

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

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map at pages 133 and 145 to rezone land in the North Rainier Hub Urban Village and expand the boundaries of the Mount Baker Station Area Overlay District; and amending Sections 23.48.004, 23.48.009, 23.48.011, 23.48.012, 23.48.014, 23.48.024, 23.48.034, 23.58A.040, and 23.84A.048 and adding a new section 23.61.018 to describe bonus provisions for additional floor area within the Mount Baker Station Area Overlay District, implement standards for a Mount Baker Overlay District Special Standards Area, change the definition of "Zone, residential" to include SM\R, and modify and add maps for Chapter 23.48.

WHEREAS, on September 27, 1999, the City Council adopted Resolution 29976 recognizing the North Rainier Neighborhood Plan and approving the City's work program in response to the Plan;

WHEREAS, in September 2008, the City Council passed Ordinance 122799 and adopted Resolution 31085, that collectively outlined a process for updating the City's neighborhood plans and placed a priority on updating plans in neighborhoods containing transit stations; and

WHEREAS, Ordinance 122799 prioritized the North Beacon Hill, North Rainier and Othello Neighborhood Plans for updates to capitalize on the opening of light rail stations in these neighborhoods in 2009; and

WHEREAS, throughout 2009, the Department of Planning and Development (DPD) and Department of Neighborhoods (DON) conducted significant public outreach, including to historically underrepresented communities, in the North Beacon Hill, North Rainier, and Othello neighborhoods; and

WHEREAS, over 1600 City of Seattle residents played an integral role in neighborhood planning for these three neighborhoods, as evidenced by over 100 public workshops and meetings, that resulted in proposals to update neighborhood plans; and

WHEREAS, on April 19, 2010, the City Council adopted Resolution 31204 outlining specific actions, deliverables, and a schedule for completing neighborhood plan updates for the North Beacon Hill, North Rainier, and Othello neighborhoods; and

WHEREAS, broad community commitment to updating neighborhood plans was shown in May 2010, when 169 people, including 47 from historically underrepresented communities,

1 attended Town Hall meetings, and 136 participated through a web survey to prioritize  
2 strategies and actions to implement neighborhood priorities; and

3 WHEREAS, on October 4, 2010, the City Council adopted Resolution 31247 recognizing the  
4 extensive efforts of the North Rainier neighborhood to update their vision and plan for  
5 the future; approving an action plan for the neighborhood and City to undertake actions to  
6 advance neighborhood priorities; and authorizing the submittal of proposed amendments  
7 to the North Rainier Neighborhood Plan for consideration as part of the Comprehensive  
8 Plan amendment process;

9 WHEREAS, in 2011, an Urban Design Framework was prepared for the Mount Baker town  
10 center;

11 WHEREAS the proposed rezone meets the Land Use Code rezone criteria contained in Chapter  
12 23.34, Amendments to Official Land Use Map (Rezoning); NOW, THEREFORE,

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

14 Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is  
15 amended to rezone certain land shown on pages 133 and 145 of the Official Land Use Map and  
16 to expand the boundaries of the Mount Baker Station Area Overlay District, all as shown on  
17 Exhibit A and Exhibit B attached to this ordinance.

18 Section 2. Section 23.48.004 of the Seattle Municipal Code, which section was last  
19 amended by Council Bill 117603, is amended as follows:

20 **23.48.004 Uses**

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22 **D. Required street-level uses**

23 1. One or more of the uses listed in this subsection 23.48.004.D are required at  
24 street-level on all lots abutting streets designated as Class 1 Pedestrian Streets shown on Maps A  
25 and B for 23.48.014, except as required in subsection 23.48.004.D.3. The following uses qualify  
26 as required street-level uses:

- 27 a. General sales and service uses;
- 28 b. Eating and drinking establishments;

- c. Entertainment uses;
- d. Public libraries; and
- e. Public parks.

2. Standards for required street-level uses. Required street-level uses shall meet the development standards in subsection 23.48.014.D.

3. Within the SM 160/85-240 zone, for development meeting the standards in subsection 23.48.017.B, structures with a street-facing façade along 8th Avenue N. or a designated neighborhood green street (Map A for 23.48.014) shall have a minimum of 10 percent of the length of the street-level portion of that street-facing facade occupied by general sales and service uses, eating and drinking establishments, or entertainment uses, that shall meet the development standards for required street-level uses in subsection 23.48.014.D.

Section 3. Section 23.48.009 of the Seattle Municipal Code, which section was last amended by Council Bill 117603, is amended as follows:

**23.48.009 Floor area ratio**

A. General provisions

- 1. All gross floor area not exempt under subsection 23.48.009.D counts toward the maximum gross floor area allowed under the floor area ratio (FAR) limits.
- 2. The applicable FAR limit applies to the total non-exempt gross floor area of all structures on the lot.
- 3. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Floor Area Ratio (FAR) limits in SM zones

1. Except as otherwise specified in this subsection 23.48.009.B, FAR limits in SM zones exclusive of specified SM zones within the South Lake Union Urban Center are as shown in Table A for 23.48.009((:)).

**Table A for 23.48.009**  
**Floor Area Ratios in Seattle Mixed Zones, excluding specified SM zones within the South Lake Union Urban Center**

<b>ZONE</b>	<b>Base FAR for all uses</b>	<b>Maximum FAR for all uses</b>
SM 40	3	3.5
SM 65	3.5	5
SM 85	4.5 (1)	6 (1)
SM 125	5	8
SM 160	5	9
SM 240	6	13
SM/R 55/75	NA	NA
SM/D 40-85	NA	NA

Footnotes for Table A for 23.48.009:  
 NA (not applicable) refers to zones where uses are not subject to an FAR limit.  
 (1) Within the area shown on Map A for 23.48.009, all gross floor area occupied by a residential use is exempt from FAR calculations.

2. Except as otherwise specified in this subsection 23.48.009.B, FAR limits for specified SM zones within the South Lake Union Urban Center are as shown in Table B for 23.48.009.

**Table B for 23.48.009**  
**FAR Limits for Specified Zones in South Lake Union Urban Center**

<b>Zone</b>	<b>FAR limits for nonresidential uses</b>		<b>FAR limits for structures with residential use that do not exceed the base height limit.</b>
	<b>Base FAR</b>	<b>Maximum FAR</b>	
SM 85/65-240	4.5	7	4.5
SM 160/85-240	4.5*	7	6
SM 85-240	0.5	NA	6
SM 240/125-400	5*	7	10

\*In the SM 160/85-240, and SM 240/125-400 zones, an additional increment of 0.5 FAR above the base FAR is permitted on lots meeting conditions of 23.48.009.B.4.

3. For zones included on Table B for 23.48.009, on a lot with development that includes a mix of nonresidential uses and residential uses that do not exceed the base height limit for residential use, the highest FAR for any single use on the lot, as shown for the zone on Table

1 B for 23.48.009, is the maximum FAR for all uses on the lot. Nonresidential uses are subject to  
2 the same base and maximum FAR limits that otherwise apply to non-residential uses, also shown  
3 for each zone on Table B for 23.48.009.

4 4. For the SM 160/85-240, and SM 240/125-400 zones, an additional increment  
5 of 0.5 FAR is permitted for nonresidential uses above base FAR of the zone if a lot meets the  
6 conditions of either subsection 23.48.009.B.4.a or subsection 23.48.009.B.4.b.

7 a. The lot includes one or more qualifying Landmark structures, subject to  
8 the following conditions:

9 1) The structure is rehabilitated to the extent necessary so that all  
10 features and characteristics controlled or designated by ordinance pursuant to Chapter 25.12 or  
11 Ordinance 102229 are in good condition and consistent with the applicable ordinances and with  
12 any certificates of approval issued by the Landmarks Preservation Board, all as determined by  
13 the Director of Neighborhoods; and

14 2) A notice is recorded in the King County real estate records, in  
15 form satisfactory to the Director, regarding the bonus allowed and the effect thereof under the  
16 terms of this chapter.

17 3) For purposes of this Section 23.48.009, a "qualifying  
18 Landmark" is a structure that:

19 a) is subject, in whole or in part, to a designating ordinance  
20 pursuant to Chapter 25.12, or was designated pursuant to Ordinance 102229; and

21 b) is on a lot on which no improvement, object, feature or  
22 characteristic has been altered or removed contrary to any provision of Chapter 25.12 or any  
23 designating ordinance.

24 4) A qualifying Landmark that allows for the additional increment  
25 of FAR under this subsection 23.48.009.B.4 is not eligible as a Landmark TDR or Landmark  
26 TDP sending site. For so long as any of the chargeable floor area of the increment allowed  
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1 above the base FAR of the zone under this subsection 23.48.009.B.4 remains on the lot, each  
2 Landmark for which the increment was granted shall remain designated as a Landmark under  
3 Chapter 25.12 and the owner shall maintain the exterior and interior of each qualifying  
4 Landmark in good condition and repair and in a manner that preserves the features and  
5 characteristics that are subject to designation or controls by ordinance unless the Landmarks  
6 Preservation Board has issued a Certificate of Approval for the modification or demolition of the  
7 Landmark.

8                   b. The lot includes an open space that is a minimum of 10,000 square feet  
9 in area and that has been improved as open space accessible to the public prior to the effective  
10 date of this ordinance, subject to the following conditions:

11                               1) The Director, in consultation with the Director of the Seattle  
12 Parks and Recreation Department, determines that the design and location of the open space  
13 provides a public benefit and is suitable for recreational use;

14                               2) Declaration. The owner(s) of the lot where the open space is  
15 located shall execute and record a declaration and voluntary agreement in a form acceptable to  
16 the Director identifying the open space provided to qualify for the additional increment of FAR  
17 above the base FAR; acknowledging that the right to develop and occupy a portion of the gross  
18 floor area on the lot using the additional increment of floor area is based upon the long-term  
19 provision and maintenance of the open space and that development is restricted in the open  
20 space; and committing to provide and maintain the open space; and

21                               3) Duration; Alteration. The owners of the lot granted the  
22 additional increment of floor area above the base FAR as a result of having the open space on the  
23 lot shall provide and maintain the open space for as long as the increment of additional floor area  
24 allowed above the base FAR exists. The open space amenity allowing for the additional  
25 increment of floor area above the base FAR may be altered or removed only to the extent that  
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1 either or both of the following occur: An amount of chargeable floor area equal to the increment  
2 of floor area allowed above the base FAR under this subsection 23.48.009.B.4.b is

3 a) removed or converted to a use for which extra  
4 nonresidential floor area is not required under the provisions of the zone; or

5 b) is subject to provisions for gaining extra nonresidential  
6 floor area through alternative means consistent with the provisions of the zone and provisions for  
7 allowing extra nonresidential floor area in Chapter 23.58A. Alteration or removal of the open  
8 space may be further restricted by the provisions of the zone and by conditions of any applicable  
9 permit.

