



Legislative Department Seattle City Council Memorandum

Date: May 8, 2012
To: Planning, Land Use and Sustainability (PLUS) Committee Members
From: Sara Belz, Council Central Staff
Subject: **Council Bill (CB) 117430 – Regulatory Reform**

At its May 9, 2012, meeting, the PLUS Committee will continue its review of CB 117430, which would amend several sections of the City's Land Use Code (Seattle Municipal Code Title 23) and Environmental Policies and Procedures (Seattle Municipal Code Chapter 25.05) in order to encourage economic growth and job creation. The Committee's previous deliberations on CB 117430 have occurred as follows:

February 29, 2012 – Department of Planning and Development (DPD) staff presented an overview of the Executive's proposed regulatory reform package, which was introduced on March 26 as CB 117430.

March 28, 2012 – the PLUS Committee hosted a public hearing on CB 117430 and heard comments from about 30 constituents.

March 29, 2012 – the PLUS Committee reviewed the input received at the March 28 public hearing and directed staff to provide additional information and analysis on specific elements of CB 117430.

April 11, 2012 – the PLUS Committee discussed a decision agenda that covered some of the issues identified for additional analysis on March 29. The elements of CB 117430 addressed in that decision agenda included the following proposals:

- Allow ground-floor commercial uses in certain multifamily zones.
- Extend the maximum length of most temporary use permits to 18 months and convert the issuance of such permits from appealable Type 2 decisions to non-appealable Type 1 decisions.
- Eliminate the existing requirement that a backyard cottage not exceed the height of a principal dwelling unit by more than 15 feet.
- Allow operators of home-based businesses to list their addresses in advertisements and on business cards.

The PLUS Committee ultimately chose to recommend approval of the Executive's proposals related to backyard cottage heights and the publication of addresses for home-

based businesses. Discussion of the proposals to allow ground-floor commercial uses in certain multifamily zones and amend policies governing the issuance of temporary use permits will continue at the May 9 PLUS meeting, per the Committee's request.

In addition to continuing its discussion of some of the issues raised on April 11, the Committee will also discuss these other proposed elements of CB 117430 at its May 9 meeting:

- Extend no-minimum parking requirements to areas within a quarter-mile of frequently-served transit stops.
- Allow increased flexibility for street-level uses in several areas of the City where ground-floor commercial development is currently required.

The proposed changes to State Environmental Policy Act (SEPA) environmental review thresholds and DPD's authority to require transportation studies and mitigation for projects that would become exempt from SEPA will be discussed at the May 23 PLUS Committee meeting.

Decision Agenda

The following decision agenda was developed to help guide the PLUS Committee's discussion of CB 117430 at its May 9 meeting.

Issue #1: Allow ground-floor commercial uses in certain multifamily zones.

CB 117430 would allow ground-floor commercial uses in all Midrise (MR) zones and in Lowrise 2 and 3 (LR2 and LR3) zones that are located in Urban Centers and Station Area Overlay Districts. Although such uses are already permitted on lots in MR zones that are within 800 feet of an existing Commercial or Neighborhood Commercial (C or NC) zone, they are not currently allowed in most LR zones. The only exceptions are LR zones with a Residential/Commercial (RC) suffix. However, the RC suffix is not widely applied to LR-zoned property and permits types of commercial development that DPD determined were not appropriate for all LR2 and LR3 zones located in Urban Centers and Station Area Overlay Districts. Lists of Seattle's Urban Centers and Station Area Overlay Districts are provided below for Committee members' reference.

Urban Centers

Northgate
University
Capitol Hill/First Hill
Uptown
South Lake Union*
Downtown*

Station Area Overlay Districts

Roosevelt
University**
Capitol Hill**
North Beacon Hill
Mt. Baker
Columbia City
Othello
Rainier Beach

*No LR2 or LR3 zoning is located in these areas.

