

Chapter 23.69 - MAJOR INSTITUTION OVERLAY DISTRICT

Sections:

Subchapter I - Establishment of Overlay District

23.69.002 - Purpose and intent.

The purpose of this chapter is to regulate Seattle's major educational and medical institutions in order to:

- A. Permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;
- B. Balance a Major Institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods;
- C. Encourage the concentration of Major Institution development on existing campuses, or alternatively, the decentralization of such uses to locations more than two thousand five hundred (2,500) feet from campus boundaries;
- D. Provide for the coordinated growth of major institutions through major institution conceptual master plans and the establishment of major institutions overlay zones;
- E. Discourage the expansion of established major institution boundaries;
- F. Encourage significant community involvement in the development, monitoring, implementation and amendment of major institution master plans, including the establishment of citizen's advisory committees containing community and major institution representatives;
- G. Locate new institutions in areas where such activities are compatible with the surrounding land uses and where the impacts associated with existing and future development can be appropriately mitigated;
- H. Accommodate the changing needs of major institutions, provide flexibility for development and encourage a high quality environment through modifications of use restrictions and parking requirements of the underlying zoning;
- I. Make the need for appropriate transition primary considerations in determining setbacks. Also setbacks may be appropriate to achieve proper scale, building modulation, or view corridors; ...as well as retain existing trees or provide space for planting new trees.
- J. Allow an increase to the number of permitted parking spaces only when it is 1) necessary to reduce parking demand on streets in surrounding areas, and 2) compatible with goals to minimize traffic congestion in the area;
- K. Use the TMP to reduce the number of vehicle trips to the major institution, minimize the adverse impacts of traffic on the streets surrounding the institution, minimize demand for parking on nearby streets, especially residential streets, and minimize the adverse impacts of institution-related parking on nearby streets. To meet these objectives, seek to reduce the number of SOVs used by employees and students at peak time and destined for the campus;
- L. Through the master plan: 1) give clear guidelines and development standards on which the major institutions can rely for long-term planning and development; 2) provide the neighborhood advance notice of the development plans of the major institution; 3) allow the

city to anticipate and plan for public capital or programmatic actions that will be needed to accommodate development; and 4) provide the basis for determining appropriate mitigating actions to avoid or reduce adverse impacts from major institution growth; and

M. Encourage the preservation, restoration and reuse of designated historic buildings.

(Ord. 120691 § 21, 2001: Ord. 117929 § 8, 1995: Ord. 115002 § 23(part), 1990.)

23.69.004 - Major Institution Overlay District established.

There is hereby established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Major Institution Overlay District, which shall overlay each Major Institution designated according to the provisions of Section 23.69.024. All land within the Major Institution Overlay (MIO) District shall be designated with one (1) of the following height limits as shown on the Official Land Use Map, Chapter 23.32:

Designation	Height Limit
MIO-37	37 feet
MIO-50	50 feet
MIO-65	65 feet
MIO-70	70 feet
MIO-90	90 feet
MIO-105	105 feet
MIO-160	160 feet
MIO-200	200 feet
MIO-240	240 feet

(Ord. 118414 § 50, 1996: Ord. 115002 § 23(part), 1990.)

23.69.006 - Application of regulations.

- A. All land located within the Major Institution Overlay District shall be subject to the regulations and requirements of the underlying zone unless specifically modified by this chapter or an adopted master plan. **In the event of irreconcilable differences between the provisions of this chapter and the underlying zoning regulations, the provisions of this chapter shall apply.**
- B. For the University of Washington, notwithstanding subsection A of this section above, the 1998 agreement between The City of Seattle and the University of Washington, or its successor, shall govern relations between the City and the University of Washington, the master plan process

(formulation, approval and amendment), uses on campus, uses outside the campus boundaries, off-campus land acquisition and leasing, membership responsibilities of CUCAC, transportation policies, coordinated traffic planning for special events, permit acquisition and conditioning, relationship of current and future master plans to the agreement, zoning and environmental review authority, resolution of disputes, and amendment or termination of the agreement itself. Within the Major Institution Overlay (MIO) Boundaries for the University of Washington. development standards of the underlying zoning may be modified by an adopted master plan, or by an amendment or replacement of the 1998 agreement between the City of Seattle and University of Washington.

(Ord. 120691 § 22, 2001; Ord. 118981 § 3, 1998; Ord. 115002 § 23(part), 1990.)

23.69.007 - Definition of development.

- A. "development" is the establishment of any new Major Institution use or the expansion of an existing Major Institution use, the relocation of an existing Major Institution use for a period of at least one (1) year, or the vacation of streets for such uses.

(Ord. 115002 § 23(part), 1990.)

Subchapter II - Use Provisions

23.69.008 - Permitted uses.

- A. All uses that are functionally integrated with, or substantively related to, the central mission of a Major Institution or that primarily and directly serve the users of an institution shall be defined as Major Institution uses and shall be permitted in the Major Institution Overlay (MIO) District. Major Institution uses shall be permitted either outright or as conditional uses according to the provisions of Section 23.69.012. Permitted Major Institution uses shall not be limited to those uses which are owned or operated by the Major Institution.
- B. The following characteristics shall be among those used by the Director to determine whether a use is functionally integrated with, or substantively related to, the central mission of the Major Institution. No one (1) of these characteristics shall be determinative:
1. Functional contractual association;
 2. Programmatic integration;
 3. Direct physical circulation/access connections;
 4. Shared facilities or staff;
 5. Degree of interdependence;
 6. Similar or common functions, services, or products.
- C. Major Institution uses shall be subject to the following:
1. Major Institution uses which are determined to be heavy traffic generators or major noise generators shall be located away from abutting residential zones;
 2. Uses which require the presence of a hazardous chemical, extremely hazardous substance or toxic chemical that is required to be reported under Title III of the Superfund Amendments and Reauthorization Act of 1986 or its associated regulations, shall be reviewed by the Director. The Director shall consult with Public Health—Seattle & King County and The City of Seattle Fire Department.

Based on this consultation and review, the Director may prohibit the use, or impose conditions regulating the amount and type of such materials allowed on-site, or the procedures to be used in handling hazardous or toxic materials;

3. Where the underlying zone is commercial, uses at street level shall complement uses in the surrounding commercial area and be located in a manner that provides continuity to the commercial street front. Where the underlying zoning is a pedestrian-designated zone, the provisions of Section 23.47A.005 governing street-level uses shall apply.
- D. When a use is determined to be a Major Institution use, it shall be located in the same MIO District as the Major Institution with which it is functionally integrated, or to which it is related, or the users of which it primarily and directly serves. To locate outside but within two thousand five hundred (2,500) feet of that MIO District, a Major Institution use shall be subject to the provisions of Section 23.69.022.
- E. Major Institution uses, outside of, but within two thousand five hundred (2,500) feet of the boundary of the MIO District, which were legally established as of January 1, 1989 and are located on sites which are not contiguous with the MIO District shall be permitted uses in the zone in which they are located when:
 1. The use is located on a lot which was contained within the boundary of an MIO District as it existed on May 2, 1990; or
 2. The site was deleted from the MIO District by master plan amendment or renewal according to the provisions of Sections 23.69.035 and 23.69.036.
- F. Uses other than those permitted under subsections A and B of this section shall be subject to the use provisions and development standards of the underlying zone.

