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**Council Bill Number:** 116486

**Ordinance Number:** 122994

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AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010 and 23.41.012 of the Seattle Municipal Code, approving and adopting Neighborhood Design Guidelines for the Upper Queen Anne and Uptown neighborhoods and providing for departures from development standards in the Uptown Urban Center and in Upper Queen Anne Hill Residential Urban Village and the Neighborhood Commercial zones within the Upper Queen Anne neighborhood.

**Status:** Passed

**Note:** Downtown Commercial Bonus Program Amendments; Downtown Incentive Zoning Program

**Vote:** 8-0 (Excused: McIver)

**Date filed with the City Clerk:** 2009/06/08

**Date of Mayor's signature:** 2009/06/02 ([about the signature date](#))

**Date introduced/referred to committee:** 2009/03/30

**Committee:** Planning, Land Use and Neighborhoods

**Sponsor:** CLARK

**Committee Recommendation:** Pass

**Index Terms:** LAND-USE-PLANNING, DESIGN-REVIEW, URBAN-DESIGN, LAKE-CITY NEIGHBORHOOD-PLANS, APARTMENT-BUILDINGS, COMMERCIAL-AREAS, COMMERCIAL-BUILDINGS, QUEEN-ANNE

**Fiscal Note:** [Fiscal Note to Council Bill No. 116486](#)

**Electronic Copy:** [PDF scan of Ordinance No. 122994](#)

**Reference:** Related: [Clerk File 310025](#)

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**Text:**

AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010 and 23.41.012 of the Seattle Municipal Code, approving and adopting Neighborhood Design Guidelines for the Upper Queen Anne and Uptown neighborhoods and providing for departures from development standards in the Uptown Urban Center and in Upper Queen Anne Hill Residential Urban Village and the Neighborhood Commercial zones within the Upper Queen Anne neighborhood.

WHEREAS, the City's Design Review Program was approved for implementation in 1993, at which time it was contemplated that a neighborhood could develop design guidelines specific to a neighborhood's individual character, augmenting the City's Design Guidelines for Multifamily and Commercial Buildings; and

WHEREAS, neighborhood-specific design guidelines have been developed for the Upper Queen Anne and Uptown neighborhoods to carry out specific design goals identified by the neighborhoods; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.41.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 122443, is amended as follows:

23.41.010 Design Review Guidelines:

A. The "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" and neighborhood design guidelines approved by the City Council and identified in subsection B of ~~this section~~ Section 23.41.010, provide the basis for Design Review Board recommendations and City design review decisions, except in Downtown, where the "Guidelines for Downtown Development, 1999" apply. Neighborhood design guidelines are intended to augment and make more specific the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" and the "Guidelines for Downtown Development, 1999." To the extent there are conflicts between neighborhood design guidelines and the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" or "Guidelines for Downtown Development, 1999", the neighborhood design guidelines ~~shall~~ prevail.

B. The following Neighborhood design guidelines are approved:

1. "University Community Design Guidelines, 2000;"
2. "Pike/Pine Urban Center Village Design Guidelines, 2000;"
3. "Roosevelt Urban Village Design Guidelines, 2000;"
4. "Ballard Municipal Center Master Plan Area Design Guidelines, 2000;"
5. "West Seattle Junction Urban Village Design Guidelines, 2001;"
6. "Green Lake Neighborhood Design Guidelines, 2001;"
7. "Admiral Residential Urban Village Design Guidelines, 2002;"
8. "South Lake Union Neighborhood Design Guidelines, 2005;
9. "Northgate Urban Center and Overlay District Design Guidelines, 2003;"
10. Belltown Urban Center Village Design Guidelines, 2004;
11. Wallingford Neighborhood Design Guidelines, 2005;
12. Capitol Hill Neighborhood Design Guidelines, 2005;
13. Greenwood/Phinney Neighborhood Design Guidelines, 2005;
14. Othello Neighborhood Design Guidelines, 2005;
15. North Beacon Hill Design Guidelines, 2006;
16. North District/Lake City Guidelines, 2006; ~~and~~
17. Morgan Junction Neighborhood Design Guidelines, 2007;~~;~~
18. Upper Queen Anne Neighborhood Design Guidelines, 2009; and
19. Uptown Neighborhood Design Guidelines, 2009.

