



**Legislative Department
Seattle City Council
Memorandum**

Date: February 11, 2013

To: Richard Conlin, Chair
Tim Burgess, Vice Chair
Mike O'Brien, Member
Planning Land Use and Sustainability (PLUS) Committee

From: Rebecca Herzfeld, Council Central Staff

Subject: **Design Guideline Revisions – Council Bill (CB) 117619**

Introduction

In 2008 the Department of Planning and Development (DPD) launched an effort to update the design guidelines that are used to evaluate multifamily and commercial projects under the Design Review Program. The purpose of the update is to:

1. Update the original citywide design guidelines, incorporating lessons learned from the development of neighborhood-specific guidelines and almost 17 years of projects reviewed under the Seattle Design Review Program.
2. Maximize the effectiveness of the guidelines as a tool to encourage better design while keeping the guidelines clear and easy to use by applicants, Board members, and the public.
3. Incorporate current best practices in design guidelines and address issues not contemplated during the drafting of the original design guidelines in 1993.

Changes Proposed by CB 117619

DPD has proposed that the principles addressed by the existing guidelines be maintained because they are still relevant, with the following changes:

1. Establish a hierarchy among the guidelines to prioritize how issues are treated.
2. Eliminate redundancy across the existing five guideline categories to simplify and shorten the document.
3. Address specific issues that have come up in recent years, including consideration of environmental and sustainability principles, and incorporating transit access and open space into building design.
4. Reformat the guidelines to make them easier to use, and add more contemporary drawings, photos, and examples.

The legislation also includes updates and clarifications to the Land Use Code chapter that establishes the design review process.

The update is focused on the design guidelines that apply citywide outside of Downtown. There are also 18 sets of neighborhood-specific design guidelines that supplement the citywide design guidelines, and that DPD is proposing to update. DPD's is not proposing to change the wording or general meaning of the current neighborhood design guidelines, except as follows:

1. Correcting typos or syntax errors;
2. Omitting the full restatements of specific citywide design guidelines that are currently included in the guidelines for eight neighborhoods (Capitol Hill, North District/Lake City, Morgan Junction, North Beacon Hill, Othello, Upper Queen Anne, Uptown, and Wallingford), and also omitting the references to the titles of the specific citywide design guidelines that are being supplemented in the other sets of neighborhood guidelines. Note that if the proposed citywide design guidelines no longer include the specific guideline that was cited, such an omission, in some cases, may change the meaning of the neighborhood design guidelines; and
3. Deleting statements of community goals and objectives, and neighborhood priorities from the neighborhood guidelines for Capitol Hill, Northgate, and Morgan Junction.

Consistent with the City's past approach when adopting most neighborhood guidelines, the introductions to the neighborhood guidelines, which generally include neighborhood context descriptions and design priority statements, are not proposed to be adopted. Post-adoption, DPD would include the neighborhood-specific introductory language from the previous guidelines in the published document. The only difference would be that the list of citywide guidelines that the neighborhood is supplementing would be updated to reflect the numbering of the new citywide guidelines.

Public Review Process

DPD's review process was largely conducted during development of the revised citywide guidelines from 2008 through 2010. This review process included two public meetings, discussions with the Design Review Board, the Design Commission, and various interest groups including local representatives of the American Institute of Architects. DPD staff also attended a number of community group meetings on invitation. DPD incorporated feedback received in formulating the proposal.

Council Bill (CB) 117619 was introduced on October 15, 2012 and a public hearing before the PLUS Committee is scheduled for March 4, 2013 at 5:30 p.m. in Council Chambers. A revised notice of the public hearing was published on February 11th that clarifies that the proposal does make changes to the neighborhood guidelines that go beyond reformatting, and that could affect the meaning of the guidelines in some cases.

Corrections to the legislation

After CB 117619 was introduced, Michael Jenkins of Central Staff found two items that needed to be corrected, as explained below. At a future PLUS Committee meeting, staff will present formal amendments for Committee discussion and possible vote.

