

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

..title

AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010 and 23.41.012 of the Seattle Municipal Code to remove the Ballard Municipal Center Master Plan Area Guidelines and adopt the Ballard Neighborhood Design Guidelines, and delete reference to the Ballard Municipal Center Master Plan Area Guidelines.

..body

WHEREAS, the City of Seattle designated Ballard as a Hub Urban Village; and

WHEREAS, in 1998, the City Council recognized the Crown Hill/Ballard Neighborhood Plan as a 20-year vision for how Ballard as a Hub Urban Village would grow; and

WHEREAS, in 2014, the Ballard Partnership’s Urban Design and Transportation committee (UDAT) formed and met 18 times over two years to partner with the City and create the Urban Design and Transportation Framework (UDTF). The UDTF provides community guidance for land use code amendments and neighborhood design guidelines to help shape new development in Ballard; and

WHEREAS, the UDAT included community members from the Ballard Chamber of Commerce, Central Ballard Residents Association, the Nordic Heritage Museum, Sustainable Ballard, Groundswell Northwest, East Ballard Community Association, North Seattle Industrial Association, as well as renters and business and property owners; and

WHEREAS, from 2014 to 2016, the UDAT partnered with the City to host four community workshops and open houses, conduct ongoing conversations with community members and groups involving over 440 community stakeholders, and the Ballard Urban Design and Transportation Framework, and Ballard Neighborhood Design Guidelines; and

WHEREAS, the Seattle City Council in 2016 adopted Land Use Code amendments applicable within the Ballard Hub Urban Village to implement changes to zoning and development

standards recommended in the Urban Design and Transportation Framework; and

WHEREAS, the Ballard Neighborhood Design Guidelines reflect the unique historical character

of the Ballard community, and are intent on retaining the rich characteristics of its

different areas valued by the community; and

WHEREAS, on December 13, 2018 the Office of Planning and Community Development

released the Ballard Neighborhood Design Guidelines SEPA Checklist and a

Determination of Non-Significance; NOW, THEREFORE,

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

Section 1. Subsection 23.41.010.B of the Seattle Municipal Code, which section was last amended by ordinance (introduced as CBXXXX Uptown Design Guidelines), is amended as follows:

**23.41.010 Design review guidelines**

\* \* \*

B. The following neighborhood design guidelines are approved. These neighborhood design guidelines apply in the areas shown on the map included in the guidelines.

1. "Admiral Design Guidelines, 2013";

2. "Ballard (~~Municipal Center Master Plan Area~~) Neighborhood Design Guidelines, ((2013)) 2019";

3. "Belltown Urban Center Village Design Guidelines, 2004";

4. "Capitol Hill Design Guidelines, 2013";

5. "Central Area Design Guidelines, 2018";

6. "Green Lake Design Guidelines, 2013";

7. "Greenwood/Phinney Design Guidelines, 2013";

- 1 8. "Morgan Junction Design Guidelines, 2013";
- 2 9. "Mount Baker Town Center Design Guidelines, 2017";
- 3 10. "North Beacon Hill Design Guidelines, 2013";
- 4 11. "North District/Lake City Design Guidelines, 2013";
- 5 12. "Northgate Design Guidelines, 2013";
- 6 13. "Othello Design Guidelines, 2013";
- 7 14. "Pike/Pine Design Guidelines, 2017";
- 8 15. "Roosevelt Design Guidelines, 2013";
- 9 16. "South Lake Union Design Guidelines, 2018";
- 10 17. "University Design Guidelines, 2013";
- 11 18. "Upper Queen Anne Design Guidelines, 2013";
- 12 19. "Uptown Design Guidelines, 2019";
- 13 20. "Wallingford Design Guidelines, 2013"; and
- 14 21. "West Seattle Junction Design Guidelines, 2013."

