricity is produced for local distribution to structures on two or more lots. Examples include sewer heat recovery pumps, ground-source heat pumps, standalone solar collection facilities, biodigesters, and heat recovery incinerators.

((~~3.~~))4. "Power plant" means a utility use in which power in the form of electricity is produced by wind, solar or water forces or the combustion of materials such as coal, oil, or gas and/or in which steam is produced by combustion or electricity. A nuclear power plant, solid waste incineration facility and the concurrent incidental production of electricity or useful heating or mechanical energy, or cogeneration, as well as the recovery of waste heat,

((~~shall not be~~))are not considered a power plant. The production and use of electricity produced from solar energy or other sources of natural energy as an accessory use is not a power plant use, and the sale of excess energy so produced is not evidence of a power plant use.

((~~4.~~))5. "Recycling" means a utility use in which recyclable materials are collected, stored, and/or processed, by crushing, breaking, sorting and/or packaging.

((~~5.~~))6. "Sewage treatment plant" means a utility use in which sanitary or combined sewage is received, treated, and discharged, but does not include: Conveyance lines and associated underground storage facilities; pumping stations; or commercial or industrial facilities for "pretreatment" of sewage prior to discharge into the sewer system.

((~~6.~~))7. "Solid waste management" means a utility use in which solid waste other than recyclable materials is collected, stored, processed or incinerated. Solid waste management includes, but is not limited to, the following uses:

a. "Salvage yard" means a solid waste management use in which junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards, house-wrecking yards, and places or yards for storage of salvaged house-wrecking and structural steel materials and equipment, but only when such activity is not conducted entirely within an enclosed building, and excluding the following: pawnshops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

b. "Solid waste incineration facilities" means a solid waste management use in which solid waste is reduced by mass burning, prepared fuel combustion, pyrolysis or any other means, regardless of whether or not the heat of combustion of solid waste is used to produce power. Heat-recovery incinerators and the incidental production of electricity or useful heating or mechanical energy, or cogeneration, ((~~shall not be~~))are not considered a solid waste incineration facility.

c. "Solid waste landfills" means a solid waste management use in which solid waste is permanently placed in or on land, including sanitary landfills and compliance cell landfills.

d. "Solid waste transfer station" means a solid waste management use in which discarded materials are collected for transfer to another location for disposal by compaction, shredding or separating, but does not include processing that changes the chemical content of the material.

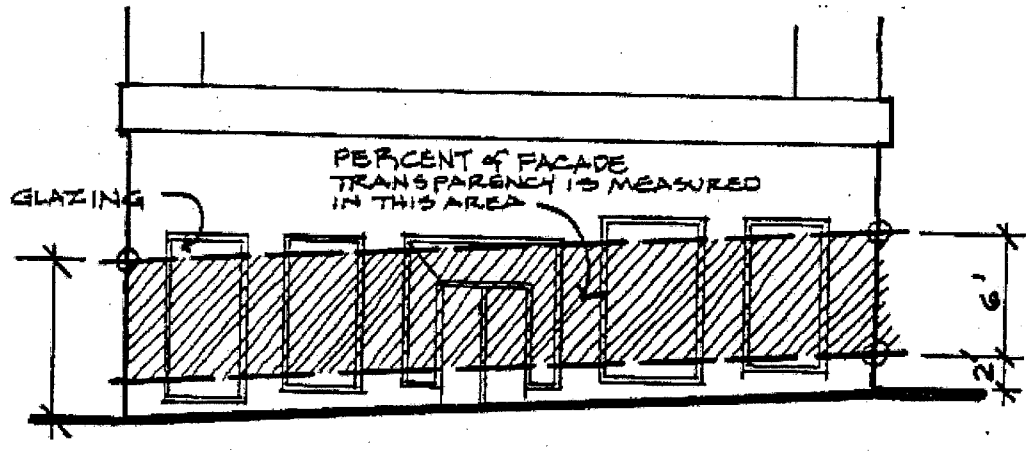
((~~7.~~))8. "Utility services use" means a utility use that provides the system for transferring or delivering power, water, sewage, storm water runoff, or other similar substances. Examples include electrical substations, pumping stations, and trolley transformers.

Section 33. Section 23.86.026 of the Seattle Municipal Code, which section was last amended by Ordinance 112519, is amended as follows:

23.86.026 Façade transparency((~~.~~))

A. In zones where a certain percentage of the street-facing facade is required to be transparent, transparency shall be measured in an area between ((~~two (2)~~))2 feet and ((~~eight (8)~~))8 feet above the elevation of the property line at the sidewalk, as depicted in Exhibit 23.86.026 A, unless a different area is specified in the development standards applicable to the lot. Areaways, stairways and other excavations at the property line shall not be considered in measuring the elevation of the street property line. When sidewalk widening is required according to Section 23.49.022, the elevation of the lines establishing the new sidewalk width shall be used rather than the street property line.

Exhibit A for 23.86.026
Street Façade Transparency



((~~Exhibit 23.86.026A Street Facade Transparency~~)) Exhibit A for 23.86.026: Street Facade Transparency

***

Section 34. Subsection A of Section 23.88.020 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.88.020 Land use interpretations

A. Interpretations Generally. A decision by the Director as to the meaning, application or intent of any development regulation in Title 23, Land Use Code, or in Chapter 25.09, Regulations for Environmentally Critical Areas, as it relates to a specific property, or a decision by the Director upon review of a determination of consistency of a proposed project with a planned action ordinance, is known as an "interpretation." An interpretation may be requested in writing by any person or may be initiated by the Director. Procedural provisions and statements of policy are not subject to the interpretation process. A decision by the Director that an issue is not subject to an interpretation request is final and not subject to administrative appeal. A request for an interpretation, and a subsequent appeal to the Hearing Examiner if available, are administrative remedies that must be exhausted before judicial review of a decision subject to interpretation may be sought. An interpretation decision by the Director may affirm, reverse, or modify all or any portion of a Type I or Type II land use decision.

* * *

Section 35. Section 25.05.800 of the Seattle Municipal Code, which section was last amended by Ordinance 123939, is amended as follows:

25.05.800 Categorical exemptions

The proposed actions contained in this subchapter are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in Section 25.05.305.

A. Minor new construction--- flexible thresholds.

1. The exemptions in this subsection 25.05.800.A apply to all licenses required to undertake the construction in question, except when a rezone or any license governing emissions to the air or discharges to water is required. To be exempt under this Section 25.05.800, the project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt level in subsection 25.05.800.A.2 shall control. If the proposal is located in more than one city or county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency.

2. The following types of construction are exempt, except when undertaken wholly or partly on lands covered by water or unless undertaken in environmentally critical areas (Section 25.05.908):

a. The construction or location of residential or mixed-use development containing no more than the number of dwelling units identified in Table A for 25.05.800;

Table A for 25.05.800: Exemptions for Residential Uses

Zone	Residential Uses		
	Number of Exempt Dwelling Units		
	Outside of Urban Centers and Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded
SF, RSL	4	4	4
LR1	4	200(1)	20
LR2	6	200(1)	20
LR3	8	200(1)	20

NC1, NC2, NC3, C1, C2	4	200(1)	20
MR, HR, SM	20	200(1)	20
MPC-YT	NA	30(1)	20
Downtown zones	NA	250(1)	20
Industrial zones	4	4	4

Notes for Table A for 25.05.800
SAOD = Station Area Overlay District.
Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
(1) Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed-use development, not exceeding the number of units shown, located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined that residential growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, containing no more than the gross floor area listed in Table B for 25.05.800 below:

Table B for 25.05.800: Exemptions for Non-Residential Uses

Zone	Non-Residential Uses		
	Exempt Area of Use (square feet of gross floor area)		
	Outside of Urban Centers and Urban Villages Containing SAODs	**Within Urban Centers or Urban Villages Containing SAODs**	**Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded**
SF, RSL, LR1	4,000	4,000	4,000
LR2, LR3	4,000	12,000(1) or 30,000	12,000
MR, HR, NC1, NC2, NC3	4,000	12,000(1) or 30,000	12,000
C1, C2, SM zones	12,000	12,000(1) or 30,000	12,000
Industrial zones	12,000	12,000	12,000
MPC-YT	Not Applicable	12,000	12,000
Downtown zones	Not Applicable	12,000(1) or 30,000	12.000

Notes for Table B for 25.05.800. SAOD = Station Area Overlay District.
Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
(1) New nonresidential development that is not part of a mixed-use development and that does not exceed 12,000 square feet is categorically exempt from SEPA. Pursuant to RCW 43.21C.229, new non-residential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined

that employment growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces;

e. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder;

f. Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d, unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see subsection 25.05.305.A.2.b);

g. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection 25.05.800.A apply.

h. For the purposes of this subsection 25.05.800.A, "mixed use development" means development having two or more principal uses, one of which is a residential use comprising 50% or more of the gross floor area.

i. To implement the requirements of Tables A and B of this section, the Director shall establish exemption limits by rule for each urban center and each urban village containing a SAOD to assure that proposed development that could cause growth targets in Appendix A of the Comprehensive Plan's Urban Village Element to be exceeded is subject to SEPA review. The exemption limits must contain a "cushion" to assure that development does not exceed growth targets without SEPA review, provided that the cushion shall be at least 10% of the residential or employment growth targets established in the Comprehensive Plan.

j. The Director shall monitor residential and employment growth and publish quarterly a determination of growth for each urban center and urban village containing a SAOD. Residential growth shall include, but need not be limited to, net new units that have

been built and net new units in projects that have received a building permit but have not received a certificate of occupancy. If the Director determines that exemption limits have been reached for an urban center or urban village containing a SAOD, subsequent development is not categorically exempt from SEPA review pursuant to RCW 43.21C.229.

* * *

Section 36. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, sub-division, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 37. 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 _____, 2012, and signed by me in open session in authentication of its passage this _____ day of _____, 2012.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2012.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2012.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

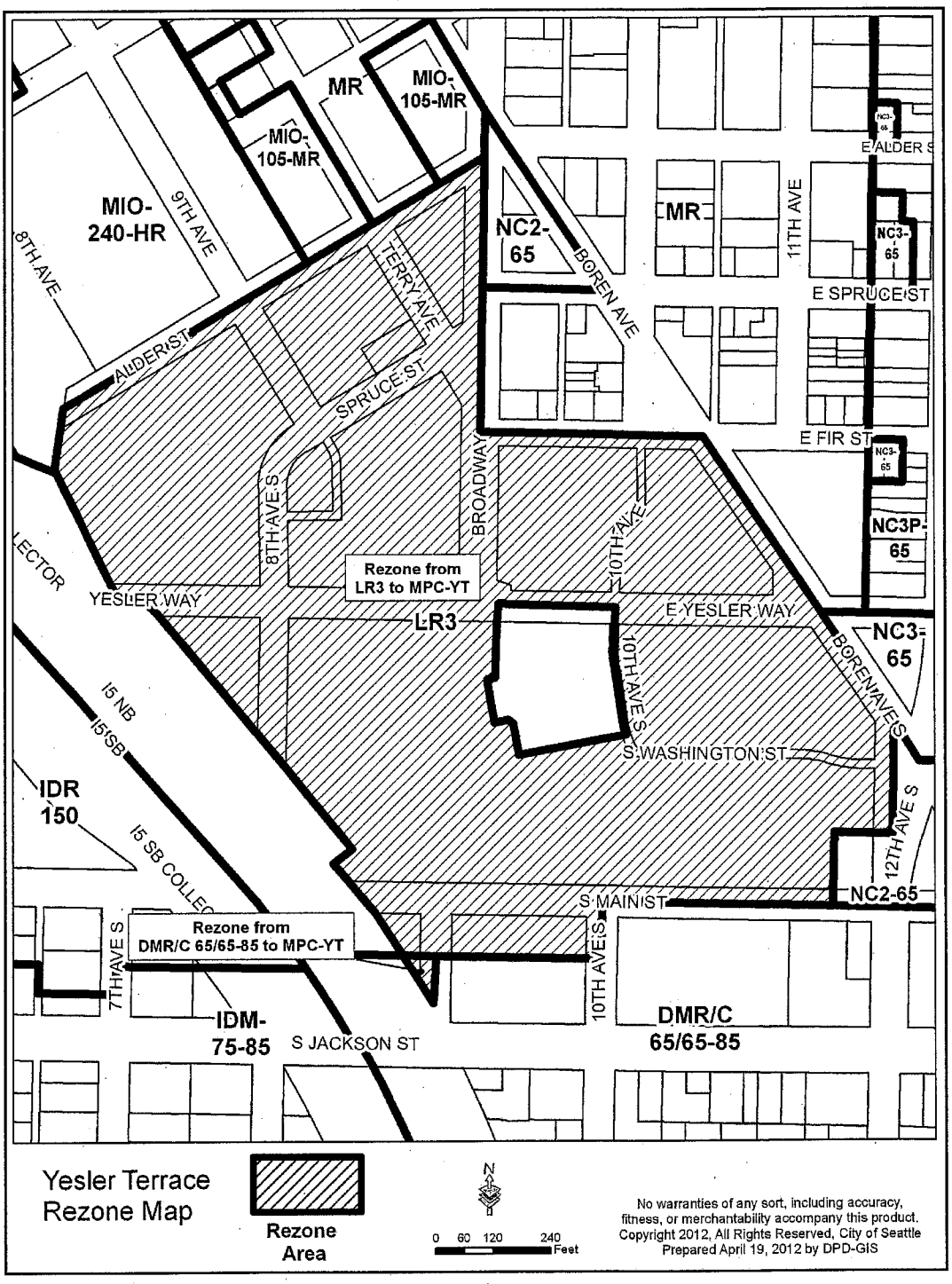
Exhibit A: Master Planned Community Yesler Terrace Rezone

Exhibit B: Yesler Terrace Master Planned Community Design Guidelines

Dave LaClergue
DPD Yesler Rezone EXH A
May 14, 2012
Version #2.0

Exhibit A

MASTER PLANNED COMMUNITY - YESLER TERRACE REZONE



The boundaries of the rezoned area are the existing boundaries of the LR3 zone as established on the Official Land Use Map, except as follows:

- The portion of the outside boundary that begins at the southwesterly end of the centerline of Alder Street, runs southerly along the existing boundary of the LR3 zone to the boundary of the I-5 right-of-way, thence runs southeasterly along the boundary of the I-5 right-of-way to the centerline of 9th Ave. S., and thence runs northerly along the centerline of 9th Ave. S. to the existing boundary of the LR3 zone.

The boundary of the land surrounded by the rezoned area that is not rezoned is as follows:

- A portion of Block 7 of Yesler Terrace Addition, per plat recorded in Volume 37 at Page 21, records of King County, Washington, more particularly described as follows:
    - Commencing at the northwest corner of said Block 7;
    - Thence south 88°43'47" east along the north line of said Block 7 and the south margin of East Yesler Way, 391.75 feet;
    - Thence south 88°45'38" east along said north line and said margin, 40.24 feet to the point of beginning;
    - Thence continuing south 88°45'38" east along said north line and said margin, 236.00 feet to the west margin of 10th Avenue South;
    - Thence south 0°44'34" west along said margin, 49.35 feet to a tangent 245.50 foot radius curve to the left;
    - Thence southerly along said margin and the arc of said curve 51.42 feet through a central angle of 12°00'00";
    - Then south 11°15'26" east along said margin, 113.50 feet to a tangent 219.00 foot radius curve to the left;
    - Thence southerly along said margin and the arc of said curve 19.22 feet through a central angle of 5°01'40";
    - Thence south 79°06'36" west, 220.35 feet;
    - Thence north 10°53'24" west, 67.02 feet;
    - Thence north 54°46'18" west, 13.04 feet;
    - Thence south 79°23'43" west, 30.01 feet;
    - Thence north 10°15'31" west, 91.11 feet;
    - Thence north 79°44'29" east, 15.78 feet;
    - Thence north 1°32'44" east, 116.93 feet, to the point of beginning
- Portions of E. Yesler Way and 10th Avenue S. between the Block 7 portion described above and the centerlines of those streets.

COUNCIL CLERK

Dave LaClergue
DPD Yesler Rezone EXH B
July 24, 2012

Yesler Terrace Rezone
Exhibit B to Ordinance: Yesler Terrace Master Planned Community Design Guidelines

This Exhibit B contains supplemental guidance specific to Yesler Terrace, to be considered in addition to the Seattle Design Guidelines as part of design review for proposed projects within Yesler Terrace. These guidelines apply to development within the MPC-YT zone, pursuant to thresholds and procedures established in Chapter 23.41 of the Seattle Municipal Code.

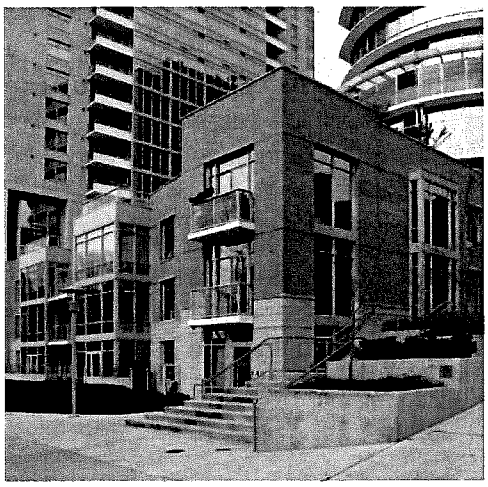
COUNCIL CLERK

Dave LaClergue
DPD Yesler Rezone EXH B
July 24, 2012

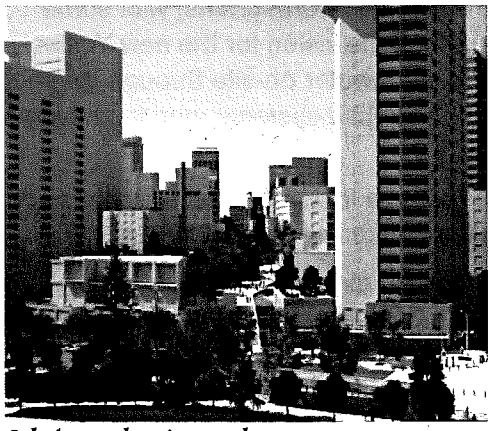
CS1 Natural Systems and Site Features

Seattle Design Guideline:

Use natural systems and features of the site and its surroundings as a starting point for project design.



