

residential development. However, it is primarily intended as downtown's secondary office district. Consequently, there are no mandatory towers spacing requirements.

The Council amended Ordinance 125291 to establish the City's intent to consider legislation authorizing the Director of the Seattle Department of Construction and Inspections to increase height or density limits for new development in DOC2 zones that "voluntarily provides a greater separation than would otherwise be required from existing residential towers on the same block."¹

The proposal is intended to carry out that intent.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposal during Council meetings and a public hearing.

Proposal Description

The proposal is intended to provide a regulatory incentive for developers of new towers that are proposed for blocks in the DOC2 zone where there is an existing residential tower to provide a voluntary separation from existing towers. The voluntary separation is intended to increase penetration of light and air and enhance privacy for existing and future residential towers. Developments that choose to use this incentive would need to meet the following requirements:

- For residential and commercial tower, all floors greater than 85 feet in height would have to be set back from the adjacent lot line by at least 15 feet if the lot with an existing residential tower is across an alley, or at least 30 feet if the lot with an existing residential tower is directly abutting; and
- For residential towers only, the average residential gross floor area per story above a height of 85 feet could not exceed 11,200 square feet.

Developments providing the voluntary setbacks would receive additional development capacity. For residential development, the alternative standards allowed through this proposal could result in development with a height up to 640 feet, which is 90 feet higher than the height limit of the zone. For commercial development, the alternative standards would add floor area equal to approximately 0.33 of a Floor Area Ratio (FAR) to the current maximum FAR of 15. The additional capacity represents an approximately 2-4% increase in total zoned development capacity.

The proposed additional development capacity and voluntary separation distances together would require buildings to be taller and skinner than what would likely occur under existing regulations. The proposed additional height or commercial density would allow a developer to achieve the same floor area that might otherwise be available without the voluntary setback plus a small amount of additional floor area to encourage developers to provide the separation.

¹ See Section 46 of [Ordinance 125291](#).

The proposal would also establish that the decision by the SDCI director to grant additional height is a Type I decision, meaning that it is a non-discretionary decision by the SDCI Director that is not subject to appeal to the City Hearing Examiner.

ANALYSIS - SEPA

This proposal is a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated May 24, 2017. The information in the checklist, a copy of the proposed code changes, familiarity with environmental documentation for MHA implementation Downtown and in South Lake Union, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

The proposed amendments may result in potential environmental impacts, which are identified and discussed below.

ELEMENTS OF THE ENVIRONMENT

Built Environment

Land Use

The proposal would allow additional development capacity on sites in the DOC2 zone where certain requirements for tower separation are met. These provisions could increase the total development capacity of future buildings by about 2-4%. It is generally expected that the cost of the tower separation requirements combined with the value of the additional development capacity will not significantly change the value of redevelopment on sites in this zone or the types of uses that might be preferred.

Consequently, the proposed amendment is not likely to significantly change the overall mix of uses in this zone and it is unlikely that the limited increase in capacity generated under this proposed action would lead to land use conditions or outcomes that would be incompatible with, or likely have any significant adverse impact on, future use and development patterns.

Height/Bulk/Scale

The proposal would allow additional floor area on structures in the DOC 2 zone when tower separation is provided. Potential impacts from this proposal are likely to be minimal due to the limited number of existing residential towers and the limited number of development opportunities remaining in the area. Additionally, the bulk and mass offered as an incentive would only be given if increased tower separation is also provided, which will tend to increase privacy and access to light and air for existing and future residents.

The proposal could make an incremental difference in the height, bulk, and scale of future development. Overall, the height, bulk, and scale of development allowed under this proposal would continue to be reasonably compatible with the general character of development anticipated by the goals and policies set forth in the Seattle Comprehensive Plan.

Shadows on Open Spaces, Light/Glare, Public View Protection

This proposal could result in minor adverse impacts commonly associated with additional development capacity such as additional glare, shadows, and view blockage; however, these impacts are not expected to be significantly different from the potential impacts of projects that are allowed under existing code.

Incremental increases in the shading of public places and rights-of-way could occur as a result of taller, larger buildings allowed under the proposed zoning changes. However, these same impacts may occur as a result of cumulative development within an area under existing conditions, or development proximate to the open space that would have a similar impact on a particular open space as a project developed under the proposed changes. As the proposal would only result in incrementally small changes to existing development standards, potential impacts are likely to be minor.

The increased floor area of buildings could increase the cumulative level of artificial illumination from developable sites in the DOC2 zone. New buildings could include towers that may potentially incorporate reflective surfaces that could on occasion create glare impacts. As the proposal would not change the materials that could be used on individual buildings, potential impacts are likely to be minor.

Impacts on public views were disclosed in the SEPA checklist. Public views of the Space Needle from Four Columns Park, which may be affected by this proposal, are already significantly impaired. This proposal is likely to result in the creation of private views in some new buildings and the reduction of views in some existing buildings.

Overall, potential impacts from shadows, light/glare, and minor new view blockage are not anticipated to be significant.

Transportation

Analysis conducted as part of MHA Downtown and South Lake Union Urban Design Study suggested that the proposed increase in development capacity from MHA implementation could result in an increase in square footage of new development equal to approximately 5% above existing regulations. The potential transportation impacts of this increment of added growth were analyzed in *The Mandatory Housing Affordability Transportation Study: South Lake Union and Downtown*; Fehr and Peers, 2016. That study concluded that no significant unavoidable adverse impacts to transportation are expected.

This proposal could add slightly more development capacity in the DOC2 zone. However, the incremental increase is limited by the number of development sites and is contingent on developers' choices to voluntarily provide tower separations. Any incremental increases due to this proposal are likely to very small in comparison to the total amount of development that is likely to occur generally. Consequently, no significant adverse impacts to transportation are anticipated due to this proposal.

Natural Environment

Earth, Air, Water, Plants and Animals, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

No significant adverse impacts to critical areas are expected to result from the rezone proposal. The area is already a developed urban environment with no identified critical areas, and the proposed changes would only incrementally increase the potential size of future development on a range of redevelopable properties. There are no wilderness areas, wild and scenic rivers, threatened or endangered species habitat, or prime farmlands in the area where the proposal would apply.

However, it is noted that species such as bald eagles and salmon are known to inhabit the general vicinities near the affected area, which adds a degree of interest in preserving water quality from degradation. The range of existing regulations that apply to potentially sensitive areas would continue to apply and provide protections to resources such as steep slopes, landslide hazards, stream corridors, wetlands, and other shoreline environments. Therefore, no significant adverse impacts are anticipated.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, the proposed Code amendment, and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS - SEPA

None.

Signature: On file
Brennon Staley, Strategic Advisor
Office of Planning and Community Development

Date: May 30, 2017