



**Legislative Department
Seattle City Council
Memorandum**

Date: November 21, 2014

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

From: Ketil Freeman, Council Central Staff

Subject: Council Bill 118123 – Waterfront and Other Downtown Text Amendment

Background

In June the Mayor proposed Council Bill (C.B.) 118123. C.B. 118123 would amend the Land Use Code (LUC) to 1) change development standards applicable to development on the central waterfront and 2) modify development standards applicable more broadly in the Downtown Urban Center, including development standards related to floor area ratio (FAR) exemptions, street-level uses, and tower spacing. In June and July, the Planning Land Use and Sustainability (PLUS) Committee was briefed on the proposed amendments by the Department of Planning and Development (DPD) and held a public hearing.

This memorandum summarizes potential amendments to C.B. 118123 and identifies applicable Comprehensive Plan policies related to the proposed amendments.

Potential Amendments	Discussion
<i>Substitute C.B. 118123</i>	<p>Since introduction of C.B. 118123, the Council has approved Ordinance 124503, which amended the text of the LUC for development standards applicable to development in the Pike / Pine Conservation Overlay District, and Ordinance 124591, which amended the text of the LUC to provide additional FAR for qualifying landmark performing arts theaters. Changes made by those ordinances are not reflected in the base code. The substitute amends C.B. 118123 to make the base code current.</p> <p>Additionally, the substitute removes proposed street-level use requirements for Western Avenue. Originally the Mayor proposed to establish street-level use requirements for Alaskan Way and Western Avenue. This would have required new development to include pedestrian activating uses, such as restaurants and retail, at the street-level. Since introduction DPD has determined that street-level use requirements on Western Avenue may not be viable and may create a hardship for future development. Street-level use requirements would still apply on Alaskan Way. For a map of areas where street level uses are currently or would be required see p.71 of the substitute.</p>
<i>FAR Exemption for Schools</i>	<p>This proposed amendment would exempt from FAR calculations floor area associated with public or private educational institutions that serve preschool through high school students. Schools and child care centers are currently allowed at the street-level in areas that require street-level uses.</p>

Downtown neighborhood plan policies contemplate FAR exemptions as a tool to encourage

**Potential
Amendments**

Discussion

specific types of land uses. Specifically, Downtown Land Use Policy 8 (DT-LUP8) states:

Allow exemptions from floor area ratio limits to recognize the lower impacts of certain uses and encourage certain uses that generate minimal peak period commute trips, support pedestrian activity and transit use, and contribute to the overall diversity of activity downtown, increasing its attractiveness as a place to live, work, and recreate. ([at p. 8.55 of the Comprehensive Plan](#))

*FAR
Exemption for
Repurposed
Parking
Garages*

This proposed amendment would exempt floor area associated with above grade parking uses in structures existing prior to 1980 in the Downtown Mixed Commercial (DMC) zone located west of Third Avenue. To qualify for the exemption at least 50% of the parking spaces must be available as short term parking, the parking structure must be modified to meet street-level use requirements, and new floor area that is not exempt from FAR calculations must meet a LEED Gold standard.

DT-LUP8, described above sets out the policy related to FAR exemptions. In addition Downtown Transportation Policy 14 (DT-TP14) states:

Exempt floor area occupied by short term parking from the calculation of permitted floor area to recognize the difference in impacts between short term parking and other kinds of uses and to provide an incentive for projects to include short term parking to meet shopper and visitor parking needs. Short term parking means parking that is marketed, priced or operated in a manner that encourages its use as parking for shoppers and other non-commuters. ([at p. 8.70 of the Comprehensive Plan](#))

*Bicycle
Parking as an
Allowed
Street-level
Use*

This proposed amendment would allow bicycle parking as an eligible use where street-level uses are required subject to a limit on length of street frontage.

Downtown neighborhood plan policies establish the basis for regulating street level uses for urban design reasons. Specifically, Downtown Urban Design Policy 11 (DT-UDP11) states:

Regulate uses at street level in certain areas in order to generate pedestrian interest and activity in conformance with policies for the pedestrian environment. Promote street level uses to reinforce existing retail concentrations, enhance main pedestrian links between areas, and generate new pedestrian activity where appropriate to meet area objectives without diluting existing concentrations of retail activity. Promote active and accessible uses at the street level of new development where it is important to maintain the continuity of retail activity. Consider measures to promote street level space of adequate size and sufficient flexibility to accommodate a variety of retail and service activities. Encourage incorporation, as appropriate, of street level uses as part of open space public amenity features provided for a floor area bonus to promote activity and increase public use of these spaces. To encourage active and accessible street level uses throughout downtown, consider appropriate exemptions of these uses from floor area limits. ([at p. 8.60 of the Comprehensive Plan](#))