Residential building on a slope
A good example of an urban residential building stepping up a hillside in Seattle, WA. (Photo: Amanda Reed)



9th Ave pedestrian pathway
An artist's rendering of the pedestrian pathway extending from 9th Ave to Yesler Way. This pathway help pedestrians navigate down a steep slope, and will provide a link between First Hill and the neighborhood heart of Yesler Terrace. (Image: Parsons Brinckerhoff and GGLO)

Yesler Terrace Supplemental Guidance

Topography

Yesler Terrace is a sloping south-facing site, with a 140' elevation change from the site's northernmost entry (at E Alder St and Broadway) to the southernmost entry (at 10th Ave S and S Jackson St), and a 20'-25' elevation change east to west along Yesler Way. Thoughtful treatment of slopes is critical for a good pedestrian environment and the quality of a building's lower levels.

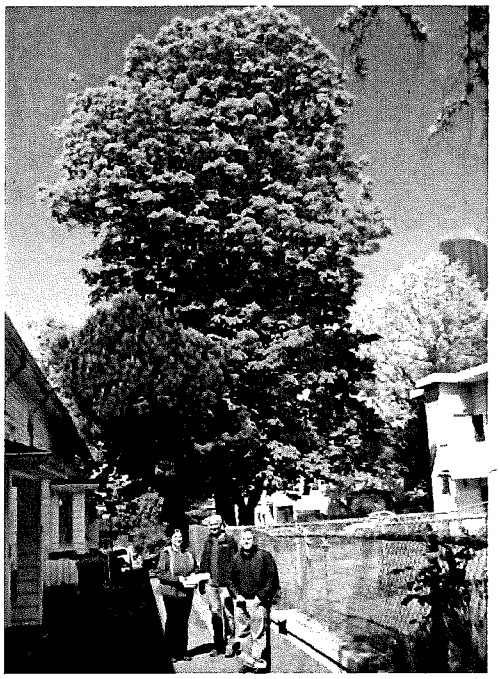
- Design buildings to step up and down hillsides, in order to reflect the site context and provide light and air at lower levels,
- Coordinate underground parking access with adjacent properties where feasible, in order to minimize the visual and traffic impacts of parking. This guideline is especially relevant where parking extends to a shared property line.
- Provide internal connections such as stairways and terraces, in order to give pedestrians more options for navigating the hills of Yesler Terrace. Where possible, allow access to the public.
- Orient building facades and open space to activate the 9th Ave pedestrian pathway location described in the "Context and Priority Issues" section).

For related guidance, see:

- *PL1: Open Space Connectivity: Pedestrian Pathways and Access Drives*
- *DC1: Project Uses and Activities: Vehicular Access* and *Circulation and Parking and Loading Uses*
- *DC2: Architectural Concept: Human Scale*
- *DC3: Open Space Concept: Building-Open Space Relationship*

COUNCIL CLERK

Dave LaClergue
DPD Yesler Rezone EXH B
July 24, 2012



Retaining existing trees
The Yesler Terrace Tree Protection Plan identifies large, healthy trees that must be preserved during redevelopment. Building design should protect and highlight these trees. (Photo: City of Seattle)

Cascading stormwater feature
These cascading concrete pools and landscaping along Maynard in the International District are a good example of capturing and controlling the flow of stormwater on a sloping site in an artistic and engaging design. (Photo: City of Seattle)

Plants and Habitat

Historically, Yesler Terrace has had a relatively high tree canopy coverage and has provided abundant open space for residents. While the redeveloped Yesler Terrace devotes less space to private yards, it will offer substantially more public open space and shared residential amenity space. Trees and other landscape features should continue to play a defining role in the neighborhood's character.

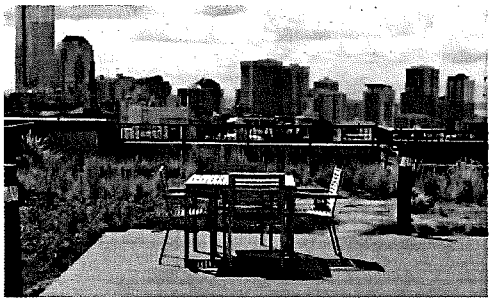
- To protect existing habitat and provide a sense of an established neighborhood, preserve trees designated for protection in the adopted Yesler Terrace Tree Protection Plan.
- Design buildings and open space to optimize the visibility and long term health of preserved trees, as well as major new tree plantings.
- When providing landscape amenities to meet Land Use Code requirements, focus on locations where the improvements will provide the greatest benefits for building occupants and passersby.
- To enhance screening from Interstate 5, work with the Washington State Department of Transportation as feasible to preserve and enhance the tree buffer separating Yesler Terrace from the freeway. Manage these areas to improve public safety, soils, and tree cover.

Water

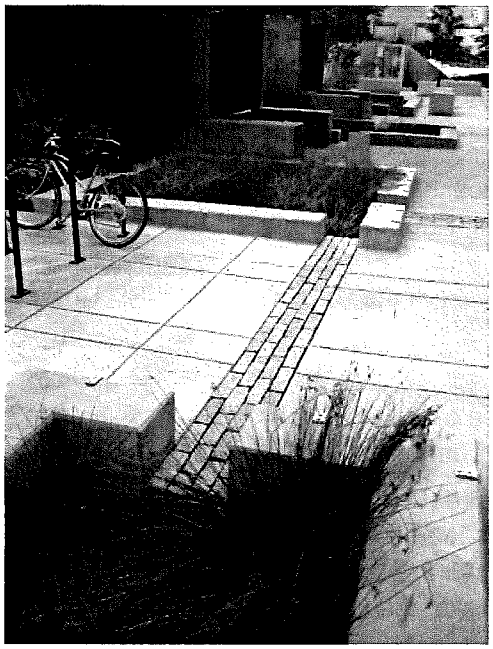
The redevelopment of Yesler Terrace provides an opportunity to improve stormwater management, including natural drainage and water features throughout the site. Prior to redevelopment, most rain that falls on the site leaves via traditional storm drains, with some infiltration occurring in private yards. The vision for the new Yesler Terrace is to capture and control stormwater on-site through green stormwater infrastructure (GSI) and hybrid systems, and to showcase those features in engaging ways.

- Use cascading stormwater features to manage stormwater and create visual interest, as sites and drainage plans allow.
- Incorporate GSI in streetscapes to meet Stormwater Code requirements. The conceptual GSI plan (next page) gives preliminary guidance on the placement of these features, but other locations may also be appropriate depending on final grading and streetscape design.
- When GSI is proposed, integrate the drainage features into building and site design to enhance the overall interest and attractiveness.

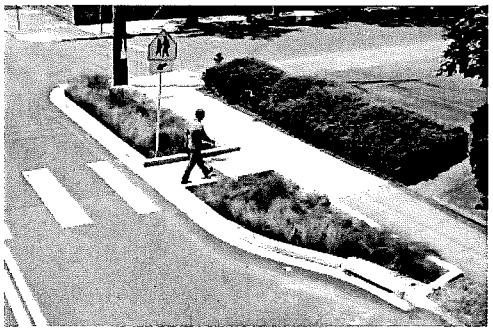
Dave LaClergue
DPD Yesler Rezone EXH B
July 24, 2012



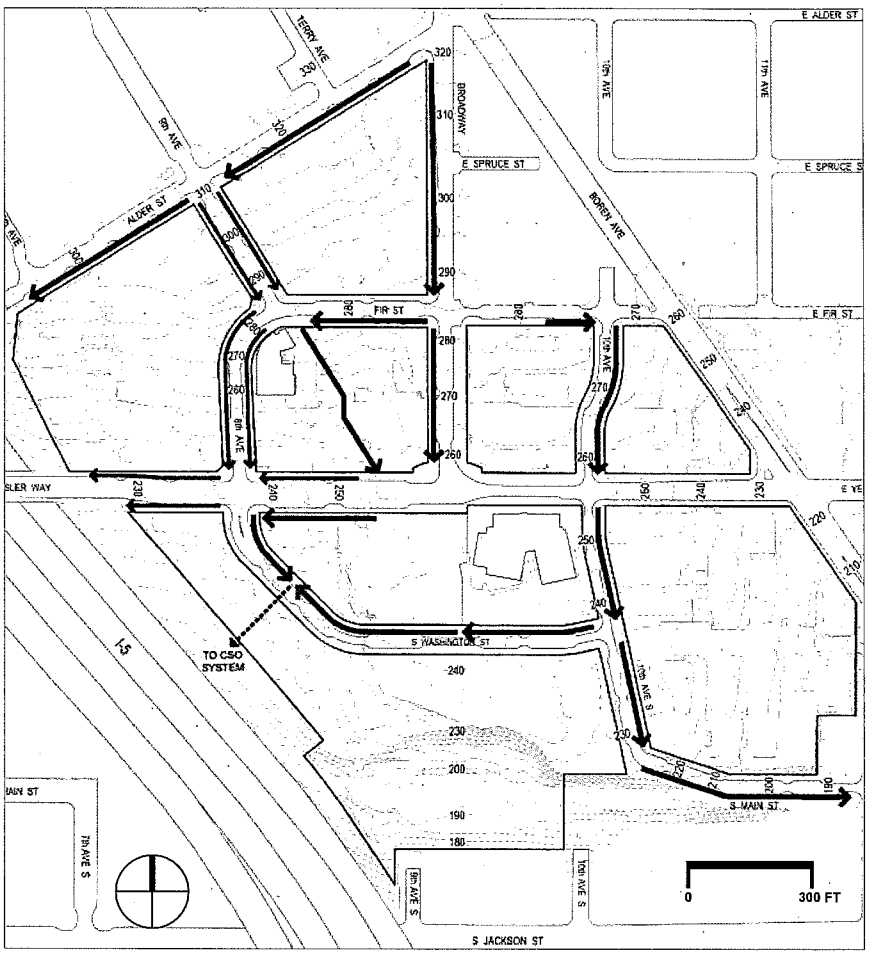
Green roof amenity space
Green infrastructure like this Capitol Hill green roof should be sited to improve private and public open space. (Photo: City of Seattle)



Urban stormwater management
Rain gardens and other stormwater features do not have to be naturalistic to be attractive. (Photo: Nate Cormier)



Curb bulb rain gardens
Widened planting strips in the right-of-way provide an opportunity for stormwater management as a distinctive streetscape feature. (Photo: Portland Bureau of Environmental Services)



Swale or cascade

Connection to existing combined sewer system

Conceptual green stormwater infrastructure (GSI) plan
Diagram shows preliminary guidance on green stormwater infrastructure within public right-of-way. Actual locations subject to SDOT review and approval.

For related guidance, see:

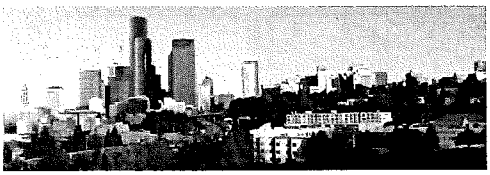
- *PL1: Open Space Connectivity*
- *DC3: Open Space Concept*
- *PL3: Street-Level Interaction*
- *DC4: Exterior Elements and Finishes: Landscape and Hardscape Materials*

Dave LaClergue
DPD Yesler Rezone EXH B
July 24, 2012

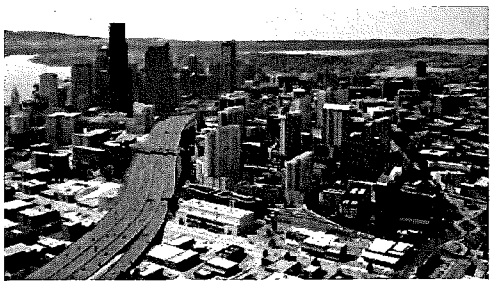
CS2 Urban Pattern and Form

Seattle Design Guideline:

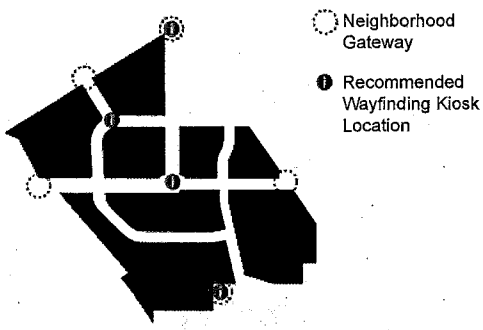
Strengthen the most desirable characteristics and patterns of the streets, block faces, and open spaces in the surrounding area.



Yesler Terrace and Seattle skyline: existing
This view of Seattle's skyline from Beacon Hill shows how Yesler Terrace, visible in the foreground, currently sits within the context of downtown and First Hill. (Photo: Dan Bertolet)



Yesler Terrace and Seattle skyline: future
An artist's rendering of the new Yesler Terrace development. Towers will be particularly prominent when viewed from the south on I-5, a "gateway" view seen by thousands of motorists every day (Image: Parsons Brinckerhoff and GGLO)



Neighborhood gateways + wayfinding kiosks

Yesler Terrace Supplemental Guidance

Location in the City and Neighborhood

Yesler Terrace is in a prime location within the city, with easy access to downtown, freeways, transit, Puget Sound, and Lake Washington, and is surrounded by parks, medical services, and community and educational facilities. As part of the Capitol Hill/First Hill Urban Center, it is an ideal location for mixed-use, high density growth.

Design of the redeveloped Yesler Terrace should consider ways to maintain and enhance a sense of neighborhood identity which can be felt within Yesler Terrace and from afar:

- Gateways: Use signage, street banners, or other placemaking features to highlight routes in and out of the neighborhood, especially at major gateways as identified in the "Neighborhood gateways + wayfinding kiosks" diagram.
- Wayfinding kiosks: To help visitors orient and appreciate site context, provide wayfinding kiosks that include information on public open space and pedestrian pathways. Signs and kiosks should be designed and built according to SDOT standards for pedestrian and bicycle signage.
- Consider city-wide visual impacts when designing highrise buildings. Towers will be visible from vantage points throughout Seattle, and will be particularly prominent when viewed from the south on Interstate 5.

For related guidance, see:

- *DC2: Architectural Concept: City Scale*
- *DC4: Exterior Elements and Finishes: Signage*
- *PL3: Street-Level Interaction: Frontage*

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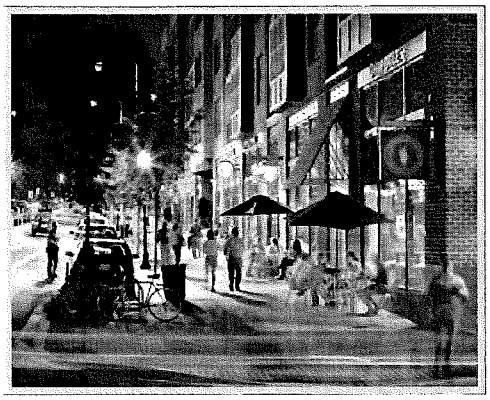
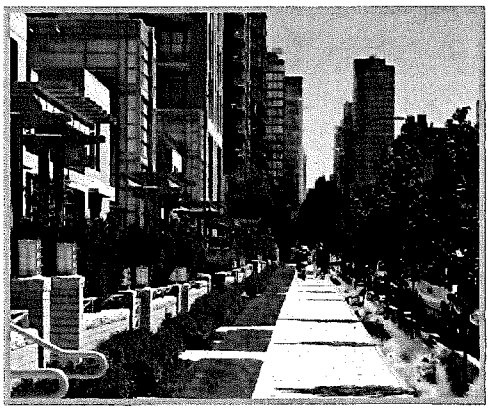


Arterial example
This street shows many of the features and bustling character desired on the arterials at Yesler Terrace. (Photo: Patrick Ross Photography; Design: Hord Coplan Macht Architecture)

Connector example
This street is typical of what a "connector" street could look like at Yesler Terrace, with high-density residential building, residential frontages, street trees and sidewalks. (Photo: Dylan Passmore)



Green street loop example
This street is typical of what a "loop" street could look like at Yesler Terrace, with generous planting strips, building setbacks, and street trees. Green infrastructure is also anticipated. (Photo: GGLO)

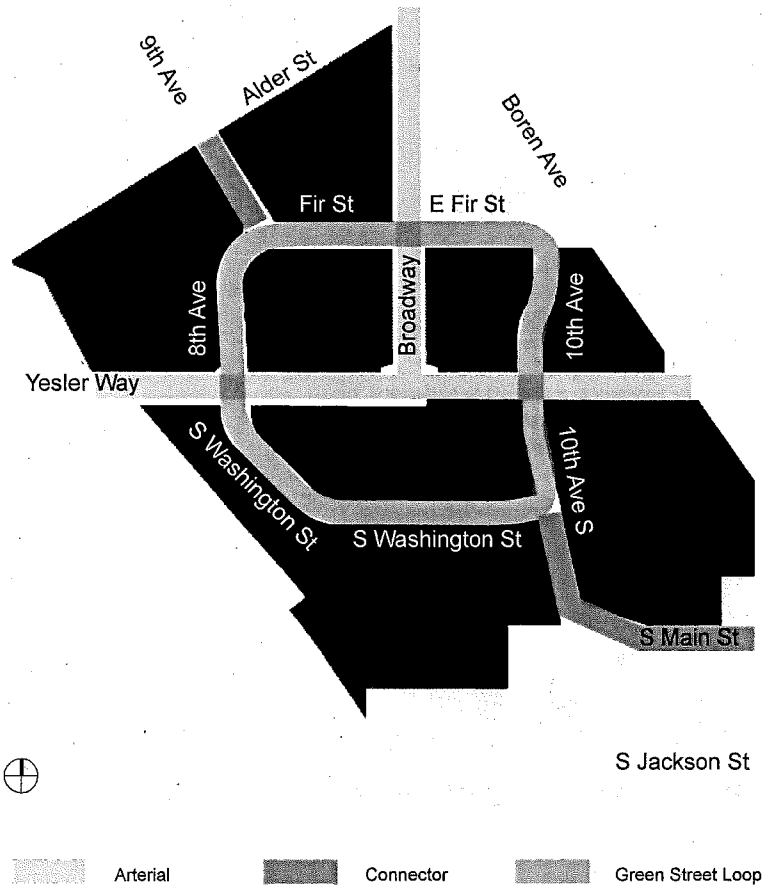
Street Character and Abutting Uses

A new network of neighborhood streets, access drives and pedestrian pathways has been designed for Yesler Terrace that safely connects all parts of the community to each other and to surrounding neighborhoods; encourages healthy mobility by walking, biking, and transit; and provides public places for residents to interact and recreate. The three designated street characters are:

Arterials, which focus commercial activity at intersections.

Connectors, which provide connectivity to and from the neighborhood.

Green street loop, which provides circulation within the neighborhood and connects the pocket parks.



Street character diagram
The three street characters of the Yesler Terrace neighborhood are identified on the above right-of-way plan. Each has a distinct character within the overall urban residential character of the neighborhood. See photos at left for some examples.