10 5. In the SM 85/65-240 zone, hotel use is permitted above 85 feet in height and is  
11 subject to the same provisions as residential use exceeding the base height limit for residential  
12 use, provided that all development standards that apply to a residential tower also apply to the  
13 hotel use, including the provisions of Section 23.48.011 for gaining extra residential floor area.

14 6. In the SM 85/65-240, SM 160/85-240, SM 85-240, and SM 240/125-400 zones  
15 within South Lake Union Urban Center, for residential tower structures that have only  
16 nonresidential uses up to or above the base height limit for residential uses, the FAR limits for all  
17 nonresidential uses in the structure are the same as the FAR limits specified for nonresidential  
18 uses in Table B for 23.48.009.

19 7. On lots with multiple structures that include a residential tower(s) exempt from  
20 FAR calculations, the applicable FAR limits for all other structures shall be based on the total lot  
21 area minus the area of the lot required for the podium and residential tower development in order  
22 to meet the coverage limit of subsection 23.48.013.A. For the portion of the lot with the  
23 residential tower, the FAR limit for permitted non-residential uses in a residential tower that is  
24 also a mixed use structure shall be based on the area of the portion of the lot occupied by the  
25 residential tower.



1                    b. If the maximum height limit for residential use is greater than 85 feet  
2 and the lot is located in the South Lake Union Urban Center, the applicant shall:

3                    ~~((a-))~~1) achieve 60 percent of the extra residential floor area on the  
4 lot by using bonus residential floor area for affordable housing pursuant to Section 23.58A.014;  
5 and

6                    ~~((b-))~~2) achieve 40 percent of the extra residential floor area by  
7 using open space or Landmark transferable development potential pursuant to subsection  
8 23.48.011.D and Section 23.58A.042.

9                    c. If the maximum height limit for residential use is greater than 85 feet  
10 and the lot is located in the Mount Baker Station Area Overlay District, the applicant shall:

11                    1) achieve 60 percent of the extra residential floor area on the lot  
12 by using bonus residential floor area for affordable housing pursuant to Section 23.58A.014; and

13                    2) achieve 40 percent of the extra residential floor area by using  
14 open space amenities pursuant to Section 23.58A.040.

15                    2. Means to achieve extra nonresidential floor area.

16                    a. If the maximum height limit for non-residential use is 85 feet or lower  
17 or the lot is located outside of the South Lake Union Urban Center and the Mount Baker Station  
18 Area Overlay District, the applicant shall use bonus nonresidential floor area for affordable  
19 housing and child care pursuant to Section 23.58A.024 to achieve all extra non-residential floor  
20 area on the lot.

21                    b. If the maximum height limit for non-residential use is greater than 85  
22 feet and the lot is located in the South Lake Union Urban Center, the applicant shall:

23                    ~~((a-))~~1) achieve 75 percent of the extra nonresidential floor area on  
24 the lot by using bonus nonresidential floor area for affordable housing and child care pursuant to  
25 Section 23.58A.024, or housing transferable development rights pursuant to subsection  
26 23.48.011.D and Section 23.58A.042, or both.



1 subsection 23.48.012.A.1, up to a maximum setback of 15 feet measured from the street lot line,  
2 as shown in Exhibit A for 23.48.012.

3 **Map A for 23.48.12: Upper-Level Setbacks in South Lake Union**

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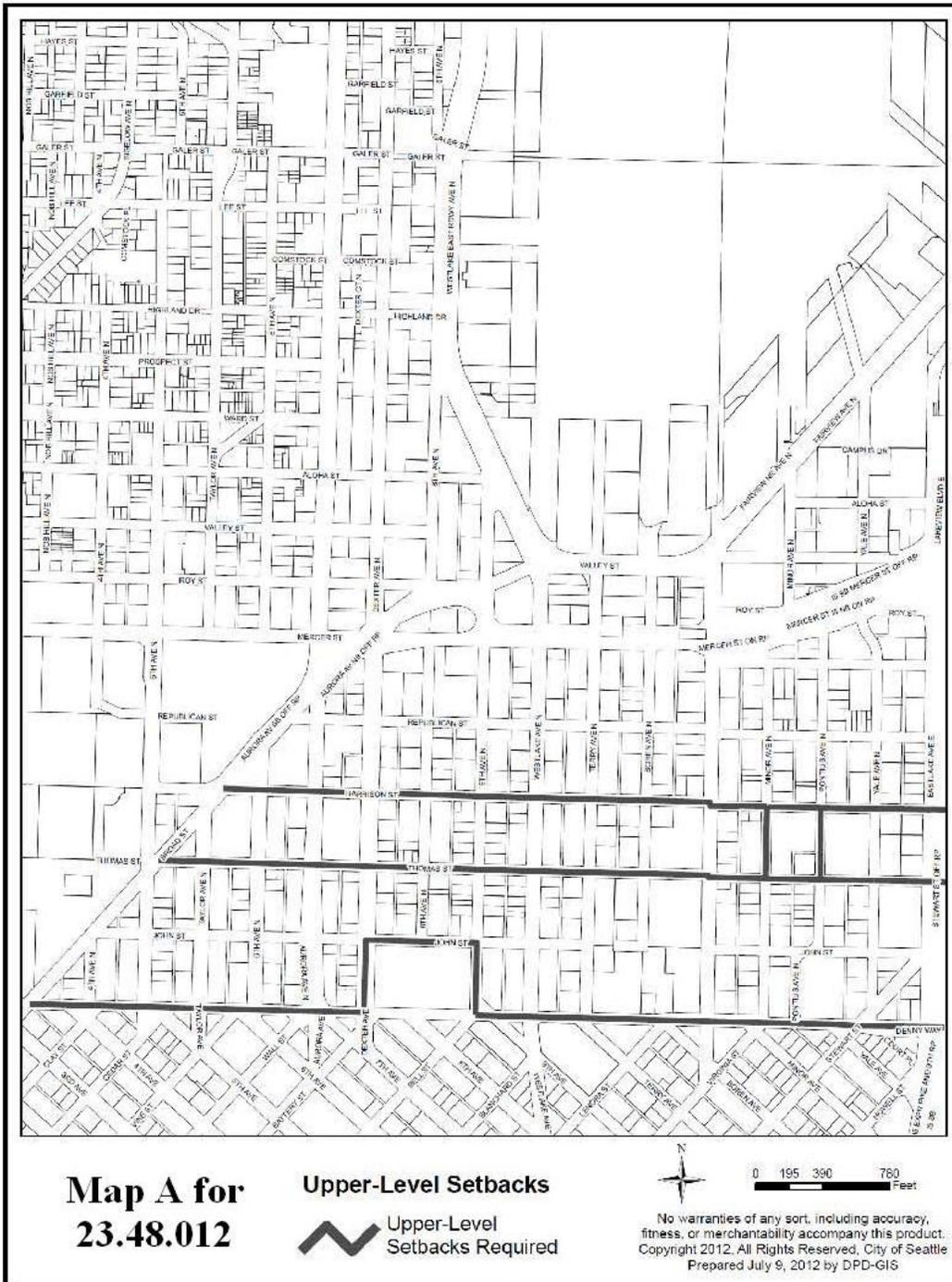
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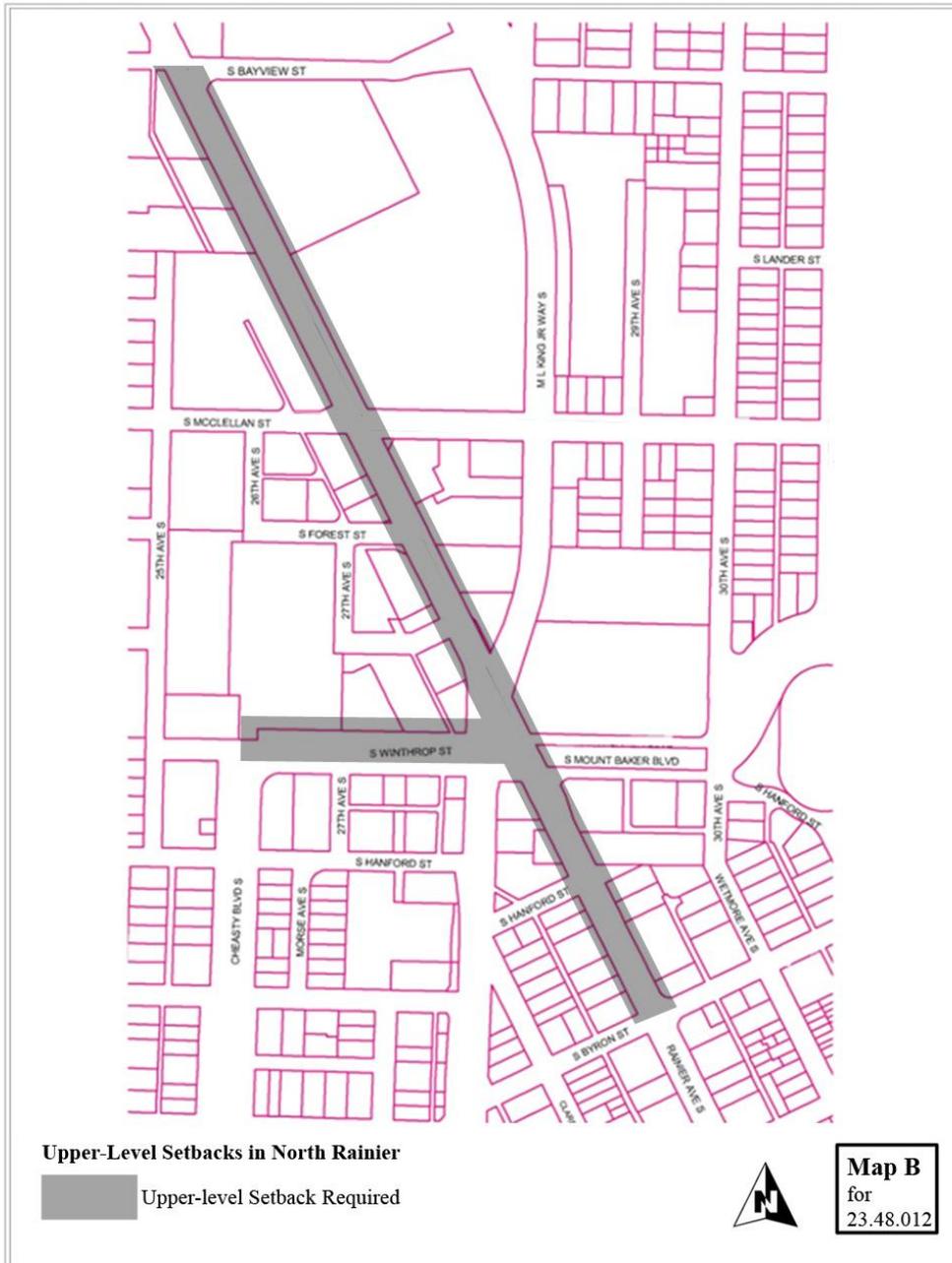
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**Map B for 23.48.012: Upper Level Setbacks in North Rainier**