(Ord. 123668, § 1, 2011; Ord. 122311, § 84, 2006; Ord. 118362 § 10, 1996; Ord. 115002 § 23(part), 1990.)

23.69.012 - Conditional uses.

- A. All conditional uses shall be subject to the following:
 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.
 2. The benefits to the public of the use shall outweigh the negative impacts of the use.
 3. In authorizing a conditional use, adverse impacts may be mitigated by imposing conditions such as landscaping and screening, vehicular access controls and **any other measures needed to mitigate adverse impacts on other properties in the zone or vicinity and to protect the public interest.** The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.
- B. Administrative Conditional Uses.
 1. Development otherwise requiring preparation of a master plan may be permitted by the Director as an administrative conditional use according to the standards of Section 23.69.033.
 2. In considering an application for a conditional use, the Director's decision shall be based on the following criteria:
 - a. Parking areas and facilities, trash and refuse storage areas, ventilating mechanisms and other noise-generating or odor-generating equipment, fixtures or facilities shall be located so as to minimize noise and odor impacts on the surrounding area. The Director may

this appears to be where the UFSP can be used to inform canopy decline. 1:1 or 2:1 ratio depending on the available space

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require measures such as landscaping, sound barriers, fences, mounding or berming, adjustments to parking location or setback development standards, design modification, limits on hours of operation or other similar measures to mitigate impacts; and

- b. Required landscaping shall be compatible with neighboring properties. Landscaping in addition to that required by the Code may be required to reduce the potential for erosion or excessive stormwater runoff, to minimize coverage of the site by impervious surfaces, to screen parking, or to reduce noise or the appearance of bulk and scale; and
- c. Traffic and parking impacts shall be minimized; and
- d. To reduce the impact of light and glare, exterior lighting shall be shielded or directed away from residentially zoned properties. The Director may require that the area, intensity, location or angle of illumination be limited.

C. Council Conditional Uses. Helistops, when determined to meet the criteria of Section 23.69.008, may be permitted by the Council as a Council Conditional Use when:

- 1. The helistop is needed to save lives; and
- 2. Use of the helistop is restricted to life-threatening emergencies; and
- 3. The helistop is located so as to minimize impacts on the surrounding area.

The Director's report to the Council shall examine alternative locations for the helistop as identified by the major institution, including sites outside the institution's boundaries, which would accomplish the purpose of the helistop with a lesser impact upon the surrounding area.

(Ord. 115043 § 14, 1990; Ord. 115002 § 23(part), 1990.)

Subchapter IV - Development Standards

23.69.020 - Development standards.

- A. Major Institution uses shall be subject to the development standards for institutions of the underlying zone in which they are located, except for the dispersion requirements of the underlying zoning for institutions.
- B. Development standards for Major Institution uses within the Major Institution Overlay District, except the provisions of Chapter 23.52, may be modified through adoption of a Major Institution Master Plan according to the provisions established in Subchapter VI, Part 2 of this chapter.
- C. Maximum structure heights for structures containing Major Institution uses may be allowed up to the limits established pursuant to Section 23.69.004 through the adoption of a master plan for the Major Institution. A rezone shall be required to increase maximum structure height limits above levels established pursuant to Section 23.69.004.
- D. The demolition of structures containing residential uses which are not Major Institution uses shall be prohibited if the demolition is intended to provide a parking lot or structure to accommodate nonrequired parking or to reduce a parking deficit.
- E. When a pedestrian designation in a commercial zone occurs along a boundary or within a campus, the blank facade standards of the underlying zoning shall apply.

(Ord. 117383 § 10, 1994; Ord. 115002 § 23(part), 1990.)

23.69.021 - Signs in Major Institution Overlay Districts

A. General Standards.

- 1. Signs shall be stationary and shall not rotate.

2. No flashing, changing-image, message board signs or signs using video display methods, except as permitted as defined in Section 23.55.005, Video display methods, shall be permitted.
 3. Signs may be electric, externally illuminated, or nonilluminated.
- B. The following signs are permitted in all Major Institution overlay districts, regardless of the facing zone:
1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;
 2. Memorial signs or tablets, and the names of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;
 3. Signs for public facilities indicating danger and/or providing service or safety information;
 4. National, state and institutional flags.
- C. Signs across a street, alley or easement from a residential zone, and signs which face an abutting lot in a residential zone, shall meet the following standards:
1. Sign area shall be limited to:
 - a. Thirty-five (35) square feet per sign face for main entrance signs;
 - b. Such size as is necessary for emergency entrance signs to be clearly visible; and
 - c. Twenty (20) square feet per sign face for all other signs.
 2. The number of signs permitted shall be as follows:
 - a. One (1) identifying sign for each use per street frontage; plus
 - b. One (1) sign for each entrance to the institution; plus
 - c. Emergency entrance and directional signs as necessary.
 3. Pole, ground, roof, wall, marquee, under-marquee, projecting or combination signs shall be permitted.
 4. The maximum height of any portion of a pole sign shall be twelve (12) feet.
 5. No portion of a roof sign shall:
 - a. Extend beyond the height limit of the overlay district;
 - b. Exceed a height above the roof in excess of the height of the structure on which the sign is located; or
 - c. Exceed a height of thirty (30) feet above the roof, measured from a point on the roofline directly below the sign or from the nearest adjacent parapet.
- D. Signs across from nonresidential zones shall have no area, type or number limitations.
- E. Off-premises signs shall not be permitted, except for sign kiosks.
- (Ord. 123046, § 52, 2009; Ord. 120466 § 9, 2001; Ord. 120388 § 14, 2001; Ord. 118362 § 13, 1996; Ord. 115165 § 12, 1990.)

Subchapter V - Uses Outside a Major Institution Overlay District

23.69.022 - Uses permitted within 2,500 feet of a Major Institution Overlay District

- A. A Major Institution shall be permitted to lease space, or otherwise locate a use outside a Major Institution Overlay (MIO) District, and within 2,500 feet of the MIO District boundary, subject to the following limitations:
1. The provisions of this Section 23.69.022 shall not apply to contractual arrangements with

other entities, except for leases or other agreements for occupying space.

2. No such use shall be allowed at street level in a commercial zone, unless the use is determined to be similar to a general sales and service use, eating and drinking establishment, major durables retail sales, entertainment use or child care center and is allowed in the zone. If the use is allowed in the zone but is determined not to be similar to a general sales and service use, eating and drinking establishment, major durables retail sales, entertainment use or child care center, the Director may not allow the use at street level in a commercial zone unless provided otherwise in an adopted master plan or in a Council-approved neighborhood plan;
 3. Except as permitted in an adopted master plan, the use shall not result in the demolition of a structure(s) that contains a residential use nor shall it change a residential use to a nonresidential use.
 4. The use(s) shall conform to the use and development standards of the applicable zone.
 5. The use shall be included in the Major Institution's approved Transportation Management Program if it contains students or employees of the Major Institution.
 6. If a Master Use Permit is required for the use, the Director shall notify the Advisory Committee of the pending permit application and the committee shall be given the opportunity to comment on the impacts of the proposed use.
- B. A medical service use that is over 10,000 square feet shall be permitted to locate within 2,500 feet of a medical MIO District only as an administrative conditional use subject to the conditional use requirements of subsection 23.47A.006.A.4 or subsection 23.50.014.B.12.
- C. A Major Institution that leases space or otherwise locates a use in a Downtown zone shall not be subject to the limitations established in subsection 23.69.022.A or 23.69.022.B with respect to that space or use, except that subsections 23.69.022.A.3 and 23.69.022.A.4 shall apply.
- D. A Major Institution that leases space or otherwise locates a use in a Master Planned Community zone is not subject to the limitations established in subsection 23.69.022.A or 23.69.022.B with respect to that space or use, except that subsection 23.69.022.A.4 applies.
- (Ord. [123963](#), § 25, 2012; Ord. No. [123209](#), § 63, 2009; Ord. [122311](#), § 85, 2006; Ord. [118362](#) § 15, 1996; Ord. [115165](#) § 3, 1990; Ord. [115043](#) § 15, 1990; Ord. [115002](#) § 23(part), 1990.)