15 \* \* \*

16 Section 2. Subsection 23.41.012.B of the Seattle Municipal Code, which section was last  
17 amended by Ordinance 125612, is amended as follows:

18 **23.41.012 Development standard departures**

19 \* \* \*

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

- 22 1. Procedures;
- 23 2. Definitions;

- 1                   3. Measurements;
- 2                   4. Provisions of the Shoreline District, Chapter 23.60A;
- 3                   5. Lot configuration standards in subsections 23.22.100.C.3, 23.24.040.A.9, and
- 4 23.28.030.A.3;
- 5                   6. Permitted, prohibited, or conditional use provisions, except that departures may
- 6 be granted from development standards for required street-level uses, subject to the limitations of
- 7 subsection 23.41.012.B.34;
- 8                   7. Maximum size of use;
- 9                   8. Residential density limits;
- 10                  9. Noise and odor standards;
- 11                  10. Floor area ratios (FAR), except that:
  - 12                   a. In the Pike/Pine Conservation Overlay District shown on Map A for
  - 13 23.73.004, departures from the development standards for floor area exemptions from FAR
  - 14 calculations in subsection 23.73.009.C and for retention of a character structure on a lot in
  - 15 Section 23.73.015 are allowed;
  - 16                   b. Departures of up to an additional 0.5 FAR may be granted if the
  - 17 applicant demonstrates that:
    - 18                   ((e))1 ((the)) The departure is needed to protect a tree that is
    - 19 located on the lot that is either an exceptional tree, as defined in Section 25.11.020, or a tree
    - 20 greater than 2 feet in diameter measured 4.5 feet above the ground, and
    - 21                   ((e))2 ((avoiding)) Avoiding development in the tree protection
    - 22 area will reduce the total development capacity of the site.
  - 23                   11. Structure height, except that:

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

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

9 ((e)) b. Within the Uptown Urban Center building height departures up to  
10 3 feet of additional height may be granted if the top floor of the structure is set back at least 6  
11 feet from all lot lines abutting streets;

12 ((d)) c. Within the Queen Anne Residential Urban Village and  
13 Neighborhood Commercial zones as shown on Map ((C)) B for 23.41.012, Upper Queen Anne  
14 Commercial Areas, building height departures up to 3 feet of additional height may be granted if  
15 the top floor of the structure is set back at least 6 feet from all lot lines abutting streets;

16 ((e)) d. Within the PSM 85-120 zone in the area shown on Map A for  
17 23.49.180, departures may be granted from development standards that apply as conditions to  
18 additional height, except for floor area ratios and provisions for adding bonus floor area above  
19 the base FAR;

20 ((f)) e. Within the Pike/Pine Conservation Overlay District shown on Map  
21 A for 23.73.004, departures may be granted from:

22 1) ~~((development))~~ Development standards that apply as conditions  
23 to additional height in subsections 23.73.014.A and 23.73.014.B, and

1 2) ~~((the))~~ The provision for receiving sites for transfer of  
2 development potential in subsection 23.73.024.B.5;

3 ~~((g))~~ f. Departures of up to 10 feet of additional height may be granted if  
4 the applicant demonstrates that:

5 ~~((f))1~~ ~~((the))~~ The departure is needed to protect a tree that is  
6 located on the lot that is either an exceptional tree, as defined in Section 25.11.020, or a tree  
7 greater than 2 feet in diameter measured 4.5 feet above the ground, and

8 ~~((f))2~~ ~~((avoiding))~~ Avoiding development in the tree protection  
9 area will reduce the total development capacity of the site.

10 12. Provisions of Chapter 23.52;

11 13. Provisions of Chapter 23.53, except that departures may be granted from the  
12 access easement standards in Section 23.53.025;

13 14. Quantity of parking required, minimum and maximum parking limits, and  
14 minimum and maximum number of drive-in lanes~~((, except that within the Ballard Municipal  
15 Center Master Plan area departures may be granted from the minimum parking requirement up to  
16 a 30 percent maximum reduction for ground-level retail uses that abut established mid-block  
17 pedestrian connections through private property as identified in the "Ballard Municipal Center  
18 Master Plan Design Guidelines, 2013"))~~);

19 15. Standards for solid-waste and recyclable materials storage and access in  
20 Section 23.54.040;

21 16. Provisions of Chapter 23.58A, except that departures may be granted from the  
22 requirements of subsections 23.48.021.C.1.b.2, 23.48.021.C.1.b.3.a, 23.48.021.C.1.b.4, and  
23 23.48.021.C.1.b.5;

1 17. Provisions of Chapter 23.58B and Chapter 23.58C;