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1           B. Upper-level setbacks in the SM 85/65-240 zone. The following requirements for  
2 upper-level setbacks in this subsection 23.48.012.B apply to all development in the SM 85/65-  
3 240 zone:

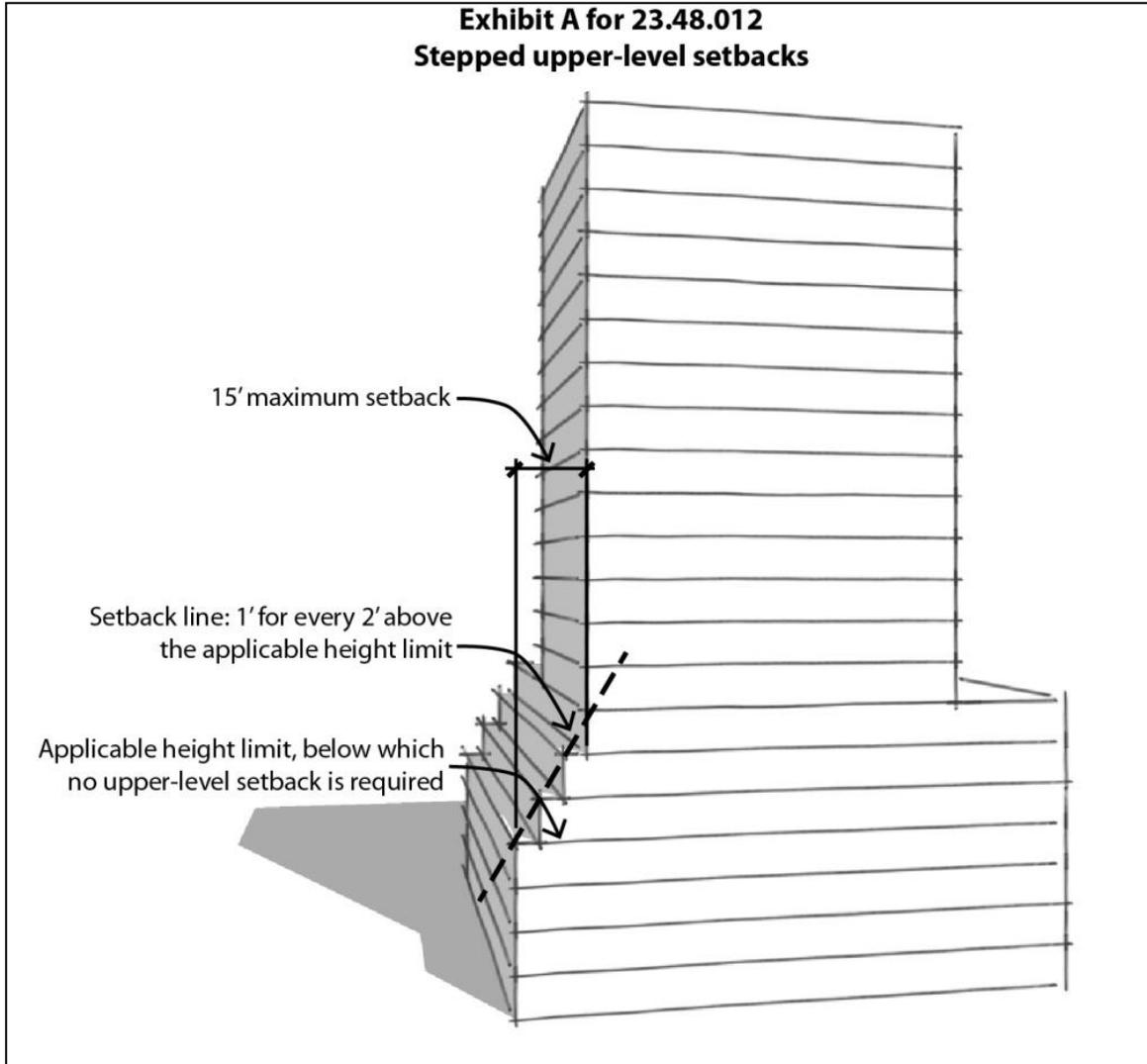
4                   1. Portions of a structure above 45 feet in height shall set back a minimum of 15  
5 feet from street lot lines abutting Valley Street, Westlake Avenue North, Terry Avenue North,  
6 Boren Avenue North, and Fairview Avenue North.

7                   2. In addition to the upper-level setbacks specified in subsection 23.48.012.B.1,  
8 additional upper-level setbacks are required for tower structures that include residential use  
9 above the base height limit for residential use, or hotel use above a height of 85 feet, according to  
10 the provisions of subsection 23.48.013.C.3.

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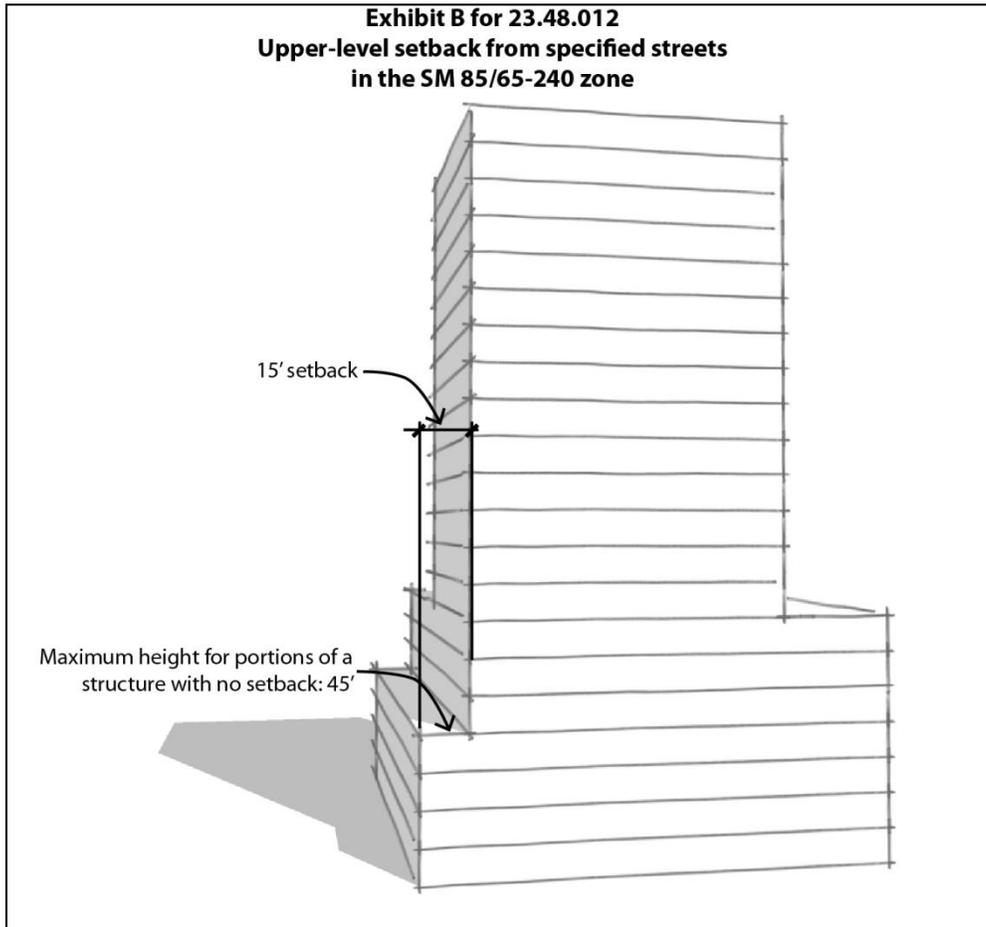
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**Exhibit A for 23.48.012**  
**Stepped upper-level setbacks**



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**Exhibit B for 23.48.012**  
**Upper-level setback from specified streets in the SM 85/65-240**



C. Upper-level setbacks on alleys in the SM/R 55/75 zone. For lots abutting an alley in the SM/R 55/75 zone, portions of a structure greater than 25 feet in height shall set back a minimum of one foot from the alley lot line for every two feet of additional height above 25 feet, up to a maximum setback of 15 feet measured from the alley lot line, as shown in Exhibit A for 23.48.012.

1 D. Projections permitted in required upper-level setbacks. Horizontal projections,  
2 including decks, balconies with open railings, eaves, cornices, and gutters are permitted to  
3 extend a maximum of 4 feet in required setbacks (Exhibit C for 23.48.012).