23.69.023 - Major Institution acquisition, merger or consolidation.

- A. Notwithstanding any other provisions of Title 23, one (1) Major Institution may acquire, merge with, or otherwise consolidate with, another Major Institution.
- B. Within ten (10) days of the acquisition, merger or consolidation, the new/surviving Major Institution shall notify the Director of the acquisition, merger or consolidation and the name of the new/surviving Major Institution. Upon receiving this notice, the Director shall adjust the Official Land Use Map to reflect a single, combined Major Institution Overlay (MIO) District, with the single name of the new/surviving Major Institution, but only if the two institutions are contiguous. The entire MIO District of each Major Institution shall be included in the single, combined MIO District.
- C. When the determination to prepare a master plan is made pursuant to Section 23.69.026 and after acquisition, merger or consolidation, the new/surviving institution shall prepare the master plan according to the following:
 - 1.

If the two former institutions were not contiguous, the new/surviving institution has the option of preparing a joint master plan for both contiguous portions of the Major Institution or a separate master plan for the contiguous portion of the Major Institution for which the master plan requirement is triggered.

2. If the two former institutions were contiguous, the new/surviving institution must prepare a master plan for the single, combined Major Institution.

(Ord. 118362 § 16, 1996; Ord. 116744 § 55, 1993; Ord. 115165 § 4, 1990.)

Subchapter VI - Procedures

Part 1 Major Institution Designation

23.69.024 - Major Institution designation

- A. Major Institution designation shall apply to all institutions that conform to the definition of Major Institution.
- B. New Major Institutions.
 1. When a medical or educational institution makes application for new development, or when a medical or educational institution applies for designation as a Major Institution, the Director will determine whether the institution meets, or would meet upon completion of the proposed development, the definition of a Major Institution in Section 23.84A.025. Measurement of an institution's site or gross floor area in order to determine whether it meets minimum standards for Major Institution designation shall be according to the provisions of Section 23.86.036.
 2. If the Director determines that Major Institution designation is required, the Director may not issue any permit that would result in an increase in area of Major Institution uses until the institution is designated a Major Institution, a Major Institution Overlay District is established, and a master plan is prepared according to the provisions of Part 2, Major Institution Master Plan.
 3. The Director's determination that an application for a Major Institution designation is required will be made in the form of an interpretation subject to the procedures of Section 23.88.020.
 4. The procedures for designation of a Major Institution are as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The Council will grant or deny the request for Major Institution designation by resolution.
 5. If the Council designates a new Major Institution, a Major Institution Overlay District must be established by ordinance according to the procedures for amendments to the Official Land Use Map (rezones) in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.
 6. A new Major Institution Overlay District may not be established and a Major Institution Overlay District Boundary may not be expanded in single-family or Industrial zones.
 7. Boundaries of a Major Institution Overlay District and maximum height limits shall be established or amended in accordance with the rezone criteria contained in Section 23.34.124, and the purpose and intent of this chapter as described in Section 23.69.002, except that acquisition, merger or consolidation involving two Major Institutions is governed by the provisions of Section 23.69.023.
- C.

The MIO district designation, including height limits and master plan provisions when one has been adopted, shall be revoked for an institution which no longer meets the definition of a Major Institution. The applicable zoning provisions shall be the provisions of the existing underlying zoning classification. When an MIO district designation of an institution is to be revoked, the City may consider rezoning the institution campus. Upon determination that an institution no longer meets the definition of a Major Institution, the Director shall notify the Council. The revocation of a Major Institution designation shall be subject to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, for Major Institution designation and revocation.

(Ord. 123649, § 47, 2011; Ord. 122311, § 86, 2006; Ord. 120691 § 23, 2001; Ord. 115165 § 6, 1990; Ord. 115002 § 23(part), 1990.)

Part 2 Major Institution Master Plan

23.69.025 - Intent of Major Institution master plans.

The intent of the Major Institution Master Plan shall be to balance the needs of the Major Institutions to develop facilities for the provision of health care or educational services with the need to minimize the impact of Major Institution development on surrounding neighborhoods.

(Ord. 115002 § 23(part), 1990.)

23.69.026 - Determination to prepare a master plan.

- A. Any Major Institution may elect to prepare a master plan.
- B. A Major Institution without an adopted master plan or with a master plan that includes an expiration date and that was adopted under Code provisions prior to the 1996 Major Institutions Ordinance shall be required to prepare a master plan in the following circumstances:
 - 1. The establishment of a new Major Institution Overlay (MIO) District is required according to Section 23.69.024; or
 - 2. Expansion of an MIO District boundary or change in a MIO District height designation is proposed; or
 - 3. An application is filed for a structure containing Major Institution use(s) that is located within the MIO District and would exceed the development standards of the underlying zone and is not permitted under an existing master plan, provided other means of modifying development standards that apply to similar uses located in the zone may also be sought; or
 - 4. A Major Institution proposes to demolish or change the use of a residential structure inside the boundaries of an MIO District, provided that a master plan need not be prepared when:
 - a. The use is changed to housing for the institution, or
 - b. Not more than two (2) structures containing not more than a total of four (4) dwelling units are demolished or changed to a nonresidential use within a two (2) year period and are replaced in the general vicinity by the same number of dwelling units.
- C. A Major Institution with an adopted master plan that is not subject to subsection B of this section shall be required to prepare a new master plan in the following circumstances:
 - 1. The Major Institution proposes to increase the total amount of gross floor area allowed or the total number of parking spaces allowed within the MIO District; or
 - 2. A master plan has been in effect for at least ten (10) years and the institution proposes to

not specific enough; recommend applying a SF threshold, i.e. greater than 2000 SF or reduction of two or more trees

- expand the MIO District boundaries; or
3. A master plan has been in effect for at least ten (10) years and the institution proposes an amendment to the master plan that is determined to be major according to the provisions of Section 23.69.035, and the Director determines that conditions have changed significantly in the neighborhood surrounding the Major Institution since the master plan was adopted.
- D. A master plan shall not be required for replacement of existing structures where the replacement structure:
1. Would be located on the same lot; and
 2. Would not contain uses which would require a change of use and which the Director determines would not result in an increase in adverse impacts on the surrounding area; and
 3. Would not exceed the height of the existing structure; and
 4. Would not represent a significant increase in bulk over the existing structure; and
 5. Would not represent a significant increase in gross floor area over the existing structure; and
 6. **Would not significantly reduce existing open area or landscaping.**
- E. If an institution proposes a major amendment of unusual complexity or size, the Advisory Committee may recommend, and the Director may require, that the institution develop a new master plan.
- F. The Director shall determine whether a master plan is required. The Director's determination shall be final and shall not be subject to an interpretation or appeal.