2 18. In SM-SLU zones, floor area limits for all uses provided in subsections  
3 23.48.245.A, 23.48.245.B.1, 23.48.245.B.2, and 23.48.245.B.3, except that departures of up to a  
4 five percent increase in floor area limit for each story may be granted for structures with non-  
5 residential uses meeting the requirements of subsections 23.48.245.B.1.d.1 and  
6 23.48.245.B.1.d.2;

7 19. In SM-SLU zones, provisions in Section 23.48.245 for upper-level setbacks;

8 20. In SM-SLU zones, provisions in Section 23.48.245 limiting the number of  
9 towers permitted per block;

10 21. In Downtown zones, provisions in Chapter 23.49 for exceeding the base FAR  
11 or achieving bonus development;

12 22. In Downtown zones, provisions in Section 23.49.036 for the minimum size for  
13 planned community developments;

14 23. In Downtown zones, the average floor area limit for stories in residential use  
15 in Table B for 23.49.058;

16 24. In Downtown zones, provisions in Section 23.49.041 for combined lot  
17 developments;

18 25. In the Downtown Mixed Commercial 170 zone, minimum floor-to-floor  
19 height for street-level uses required as a condition of the additional height allowed by subsection  
20 23.49.008.E;

21 26. In Downtown zones, Downtown view corridor requirements, except that  
22 departures may be granted to allow open railings on upper-level roof decks or on rooftop open  
23 space to project into the required view corridor, if the railings are determined to have a minimal

1 impact on views;

2 27. In Downtown zones, the quantity of open space required for major office  
3 projects as provided in subsection 23.49.016.B;

4 28. In Downtown zones, standards for the location of access to parking;

5 29. In Downtown Mixed Commercial zones, tower spacing requirements  
6 contained in subsection 23.49.058.D;

7 30. Within the Pike/Pine Conservation Overlay District shown on Map A for  
8 23.73.004, the requirement that all character structures on a lot be retained in order to qualify as  
9 a transferable development potential (TDP) receiving site in subsection 23.73.024.B, the  
10 exception allowing additional FAR for non-residential uses in subsection 23.73.009.B, the FAR  
11 exemption for residential uses in subsection 23.73.009.C.3, the exception to floor area limits in  
12 subsections 23.73.010.B.1 and 23.73.010.B.2, the exception for width and depth measurements  
13 in subsection 23.73.012.B, or the exception for an additional 10 feet in height in subsection  
14 23.73.014.B.

15 a. However, departures from the development standards identified above  
16 may be granted under the following conditions:

17 1) The character structure is neither a designated Seattle Landmark  
18 nor identified in a rule promulgated by the Director according to Section 23.73.005; and

19 2) The proposed development entails the demolition of a wood-  
20 frame character structure originally built as a single-family residence or single-family accessory  
21 structure; or

22 3) The proposed development entails the demolition of a character  
23 structure that is determined to have insufficient value to warrant retention when the following



1 applies:

2 a) The structure lacks a high degree of architectural  
3 integrity as evidenced by extensive irreversible exterior remodeling; or

4 b) The structure does not represent the Pike/Pine  
5 neighborhood's building typology that is characterized by the use of exterior materials and design  
6 elements such as masonry, brick, and timber; multi-use loft spaces; very high and fully-glazed  
7 ground-floor storefront windows; and decorative details including cornices, emblems, and  
8 embossed building names; or

9 c) Demolishing the character structure would allow for  
10 more substantial retention of other, more significant character structures on the lot, such as a  
11 structure listed in a rule promulgated by the Director according to Section 23.73.005; or would  
12 allow for other key neighborhood development objectives to be achieved, such as improving  
13 pedestrian circulation by providing through-block connections, developing arts and cultural  
14 facilities, or siting publicly-accessible open space at key neighborhood locations.

15 b. In addition to the provisions of subsection 23.41.012.B.30.a, the  
16 following provisions apply:

17 1) At least one character structure shall be retained on the lot if any  
18 of the following are to be used by the development proposal:

19 a) Subsection 23.73.009.C.3 regarding the FAR exemption  
20 for residential uses;

21 b) Subsection 23.73.010.B.2 regarding increases in the  
22 floor area limits;

23 c) Subsection 23.73.012.B regarding the exception from

1 width and depth measurements; or

2 d) Subsection 23.73.014.B regarding the exception

3 allowing for an additional 10 feet in height.