**These Station Area Overlay Districts fit within the boundaries of their respective Urban Centers.

At its April 11 meeting, the PLUS Committee decided to support the Executive's proposal to allow ground-floor commercial uses in the remaining MR zones where such uses are not

currently permitted. The Committee also recommended reducing the size limit for commercial uses in eligible LR zones from 2,500 to 2,000 square feet and asked staff to prepare a companion ordinance to clarify that the nightlife disturbance provisions in the Seattle Municipal Code apply to nonresidential uses located in any zone. An annual DPD report on the number, type and location of new commercial uses opened in eligible LR zones was also requested.

On May 9, the PLUS Committee will discuss whether to apply further controls to the Executive's proposal to allow ground-floor commercial uses in certain LR zones. Potential action options are detailed in the following table. Options 1-3 are mutually exclusive. Options 4-6 could be selected individually, collectively or in combination with any of Options 1-3.

Options	Considerations
<p>1. Consistent with CB 117430, allow small-scale, ground-floor commercial uses in all LR2 and LR3 zones that are located in Urban Centers and Station Area Overlay Districts. Permitted uses would include business support services, food processing, craft work, retail shops, medical services, offices, restaurants, and live-work spaces.</p>	<ul style="list-style-type: none"> • This option would create opportunities for small businesses that might not be able to afford space in an established business district to locate in walkable, densely developed, and transit-rich areas. • Allowing limited commercial uses in LR2 and LR3 zones that are located in Urban Centers and Station Area Overlay Districts could draw entrepreneurs and customers away from nearby business districts. • Many ground-floor residential units are located in the affected LR zones. The occupants of these units could be particularly, and negatively, impacted if food service businesses and other commercial uses with nighttime hours are permitted to operate on neighboring lots. • This option could result in increased demand for on-street parking in areas where on-street spaces are already highly utilized.
<p>2. Allow small-scale, ground-floor commercial uses in all LR2 and LR3 zones that are located in Urban Centers and Station Area Overlay Districts but restrict restaurants to LR2- and LR3-zoned lots that are located on arterial streets.</p>	<ul style="list-style-type: none"> • Arterial streets are often louder and more heavily trafficked than side streets, which can make them a more appropriate location for restaurants and other commercial uses that generate noise, odors, and/or nighttime customers. • LR-zoned lots located on arterials are generally visible to more potential customers than those located on side streets and, thus, may be more viable as potential locations for small restaurants. • Applying varying commercial use standards to different street types in the affected LR zones would add complexity to the Land Use Code.

	<ul style="list-style-type: none"> • With the exception of retail shops, many small commercial uses that operate primarily during daytime hours (offices, business and medical services) add limited activity to the streets where they are located, making them more compatible with quieter neighborhood environments.
3. Restrict all commercial uses in LR2 and LR3 zones in Urban Centers and Station Area Overlay Districts to lots that are located on arterial streets.	<ul style="list-style-type: none"> • This option would reduce by 60 percent the number of LR-zoned lots where ground-floor commercial uses would be permitted. • Overall, the incremental impacts associated with allowing commercial uses on LR-zoned lots located along arterials would likely be less than those associated with permitting such uses on side streets.
4. Amend CB 117430 to require commercial uses in multifamily zones to meet the same odor standards as apply in commercial zones.	<ul style="list-style-type: none"> • CB 117430 would require venting for “odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices” associated with ground-floor commercial uses in multifamily zones to be located and directed away from residential uses “to the extent possible.” In commercial zones, the Land Use Code already requires such venting to be “at least 10 feet above finished sidewalk grade, and directed away to the extent possible from residential uses within fifty 50 feet of the vent.” • Applying to commercial uses in multifamily zones the same odor standards as apply in commercial zones would add consistency to the Land Use Code and provide residents of multifamily zones with more robust protections.
5. Restrict outdoor eating areas in eligible LR zones via one or more of the following means: a. Prohibit outdoor eating areas from being provided in LR zones. b. Allow outdoor eating areas on sidewalks and in front setback areas only.	<ul style="list-style-type: none"> • Under CB 117430, any outdoor seating associated with commercial uses in an LR zone would be required to close by 10:00 pm. • Placing additional restrictions on outdoor eating areas could help reduce noise impacts on nearby residents. • Limiting opportunities for restaurants to provide outdoor eating areas could ultimately reduce the number of restaurants that choose to locate in eligible LR zones.

