CITY OF SEATTLE

ORDINANCE ___________________

COUNCIL BILL __________________

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.

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...
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.


2. "Ballard Neighborhood Design Guidelines, 2019";


5. “Central Area Design Guidelines, 2018”;


7. "Greenwood/Phinney Design Guidelines, 2013";
10. "North Beacon Hill Design Guidelines, 2013";
11. "North District/Lake City Design Guidelines, 2013";
15. "Roosevelt Design Guidelines, 2013”;
16. "South Lake Union Design Guidelines, 2018”;
17. "University Design Guidelines, 2013”;
18. "Upper Queen Anne Design Guidelines, 2013”;
20. "Wallingford Design Guidelines, 2013”; and

***

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

**23.41.012 Development standard departures**

***

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

1. Procedures;
2. Definitions;
3. Measurements;

4. Provisions of the Shoreline District, Chapter 23.60A;


6. Permitted, prohibited, or conditional use provisions, except that departures may be granted from development standards for required street-level uses, subject to the limitations of subsection 23.41.012.B.34;

7. Maximum size of use;

8. Residential density limits;

9. Noise and odor standards;

10. Floor area ratios (FAR), except that:

   a. In the Pike/Pine Conservation Overlay District shown on Map A for 23.73.004, departures from the development standards for floor area exemptions from FAR calculations in subsection 23.73.009.C and for retention of a character structure on a lot in Section 23.73.015 are allowed;

   b. Departures of up to an additional 0.5 FAR may be granted if the applicant demonstrates that:

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

      2) Avoiding development in the tree protection area will reduce the total development capacity of the site.

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

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

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

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

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

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

1) ((development)) Development standards that apply as conditions to additional height in subsections 23.73.014.A and 23.73.014.B, and
2) (the) The provision for receiving sites for transfer of development potential in subsection 23.73.024.B.5;

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

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

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

12. Provisions of Chapter 23.52;

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

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

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

17. Provisions of Chapter 23.58B and Chapter 23.58C;
18. In SM-SLU zones, floor area limits for all uses provided in subsections
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
five percent increase in floor area limit for each story may be granted for structures with non-
residential uses meeting the requirements of subsections 23.48.245.B.1.d.1 and
23.48.245.B.1.d.2;
19. In SM-SLU zones, provisions in Section 23.48.245 for upper-level setbacks;
20. In SM-SLU zones, provisions in Section 23.48.245 limiting the number of
towers permitted per block;
21. In Downtown zones, provisions in Chapter 23.49 for exceeding the base FAR or achieving bonus development;
22. In Downtown zones, provisions in Section 23.49.036 for the minimum size for
planned community developments;
23. In Downtown zones, the average floor area limit for stories in residential use
in Table B for 23.49.058;
24. In Downtown zones, provisions in Section 23.49.041 for combined lot
developments;
25. In the Downtown Mixed Commercial 170 zone, minimum floor-to-floor
height for street-level uses required as a condition of the additional height allowed by subsection
23.49.008.E;
26. In Downtown zones, Downtown view corridor requirements, except that
departures may be granted to allow open railings on upper-level roof decks or on rooftop open
space to project into the required view corridor, if the railings are determined to have a minimal
impact on views;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c) Subsection 23.73.012.B regarding the exception from
width and depth measurements; or

d) Subsection 23.73.014.B regarding the exception allowing for an additional 10 feet in height.

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

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

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

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

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

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

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

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

35. In pedestrian-designated zones, provisions for transparency requirements, as
provided in subsection 23.47A.008.B, except that departures may be granted to reduce the
required transparency from 60 percent to no less than 40 percent of the street-facing facade;

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

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

a. A usable open space that:

1) ((abuts)) Abuts the street;

2) ((is)) Is no more than 4 feet above or 4 feet below the adjacent
sidewalk grade;

3) ((has)) Has a minimum width equal to 30 percent of the width of
the street-facing facade or 20 feet, whichever is greater; and

4) ((has)) Has a minimum depth of 20 feet measured from the
abutting street lot line.

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

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

2) ((is)) Is designed to provide safe pedestrian use, including
signage identifying the passageway; and
38. For lots 40,000 square feet or greater in size, area-specific development standards for Ballard identified in subsections 23.47A.009.F.2, 23.47A.009.F.3, and 23.47A.009.F.4.b, except that departures may be requested if the development provides at least one of the following features:

   a. A usable open space that:

      1) (\textit{abuts}) \textbf{Abuts} the street;

      2) (\textit{is}) \textbf{Is} no more than 4 feet above or 4 feet below the adjacent sidewalk grade;

      3) (\textit{has}) \textbf{Has} a minimum width equal to 30 percent of the width of the street-facing facade or 20 feet, whichever is greater; and

      4) (\textit{has}) \textbf{Has} a minimum depth of 20 feet measured from all street lot lines.

   b. A separation between structures that:

      1) (\textit{has}) \textbf{Has} a minimum east-west dimension width of 20 feet;

      2) (\textit{is}) \textbf{Is} no more than 4 feet above or below the adjacent sidewalk grades; and

      3) (\textit{is}) \textbf{Is} either developed as:

         a) (\textit{a}) \textbf{A} north-south through-block pedestrian passageway;

         b) (\textit{a}) \textbf{A} woonerf;

         c) (\textit{an}) \textbf{An} amenity area that is available for public use and not counting towards the minimum requirement of subsection 23.47A.024; or

         d) (\textit{a}) \textbf{A} combination thereof.
(* * *)

(Map B for 23.41.012 Ballard Municipal Center Master Plan Area)
Map (C) B for 23.41.012 Upper Queen Anne Commercial Areas
Section 3. This ordinance shall take effect and be in force 30 days after its approval by
the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ______ day of ________________________, 2019,
and signed by me in open session in authentication of its passage this _____ day of
________________________, 2019.

___________________________

President ___________ of the City Council

Approved by me this _______ day of ________________________, 2019.

___________________________

Jenny A. Durkan, Mayor

Filed by me this ______ day of ________________________, 2019.

___________________________

Monica Martinez Simmons, City Clerk

(Seal)
Attachments:

Att 1 – Ballard Neighborhood Design Guidelines, 2019