4 2) A departure may allow removal of character structures if the  
5 requirement for retaining structures is limited to the following:

6 a) Subsection 23.73.009.B regarding the exception to allow  
7 additional FAR for non-residential uses;

8 b) Subsection 23.73.010.B.1 regarding increases in the  
9 floor area limits; or

10 c) Section 23.73.024 for the use of TDP on a lot that is an  
11 eligible TDP receiving site under the provisions of subsection 23.73.024.B;

12 31. In the MPC-YT zone, affordable housing production requirements in Section  
13 23.75.085;

14 32. In the MPC-YT zone, limits on floor area for uses in Sections 23.75.040,  
15 23.75.085, or 23.75.090;

16 33. In the MPC-YT zone, limits on the number of highrise structures, distribution  
17 of highrise structures, and gross floor area per story for highrise structures in Section 23.75.040  
18 or Section 23.75.120;

19 34. In pedestrian-designated zones, provisions for residential uses at street level,  
20 as provided in subsection 23.47A.005.C.1, except that a departure may be granted to allow  
21 residential uses at street level to occupy, in the aggregate, no more than 50 percent of the street-  
22 level, street-facing facade;

23 35. In pedestrian-designated zones, provisions for transparency requirements, as

1 provided in subsection 23.47A.008.B, except that departures may be granted to reduce the  
2 required transparency from 60 percent to no less than 40 percent of the street-facing facade;

3           36. In pedestrian-designated zones, provisions for height requirements for floor-  
4 to-floor height, as provided in subsection 23.47A.008.B, except that departures to allow a  
5 mezzanine with less than the minimum floor-to-floor height may be granted provided that the  
6 outer edge of the mezzanine floor is at least 15 feet from the exterior wall facing a principal  
7 pedestrian street;

8           37. Area-specific development standards for Lake City, identified in subsection  
9 23.47A.009.E, except departures may be requested if the development provides at least one of  
10 the following features:

11           a. A usable open space that:

- 12                           1) ~~((abuts))~~ Abuts the street;
- 13                           2) ~~((is))~~ Is no more than 4 feet above or 4 feet below the adjacent  
14 sidewalk grade;
- 15                           3) ~~((has))~~ Has a minimum width equal to 30 percent of the width of  
16 the street-facing facade or 20 feet, whichever is greater; and
- 17                           4) ~~((has))~~ Has a minimum depth of 20 feet measured from the  
18 abutting street lot line.

19           b. An east-west, through-block pedestrian passageway that:

- 20                           1) ~~((has))~~ Has a minimum width of 20 feet and provides direct and  
21 continuous passage between the north/south rights-of-way abutting the lot; and
- 22                           2) ~~((is))~~ Is designed to provide safe pedestrian use, including  
23 signage identifying the passageway; and

1                   38. For lots 40,000 square feet or greater in size, area-specific development  
2 standards for Ballard identified in subsections 23.47A.009.F.2, 23.47A.009.F.3, and  
3 23.47A.009.F.4.b, except that departures may be requested if the development provides at least  
4 one of the following features:

5                   a. A usable open space that:

- 6                                   1) ~~((abuts))~~ Abuts the street;
- 7                                   2) ~~((is))~~ Is no more than 4 feet above or 4 feet below the adjacent  
8 sidewalk grade;
- 9                                   3) ~~((has))~~ Has a minimum width equal to 30 percent of the width of  
10 the street-facing facade or 20 feet, whichever is greater; and
- 11                                  4) ~~((has))~~ Has a minimum depth of 20 feet measured from all street  
12 lot lines.