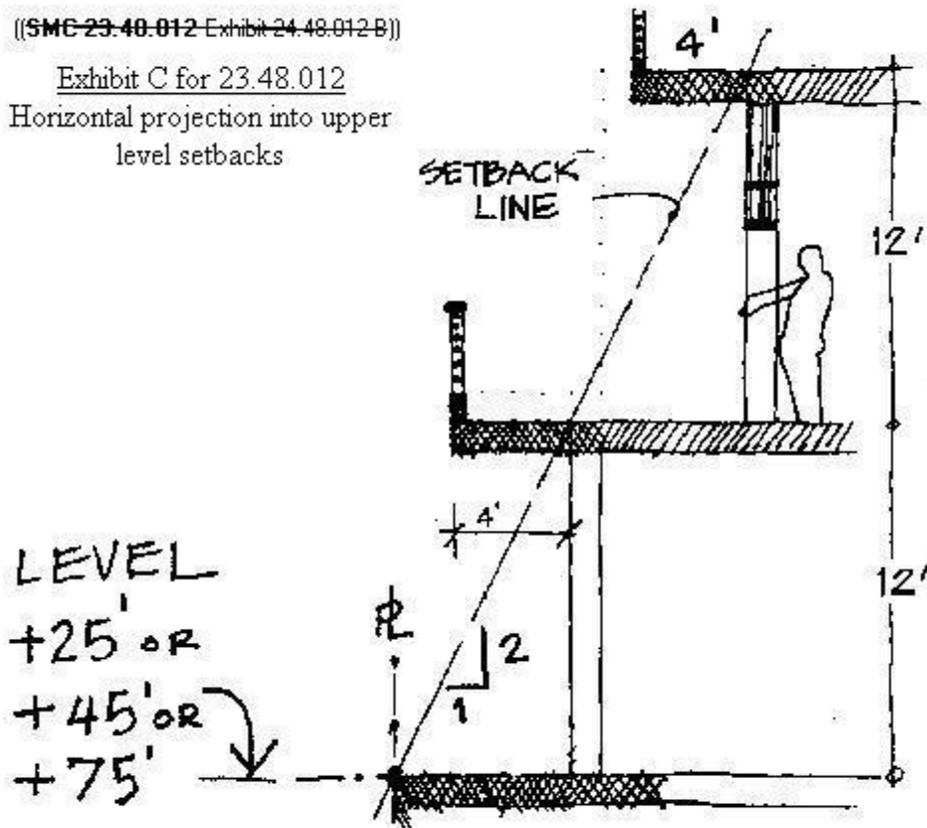
4 **Exhibit C for 23.48.012**

5 **Horizontal projection into upper level setbacks**

6 ((SMC 23.48.012 Exhibit 23.48.012-B))

7 Exhibit C for 23.48.012

8 Horizontal projection into upper  
9 level setbacks



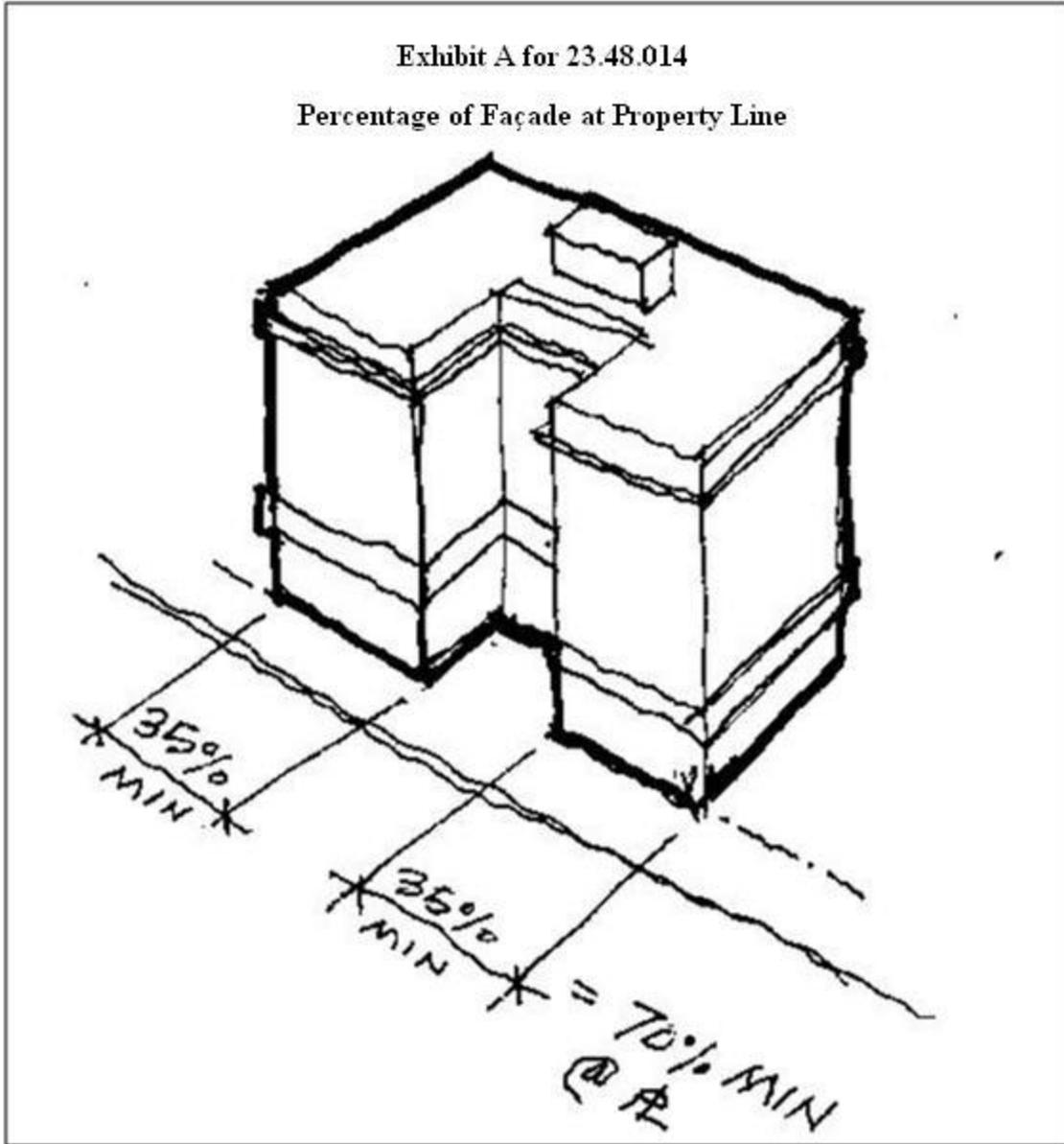
21 Section 6. Section 23.48.014 of the Seattle Municipal Code, which section was last  
22 amended by Council Bill 117603, is amended as follows:

23 **23.48.014 Street-level development standards**

24 A. General façade requirements

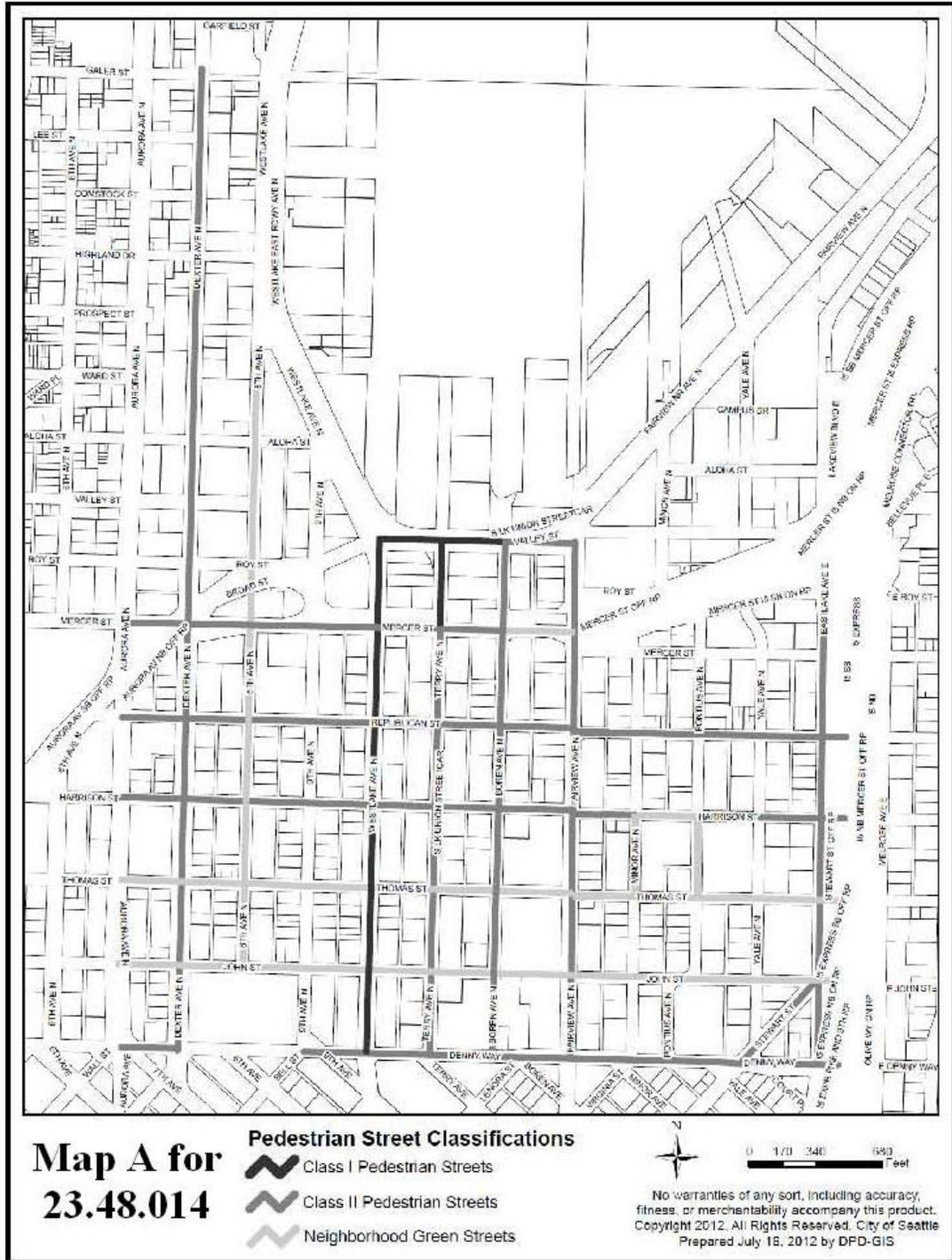


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**Map A for 23.48.014**

**Pedestrian Street Classifications in South Lake Union**





1 b. Except on Class 1 Pedestrian Streets, as shown on Maps A and B for  
2 23.48.014, and as specified in subsection 23.48.014.B.1, the street-facing façade of a structure  
3 may be set back up to 12 feet from the street lot line subject to the following (Exhibit B for  
4 23.48.014):

