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Brennon Staley
DPD Midrise Bonus Amendment ORD
July 22, 2013
Version #1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL 117877

AN ORDINANCE relating to land use and zoning, amending Section 23.45.516 of the Seattle Municipal Code to modify the criteria for lots eligible for additional height in Midrise zones.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.45.516 of the Seattle Municipal Code, last amended by Ordinance 124172, is amended as follows:

23.45.516 Additional height and extra residential floor area in Midrise and Highrise zones

A. General. Definitions in Section 23.58A.004 apply in this Section 23.45.516 unless otherwise specified. According to the provisions of this Section 23.45.516, Section 23.45.526, and Chapter 23.58A:

1. In MR, MR/85, and HR zones, extra residential floor area may be permitted up to the maximum limits allowed by Section 23.45.510; and

2. In MR and HR zones, additional height, above the base height limit, is permitted for structures that qualify for extra residential floor area, up to the maximum limits allowed by Sections 23.45.514 and 23.45.516.

B. Eligible lots. The following lots are eligible for extra residential floor area and, except in MR/85 zones, additional height:

1. Lots in MR or MR/85 zones in urban villages, urban centers and the Station Area Overlay District, except when the lot abuts a lot zoned single-family or is directly across an alley from a lot zoned single-family; and

2. Lots in HR zones((-))

* * *

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

4 Passed by the City Council the ____ day of _____, 2013, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2013.

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8 _____
9 President _____ of the City Council

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11 Approved by me this ____ day of _____, 2013.

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13 _____
14 Michael McGinn, Mayor

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16 Filed by me this ____ day of _____, 2013.

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18 _____
19 Monica Martinez Simmons, City Clerk

20 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning & Development	Brennon Staley 684-4625	Melissa Lawrie 684-5805

Legislation Title:

AN ORDINANCE relating to land use and zoning, amending Section 23.45.516 of the Seattle Municipal Code to modify the criteria for lots eligible for additional height in Midrise zones.

Summary of the Legislation:

This legislation would modify the criteria that lots must meet to be eligible for additional height in Midrise Zones. Currently, all Midrise-zoned lots in urban villages, urban centers and Station Area Overlay Districts are eligible for the bonus. This amendment would exclude lots that abut a single-family zoned lot or are directly across an alley from a single-family zoned lot.

Background:

This amendment is in response to comments received from the public that the additional height and floor area obtained through these incentives could be resulting in development that is incompatible with existing single-family zones that are immediately adjacent to the property.

DPD determined that parcels abutting or directly across an alley from single-family zoned lots represent about 11% of all Midrise incentive-eligible lots and about 21% of the incentive-eligible lots that are potentially redevelopable. Specific numbers are shown below.

	Incentive-Eligible Parcels Abutting or Directly Across an Alley from a SF zoned lot	Total Incentive- Eligible Parcels	Percentage
All lots	20.6 acres	189.1 acres	11%
Redevelopable lots only	12.5 acres	58.5 acres	21%

Given that the incentive can increase the floor area of a development by about 25% (from an FAR of 3.2 to 4.25), this amendment would reduce the total development capacity of Midrise zones by about 5%.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
Yes. This legislation may reduce the amount of floor area in Midrise developments that abut a single-family zoned lot or are directly across an alley from a single-family zoned lot. These developments may pay slightly lower permit fees.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
No.
- e) **Is a public hearing required for this legislation?**
Yes. The City Council will hold a hearing as part of their consideration of the legislation.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
The notice for the Council public hearing will be published in the DJC.
- g) **Does this legislation affect a piece of property?**
This legislation would affect the development regulations for various properties in the city zoned Midrise.
- h) **Other Issues:** None.

List attachments to the fiscal note below: None.



City of Seattle
Office of the Mayor

July 30, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that excludes certain Midrise-zoned lots from using height and floor area bonuses if they are adjacent to single-family zoned lots. This legislation is intended to help ensure increased appropriate transitions in height and floor area between Midrise and single-family zones.

In 2009, the City Council adopted Ordinance 123209, which updated the City's multifamily zoning regulations and implemented a zoning incentive for multifamily properties that provide affordable housing. This incentive allows additional development potential in Midrise-zoned lots in urban villages, urban centers, and the Station Area Overlay Districts. While this incentive is appropriate in many areas, recent development proposals suggest that the incentive can result in buildings that do not provide a good transition well with adjacent single-family zones.

This proposal will help to ensure that new midrise buildings better fit the character of our existing neighborhoods. Thank you for your consideration of this legislation. Should you have questions, please contact Brennon Staley at 206-684-4625.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council