

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**  
**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE creating a Local Infrastructure Project Area and amending Sections 23.48.011, 23.49.011, and 23.58A.044 of the Seattle Municipal Code to implement a Landscape Conservation and Local Infrastructure Program.

WHEREAS, in 2009, the City Council approved Resolution 31147 expressing support for entering into a new interlocal agreement with King County to establish a rural transfer of development rights program, and identifying South Lake Union as a potential receiving area for using additional development rights; and

WHEREAS, in 2011, the State enacted legislation allowing the creation of Landscape Conservation and Local Infrastructure Programs (also known as LCLIP) providing for financing for infrastructure in neighborhoods designated to be receiving areas for regional development rights; and

WHEREAS, in 2013, the City Council approved Ordinance 124172 rezoning portions of the South Lake Union Urban Center and adopting development standards for the South Lake Union Urban Center and certain zones in the Downtown Urban Center that would be implemented if a Landscape Conservation and Local Infrastructure Program were formed; and

WHEREAS, the City consulted with King County and the Washington Department of Transportation in developing the plan for developing public infrastructure within a City-designated Local Infrastructure Project Area; NOW, THEREFORE,

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

Section 1. The City establishes, as authorized by RCW 38.108, a Local Infrastructure Project Area for Downtown and South Lake Union as shown on Map A for 23.58A.044.

Section 2. The proposed public improvements to be financed in the Local Infrastructure Project Area for Downtown and South Lake Union are those listed in the Landscape Conservation and Local Infrastructure Program Infrastructure Funding Plan for South Lake Union and Downtown.

1 Section 3. The use of local property tax allocation revenues from the Local Infrastructure  
2 Project Area will commence on January 1, 2015.

3 Section 4. King County will be the participating taxing district for the Local  
4 Infrastructure Project Area.

5 Section 5. Section 23.48.011 of the Seattle Municipal Code, last amended by Ordinance  
6 124172, is amended as follows:

7 **23.48.011 Extra floor area in Seattle Mixed Zones**

8 A. General

9 1. Developments containing extra floor area obtained under Sections 23.48.009  
10 or 23.48.010 shall provide public amenities according to the standards of this Section 23.48.011  
11 and Chapter 23.58A. If the development is not located within ~~((an adopted))~~ the Local  
12 Infrastructure Project Area for Downtown and South Lake Union as shown in Map A for  
13 23.58A.044, extra floor area shall be achieved through the requirements of subsection  
14 23.48.011.B. If the development is located within ~~((an adopted))~~ the Local Infrastructure Project  
15 Area for Downtown and South Lake Union as shown in Map A for 23.58A.044, extra floor area  
16 shall be achieved through the requirements of subsection 23.48.011.C.

17 2. Definitions in Section 23.58A.004 apply in this Section 23.48.011 unless  
18 otherwise specified.

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21 B. Calculation outside of an adopted Local Infrastructure Project Area

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23 3. If a development is outside of an adopted Local Infrastructure Project Area at  
24 the time a Master Use Permit decision is issued for the development, and the development is  
25 inside of an adopted Local Infrastructure Project Area before the first building permit after  
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excavation and shoring is ready to issue for the development, then the applicant may elect to achieve extra floor area through acquiring regional development credits pursuant to Section 23.58A.044 for the portion of extra floor area specified in subsection 23.48.011.B.1.b or 23.48.011.B.2.b, as applicable, in lieu of the open space transferable development potential or Landmark transferable development potential specified in subsection 23.48.011.B.1.b, or the open space transferable development rights or Landmark transferable development rights specified in 23.48.011.B.2.b.

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Section 6. Section 23.49.011 of the Seattle Municipal Code, last amended by Ordinance 124172, is amended as follows:

**23.49.011 Floor area ratio**

A. General standards

1. The base and maximum floor area ratio (FAR) for each zone is provided in Table A for 23.49.011.

<b>Table A for 23.49.011 Base and Maximum Floor Area Ratios (FARs)</b>		
<b>Zone Designation</b>	<b>Base FAR</b>	<b>Maximum FAR</b>
Downtown Office Core 1 (DOC1)	6	20
Downtown Office Core 2 (DOC2)	5	14
Downtown Retail Core (DRC)	3	5
Downtown Mixed Commercial (DMC)	4 in DMC 65 4.5 in DMC 85 5 in DMC 125, DMC 160, DMC 240/290-400, and DMC 340/290-400	4 in DMC 65 4.5 in DMC 85 7 in DMC 125, DMC 160, and DMC 240/290-400 10 in DMC 340/290-400

**Table A for 23.49.011  
 Base and Maximum Floor Area Ratios (FARs)**

<b>Zone Designation</b>	<b>Base FAR</b>	<b>Maximum FAR</b>
	3 in DMC 85/65-150	5 in DMC 85/65- 150
Downtown Mixed Residential/Residential (DMR/R)	1 in DMR/R 85/65 1 in DMR/R 125/65 1 in DMR/R 240/65	1 in DMR/R 85/65 2 in DMR/R 125/65 2 in DMR/R 240/65
Downtown Mixed Residential/Commercial (DMR/C)	1 in DMR/C 85/65 1 in DMR/C 125/65 2 in DMR/C 240/125 2.5 in DMR/C 65/65-85 2.5 in DMR/C 65/65-150	4 in DMR/C 85/65 4 in DMR/C 125/65 5 in DMR/C 240/125 4 in DMR/C 65/65-85 4 in DMR/C 65/65-150
Pioneer Square Mixed (PSM)	N.A.	N.A.
International District Mixed (IDM)	3, except as stated below* 6 for hotels** in IDM 75-85 and IDM 75/85-150	3, except as stated below* 6 for hotels** in IDM 75-85 and IDM 75/85-150  6 in IDM 150/85-150
International District Residential (IDR)	1	2 if 50 percent or more of the total gross floor area on the lot is in residential use
International District Residential/Commercial (IDR/C)	3, except hotels 6 for hotels**	3, except hotels 6 for hotels**
Downtown Harborfront 1 (DH1)	N.A.	N.A.
Downtown Harborfront 2 (DH2)	2.5	Development standards regulate maximum FAR
Pike Market Mixed (PMM)	7	7

Footnotes to Table A for 23.49.011: N.A. = Not Applicable.  
 \* In the IDM 150/85-150 zone, hotel uses are subject to the base FAR of 3 FAR.  
 \*\* Hotel use may be combined with up to 3 FAR of other chargeable floor area, up to a total of 6 FAR.