(Ord. 118362 § 17, 1996; Ord. 115165 § 7, 1990; Ord. 115002 § 23(part), 1990.)

23.69.028 - Major Institution master plan-General provisions.

- A. A master plan may modify the following:
1. Any development standard of the underlying zone, including structure height up to the limit established by the Major Institution Overlay (MIO) District;
 2. Limits on housing demolition or conversion within the boundaries of the MIO District;
 3. Limits on Major Institution uses at street level outside, but within two thousand five hundred feet (2,500') of, a MIO District Boundary;
 4. Single-occupancy vehicle goals and maximum parking limitations.
- B. Except as provided in Section 23.69.033, an application for a permit for development which requires preparation of a master plan shall not be approved prior to adoption of the master plan by the Council.
- C. Changes to the boundaries of the MIO District or to a MIO District height limit shall require a rezone in addition to adoption of a master plan or major amendment, except that a boundary adjustment caused by the acquisition, merger or consolidation of two (2) contiguous Major Institutions shall be governed by the provisions of Section 23.69.023.

(Ord. 118362 § 18, 1996; Ord. 115165 § 8, 1990; Ord. 115002 § 23(part), 1990.)

23.69.030 - Contents of a master plan

- A. The master plan is a conceptual plan for a Major Institution consisting of three components: the development standards component, the development program component and the transportation management program component.
- B.

The development standards component in an adopted master plan shall become the applicable regulations for physical development of Major Institution uses within the MIO District and shall supersede the development standards of the underlying zone. Where standards established in the underlying zone have not been modified by the master plan, the underlying zone standards shall continue to apply. Proposed development standards shall be reviewed according to the criteria contained in Section 23.69.032 E, Draft Report and Recommendation of the Director. The development standards component may be changed only through a master plan amendment.

- C. The development standards component of a master plan shall include the following:
1. Existing underlying zoning of the area within the boundaries of the MIO District. If a change to the underlying zoning is proposed, the master plan shall identify the proposed zone(s), and the master plan shall be subject to rezone approval according to the procedures of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions; and
 2. If modifications to the underlying zone development standards are proposed, the proposed modifications and reasons for the proposed modifications or for special standards tailored to the specific institution; and
 3. Standards in the master plan shall be defined for the following:
 - a. Structure setbacks along public rights-of-way and at the boundary of the MIO District,
 - b. Height limits as provided for in Section 23.69.004,
 - c. Lot coverage for the entire MIO District,
 - d. Landscaping, recommend including 1:1 tree replacement and 1 tree/1000 SF of plant-able area at a minimum
 - e. Percentage of MIO District to remain in open space; and
 4. The Major Institution may choose or the Director may require the Major Institution to address the following:
 - a. Transition in height and scale between development within the MIO District and development in the surrounding area,
 - b. Width and depth limits for structures or measures by which a reduction in the apparent bulk of a structure may be achieved,
 - c. Setbacks between structures which are not located on a public right-of-way or along the boundary of the MIO District,
 - d. Preservation of historic structures which are designated on federal, state or local registers,
 - e. View corridors or other specific measures intended to mitigate the impact of Major Institution development on the surrounding area,
 - f. Pedestrian circulation within and through the MIO District.
- D. The development program component shall include the information set forth in subsection E of this section. With regard to future development, the development program component shall describe planned physical development, defined as development which the Major Institution has definite plans to construct. The development program may describe potential physical development or uses for which the Major Institution's plans are less definite. The development program may be amended according to the provisions of Section 23.69.035 without requiring amendment of the development standards component.
- E. The development program component shall include the following:

1. A description of alternative proposals for physical development including an explanation of the reasons for considering each alternative, but only if an Environmental Impact Statement is not prepared for the master plan; and
2. Density as defined by total maximum developable gross floor area for the MIO District and an overall floor area ratio (FAR) for the MIO District. Limits on total gross floor area and floor area ratios may also be required for sub-areas within the MIO District but only when an MIO District is over 400 acres in size or when an MIO District has distinct geographical areas; and
3. The maximum number of parking spaces allowed for the MIO District; and
4. A description of existing and planned future physical development on a site plan that shall contain:
 - a. The height, description, gross floor area and location of existing and planned physical development, and
 - b. The location of existing open space landscaping and screening, and areas of the MIO District to be designated open space. Designated open space shall be open space within the MIO District that is significant and serves as a focal point for users of the Major Institution. Changes to the size or location of designated open space requires an amendment pursuant to Section 23.69.035, and
 - c. Existing public and private street layout, and
 - d. Existing and planned parking areas and structures; and
5. A site plan showing: property lines and ownership of all properties within the applicable MIO District, or areas proposed to be included in an expanded MIO District, and all structures and properties a Major Institution is leasing or using or owns within 2,500 feet of the MIO District; and
6. Three-dimensional drawings to illustrate the height, bulk and form of existing and planned physical development. Information on architectural detailing such as window placement and color and finish materials is not required; and
7. A site plan showing any planned infrastructure improvements and the timing of those improvements; and
8. A description of planned development phases and plans, including development priorities, the probable sequence for such planned development and estimated dates of construction and occupancy; and
9. A description of any planned street or alley vacations or the abandonment of existing rights-of-way; and
10. At the option of the Major Institution, a description of potential uses, development, parking areas and structures, infrastructure improvements or street or alley vacations. Information about potential projects is for the purpose of starting a dialogue with the City and the community about potential development, and changes to this information will not require an amendment to the master plan; and
11. An analysis of the proposed master plan's consistency with the purpose and intent of this chapter as described in Section 23.69.002; and
12. A discussion of the Major Institution's facility decentralization plans and/or options, including leasing space or otherwise locating uses off-campus; and
- 13.

A description of the following shall be provided for informational purposes only. The Advisory Committee, pursuant to Section 23.69.032.D.1, may comment on the following but may not subject these elements to negotiation nor shall such review delay consideration of the master plan or the final recommendation to Council:

- a. A description of the ways in which the institution will address goals and applicable policies under Education and Employability and Health in the Human Development Element of the Comprehensive Plan, and
 - b. A statement explaining the purpose of the development proposed in the master plan, including the public benefits resulting from the proposed new development and the way in which the proposed development will serve the public purpose mission of the Major Institution.
- F. The Transportation Management Program component shall satisfy the requirements of Section 23.54.016. The Transportation Management Program shall include, at a minimum, the following:
1. A description of existing and planned parking, loading and service facilities, and bicycle, pedestrian and traffic circulation systems within the institutional boundaries and the relationship of these facilities and systems to the external street system. This shall include a description of the Major Institution's impact on traffic and parking in the surrounding area; and
 2. Specific institutional programs to reduce traffic impacts and to encourage the use of public transit, carpools and other alternatives to single-occupant vehicles. Any specific agreements with the City for the provision of alternative modes of transportation shall also be included.
- G. Environmental information and the master plan may be integrated into one (1) document.
- H. Where two (2) or more institutions are located in close proximity to one another, the Director may require their combined land use, traffic and parking impacts on the surrounding area to be evaluated in the master plan for each institution.