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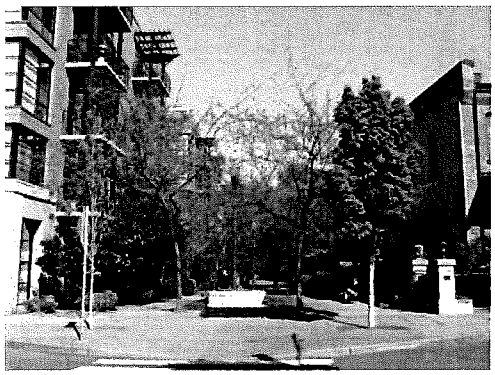
Woonerf example
Access drives should be designed with characteristics of woonerfs like this one; a narrow street section gives an intimate scale and distinct, curbless paving encourages shared street space for pedestrians and cyclists. (Photo: The Madison Downtown Design Professionals Workgroup)



Pedestrian pathway example
This photo shows the entrance to a pedestrian pathway lined with front doors to homes, private yards and patios, and trees and street furniture. (Photo: Don Vehige)

Alleys as social spaces
This alley adjoining is an active social space; a quality sought in the access drives and pathways of Yesler Terrace. (Photo/Design: Kevin deFreitas Architects)

In addition to the defined public street characters, access drives should be designed with the character of *woonerfs*—mid-block, narrow streets on private property, meant to be shared by pedestrians, cyclists, and motor vehicles traveling at very low speeds. Mid-block pedestrian pathways will be for circulation through Yesler Terrace's larger blocks. These pathways will have strong residential qualities and act as social spaces. Their purposes are to enhance the network of pedestrian and cyclist routes, and to break up building mass in larger blocks. Many ground-related residential units will open directly onto these areas, so special consideration must be given to the design of building entries, stoops and thresholds.

- Consider the intended character of abutting streets, access drives, and pedestrian pathways in the design of open space and building frontage.

For related guidance, see:

- *PL1: Open Space Connectivity: Pedestrian Pathways and Access Drives*
- *PL2: Walkability*
- *PL3: Street-Level Interaction: Frontage*
- *DC2: Architectural Concept*
- *DC3: Open Space Concept*

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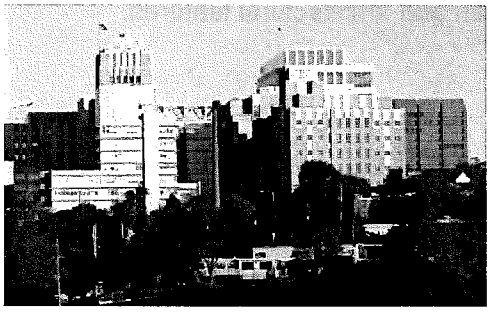
CS3 Architectural Context and Character

Seattle Design Guideline:
Contribute to the architectural character of the neighborhood.

Urban residential character
Yesler Terrace is an urban residential neighborhood. New development will prioritize ground-level residential units, building setbacks with private amenity areas, and tree lined streets and pathways. (Photo: GGLO)



First Hill built environment context
View of the Harborview Medical Center from the Beacon Hill neighborhood. (Photo: Dan Bertolet)

Yesler Terrace Supplemental Guidance

Emphasizing Urban Residential

As Yesler Terrace transitions from a lowrise development to a mix of midrise and highrise residential uses with commercial amenities, design should emphasize an urban typology with residential, human-scale character:

- Line sidewalks with residential units with views to the street, landscaped setbacks, and, where feasible, ground-level entries.
- Concentrate landscape improvements and architectural detailing in the lowest 30 feet of buildings.

For related guidance see:

- *PL3: Street-Level Interaction: Frontage*
- *DC2: Architectural Concept*
- *DC4: Exterior Elements and Finishes*

Neighborhood Context

Neighborhoods bordering Yesler Terrace vary widely in character. Design redevelopment projects with consideration for how they will integrate with the architectural contexts described below.

- To the north, architectural character is dominated by the highrise medical office buildings of Harborview Medical Center. Development at a similar intensity is appropriate along Alder St; compatible uses include office,medical services, lodging, residential, and street level commercial. Use the tiered form and intricate facade of Harborview's East Hospital as a design inspiration for buildings in this area.

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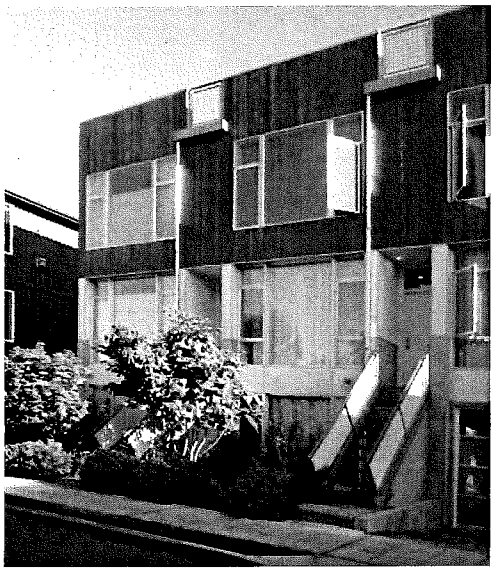
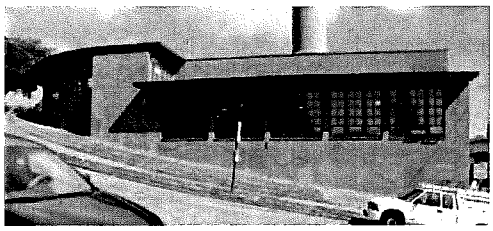


Central District built environment context
The Remington Court townhouses in the Central District are one example of the newer development in the neighborhood, and have features, like ground level related residential use and vegetated space in the building setback, that are encouraged at Yesler Terrace. (Photo: David Cutler; Design: HyBrid Architecture)

Little Saigon environment context
Rows of small shops positively contribute to Little Saigon's sidewalk character. (Photo: Google Maps, Streetview)



Yesler Terrace's historic steam plant
The Yesler Terrace steam plant supplied heat to the original housing development, but was shut down due to failing distribution pipes. Designated as a landmark, SHA plans to renovate the facility for educational programming. (Photo: SHA)

- To the east, the Central District is a medium-density residential neighborhood with buildings ranging in age, scale, and architectural style. Adjacent uses include midrise multifamily housing, a school, low-rise commercial uses, and SHA housing. Design buildings to create visual connections to and across Boren.
- To the south is Little Saigon, an evolving neighborhood of low-rise commercial buildings and surface parking lots, and an active and lively street character. To improve the safety and comfort of the pedestrian connection from Yesler Terrace to Little Saigon, design uses and facades of adjacent buildings to provide "eyes on the street" toward the hill climb.
- I-5 runs along the western border, creating a substantial gap between Yesler Terrace and the urban fabric on the other side of the freeway. Design buildings and landscape features along the western edge of the site to reduce freeway impacts where feasible. Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design and maintenance of buffer plantings.

Historic and Cultural Context

Completed in 1941, Yesler Terrace was the first public housing development in Seattle, and the first racially integrated public housing development in the United States. In addition to the remarkable cultural diversity of Yesler's existing residents, the neighborhood borders two Seattle neighborhoods known for their diversity: the Central District to the east, and the Chinatown-International District to the southwest.

Once Yesler Terrace is redeveloped, the steam plant will be the only historic structure on the site.

- Provide a distinguishing landscape design in the space in front of the steam plant's west facade.
- Throughout the site, reference the history and unique cultural mix of Yesler Terrace through art and architectural features.

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PL1 Open Space Connectivity

Seattle Design Guideline:
Open space should complement and contribute to the network of open spaces around the site and the connections among them.

Neighborhood center
A large neighborhood park and plaza supported by high residential density, adjacent community and commercial facilities, and multiple transit options create an active neighborhood center. (Photo: GGLO; Design: Peter Walker & Partners)

Pocket parks
Pocket parks like this one, with lawns, play areas, and multi-purpose spaces are planned throughout Yesler Terrace as part of a network of public spaces that serve all residents of the community and the general public, and contribute to the neighborhood's livability. (Photo/Design: GGLO)

Yesler Terrace Supplemental Guidance

A Network of Public Spaces

A mix of open spaces throughout Yesler Terrace will provide access to views, sunlight, and recreation opportunities for residents, visitors, and the general public. These spaces should be designed to help build community, serving individuals of all ages, cultures, incomes and abilities.

Development standards and design guidelines encourage individual stoops and patios for ground-level residential units (*PL3: Street-Level Interaction*) and shared semi-private amenity areas like courtyards and roof terraces for multifamily residential buildings. Further, an interconnected network of green streets, parks, plazas, gardens, access drives and pedestrian pathways is planned to facilitate larger community gatherings, and encourage walking and outdoor activities.

The organization of public open spaces around Yesler Terrace follows the neighborhood heart concept, with a neighborhood park on the south side of Yesler Way, and a plaza abutting the intersection of Yesler Way and Broadway. Three pocket parks orbit the core, connected by a green street loop. Pedestrian pathways and access drives also connect and supplement these public spaces.

- Design open spaces to serve as an outdoor stage for daily life, with designs that maximize social interaction throughout the day and year.
- Program open spaces for multiple functions and uses, combining social, recreational, and ecological functions.
- Provide a mix of passive places (e.g. sitting and watching) and active areas (e.g. play, exercise) to support users of all ages and abilities.
- Highlight the intrinsic qualities of Yesler Terrace, such as its views, topography, trees, history and culture.

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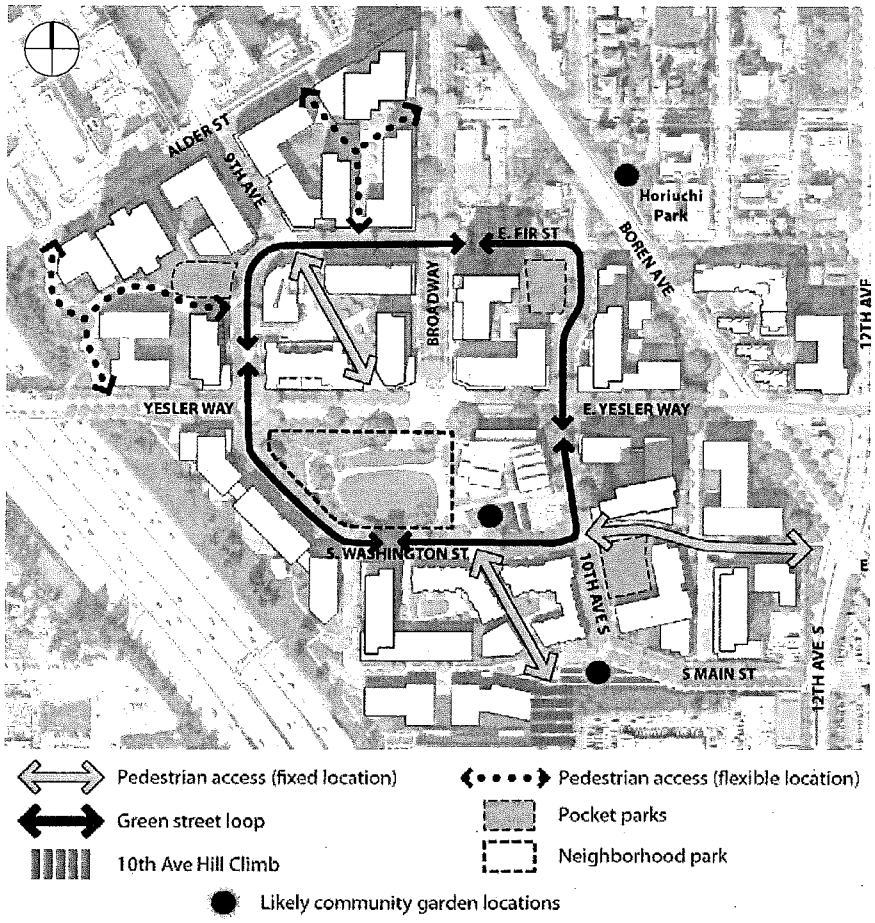
Community gardens
Garden beds cascading down the hillside are a good way to work with topography, provide space for growing fresh food, and build community. (Photo: GGLO)

- Incorporate landscape features for visual amenity, cooling, stormwater management, and habitat for birds and insects (*CS1: Natural Systems and Site Features: Water*).
- Inspire environmental appreciation through exposure to diverse plantings, habitat areas, and community gardens (*CS1: Natural Systems and Site Features: Water*).
- Use natural surveillance and other CPTED principles to create safe and secure spaces.
- Select landscape and hardscape materials per the guidelines in *DC4: Exterior Elements and Finishes*.

Additional guidelines and conceptual descriptions of the neighborhood park and pocket parks follow. Guidelines on access drives and pedestrian pathways follow in *PL1: Open Space Connectivity: Pedestrian Pathways and Access Drives*.



Public space overview >
A 1.75 acre neighborhood park and 1 acre of pocket parks are connected by a green street loop, and new pedestrian and vehicle circulation routes, including a new hill climb feature to Little Saigon.

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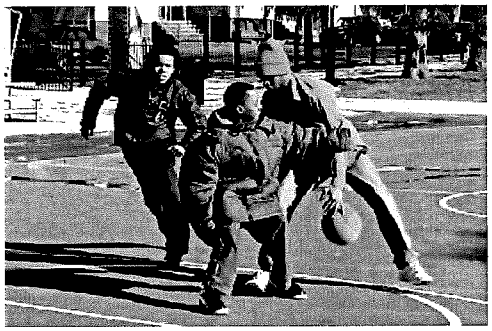

Teenagers and active play
A half-court basketball court or other active play area is encouraged in the neighborhood park as a space for teens and older kids to gather and play. (Photo: Tony Fischer Photography)

Splash play
Public fountains or water features that invite play are recommended program elements for the neighborhood park. (Photo: Derek Reeves; Design: GGLO)

Stormwater management
The neighborhood park should include a focal point for cleaning and storing runoff, including paths over and around the feature. (Photo: Nate Cormier; Design: SvR Design Company)

Neighborhood Park at the Neighborhood Heart

The neighborhood park is an integral part of the neighborhood heart concept, serving as a crossroads for much of the activity at Yesler Terrace. It will help draw foot traffic to the ground-level retail and services at Yesler and Broadway, while complementing activities at the Yesler community center. Proximity to the green street loop and "main street" arterials will produce pedestrian, bike and car traffic around the perimeter of the park. The future streetcar stop at E. Yesler Way will connect the park to surrounding neighborhoods, as will pedestrian pathways to the north, south, and east.

The park itself is 1.75 acres. SHA has developed a conceptual plan through the Yesler Terrace redevelopment planning process, but the Seattle Parks Department will conduct more detailed programming and implementation. The park may include a mix of play areas for young and school-aged children, and adult activity areas such as an amphitheater, market plaza, and basketball court, all surrounding a large gathering lawn.

A series of cascading stormwater features is envisioned as a way to weave together upper and lower park areas and animate routes up and down the site with bridges and boardwalks.

As the park concept is developed, the design should:

- Strengthen connections in and out of the community center to promote more shared activities inside and outside the building.
- Provide spaces that accommodate community and family events such as street fairs, craft markets, performances, barbecues, and birthday parties.
- Use plantings as buffers between uses but also to frame views and create gateways.
- Design natural drainage features that are educational, offer space for exploration, and provide environmental benefits.

Exhibit B to DPD Yesler Rezone Ordinance

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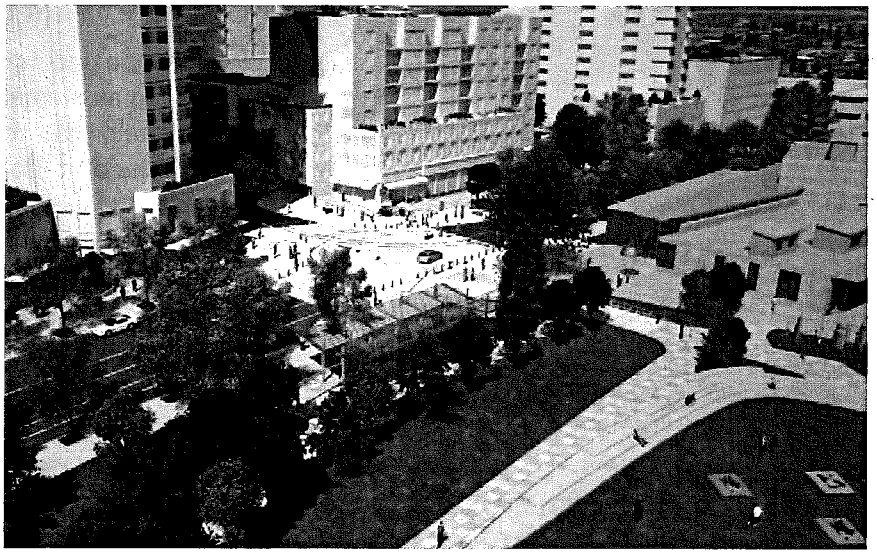
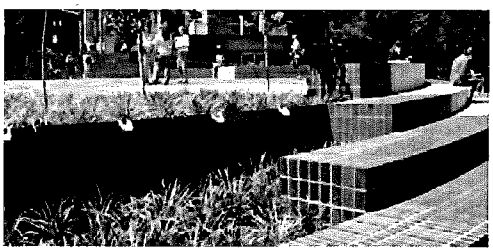
Neighborhood heart intersection >
This artist's rendering shows the intersection of Broadway and Yesler Way where required ground-level retail uses face the neighborhood park and community center. A marketplace pavilion structure south of Yesler Way could serve as a gateway to the park. For more on the design of this intersection, see PL4: Active Transportation. (Image: Parsons Brinckerhoff and GGLO)



Pocket park play areas
Active play areas for children under eight years old are encouraged in the pocket parks. (Photo: Don Vehige)



Integrated stormwater cascade and seating
This integrated stepped stormwater feature, which combines a stair and public seating, successfully serves both a social and ecological function. (Photo/Design: Nevue Ngan Associates)

Pocket Parks

Pocket parks will be in various locations throughout Yesler Terrace, connected by the green street loop and accessible via the many mid-block access drives and pedestrian pathways. The parks are intended to serve Yesler Terrace residents, workers, and visitors as well as the general public, supplementing the larger activity areas of the central neighborhood park.

Active and Passive Spaces: Program pocket parks to accommodate smaller spaces for adults to sit and visit, look at the views, or read, and incorporate active play areas focused on those under eight years of age.

