City of Seattle
Department of Construction and Inspections
Nathan Torgelson, Director

CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Applicant Name: The Office of Planning and Community Development (OPCD)

Address of Proposal: Ballard Hub Urban Village between NW 51st St and NW 65th St and 11th Ave NW and 26th Ave NW

SUMMARY OF PROPOSED ACTION

This proposal is to adopt rezones and amend the Land Use Code to add area-specific development standards in the Ballard Hub Urban Village. The proposed modifications, based on the Ballard Urban Design and Transportation Framework (UDTF) (2016), are intended to ensure new development better fits into the scale character of Ballard and supports the neighborhood's pedestrian environment, consistent with the Comprehensive Plan Neighborhood Planning Element recommendations. The proposal includes the following zoning changes: existing C1-65 to NC3-65; existing C1-65 to NC3P-65; existing NC3-40 to NC3P-40; LR2 to LR2-RC; LR3 to LR3-RC; NC3-85 to NC3P-85; NC3-65 to NC3P-65; and existing NC2-65 to NC2P-65.

All of these proposed rezones are located within the Ballard Hub Urban Village. The proposed rezone would not increase the permitted height, density or intensity of residential or commercial uses.

The following approval is required:

SEPA – Environmental Threshold Determination (SMC Chapter 25.05)

SEPA DETERMINATION:

☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with Conditions

☐ DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction

BACKGROUND DATA

Background

In 2014, the Office of Planning and Community Development (OPCD), in partnership with the Seattle Department of Transportation (SDOT) and the Ballard Partnership for Smart Growth's Urban Design and Transportation (UDaT) sub-committee, started work on an integrated urban design and transportation framework plan to identify short- and medium-term recommendations to support the growing population density in the Ballard Hub Urban Village. The UDaT committee served as the project advisory committee, holding monthly meetings to address topics including land use, design standards, transit, public spaces, and development.

The Urban Design and Transportation Framework (UDTF) (2016) is a product of extensive public engagement. The proposed rezones and development standard modifications are one part of a series of coordinated interdepartmental recommendations and actions to support livable growth in Ballard. The scope of this proposal is limited to new development standards and use provisions to encourage new development that enhances livability and character while creating a health-promoting public realm, consistent with the Comprehensive Plan Neighborhood Planning Element recommendations.

Proposal Description

OPCD is recommending 15 rezones and modifications to Neighborhood Commercial development standards in the Ballard hub urban village with the intent of promoting a vibrant, mixed-use neighborhood that can accommodate a range of new residential, commercial, retail and office uses while preserving the vibrancy of the Ballard neighborhood and existing single family neighborhoods. The proposed rezones include approximately 85 acres in the Ballard Hub Urban Village. Other key goals include:

- Create a hierarchy of great streets and public spaces with special attention to Market Street.
- Encourage a pedestrian-oriented street environment with retail areas along NW Market St, Ballard Ave NW, 15th Ave NW and a mix of pedestrian uses throughout.
- Ensure that new buildings fit into the character of Ballard.
- Modulate building bulk and increase light to street.
- Enhance walkability as Ballard grows.
- Allow small commercial uses adjacent to multifamily residential areas to serve the immediate neighborhood.

The proposals, based on the Ballard Urban Design and Transportation Framework (2016), are consistent with the Comprehensive Plan Neighborhood Planning Element. They are intended to provide for a pedestrian-oriented, transit-oriented environment by concentrating

commercial and residential growth in the blocks surrounding major transit corridors, namely 15th Ave NW, NW Market St, and 24th Ave NW, while maintaining automobile access from major arterial and side streets. Additional rezone recommendations are proposed to transition from the most intense areas of development surrounding these mixed use areas to lower density residential areas to the north and west and provide small neighborhood-serving shops and services next to residential zoning. In combination with proposed rezones, development standards that address bulk and scale of new buildings are proposed for Neighborhood Commercial zones. Generally, these standards are designed to encourage a greater variety of building forms than what is likely under existing zoning.

There are no increases or decreases to height standards as part of this proposal. All of the proposals would apply to property within the current boundaries of the Ballard Hub Urban Village as designated in the Comprehensive Plan and are within areas designated Commercial/Mixed Use or Multi-Family Residential on the Comprehensive Plan's Future Land Use Map.

The proposed rezones are as follows:

- *Area A*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3P (NC3P) with a height of 65 feet
- *Area B*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3 (NC3) with a height of 65 feet
- *Area C*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3 (NC3) with a height of 65 feet
- *Area D*: Rezone existing Neighborhood Commercial (NC3) with a height of 85 feet, to Neighborhood Commercial 3P (NC3P) with a height of 85 feet
- *Area E*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3 (NC3) with a height of 65 feet
- *Area F*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3P (NC3P) with a height of 65 feet
- *Area G*: Rezone existing Neighborhood Commercial (NC2) with a height of 65 feet, to Neighborhood Commercial 2P (NC2P) with a height of 65 feet
- *Area H*: Rezone existing Neighborhood Commercial (NC3) with a height of 65 feet, to Neighborhood Commercial 3P (NC3P) with a height of 65 feet
- *Area I*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3 (NC3) with a height of 65 feet
- *Area J*: Rezone existing Neighborhood Commercial (NC3) with a height of 65 feet, to Neighborhood Commercial 3P (NC3P) with a height of 65 feet
- *Area K*: Rezone existing Neighborhood Commercial (NC3) with a height of 65 feet, to Neighborhood Commercial 3P (NC3P) with a height of 65 feet
- *Area L*: Rezone existing Neighborhood Commercial (NC3) with a height of 40 feet, to Neighborhood Commercial 3P (NC3P) with a height of 40 feet