(Ord. 123649, § 48, 2011; Ord. 122173, § 1, 2006; Ord. 120691 § 24, 2001; Ord. 118794 § 42, 1997; Ord. 118362 § 19, 1996; Ord. 115002 § 23(part), 1990.)

23.69.032 - Master plan process

- A. Not less than 60 days prior to applying for a master plan, the institution shall file a notice of intent to prepare a master plan with the Director.
- B. Formation of a Citizens Advisory Committee
 1. Immediately following submittal of a notice of intent to prepare a master plan, the institution shall initiate the establishment of a Citizens Advisory Committee of at least six (6), but no more than twelve (12) members. In addition, all institutions with adopted master plans shall have a standing Advisory Committee.
 2. Where there is more than one (1) Major Institution in the same general area, as determined by the Director, a single Advisory Committee serving more than one (1) institution may be permitted.
 3. The institution, in consultation with the Director of the Department of Neighborhoods, shall develop a list of potential members to serve on the Advisory Committee. Groups from which members may be selected for appointment to the advisory committee shall include area community groups, residents, property owners, and business persons; consumer groups using the services of the institution; and any other persons or organizations directly affected

by the actions of the institution. One member of the Advisory Committee shall be selected from persons in the area participating in neighborhood planning. One member of the Advisory Committee shall be a general community or citywide organization representative. To the extent possible, members of the Advisory Committee should possess expertise or experience in such areas as neighborhood organization and issues, land use and zoning, architecture or landscape architecture, economic development, building development and educational or medical services. A nonmanagement representative of the institution shall be included.

4. Members of the Advisory Committee shall have no direct economic relationship with the institution except as provided in subsection B3.
 5. The Director of the Department of Neighborhoods shall review the list of potential members and recommend to the Council those individuals appropriate to achieve a balanced, independent and representative committee. After the recommendation has been submitted, the Department of Neighborhoods may convene the Advisory Committee. The Council may confirm the Advisory Committee composition, make changes in the size and/or composition of the Advisory Committee, or remand the matter to the Director of the Department of Neighborhoods for further action. The Council shall establish the final composition of the committee through a memorandum of agreement with the institution, prepared by the Department of Neighborhoods, and adopted by resolution.
 6. Four nonvoting, ex-officio members of the Advisory Committee shall represent the Major Institution, the Department of Planning and Development, the Department of Neighborhoods and Seattle Department of Transportation.
 7. The Committee shall be staffed by the Department of Neighborhoods with the cooperation and assistance of the Major Institution. Technical assistance to the committee shall be provided by the Department of Planning and Development, Seattle Department of Transportation and the Department of Neighborhoods.
 8. During the master plan review and adoption process, the Council may, in the interest of ensuring representative community participation on the Advisory Committee, amend the size and/or composition of the Advisory Committee.
 9. The City-University Community Advisory Committee (CUCAC) shall serve as the Advisory Committee for the University of Washington.
 10. The Director of the Department of Neighborhoods shall promulgate rules applicable to advisory committees, including terms of office, selection of chairpersons, and methods of conflict resolution.
- C. Application for a Master Plan.
1. Within one hundred twenty (120) days of filing a notice of intent to prepare a master plan, the institution shall submit an application and applicable fees for a master plan. This application shall include an environmental checklist and a concept plan. The requirement for the environmental checklist may be waived if the Director and the Major Institution agree that an Environmental Impact Statement (EIS) will be prepared. The concept plan shall consist of the following:
 - a. Proposed institution boundaries; and
 - b. A proposed site plan including planned development and an estimate of total gross floor area proposed by the Major Institution; and

- c. Planned uses; and
 - d. Any planned street vacations and planned parking location and access; and
 - e. A description of alternative proposals for physical development and decentralization options, including a detailed explanation of the reasons for considering each alternative; and
 - f. A description of the uses and character of the neighborhood surrounding the major institution and how the Major Institution relates to the surrounding area. This shall include pedestrian connections, physical and visual access to surrounding amenities and services, and the relationship of the Major Institution to other Major Institution development within two thousand five hundred (2,500) feet of its MIO District boundaries.
2. The Advisory Committee shall review and may submit comments on the concept plan and if there is one, the environmental checklist.
 3. After an application for a master plan has been filed, the Director, in consultation with the institution and the Advisory Committee, shall prepare a schedule for the completion of the master plan. The timelines described in this section shall be goals, and shall form the basis for the master plan schedule. The goal of the City Council shall be to make a decision on the master plan within twenty-four (24) months from the date of application.
 4. Notice of application for a master plan shall be provided as required by Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.
- D. Development of Master Plan.
1. The Advisory Committee shall participate directly in the formulation of the master plan from the time of its preliminary concept so that the concerns of the community and the institution are considered. The primary role of the Advisory Committee is to work with the Major Institution and the City to produce a master plan that meets the intent of Section 23.69.025. Advisory Committee comments shall focus on identifying and mitigating the potential impacts of institutional development on the surrounding community based on the purpose and intent of this chapter as described in Section 23.69.002, and as prescribed in Chapter 25.05, Environmental Policies and Procedures. The Advisory Committee may review and comment on the mission of the institution, the need for the expansion, public benefits resulting from the proposed new development and the way in which the proposed development will serve the public purpose mission of the Major Institution, but these elements are not subject to negotiation nor shall such review delay consideration of the master plan or the final recommendation to Council.
 2. The Advisory Committee shall hold open meetings with the institution and City staff to discuss the master plan and resolve differences. The institution shall provide adequate and timely information to the Advisory Committee for its consideration of the content and level of detail of each of the specific elements of the master plan.
 3. The threshold determination of need for preparation of an Environmental Impact Statement (EIS) shall be made as required by Chapter 25.05, Environmental Policies and Procedures.
 4. If an EIS is required and an institution is the lead agency, it shall initiate a predraft EIS consultation with the Director. The Advisory Committee shall meet to discuss the scope of the document. The Advisory Committee shall submit its comments on the scope of the draft EIS to the lead agency and the Director before the end of the scoping comment period. The lead agency shall prepare a final scope within one week after the end of the scoping period.

5. The institution shall prepare a preliminary draft master plan within 70 days of completion of the final scope of the EIS.
 6. If an EIS is required, the institution or DPD, whichever is lead agency, shall be responsible for the preparation of a preliminary draft EIS within 70 days of the completion of the final scope, or approval of an EIS consultant contract, whichever is later.
 7. The Advisory Committee, the Director of Transportation, the Director, and the institution shall submit comments on the preliminary draft master plan and the preliminary draft EIS to the lead agency within three weeks of receipt, or on the environmental checklist and supplemental studies if an EIS is not required. If DPD is the lead agency, a compiled list of the comments shall be submitted to the institution within ten days of receipt of the comments.
 8. Within three weeks of receipt of the compiled comments, the institution shall review the comments and revise the preliminary draft master plan, if necessary, discussing and evaluating in writing the comments of all parties. The lead agency shall review the comments and be responsible for the revision of the preliminary draft EIS if necessary. If no EIS is required, the lead agency shall review the comments and be responsible for the annotation of the environmental checklist and revisions to any supplemental studies if necessary. Within three weeks after receipt of the revised drafts, the Director shall review the revised drafts and may require further documentation or analysis on the part of the institution. Three additional weeks may be spent revising the drafts for publication.
 9. The Director shall publish the draft master plan. If an EIS is required, the lead agency shall publish the draft EIS.
 10. The Director and the lead agency shall hold a public hearing on the draft master plan and if an EIS is required, on the draft EIS.
 11. The Advisory Committee, the Director of Transportation and the Director shall submit comments on the draft master plan and if an EIS is required, on the draft EIS within six weeks after the issuance of the draft master plan and EIS.
 12. Within 13 weeks after receipt of the comments, the institution shall review the comments on the draft master plan and shall prepare the final master plan.
 13. If an EIS is required, the lead agency shall be responsible for the preparation of a preliminary final EIS, following the public hearing and within six weeks after receipt of the comments on the draft EIS. The Director of Transportation, the Director, and the institution shall submit comments on the preliminary final EIS.
 14. The lead agency shall review the comments on the preliminary final EIS and shall be responsible for the revision of the preliminary final EIS, if necessary. The Director shall review the revised final document and may require further documentation or analysis on the part of the institution.
 15. Within seven weeks after preparation of the preliminary final EIS, the Director shall publish the final master plan and, if an EIS is required, the lead agency shall publish the final EIS.
- E. Draft Report and Recommendation of the Director.
1. Within five (5) weeks of the publication of the final master plan and EIS, the Director shall prepare a draft report on the application for a master plan as provided in Section 23.76.050, Report of the Director.
 - 2.