	<ul style="list-style-type: none"> • Allowing sidewalk cafes to operate in eligible LR zones would require an amendment to Chapter 15.16 of the Seattle Municipal Code.
6. Prohibit the use of electric signs in LR2 and LR3 zones in Urban Centers and Station Area Overlay Districts.	<ul style="list-style-type: none"> • Consistent with what is already permitted in Highrise and MR and zones, CB 117430 would allow ground-floor commercial uses in eligible LR zones to have one electric or non-illuminated sign with a maximum size of 24 square feet. • Prohibiting the use of electric signs and instead limiting business owners to one externally illuminated or non-illuminated sign could help reduce the visual impacts permitted commercial uses may have on nearby residents. • Prohibiting the use of electric signs could affect the ability of business owners to build visible, viable enterprises in these areas.

PLUS Committee Recommendation:

Issue #2: Extend the maximum length of most temporary use permits to 18 months and convert the issuance of such permits from appealable Type 2 decisions to non-appealable Type 1 decisions.

DPD currently issues two types of temporary use permits: Type 1 non-appealable permits with terms of four weeks or less and Type 2 appealable permits with durations of up to six months. CB 117430 would extend the term of almost all temporary use permits to 18 months and convert the issuance of such permits to Type 1 decisions. The table on the following page provides more detail.

Duration and Review of Temporary Use Permits: Current Practice and CB 117430

Current Practice	
<p><i>Type 1 – Decision by DPD Director, Non-Appealable</i></p> <ul style="list-style-type: none"> • Temporary use permits with a duration of four weeks or less. • Temporary use permits with a duration of up to six months that are issued for the temporary relocation of police and fire stations. 	<p><i>Type 2 – Decision by DPD Director, Appealable to Hearing Examiner</i></p> <ul style="list-style-type: none"> • Temporary use permits with a duration of between four weeks and six months, except for permits issued for the temporary relocation of police and fire stations.
CB 117430	
<p><i>Type 1 – Decision by DPD Director, Non-Appealable</i></p> <ul style="list-style-type: none"> • Temporary use permits with a duration of up to 18 months, except for temporary use permits that are issued for transitional encampments and facilities for light rail transit construction. 	<p><i>Type 2 – Decision by DPD Director, Appealable to Hearing Examiner</i></p> <ul style="list-style-type: none"> • Temporary use permits with a duration of up to six months that are issued for transitional encampments. • Temporary use permits with a duration of up to 18 months that are issued for facilities for light rail transit construction.

The intent of the Executive’s proposal is to create opportunities for low-cost business activities, such as retail kiosks, that do not require the construction of permanent structures. CB 117430 supports this goal by 1) creating a more predictable process for the issuance of temporary use permits, 2) reducing the fees associated with temporary use permits, and 3) providing stability to business owners by lengthening the duration of temporary use permits. Since 2004, DPD has issued 36 temporary use permits, only two of which were for private business activities. The remainder were for Sound Transit construction facilities, transitional encampments, and temporary relocations of fire stations.

Committee members should be aware that a temporary use permit can be renewed if DPD determines that the use does not negatively impact neighboring properties. This applies even if the use would not otherwise be permitted in the zoning district where it is located.

After discussing temporary use permits at its April 11 meeting, the PLUS Committee identified four discrete action options. Those options, and associated considerations for the Committee’s review, are outlined in the following table as Options 1-4. Options 5 and 6 were added by Central Staff and DPD. While Options 1-5 are mutually exclusive, Option 6 could be combined with any of Options 1-3.