- *Area M*: Rezone existing Commercial (C1) with a height of 65 feet, to Neighborhood Commercial 3 (NC3) with a height of 65 feet
- *Area N*: Rezone existing Low Rise (LR3), to Low Rise with Residential-Commercial (LR3-RC)
- *Area O*: Rezone existing Low Rise (LR2), to Low Rise with Residential-Commercial (LR2-RC)

In addition to the proposed rezones, the Land Use Code is proposed to be amended as follows:

- Principal Pedestrian Street. Designate the following streets as principal pedestrian streets when located within a pedestrian-designated zone: NW Market Street, 17th Avenue NW, 20th Avenue NW, Ballard Avenue NW, and Leary Avenue NW.
- Street-level Uses. Remove existing 20% restriction on residential uses all NC and C1 zones facing arterials NW Market Street, 20th Avenue NW, and 24th Avenue NW.
- Neighborhood Commercial Development Standards in the Ballard Hub Urban Village:
    - *Lot Coverage Limit.* The maximum at grade lot coverage for principal and accessory structures is 80 percent of the lot. The remaining at grade area must be visible from all adjacent rights-of-ways or public open space and include landscaping, paving, and lighting.
    - *Façade Modulation.* Façade modulation is required for all portions of a structure up to a height of 45 feet located within 10 feet of a street lot. The maximum width of any unmodulated façade is 100 feet. Façade widths shall be modulated at 100 feet intervals by stepping back the façade from the street lot line for a minimum depth of 10 feet and a minimum width of 15 feet.
    - *Maximum Width of Structures.* The maximum width of a structure is 250 feet.
    - *Street-level Setbacks.* In the area shown on Map A for 23.47A.009.H, street-level, street-facing portions of a structure facing 15th Avenue NW up to 15 feet in height are required to be set back from the 15th Avenue NW lot line by a minimum of 6 feet and a maximum of 10 feet. Projections into the setback must be a minimum of 10 feet above sidewalk grade.
    - *Upper-level Setbacks.* Structures exceeding 45 feet are required to setback an average of 10 feet from the street lot line. Portions of a structure above 65 feet in height are required to set back an average depth of 15 feet.
- Development Standards for lots 40,000 square feet or greater. The NC development standards outlined above may be waived or modified only if a courtyard or through-block pedestrian corridor is provided to offset the bulk of the project.

Public Comments

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments at a future scheduled Council public hearing.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated March 24, 2016. The information in the checklist, the information and analysis in the Director's Report and Recommendation, a copy of the proposed text changes, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision. Potential impacts of the rezone proposal are analyzed below.

Short-term Impacts

As a non-project action, the proposed amendment will not have any short-term impact on the environment.

Long-term Impacts

Long-term or use-related impacts are anticipated as a result of approval of this proposal. Most long-term impacts of these proposed actions are expected to be minor. OPCD has provided information including a Director's Report, Rezone Analysis, SEPA Checklist, and draft Ordinance that indicates the proposal will not increase or decrease development capacity from the current zoning; thus, impacts to noise, light and glare, shadows, air quality (including greenhouse gas emissions), and use of energy, natural resources, and most public services and facilities are unlikely to increase. As development occurs in the area, these impacts may slightly increase, due to greater levels of activity on various sites, but are not expected to be significant. Projects developing pursuant to these proposed actions may be subject to environmental review if they meet or exceed environmental review thresholds. In addition, projects would need to comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations (SMC 25.09), The Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08).

The most likely areas of impacts of the proposed actions would be to land use; height, bulk, and scale; and traffic and transportation. These topics are discussed further below:

Land Use

The Land Use SEPA policy SMC 25.05.675.J.2 states, in part, that "It is the City's policy to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with any applicable, adopted City land use regulations, the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and the shoreline goals and policies set forth in section D-4 of the land use element of the Seattle Comprehensive Plan for the area in which the project is located."

In general, rezoning from Commercial to Neighborhood Commercial, addition of Pedestrian zone designation and designation of Principal Pedestrian streets, addition of Residential Commercial (RC) Suffix Zone, and modifications to NC Development Standards within the Ballard Hub Urban Village would represent a minor change to the types and density of land uses

allowed within the area. The rezone proposal and modifications to development standards would encourage or preserve a pedestrian-oriented shopping district and small commercial uses serving the neighboring residential area, allow small-medium sized commercial uses at the street level in multifamily neighborhoods, and aid in encouraging future development that would be consistent with the intent of the Crown Hill/Ballard Neighborhood Plan portion of the Comprehensive Plan and Ballard Urban Design and Transportation Framework (2016). The uses that would be allowed under the proposed rezones are expected to be reasonably compatible with uses in adjacent zones.

