



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

Draft for Discussion Purposes Only

Preliminary Staff Draft Recommendations Lowrise Multi-family Code Corrections April, 2014

Drawing from direct observation, analysis of plans and projects, and from extensive community comment, DPD staff prepared a preliminary staff draft of recommendations for lowrise multi-family zoning code corrections. Specific sources of information helping to inform the preliminary recommendations include:

- Meetings with Seattle Speaks Up
- January 14, 2014 Community Meeting
- January, 2014 Meeting with CoRA and AIA
- Numerous public comment e-mails
- Discussions with community members

At this time all of these preliminary recommendations are subject to change based on further analysis, and discussion with management and the executive.

These preliminary recommendations are structured based on three primary observations. Stemming from each of the three observations, we are suggesting a set of actions that respond to each.

OBSERVATION 1:

There are genuine and widespread concerns among existing residents in places where there's been the most new Lowrise (LR) development. The concerns span a variety of topics related to rapid change and are not limited to height limit alone.

Recommendations – 1

The City should continue to explore improvement to managing how infill development fits in neighborhoods and affects existing residents.

This first recommendation does not lead to elements of this specific package of immediate code changes, but points to a set of other ongoing and planned efforts of the City and DPD that could lead to responsive action. This acknowledges that the immediate code corrections will not address the full range of concerns and comments heard during outreach.

- **Dialogue about growth - Seattle 2035:** Continue to work with residents to communicate ideas about growth in the context of the major 2035 Comprehensive Plan update. It will set the city's growth strategy for the next 20 years, and many land use policies and zoning will stem from the plan update.
- **Explore New Tools for Enhancing Livability in Fast-Growing Areas:** In areas with the most growth evaluate new tools for funding improvements to ensure excellent livability along with growth.
- **Continue Improvements to Permitting Processes and Notice:** Evaluate reforms and improvements to permit processes, to ensure appropriate levels of notice and design review in proportion to the potential impact of projects.

OBSERVATION 2:

The '5-story problem' and the greatest scale / context issues are focused within one specific segment of lowrise development: Lowrise 3, In Urban Villages & Centers, for Apartments. The resultant building height and scale of buildings was not intended by the 2010 update.

Recommendations – 2

Make a course correction to require better response to context and/or fulfillment of other policy objectives for this focus segment of LR development.

This recommendation leads to specific code amendments. We present a two part recommendation. The first part of the recommended response will certainly be included in the code changes and will achieve much of the desired outcome. Two other considerations were evaluated, and either could be added in addition to the recommended response.

RECOMMENDED RESPONSE:

Eliminate Partially Below Grade Story Allowance: For lowrise zones we recommend eliminating all of the exceptions for partially below grade story including height and FAR exceptions. Projects using the exceptions have not achieved favorable design outcomes in line with the intention of the 2010 code update.

- **+4' of Height for Partially Below Grade Story:** Eliminate the +4' height allowance. It is already not allowed with pitched, butterfly and shed roofs. **(23.45.514.F)**
- **FAR Exemption for Partially Below Grade Story:** Eliminate the FAR exemption. **(SMC 23.45.510.E.4.a)**

Add a New Maximum Street-Facing Façade Height Standard: When the Lowrise Code was updated height measurement technique was also changed to an average grade plane resulting in taller facades on the downhill side of sloping sites. This led to buildings with more stories or taller facades than expected as viewed from the low side of slopes, and as compared with prior development.

- **44' maximum street-facing façade height:** Add a new standard limiting the height of any street-facing façade to 44' above the elevation of finished grade at the edge of a street-facing property line. (including any parapets and roof structures). Apply the limit within 12' of the street-facing property line. **(In new 23.45.515)**

OTHER CONSIDERATIONS: Either of the two options below could be added to the recommended response.