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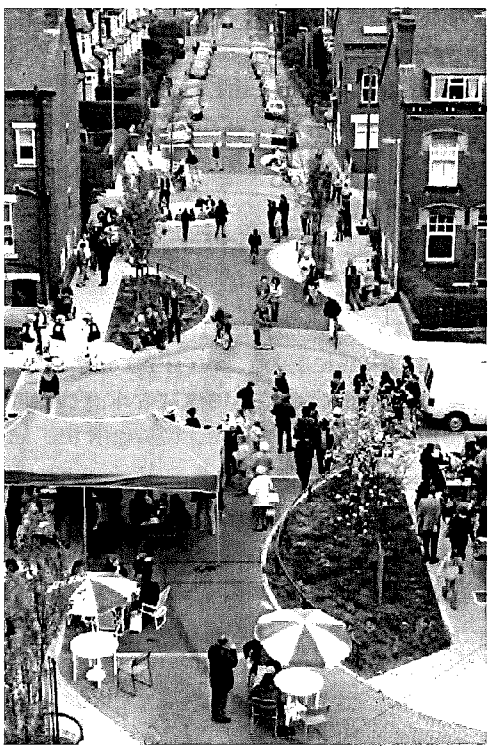

Woonerfs as active social spaces
Meandering street alignment, landscape areas, and a variety of paving types in this British shared street help to slow vehicular traffic. The curbless pavement, movable tables and chairs, and spaces for gathering encourage active use by residents in adjacent buildings. (Photo: The Methleys Home Zone)

Residential pedestrian pathways
Residential units fronting a clear pathway flanked by native landscaping with pedestrian scale lighting and seating is a preferred design strategy for pedestrian pathways at Yesler Terrace. (Photo: SHA)

Pedestrian Pathways and Access Drives

Pedestrian pathways and access drives provide access, including public access, to the interior of development bocks. They support the new street network, which better connects Yesler Terrace both internally and to the surrounding neighborhoods. Pedestrian pathways and access drives also help break up large blocks, and serve as part of the neighborhood's circulation and open space network. The Yesler Terrace Planned Action Ordinance requires pedestrian pathways and access drives in certain key locations; additional pathways or access drives may be incorporated in a project.

Pedestrian pathways and access drives should be located and designed to:

- Improve pedestrian connections, encourage interaction, and mediate the site's topography.
- Incorporate small gathering spaces, outdoor seating, bike racks and/or planting areas.
- Have well-defined entries where they meet a public right-of-way.
- Coordinate with adjacent parks and private residential amenity areas.
- Use landscape buffers at the transition from shared pathways to private residential amenity areas and entries.
- Coordinate plantings with adjacent developments, and consider incorporating edible landscapes or plantings that provide beneficial habitat.
- Incorporate CPTED principles, using clear sight lines and consistent pedestrian lighting.

Where site conditions and adjacent uses allow, pedestrian pathways and access drives should:

- Provide active uses along their edges.
- Incorporate a runnel conveyance element that captures and reveals stormwater, capturing roof runoff from adjacent buildings if feasible.

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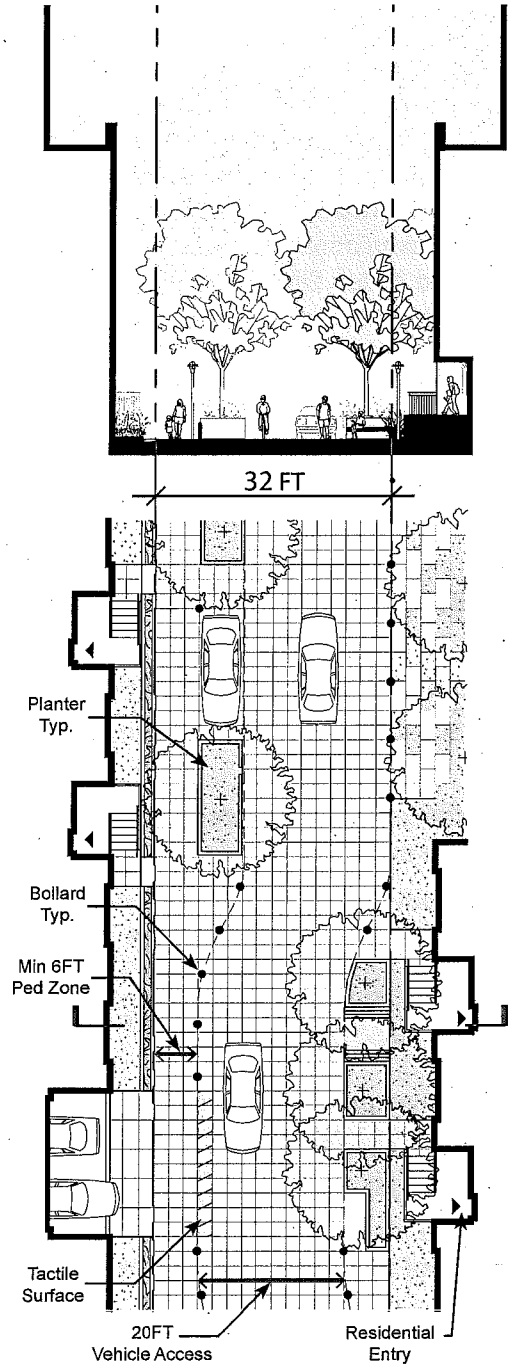
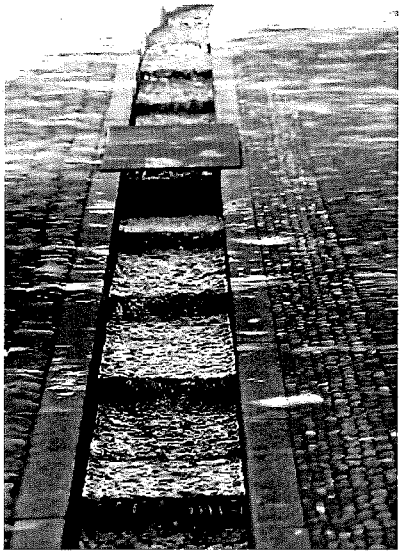


Access Drive plan and section diagram
A prototypical 32' wide access drive with water runnels, trees, mixed paving, integrated landscape beds and seating, residential stoops, and parking access entrances.

Access Drives, designed in the spirit of a *woonerf*, provide shared space for pedestrians, cyclists and vehicles to move slowly and safely in close proximity to one another. Access drives should contribute to the urban residential character of the neighborhood and foster community by creating places for chance encounters.

- Pedestrians and recreational users should have an equal priority to vehicles in access drives. The design speed for vehicles should be 5 mph.
- Access drives shall have a minimum easement width of 32', with a dedicated pedestrian walkway of at least 6' and a 20' roadway width for vehicle access. Curbs, bollards, planters, paving details or a combination of these elements shall be used to mark the boundary between vehicle and pedestrian zones.
- Access drives should also incorporate small gathering and play areas, outdoor seating, bike racks, planting areas and limited parking (for visitors, deliveries, drop-offs, etc.).

See the "Access Drive plan and section diagram" at left.



< Water runnel
Access drives and pedestrian paths should include features like this one, using rainwater as a dynamic element in the streetscape design.
(Photo: Wikipedia)

< Mix of seating, pathways, and stormwater infrastructure
A mix of paving, benches, and swales demarcates different circulation paths, provides seating, and reveals ecological function.
(Photo/Design: Nevue Ngan Associates)

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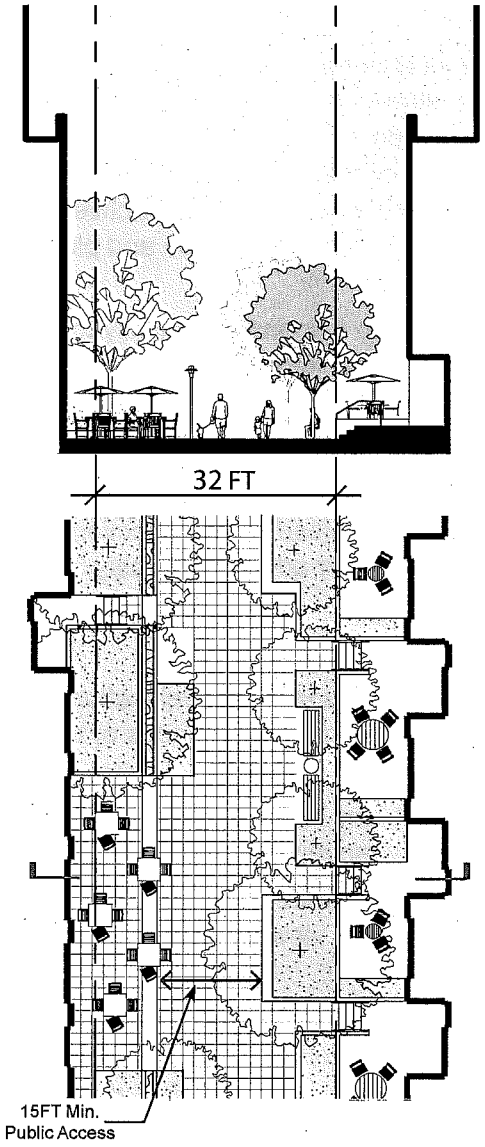

Pedestrian Pathway plan and section diagram
A prototypical 32' wide pedestrian pathway with integrated planters and seating, paving details, stormwater infrastructure, and lighting. Building setbacks of both 5' and 10' are illustrated here as examples of the varied setback conditions possible for commercial spaces, private residential amenity areas, and building entries; see SMC 23.75.140 for regulations on setbacks and projections.

Pedestrian Pathways are similar to access drives, but they do not allow vehicular access. Pedestrian pathways may have commercial or residential uses along their edges.

- Pedestrian pathways should be designed to invite and encourage walking.
- Like access drives, pedestrian pathways must have a minimum width of 32', dedicated through an easement between properties or to an open space association. Within that space, a 15' wide public easement must be granted to provide public pedestrian access.
- Pedestrian pathways should include secondary spaces for impromptu gatherings, play opportunities, outdoor seating, bike racks and plantings.

See the "Pedestrian Pathway plan and section diagram" at left.

Sloped Pedestrian Pathways: Many pedestrian pathways at Yesler Terrace will require a substantial grade change.

- Provide viewpoints, seating opportunities, and solar exposure in addition to other standard pedestrian pathway amenities.

For related guidance, see also:

- *CS1: Natural Systems and Site Features: Water*
- *PL2: Walkability*
- *PL3: Street-Level Interaction: Residential Frontage: Residential Frontage on Access Drives or Pedestrian Pathways*
- *DC1: Project Uses and Activities: Vehicular Access and Circulation and Parking and Loading Uses*
- *DC2: Architectural Concept: Human Scale*
- *DC3: Open Space Concept: Building-Open Space Relationship*
- *DC4: Exterior Elements and Finishes*

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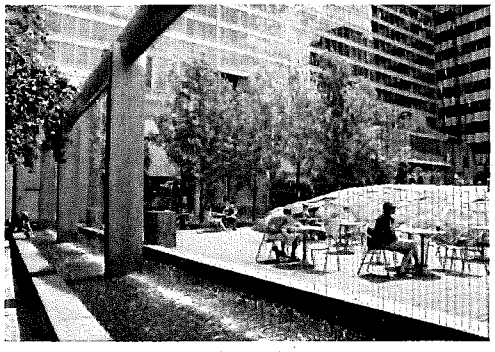
Adventurous play
School-age children, between the ages of 5 and 12, are in the process of steadily testing and expanding their physical boundaries so they need adventurous play opportunities like this climbing wall play structure. (Photo: Matt Durham Photography)

Relaxing viewing spots
Frequent places to stop, sit and rest are important for older adults. Viewing spots are welcoming to all ages, residents and visitors alike. (Photo: Srdjan Srdjanov)



People watching and lunch spots
Office and hospital workers in the northwest district of the community will like spaces like this plaza to sit in and eat lunch or people watch. (Photo: Flickr, LUQ2006; Design: Oleson Worland Architects)

Outdoor Uses and Activities

Guidelines for the planned network of streets, access drives, pedestrian pathways, and public, semi-private, and private open spaces are intended to help create spaces that will serve the needs of a diverse and evolving community of residents and visitors at Yesler Terrace. This network should provide passive and active open spaces that support a range of uses from contemplation and picnics to informal play and active recreation.

Each open space should be designed to respond specifically to the needs of one or (preferably) more of the following groups:

- **Young children and families (1-5 years)** -- Need safe and creative places to play close to home; comfortable places to supervise children; destination play spaces further from home
- **School-age children (5-12 years)** -- Need safe connections that allow them to circulate; opportunities for adventurous play
- **Teens** -- Need exciting places to gather, socialize and recreate; to see and be seen
- **Adults** -- Need spaces for recreation, socializing, relaxation, and retail services; circulation paths serving multiple modes of travel
- **Older Adults** -- Need walkable connections to visit friends and family; frequent places to stop, sit, and rest; places to feel part of the mix, but not overwhelmed by younger users
- **Visitors** -- Need clear wayfinding guidance; welcoming gateways; destination spaces, such as view spots, a retail core, and community and cultural events
- **Office & Hospital Workers** -- Need places to eat lunch, get coffee, and people watch; paths to the retail core; easy access in and out of the neighborhood

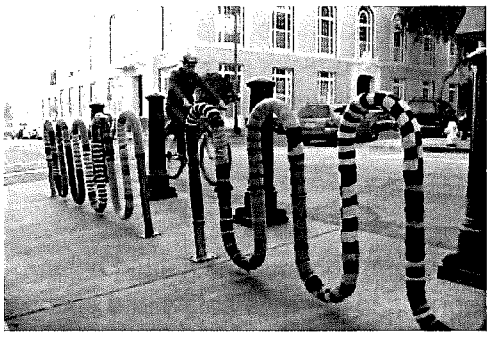
For a discussion of site wide land uses, see section *DC1: Project Uses and Activities.*

Street Furniture, Art and Fun

Activating the public realm and building a unique neighborhood character with colorful, fun and playful design features is highly encouraged at Yesler Terrace. Throughout the neighborhood's network of open spaces there are many opportunities to incorporate street furniture, space for art installations and permanent art, and creative paving, paint patterns or lighting on the ground plane. Below are a few example photos of successful art, infrastructure, pavement, and seating strategies that encourage interactive environments with color, play, creativity and sculpture.

- Incorporate playful features and details that engage passersby and create memorable spaces.

< Public art to highlight gateways and focal points
These sculptures adjacent to a large central park and plaza, highlight the area as a neighborhood center and add to the area's distinct character. A similar approach is encouraged along Yesler Way adjacent to the neighborhood park and central intersection. (Photo: GGLO; Artist: Alexander Liberman)



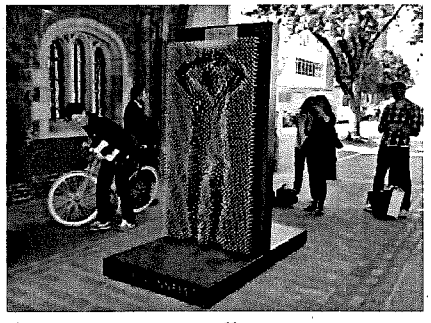
Knitted bike racks
The sense of fun and creativity seen in this guerilla art installation of knit tubes sewn onto these bike racks is encouraged at Yesler Terrace. (Photo: Streetcolor)

Sculptural seating
These benches are playful additions to public spaces; when not in use they stand up like a sculptural field and when someone wants to sit down they pivot down to become a bench. (Photo/Design: Cellule)

Integrated seating
These colorful benches integrated with planters contribute to a vibrant and playful urban space. A similar sense of play and creativity would be appropriate in the pocket parks. (Photo: Landezine; Design: Turenscape)

Permanent art | Art as gateway
The sidewalk art at the entrance to this small park marks the entry to the park, adds interest to the public realm, and tells a story about the design concept. (Photo/Design: Haddad-Drugan Design and GGLO)

Thermoplastic patterns and street paint
The unique pattern applied to the plaza ground plane highlights paths, trees, and lights, and creates a playful and interesting public space. (Photo/Design: Kristine Jensen)



Interactive Art Installations
The "Be a Pin Up" art installation activates the sidewalk and encourages pedestrians to have fun with art. Interactive installations would be well placed in Yesler Terraces plazas, woonerfs, pedestrian pathways, and pocket parks. (Artist: Lulu Guinness)

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PL2 Walkability

Seattle Design Guideline:

Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

Yesler Terrace Supplemental Guidance

Accessible access drives
Curbless access drives create additional paths through the site that are accessible to a variety of users.

Active, transparent street fronts
Street level transparency, building entrances, commercial activity, street furniture and weather protection all contribute to keeping people's eyes on the street.

Accessibility

Yesler Terrace is characterized by sloping topography, and many of the sidewalks in the public rights-of-way have slopes that create accessibility barriers. Where feasible, mid-block pedestrian pathways and access drives should be designed to provide reduced slopes, improving accessibility.

Safety and Security

All streets, open spaces, walkways and connections should be designed with CPTED principles. And to promote safety and security, design buildings so that residents and businesses provide "eyes on the street" to create an active, comfortable, and safe pedestrian environment.

- Maximize the number of ground-related residential entries to create activity along the street edge.
- Concentrate retail uses north of the central park (see *PL1: Open Space Connectivity: Neighborhood Park at the Neighborhood Heart*).
- To prevent blank facades, conceal aboveground structured parking behind habitable space as required by code.
- Provide access drives and mid-block pedestrian pathways that improve connectivity; avoid creating dead ends.

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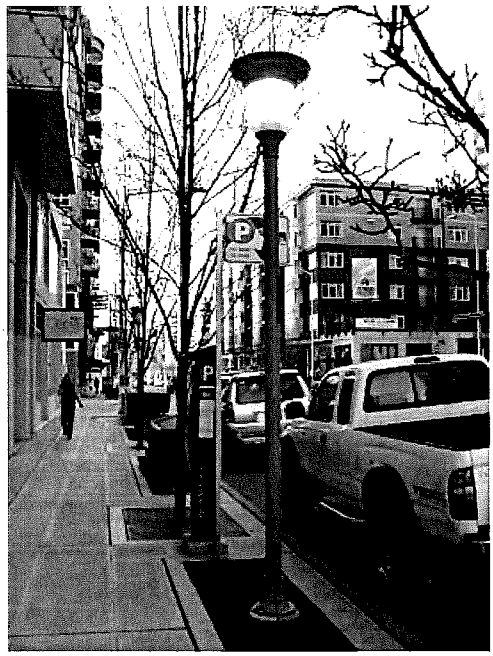

Pedestrian lighting
Pedestrian-scale lighting creates a more intimate streetscape while providing safety benefits beyond conventional "cobrahead" lights. All luminaires should have a cutoff above the light source, directing light down and away from living quarters. (Photo: City of Seattle)

Catenary lighting in a pedestrian pathway
(Photo: GGLO; Design: NBBJ)

Lighting for Safety and Vibrancy

Lighting should not only enhance public safety, but also contribute to vibrancy and neighborhood identity. Illumination type, fixture design, and location all contribute to a neighborhood's character. To enhance safety and vibrancy, exterior lighting should comply with the following guidelines:

- Establish a visual cadence to the streetscape.
- Create elegant, lighted "punctuation points" along the street edge at a variety of scales.
- Reinforce the distinct street characters (*see CS2: Urban Pattern and Form*).
- Avoid excessive lighting or light spillage.
- Emphasize pedestrian-scale lighting in streetscapes, placing fixtures at an appropriate height to illuminate faces.
- Provide adequate light in potential problem areas, including pathways, stairs, entrances/exits, parking areas, mailboxes, recreation areas, and waste disposal areas.
- Avoid lighting that creates blind spots, glare, or deep shadows.
- Luminaires should have full cutoff above the light source, and should be directed downward and away from living quarters.
- Use LED, metal halide, and halogen lamps to provide illumination with a true-color daylight spectrum. Minimize exposed fluorescent lighting; flashing, animated, intermittent, or other xenon "strobe" type lighting; high intensity discharge; incandescent; low-pressure sodium; and neon.