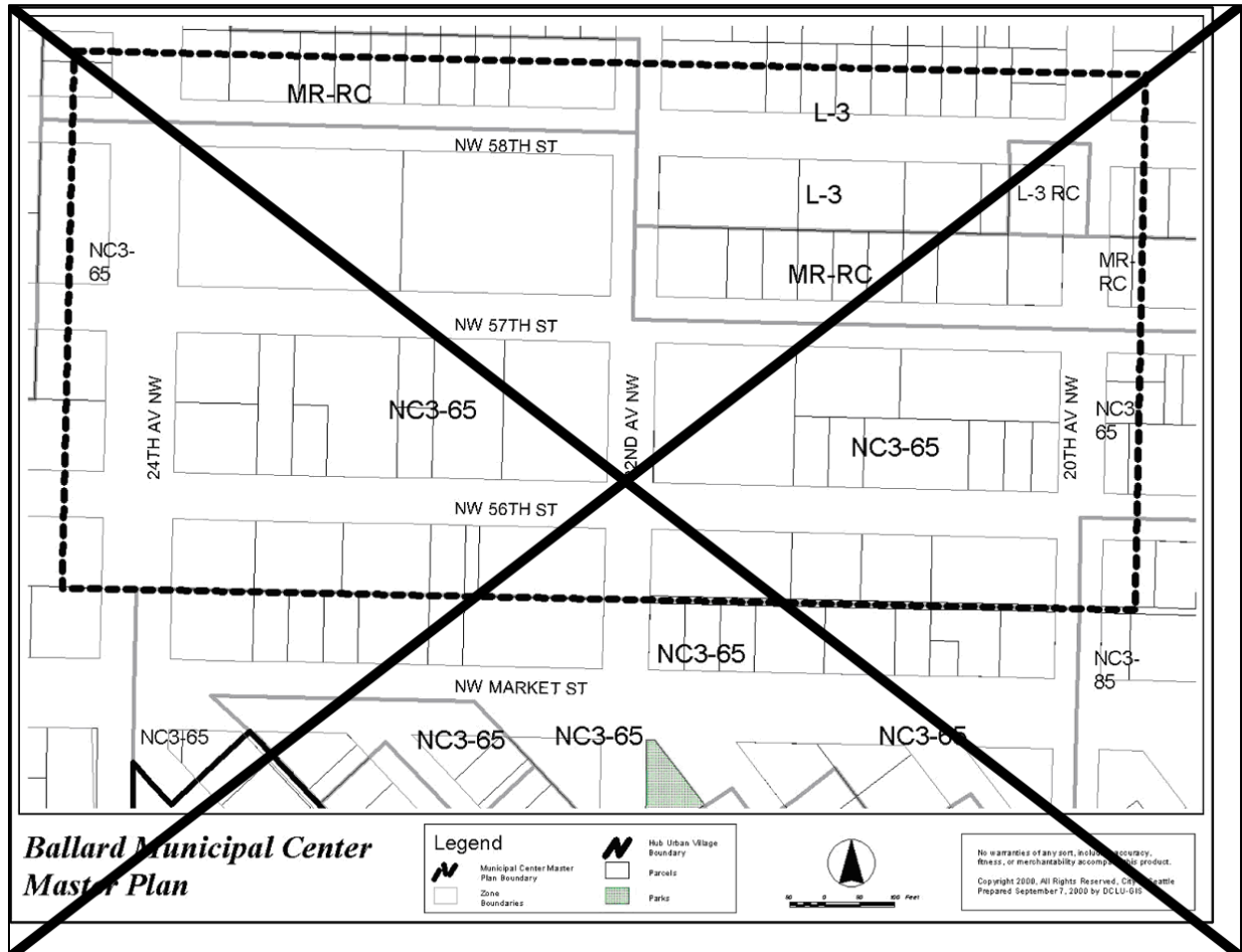
13                   b. A separation between structures that:

- 14                                   1) ~~((has))~~ Has a minimum east-west dimension width of 20 feet;
- 15                                   2) ~~((is))~~ Is no more than 4 feet above or below the adjacent  
16 sidewalk grades; and
- 17                                   3) ~~((is))~~ Is either developed as:
- 18   a) ~~((a))~~ A north-south, through\_block pedestrian  
19 passageway;
- 20   b) ~~((a))~~ A woonerf;
- 21   c) ~~((an))~~ An amenity area that is available for public use  
22 and not counting towards the minimum requirement of subsection 23.47A.024; or
- 23   d) ~~((a))~~ A combination thereof.

