



Legislative Department
Seattle City Council
Memorandum

Date: February 4, 2011
To: Councilmembers Sally J. Clark, Tim Burgess, and Sally Bagshaw
Committee on the Built Environment (COBE)
From: Martha Lester and Rebecca Herzfeld, Council Central Staff
Subject: February 9, 2011, COBE Meeting: South Downtown Zoning Proposal

Council Bill (C.B.) 117073, which would amend the Land Use Code to revise zoning regulations in South Downtown, was introduced on December 6, 2010, and referred to the Committee on the Built Environment (COBE). Councilmembers have discussed possible amendments at several COBE meetings.

Part A of this memo lists three specific amendments that are ready for COBE vote.

Part B of this memo presents additional information and depictions requested by Councilmembers related to height limits in Pioneer Square.

A. Amendments to C.B. 117073 for COBE Vote on February 9

At the January 12, 2011, COBE meeting, Councilmembers gave direction on the following three amendments to C.B. 117073. We have now prepared actual code amendment language for changes to C.B. 117073 for COBE review and vote.

1. Allow height up to 150 feet under incentive zoning with mid-block corridor in DMR/C zone east of I-5 only south of S. King Street.

Specific amendment language and a revised version of Exhibit B are on pages 3 to 6.

COBE vote:

2. Require that a mid-block corridor provided under the incentive zoning program east of I-5 be open to the public a minimum of 16 hours per day.

Specific amendment language is on page 7.

COBE vote:

3. Allow a maximum of 1.5 parking spaces per 1,000 square feet of non-residential floor area for (a) general sales and service uses, and (b) eating and drinking establishments, in the area east of I-5. (This would retain the maximum of 1 parking space per 1,000 square feet of floor area for other non-residential uses, including office. Special exception and administrative conditional use processes under which a developer could apply to provide additional parking would continue to be available.)

Specific amendment language is on pages 8 to 9.

COBE vote:

B. Pioneer Square Height Limits

At the January 26, 2011, COBE meeting, Councilmembers requested additional information about William Justen's request for a maximum height of 180 feet in certain portions of Pioneer Square (compared with maximum heights in DPD's proposal of 120 feet, 130 feet, and 150 feet).

The slides in the accompanying presentation illustrate:

- Potential redevelopment sites in Pioneer Square;
- Maximum heights proposed by DPD;
- Maximum heights analyzed in environmental impact statement;
- Area where William Justen has requested a maximum height of 180 feet; and
- Depictions of example potential redevelopment projects on several sites at various heights.

Staff recommendation: Retain the height limits proposed by DPD. These were developed after a lengthy process of technical evaluation and public outreach. In addition, the Pioneer Square Preservation Board recently conducted another review and recommended retaining the height limits proposed by DPD. The companion work plan resolution being considered by COBE requests that upon completion of the Alaskan Way Viaduct replacement project and Central Waterfront Plan, DPD provide a briefing to the City Council on whether any additional zoning changes are warranted as a result of these two major projects. Further changes to Pioneer Square zoning could occur at that time.

Allow height up to 150 feet under incentive zoning with mid-block corridor in DMR/C zone only south of S. King Street

excerpts from C.B. 117073 (v12), pages 19, 25, and Exhibit B (page 331)

Section 9. Section 23.49.008 of the Seattle Municipal Code, which section was last amended by Ordinance 122582, is amended as follows:

23.49.008 Structure height((=))

* * *

C. Height in Downtown Mixed Residential (DMR) zones is regulated as follows:

1. ~~((No portion of a))~~ A structure that contains only nonresidential or live-work uses may not exceed the ((lower)) lowest height limit established on the Official Land Use Map, except for rooftop features permitted by subsection 23.49.008.D ((of this section)).

2. ~~((Portions))~~ In DMR zones for which [only exactly two height limits are established, only those portions](#) of structures that contain only residential uses may exceed the lower height limit, and they may extend to the higher height limit established on the Official Land Use Map.

3. On lots in the DMR/C 65/65-150 zone, the base height limit is 65 feet, and it is the applicable height limit for all structures, except that:

a. The applicable height limit is 85 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A, the structure has no nonresidential or live-work use above 65 feet, and the structure does not qualify for a higher height limit under this subsection 23.49.008.C.3.

b. The applicable height limit is 150 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A; the structure has no nonresidential or live-work use above 65 feet; the lot includes all or part of a mid-block corridor that satisfies the conditions of subsection 23.58A.016.C.4.d, except to the extent any waiver of such conditions is granted by the Director; and the standards of subsection 23.49.156.B and Section 23.49.163 are satisfied.

4. On lots in the DMR/C 65/65-85 zone, the base height limit is 65 feet, and it is the applicable height limit for all structures, except that the applicable height limit is 85 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A and the structure has no nonresidential or live-work use above 65 feet.