- **Additional Performance Criteria for Accessing a 40' Height and 2.0 FAR:** Access to the allowance for 40' (instead of 30') and access for a 2.0 FAR (instead of 1.5) was intended to be provided for higher performing apartment projects according to criteria. However some observed buildings using this allowance have not resulted in high performance in terms of fitting into context. Therefore additional criteria such as undergoing a discretionary Design Review (or other) could be added as requirements for accessing the higher height and FAR.
- **Reduce Numerical Height Limit to 35':** For apartments in urban villages / centers, in LR3, limit the greatest allowable height to 35' (instead of 40'). This would have the effect of further reducing the height of buildings in the focus segment, but would not address overall amount of allowable building square footage.

OBSERVATION 3:

There are a few detailed code provisions being used in ways clearly not intended by the 2010 multi-family zoning code update.

Recommendations – 3

Make correction to code language that allowed for use of detailed provision in ways clearly not intended.

- **Place Limits on Use of Clerestories and Similar Features:** Various rooftop features are allowed to extend above the allowed height limit. While most architectural rooftop features such as dormers on a sloped roof are limited to a percentage of the roof, this was not included as a provision for clerestories. Without a limit on roof coverage some clerestories added useable area to roofs. Proposed limits are recommended:
 - Recommended: Clerestories and similar features (planters, raised skylights etc.) may not cover more than 30% of the roof plane. **(23.45.514.J.2)**
- **Include unenclosed exterior stairs, hallways and breezeways in chargeable FAR.** The treatment of FAR in exterior stairs, hallways and breezeways (not counted towards chargeable floor area) has been used in a way that significantly increases the buildable floor area of some apartment buildings (as much as 15% - 20%). This was not intended by the code update when the larger FAR allowances were created for apartments.
 - Recommended: Modify the Floor Area Ratio (FAR) Measurements section **(23.86.007)** for multi-family zones to include covered exterior circulation corridors except for at-grade walkways, courtyards and similar.
 - Possible alternative – include 50% of such areas towards FAR.
 - Possible addition - prohibit allowance for projecting any exterior circulation stairs, hallways or breezeways into setbacks, including through departures or adjustments through design review.
- **Floor Area Ratio of Loft Spaces.** Consider adding a standard to count the finished floor area in areas with ceiling heights less the required floor-ceiling height for building code habitable space to count towards FAR, potentially at a 50% percentage.

OBSERVATION 4:

Some recent development occurring in the Lowrise 1 zones (the lowest scale Lowrise zone) has more density and adjacency impacts than were expected during the 2010 major update.

Recommendations – 4

Modify development standards in the Lowrise 1 zone to address unanticipated density levels and adjacency impacts.

- **Add a side setback requirement for rowhouse development if it is next to other types of housing.** Currently no side setback is required for rowhouses except if they are next to a single family zone.
 - Recommended: Add a 3.5' side setback requirement for rowhouses where they are adjacent to non-rowhouse development in order to provide breathing room and space for basic maintenance.

- **Change rounding requirements for the density limits in lowrise zones.** Currently density limits allow for rounding of units, so that if the allowable number of units ends up with a fraction greater than 1/2, a developer may round up to include the dwelling unit. In some cases subdividing land to lot sizes that are beneficial for rounding purposes has allowed the creation of more townhouse units than expected in the 2010 update. Specifically, in lowrise zones, locating 4 townhouse units instead of three on a common 5,000sf lot has been observed, and this was not expected.
 - Recommended: Change the rounding threshold from 0.5 to 0.85 for when a fraction of allowable units may be rounded up to the next whole number, for lowrise multi-family zones.

- **Add a density limit for rowhouses in the LR1 zone.** Currently there is no density limit for rowhouses. It was expected there would be no sets of units behind rowhouses, so that lot width would control density. Some developments have subdivided lots in ways that work around this requirement.
 - Recommended: Add a density limit for rowhouses in the LR1 zone of 1 unit per 1,600sf of lot area, consistent with the other housing types.