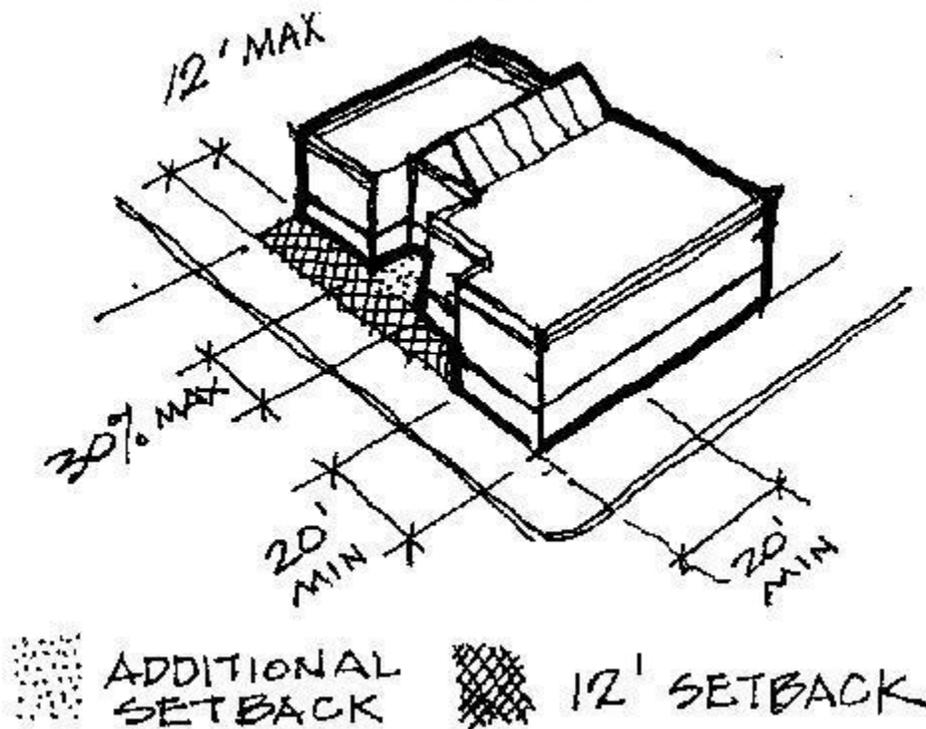
5 1) The setback area shall be landscaped according to the  
6 provisions of Section 23.48.024; and

7 2) Additional setbacks are permitted for up to 30 percent of the  
8 length of portions of the street façade that are set back from the street lot line, provided that the  
9 additional setback is located 20 feet or more from any street corner.

10 **Exhibit B for 23.48.014**

11 **Street level setback**

12 Exhibit B for 23.48.014  
13 Street level setback



1           B. Additional façade requirements in the SM 85-240 zone. In addition to the provisions  
2 of subsection 23.48.014.A, the following standards apply in the SM 85-240 zone.

3                   1. Required street-facing façade setback

4                           a. All street-facing facades along 8<sup>th</sup> Avenue North, except those portions  
5 occupied by permitted non-residential uses and subject to the provisions of subsection  
6 23.48.014.B.2, are required to set back an average of 10 feet from the street lot line, provided  
7 that no setback shall be less than 5 feet from the street lot line, and any setback area further than  
8 15 feet from the street lot line shall not be included in the averaging calculation.

9                           b. The setback requirement of this subsection 23.48.014.B.1 does not  
10 apply to the following:

11                                   1) Portions of the street-facing façade that are located no more  
12 than 40 feet from a street corner; and

13                                   2) Portions of the structure that are partially below grade and meet  
14 the following conditions:

15   a) The roof of the partially below-grade portion of the  
16 structure in the setback area is no more than 4 feet above finished grade;

17   b) The surface of the roof is used for private access or  
18 amenity area for abutting units; and

19   c) A landscaped area a minimum of 2 feet in depth  
20 measured from the abutting street lot line is maintained at grade level. As a Type I decision, the  
21 Director, in consultation with the Director of Transportation, may waive this requirement for a  
22 landscaped setback if it is determined that a continuous landscaped area can be provided in the  
23 right-of-way area abutting the street lot line.

24                           c. Only ground-related residential units and floor area for building lobbies  
25 for residential uses are permitted within the portion of the story of the structure abutting the  
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1 required setback area, and each unit or lobby area is required to have direct access to the required  
2 setback area.

3 d. The street-level façade of lobby area abutting the required setback shall  
4 not exceed a width equivalent to 20 percent of the total width of the required setback measured  
5 along 8<sup>th</sup> Avenue North.

6 e. Private amenity area, unenclosed stoops, steps, or porches related to  
7 the abutting, ground level residential units or common amenity area with access to residential  
8 lobbies shall be provided within the required setback area. .

9 f. Bay windows, canopies, horizontal projection of decks, balconies with  
10 open railings, eaves, cornices, gutters, and other similar architectural features are permitted to  
11 extend no more than 4 feet into required setbacks.

12 g. Driveways providing access to parking within a structure are not  
13 permitted within the required setback area.

14 2. Development standards for non-residential uses. Nonresidential uses are  
15 permitted on the ground floor of mixed use structures, subject to the following:

16 a. Non-residential uses are not permitted to extend more than 20 feet  
17 above the street level.

18 b. Non-residential uses are only permitted on corner portions of the lot  
19 that are within 20 lineal feet of intersecting street lot lines.

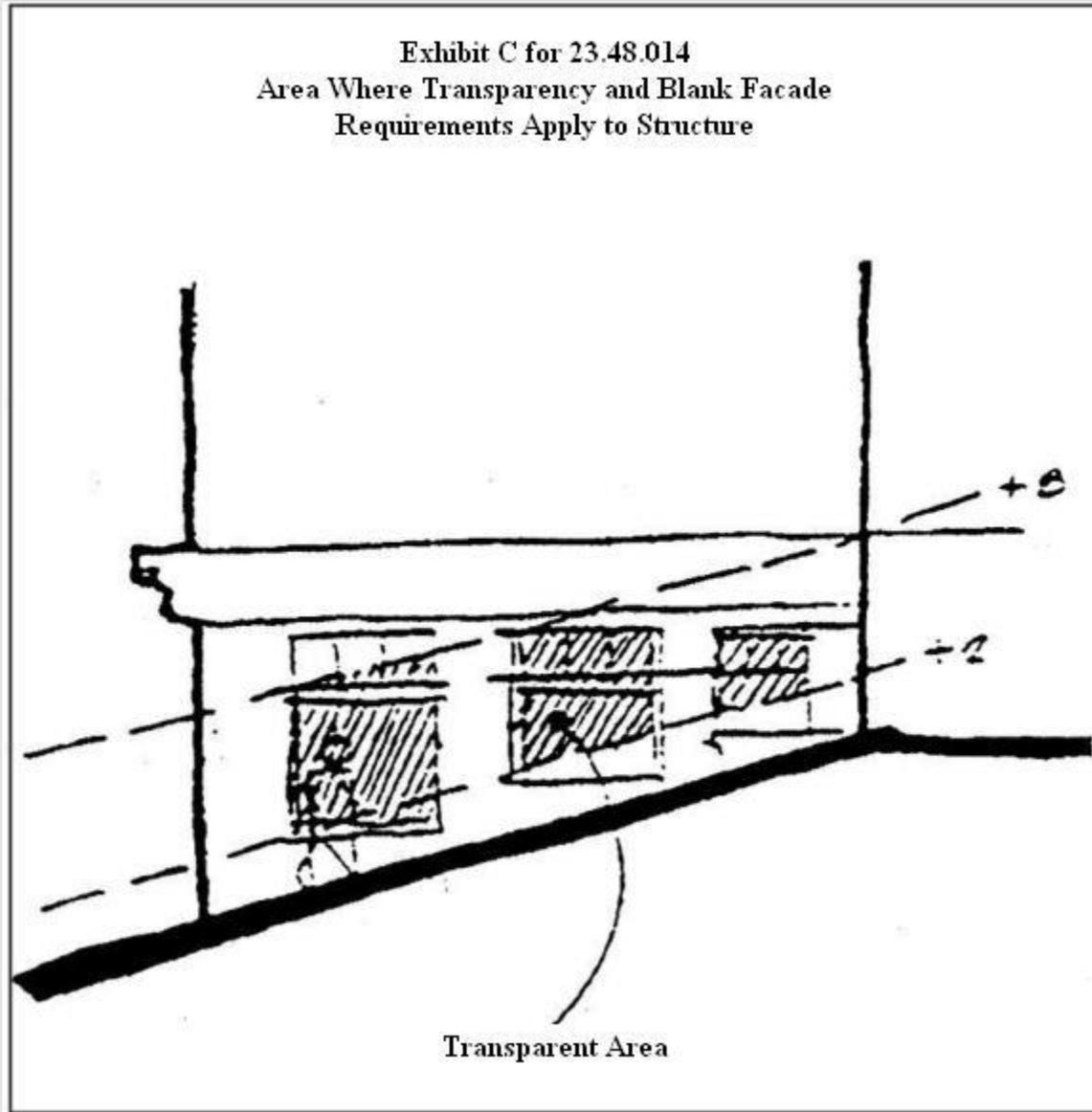
20 C. Additional requirements in the SM 85/65-240 zone. Street level facades on that  
21 portion of Terry Avenue designated a Class 1 pedestrian street shall be set back an average of 10  
22 feet from the lot line. In addition all street level facades on Valley Street within 50 feet of Terry  
23 Avenue shall be set back an average of 50 feet from the lot line.

24 D. Transparency and blank facade requirements. The provisions of this subsection  
25 23.48.014.C apply to the area of a street facing facade between 2 feet and 8 feet above a  
26 sidewalk (Exhibit C for 23.48.014).

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**Exhibit C for 23.48.014**

**Area Where Transparency and Blank Façade Requirements Apply to Structure**



1. Transparency requirements apply to all street-facing, street-level facades, except for portions of structures in residential use, as follow:

1 a. For Class 1 and Class 2 Pedestrian Streets and Neighborhood Green  
2 Streets, shown on Maps A and B for 23.48.014, a minimum of 60 percent of the street facing  
3 facade must be transparent.

4 b. For all other streets not specified in subsection 23.48.014.D.1.a, a  
5 minimum of 30 percent of the street facing facade must be transparent.

6 c. If the slope of the street frontage of the facade exceeds 7.5 percent, the  
7 required amount of transparency shall be reduced to 45 percent of the street facing facade on  
8 Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets, shown on Maps A and B  
9 for 23.48.014, and 22 percent of the street facing facade on all other streets.

10 d. Only clear or lightly tinted glass in windows, doors, and display  
11 windows are considered transparent. Transparent areas shall allow views into the structure or  
12 into display windows from the outside.

13 2. Blank facade limits. Any portion of the facade that is not transparent is  
14 considered to be a blank facade.

15 a. Blank facade limits for Class 1 and Class 2 Pedestrian Streets and  
16 Neighborhood Green Streets.

17 1) Blank facades shall be limited to segments 15 feet wide, except  
18 for garage doors, which may be wider than 15 feet. Blank facade width may be increased to 30  
19 feet if the Director determines that the facade is enhanced by architectural detailing, artwork,  
20 landscaping, or other similar features that have visual interest. The width of garage doors shall be  
21 limited to the width of the driveway plus 5 feet.