* * *

Section 10. Section 23.49.011 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

23.49.011 Floor area ratio((=))

A. General Standards.

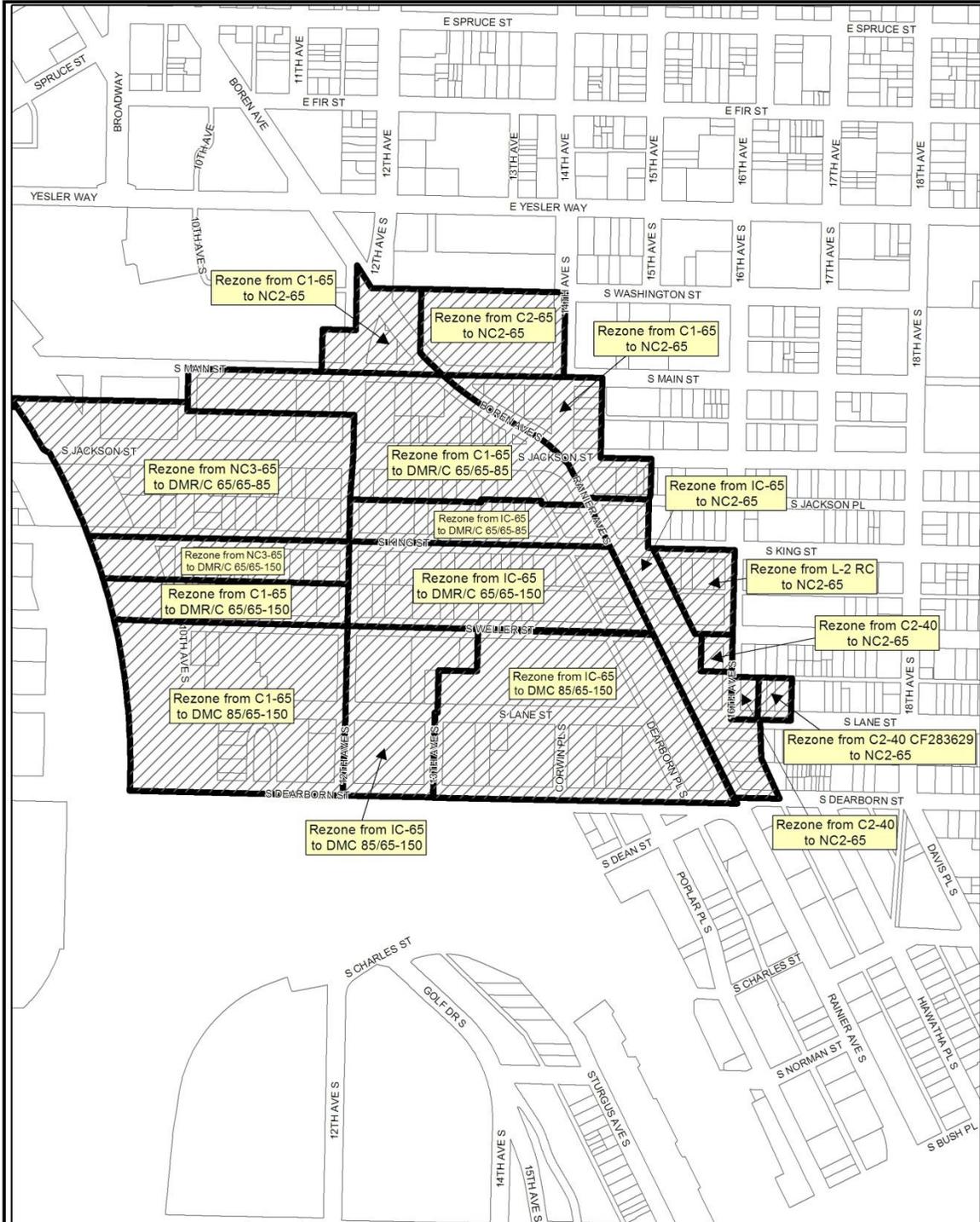
1. The base and maximum floor area ratio (FAR) for each zone is provided in Table A for 23.49.011 ((~~A1~~)).

Table <u>A</u> for 23.49.011 ((A1))		
Base and Maximum Floor Area Ratios (FARs)		
Zone Designation	Base FAR	Maximum FAR
Downtown Office Core 1 (DOC1)	6	20
Downtown Office Core 2 (DOC2)	5	14
Downtown Retail Core (DRC)	3	5

