



SEATTLE CITY COUNCIL

Legislative Summary

CB 118675

Record No.: CB 118675

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125103

In Control: City Clerk

File Created: 04/13/2016

Final Action: 08/17/2016

Title: AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map (Chapter 23.32) to rezone land within the Lake City Urban Village and along Lake City Way; amending subsection 23.47A.005.C of the Seattle Municipal Code to remove certain restrictions on street-level street-facing residential uses; and amending Section 23.47A.009 to adopt development standards for certain properties along Lake City Way.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Johnson

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Full Text CB 118675 v2, Exhibit A - Lake City Rezone, Exhibit B - Lake City Rezone, Exhibit C - Lake City Rezone, Exhibit D - Lake City Rezone

Drafter: valauri.stotler@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	04/19/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	04/19/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	04/22/2016	sent for review	Planning, Land Use, and Zoning Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Zoning Committee						

Notes:

- 1 Full Council 05/02/2016 referred Planning, Land Use, and Zoning Committee
- 1 Planning, Land Use, and Zoning Committee 07/08/2016 discussed
Action Text: The Council Bill (CB) was discussed in Committee.
Notes:
- 1 Planning, Land Use, and Zoning Committee 07/14/2016 discussed
Action Text: The Council Bill (CB) was discussed.
Notes: The Committee held a Public Hearing relating to Council Bill 118675.
- 1 Planning, Land Use, and Zoning Committee 07/19/2016 discussed
Action Text: The Council Bill (CB) was discussed in Committee.
Notes:
- 1 Planning, Land Use, and Zoning Committee 08/02/2016 pass as amended Pass
Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).
In Favor: 3 Chair Johnson, Vice Chair O'Brien, Member Herbold
Opposed: 0
- 2 Full Council 08/08/2016 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 8 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien
Opposed: 0
- 2 City Clerk 08/12/2016 submitted for Mayor's signature Mayor
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 2 Mayor 08/16/2016 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 2 Mayor 08/17/2016 returned City Clerk
- 2 City Clerk 08/17/2016 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE
ORDINANCE 125103
COUNCIL BILL 118675

AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map (Chapter 23.32) to rezone land within the Lake City Urban Village and along Lake City Way; amending subsection 23.47A.005.C of the Seattle Municipal Code to remove certain restrictions on street-level street-facing residential uses; and amending Section 23.47A.009 to adopt development standards for certain properties along Lake City Way.

WHEREAS, throughout 2014 and 2015, City staff worked with community members in the North District Neighborhoods to develop an Urban Design Framework for Lake City; and

WHEREAS, based on that community process, the Seattle City Council passed 2015 Comprehensive Plan annual amendments in Ordinance 124887 that included amendments to the Future Land Use Map for Lake City; and

WHEREAS, the proposed zoning changes and development standards have been prepared to better implement the Comprehensive Plan goals and policies for Lake City; and

WHEREAS, the Mayor and City Council find that the proposed zoning changes and development standards will protect and promote the health, safety, and welfare of the general public;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone land in Lake City as identified on pages 8, 17, 18, 30, and 31 of the Official Land Use Map, as shown on Exhibits A through D attached to this Ordinance.

Section 2. Subsection 23.47A.005.C of the Seattle Municipal Code, which section was last amended by Ordinance 124770, is amended as follows:

23.47A.005 Street-level uses

* * *

C. Residential uses at street level

1. In all NC and C zones, residential uses may occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade in the following circumstances or locations:

a. In a pedestrian-designated zone, facing a designated principal pedestrian street; or

b. In all NC and C1 zones within the Bitter Lake Village Hub Urban Village; or

~~((c. In all NC and C1 zones within the Lake City Hub Urban Village, except as provided in subsection 23.47A.005.C.2; or))~~

~~((d))~~c. Within a zone that has a height limit of 85 feet or higher, except as provided in subsection 23.47A.005.C.2; or

~~((e))~~d. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2; or

~~((f))~~e. In all NC and C1 zones within the Northgate Overlay District, except as provided in Section 23.71.044; or

~~((g))~~f. In all NC and C1 zones within the areas shown on Maps 1 through 5 for 23.47A.005.C at the end of this Chapter 23.47A when facing an arterial street.

2. Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the location of residential uses in the following circumstances:

1 a. Within a very low-income housing project existing as of May 1, 2006,
2 or within a very low-income housing project replacing a very low-income housing project
3 existing as of May 1, 2006, on the same site; or

4 b. The residential use is an assisted living facility or nursing home and
5 private living units are not located at street level; or

6 c. Within the Pike/Pine Conservation Overlay District, for street-facing
7 facades that do not face a designated principal pedestrian street, as shown on Map A for
8 23.73.008; or

9 d. In a structure existing on January 1, 2012, that is within an NC1 zone
10 but not located in an area defined in Maps 1 through ((60)) 5 for 23.47A.005.C, at the end of
11 this Chapter 23.47A, a live-work space may be converted to an accessory dwelling unit if the
12 residential use is established, if the area proposed to be converted meets the minimum housing
13 standards of Chapter 22.206, and if the area proposed to be converted meets the owner
14 occupancy requirement of subsection 23.44.041.C; or

15 e. Within a structure that:

16 1) is developed and owned by the Seattle Housing Authority;

17 and

18 2) is located on a lot zoned NC1 or NC3 that was owned by the
19 Seattle Housing Authority as of January 1, 2009.

20 3. Additions to, or on-site accessory structures for, existing single-family
21 structures are permitted outright.

22 4. Where residential uses at street level are limited to 20 percent of the street-
23 level street-facing facade, such limits do not apply to residential structures separated from the

street lot line by an existing structure meeting the standards of this Section 23.47A.005 and
Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

* * *

Section 3. Section 23.47A.009 of the Seattle Municipal Code, which section was last
amended by Ordinance 124952, is amended as follows:

23.47A.009 Standards applicable to specific areas

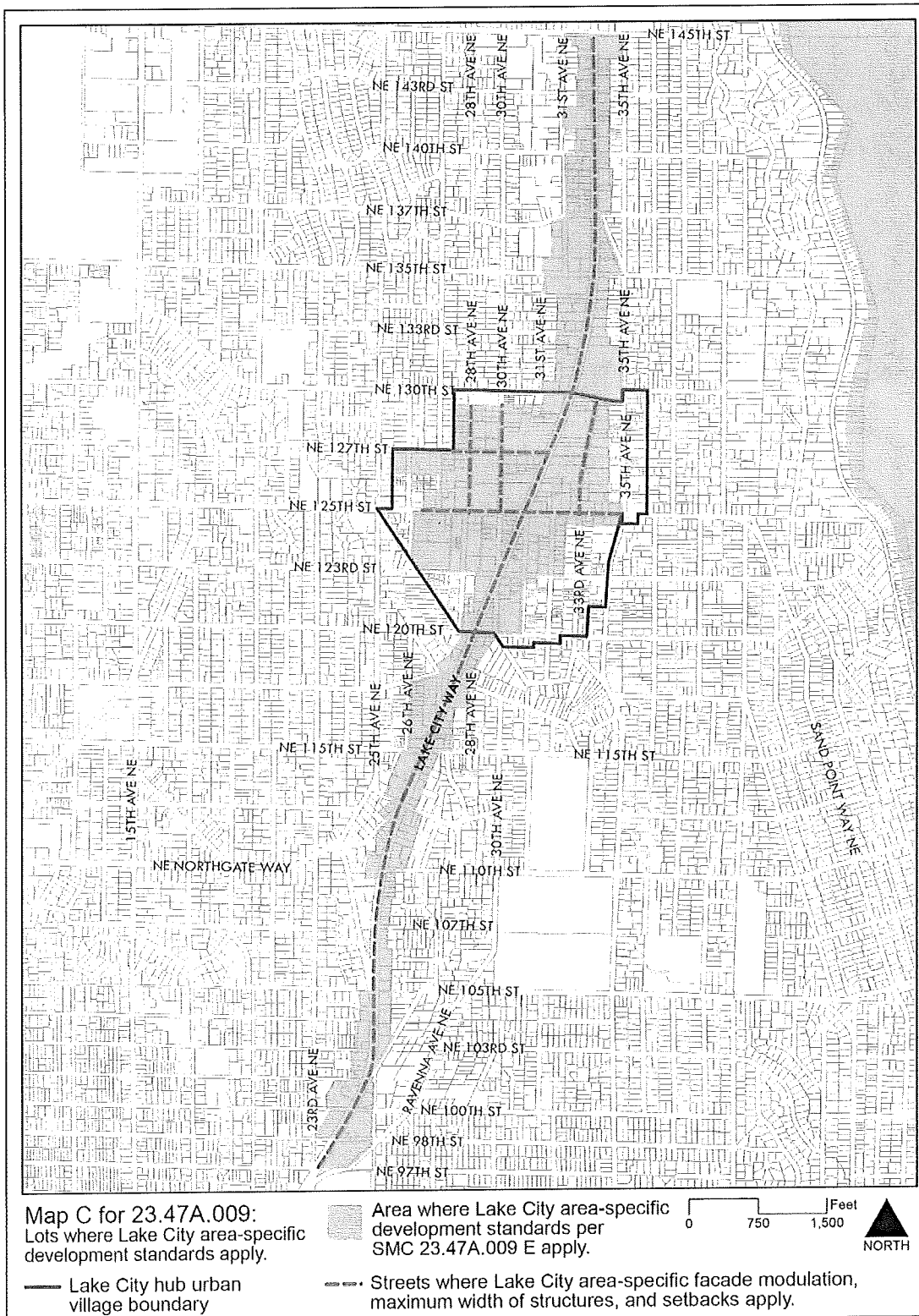
A. Resolution of standards conflicts. To the extent there is a conflict between this Section
23.47A.009 and other sections of Title 23, the provisions of this Section 23.47A.009 apply.