The proposed rezones and modifications to development standards support the goals of the Comprehensive Plan Urban Village Element to focus housing and jobs in areas where they can support existing neighborhood centers, maximize transportation and utility investments, and create walkable, pedestrian-friendly communities. These goals are described, in part, through the following goals and policies:

- UVG3: Promote densities, mixes of uses, and transportation improvements that support walking, use of public transportation, and other transportation demand management (TDM) strategies, especially within urban centers and urban villages.

- UVG8: Use limited land resources more efficiently and pursue a development pattern that is more economically sound, by encouraging infill development on vacant and underutilized sites, particularly within urban villages.

- UVG11: Increase public safety by making villages places that people will be drawn to at all times of the day.

- UVG27: Promote the development of residential urban villages, which function primarily as compact residential neighborhoods providing opportunities for a wide range of housing types and a mix of activities that support the residential population. Support densities in residential urban villages that support transit use.

- UVG29: Encourage growth in locations within the city that support more compact and less land-consuming, high quality urban living.

- UV1: Promote the growth of urban villages as compact mixed-use neighborhoods in order to support walking and transit use, and to provide services and employment close to residences.

This rezone would also support the following goals and policies of the Comprehensive Plan Neighborhood Planning Element for Ballard:

- CH/B-G1: A defined, vital, accessible mixed use core with residential and commercial activity in the Ballard Hub Urban Village and Crown Hill Residential Urban Village.

- CH/B-P2: Improve the attractiveness of the business areas in the Ballard Hub Urban Village and the Crown Hill Residential Urban Village to businesses, residents and shoppers through creation of pleasant streetscapes and public spaces.

- CH/B-G4: A transportation system that supports residential, commercial and civic activity in the core of the Ballard and Crown Hill urban villages, and encourages people to use transit and non-motorized transportation modes.

- CH/B-P8: Emphasize accessibility by transit, bicycle and pedestrians in the downtown Ballard area.

- CH/B-P9: Preserve the function of 15th Avenue NW as a principal arterial and a major truck street, but strive to overcome the street as a barrier that isolates the neighborhood areas to the east and west from each other and to improve its contribution to the visual character of Crown Hill and Ballard.

- CH/B-P10: Strive to improve the pedestrian environment along NW Market Street while retaining its function as a principal arterial.

- CH/B-P11: Take advantage of present and future economic, cultural and open space developments to enhance the bicycle and pedestrian network.

Development on parcels proposed to be rezoned will be subject to design review if the proposals exceed thresholds for design review established in the Land Use Code. Design review considers the context and character of surrounding development in applying City and Neighborhood Specific design guidelines, thus providing an additional opportunity to address any potential incompatibilities between new development and development on adjacent parcels. It is not anticipated that the proposed text amendments will result in significant land use impacts, pursuant to SMC 25.05.675 J. The proposed rezones for these areas are also consistent with the land use designations on the Future Land Use Map.

Height, Bulk, and Scale

The allowed height, bulk, and scale of development is not expected to increase over what is allowed by current zoning, and existing transitions in development intensity per the Land Use Code will remain in place. Development standards for Neighborhood Commercial zones provide for a sensitive transition between commercial and residential areas. In addition, the proposed area-specific development standards are expected to further reduce impacts related to bulk and scale of new development by creating new provisions for lot coverage limits, façade

modulation, maximum façade width, maximum structure width, street-level setbacks, and upper-level setbacks. These new limits would reduce the appearance of bulk from the street, especially for larger developments, by avoiding overly wide buildings, setting back upper stories from the street lot line, and providing more open space at the ground level.

As there is no increase in allowed height, negative impacts regarding protected public views (SMC 25.05.675.P), shading, and private view blockage is not expected to increase. Shading impacts on adjacent properties will tend to be minimized by the existing and proposed development standards. Overall, because of the small difference in magnitude of these impacts relative to what could occur under existing conditions, the impact is not expected to be significant.

Bulk and scale impacts of projects developed pursuant to the proposed rezones may also be addressed by the City's design review process in SMC 23.41. Pursuant to SMC 25.05.675.G.2.c, the Citywide and Neighborhood Design Review Guidelines are intended to mitigate adverse height, bulk, and scale impacts. Specific height, bulk and scale impacts of proposed development will be determined at the time of project review. The proposed rezones are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675.G.

Transportation

The proposed rezones will not increase development capacity or substantially change the allowed uses, so it is not expected that the proposed rezone would result in significantly higher volumes of traffic than current zoning allows.

It is expected that the proposed rezone is not likely to result in a significant impact on traffic and transportation, pursuant to SMC 25.05.675.R. The transportation impacts of individual projects developing pursuant to these proposed text changes will be evaluated through SEPA review at the time of permit applications. If warranted, mitigation will be required at that time.

Conclusion

The proposed rezones and area-specific development standards are not expected to have significant adverse impacts.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

RECOMMENDED CONDITIONS – SEPA

None.

Date: 3/29/16

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