Section 2. Subsection B of Section 23.41.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 122311, 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. Permitted, prohibited or conditional use provisions, except that departures may be granted from development standards for required Downtown street level uses;
3. Residential density limits;
4. In Downtown zones, provisions for exceeding the base FAR or achieving bonus development as provided in Chapter 23.49, Downtown Zoning;
5. In Downtown zones, the minimum size for Planned Community Developments as provided in Section 23.49.036;
6. In Downtown zones, the average floor area limit for stories in residential use in Chart 23.49.058.D.1;
7. In Downtown zones, the provisions for combined lot developments as provided in Section 23.49.041;
8. In Downtown Mixed Commercial zones, tower spacing requirements as provided in 23.49.058.E;
9. Downtown view corridor requirements, provided that departures may be granted to allow open railings on upper level roof decks or rooftop open space to project into the required view corridor, provided such railings are determined to have a minimal impact on views and meet the requirements of the Building Code;
10. Floor Area Ratios;
11. Maximum size of use;
12. Structure height, except that:
  - a. Within the Roosevelt Commercial Core building height departures up to an additional ~~three (3)~~ feet may be granted for properties zoned NC3-65', ~~Exhibit 23.41.012 A Roosevelt Commercial Core 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', ~~Exhibit 23.41.012 B Ballard Municipal Center Master Plan Area Map B for 23.41.012 Ballard Municipal Center Master Plan Area~~. The additional height may not exceed ~~nine (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;
  - c. In Downtown zones building height departures may be granted for minor communication utilities as set forth in Section 23.57.013.B;
  - d. 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 in addition to all required building setbacks.
  - e. Within the Upper Queen Anne Hill Residential Urban Village and Neighborhood Commercial zones within the Upper Queen Anne neighborhood, Map C 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 in addition to all required building setbacks;
13. Quantity of parking required, maximum parking limit in Downtown zones, and maximum number of drive-in lanes,

except that within the Ballard Municipal Center Master Plan area required parking 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, 2000" may be reduced, but shall not be less than the required parking for Pedestrian-designated areas shown in Chart D for Section 23.54.015 ~~Chart D~~;

14. Provisions of the Shoreline District, Chapter 23.60;

15. Standards for storage of solid-waste containers;

16. The quantity of open space required for major office projects in Downtown zones as provided in Section 23.49.016.B;

17. Noise and odor standards;

18. Standards for the location of access to parking in Downtown zones;

19. Provisions of Chapter 23.52, Transportation Concurrency Project Review System;

20. Provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements, except that departures may be granted from the access easement standards in Section 23.53.025 and the provisions for structural building overhangs in Section 23.53.035;

21. Definitions; and

22. Measurements.

\* \* \*

~~Exhibit 23.41.012 A~~ Map A for 23.41.012

[Map A for 23.41.012 - Roosevelt Commercial Core](#)

~~Exhibit 23.41.012 B~~ Map B for 23.41.012

[Map B for 23.41.012 - Ballard Municipal Center Master Plan Area](#)

[Map C for 23.41.012 - Upper Queen Anne Commercial Areas](#)

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provisions shall not affect the validity of any other provision.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2009, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2009. \_\_\_\_\_ President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2009. \_\_\_\_\_ Gregory J. Nickels, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2009. \_\_\_\_\_ City Clerk

[Attachment 1: Upper Queen Anne Neighborhood Design Guidelines](#)

[Attachment 2: Uptown Neighborhood Design Guidelines](#)

February 18, 2009 Version #4