Options	Considerations
<p>1. Consistent with CB 117430, extend the maximum length of most temporary use permits to 18 months and convert the issuance of most temporary use permits to non-appealable Type 1 decisions.</p>	<ul style="list-style-type: none"> • DPD can review and issue a decision on a Type 1 permit in about six to eight weeks. • The fees associated with Type 1 temporary use permit decisions would generally be lower than those associated with the Type 2 process. This is because Type 1 permit fees are tied to construction costs, which are typically low for temporary uses. • Type 1 decisions cannot be appealed; thus, applying a Type 1 decision framework to temporary use permit applications would reduce opportunities for public comment on nonconforming uses allowed throughout the City.
<p>2. Extend the maximum term of all temporary use permits to 18 months, except for permits issued for transitional encampments. Continue to apply the Type 2 decision framework to all temporary use permit applications, except for applications submitted for short-term police and fire station relocations.</p>	<ul style="list-style-type: none"> • Type 2 permit applications can take DPD staff a few months to process and are subject to an hourly review charge of \$250. A typical Type 2 permit application can require up to 10 hours of DPD staff time, which equates to a base fee of \$2,500. • Type 2 decisions are appealable to the Hearing Examiner. If DPD issues a Type 2 permit that is subsequently appealed, the permit applicant is charged additional fees that are used to cover DPD's defense of its permit decision. Although none of DPD's Type 2 temporary use permit decisions have been appealed in recent years, such an appeal could take up to six months to resolve.
<p>3. Same as Option 2 but allow renewals of temporary use permits for uses other than transitional encampments and facilities for light rail transit construction to be processed as Type 1 decisions.</p>	<ul style="list-style-type: none"> • Allowing renewals of most temporary use permits to be processed as Type 1 decisions would help reduce the fees associated with such renewals. • Processing temporary use permit renewals as Type 1 decisions would benefit permit holders by adding predictability to the renewal process. • Converting temporary use permit renewals to non-appealable Type 1 decisions would reduce opportunities for public comment on problems that emerge only after the use is in place.

<p>4. Maintain the existing maximum term of six months for temporary use permits and continue to apply the Type 2 decision framework to all temporary use permit applications, except for applications submitted for short-term police and fire station relocations. Allow renewals of temporary use permits for uses other than transitional encampments and facilities for light rail transit construction to be processed as Type 1 decisions.</p>	<ul style="list-style-type: none"> • Temporary use permits may be issued for activities that would not otherwise be allowed in the zoning districts where they are located. Extending the term of most temporary use permits to 18 months would allow these nonconforming uses to remain in place for one year longer than is currently permitted under the Land Use Code. In cases where a temporary use ultimately proves disruptive or is found to negatively impact neighbors, an 18 month permit duration could be too long. • Applying a Type 1 decision framework to new temporary use permit applications would reduce opportunities for public comment on nonconforming uses allowed throughout the City. • If temporary use permits continue to trigger an initial Type 2 decision process and remain limited to a six month term, entrepreneur interest in such permits will likely remain low.
<p>5. Maintain the existing maximum term of six months for temporary use permits but convert the issuance of such permits to a Type 1 process, except for permits issued for transitional encampments or facilities for light rail transit construction.</p>	<ul style="list-style-type: none"> • Maintaining a six month maximum term for temporary use permits would help limit the negative impacts associated with temporary uses that prove to be disruptive once they are in place. • If the duration of temporary use permits remains limited to six months, entrepreneur interest in such permits could remain low, even if the permit review process is converted to a Type 1 framework.
<p>6. If the maximum length of most temporary use permits is extended to 18 months, prohibit temporary uses with durations of more than six months from operating in existing structures.</p>	<ul style="list-style-type: none"> • Neighbors of temporary uses that are located in existing buildings are more proximate and may be more directly affected by the use than neighbors of temporary uses that operate out of portable structures or kiosks. • If permits for temporary uses in existing structures remain limited to six months, it is possible that very few applications for such permits will be submitted to DPD, even if the permit review process is converted to a Type 1 framework. • Applying different regulations to temporary use permits depending on the location of the proposed uses would add complexity to the Land Use Code.

PLUS Committee Recommendation:

Issue #3: Eliminate minimum parking requirements in certain areas of the City that are well-served by transit.

CB 117430 would remove minimum parking requirements in areas of the City that are within a quarter-mile of a frequently-served transit stop. Frequent transit service is defined in the Land Use Code as “transit service headways in at least one direction of 15 minutes or less for at least 12 hours per day, 6 days per week, and transit service headways of 30 minutes or less for at least 18 hours every day.” The legislation would also eliminate the minimum parking requirements that currently apply to Major Institutions located in Urban Centers and Station Area Overlay Districts. The City has already eliminated minimum parking requirements for all other uses located in Urban Centers and Station Area Overlay Districts. Additionally, no minimum parking requirements currently apply to residential uses that are located in Urban Villages.