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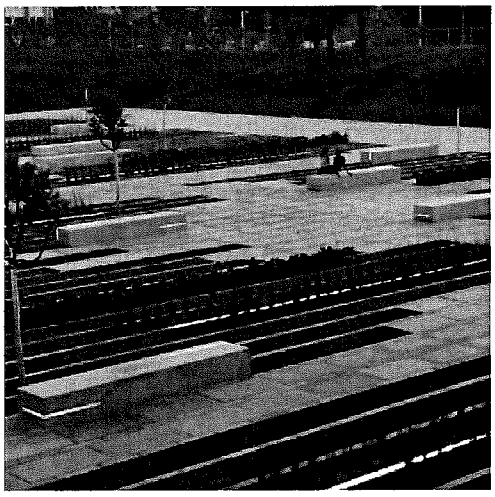
Integrated lighting for an outdoor stair
(Photo: Vince Klassen; Design: Perkins+Will)



Integrated landscaping and lighting
Paving, plants and lighting are designed as an integrated whole. (Photo: Sharon Yeari; Design: Chyutin Architects)

Building-integrated lighting
Exterior public space receives a soft light from the adjacent building facade. (Photo: GGLO)

Reflect the Character of the Adjacent Space: Design lighting along streets and sidewalks, access drives, pedestrian pathways, and open spaces to reflect and enhance the character of the adjacent space. Use pedestrian-scale lighting to light the sidewalk and provide a consistent vertical design element along the green street loop. Guidelines for specific areas:

Access Drives

Lighting for access drives should generally be pedestrian-scale, with an emphasis on building-mounted lighting where possible.

- Provide a maximum average spacing of 60 feet.
- Place lights within 15 feet of each intersection with a street right-of-way.

Pedestrian Pathways

- Illuminate pedestrian pathways continuously during nighttime hours with low-intensity, downward-directed lighting.
- Consider using catenary lighting where feasible to create attractive, comfortable nighttime outdoor spaces.

Shared, Semi-Private Open Spaces

Multifamily residential buildings will include shared courtyards and other open spaces for use by residents.

- Provide continuous illumination for circulation paths through these spaces during nighttime hours with low-intensity, downward-directed lighting.
- Emphasize illumination of stairs and ramps where they occur.
- For residential entries along streets, incorporate low-level recessed lights to supplement lighting for the adjacent sidewalk.
- Integrate lighting with landscape features and art where appropriate.

Building-Integrated Lighting

Fixtures built into building facades can provide lighting that is functional and attractive. In particular, building-integrated lighting enhances pathways and open spaces.

- Focus building-integrated lighting in the bottom 20 feet of a building facade.

Parking and Loading Areas

- Light parking and loading areas such that light does not spill into the street, on buildings/open space, or create glare as viewed from those spaces.

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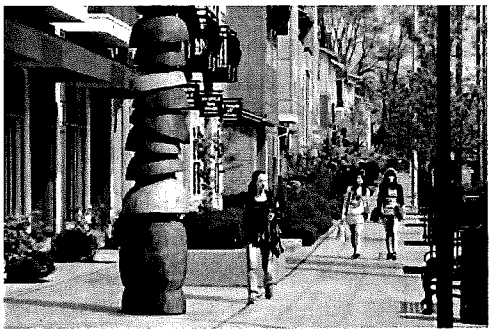
PL3 Street-Level Interaction

Seattle Design Guideline:
Encourage human interaction and activity at the street-level with clear connections to building entries and edges.



Mixed frontages on a residential street
Residential and live/work units line this active street. Modulated buildings, varied colors, entry canopies and landscaped setbacks all work together to create housing units with individual identities and a comfortable transition from the privacy of home to the public life of the street. (Photo: Derek Reeves; Design: GGLO)

Non-residential frontages
A concentration of small-scaled retail with large windows and outdoor seating stimulates activity on the wide sidewalks of this street. (Photo: Patrick Ross Photography; Design: Hord Coplan Macht Architecture)

Yesler Terrace Supplemental Guidance

Frontage

"Frontage" is a term that describes the form and function of facades and setback areas that face the public realm. Frontage guidelines address facades, ground-level uses, and qualities of the public space abutting the setback.

Frontage generally pertains to the bottom 30' to 50' of buildings, with greatest emphasis at the street-level. This area has the most impact on a pedestrian's experience of a place; an experience shaped and limited by the scale of the human body and one's cone of vision.

Yesler Terrace has two basic types of frontage: **Residential** and **Non-Residential**. Variations occur within these types, depending on the type of public space that a building faces onto. For example, guidelines for residential frontages on streets and pocket parks are different from guidelines for residential frontage on a access drive.

Ensure that all frontage engages the street-level in order to:

- Create a sidewalk environment that's lively and safe.
- Provide visual surveillance of the public realm without compromising privacy and security for ground-floor dwelling units.
- Make urban living inviting and desirable.
- Give the neighborhood a predominantly residential character.

The following conditions are exempt from PL3 street-level frontage guidelines:

- Facades that do not abut a street, pocket park, access drive, or pedestrian pathway.
- Facades set back more than 30' from a lot line or easement line.
- Facades along Interstate 5.

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High-density residential frontage
These family-sized units, organized as stacked flats, have relatively large yards and decks, all overlooking a neighborhood street. (Photo: Don Vehige)

Ground-level entries
The setback entrance to an individual residential unit clearly marks the entry, and provides usable private outdoor space that successfully transitions a resident or visitor from the public to the private realm. (Photo: Gregg Galbraith; Design: GGLO)

Residential Frontage

These guidelines apply to buildings with ground-level residential uses or live-work units. Due to the quantity of ground-level residential uses expected at Yesler Terrace, residential frontages will play a large role in establishing the neighborhood's character.

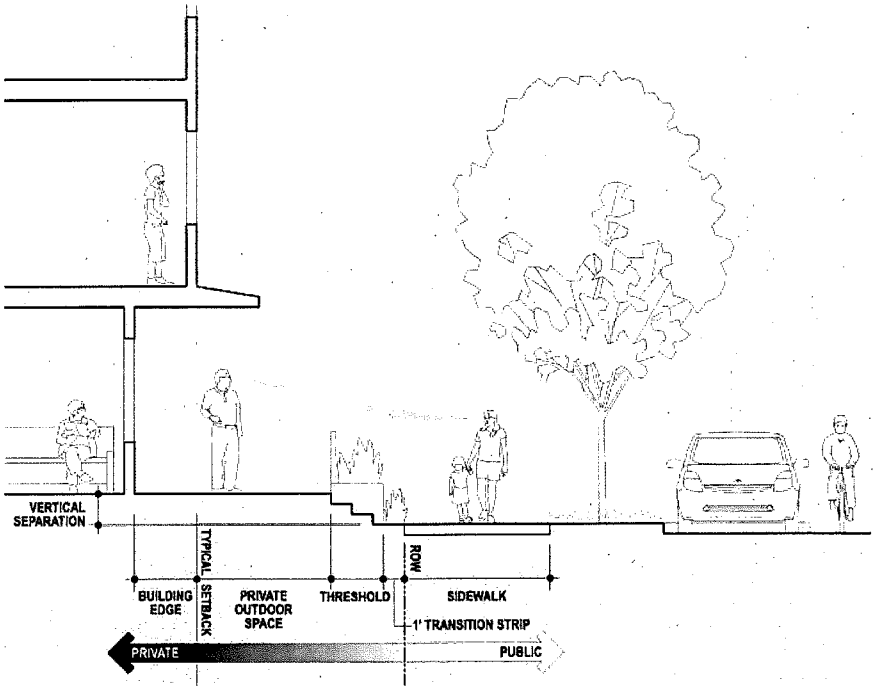
Typical Residential Frontage

(Facing onto streets and pocket parks)

- Articulate individual dwelling units at the ground level and provide opportunities for personalization by occupants.
- Establish a streetscape that clearly looks and feels residential.
- Where feasible, provide street-facing entries for ground-level units.

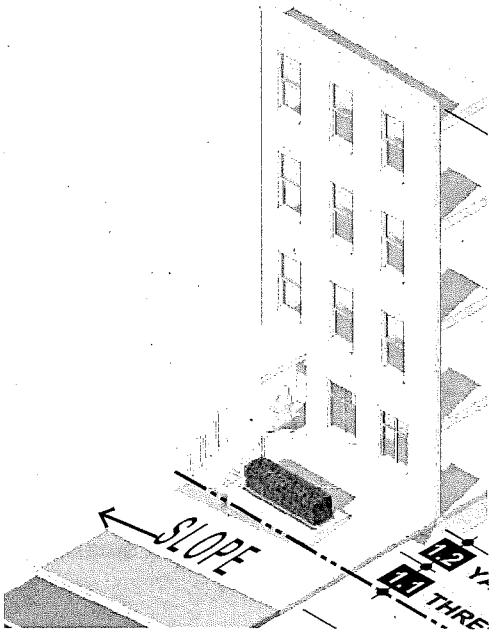
For security and privacy, use design elements and techniques to create a layered transition from the privacy of the home to the public space of the street and sidewalk, incorporating each of the following elements. Where barrier-free entry is provided, modify or waive provisions relating to vertical separation and thresholds as needed.

- The preferred entry-level elevation for ground floor residential units is between 2 and 6 feet above the sidewalk. Design residential frontage to maximize the number of units in this zone. While topography will sometimes require portions of a unit to be less than 2 feet above the sidewalk, no entries should be below finished grade.



Essential elements of a typical residential frontage (facing a street or open space)
Residential frontage on streets and open spaces should include each element identified in this diagram.

Exhibit B to DPD Yesler Rezone Ordinance



Barrier-free residential frontage
Barrier-free entry to a residential frontage on a sloping site can be provided with a ramp on the high side of the slope that leads to the front door. Vertical separation and threshold guidelines may be modified or waived as necessary where barrier-free access is needed.

Residential frontage with minimum setback
This example is similar to the minimum setbacks for access drives. Grade separation and landscaping create a clear transition to the unit. Because the entry is raised, inset, covered, colorful and well-articulated, it enhances the privacy transition and identity of the unit, all in a very small space. (Photo: City of Seattle)

- Provide a physical feature on private property that defines and bridges the boundary between public right-of-way and private yard or patio. Locate this threshold between 1' and 4' from the sidewalk, with features such as a hedge, retaining wall, rockery, stair, gate, railing or a combination thereof. Thresholds should screen but not block views to and from the street, and should help define individual units.
- Retaining walls should generally not be taller than 4', but may be up to 6' if grade conditions require; any retaining walls taller than 4' should be separated from an abutting sidewalk, pedestrian pathway, or access drive by one or more terraces of landscaping stepping down from the top of the wall.
- Provide direct access to any private outdoor space provided for a dwelling unit. Make the space large enough to be usable by residents, and place it at the same level as the interior of the unit where feasible. Minimize the amount of amenity space below the level of the abutting sidewalk or pocket park.
- Create a ground-level facade with a residential character. Design the front door and entry area to enhance the privacy transition. Provide operable windows for ground-level units.

Residential Frontage on Access Drives or Pedestrian Pathways

Residential frontage on access drives or pedestrian pathways should have a different character from those on streets and pocket parks, as they open onto a more intimate outdoor space.

Typical residential frontages (discussed in the previous section) are allowed on access drives and pedestrian pathways, but a smaller minimum setback (per SMC 23.75.140) means that buildings can provide less private outdoor space and a smaller threshold transition. The following guidelines apply:

- Articulate individual dwelling units at the ground level and provide opportunities for personalization by occupants.
- Establish a frontage that feels residential, but has a variety of building forms, styles and materials that add up to a space that's eclectic and intimate.
- Where building program allows, provide street-facing entries for ground-level units.
- Integrate the design of residential entries and associated threshold elements with the access drive or pedestrian pathway design, so that landscaping, street furniture and other amenities contribute to the overall character of a unit's entry.

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Vertical separation and direct access
Two views of the same frontage. Garage doors allow a connection between private interior and patio space, adjacent to the shared space of a pedestrian pathway. Well articulated entrances, stairs, and patios mediate the sloping site and the transition from public to private. Landscaped walls between units articulate individual units and provide a sense of privacy to each patio. (Photo: Steve Keating Photography; Design: GGLO)

For security and privacy, create a layered transition from the privacy of the home to the shared space of the access drive or pedestrian pathway. Incorporate each of the following elements within this transition area. Where barrier-free entry is provided, modify or waive provisions relating to vertical separation and thresholds as needed.

- Where grading allows, locate the entry level of each unit 1' to 4' above the access drive or pedestrian pathway it faces.
- The substantial threshold described for typical residential frontage is not required, but provide at least one of the following: a rail, wall, or landscape separation.
- Provide direct access to the shared space of the access drive or pedestrian pathway. Private amenity space is allowed, but not required in these locations.
- Integrate elements of a porch or stoop into the unit entries as the setback allows; these features will necessarily have a smaller scale than they would on streets or parks.

For related guidance, see also:

- *PL1: Open Space Connectivity: Access Drives and Pedestrian Pathways*
- *PL2: Walkability: Safety and Security*
- *DC1: Project Uses and Activities: Vehicular Access and Circulation*

Exemplary compact residential frontage
This narrow threshold makes a good transition from the public to private realm in a small amount of space. The railings and deck plants strike a balance between the desire to screen and the need for visual connection to the sidewalk. (Photo: Don Vehige)

Inappropriate access drive frontage
Cars may not be parked overnight or long-term within residential frontages along access drives. (Photo: Richard Layman)

Appropriate frontage on an access drive
Residential frontage on access drives can have a tighter setback than frontage on streets or parks. Achieve a privacy gradient through clear articulation of the unit entry, threshold elements such as landscaping, walls, stairs, and railings, or a private patio space. (Photo: Steve Keating Photography; Design: GGLO)

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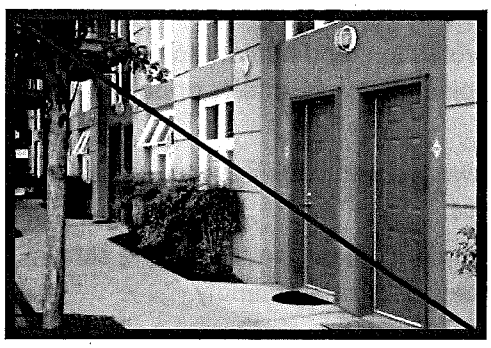
Comparing Successful and Unsuccessful Residential Frontages

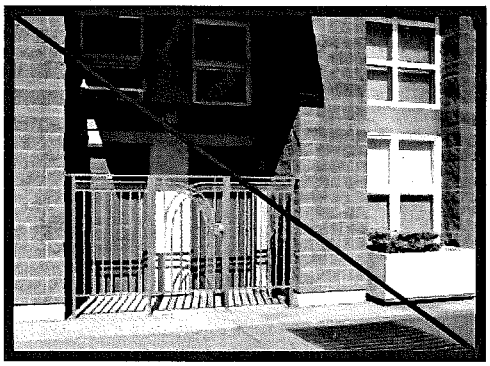
The successful examples here mostly include a larger setback, similar to the condition on streets and open spaces at Yesler Terrace. However, many of the features that make them successful can also be applied on woonerf-like access drives or pedestrian pathways.