* * *

E. Lake City. The following provisions apply to development proposed on lots
that are 40,000 square feet in size or greater and located in NC zones as shown on Map C for
23.47A.009.

Map C for 23.47A.009

Lots where Lake City area-specific development standards apply



1 1. Maximum lot coverage

2 a. The maximum lot coverage permitted for principal and accessory
3 structures is 80 percent of the lot area.

4 b. Lot coverage exceptions. The following structures or portions of
5 structures are not counted in the lot coverage calculation.

6 1) Portions of a structure that are below grade or that do not extend
7 more than 4 feet above the finished grade.

8 2) The first 18 inches of overhead horizontal building projections
9 of an architectural or decorative character such as cornices, eaves, sills, and gutter.

10 3) Ramps or other devices that provide access for the disabled and
11 elderly and that meet the standards of the Seattle Building Code.

12 4) The first 4 feet of unenclosed porches or steps for residential
13 units.

14 c. In the portion of the lot that is not covered by structures, owners are
15 encouraged to provide improvements at-grade that enhance the usability and livability of the lot
16 for occupants and visitors, such as pedestrian circulation areas, landscaping, lighting, weather
17 protection, art, or other similar improvements.

18 2. Facade modulation

19 a. Facade modulation requirements apply to all portions of a structure up
20 to a height of 35 feet and located within 10 feet of a street lot line on streets designated by Map
21 C for 23.47A.009.

b. The maximum width of any unmodulated facade is 100 feet. Facades longer than 100 feet shall be modulated by stepping back the facade from the street lot line for a minimum depth of 10 feet and a minimum width of 15 feet.

c. Facade modulation requirements do not apply to portions of a structure that are below grade or that do not extend more than 2 feet above the finished grade at the lot line.

3. Maximum structure width

a. On streets designated by Map C for 23.47A.009, the maximum allowed structure width is 250 feet.

b. Structure width limits do not apply to portions of a structure that are below grade or that do not extend more than 2 feet above the finished grade at the lot line.

4. Upper-level setbacks

a. On streets designated by Map C for 23.47A.009, a setback with an average depth of 10 feet from abutting street lot lines is required for portions of a structure above a height of 35 feet. The maximum depth of a setback that can be used to calculate the average setback is 20 feet.

b. A setback with an average depth of 15 feet from abutting street lot lines is required for portions of a structure above a height of 65 feet. The maximum depth of a setback that can be used to calculate the average setback is 25 feet.

5. The requirements contained in subsections 23.47A.009.E.1, 23.47A.009.E.2, 23.47A.009.E.3, and 23.47A.009.E.4 may be waived or modified if at least one of the following features are provided and approved through a design review process pursuant to Chapter 23.41:

1 a. A useable open space that abuts the street, is no more than 4 feet above
2 or 4 feet below the adjacent sidewalk grades, has a minimum width equal to 30 percent of the
3 width of the street-facing facade or 20 feet, whichever is greater; and has a minimum depth of 20
4 feet measured from the abutting street lot line.

5 b. A separation between structures that serves as an east-west through-
6 block pedestrian passageway that:

7 1) Has a minimum width of 20 feet and provides a direct and
8 continuous connection between the north/south rights-of-way abutting the lot; and

9 2) Is designed to provide safe pedestrian use, including a clear
10 pathway demarcated as a pedestrian zone.

11 6. Structures permitted in required setbacks are subject to subsection
12 23.47A.014.E.