Part 1: Eliminate minimum parking requirements for Major Institutions located in Urban Centers and Station Area Overlay Districts.

The Land Use Code defines Major Institutions as licensed hospitals or post-secondary educational institutions that have a minimum site size of 60,000 square feet (50,000 of which must be contiguous) and a minimum gross floor area of 300,000 square feet. Examples of Major Institutions that are located in Urban Centers and Station Area Overlay Districts include Harborview Medical Center, the University of Washington, Group Health Hospital, and Seattle Central Community College. Because the City’s Urban Centers and Station Area Overlay Districts are well-served by transit, the Executive believes the existing minimum parking requirements for Major Institutions should not apply to Major Institutions located in those areas. All Major Institutions would still be obligated to work with SDOT and DPD to develop and carry out an effective Transportation Management Program.

Staff have identified the following three action options for the Committee’s review and consideration. All three are mutually exclusive.

Options	Considerations
1. Consistent with CB 117430, eliminate minimum parking requirements for all Major Institutions located in Urban Centers and Station Area Overlay Districts.	<ul style="list-style-type: none">• Restricted Parking Zones (RPZ), paid on-street parking, and other tools could be utilized, as necessary, to manage overflow parking on surrounding streets.• Developing parking is expensive and individual parking spaces in garages can cost up to \$40,000 to construct. Requiring Major Institutions in Urban Centers and Station Area Overlay Districts to provide parking that may be excess to their needs could directly affect the amount of funding they are able to invest in their primary missions (providing education, health care, etc.)

	<ul style="list-style-type: none"> The various Major Institutions located in the City's Urban Centers and Station Area Overlay Districts have different missions, serve diverse populations, use a variety of staffing models, and are open for business during different times of the day and night. Consequently, their parking needs are likely to vary as well.
2. Eliminate minimum parking requirements for all Major Institutions located in Urban Centers and Station Area Overlay Districts except for hospitals.	<ul style="list-style-type: none"> Visitors and employees of hospitals may be less able or willing to take transit than those commuting to educational or cultural institutions. In particular, elderly patients, adults traveling with small children, night-shift workers, and patients needing emergency care may not be able to easily access a health care facility via transit. Thus, it may be prudent to maintain minimum parking requirements for hospitals located in Urban Centers and Station Area Overlay Districts. Committee members could also call on DPD to complete additional analysis to inform a future Council decision on parking requirements for hospitals located in Urban Centers and Station Area Overlay Districts. Such an analysis could take DPD up to a year to complete and would be used by the Council to determine whether the existing parking requirements for these hospitals should be reduced, revised, or eliminated altogether.
3. No action; retain existing parking minimums for Major Institutions located in Urban Centers and Station Area Overlay Districts.	<ul style="list-style-type: none"> At minimum, there is evidence to suggest that the parking requirements for educational institutions in Urban Centers and Station Area Overlay Districts may need to be revised. According to the testimony provided by representatives from Seattle Central Community College, that campus has sufficient parking facilities to meet its needs and will eventually be served by the Capitol Hill light rail station. However, future redevelopment projects on the campus will continue to trigger the construction of additional, parking spaces if the existing parking minimums for Major Institutions located in Urban Centers and Station Area Overlay Districts are not changed. Requiring Major Institutions to develop and maintain parking facilities that may not be needed places a significant financial burden on the affected

	organizations and further constrains already limited land resources that could be put to a more desirable use.
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PLUS Committee Recommendation:

Part 2: Extend no-minimum parking requirements to areas within a quarter-mile of frequently-served transit stops.

CB 117430 would eliminate minimum parking requirements for residential uses in commercial and multifamily zones that are located within a quarter-mile walk of a frequently-served transit stop. Minimum parking requirements for non-residential uses in commercial and industrial zones that are located within a quarter-mile walk of a frequently-served transit stop would also be eliminated. Parking requirements in single-family zones would not change. Attached to this memo is a map provided by DPD (Map 1) that illustrates how this proposal would play out across the City.