Correction #1

In subsection 23.41.008.A, DPD is proposing amendments to clarify the role of the Design Review Board (Board). However, DPD carried forward the language adopted when the program was first established 17 years ago, which states that the Board “reviews all new development subject to design review.” Since the program was established, the Council has added both an administrative and streamlined design review process. Projects subject to these newer processes are reviewed by DPD staff rather than the Board.

Correction #2

CB 117619 adopts updated design guidelines for 18 neighborhoods. The updated guidelines are listed in the Land Use Code in subsection 23.41.010.B, and are also listed as attachments to the bill. However, the titles of the guidelines are not the same in the bill, the attachment list, and the documents themselves. The second correction would make the titles consistent.

Other issues

Several issues have been raised by DPD, Central Staff, and public comment since CB 117619 was introduced. These issues are described below, and may be brought up at the public hearing on March 4th.

1. Effective Date for CB 117619

In order to provide more time to train both City staff and the volunteer members of the Design Review Board, DPD has requested that the effective date of the legislation be extended from the usual 30 days to 90 days.

2. Scope of review for the Design Review Board

The legislation amends subsection 23.41.008.A to add language defining the scope of the Board’s review, as shown below.

“The scope of the Board’s review includes all aspects of the siting and design of new development including:

1. Location of all structures on the site and their relationship to natural features or systems;
2. Compatibility with existing or planned development, project massing and scale, and materials;
3. Quality and features of proposed open spaces;
4. Architectural and open space concepts of the project as a whole and their relationship to one another; and
5. Minimize development impacts over the life of the project.”

In proposing this language, DPD did not intend to broaden the scope of Board review. Some recent public comments request that this language be reviewed to make sure that this intent is clear, and that the extent of Board review is not changed from the current process.

3. Neighborhood goals, objectives, and priorities

Because the neighborhood guidelines were developed over a ten-year period by many different people, they were written and organized in a variety of ways. In most guidelines, neighborhood goals, objectives, and priorities are placed in the introductory section. However, for the Capitol Hill, Northgate, and Morgan Junction guidelines, these statements were included in the body of the document, and were inadvertently omitted in the current proposal. DPD and Central staff are proposing that they be reintegrated into the guidelines for these three neighborhoods.

4. Citywide Design Guidelines

As noted on page 2, DPD removed the cross-references (or actual wording) of the citywide guidelines being supplemented from the proposed neighborhood design guidelines. In most cases, this did not change the meaning of the neighborhood guidelines. However, in some cases, the new citywide design guidelines no longer include the specific guidance that was cited. This can change the meaning of the neighborhood design guidelines, and may highlight some potential gaps in the citywide guidelines.

For example, on page 5 of the current University Neighborhood Design Guidelines, in the section on site planning, supplemental guidance is provided for citywide Guideline A-5, which addresses “Respect for Adjacent Sites” and states:

Excerpt from page 5 of the current University neighborhood design guidelines:

A-5 Respect for Adjacent Sites	
Context This Citywide Design Guideline is particularly important where a building’s back side, service areas or parking lots could impact adjacent residential uses. Map 2 (page 8) shows potential impact areas—these are where Lowrise zones abut commercial zones.	Guideline Special attention should be paid to projects in the zone edge areas as depicted in Map 2 to ensure impacts to Lowrise zones are minimized as described in A-5 of the Citywide Design Guidelines.

Guideline A-5 from the current citywide guidelines is shown on the following page. It includes an example diagram and provides possible solutions to minimize impacts on adjacent buildings.

Excerpt from page 12 of the current citywide design guidelines:

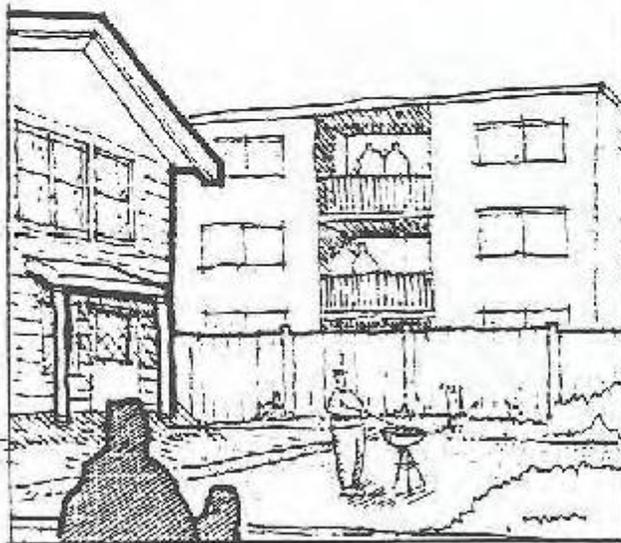
A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