13 * * *

14 Section 4. The provisions of this ordinance are declared to be separate and severable. The
15 invalidity of any clause, sentence, paragraph, sub-division, section or portion of this ordinance,
16 or the invalidity of the application thereof to any person or circumstance shall not affect the
17 validity of the remainder of this ordinance, or the validity of its application to other persons or
18 circumstances.

Section 5. 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.

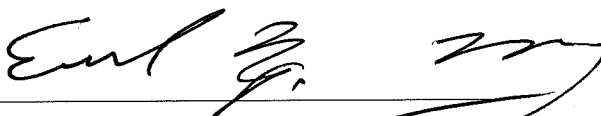
Passed by the City Council the 8th day of AUGUST, 2016, and signed by me in open session in authentication of its passage this

8th day of AUGUST, 2016.



President _____ of the City Council

Approved by me this 16th day of August, 2016.



Edward B. Murray, Mayor

Filed by me this 17 day of August, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

- 1 Attachments:
- 2 Exhibit A: Lake City Rezone
- 3 Exhibit B: Lake City Rezone
- 4 Exhibit C: Lake City Rezone
- 5 Exhibit D: Lake City Rezone

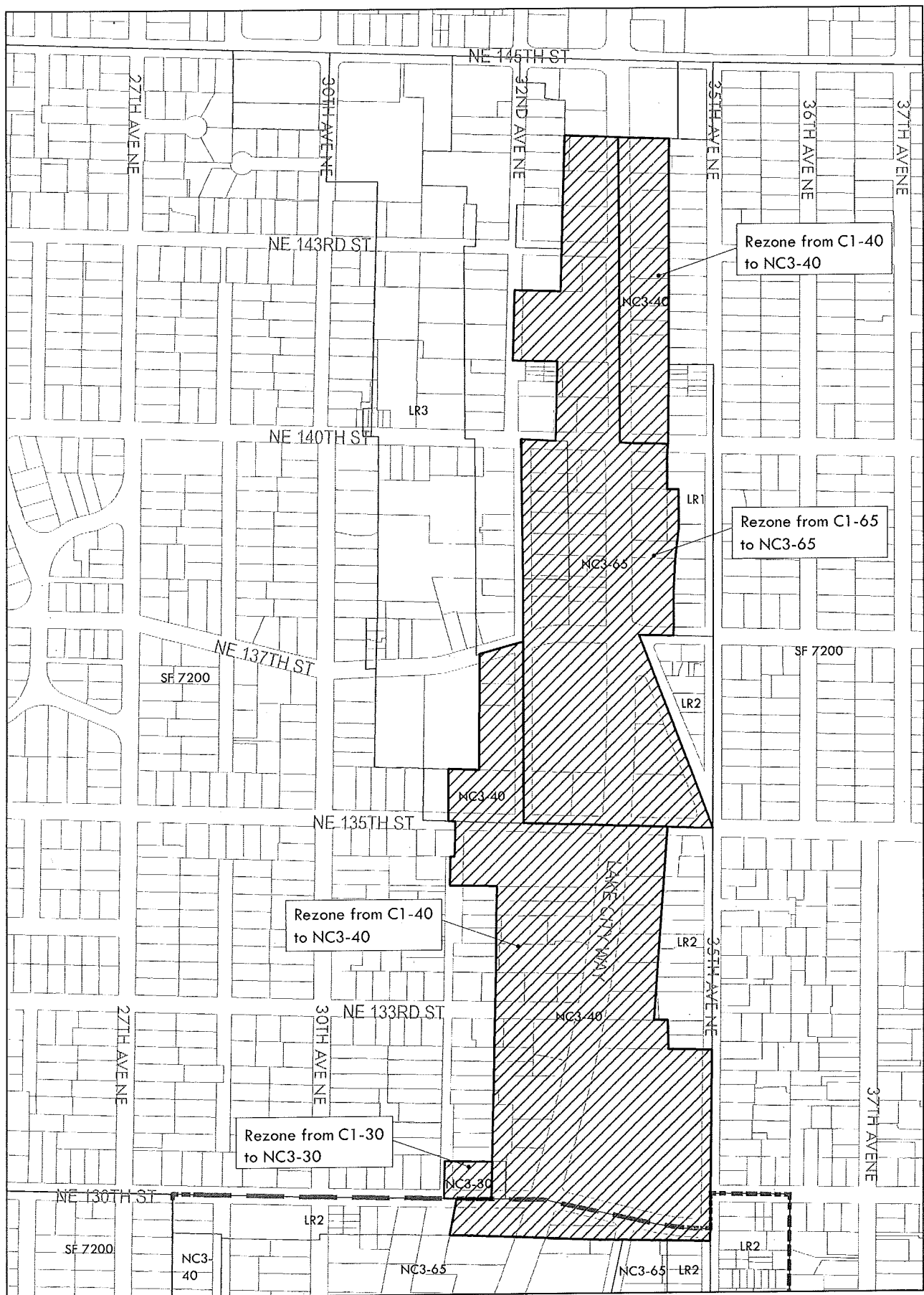
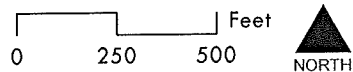