Frequent transit service is defined in the Land Use Code and on p. 15 of this memorandum as “transit service headways in at least one direction of 15 minutes or less for at least 12 hours per day, 6 days per week, and transit service headways of 30 minutes or less for at least 18 hours every day.” This definition is consistent with the methodology that was used to guide the development of the City’s Transit Master Plan, which was adopted by the Full Council on April 16, 2012, via Resolution 31367. According to SDOT, the geography of the City’s frequent transit service areas has been very stable for more than 10 years and is not expected to change in the near term, unless funding for Metro is severely reduced.

Staff have identified the following three action options for Committee members related to the elimination of certain parking requirements within a quarter-mile of frequently-served transit stops. All three options are mutually exclusive.

Options	Considerations
1. Consistent with CB 117430, extend no-minimum parking requirements to areas within a quarter-mile of frequently-served transit stops.	<ul style="list-style-type: none"> • In areas of the City where parking is not currently required for multifamily housing projects, spaces are still provided for between 60% and 75% of new housing units. • Over time, the planned growth of Seattle’s rail transit network will likely provide some added stability to the geography of the City’s frequent transit service areas. • The frequent transit service thresholds established in the Land Use Code can be met by combining the headways of multiple transit routes. This means that in some locations the overall level of transit service may qualify as “frequent” but the individual routes

	<p>available to the neighborhood's residents and workforce may not. For example, in Lake City, neither 125th Street nor Lake City Way offer frequent transit service; however, the combined levels of service available on both corridors would allow for the elimination of the remaining minimum parking requirements in much of the neighborhood's commercial core.</p> <ul style="list-style-type: none"> • This option could result in increased demand for on-street parking in some areas of the City where on-street spaces are already highly utilized.
<p>2. Reduce minimum parking requirements consistent with the Planning Commission's recommendations.</p>	<ul style="list-style-type: none"> • In late March 2012, the Planning Commission submitted a letter to the City Council that outlined an alternative approach to lowering minimum parking requirements in areas of the City that are well-served by transit. The Planning Commission's proposal would reduce by 50% the minimum parking requirements for multifamily and non-residential uses (except for industrial uses) that are located within a quarter-mile of a frequently-served stop. In the 41 areas of the City that provide higher levels of transit service and meet the Planning Commission's "transit community" criteria, minimum parking requirements for multifamily and non-residential uses would be eliminated. A map that illustrates how the Planning Commission's proposal would play out across the City is attached to this memorandum as Map 2. • The Planning Commission's proposal is more modest and would affect fewer areas of the City than Option 1. • The Planning Commission first introduced and defined its transit communities concept in a November 2010 report and DPD staff are now working with the Planning Commission to develop policy frameworks that could be used to help guide growth and development in these areas over the next several years. Given the newness of the transit communities geography and the fact that analytical work associated with this planning model is still ongoing, it may be too early to use it as a basis for citywide parking requirements.

	<ul style="list-style-type: none"> • If this option is selected, DPD and Central Staff will need additional time to work with the Planning Commission and Law Department to develop appropriate language for an associated Land Use Code amendment.
3. No action; retain existing parking minimums for properties within a quarter-mile of frequently-served transit stops.	<ul style="list-style-type: none"> • Some areas of the City that offer frequent transit service but are outside Urban Center and Urban Village boundaries may not be particularly walkable or conducive to car-free living. • Developing parking is expensive and individual parking spaces in garages can cost up to \$40,000 to construct. This leads to higher development costs, which can ultimately affect the affordability of the residential units and commercial spaces associated with newly-built parking. • The definition of frequent transit service included in the Land Use Code establishes service thresholds that may be sufficient to meet the transit needs of individuals working standard, Monday-through-Friday business hours and traveling to and from major employment centers. However, the definition may not fully address the transit needs of those working irregular, nighttime, or weekend shifts in scattered locations across the City. As a result, eliminating minimum parking requirements for most uses within a quarter-mile of a frequently served transit stop will not uniformly expand the residential or employment opportunities available to Seattle residents even if it helps to lower construction costs and supports more compact development models.