22 2) Any blank segments of the facade shall be separated by  
23 transparent areas at least 2 feet wide.

24 3) The total of all blank facade segments, including garage doors,  
25 shall not exceed 40 percent of the street facade of the structure on each street frontage; or 55  
26 percent if the slope of the street frontage of the facade exceeds 7.5 percent.

1                                   b. Blank facade limits for all other streets not specified in subsection

2 23.48.014.B.2.a.

3                                   1) Blank facades are limited to segments 30 feet wide, except for  
4 garage doors which may be wider than 30 feet. Blank facade width may be increased to 60 feet if  
5 the Director determines that the facade is enhanced by architectural detailing, artwork,  
6 landscaping, or other similar features that have visual interest. The width of garage doors shall be  
7 limited to the width of the driveway plus 5 feet.

8                                   2) Any blank segments of the facade shall be separated by  
9 transparent areas at least 2 feet wide.

10                                  3) The total of all blank facade segments, including garage doors,  
11 shall not exceed 70 percent of the street facade of the structure on each street frontage; or 78  
12 percent if the slope of the street frontage of the facade exceeds 7.5 percent.

13                                  c. Blank facade limits do not apply to portions of structures in residential  
14 use.

15                                  E. Development standards for required street-level uses. Street-level uses required by  
16 subsection 23.48.004.D, and street-level uses exempt from FAR calculations under the  
17 provisions of subsection 23.48.009.D.6, whether required or not, shall meet the following  
18 development standards:

19                                  1. A minimum of 75 percent of each street frontage where street-level uses are  
20 required shall be occupied by uses listed in subsection 23.48.004.D. For structures with a street-  
21 facing façade along 8th Avenue N., located on blocks identified pursuant to subsection  
22 23.48.017.B, or located on a designated neighborhood green street the minimum street frontage  
23 of required street-level uses is 10 percent of that street-facing facade. The remaining street  
24 frontage at street-level may contain other permitted uses and/or pedestrian or vehicular  
25 entrances. The frontage of any outdoor common amenity area required for residential uses shall  
26 not be counted in street frontage.

1                   2. The space occupied by required street-level uses shall have a minimum floor to  
2 floor height of 13 feet and extend at least 30 feet in depth at street-level from the street front  
3 facade.

4                   3. Required street-level uses shall be located within 10 feet of the street lot line,  
5 except that if outdoor amenity area required in subsection 23.48.020.B, or other required open  
6 space, abuts the applicable street lot line and separates the street-facing façade from the street,  
7 the required street-level use may abut the amenity area or open space.

8                   4. Pedestrian access to required street-level uses shall be provided directly from  
9 the street or permitted outdoor common amenity area. Pedestrian entrances shall be located no  
10 more than 3 feet above or below sidewalk grade or at the same elevation as the abutting  
11 permitted outdoor common amenity area.

12                   F. Coverage limits for large lot developments in the SM 85/65-240 zone. For lots in the  
13 SM 85/65-240 zone that exceed 60,000 square feet in area, development is subject to the  
14 following coverage limits:

15                   1. The maximum coverage permitted for all above grade structures on the lot is  
16 80 percent of the lot area.

17                   2. The Director may allow, as a Type I decision, an increase in permitted  
18 coverage, provided that the open area that is not covered by any portion of a structure above  
19 grade meets the following conditions:

20                   a. The open area faces South Lake Union Park;

21                   b. The open area enhances the pedestrian connection(s) between South  
22 Lake Union Park and development on the lot;

23                   c. The open area is visible and allows for easy access to pedestrians from  
24 street level, and may include streetscape elements such as semitransparent fencing and low-level  
25 vegetation;

1 d. The design and siting of the open area provides adequate light and air  
2 exposure; and

3 e. Street level uses in the development along the perimeter of the open  
4 area promote lively pedestrian activity.

5 G. Through-block pedestrian connections for large lot developments

6 1. A through-block pedestrian connection meeting the standards of subsection  
7 23.48.014.F.2 is required in the SM 85-240, SM 160/85-240, and SM 240/125-400 zones for  
8 development described as follows:

9 a. Within the block defined as the area enclosed by street rights-of-way,  
10 the lot area of the development is a minimum of 60,000 square feet, except that the area of lots  
11 separated only by an alley right-of-way may be combined for the purposes of calculating the  
12 minimum required lot area;

13 b. The lot area of the development abuts the two north-south avenues for  
14 a minimum linear distance of 120 feet along each avenue.

15 2. The required through-block pedestrian connection shall meet the following  
16 development standards:

17 a. A continuous pedestrian passageway shall extend across the  
18 development lot to both abutting avenues. The alignment of the pedestrian connection and the  
19 point at which it intersects each avenue shall be no closer than 100 feet to an east-west street  
20 abutting the block, and the connection at the avenues shall be accessible at grade level from the  
21 sidewalk.

22 b. The required pedestrian connection shall have an average width of 25  
23 feet and a minimum width of 15 feet. Any segment of the pedestrian passage that is covered  
24 from side to side shall have a minimum width of 20 feet.

25 c. The pedestrian passage shall be open to the sky, except that up to 35  
26 percent of the length of the passageway may be covered and enclosed, provided the minimum  
27

1 height of covered portions is 13 feet. Unenclosed area of the pedestrian connection may be  
2 counted as required open space; and

3 d. If the pedestrian passage crosses an alley, the alley right-of-way shall  
4 be improved to ensure pedestrian safety and to reinforce the relationship between portions of the  
5 passageway on either side of the alley.

6 3. The Director may allow departures from the standards for through-block  
7 pedestrian connections as a Type I decision, if the applicant demonstrates that alternative  
8 treatments will better serve the development by enhancing pedestrian comfort and promoting  
9 greater use of the connection.

10 4. For development providing a through-block pedestrian connection on blocks  
11 with an alley, the allowed FAR from any lot included in the development may be transferred to  
12 any other lot of the development across the alley.

13 Section 7. Section 23.48.024 of the Seattle Municipal Code, which section was last  
14 amended by Council Bill 117603, is amended as follows:

15 **23.48.024 Screening and landscaping standards**

16 \* \* \*

17 C. Screening for specific uses

18 1. Gas stations shall provide 3 foot high screening along lot lines abutting all  
19 streets, except within required sight triangles.

20 2. Surface parking areas

21 a. Surface parking areas abutting streets. Surface parking areas shall  
22 provide 3 foot high screening along the lot lines abutting all streets, except within required sight  
23 triangles.

24 b. Surface parking areas abutting alleys. Surface parking areas shall  
25 provide 3 foot high screening along the lot lines abutting an alley. The Director may reduce or  
26

1 waive the screening requirement for part or all of the lot line abutting the alley when required  
2 parking is provided at the rear lot line and the alley is necessary to provide aisle space.

3 3. Parking in structures. Except where prohibited by subsection 23.48.034.B,  
4 parking located at or above street-level in a garage shall be screened according to the following  
5 requirements.

6 a. On Class 1 and 2 Pedestrian Streets, shown on Maps A and B for  
7 23.4814.014, parking is not permitted at street level unless separated from the street by other  
8 uses, provided that garage doors need not be separated. The facade of the separating uses shall be  
9 subject to the transparency and blank facade standards in Section 23.48.014.

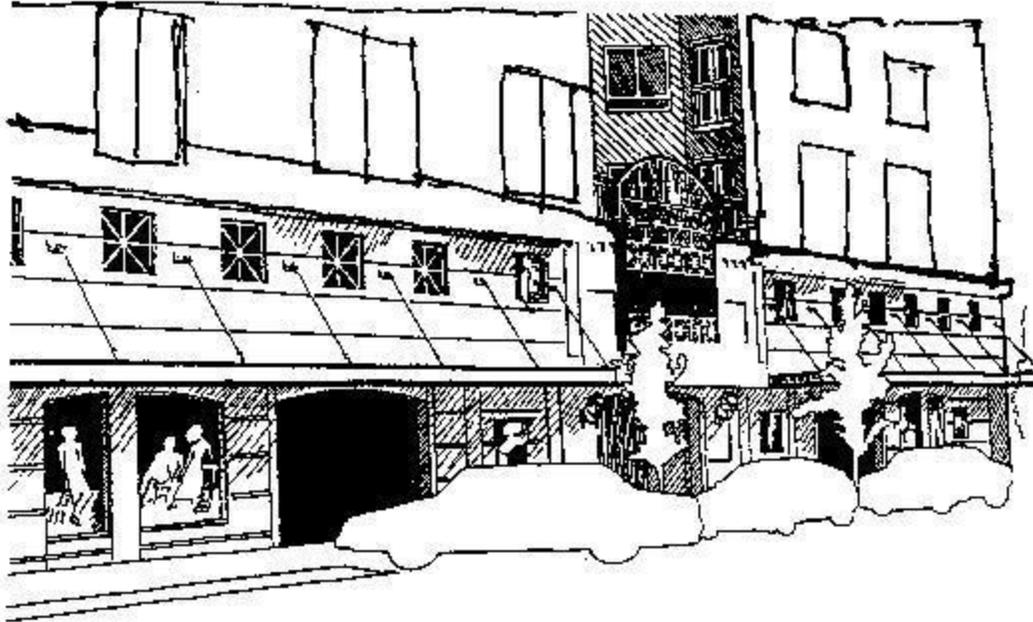
10 b. On all other streets, parking is permitted at street level when at least 30  
11 percent of the street frontage of the parking area, excluding that portion of the frontage occupied  
12 by garage doors, is separated from the street by other uses. The facade of the separating uses  
13 shall be subject to the transparency and blank wall standards in Section 23.48.014. The  
14 remaining parking shall be screened from view at street level and the street facade shall be  
15 enhanced by architectural detailing, artwork, landscaping, or similar visual interest features  
16 (Exhibit A for 23.48.024)

17 c. The perimeter of each floor of parking above street level shall have an  
18 opaque screen at least 3.5 feet high.

19 **Exhibit A for 23.48.024**

20 **Screening for parking at street level (on Class II Pedestrian Streets)**

Exhibit A for 23.48.024  
Screening for parking at street level (on Class II Pedestrian Streets)



4. Fences or free-standing walls associated with utility services uses may obstruct or allow views to the interior of a site. Where site dimensions and site conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features. Any fence or free-standing wall for a utility service use shall provide either:

- a. A landscaped area a minimum of 5 feet in depth between the wall or fence and the street lot line; or
- b. Architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line, as approved by the Director.