Exhibit A: Lake City Rezone

-  Rezone Area
-  Lake City hub urban village



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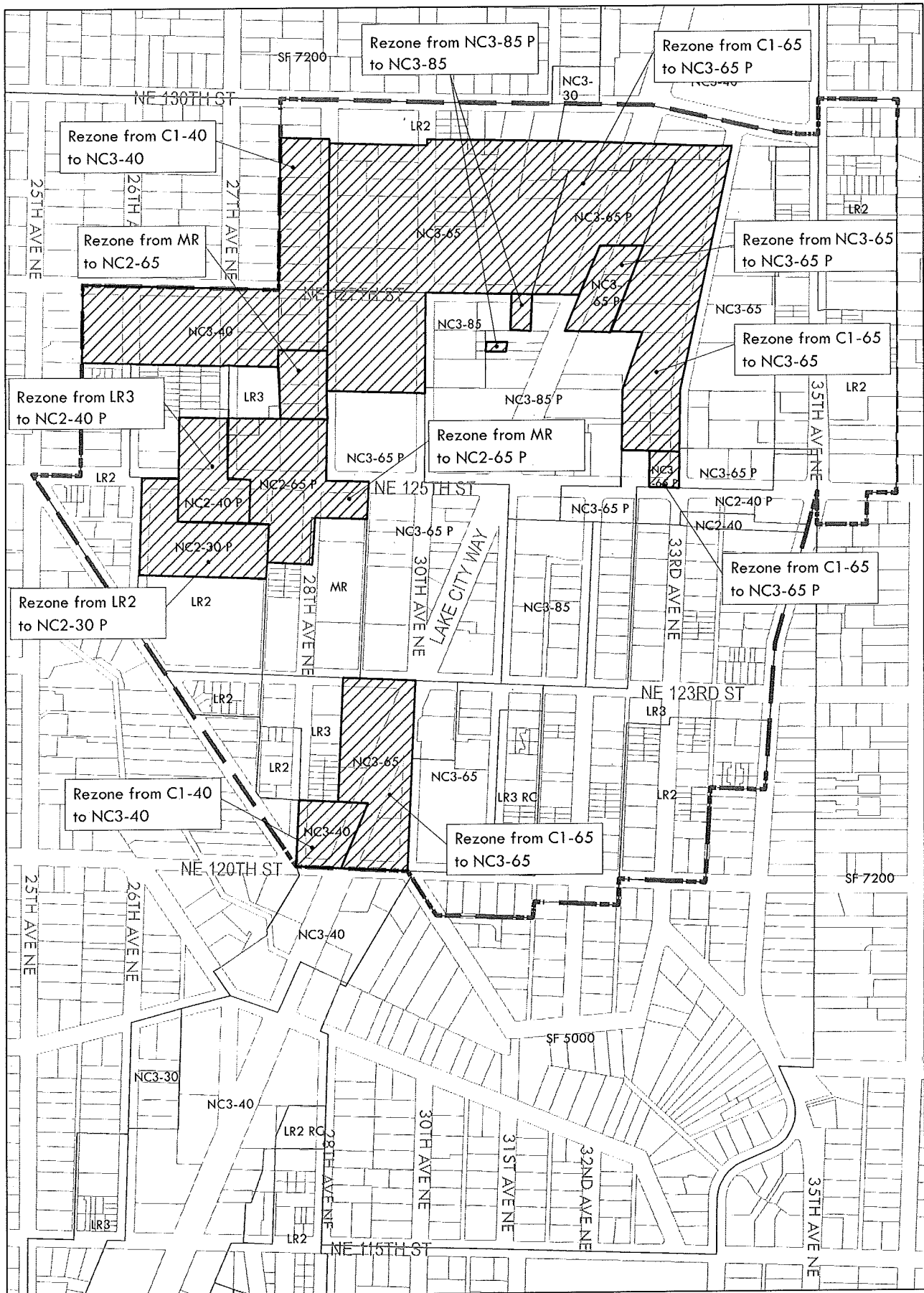
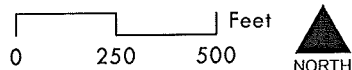