2. Chargeable floor area shall not exceed the applicable base FAR except as expressly authorized pursuant to this Chapter 23.49.

1 a. In DOC1, DOC2, and DMC zones that are located outside of South  
2 Downtown, if chargeable floor area above the base FAR is allowed on a lot for development that  
3 includes a new structure and the project is located within ~~((an adopted))~~ the Local Infrastructure  
4 Project Area for Downtown and South Lake Union as shown on Map A for 23.58A.044, the first  
5 increment of chargeable floor area above the base FAR, shown for each zone in Table B for  
6 23.49.011, shall be gained by acquiring regional development credits pursuant to Section  
7 23.58A.044.

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9 Section 7. Section 23.58A.044 of the Seattle Municipal Code, enacted by Ordinance  
10 124172, is amended as follows

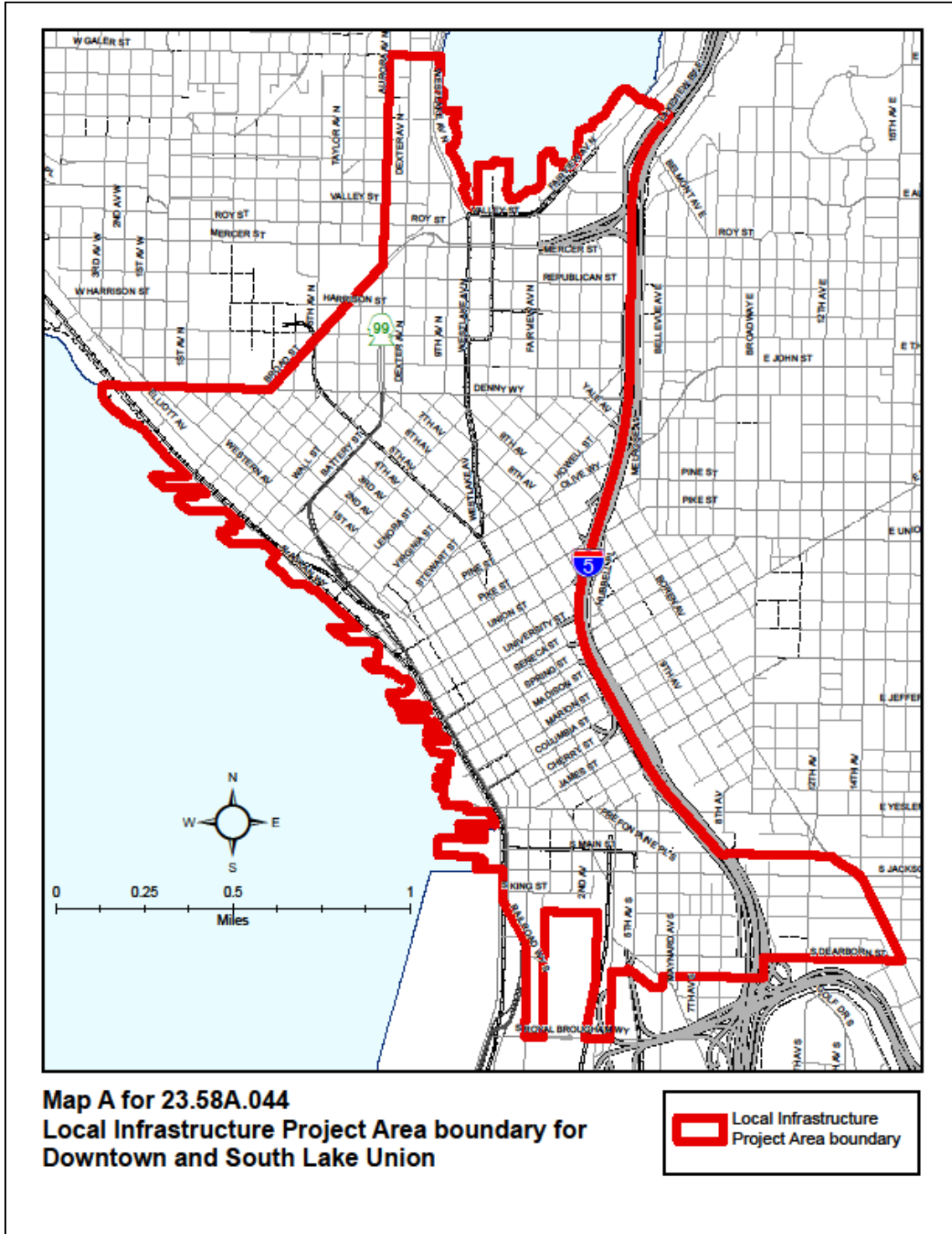
11 **23.58A.044 Regional Development Credits Program**

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13 I. The Local Infrastructure Project Area for Downtown and South Lake Union is as  
14 shown on Map A for 23.58A.044.

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18 **Map A for 23.58A.044**  
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**Local Infrastructure Project Area boundary for Downtown and South Lake Union**



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Section 8. 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 \_\_\_\_\_, 2013, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)