In the Director's Report, a determination shall be made whether the planned development and changes of the Major Institution are consistent with the purpose and intent of this chapter, and represent a reasonable balance of the public benefits of development and change with the need to maintain livability and vitality of adjacent neighborhoods.

Consideration shall be given to:

- a. The reasons for institutional growth and change, the public benefits resulting from the planned new facilities and services, and the way in which the proposed development will serve the public purpose mission of the major institution; and
 - b. The extent to which the growth and change will significantly harm the livability and vitality of the surrounding neighborhood.
3. In the Director's Report, an assessment shall be made of the extent to which the Major Institution, with its proposed development and changes, will address the goals and applicable policies under Education and Employability and Health in the Human Development Element of the Comprehensive Plan.
4. The Director's analysis and recommendation on the proposed master plan's development program component shall consider the following:
- a. The extent to which the Major Institution proposes to lease space or otherwise locate a use at street level in a commercial zone outside of, but within two thousand five hundred (2,500) feet of, the MIO District boundary that is not similar to a personal and household retail sales and service use, eating and drinking establishment, customer service office, entertainment use or child care center but is allowed in the zone. To approve such proposal, the Director shall consider the criteria in Section 23.69.035 D3;
 - b. The extent to which proposed development is phased in a manner which minimizes adverse impacts on the surrounding area. When public improvements are anticipated in the vicinity of proposed Major Institution development or expansion, coordination between the Major Institution development schedule and timing of public improvements shall be required;
 - c. The extent to which historic structures which are designated on any federal, state or local historic or landmark register are proposed to be restored or reused. Any changes to designated Seattle Landmarks shall comply with the requirements of the Landmarks Preservation Ordinance. ⁽²⁶⁾ The Major Institution's Advisory Committee shall review any application to demolish a designated Seattle Landmark and shall submit comments to the Landmarks Preservation Board before any certificate of approval is issued;
 - d. The extent to which the proposed density of Major Institution development will affect vehicular and pedestrian circulation, adequacy of public facilities, capacity of public infrastructure, and amount of open space provided;
 - e. The extent to which the limit on the number of total parking spaces allowed will minimize the impacts of vehicular circulation, traffic volumes and parking in the area surrounding the MIO District.
5. The Director's analysis and recommendation on the proposed master plan's development standards component shall be based on the following:
- a. The extent to which buffers such as topographic features, freeways or large open spaces are present or transitional height limits are proposed to mitigate the difference between the height and scale of existing or proposed Major Institution development and that of

adjoining areas. Transition may also be achieved through the provision of increased setbacks, articulation of structure facades, limits on structure height or bulk or increased spacing between structures;

- b. The extent to which any structure is permitted to achieve the height limit of the MIO District. The Director shall evaluate the specified limits on structure height in relationship to the amount of MIO District area permitted to be covered by structures, the impact of shadows on surrounding properties, the need for transition between the Major Institution and the surrounding area, and the need to protect views;
- c. The extent to which setbacks of Major Institution development at ground level or upper levels of a structure from the boundary of the MIO District or along public rights-of-way are provided for and the extent to which these setbacks provide a transition between Major Institution development and development in adjoining areas;
- d. The extent to which allowable lot coverage is consistent with permitted density and allows for adequate setbacks along public rights-of-way or boundaries of the MIO District. Coverage limits should insure that view corridors through Major Institution development are enhanced and that area for landscaping and open space is adequate to minimize the impact of Major Institution development within the MIO District and on the surrounding area;
- e. The extent to which landscaping standards have been incorporated for required setbacks, for open space, along public rights-of-way, and for surface parking areas. Landscaping shall meet or exceed the amount of landscaping required by the underlying zoning. Trees shall be required along all public rights-of-way where feasible;
- f. The extent to which access to planned parking, loading and service areas is provided from an arterial street;
- g. The extent to which the provisions for pedestrian circulation maximize connections between public pedestrian rights-of-way within and adjoining the MIO District in a convenient manner. Pedestrian connections between neighborhoods separated by Major Institution development shall be emphasized and enhanced;
- h. The extent to which designated open space maintains the patterns and character of the area in which the Major Institution is located and is desirable in location and access for use by patients, students, visitors and staff of the Major Institution;
- i. The extent to which designated open space, though not required to be physically accessible to the public, is visually accessible to the public;
- j. The extent to which the proposed development standards provide for the protection of scenic views and/or views of landmark structures. Scenic views and/or views of landmark structures along existing public rights-of-way or those proposed for vacation may be preserved. New view corridors shall be considered where potential enhancement of views through the Major Institution or of scenic amenities may be enhanced. To maintain or provide for view corridors the Director may require, but not be limited to, the alternate spacing or placement of planned structures or grade-level openings in planned structures. The institution shall not be required to reduce the combined gross floor area for the MIO District in order to protect views other than those protected under City laws of general applicability.

6.

The Director's report shall specify all measures or actions necessary to be taken by the Major Institution to mitigate adverse impacts of Major Institution development that are specified in the proposed master plan.