\* \* \*

1 Section 8. Section 23.48.034 of the Seattle Municipal Code, which section was last  
2 amended by Council Bill 117603, is amended as follows:

3 **23.48.034 Parking and loading location, access and curbcuts.**

4 \* \* \*

5 D. Parking and Loading Access. If a lot abuts more than one right-of-way, the location of  
6 access for parking and loading shall be determined by the Director, depending on the  
7 classification of rights-of-way, as shown on Maps A and B for 23.48.014, according to the  
8 following:

9 1. Access to parking and loading shall be from the alley when the lot abuts an  
10 alley improved to the standards of subsection 23.53.030.C and use of the alley for parking and  
11 loading access would not create a significant safety hazard as determined by the Director.

12 2. If the lot does not abut an improved alley, or use of the alley for parking and  
13 loading access would create a significant safety hazard as determined by the Director, parking  
14 and loading access may be permitted from the street. If the lot abuts more than one street, the  
15 location of access is determined by the Director, as a Type I decision, after consulting with the  
16 Director of Transportation. Unless the Director otherwise determines under subsection  
17 23.48.034.D.3.c, access is allowed only from a right-of-way in the category, determined by the  
18 classifications shown on Maps A and B for 23.48.014, that is most preferred among the  
19 categories of rights-of-way abutting the lot, according to the ranking set forth below, from most  
20 to least preferred (a portion of a street that is included in more than one category is considered as  
21 belonging only to the least preferred of the categories in which it is included).

- 22 a. An undesignated street;
- 23 b. Class 2 Pedestrian Street;
- 24 c. Class 1 Pedestrian Street;
- 25 d. Designated neighborhood green street.

1           3. The Director may allow or require access from a right-of-way other than one  
2 indicated by subsection 23.48.034.D.1 or subsection 23.48.034.D.2 if, after consulting with the  
3 Director of Transportation on whether and to what extent alternative locations of access would  
4 enhance pedestrian safety and comfort, facilitate transit operations, facilitate the movement of  
5 vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize  
6 hazards, the Director finds that an exception to the access requirement is warranted. Curb cut  
7 controls on designated green streets shall be evaluated on a case-by-case basis, but generally  
8 access from green streets is not allowed if access from any other right-of-way is possible.

9           Section 9. Subsection 23.58A.040.C of the Seattle Municipal Code, which section was  
10 last amended by Council Bill 117603, is amended as follows:

11 **23.58A.040 - Bonus floor area for open space amenities**

12           C. Performance option

13               1. General provisions

14                   a. An applicant electing to use the performance option shall provide the  
15 amenity on the same lot as the development using the bonus floor area, except to the extent a  
16 combined lot development is expressly permitted by the provisions of the zone and except for  
17 green street improvements that shall be provided within two blocks of the lot. The maximum  
18 area of any amenity or combination of amenities provided on a lot eligible for a bonus is  
19 established in this subsection 23.58A.040.C and may be further limited by Sections 23.58A.012,  
20 23.58A.022, or the provisions of the zone. Open space amenities shall meet the standards of this  
21 subsection 23.58A.040.C in order to qualify for bonus floor area, except as may be authorized by  
22 the Director under subsection 23.58A.040.C.4. An open space amenity may also qualify as a  
23 required residential amenity to the extent permitted by the provisions of the zone.

24                   b. Amenities in Downtown zones in South Downtown

25                       1) In Downtown zones in South Downtown, in order to qualify for  
26 bonus residential floor area, amenity features shall satisfy the eligibility conditions of the  
27

1 Downtown Amenity Standards, except as provided in subsection 23.58A.040.C.1.b.2, and shall  
2 be consistent with the guidelines of the Downtown Amenity Standards.

3                   2) The Director may allow departures from the eligibility  
4 conditions of the Downtown Amenity Standards, as a Type I decision, if the applicant  
5 demonstrates that the amenity better achieves the intent of the Downtown Amenity Standards for  
6 that amenity feature, and that the departure is consistent with any applicable criteria for allowing  
7 the particular type of departure in the Downtown Amenity Standards.

8                   3) The Director may condition the approval of an amenity as  
9 provided in the Downtown Amenity Standards.

10                   2. Bonus ratio. Unless otherwise specified in the provisions of the zone,  
11 amenities may be used to gain bonus floor area according to the following ratios and subject to  
12 the limits of this Section 23.58A.040:

13                   a. For a neighborhood open space, 7 square feet of bonus floor area per 1  
14 square foot of qualifying neighborhood open space area (7:1).

15                   b. For a green street setback, 5 square feet of bonus floor area per 1  
16 square foot of qualifying green street setback area (5:1).

17                   c. For a green street improvement, 5 square feet of bonus floor area per 1  
18 square foot of qualifying green street improvement area (5:1).

19                   d. For a mid-block corridor, 7 square feet of bonus floor area per 1 square  
20 foot of qualifying mid-block corridor area (7:1).

21                   e. For a residential or nonresidential hillside terrace, 5 square feet of  
22 bonus floor area per 1 square foot of qualifying hillside terrace area (5:1).

23                   3. Maximum open space amenity in Highrise zone. In the Highrise zone, the  
24 amount of open space amenity for which bonus floor area may be allowed shall not exceed the  
25 lesser of the amount required to mitigate the impact created by the total bonus residential floor  
26 area in the development, or 15,000 square feet. For purposes of this Section 23.58A.040, the  
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1 amount of open space required to mitigate that impact in the Highrise zone is 0.14 square feet of  
2 open space amenity per square foot of bonus residential floor area, unless the Director  
3 determines, as a Type I decision, that a different ratio applies based on consideration of one or  
4 both of the following:

5 a. the overall number or density of people anticipated to use or occupy the  
6 structure in which bonus floor area will be located, in relation to the total floor area of the  
7 structure, is different from the density level of approximately 1.32 persons per 1,000 residential  
8 gross square feet, which was used to establish the ratio in subsection 23.58A.040.C, such that a  
9 different amount of open space is needed to mitigate the impacts of development;

10 b. characteristics or features of the development mitigate the impacts that  
11 the anticipated population using or occupying the structure in which bonus floor area will be  
12 located would otherwise have on open space needs.

13 4. Standards for open space amenities. The following standards apply to open  
14 space amenities, except as otherwise specifically stated in the provisions of the zone.

15 a. Public access

16 1) Public access for open space amenities in Downtown zones is  
17 regulated pursuant to subsection 23.58A.040.C.1.b.

18 2) Except for green street improvements, open space amenities not  
19 in Downtown zones shall be open to the public, without charge, each day of the year for a  
20 minimum of ten hours each day for a neighborhood open space and 24 hours each day of the year  
21 for a green street setback. The hours of public access identified above shall be during daylight  
22 hours, unless there are insufficient daylight hours, in which case the open space shall also be  
23 open during nighttime hours for the balance of the hours the open space is to remain open. Public  
24 access may be limited temporarily during hours that are otherwise required to be open to the  
25 public for necessary maintenance or for reasons of public safety.

1                                   3) Within the open space, property owners, tenants and their  
2 agents shall allow members of the public to engage in activities allowed in the public sidewalk  
3 environment, except that those activities that would require a street use permit if conducted on  
4 the sidewalk may be excluded or restricted. Free speech activities such as hand billing, signature  
5 gathering, and holding signs, all without obstructing access to the space, any building, or other  
6 adjacent features, and without unreasonably interfering with the enjoyment of the space by  
7 others, shall be allowed. While engaged in allowed activities, members of the public may not be  
8 asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment  
9 of the space by others unless the space is being closed to the general public consistent with this  
10 subsection 23.58A.040.C. No parking, storage or other use may be established on or above the  
11 surface of the open space except as provided in subsection 23.58A.040.C.4.b.2.f. Use by motor  
12 vehicles of open space for which bonus floor area is granted is not permitted. The open space  
13 shall be identified clearly with the City's public open space logo on a plaque placed at a visible  
14 location at each street entrance providing access to the amenity. The plaque shall indicate, in  
15 letters legible to passersby, the nature of the bonus amenity, its availability for general public  
16 access, and additional directional information as needed.

17                                   b. Standards for neighborhood open space

18                                   1) Neighborhood open space in Downtown zones in South  
19 Downtown are regulated pursuant to subsection 23.58A.040.C.1.b.

20                                   2) Neighborhood open space not in Downtown zones used to  
21 qualify for bonus floor area shall meet the conditions in this subsection 23.58A.040.C.4.b.2,  
22 unless an exception is granted by the Director as a Type I decision, based on the Director's  
23 determination that, relative to the strict application of the standards, the exception will result in  
24 improved public access and use of the space or a better integration of the space with surrounding  
25 development.

1 a) The open space shall comply with the applicable  
2 provisions of this Section 23.58A.040. The open space shall consist of one continuous area with  
3 a minimum of 3,000 square feet and a minimum horizontal dimension of 10 feet.

4 b) A minimum of 35 percent of the open space shall be  
5 landscaped with grass, ground cover, bushes and/or trees.

6 c) Either permanent or movable seating in an amount  
7 equivalent to 1 lineal foot for every 200 square feet of open space shall be available for public  
8 use during hours of public access.

9 d) The open space shall be located and configured to  
10 maximize solar exposure to the space, allow easy access from streets or other abutting public  
11 spaces, including access for persons with disabilities, and allow convenient pedestrian circulation  
12 through all portions of the open space. The open space shall have a minimum frontage of 30 feet  
13 at grade abutting a sidewalk, and be visible from sidewalks on at least one street.

14 e) The open space shall be provided at ground level, except  
15 that in order to provide level open spaces on steep lots, some separation of multiple levels may  
16 be allowed, provided they are physically and visually connected.

17 f) Up to 20 percent of the open space may be covered by  
18 elements accessory to public use of the open space, including: permanent, freestanding  
19 structures, such as retail kiosks, pavilions, or pedestrian shelters; structural overhangs; overhead  
20 arcades or other forms of overhead weather protection; and any other features approved by the  
21 Director that contribute to pedestrian comfort and active use of the space. The following  
22 elements within the open space area may count as open space and are not subject to the  
23 percentage coverage limit: temporary kiosks and pavilions, public art, permanent seating that is  
24 not reserved for any commercial use, exterior stairs and mechanical assists that provide access to  
25 public areas and are available for public use, and any similar features approved by the Director.  
26 Seating or tables, or both, may be provided and reserved for customers of restaurants or other  
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1 uses abutting the open space, but the area reserved for customer seating shall not exceed 15  
2 percent of the open space area or 500 square feet, whichever is less.