Exhibit B: Lake City Rezone

-  Rezone Area
-  Lake City hub urban village



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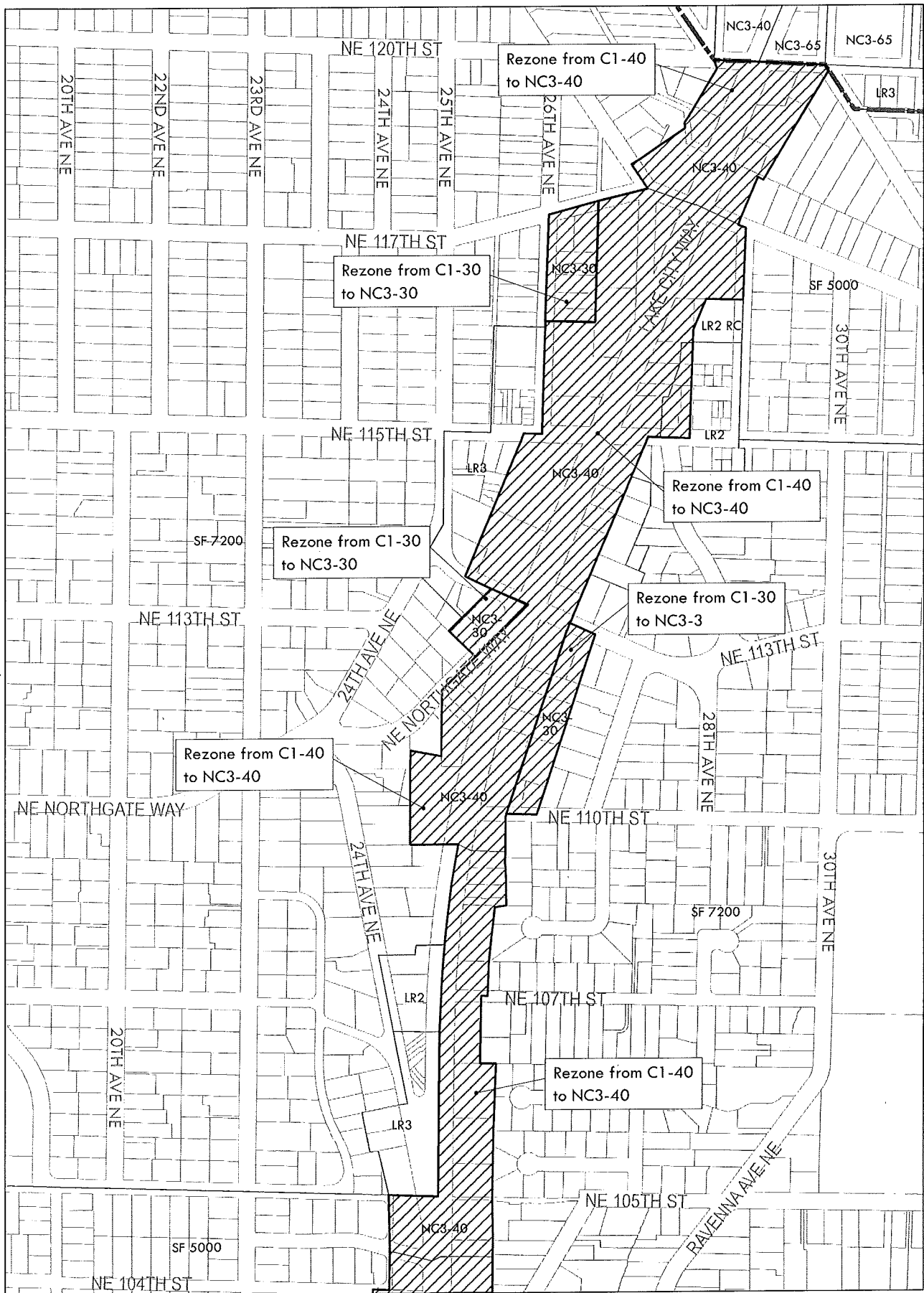
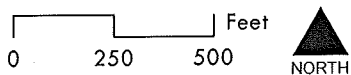


Exhibit C: Lake City Rezone

-  Rezone Area
-  Lake City hub urban village



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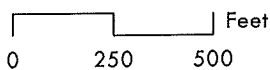
Exhibit D: Lake City Rezone



Rezone Area



Lake City hub urban village



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SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Office of Planning and Community Development	Katie Sheehy/4-5345	Melissa Lawrie/4-5805

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map (Chapter 23.32) to rezone land within the Lake City Urban Village and along Lake City Way; amending subsection 23.47A.005.C of the Seattle Municipal Code to remove certain restrictions on street-level street-facing residential uses; and amending Section 23.47A.009 to adopt development standards for certain properties along Lake City Way.