PLUS Committee Recommendation:

Issue #4: Allow increased flexibility for street-level uses in several areas of the City where ground-floor commercial development is currently required.

In many of the City's Commercial 1 (C1) and NC zones, nonresidential uses must occupy at least 80 percent of ground-level building facades. This requirement applies even if a property is located in a C1 or NC zone with limited demand for commercial space. CB 117430 would amend the Land Use Code to remove this requirement for all C1- and NC-zoned properties, except for those that are located within one or more of the following:

- a Pedestrian (P) Overlay District, facing a designated pedestrian street;
- the Northgate Overlay District;
- the Bitter Lake Urban Village;
- the Lake City Urban Village;
- a zone that has a height limit of 85 feet or higher; or
- an NC1 zone.

The proposed Land Use Code change is intended to provide greater development flexibility and encourage infill construction in areas of the City where the demand for additional commercial uses may be limited.

Staff have identified the following three action options for Committee members' review. All three options are mutually exclusive.

Options	Considerations
1. Consistent with CB 117430, allow increased flexibility for street-level uses in many of the C1 and NC zones where ground-floor commercial development is currently required.	<ul style="list-style-type: none"> • This option would affect more than 80 percent of the commercial-zoned property in the City with frontage along an arterial. • Allowing a greater variety of ground-level uses in many of the City's C1 and NC zones could increase developer interest in locations where the market for additional commercial uses is slight.
2. Same as Option 1 but require all ground-floor, street-facing uses in the affected C1 and NC zones to comply with the design standards for ground-level commercial uses established in the Land Use Code.	<ul style="list-style-type: none"> • The Land Use Code's existing standards for ground-level commercial uses include a minimum floor-to-floor height of at least 13 feet and a requirement that at least 60% of street-facing facades between two and eight feet above a sidewalk be transparent. • If this Option 2 is not selected, any ground-floor, street-facing residential units developed in the affected zones will likely have less transparent facades and floor-to-floor heights of less than 13 feet. Such dwelling units will also be required to be at least four feet above or below sidewalk grade or set back 10 or more feet from the sidewalk. Ground-floor residential units built to these standards could be more difficult to convert to non-residential use. • Ground-floor residential units that are built to comply with the design standards for ground-level commercial uses could be more easily converted into commercial space as market conditions change over time. However, compliance with design standards for ground-floor commercial uses could result in