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\* \* \*

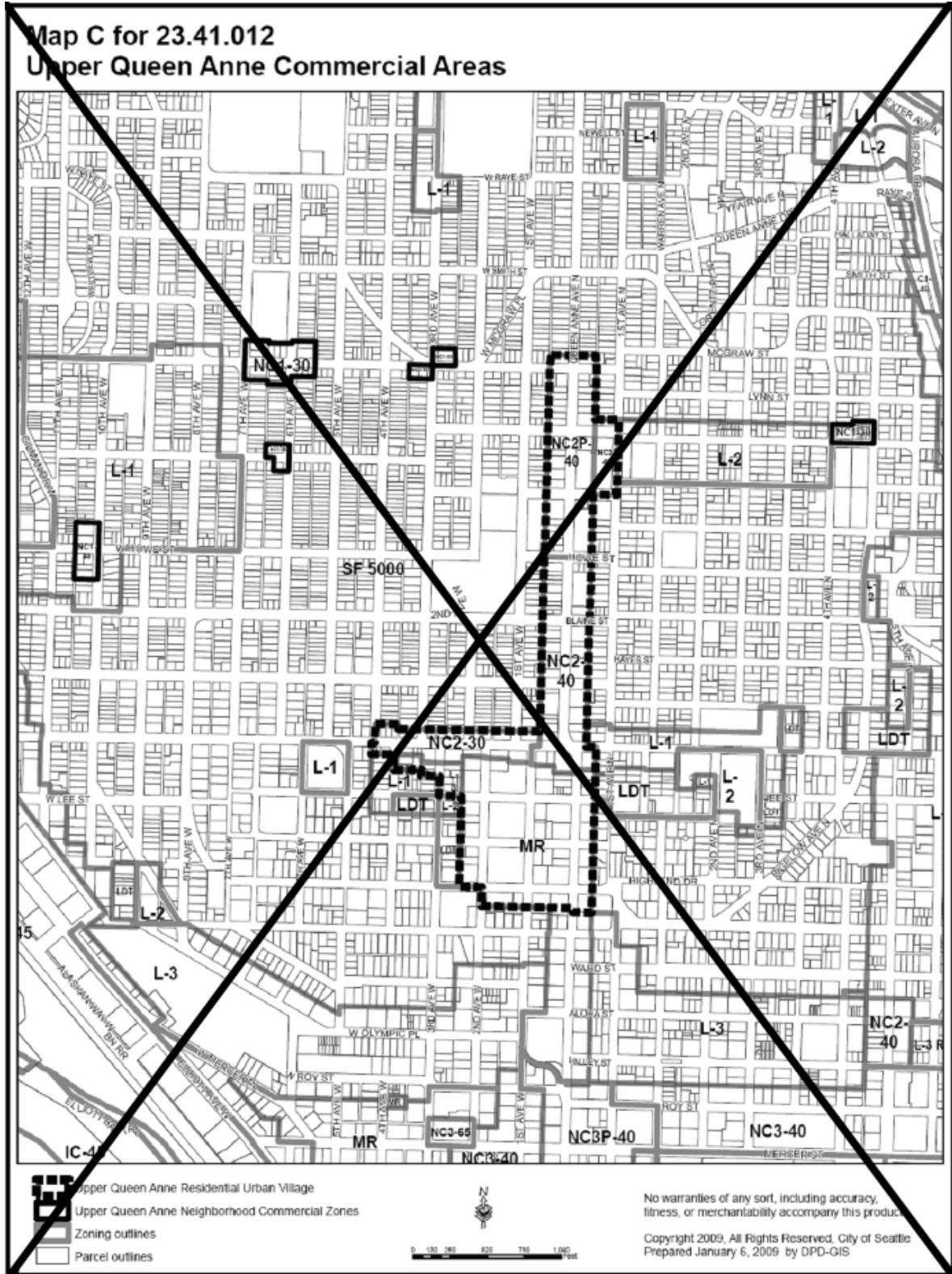
((Map B for 23.41.012 Ballard Municipal Center Master Plan Area))