High design, good frontage
These units have a thoroughly modern aesthetic and all essential elements of a residential frontage. Individual units are clearly expressed through form and color, and allow opportunities for personalization. (Photo: Google Maps, April 2009, Citadel Street and Dunsmuir Street, Vancouver)

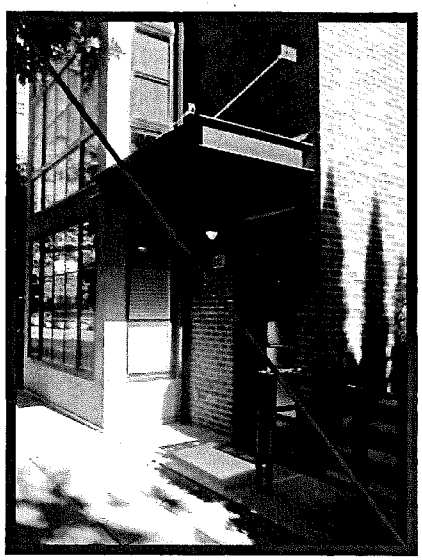
Traditional residential frontage
This street lined with historic multifamily housing demonstrates that the principles of residential frontage are timeless. (Photo: Boston Discovery Guide)

Contemporary residential frontage
A successful residential frontage is not limited to a traditional style. This residential frontage has been interpreted in a contemporary way. (Photo: David Cutler)

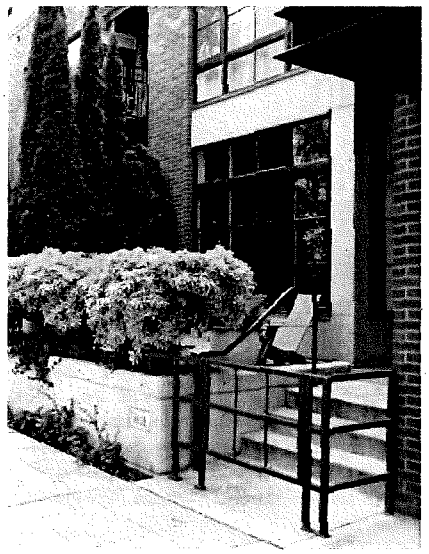




Inappropriate residential frontages
Both examples lack essential elements of a public-to-private transition that make ground-level housing comfortable and desirable. There are no private outdoor spaces; threshold elements are non-existent (top image) or present too much of a barrier (bottom image); the entry doors are grouped together and do not articulate individual units. (Photos: SHA)



Abrupt privacy transition
The skillful use of high-quality materials gives this entry an attractive aesthetic, but the transition from public to private is too abrupt. (Photo: David Cutler)



Ideal privacy transition
This example from the same building as the image to the left, it is successful because it contains the essential elements of a residential frontage: a threshold that screens but does not block views, a raised private patio, large windows with operable casements, and an inset front door which adds a subtle layer to the privacy transition. (Photo: SHA)

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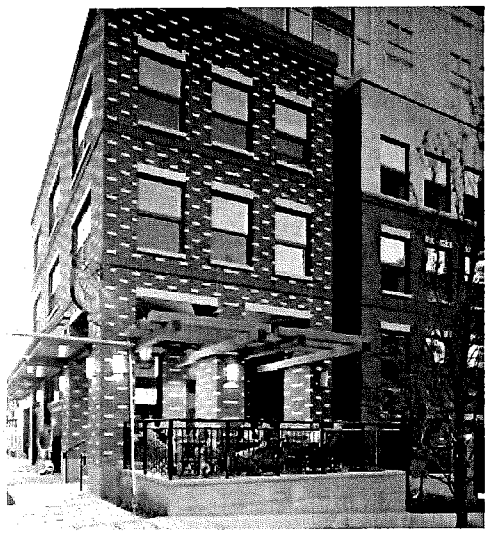

Non-residential frontage: build-out edge
Colonnades and canopies provide human-scale definition in this frontage. The use of landscaping, retaining walls, and a terrace demonstrates how welcoming outdoor seating can be provided next to a sidewalk. (Photo: Steve Keating Photography; Design: GGLO)

Access, visibility, and character
Barrier-free access accommodates all users, railings and plants add texture to the building edge, low sills and a high level of transparency increase visibility, and high quality materials and rhythm create a pleasing facade. (Photo: Mathew Millman Photography; Design: Jones\Haydu)

Outdoor seating in the setback
Setbacks are an excellent place to locate outdoor seating for cafes, coffee shops or restaurants. On both streets and woonerfs, this strategy adds life to the sidewalk. (Photo: The Madison Downtown Design Professionals Workgroup)

Non-Residential Frontage

Non-residential frontage guidelines apply to buildings that have non-residential uses at street-level, including retail, services, and office. Non-residential frontages may also apply to buildings with residential uses at street-level where that use is a residential lobby, live/work unit, or shared residential amenity space. Frontage should:

- Articulate building bases with a scale and cadence similar to traditional storefronts. However, style and materials do not need to be traditional.
- Locate entrances at or slightly above grade.
- Provide direct, barrier-free access from the sidewalk, pedestrian pathway, or access drive to the primary entrance. Stairs may be used for secondary access.
- Provide moderate to high transparency at the ground level, consistent with code requirements.
- Extend the public realm from the right-of-way to the edge of the building. Threshold elements should only be used within a narrow zone to define or enclose outdoor seating areas, or to increase privacy for ground-level office or live/work units.
- Provide shading, weather protection, and human-scale definition at the street level with canopies, awnings, and/or upper-level balconies.
- Do not use canopies and awnings with back-lighting, high-gloss finishes, or plasticized fabrics.

Avoid projections at pedestrian height unless they make the sidewalk and building base more active and pedestrian-friendly.

For related guidance, see:

- *PL2: Walkability: Safety and Security*
- *PL2: Walkability: Lighting for Safety and Vibrancy*
- *DC1: Project Uses and Activities: Arrangement of Land Uses*
- *DC2: Architectural Concept*
- *DC3: Open Space Concept*
- *DC4: Exterior Elements and Finishes*

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PL4 Active Transportation

Seattle Design Guideline:
Incorporate design features that facilitate active forms of transportation such as walking, cycling, and use of transit.

Serving all modes of travel
This sign in alerts people to all the modes of travel that converge in the area: walking, biking, transit, and driving. (Photo: GGLO)

Pedestrian connections
New and improved crosswalks will be installed throughout Yesler Terrace; many will link to pedestrian pathways as shown here. Bollards and a change in paving materials help to identify the entrance to the pedestrian-only zone. (Photo: GGLO)

Yesler Terrace Supplemental Guidance

Entry Locations and Relationships

With its planned network of streets, pedestrian pathways, access drives, and variety of transit options, Yesler Terrace will be a hub of multi-modal activity. The Seattle Design Guidelines specific to "Serving all Modes of Travel" and "Connections to All Modes" are good starting points for designing on and around the planned streets and connections, but much of this guidance is expanded upon throughout the Yesler Terrace guidelines. Cross references to the appropriate sections are discussed below.

Primary vehicular traffic occurs to the east and west on Yesler Way, and to the north on Broadway. A new vehicular connection to the southeast will be provided through improvements to 10th Ave S. and S. Main Street. Secondary vehicular traffic will also occur around the green street loop, connector streets, and access drives (*CS2: Urban Pattern and Form: Street Character and Abutting Uses*; and *DC1: Project Uses and Activities: Vehicular Access and Circulation*).

Pedestrian traffic will occur throughout the neighborhood, served by an extensive network of pedestrian pathways, access drives, and pocket parks. New and improved crosswalks will link this network together (*PL1: Open Space Connectivity*). Additionally, pedestrian circulation to surrounding neighborhoods will be much improved by the 9th Avenue pedestrian pathway to Harborview and the 10th Ave Hill Climb to Little Saigon (*Introduction, CS1: Topography*, and *PL1: Open Space Connectivity*).

How buildings relate to streets, pedestrian pathways, access drives, and open spaces is of central importance in the redevelopment of Yesler Terrace to support the urban residential character and activate paths of travel (*PL3: Street-Level Interaction*; and *DC3: Open Space Concept: Building-Open Space Relationship*).

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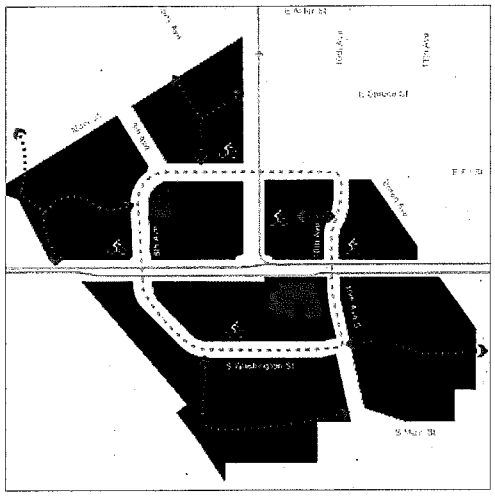
Bike parking
Covered bike racks in easy-to-see locations make riding a bike in the neighborhood more appealing. The Land Use Code requires a minimum amount of bike parking; good design is needed to make sure that these features are useful and inviting. (Photo: Sean Ludviksen)



Conceptual bicycle circulation diagram
Primary bike routes served by bike lanes, buffered bike lanes and sharrows are indicated with a solid orange line. The green street loop will provide secondary routes, as indicated with the dashed orange line. Access drives will provide through-block bike routes where topography allows; likely locations are shown with red dashed lines.

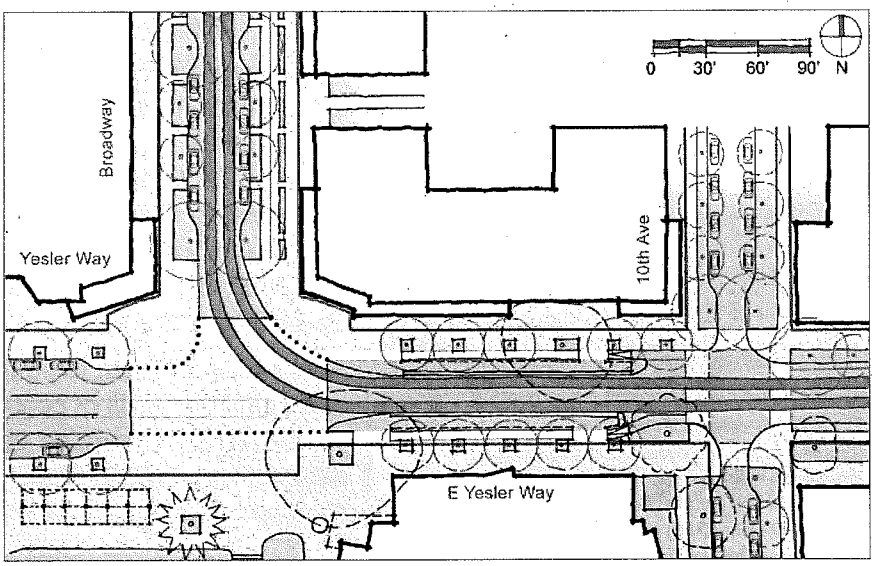
Broadway and Yesler Way intersection plan >
A marketplace plaza, the existing community center, new neighborhood park and street-front retail, and two new streetcar stops flank the Broadway and Yesler Way intersection. Together they create a vibrant hub of activity at the neighborhood heart.

Planning Ahead for Cyclists

- Provide visible, attractive bike racks that meet City standards at entrances to buildings and pedestrian pathways, within courtyards, next to neighborhood parks, and the retail core, as appropriate.
- Design sites to reinforce the conceptual pattern shown in the "Sitewide bicycle circulation diagram" (left).
- Provide wayfinding signage for cyclists at major neighborhood entries and the intersection of Yesler Way and Broadway, consistent with city-wide bicycle signage standards (see "Neighborhood gateways + wayfinding kiosk locations" diagram in *CS2: Location in the City and Neighborhood)*.

Planning Ahead for Transit

- Provide public seating and other pedestrian amenities for sites that abut a transit stop, consistent with the recommendations of the Seattle Design Guideline for "On-site Transit Stops".
- For sites at Yesler and Broadway, help connect retail activity on the north side of the intersection with recreation and social activity at the community center and neighborhood park. This may be done through paving details or other design cues (*DC1: Project Uses and Activities* and *PL1: Open Space Connectivity: Neighborhood Park at the Neighborhood Heart*).
- Include weather protection and lean rails or other seating as part of frontage abutting transit stops.



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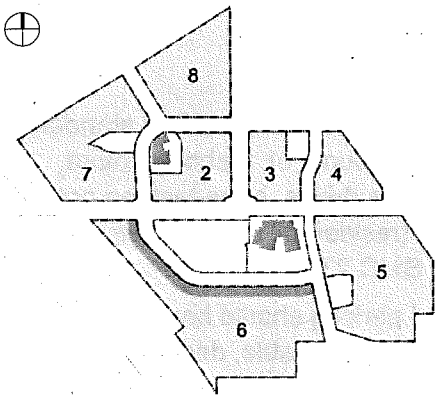
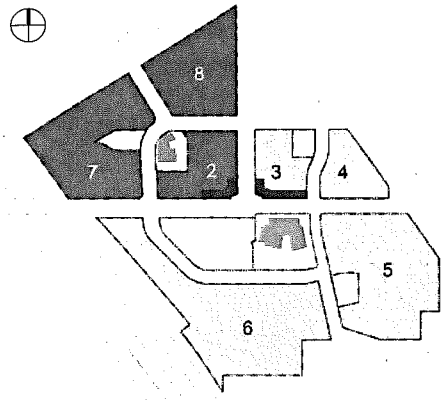
DC1 Project Uses and Activities

Seattle Design Guideline:
Optimize the arrangement of uses and activities on site.



Residential land use diagram

- Residential uses allowed
- Residential use required along 80% of this frontage
- Parks and Community Facilities



Non-residential land use diagram

- Fewer limits on size of non-residential uses
- Size of most non-residential uses is limited
- Street-level retail & other non-residential uses required
- Parks and Community Facilities

Yesler Terrace Supplemental Guidance

Arrangement of Land Uses

As allowed through SMC Chapter 23.75, Yesler Terrace redevelopment is planned to include residential and non-residential uses such as office, medical services, retail, and lodging.

In general, zoning favors non-residential uses in the northwest sector and residential uses everywhere else, as summarized in the diagrams to the left. Business establishments are allowed more floor area, taller highrises, and larger floorplates in the northwest sector.

There are two locations on the site where street-level non-residential uses are required: on the north side of Yesler Way on the blocks immediately to the west and east of Broadway, and for 60' to the north of Yesler Way along both sides of Broadway. This requirement is intended to reinforce the role of the intersection of Yesler Way and Broadway as the center of activity at Yesler Terrace.

In various areas throughout the site, the zoning establishes "build-to lines"; in these locations, facades for non-residential development must be located two feet behind the edge of the right-of-way, access drive, or pedestrian pathway (see *PL3: Street-Level Interaction: Non-Residential Frontage* for related frontage guidelines). These locations were selected to promote architectural variety and to reinforce commercial character where it is most appropriate.

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Active uses wrap a parking garage
Land Use Code provisions require that aboveground parking be set back behind the facade, and that 80% of the above-ground parking be wrapped in habitable residential or non-residential space. (Photo: Kyle Gradinger)

Appropriate edge for partially underground parking
This terrace sits above a parking deck that extends above the sidewalk. The exposed portion of the parking is concealed by low walls and planting, which meets the requirements of SMC 23.75.180 for screening partially underground parking. (Photo: GGLO)

Vehicular Access and Circulation

Vehicular circulation and parking access will be provided on a network of streets and access drives (*CS2: Urban Pattern and Form*). Allowed access points and curb cuts are regulated by SMC 23.75.180.

- In order to promote safety for pedestrians, cyclists, and drivers, minimize the size and frequency of curb cuts and vehicular access points.
- Separate parking access points by a minimum of 30' on a access drive as measured between the two closest spaces or locate parking access points directly across from each other.

For related guidance, see also: *CS1: Natural Systems and Site Features: Topography*

Parking and Loading Uses

To reduce the visual impacts of parking, Land Use Code standards require that onsite parking be underground, or, if aboveground, concealed from streets, parks, access drives, or pedestrian pathways by space dedicated to active uses (residential units, storefronts, etc.). Specific provisions are located in SMC 23.75.180.

- Frontage that wraps structured parking should have dimensions and architectural detailing that create usable, desirable space; occupancy and activity in these frontages is key to truly concealing the parking.
- Screen and gate parking and loading access areas, concealing the opening through use of elements such as walls, louvers, fins, solid or perforated metal panels, or vegetated walls. Gates should fully enclose the area up to a minimum height of 8', have a maximum transparency of 15%, and use materials that do not detract from the appearance of the street level facade.

< Parking access points preferred on access drives
Access drives are the preferred location for vehicle access to buildings. They are also primarily residential in character and pedestrian-friendly. This photo shows a typical arrangement of a parking access point and adjacent residential entry on a access drive in Vancouver. (Photo: GGLO)

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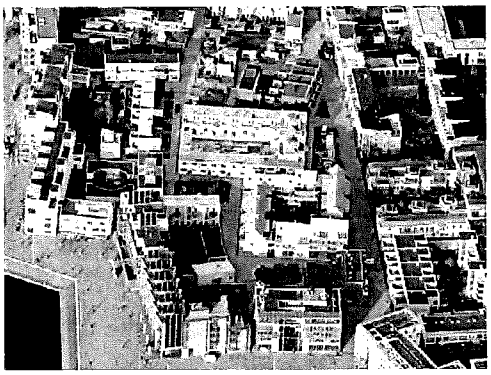
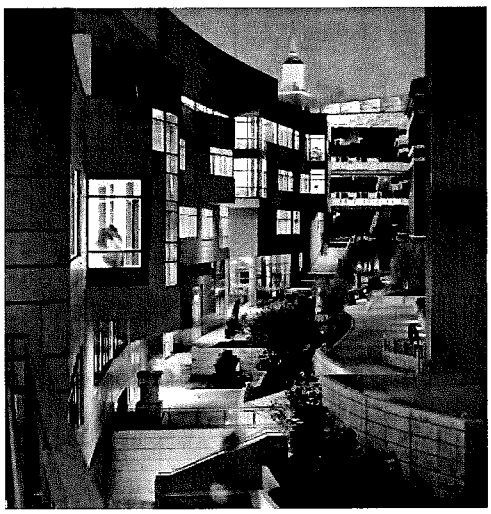
DC2 Architectural Concept

Seattle Design Guideline:
Develop an architectural concept that will result in a functional and harmonious design.



"Typological complexity is not a goal in itself but evidence of a functional hierarchy. Simple spaces and volumes constitute the building blocks of all architectural composition, however complex the overall result may be." -Leon Krier



Pedestrian passage between buildings
With a 40' width, this pedestrian pathway deftly winds its way up a narrow, hilly site, providing building breaks at the ground level for pedestrian passage. (Photo: Alan Karchmer; Design: Moore Ruble Yudell with Glaserworks)

Yesler Terrace Supplemental Guidance

Building Siting, Size, and Configuration

Each proposed building's siting, size, and configuration will play a role in shaping the character and functionality of the new neighborhood. Building bulk and scale should be balanced with an appropriate amount of open space, and buildings should compose a variety of types, heights and shapes on a block. Site design should promote:

- A building's flexibility and adaptability over time, as owners, users, visitors, and building systems change.
- Connectivity between project sites and opportunities for human interaction in the space between buildings.
- A clear, intuitive organization of buildings on a site; a fine-grained, human-scaled development pattern; and a sense of each individual building's identity within the neighborhood.

Buildings should be designed to reduce shading to the neighborhood park and pocket parks. Any structure greater than 85' in height that will shade an existing or future park should incorporate the following measures to the extent feasible:

- Exceed minimum upper level setbacks from the park.
- Orient the floor plate configuration(s) of the highrise structure to reduce shading to the park.
- Arrange rooftop features to reduce shading to the park.

For related guidance, see also:

- *CS2: Urban Pattern and Form*
- *PL1: Open Space Connectivity*
- *DC3: Open Space Concept: Building-Open Space Relationship*

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Differentiated massing and housing types
This building incorporates highrise flats, courtyard-level townhouses, concealed parking, and street-level retail, all within a single block. Massing and facade design differentiate the housing types, reduce the bulk of building, offer a consistently activated street-edge, and create a balanced formal composition of the block. (Photo: Gregg Galbraith; Design: GGLO)

Massing

Highly articulated building forms at all levels are desired at Yesler Terrace; development standards are written in part to achieve this variety.

- Use massing to differentiate between portions of a building with different functions.
- Foster architectural variety on a block.
- Design massing to reduce shading impacts to public open spaces and shared amenity spaces, where feasible.