- F. Draft Advisory Committee Report.
1. At the same time the Director is preparing a written report on the master plan application, the Advisory Committee shall prepare a written report of its findings and recommendations on the final master plan. The Advisory Committee report shall include, in addition to its recommendations, the public comments it received. The document may incorporate minority reports.
 2. The Advisory Committee report shall set forth any issues which the committee believes were inadequately addressed in the final master plan and final EIS and clearly state the committee's position on these issues.
 3. The Advisory Committee report shall include a record of committee meetings, including the meetings' minutes.
- G. Preparation of Final Director's Report and Final Advisory Committee Report.
1. The Director shall submit the draft Director's report to the Advisory Committee and the institution for their review.
 2. Within three (3) weeks after receipt of the draft Director's Report, the Advisory Committee and the institution shall review and submit comments to the Director on the draft Director's Report.
 3. Within two (2) weeks after receipt of the Advisory Committee's and institution's comments, the Director shall review the comments, and prepare a final Director's report using the criteria in subsection E of this section. The Director shall address each of the issues in the Advisory Committee's comments on the draft Director's Report. In addition, on those issues where the Director's recommendation differs from the Advisory Committee's recommendations, the Director shall include explanation of the difference.
 4. The Director shall submit the final Director's Report to the Advisory Committee.
 5. Within two (2) weeks after receipt of the final Director's Report, the Advisory Committee shall finalize its report according to subsection F of this section. The Advisory Committee report shall also include comments on the final Director's Report.
- H. Hearing Examiner Consideration of the Master Plan.
1. The Hearing Examiner shall review the Director's report and recommendation and the Advisory Committee's report on the Director's report, as provided in Section 23.76.052.
 2. If the Hearing Examiner considers the proposed master plan and all recommendations for changes, alternatives, mitigating measures and conditions, and determines that a significant master plan element or environmental issue was not adequately addressed by the proposed master plan, the Hearing Examiner may request the institution to prepare new proposals on the issues identified, may request the Director to conduct further analysis or provide clarification, and may request the Advisory Committee to reconvene for the limited purpose of commenting on the new proposals. The new proposals shall also be submitted to the Director, Advisory Committee and parties of record for comment. After the new proposals and comments have been received, the Hearing Examiner may:
 - a. Remand the new proposals and Advisory Committee comments and recommendation to

- the Director for further consideration and report; or
- b. Hold the hearing record open for evidence on the new proposals, the Advisory Committee comments and recommendation, and/or any comments pertaining to the limited issues which were presented by other parties of record.
3. The Hearing Examiner shall submit a recommendation to the Council on the proposed master plan within 30 days following the hearing. In addition to the Hearing Examiner's recommendation, the Hearing Examiner shall transmit to the Council the proposed master plan, environmental documentation, the Advisory Committee's reports, and the report and recommendation of the Director.
- I. Council Consideration of the Hearing Examiner's Recommendation.
 1. The Council shall review and consider the Hearing Examiner's recommendation as provided in Section 23.76.054. The goal of the Council shall be to take final action on the Hearing Examiner's recommendation no later than three months after the date it receives the recommendation.
 2. If the Council examines the proposed master plan and all recommendations for changes, alternatives, mitigating measures and conditions, and determines that a significant master plan element was not adequately addressed by the proposed master plan, the Council may remand the master plan for submission of additional information and/or new proposal(s) on the issue determined to be inadequately addressed, in a time frame specified in the remand. The institution shall submit the additional information and/or new proposals to the Advisory Committee, to the parties of record to the Council decision to remand, and to the Director. The Advisory Committee shall prepare and submit comments and a report to the Director. The Director shall submit a report and recommendation on the additional information and/or new proposal(s) to the Hearing Examiner. The Hearing Examiner shall consider the additional information and/or new proposal(s) and submit a recommendation to Council pursuant to subsection 23.69.32.H.
 - J. Council decision
 1. The Council's decision to adopt, adopt with conditions, or deny an application for a Major Institution Master Plan shall comply with the requirements of Section 23.76.056.
 2. Adoption of a master plan shall be by ordinance.
 - K. Requirement for compiled plan. Within 30 days of adoption of a master plan by the Council, the institution shall submit a draft copy of the compiled adopted plan for the Director's review and approval. This compiled plan shall incorporate all changes and conditions imposed during the plan approval process. The Director shall review the compiled plan within 30 days of receipt of the plan, and may request corrections or clarifications if necessary. Upon the Director's approval, the institution shall submit six written copies of the compiled adopted plan to the Director. The Director shall keep one copy and distribute the other five copies to the City Clerk's Office, the Department of Neighborhoods and the Seattle Public Library (one copy for the main downtown library and two copies to go to the two branch libraries nearest the institution). The institution shall also submit one copy of the compiled adopted plan in electronic format for the City to post on the City of Seattle Official Web Site. No Master Use Permit for development first permitted in the adopted plan shall be issued until the compiled plan has been reviewed and approved by the Director except as provided in Section 23.69.033.

(Ord. 124378, § 67, 2013; Ord. 123913, § 3, 2012; Ord. 123649, § 49, 2011; Ord. 122497, § 3, 2007; Ord. 121477, § 43, 2004; Ord. 120691, § 25, 2001; Ord. 118981, § 4, 1998; Ord. 118912, § 37, 1998; Ord. 118794, § 43, 1997; Ord. 118409, § 209, 1996; Ord. 118362, § 20, 1996; Ord. 116744, § 56, 1993; Ord. 115906, § 1, 1991; Ord. 115002, § 23(part), 1990.)

Footnotes:

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Editor's note—The Landmarks Preservation Ordinance is set out at Chapter 25.12 of this Code.

23.69.033 - Approval of master use permits prior to master plan adoption.

An institution may submit an application for development requiring a master plan prior to the master plan's adoption at any time following application for a master plan. The application may be approved if the following conditions are met:

- A. Development proposed in the Master Plan:
 - 1. The Draft Environmental Impact Statement (DEIS) and the draft master plan have been published; and
 - 2. The development standards shall be established through the conditional use process; and either
 - 3. a. The end of the schedule for submittal to Council of the master plan has been reached, and
 - b. Review of the application has been completed by the advisory committee and it has made a recommendation to the Director, and
 - c. The Council has approved the development as a Council Conditional Use according to the criteria of Section 23.69.012 A; or
 - 4. a. The advisory committee has reviewed the application and has recommended by a three-fourths ($\frac{3}{4}$) vote of all advisory committee members, with at least six (6) affirmative votes, approval of the application, and
 - b. The Director has approved the development as an Administrative Conditional Use according to the criteria of Section 23.69.012;
- B. Development not proposed in the Master Plan:
 - 1. The conditions of subsection A of this section have been met; and
 - 2. The institution shall provide a statement describing the unforeseen conditions or circumstances which warrant the need to include the proposed development; and
 - 3. An analysis of the environmental impacts of the new proposal shall be incorporated into the environmental analysis of the proposed master plan and shall be reviewed by the advisory committee; and
 - 4. The published final master plan and final EIS shall be amended to include the proposed development.

(Ord. 118362 § 21, 1996; Ord. 115002 § 23(part), 1990.)

23.69.034 - Effect of master plan adoption.

- A. After a master plan has been adopted, the institution may develop in accordance with the adopted master plan.
- B.

The Director may approve applications requiring a master plan prior to final adoption of the master plan subject to the provisions of Section 23.04.040 F, Section 23.04.040 G, or Section 23.69.033.