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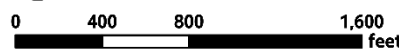
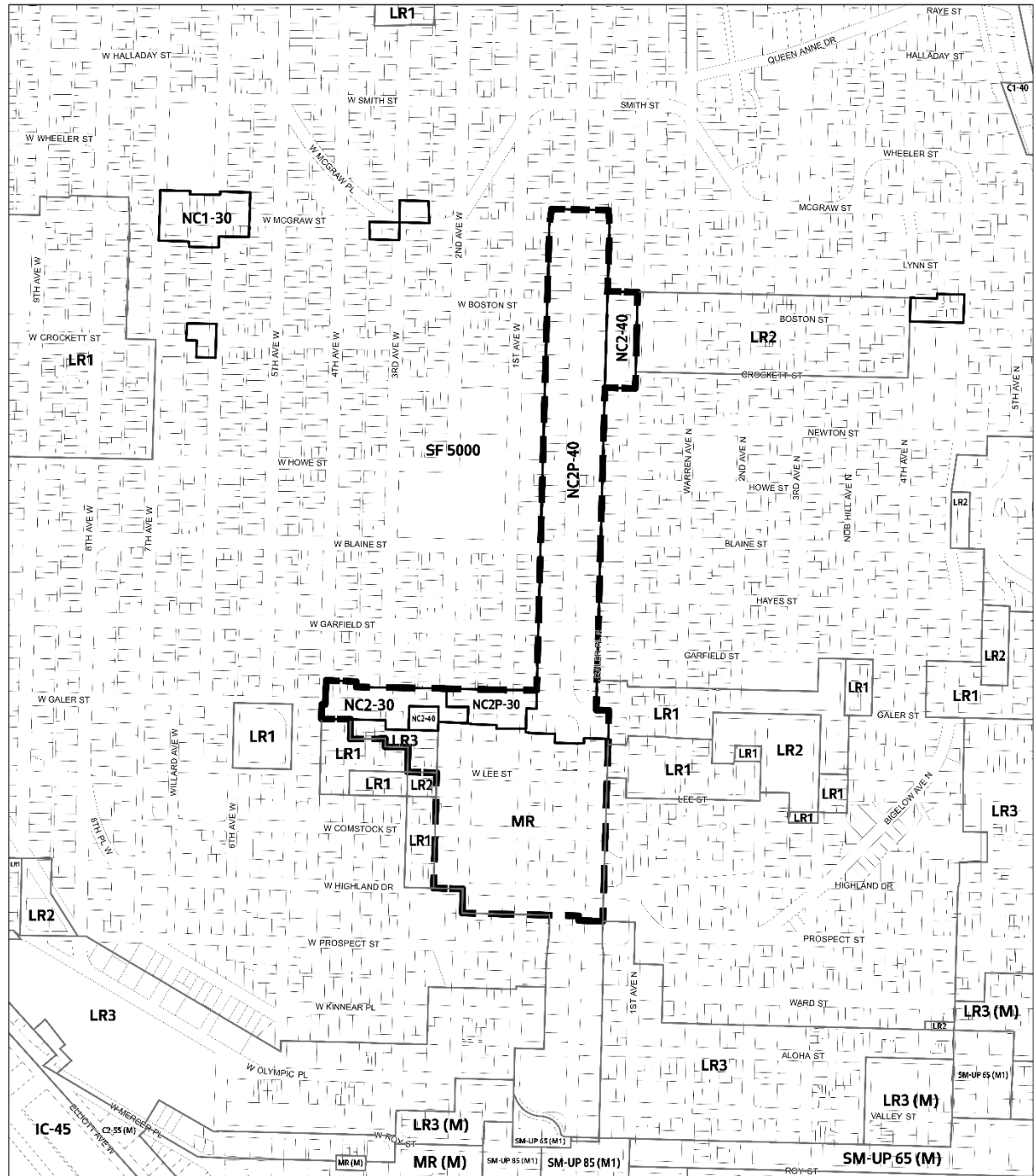
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Map ((€)) B for 23.41.012 Upper Queen Anne Commercial Areas



2

**Map B for 23.41.012  
 Upper Queen Anne Commercial Areas**



- Upper Queen Anne Residential Urban Village
- Neighborhood Commercial zones
- Zoning outlines
- Parcel outlines

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 Prepared Monday, November 26, 2018, by OPCD.

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1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
5 and signed by me in open session in authentication of its passage this \_\_\_\_ day of  
6 \_\_\_\_\_, 2019.

7 \_\_\_\_\_  
8 President \_\_\_\_\_ of the City Council

9 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
10 \_\_\_\_\_  
11 Jenny A. Durkan, Mayor

12 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
13 \_\_\_\_\_  
14 Monica Martinez Simmons, City Clerk

15 (Seal)  
16



- 1 Attachments:
- 2 Att 1 – Ballard Neighborhood Design Guidelines, 2019

3