- *Explanation and Examples*

One consideration is the views from upper stories of new buildings into adjacent houses or yards, especially in less intensive zones. This problem can be addressed in several ways.

- Reduce the number of windows and decks on the proposed building overlooking the neighbors.
- Step back the upper floors or increase the side or rear setback so that window areas are farther from the property line.
- Take advantage of site design which might reduce impacts, for example by using adjacent ground floor area for an entry court



Inappropriate siting of large buildings can reduce the privacy of adjacent homes.

AVOID THIS

- Minimize windows to living spaces which might infringe on the privacy of adjacent residents, but consider comfort of residents in new building.
- Stagger windows to not align with adjacent windows.

The proposed citywide guidelines no longer include the wording of Guideline A-5 or a specific discussion of minimizing disruption on neighboring properties. As shown in the following excerpt from the proposed University Guidelines, while the wording of the supplemental guideline has remained the same, the citywide guideline to which it refers is now much more general, and the intent of the neighborhood guideline is no longer clear.

Excerpt from page 7 of the proposed University neighborhood design guidelines:

<p>Citywide Guideline: Strengthen the most desirable characteristics and patterns of the streets, block faces, and open spaces in the surrounding area.</p>	
<p>Respect for Adjacent Sites Context This Citywide Design Guideline is particularly important where a building’s back side, service areas or parking lots could impact adjacent residential uses. Map 2 on page 3 shows potential impact areas—these are where Lowrise zones abut commercial zones.</p>	<p>Guideline Special attention should be paid to projects in the zone edge areas as depicted in Map 2 on page v [this is a typo—should say “page 3] to ensure impacts to Lowrise zones are minimized.</p>

This example raises the question of whether a general guideline similar to the current Guideline A-5 should be added to the proposed citywide guidelines, as the concept of minimizing disruption on adjacent properties is no longer addressed. If this concept is added back, the citywide guideline could then be cited again in the proposed University Neighborhood Guidelines. Another option would be to just change the proposed University Neighborhood Guidelines to address potential impacts on adjacent properties, so that the community’s original intent is carried forward.

In a quick review, Central Staff has found one other example of a neighborhood document referencing a citywide guideline that is no longer in the proposed citywide document.

5. Numbering for neighborhood design guidelines

From a quick overview, it appears that none of the current neighborhood guidelines have a numbering system, and this practice was carried forward in the proposed neighborhood guidelines, except for parts of the proposed guidelines for South Lake Union. Lack of numbering can make it difficult for the public, applicants, and design review board members to discuss what guidelines should apply.

For example, in the proposed Northgate guidelines, under citywide guideline PL3 about “street-level interaction”, there are five Northgate-specific guidelines on three pages, each with at least two sub-guidelines. None of them are numbered, so if someone wants to cite a sub-guideline, they would need to say “the second bullet under the guideline

about lots adjoining public open spaces on page 14” instead of “Guideline PL3-D-2”. The lack of numbering also makes navigating the document difficult, as it isn’t always clear which citywide guideline is being supplemented without paging back to check.

6. Maps in the neighborhood design guidelines

Some of the neighborhood design guidelines include maps that illustrate concepts in the guidelines, such as the location of gateways on important corners. For example, in the current guidelines for Othello, there are three maps, each of which has a cross-reference to the associated guideline that it illustrates. In the proposed version, the cross-references to the maps have been removed and they are placed at the front of the document, away from the guidelines to which they refer. It would be helpful to address this formatting issue to make the guidelines easier to use.