Summary and background of the Legislation: OPCD proposes a series of zoning changes and area-specific development standards to help foster a walkable, pedestrian-oriented neighborhood as property redevelops in the Lake City hub urban village and along Lake City Way. The rezones are based on community input that shaped the Lake City Urban Design Framework. The amendments include changes to zoning designations that encourage mixed-use development and expand the Pedestrian Designation within the hub urban village approximately one block to the north and two blocks to the west.

The proposed rezones are within the Lake City hub urban village and along Lake City Way from NE 97th Street to NE 145th Street in areas designated Commercial/Mixed Use on the Comprehensive Plan's Future Land Use Map. These rezones are the product of more than two years of community engagement that included an advisory group and numerous other opportunities for public comment and feedback.

2. CAPITAL IMPROVEMENT PROGRAM

☐ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

☒ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

IT costs: Following a legislative rezone, SDCI's IT division must update all GIS maps and zoning records in SDCI's permit systems for each parcel within the rezone

boundaries. This work will be covered by existing resources in SDCI's IT division.

SDCI training and implementation: The new code standards are anticipated to have a minor effect on permit review staff at SDCI. Training is needed to ensure that reviewers are aware of the new provisions, and that the policy intent is clear for implementation. This training will be incorporated within the existing training and coordination schedule.

b) Is there financial cost or other impacts of not implementing the legislation?

There is no direct cost of not implementing the legislation. If the proposed rezones and development standards are not applied, redevelopment that occurs within the Lake City hub urban village and along Lake City Way from NE 97th Street to NE 145th Street is more likely to be auto-oriented rather than pedestrian-oriented.

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

Yes, see a) above for anticipated impacts for SDCI staff.

d) Is a public hearing required for this legislation?

Yes. The City Council is required to hold a public hearing on the proposal and will conduct a public hearing during their review of the proposed legislation anticipated to be held in 2016.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

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

Yes, 30-day notice of the required public hearing must be published in *The Daily Journal of Commerce* and the *Land Use Information Bulletin*.

g) Does this legislation affect a piece of property?

The proposed rezone affects land within the Lake City hub urban village and along Lake City Way between NE 97th Street and NE 145th Street.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation is not anticipated to negatively impact vulnerable or historically disadvantaged communities. The proposed changes respond to the Lake City community's desire for a more pedestrian-oriented neighborhood as redevelopment occurs. The City continues to work with vulnerable and historically disadvantaged communities in Lake City to help increase access to services and strengthen the local business district. New development will provide additional housing which will further strengthen the community.

i) If this legislation includes a new initiative or a major programmatic expansion:

What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

The proposed legislation does not include a new initiative or major programmatic expansion.

j) Other Issues: None.

List attachments/exhibits below: None

STATE OF WASHINGTON -- KING COUNTY

--SS.

341046

No. TITLE ONLY

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

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

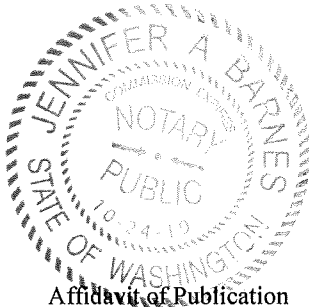
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125103-07,109,114-115

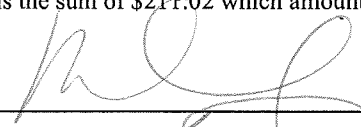
was published on

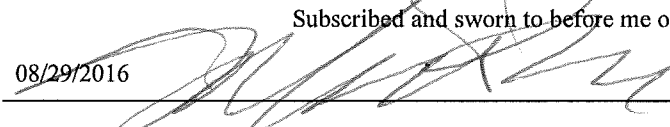
08/29/16

The amount of the fee charged for the foregoing publication is the sum of \$211.02 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

08/29/2016


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on August, 8, 2016 and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125103

Council Bill 118675

AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map (Chapter 23.32) to rezone land within the Lake City Urban Village and along Lake City Way; amending subsection 23.47A.005.C of the Seattle Municipal Code to remove certain restrictions on street-level street-facing residential uses; and amending Section 23.47A.009 to adopt development standards for certain properties along Lake City Way.