- C. The Director shall not issue any permit for any development which has not been included within the master plan unless the institution has met the requirements of Section 23.69.035, Master plan amendment.
- D. Applications for master use permits for development contained in the adopted master plan shall be subject to the requirements of Chapter 25.05, Environmental Policies and Procedures.
- E. The adopted master plan shall be referenced on the Official Land Use Map and placed on file in the Department.
- F. Following adoption of a master plan, the citizens advisory committee shall continue to advise the institution and the City regarding implementation or renewal of the master plan or amendments to the master plan. If more than one (1) major institution is designated within the same general area, individual advisory committees may be consolidated into one (1) committee. The committee shall meet as necessary but no less than once annually to review the status of the master plan.
- G. When a master plan has been adopted prior to the effective date of these provisions¹ and there is no standing advisory committee, an advisory committee shall be established in accordance with the provisions of subsection B of Section 23.69.032 at the time an application for an amendment to the master plan, requiring Council approval, is made.
- H. The Advisory Committee and the neighborhood planning group from the surrounding area, if applicable, will be notified of master use permit (MUP) applications for Major Institution uses within the Major Institution Overlay (MIO) District and for Major Institution structures outside of but within two thousand five hundred feet (2,500') of the MIO District boundaries, and shall have an opportunity to review and comment on the applications if there is a discretionary decision and formal comment period as part of the MUP.
- I. The institution shall provide an annual status report to the Director and the Advisory Committee which shall detail the progress the institution has made in achieving the goals and objectives of the master plan. The annual report shall contain the following information:
 - 1. The status of projects which were initiated or under construction during the previous year;
 - 2. The institution's land and structure acquisition, ownership and leasing activity outside of but within two thousand five hundred feet (2,500') of the MIO District boundary;
 - 3. Progress made in achieving the goals and objectives contained in the transportation management program towards the reduction of single-occupant vehicle use by institution employees, staff and/or students; and
 - 4. Progress made in meeting conditions of master plan approval.

(Ord. 118362 § 22, 1996; Ord. 116744 § 57, 1993; Ord. 115165 § 9, 1990; Ord. 115002 § 23(part), 1990.)

23.69.035 - Changes to master plan.

- A. A proposed change to an adopted master plan shall be reviewed by the Director and determined to be an exempt change, a minor amendment, or a major amendment.
- B. Exempt Changes. An exempt change shall be a change to the design and/or location of a planned structure or other improvement from that shown in the master plan, which the Director shall approve without publishing an interpretation. Any new gross floor area or parking space(s) must be accompanied by a decrease in gross floor area or parking space(s) elsewhere if the total gross

floor area or parking spaces permitted for the entire MIO District or, if applicable, the subarea would be exceeded. Each exempt change must meet the development standards for the MIO District. Exempt changes shall be:

1. Any new structure or addition to an existing structure not approved in the master plan that is twelve thousand (12,000) square feet of gross floor area or less; or
 2. Twenty (20) or fewer parking spaces not approved in the master plan; or
 3. An addition to a structure not yet constructed but approved in the master plan that is no greater than twenty percent (20%) of the approved gross floor area of that structure or twenty thousand (20,000) square feet, whichever is less; or
 4. Any change in the phasing of construction, if not tied to a master plan condition imposed under approval by the Council; or
 5. Any increase in gross floor area below grade.
- C. Amendments. The Advisory Committee shall be given the opportunity to review a proposed minor or major amendment and submit comments on whether it should be considered minor or major, and what conditions (if any) should be imposed if it is minor. The Director shall determine whether the amendment is minor or major according to subsections D and E of this section. The Director's decision that a proposed amendment is minor or major shall be made in the form of an interpretation subject to the procedures of Chapter 23.88, Rules; Interpretation. If the Director and the Major Institution agree that a major amendment is required based on subsection E of this section, the interpretation process may be waived, and the amendment and environmental review process shall be subject to the provisions of subsection G of this section. After the Director makes a decision on whether an amendment is minor or major, the Advisory Committee shall be notified.
- D. Minor Amendments. A proposed change to an adopted master plan shall be considered and approved as a minor amendment when it is not an exempt change according to subsection B of this section, when it is consistent with the original intent of the adopted master plan, and when it meets at least one of the following criteria:
1. The amendment will not result in significantly greater impacts than those contemplated in the adopted master plan; or
 2. The amendment is a waiver from a development standard or master plan condition, or a change in the location or decrease in size of designated open space, and the proposal does not go beyond the minimum necessary to afford relief and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the Major Institution is located; or
 3. The amendment is a proposal by the Major Institution to lease space or otherwise locate a use at street level in a commercial zone outside an MIO District, and within two thousand five hundred feet (2,500') of the MIO District boundary, and the use is allowed in the zone for but not permitted pursuant to Section 23.69.022. In making the determination whether the amendment is minor, the Director shall consider the following factors:
 - a. Whether an adequate supply of commercially zoned land for business serving neighborhood residents will continue to exist, and
 - b. Whether the use will maintain or enhance the viability or long term potential of the neighborhood-serving character of the area, and
 - c.

Whether the use will displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of personal and household retail sales and service uses, and

- d. Whether the use supports neighborhood planning goals and objectives as provided in a Council-approved neighborhood plan.
- E. Major Amendments. A proposed change to an adopted master plan shall be considered a major amendment when it is not an exempt change according to subsection B of this section or a minor amendment according to subsection D of this section. In addition, any of the following shall be considered a major amendment:
1. An increase in a height designation or the expansion of the boundary of the MIO District; or
 2. Any change to a development standard that is less restrictive; or
 3. A reduction in housing stock outside the boundary but within two thousand five hundred feet (2,500') of the MIO District, other than within a Downtown zone, that exceeds the level approved in an adopted master plan; or
 4. A change to the single-occupancy vehicle goal of an approved transportation management program that increases the percentage of people traveling by single-occupancy vehicle; or
 5. A use that requires Council Conditional Use approval, including but not limited to a helistop or a major communication utility, that was not described in an adopted master plan; or
 6. The update of an entire development program component of a master plan that was adopted under Code provisions prior to the 1996 Major Institutions Ordinance where the institution proposes an increase to the total amount of gross floor area allowed or the total number of parking spaces allowed under the institution's existing development program component within the MIO District.
- F. If the Director, after reviewing any Advisory Committee recommendation, determines that a proposed major amendment is of unusual complexity or size, the Director may require that the institution prepare a new master plan subject to Section 23.69.032.
- G. If an amendment is determined to be major, the amendment and environmental review process shall be subject to the provisions of Section 23.69.032, Master plan process. However, a concept plan and preliminary draft plan shall not be required. Instead, the Major Institution shall submit a major amendment draft report as part of the application stating which parts of the master plan are proposed to be amended. If an EIS is required for the major amendment, the draft EIS shall be prepared after submittal of the major amendment draft report. After comments are received on the major amendment draft report, the institution shall prepare the major amendment final report and if required, the final EIS. If an EIS is not required for the major amendment, the Director is not required to hold a public hearing on the major amendment draft report.
- H. Noncontiguous areas that are included in a MIO District as a result of a previously adopted master plan shall be deleted from the MIO District at the time a major amendment is approved unless the noncontiguous area was a former and separate MIO District. The change to the MIO District boundaries shall be in accordance with the procedures for City-initiated amendments to the Official Land Use Map as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, and shall not be subject to the rezone criteria contained in Section 23.34.124.

(Ord. 120691 § 26, 2001; Ord. 118362 § 23, 1996; Ord. 115165 § 10, 1990; Ord. 115002 § 23(part), 1990.)

23.69.036 - Master plan renewal.

- A. The process for renewal of a master plan's development program component shall follow the procedures provided in Section 23.69.032, Master plan process.
- B. Noncontiguous areas which are included in a MIO District as a result of a previously adopted master plan shall be deleted from the MIO District at the time a new master plan development program component is adopted, unless the noncontiguous area was a former and separate MIO District. The change to the MIO District boundaries shall be in accordance with the procedures for City-initiated amendments to the Official Land Use Map as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, and shall not be subject to the rezone criteria contained in Section 23.34.124.

(Ord. 120691 § 27, 2001; Ord. 118362 §§ 24, 25, 1996; Ord. 115002 § 23(part), 1990.)