3 c. Standards for green street setbacks.

4 1) Green street setbacks in Downtown zones in South Downtown  
5 are regulated pursuant to subsection 23.58A.040.C.1.b.

6 2) Green street setbacks in Downtown zones outside South  
7 Downtown are regulated pursuant to Section 23.49.013.

8 3) Green street setbacks not in Downtown zones shall meet the  
9 following standards:

10 a) Where permitted by the provisions of the zone, bonus  
11 floor area may be gained for green street setbacks by development on lots abutting those street  
12 segments that are listed or shown as green streets in the provisions of the zone.

13 b) A green street setback shall be provided as a setback  
14 from a lot line abutting a designated green street. The setback shall be continuous for the length  
15 of the frontage of the lot abutting the green street, and a minimum of 50 percent of the setback  
16 area eligible for a bonus shall be landscaped. The area of any driveways in the setback area is not  
17 included in the bonusable area. For area eligible for a bonus, the average setback from the  
18 abutting green street lot line shall not exceed 10 feet, with a maximum setback of 15 feet. The  
19 design of the setback area shall allow for public access, such as access to street level uses in  
20 abutting structures or access to areas for seating. The Director may grant an exception to the  
21 standards in this subsection 23.58A.040.C.4.c.3.b as a Type I decision, based on the Director's  
22 determination that the exception is consistent with a green street concept plan, if one exists,  
23 established in accordance with Directors Report DR 11-2007, or a successor rule.

24 d. Standards for green street improvement. Green street improvements  
25 used to qualify for bonus floor area shall be located on a designated green street and shall meet  
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1 the standards of a city-approved streetscape concept plan or other design document approved by  
2 the Director.

3 e. Standards for mid-block corridor. Mid-block corridors used to qualify  
4 for bonus floor area in Downtown zones in South Downtown are regulated pursuant to  
5 subsection 23.58A.040.C.1.b. Mid-block corridors used to qualify for bonus floor area in the  
6 Mount Baker Station Area must meet the requirements in the Downtown Amenity Standards.

7 f. Standards for hillside terrace. A hillside terrace used to qualify for bonus  
8 floor area in South Lake Union or in Downtown zones in South Downtown are regulated  
9 pursuant to subsection 23.58A.040.C.1.b.

10 g. Declaration. If open space is to be provided for purposes of obtaining  
11 bonus floor area, the owners of the lot using the bonus floor area, and of the lot where the open  
12 space is provided, if different, shall execute and record a declaration and voluntary agreement in  
13 a form acceptable to the Director identifying the bonus amenities; acknowledging that the right  
14 to develop and occupy a portion of the gross floor area on the lot using the bonus floor area is  
15 based upon the long-term provision and maintenance of the open space and that development is  
16 restricted in the open space; and committing to provide and maintain the open space.

17 h. Identification

18 1) Open space amenities in Downtown zones in South Downtown  
19 shall meet the identification conditions of the Downtown Amenity Standards.

20 2) Open space amenities not in Downtown zones shall be  
21 identified clearly with the City's public open space logo on a plaque placed at a visible location  
22 at each street entrance providing access to the amenity. The plaque shall indicate, in letters  
23 legible to passersby, the nature of the bonus amenity, its availability for general public access,  
24 and additional directional information as needed.

25 i. Duration; alteration. Except as provided for in this subsection  
26 23.58A.040.C.4.i, the owners of the lot using the bonus floor area and of the lot where the open  
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1                   b. The point at which the corridor intersects each street shall be located no  
2 closer than 150 feet to any street intersection.

3                   c. The corridor shall not contain any structures containing any floor area  
4 and shall be open from the ground to the sky, although landscaping, transparent weather  
5 protection overhangs, balconies not more than 5 ft in depth, temporary or permanent seating and  
6 tables, artwork, or other similar features shall be allowed.

7                   d. The corridor shall not contain any physical barriers or grade changes  
8 that would prevent pedestrian access through the site except as necessary to limit public access  
9 consistent with subsection 23.61.018.A.2.e.

10                  e. The corridor shall not be required to be open to the public based on the  
11 requirements of this subsection 23.61.018.A.2; however, the corridor may be used to meet the  
12 requirements for obtaining extra floor area pursuant to subsection 23.58A.040 if it is open to the  
13 public and meets the requirements of Chapter 23.58A for a mid-block corridor.

14                  f. Driveways providing access to parking or passage through the site are  
15 permitted within the internal corridor, but shall be limited in width to a maximum of one lane in  
16 each direction, excluding parking areas. Parking is allowed within the internal corridors, except  
17 that the width of the driveway and parking areas combined may not exceed more than 60% of the  
18 width of the corridor. Portions of the corridor with driveways or parking shall not be used to  
19 meet the requirements for obtaining extra floor area pursuant to Section 23.58A.040.

20                  g. The corridor shall include at least one 6-foot wide sidewalk connecting  
21 the adjacent streets. Where a driveway is provided within the corridor, the corridor shall include  
22 at least 6-foot wide sidewalks along both sides of the driveway.

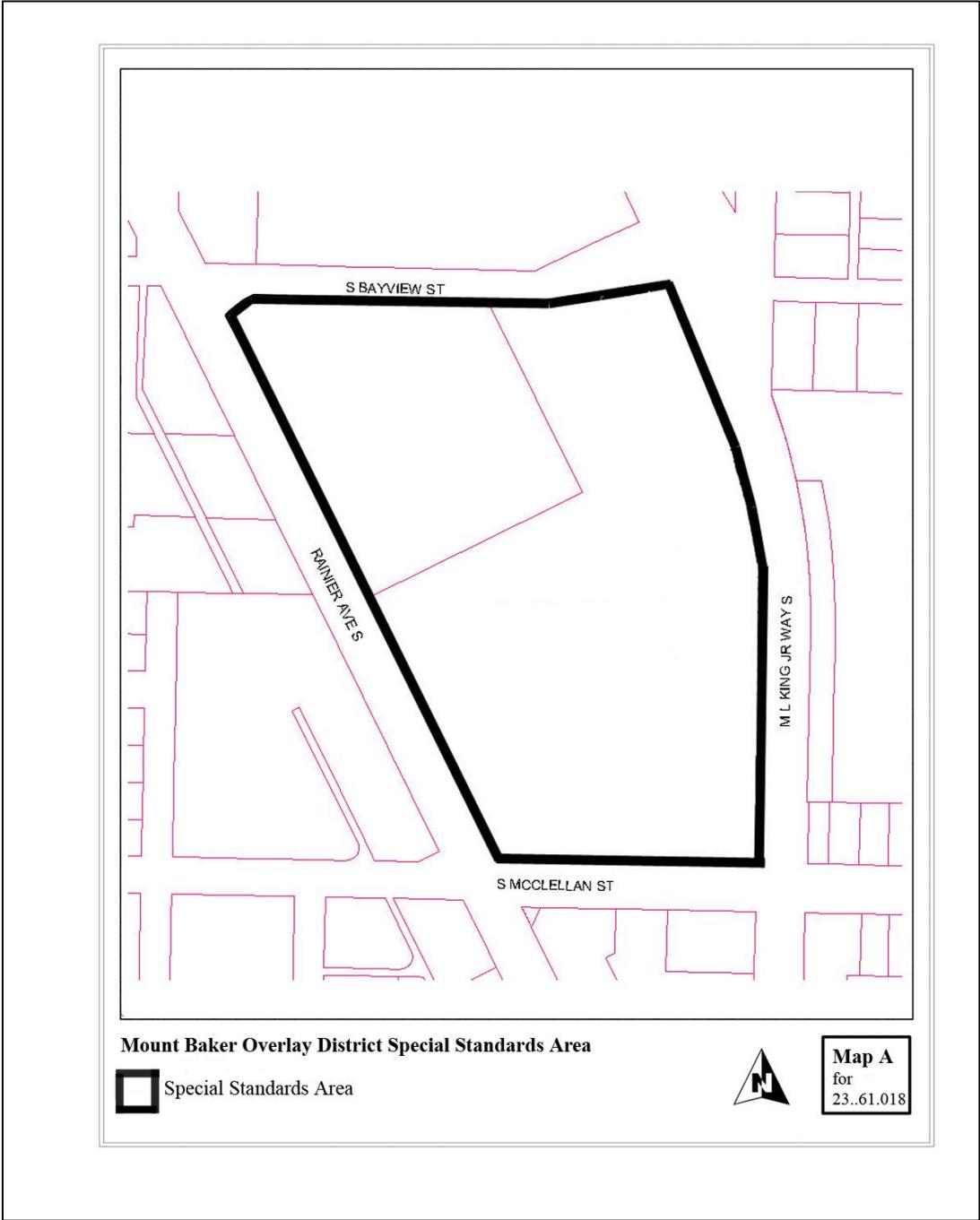
23                  h. The Director may as a Type I decision, modify the standards in  
24 subsection 23.61.018.A.2 as follows:

25                               1) if less than all of the area described in Map A for Section  
26 23.61.018 is proposed for development, the Director may allow less than three of the streets  
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1 **Map A for 23.61.018: Mount Baker Overlay District Special Standards Area**

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1 B. Applications for subdivisions within the area described in Map A for Section  
2 23.61.018 must address the potential location of the internal corridor required by 23.61.018.A.2  
3 and shall be designed to facilitate developments that can comply with subsection 23.61.018.A.2.

4 Section 11. Section 23.84A.048 of the Seattle Municipal Code, which section was last  
5 amended by Ordinance 123495, is amended as follows:

6 **23.84A.048 Definitions -- "Z.**

7 "Zone, residential" means a zone with a classification that includes any of the following:  
8 SF9600, SF7200, SF5000, RSL, LR1, LR2, LR3, MR, HR, RC, DMR, ~~((and,))~~IDR and SM/R,  
9 which classification also may include one or more suffixes, but not including any zone with an  
10 RC designation.

11 \* \* \*

12 Section 12. This ordinance shall take effect and be in force 30 days after its  
13 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
14 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

15 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and  
16 signed by me in open session in authentication of its passage this  
17 \_\_\_\_ day of \_\_\_\_\_, 2013.

18 \_\_\_\_\_  
19  
20 President \_\_\_\_\_ of the City Council

21  
22 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

23  
24 \_\_\_\_\_  
25 Michael McGinn, Mayor  
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Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

(Seal)

Attachments:

Exhibit A: Rezone Proposal Map

Exhibit B: Proposed Station Area Overlay District (SAOD) Boundary Expansion