Ordinance 125104

Council Bill 118725

AN ORDINANCE relating to the Seattle Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute for and on behalf of the City an amendment to the existing Seacrest Boathouse Concession Agreement with Marination LLC, originally authorized by Ordinance 124112; authorizing the Superintendent to execute future amendments relating to concession fees as the Superintendent determines to be in the best interest of the City; and ratifying and confirming certain prior acts.

Ordinance 125105

Council Bill 118731

AN ORDINANCE relating to historic preservation; imposing controls upon The Theodora, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Ordinance 125106

Council Bill 118732

AN ORDINANCE relating to City streets; changing the name of Broad Street between 9th Avenue N and Westlake Avenue N to Roy Street, of Warren Place between Warren Avenue N and its east terminus to Warren Place N, of S Della Street between 27th Avenue S and Martin Luther King Jr. Way S to S Walden Street, of Cloverdale Place S between Rainier Avenue S and Seward Avenue S to S Cloverdale Place, of NW 35th Street between 1st Avenue NW and NW Canal Street to NW Canal Street, of 1st Avenue NW between the south margin of N Canal Street and N 35th Street to N Canal Street, of a lower roadway at the east of the present existing bridge on Eastlake Avenue NE between its south terminus at the shoreline and the south margin of NE Pacific Street to Eastlake Place NE, of a lower roadway at the east of the present existing bridge on Eastlake Avenue NE between the north margin of NE Pacific Street and the south margin of NE 40th Street to Eastlake Place NE; correcting and confirming the name and location of NW 114th Street between NW Carkeek Park Road and NW 116th Street as NW 114th Street; naming the alley in Blocks 2, 3, and 4, Seaboard Addition to the City of Seattle, as 30th Avenue SW; naming the alley in Block 19, Denny-Fuhrman Addition to the City of Seattle, as Yale Terrace E; and superseding Ordinance 102981 to the extent inconsistent.

Ordinance 125107

Council Bill 118733

AN ORDINANCE relating to the Central Puget Sound Regional Transit Authority ("Sound Transit"); authorizing execution of the "Lynnwood Link Supplement to the Memorandum of Agreement for

Intergovernmental Cooperation (April 20, 1998) between Central Puget Sound Regional Transit Authority (Sound Transit) and the City of Seattle for the Central Link Light Rail Project"; and ratifying and confirming certain prior acts.

Ordinance 125109

Council Bill 118737

AN ORDINANCE relating to the Seattle City Employees' Retirement System; creating a separate retirement plan for City employees whose membership in the Retirement System begins on or after January 1, 2017; clarifying certain provisions and making technical corrections; and adding new Sections 4.36.005, 4.36.607, and 4.36.608 to, and amending Sections 4.36.010, 4.36.020, 4.36.030, 4.36.040, 4.36.050, 4.36.060, 4.36.070, 4.36.080, 4.36.090, 4.36.500, 4.36.505, 4.36.510, 4.36.515, 4.36.520, 4.36.525, 4.36.530, 4.36.540, 4.36.545, 4.36.550, 4.36.555, 4.36.560, 4.36.565, 4.36.567, 4.36.570, 4.36.575, 4.36.580, 4.36.585, 4.36.590, 4.36.595, 4.36.600, 4.36.605, 4.36.610, 4.36.615, 4.36.620, 4.36.625, 4.36.630, 4.36.635, 4.36.640, 4.36.645, 4.36.650, 4.36.655, 4.36.660, 4.36.665, 4.36.670, 4.36.675, 4.36.680, 4.36.690, 4.36.695, 4.36.705, 4.36.710, 4.36.715, 4.36.720, and 4.36.900 of, the Seattle Municipal Code.

Ordinance 125114

Council Bill 118755

AN ORDINANCE relating to the Open Housing Ordinance; adding antidiscrimination protections based on a renters' use of a subsidy or verifiable alternative source of income; adding a first-in-time policy; prohibiting preferred employer programs; adding Section 14.08.050 to, and amending Sections 14.08.015, 14.08.020, 14.08.040, 14.08.045, 14.08.060, 14.08.070 and 14.08.190 of, the Seattle Municipal Code.

Ordinance 125115

Council Bill 118757

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

Date of publication in the Seattle Daily Journal of Commerce, August 29, 2016.

8/29(341046)