

CITY OF SEATTLE

ORDINANCE 124150

COUNCIL BILL 117723

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4 AN ORDINANCE related to land use and zoning; amending page 25 of the Official Land Use
5 Map, Seattle Municipal Code Chapter 23.32, to rezone properties located in the
6 Greenwood/Phinney Ridge Residential Urban Village and applying incentive provisions
7 for affordable housing within the rezone area, and amending Section 23.47A.013 of the
8 Land Use Code.

9 WHEREAS, a rezone proposal from the Greater Greenwood Land Use Design and Development
10 Advisory Group was submitted to the Seattle Department of Planning and Development
11 (DPD) in March 2009; and

12 WHEREAS, the City Council then directed DPD to work with the Greenwood Community
13 Council to undertake additional outreach to solicit feedback from the broader Greenwood
14 community on rezone concepts; and

15 WHEREAS, DPD staff held a public open house meeting on June 29, 2010, attended by
16 approximately 120 people, and conducted an online survey; and

17 WHEREAS, DPD staff evaluated public input and conducted its own rezone analysis and
18 formulated final recommendations; and

19 WHEREAS, the Seattle City Council's Planning, Land Use and Sustainability (PLUS)
20 Committee considered the proposed legislation (CB 117506) on June 28, 2012; and

21 WHEREAS, the PLUS Committee held a public hearing on CB 117506 on July 25, 2012, and
22 took public comment; and

23 WHEREAS, in light of public comment provided at the July 25, 2012, public hearing, DPD
24 conducted additional analysis of the proposal with respect to the blockface along the
25 south side of NW 85th Street, between 1st and 3rd Avenues NW, and assisted the City
26 Council in drafting some amendments to the proposal in light of the additional analysis;
27 and

28 WHEREAS, a substitute bill that incorporated those amendments was posted on DPD's website
in conjunction with a public hearing notice that was published on February 11, 2013; and



1 WHEREAS, several minor modifications were subsequently made to that substitute bill to
2 correct typographical errors and clarify language before it was introduced by the City
3 Council; and

4 WHEREAS, none of those minor modifications changed the effect of the substitute bill; and

5 WHEREAS, this version of the substitute bill, which incorporates all the modifications made to
6 the original substitute bill, was introduced by the City Council on February 25, 2013; and

7 WHEREAS, a public hearing on this substitute bill was held in City Council Chambers on March
8 14, 2013; and

9 WHEREAS, the rezone area affected by this legislation is contained within the
10 Greenwood/Phinney Ridge Residential Urban Village boundary; NOW, THEREFORE,

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

12 Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is
13 amended to rezone properties located on page 25 of the Official Land Use Map, as shown on
14 Exhibit A attached to this Ordinance.

15 Section 2. Section 23.47A.013 of the Seattle Municipal Code, which section was last
16 amended by Ordinance 123790, is amended as follows:

17 **23.47A.013 Floor area ratio**

18 A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C
19 zones.

20 1. All gross floor area not exempt under subsection 23.47A.013.D is counted
21 against the maximum gross floor area allowed by the permitted FAR.

22 2. If there are multiple structures on a lot, the highest FAR limit applicable to any
23 structure on the lot applies to the combined non-exempt gross floor area of all structures on the
24 lot, subject to subsection 23.47A.013.A.4.

25 3. Above-grade parking within or covered by a structure or portion of a structure
26 must be included in gross floor area calculations, except as provided in subsection
27 23.47A.013.D.6.



4. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Except as provided in subsections 23.47A.013.C, 23.47A.013.D, 23.47A.013.E, ((and)) 23.47A.013.F, and 23.47A.013.G, maximum FAR allowed in C zones and NC zones is shown in Table A for 23.47A.013, provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.

**Table A for 23.47A.013: Maximum Floor Area Ratio (FAR)
 Outside of the Station Area Overlay District**

	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
1. Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	3	4.25	4.5	5	5
2. Total permitted for any single use within a mixed-use structure.	n/a	n/a	4.25	4.5	5	5
3. Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay District is shown in Table B for 23.47A.013 provided that if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor exceeding that allowed by the FAR shown in the suffix designation.



**Table B for 23.47A.013: Maximum Floor Area Ratio (FAR)
 in the Station Area Overlay District**

	Height Limit					
	30'	40'	65'	85'	125'	160'
Maximum FAR	3	4	5.75	6	6	7

D. The following gross floor area is not counted toward FAR:

1. Gross floor area below grade;
2. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;
3. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;
4. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to 15 percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection 23.47A.013.D is deducted; and
5. Within the First Hill Urban Center Village, on lots zoned NC3, with a 160 foot height limit, all gross floor area occupied by a residential use.
6. On a lot containing a peat settlement-prone environmentally critical area, above-grade parking within or covered by a structure or portion of a structure where the Director finds that locating a story of parking below grade is infeasible due to physical site conditions such as a high water table, if either:
 - a. the above-grade parking extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the



1 structure footprint, whichever is lower, as measured to the finished floor level or roof above,
2 pursuant to subsection ((~~23.47A.012.A.6~~) 23.47A.012.A.5); or

3 b. all of the following conditions are met:

- 4 1) no above-grade parking is exempted by subsection
5 23.47A.013.D.6.a;
- 6 2) the parking is accessory to a residential use on the lot;
- 7 3) total parking on the lot does not exceed 1 space for each
8 residential dwelling unit plus the number of spaces required by this Code for non-residential
9 uses; and
- 10 4) the amount of gross floor area exempted by this subsection
11 23.47A.013.D.6.b does not exceed 25 percent of the area of the lot in zones with a height limit
12 less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or
13 greater.