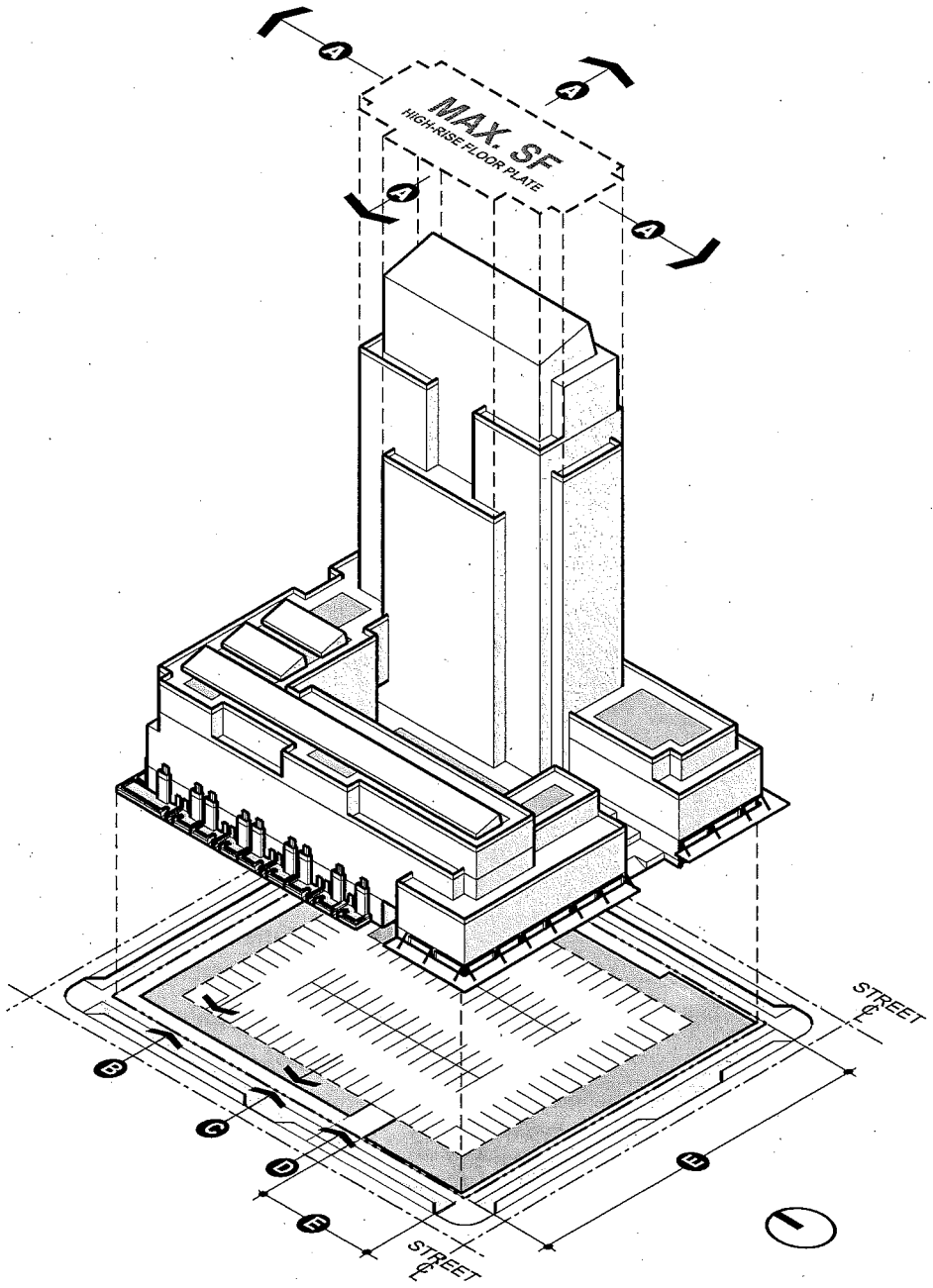

Diagram of massing on a typical block >
The development standards contained in SMC 23.75 MPC -YT are intended to produce a physical form that is appropriate for a high-density mixed-use neighborhood. This diagram is an illustration of a building form that meets code.

Highrise separation A
Parking setback B
Facade setback C
Parking access D
Build-out edge E

Habitable space
(residential or non-residential)

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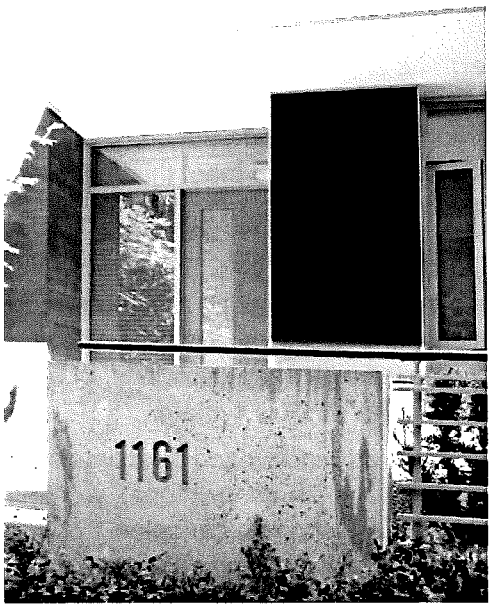
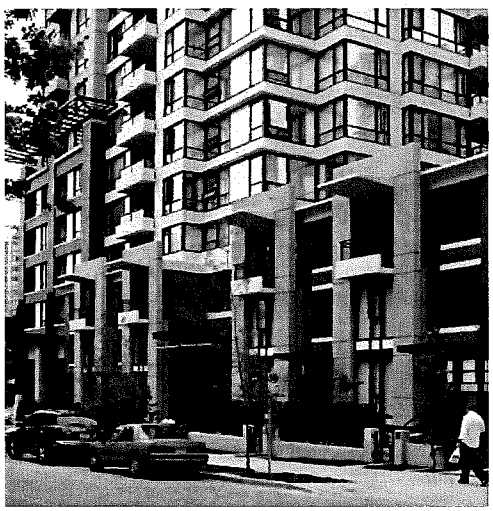


Human scale: details at street edge
The use of color, an address marker, and changes of materials clearly identify this residence at street level. The layering of vegetation, railings and a canopy over the door create a sense of transition from public to private space. (Photo: GGLO)



Neighborhood scale: appropriate articulation
Articulated building facades respond to the neighborhood scale by adding visual interest to the street edge and breaking up the building mass. (Photo: GGLO)

City scale: appropriate building tops >
Building tops work at the city scale by providing variation in facade depth and material changes, which also provide visual interest when viewed from afar. (Photo: David Cutler; Design: Peter Walker & Partners)

Scales of Architectural Composition

Building design at Yesler Terrace should pay particular attention to three scales:

- **Human Scale** – near the level of the sidewalk and at building openings such as windows and doors where the tactile nature of materials, the subtlety of colors, and well-articulated architectural details or ornament can help establish connections between a building, its occupants, and passersby.
- **Neighborhood Scale** – at the mid to upper building levels, where the building mass establishes the overall spatial enclosure for the street, park, access drive, or pedestrian pathway; and
- **City Scale** – at the building tops, where rooftops, highrise forms, and groups of highrises can shape the skyline as viewed statically from afar, or dynamically on approach from the freeway.

Specific guidelines for each scale are provided on the following pages.

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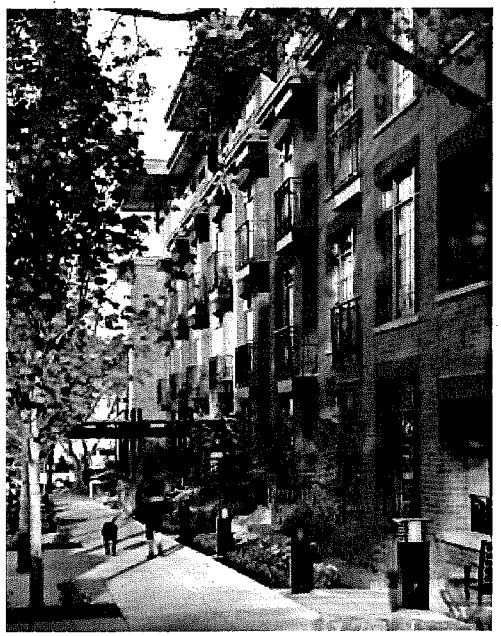
Tactile and interactive building edges
A masonry seat wall at the base of this building holds the sun's heat and provides a warm place to sit and linger. Artistic bollards also contribute to making the space a welcoming place for pedestrians as they provide protection from traffic. (Photo: Derek Reeves; Design: GGLO)



Finely scaled building features and rhythm
This building increases the level of detail below 30 feet in height, using operable windows with divided panes, natural and durable materials, and pedestrian lighting. Window headers are expressed with brick soldier courses. (Design: Ankrom Moisan Architects)

Human Scale

Focus on the First Thirty Feet: The character of buildings near the level of the street is of the utmost importance. At the level of the sidewalk, create interest through use of facade materials and architectural detailing. Strategies and features to meet this guideline include, but are not limited to, the following:

- Provide places to sit at the base of the building.
- Include doors and operable windows with glazing area subdivided by frames, muntins, or mullions; or curtain wall systems whose dividing elements are finely detailed with snap caps, fins, or expressed structural elements of the window system.
- Express structural elements (such as window and door lintels, colonnades and arcades, and bolt and pin connections), weather protection elements (such as sills, sunshades, canopies, rainwater leaders, downspouts, and eaves), and differentiate these elements from the primary façade through the use of materials, patterns, or ornament.
- Provide distinctive exterior lighting fixtures, window and door hardware, or other functional building elements.
- Use clear, Low E, or slightly tinted glazing to ensure the visibility of pedestrian-oriented commercial uses and to limit glare off of glazed areas.
- Relate window size, proportion, and pattern to unit types and room layouts.
- Coordinate architectural detailing of street-level shop fronts with the dimensions and proportions of building elements above to visually extend the building mass and character to the ground.
- Avoid clear glass with surface reflective coatings or reflectance ratings above .20.

For related guidance, see:

- *PL3: Street-Level Interaction: Frontage*
- *DC4: Exterior Elements and Finishes*

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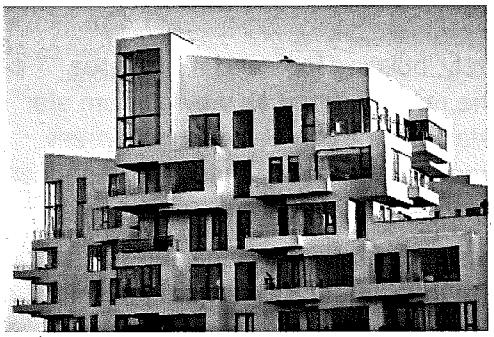
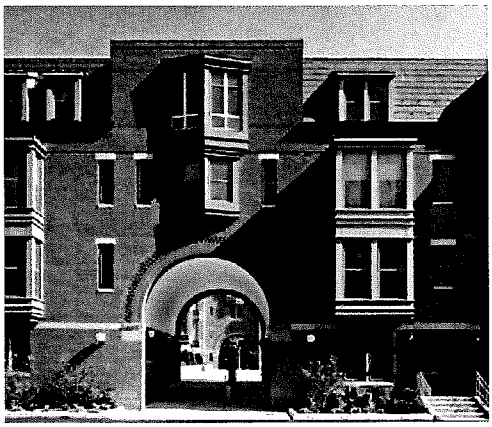


Building modulation with bays and balconies
Upper level bays and balconies add visual interest. (Design: Vilhelm Lauritzen Arkitekter)

Articulated buildings enhance neighborhood spaces
Modulation of massing within buildings and between different buildings creates variety within the neighborhood. In addition, a rhythm of bay and recessed windows adds character and a human scale to large buildings. (Photo: David Wakely Photography)



Balanced composition and passageway
This is a well-balanced composition of varying modulation elements. A ground level pedestrian passage further articulates the building facade and offers a glimpse into the block interior. (Photo: Langham Court; Design: Goody Clancy Architects)

Neighborhood Scale

Create variety: Articulate building facades below 85' with modulation elements and secondary architectural features that add visual interest to the streetscape and functionality to the building. Acceptable elements and features include, but are not limited to:

- Building recesses and terraces;
- Projecting balconies, enclosed bays, and covered porches;
- Expressed structural members;
- Ground-level pedestrian passages through the building.

Integrate Modulation Elements: Where individual elements or features are repeated along a facade, vary their spacing, design, rhythm, type, or purpose to support architectural variety within the context of the overall architectural design concept.

- Arrange modulation elements and secondary architectural features on the facade to create a balanced composition integrated with the design of the building.
- Avoid bolt-on balconies and similar elements that appear "tacked-on" to the building facade.

For related guidance, see:

- *PL3: Street-Level Interaction: Frontage*
- *DC3: Open Space Concept: Building-Open Space Relationship*
- *DC4: Exterior Elements and Finishes*

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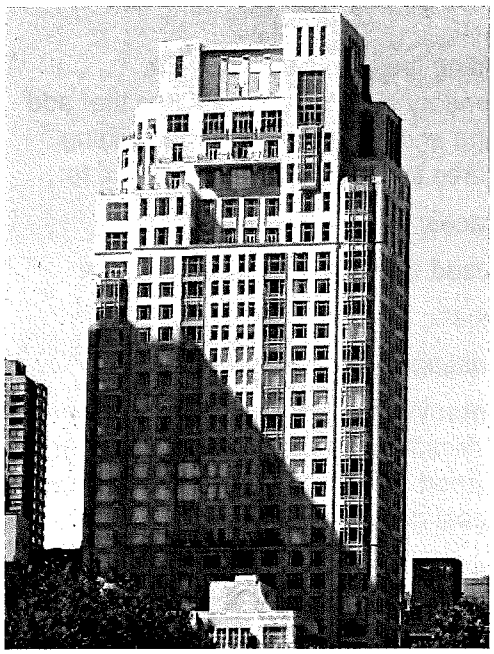
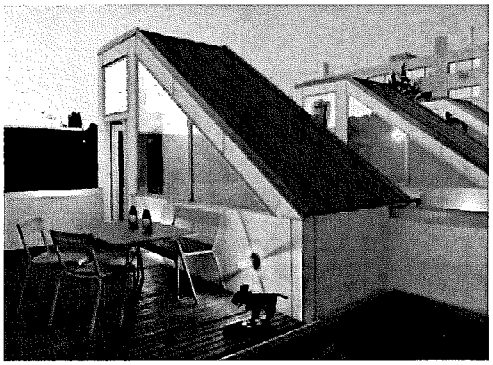


Sculpted building top
Functional terraces, balconies, and open spaces help sculpt the top of this highrise building, presenting an asymmetrical yet well-balanced form to the city. (Photo: 15 Central Park West; Design: Robert A.M. Stern Architects)

Integrating sustainability and color
This housing development integrates building geometry, roof form, color, and energy and rainwater capture to create a composition that is instantly identifiable when viewed from the street or from above. (Photo: K. Lee; Design: Moore Ruble Yudell Architects and Planners)



< Functional roofscapes add variety
These rowhouses offer private rooftop open space with stair towers providing variety in the roofscape. (Photo: Lara Swimmer; Design: HyBrid Architecture)

City Scale

Design the Skyline: Collectively, building tops and roofscapes help establish the identity of the neighborhood as viewed from afar and from above. Because Yesler Terrace can be seen from many locations throughout the city, the visual impact of midrises, highrises, and rooftops should receive special consideration.

- Highrise buildings should use modulation or upper-level detailing to present an attractive form to the static views from First Hill, Squire Park, the Central District, the International District, Beacon Hill, the stadiums, and Pioneer Square. Additionally, the dynamic views experienced approaching from the south along I-5 and from the LINK light rail alignment should be considered.
- Building tops and highrise forms should be both sculptural and functional. Where appropriate, building tops should provide open spaces for building occupants, and/or opportunities for energy and water capture.

For related guidance, see:

- *CS2: Urban Pattern and Form*
- *CS2: Location in the City and Neighborhood*
- *DC3: Open Space Concept*

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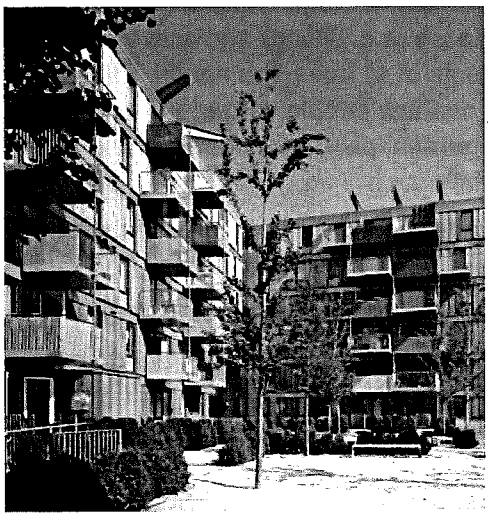
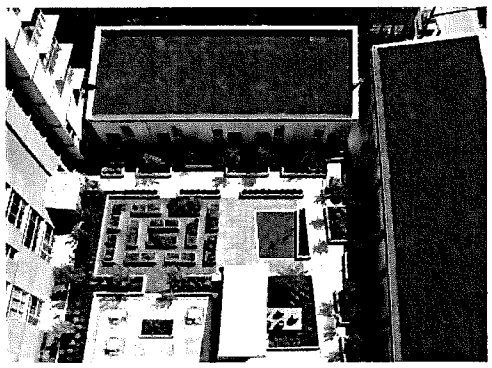
DC3 Open Space Concept

Seattle Design Guideline:
Integrate open space with the building design.



Communal courtyards
This site is a good example of how to provide semi-private amenity space for residents through landscaping, colors, furniture, and balconies and windows that put eyes on the space. (Photo: Timothy Soar; Design: Allford Hall Monaghan Morris)



Variety of recreational uses
This courtyard provides private yards for facing units and a mix of uses and spaces for shared use.
(Photo: Gregg Galbraith; Design: GGLO)

Yesler Terrace Supplemental Guidance

Building-Open Space Relationship

Integrating building design with exterior open spaces is a core design principle of Yesler Terrace redevelopment. Frontage regulations and guidelines are intended to guide how frontages interface with streets, access drives, pedestrian pathways and publicly accessible open spaces (*PL1: Open Space Connectivity*). There will also be a variety of semi-private and private open spaces that buildings must provide and support for residents. This section supplements Seattle Design Guideline DC3.A.1; it identifies the typical semi-private and private open spaces envisioned at Yesler Terrace and their preferred design qualities.

The semi-private and private open spaces of Yesler Terrace are defined as "residential amenity areas" in SMC 23.75.150, and are further categorized as either "common amenity areas", which are open spaces shared building residents but closed to the public, or "private amenity areas", each accessed by a single residential unit.