**Table A for 23.49.011 ((A1))
Base and Maximum Floor Area Ratios (FARs)**

Zone Designation	Base FAR	Maximum FAR
Downtown Mixed Commercial (DMC)	<p>4 in ((65' height district))<u>DMC 65</u></p> <p>4.5 in ((85' height district))<u>DMC 85</u></p> <p>5 in ((125', 160', 240'/290' - 400' and 340'/290' - 400' height districts))<u>DMC 125, DMC 160, DMC 240/290-400, and DMC 340/290-400</u></p> <p><u>3 in DMC 85/65-150</u></p>	<p>4 in ((65' height district))<u>DMC 65</u></p> <p>4.5 in ((85' height district))<u>DMC 85</u></p> <p>7 in ((125', 160' and 240'/290' - 400' height districts))<u>DMC 125, DMC 160, and DMC 240/290-400</u></p> <p>10 in ((340'/290' - 400' height districts))<u>DMC 340/290-400</u></p> <p><u>5 in DMC 85/65-150</u></p>
Downtown Mixed Residential/Residential (DMR/R)	<p>1 in ((85'/65' height district))<u>DMR/R 85/65</u></p> <p>1 in ((125'/65' height district))<u>DMR/R 125/65</u></p> <p>1 in ((240'/65' height district))<u>DMR/R 240/65</u></p>	<p>1 in ((85'/65' height district))<u>DMR/R 85/65</u></p> <p>2 in ((125'/65' height district))<u>DMR/R 125/65</u></p> <p>2 in ((240'/65' height district))<u>DMR/R 240/65</u></p>
Downtown Mixed Residential/Commercial (DMR/C)	<p>1 in ((85'/65' height district))<u>DMR/C 85/65</u></p> <p>1 in ((125'/65' height district))<u>DMR/C 125/65</u></p> <p>2 in ((240'/125' height district))<u>DMR/C 240/125</u></p> <p><u>2.5 in DMR/C 65/65-85</u></p> <p><u>2.5 in DMR/C 65/65-150</u></p>	<p>4 in ((85'/65' height district))<u>DMR/C 85/65</u></p> <p>4 in ((125'/65' height district))<u>DMR/C 125/65</u></p> <p>5 in ((240'/125' height district))<u>DMR/C 240/125</u></p> <p><u>4 in DMR/C 65/65-85</u></p> <p><u>4 in DMR/C 65/65-150</u></p>
* * *		

EXHIBIT B REZONES EAST OF INTERSTATE 5



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

Copyright 2011, All Rights Reserved, City of Seattle
Prepared January 20, 2011 by DPD-GIS

Require that mid-block corridor provided under incentive zoning program east of I-5 be open to the public 16 hours per day

excerpt from C.B. 117073 (v12), page 235

Section 71. Subsection B and subsection C of Section 23.58A.016 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, are amended as follows:

23.58A.016 Bonus residential floor area for amenities

* * *

C. Performance option.

* * *

4. Standards for open space amenities. The following standards apply to all open space amenities identified in this subsection 23.58A.016.C.4 except as otherwise specifically stated in this subsection 23.58A.016.C.4 or in the provisions of the zone.

a. Public Access. The open space must be open ~~((during daylight hours and accessible))~~ to the ~~((general))~~ public, without charge, each day of the year ~~((for reasonable and predictable hours,))~~ for a minimum of ~~((10))~~ ten hours each day ~~((of the year))~~ for a neighborhood open space ~~and, a minimum of 16 hours each day for a mid-block corridor, and 24 hours a day each day of the year for a green street setback and a residential hillside terrace. The hours of public access identified above shall be during daylight hours, unless there are insufficient daylight hours, in which case the open space shall also be open during nighttime hours for the balance of the hours the open space is to remain open. ((, except that))~~ Public access may be limited temporarily during hours that are otherwise required to be open to the public for necessary maintenance or for reasons of ~~((as required for))~~ public safety ~~((and maintenance reasons))~~.

Allow 1.5 parking spaces per 1,000 square feet of floor area for certain uses east of Interstate 5

excerpt from C.B. 117073 (v12), pages 64-66

Section 14. Subsections C and H of Section 23.49.019 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended as follows:

23.49.019 Parking quantity, location and access requirements, and screening and landscaping of surface parking areas.

* * *

C. Maximum Parking Limit for Nonresidential Uses.

1. Except as provided in subsections [23.49.019.C.2](#), [23.49.019.C.3](#), and [23.66.342.B](#) (~~below~~), parking for nonresidential uses is limited to a maximum of one parking space per (~~one thousand (1,000)~~) 1,000 square feet.

2. [Parking for nonresidential uses in excess of the maximum quantities identified in subsections 23.49.019.C.1 and 23.49.019.C.3](#) (~~More than one (1) parking space per one thousand (1,000) square feet of nonresidential use~~) may be permitted as a special exception pursuant to Chapter 23.76. When deciding whether to grant a special exception, the Director shall consider evidence of parking demand and alternative means of transportation, including but not limited to the following:

a. Whether the additional parking will substantially encourage the use of single occupancy vehicles;

b. Characteristics of the work force and employee hours, such as multiple shifts that end when transit service is not readily available;

- c. Proximity of transit lines to the lot and headway times of those lines;
- d. The need for a motor pool or large number of fleet vehicles at the site;
- e. Proximity to existing long-term parking opportunities downtown which might eliminate the need for additional parking on the lot;
- f. Whether the additional parking will adversely affect vehicular and pedestrian circulation in the area;
- g. Potential for shared use of additional parking as residential or short-term parking((-));
- h. The need for additional short-term parking to support shopping in the retail core or retail activity in other areas where short-term parking is limited((-);
- i. Whether the area is located at the edge of the Downtown Urban Center

where available short-term parking and transit service is limited.

3. In the area east of Interstate 5, parking for general sales and service uses and for eating and drinking establishments is limited to a maximum of 1.5 parking spaces per 1,000 square feet.

* * *