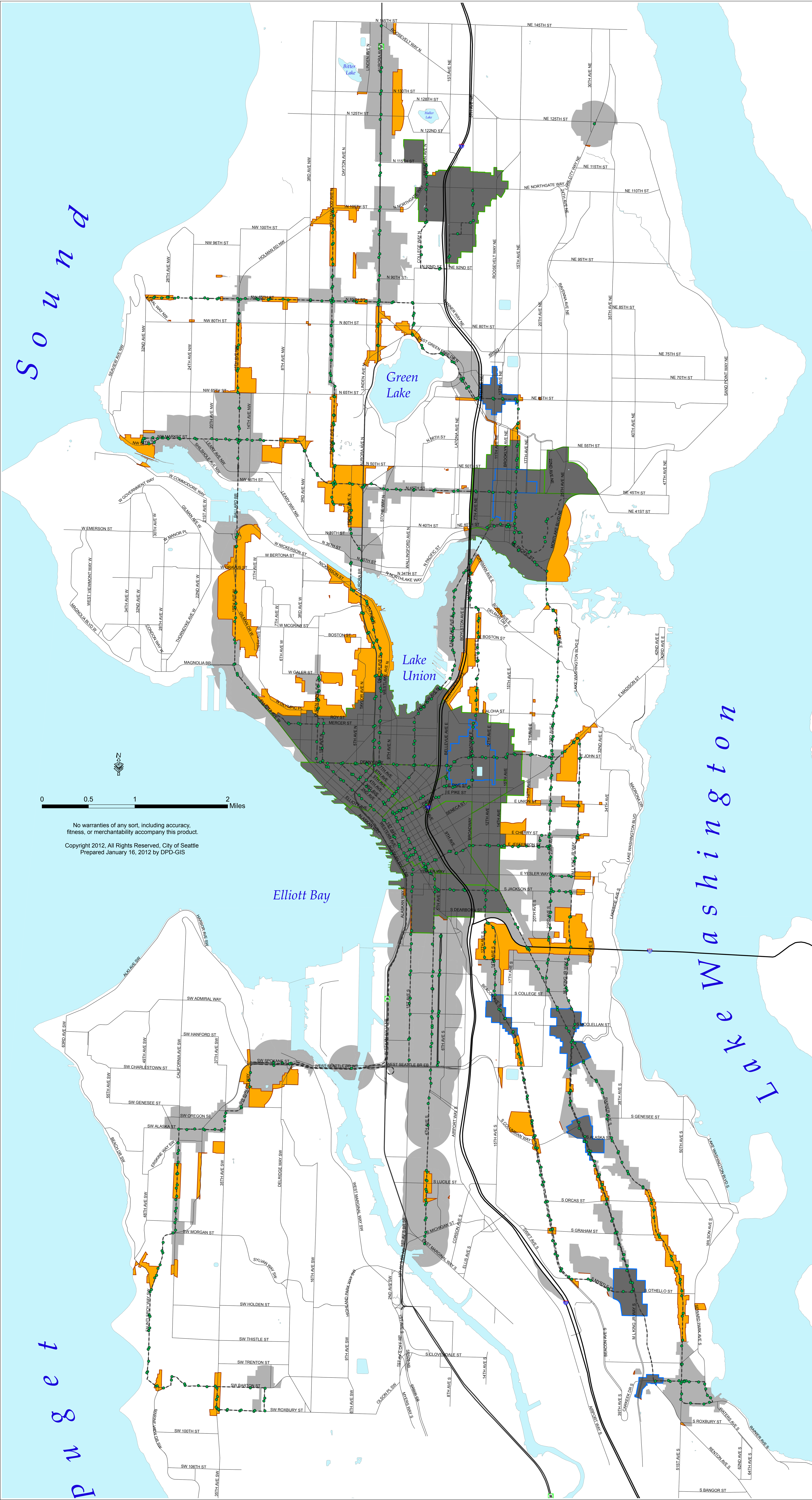
	increased project costs. This could be particularly problematic for nonprofit housing developers who may have no interest or intention of ever converting their ground-floor residential units into commercial space.
3. No action; retain existing language in Land Use Code.	<ul style="list-style-type: none"> • Requiring developers to create and market ground-floor commercial space has the potential to diminish investor interest in areas of the City that might be well-positioned for new residential construction but unable to support significant new commercial uses. • The presence of ground-floor commercial space, when occupied, can bring vitality to a street, support neighborhood walkability, and provide opportunities for local employment.

PLUS Committee Recommendation:

Next Steps

The PLUS Committee's next opportunity to discuss and possibly vote on CB 117430 will be on May 23. Please feel free to contact me at any time if you have questions or concerns about the content of legislation, or would like to offer an amendment for the Committee's consideration. I can be reached by phone at 684.5382 or via email at sara.belz@seattle.gov.





Areas within ¼ mile of a stop with frequent transit service



Legend

- Places where flexibility will be added, no-minimum parking for all uses
- Existing places with flexibility to provide no-minimum parking (Urban Centers, Station Area Overlays)
- Places where flexibility will be added, no-minimum parking for non-residential uses
- SDOT Frequent Transit Corridor
- Bus Stops Along Frequent Transit Corridor
- Station Area Overlay District

SPC's alternative proposal to increase flexibility

-  no minimum parking requirements (approximately 3400 parcel acres)
-  no minimum parking requirements for residential uses; places where flexibility will be added, no minimum parking requirements for non-residential uses (approximately 2270 parcel acres)
-  places where flexibility will be added, no minimum requirements for allowed uses (approximately 540 parcel acres)
-  places where flexibility will be added, 50% reduction to minimum requirements for allowed uses (approximately 2590 parcel acres)