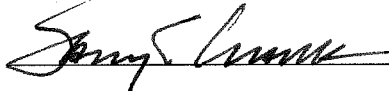
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15 G. Within the portion of the Greenwood Residential Urban Village on lots zoned NC2 40
16 that are located abutting NW 85th Street between 1st Avenue NW and 3rd Avenue NW, the total
17 permitted FAR within a mixed use structure containing residential and non-residential uses is 4.


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




1 Passed by the City Council the 1st day of April, 2013, and
2 signed by me in open session in authentication of its passage this
3 1st day of April, 2013.

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6 President _____ of the City Council

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8 Approved by me this 9th day of April, 2013.

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10 
11 Michael McGinn, Mayor

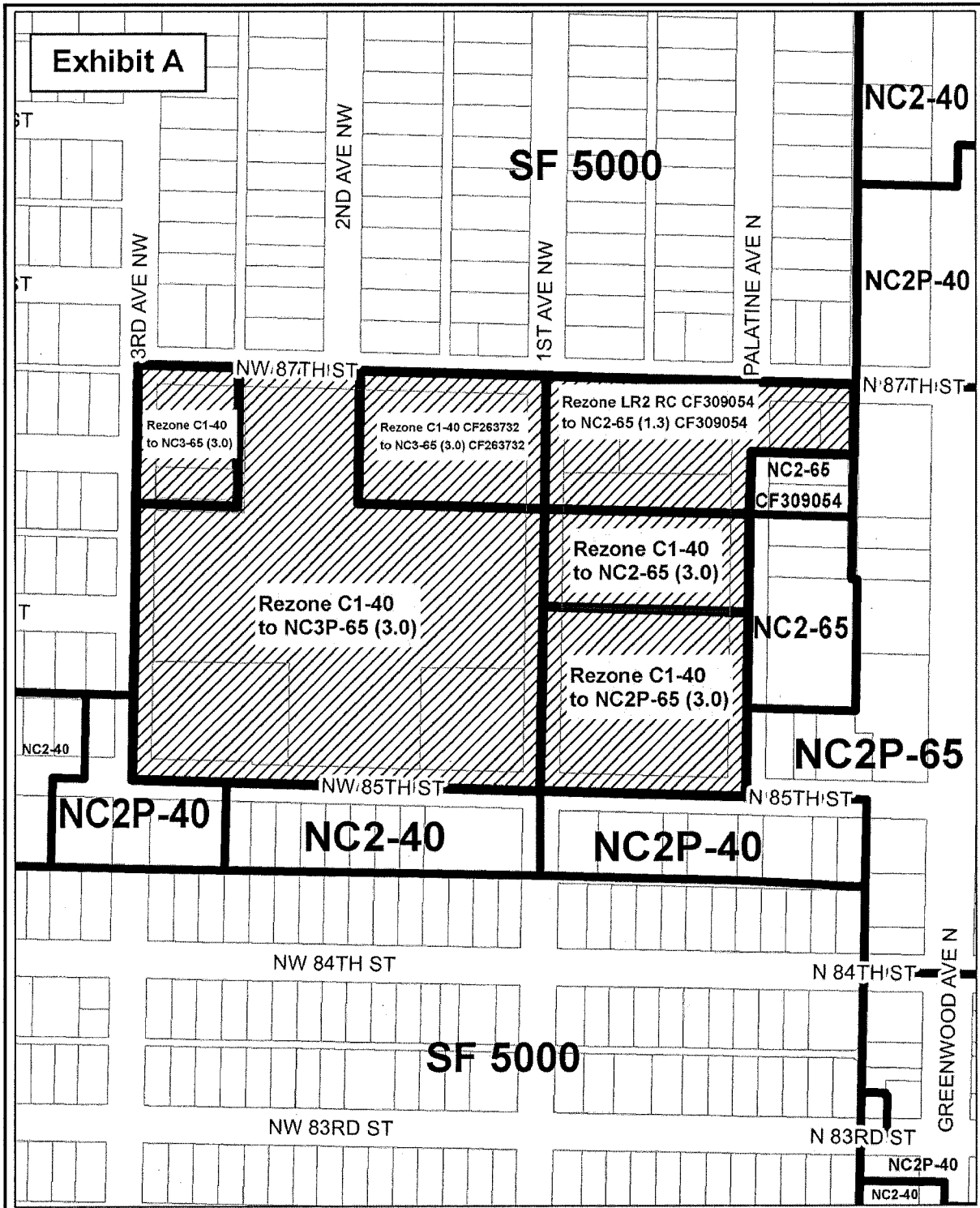
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13 Filed by me this 9th day of April, 2013.

14
15 
16 Monica Martinez Simmons, City Clerk

17 (Seal)

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21
22 Attachment: Exhibit A – Greenwood Town Center Rezone Map





**Greenwood Town
 Center Rezone**



No warranties of any sort, including accuracy, fitness, or merchantability accompany this product.

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 Prepared December 20, 2012 by DPD-GIS