These spaces should provide building residents with more intimate places to socialize than public open spaces, access to sunlight and air, and foster community within and between buildings. These spaces include private yards, patios and balconies; communal courtyards; community gardens; rooftop patios; and forecourts and entry courtyards.

Pay particular attention to providing places for gardening and for children to play; both have been cited as priorities by Yesler Terrace residents. SHA will provide community gardens at various sites, but semi-private open spaces provide a great opportunity for close-to-home gardening. Courtyard planting beds and rooftop container gardening increase food cultivation in the neighborhood while activating open spaces and encouraging interaction among residents.

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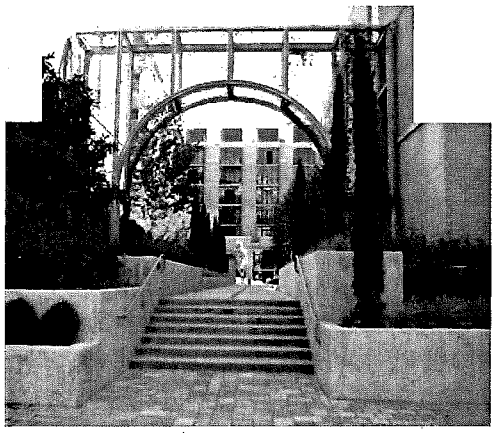
Forecourt and entry courtyard
An entry courtyard with layers of landscaping, building setbacks, seating areas and an entry canopy help transition the space from the public to the private realm. (Photo: Amanda Reed)

Common rooftop amenity areas
A shared roof deck expands the social space available to residents in this multifamily residential building. (Photo: Gregg Galbraith; Design: GGLO)



Entrance to internal courtyard
This entrance to a pedestrian pathway and internal courtyard clearly communicates a transition from the public to the private realm with the use of a gateway, stairway, and layered plantings. (Photo: Amanda Reed)

Private Yards, Patios and Balconies:

Design these areas to:

- Provide refuge and relaxation for residents.
- Integrate with the building design, and with adjacent semi-private or public open spaces.

Courtyards, Gardens and Rooftop Patios: Think of these spaces as shared outdoor rooms. Take advantage of this concept when laying out plots and designing building forms. In stepped buildings, use roofs and terraces for private and communal outdoor patios and gardens. Buildings with courtyards, gardens and rooftop patios should:

- Provide a mix of passive places (e.g. sitting) and active areas (e.g. play) to support residents of all ages and needs. Examples include niches for a single or a few people; larger areas for a crowd; places to sit, cook, garden, play, and exercise; and a variety of levels and materials.
- Provide gardening opportunities in locations where they will be used, incorporating access to light, water and storage.
- Use native, drought-tolerant, and regionally adapted plants.
- Consider views from above; green roofs are encouraged as a multifunctional design strategy to beautify roofs, enhance space, and provide functional benefits including cooling and stormwater management.
- Apply passive and active design strategies for making spaces safe and secure, such as incorporating natural surveillance techniques and adequate lighting (i.e., CPTED principles).

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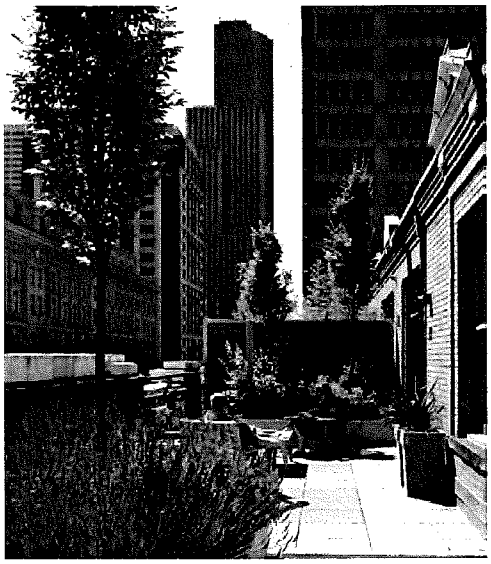
Community gardens
Community members have expressed a strong desire for community gardens on roof terraces and in building courtyards. (Photo/Design: GGLO)

Green roofs for living
The green roofs on this residential tower provide private yard-like spaces for adjacent units, a beautiful view from above, and contribute to the site's environmental performance. (Photo: David Cutler)



Private patios
This private rooftop patio provides a calm and intimate space for residents to enjoy views, sunlight and air. (Photo: Steve Keating Photography; Design: GGLO)

Forecourts and Entry Courtyards: Forecourts and entry courtyards are a special kind of courtyard condition that can help provide level entry areas for buildings on steeply sloping sites. Design forecourts and entry courtyards to

- Provide clear physical and visual differentiation between the public realm of the street, park, access drive, or pedestrian pathway and the semi-private realm of the forecourt or courtyard.
- Complement the abutting residential or non-residential frontage, as determined by the primary use of the building frontage adjacent to the forecourt and/or entry courtyard (*PL3: Street-Level Interaction: Frontage*).

Entry courtyards may extend all the way through a project site and effectively become a pedestrian pathway; this is encouraged in order to break up building mass and provide pedestrian permeability.

For related guidance, see also:

- *CS1: Natural Systems and Site Features*
- *CS2: Urban Pattern and Form*
- *PL1: Open Space Connectivity*
- *PL3: Street-Level Interaction: Frontage*
- *DC1: Project Uses and Activities*
- *DC2: Architectural Concept*
- *DC4: Exterior Elements and Finishes*

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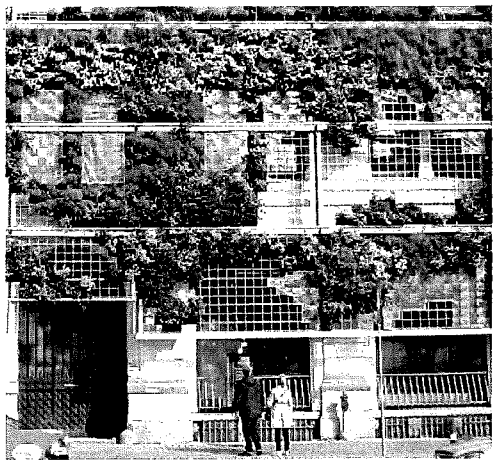
DC4 Exterior Elements and Finishes

Seattle Design Guideline:
Use appropriate and high quality elements and finishes for the building and its open spaces.

Brick masonry and metal balconies
Brick masonry can be a beautiful, durable, and regionally appropriate material for a building facade; balconies clad in metal like those seen here are preferred at Yesler Terrace. (Photo: GGLO)



Living walls, screens, and masonry
Plants growing up facades can add beauty and color to a building and street, and can contribute to a neighborhood's environmental performance. (Photo: Don Vehige)

Yesler Terrace Supplemental Guidance

Building Materials

Preferred Exterior Materials:

- Use materials that have a durability that is appropriate for an urban application. Masonry (such as local rock, cut stone, brick, or ground face concrete masonry units), integral color cement plaster, metal, and concrete are preferred primary façade materials.
- Where wood and heavy timber are exposed to weather, provide appropriate protection to increase their durability.
- Clad projecting ground-level and upper-level bays in a material that differentiates the bay from the background facade.

Street-Level Facade:

- Along streets, access drives, pedestrian pathways, and open space, use the above preferred materials for at least 50% of the street-level facade, excluding areas with glazing.
- Use the above preferred materials at all heights on facades subject to build-to line or reduced setback area standards.

For related guidance, see also:

- *PL3: Street-Level Interaction: Frontage*
- *DC2: Architectural Concept: Human Scale*

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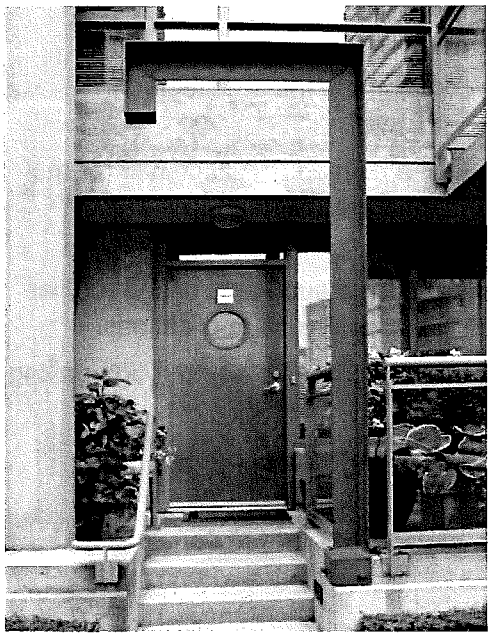
Building-integrated signage
This building identification sign is a great example of creatively integrating signs into the architectural design. (Photo/Design: Pentagram)



Residential address signs
This private residence at the base of a highrise is clearly identified by a creative and colorful red entry "gate" and smaller house number on the door. (Photo: GGLO)

Signage

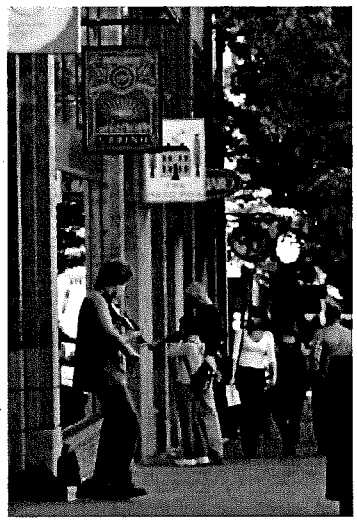
Signs are a valuable component of the urban public realm. They communicate important information about local services and building uses, animate the streetscape, build neighborhood character and expression, and generally enrich the visual character of a block edge. Signs at Yesler Terrace should be designed in consideration of the following approaches that support the aesthetic and visual character of an urban residential neighborhood.

- Permanently attach signs to the ground, building or other structure by direct attachment to a rigid wall, frame, or structure.
- Incorporate signs with the architectural design of a building where feasible; integrate the design of the sign with that of the building for a coordinated appearance; blade signs are encouraged because they enhance the pedestrian experience.
- Make a sign master plan for projects with four or more non-residential tenants, and/or where the total area of signs for all uses exceeds 100 square feet.

Fences and Free-standing Walls

The code allows fences and free-standing walls in required setbacks, with limitations on height. While such features may be appropriate to delineate different spaces or provide a safety function, they should not screen views to the extent that they cut ground-level facades off from the public realm.

- Where a fence or free-standing wall is proposed in a required setback, any portion that is more than 2 feet above the adjacent sidewalk, park, or pedestrian area should be at least 50% open or transparent.



< Blade Signs
Blade signs protruding from building facades can add color, variety and scale to an urban retail streetfront. (Photo: Don Vehige)

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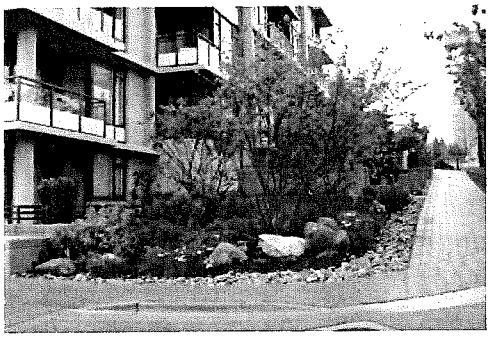
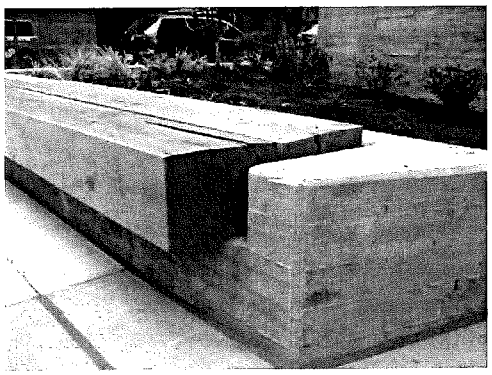
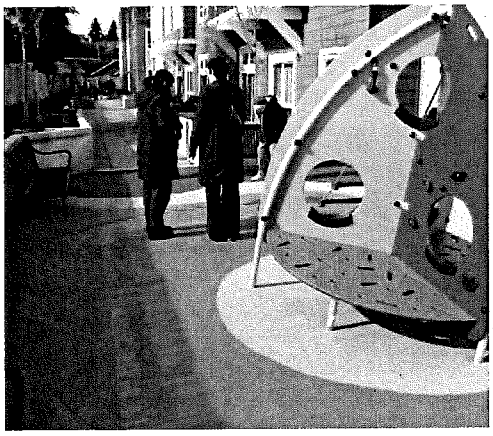


Native plants, rocks, and pavers
Native plants thrive in this lush landscaped area adjacent to a multifamily highrise and pedestrian pathway. Large, small and crushed rocks add texture and year-round interest. (Photo: GGLO)



Salvage wood and concrete
A salvaged wood bench inset into a concrete retaining wall welcomes passersby to sit, creates separation between the sidewalk and landscaped setback, and fits into the site's urban Northwest context. (Photo/Design: GGLO)



Colorful rubber playground surfaces
Colorful rubber playground surfaces add color, texture and pattern to a play area, and provide a safe surface for children to run around on. (Photo/Design: GGLO)

Landscape and Hardscape Materials

Plants and hardscape materials should be selected with the following guidelines.

Plant Materials:

- Emphasize native, drought-tolerant, and regionally adapted plants.
- Design plantings to provide year-round color and texture.
- Integrate landscape amenities with stormwater management features.
- In designing private landscape features, complement plantings in adjacent open spaces.

Hardscape Materials:

- Use durable materials that complement the architectural elements of a project.
- Use light-colored materials with a high solar reflectance for at least 50% of the site's hardscaped area for high foot traffic / recreation applications.
- Consider using natural stone products such as crushed rock or stone dust for light foot traffic or passive use applications.
- Create texture and character in the ground plane through paving details.
- Use permeable paving to support stormwater control requirements.
- Use salvaged wood, stone, metal, and other materials to add character to design features while reducing environmental impacts.

For related guidance, see also:

- *CS1: Natural Systems and Site Features*
- *PL3: Street-Level Interaction: Frontage*
- *DC2: Architectural Concept*
- *DC3: Open Space Concept*

Form revised: December 6, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning & Development	Dave LaClergue/733-9668	Calvin Chow/684-4652

Legislation Title:
AN ORDINANCE related to land use and zoning, amending various chapters of Title 23 of the Seattle Municipal Code (SMC) to incorporate new zoning provisions for Yesler Terrace; adding a new SMC Chapter 23.75 to establish use provisions and development standards for the new Master Planned Community – Yesler Terrace (MPC-YT) zone, including an affordable housing incentive program as authorized by RCW 36.70A.540; amending SMC Section 25.05.800 to establish limits for categorical exemptions from environmental review in the MPC-YT zone; amending the Official Land Use Map, SMC Chapter 23.32, to rezone properties in the Yesler Terrace neighborhood from LR3 and DMR/C 65/65-85 to MPC-YT; approving and adopting Yesler Terrace Master Planned Community Design Guidelines; revising design review and platting procedures for the MPC-YT zone; and revising procedures for project review under a planned action ordinance; all to implement the Comprehensive Plan and to allow redevelopment of Yesler Terrace to achieve a mix of residential, commercial, and other uses; appropriate urban density; and more affordable housing, environmental sustainability, and publicly accessible open space than would be likely to result from development under existing zoning.

Summary of the Legislation: The proposed bill is part of a package of legislation that includes a rezone and Land Use Code amendments, a planned action ordinance, and a cooperative agreement, all intended to support redevelopment of Yesler Terrace. The proposed Yesler Terrace Rezone and Land Use Code Amendments would establish new development standards and review procedures, resulting in increased review and monitoring time for City staff, but no direct budget impacts are anticipated.

Background: In 2011, the Seattle Housing Authority (SHA) Board of Commissioners adopted a phased redevelopment plan for Yesler Terrace. The plan includes a mix of residential and nonresidential uses, a substantial increase to residential density, and a major reconfiguration of the streets. The SHA plan cannot move forward without a variety of regulatory changes from the City, including a rezone and a street vacation.

Also in 2011, City Council approved the creation of a new "Master Planned Community" designation in the Comprehensive Plan, and applied that designation to Yesler Terrace on the Future Land Use Map. Those actions were intended to support Yesler Terrace redevelopment efforts, and to start the process of developing new zoning.

Since that time, departmental staff have been engaged with SHA to develop legislation consistent

with Comprehensive Plan, the SHA redevelopment plan, and other stakeholder priorities. As part of the proposal, the Yesler Terrace Rezone and Land Use Code Amendments would apply a new zoning designation to Yesler Terrace and establish new review procedures. For a full description of the inter-related legislative proposal, please see the Director's Report to the Ordinance introduced as Council Bill _____.

____ **This legislation does not have any financial implications.**

_X_ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2012 Appropriation	2013 Anticipated Appropriation
TOTAL				

Appropriations Notes: No anticipated impacts.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
TOTAL				

Revenue/Reimbursement Notes: No anticipated impacts.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions*	2013 FTE*
TOTAL							

Position Notes: No anticipated impacts.

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2012 Expenditures	2013 Anticipated Expenditures
TOTAL				

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Spending/Cash Flow Notes: No anticipated impacts.

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
While the legislation does not pose direct impacts to annual budgets, it is expected to require additional review and monitoring time from staff in several departments (see section "c" below). At this time, it is expected that additional staff time would be paid for through existing fee structures, and possibly future budget requests.

b) **What is the financial cost of not implementing the legislation?**
There are no direct financial costs of not implementing the legislation, but there is a significant opportunity cost. The legislation is intended to encourage partnerships between SHA and the private sector to deliver housing and infrastructure. Private capital is anticipated to cover roughly half of the cost of affordable housing and infrastructure upgrades. Without an increase in development potential for the site, SHA would be unable to attract private investment in redevelopment.

c) **Does this legislation affect any departments besides the originating department?**
We anticipate impacts to staff time in OH, DPD, and SDOT, but expect that these impacts can be absorbed through existing fee structures and future budget requests.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
Rezoning the site to a combination of existing zoning designations (such as multifamily residential and commercial zones) could achieve many of the same objectives without requiring as many new code sections, but the urban design quality and total amount of public amenities would be reduced.

e) **Is a public hearing required for this legislation?**
Yes. DPD presented draft versions of the proposal at a variety of public meetings, and Council will hold a public hearing when legislation is introduced.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
Yes. Notification about draft legislation was published in the DJC in February 2012.

g) **Does this legislation affect a piece of property?**
See Attachment A for the affected area.

h) **Other Issues:**

List attachments to the fiscal note below:

Attachment A: Project Area

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