



City of Seattle

Department of Planning and Development

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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Sponsor: City of Seattle

Location of Proposal: The proposal is a non-project action, applicable in various zones throughout Seattle.

Scope of Proposal: The proposed amendments would correct errors or omissions or clarify provisions of Ordinance 123495, which reclassified and established new development standards for lowrise zones, established a new administrative design review process for townhouse development, and modified other standards that apply in various zoning designations.

BACKGROUND

Proposal Description

In December, 2010, the City Council adopted Ordinance 123495. This ordinance established new development standards for lowrise zones, a new administrative design review process for townhouse development, and other standards that apply in various zoning designations. Since passage of the ordinance, DPD staff has discovered corrections and clarifications that would facilitate use of the new provisions, in keeping with Council's intent. Most of the amendments are minor technical changes (e.g., correcting outdated formatting and subsection references). The proposed ordinance also contains amendments that are clarifications to provisions or corrections of errors or omissions.

The proposed ordinance would:

- correct cross-references and formatting;
- delete a sloped lot height exception in Single Family and Commercial zones that is no longer needed because the method for measuring height was changed by Ordinance 123495;
- delete an outdated height exception on lots containing a peat settlement-prone environmentally critical area;
- clarify the method for measuring height in Section 23.86.006 and in the definition of "existing lot grade";
- renumber three definitions in the "residential use" definition section that were not numbered in consecutive order.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings.

ANALYSIS – OVERVIEW

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated January 7, 2011. The information in the checklist, a copy of the proposed text changes, a Director's Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision. The following describes the analysis conducted to determine if the proposal is likely to result in probable significant adverse environmental impacts.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed amendments would result in no adverse short-term impacts because the adoption would be a non-project action. The majority of the amendments correct outdated references and incorrect formatting, and will have no effect on the environment.

Natural Environment

Discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; plants, animals, fish or marine life; energy or natural resources; environmentally sensitive areas or areas designated for government protection.

The proposed amendments that modify substantive development standards primarily address height exceptions and height measurement techniques, and would not alter the potential impacts of development on elements of the natural environment. No changes to zoned height limits are proposed. No additional discharges to air or water would be expected with these amendments, nor do they relate to production, storage, or release of toxic or hazardous substances. The modified development standards are not expected to result in developments with different impacts on plants, animals, fish or marine life than developments permitted under current regulations (including Ordinance 123495). The proposed amendments are not expected to increase impacts to or usage of energy or natural resources, or impact environmentally sensitive areas or areas designated for government protection. Development of specific projects on individual sites is subject to the City's existing regulations and will be subject to environmental review (if they meet or exceed thresholds for environmental review), as well as applicable codes such as the Environmentally Critical Areas Ordinance.

Built Environment

Land & Shoreline Use, Height/Bulk/Scale

The substantive text amendments primarily relate to height exceptions and height measurement techniques; as such, the greatest potential impacts would be to the height, bulk, and scale elements of the built environment. No changes to allowed or prohibited land uses are proposed, nor are any rezones proposed under the text amendments; as such, no land use or shoreline impacts are anticipated from the proposed legislation.

The text amendments would remove sloped lot height exceptions in single-family and commercial zones; these height exceptions became outdated with the approval of a modified method for height measurement in Ordinance 123495. Similarly, a specific sloped lot height exception for lots containing a peat settlement-prone environmentally critical area also is outdated with the approval of the modified height measurement method, and would be removed with these amendments. No environmental impacts are anticipated from removing these sloped height lot exceptions.

The text amendments would add an optional method for determining the average grade on a lot under the general rules for height measurement. The current approach calculates the average grade using the midpoint of every wall segment of the proposed structure. The proposed optional method would allow a rectangle to be drawn around the proposed structure; the average grade would be determined using the midpoint of each of the four sides of that rectangle. Depending on the particular structure being proposed, the optional measurement technique could result either in taller or shorter façades on a proposed building as compared to the standard measurement technique. However, the allowed height of the structure would not change, nor would development standards that establish the permissible bulk and scale of the structure (such as floor area ratio). Multifamily and commercial projects that are not exempt from SEPA would go through Design Review, which would address height, scale, and bulk impacts of proposed projects using either measurement technique. Overall, the method of identifying a potential alternate midpoint from which to calculate average grade is unlikely to have any substantial adverse environmental impacts.

An alternate method for calculating average grade would be more broadly allowed by this legislation. This alternate method is intended to allow a structure to better respond to the topography of its site. Under this method, one side of the rectangle enclosing the site could be divided into perpendicular segments at least 15 feet in length, and average grade measured from these segments. This method would allow structures to better accommodate topographic variability. Currently, this measurement approach only is available for sloping lots on which a 20-foot grade difference existing along one exterior wall. As with the optional measurement technique described in the paragraph above, this method could result in either taller or shorter façades, or taller or shorter portions of a façade, on a potential structure. However, the allowed height of the structure would not change, not would development standards that establish the permissible bulk and scale of the structure (such as floor area ratio). Multifamily and commercial projects that are not exempt from SEPA would go through Design Review, which would address height, scale, and bulk impacts of projects using this alternate method. Overall, expanding the number of sites on which this alternate method for calculating average grade can be used is unlikely to have any substantial adverse environmental impacts.

The legislation also would clarify that, on lots where prior excavation has occurred, existing grades are expected to be extended across a lot to the exterior walls. This clarification to the definition of existing lot grade would not alter the allowable building envelope, nor would it change the potential height, bulk, and scale of a structure; therefore, no adverse environmental impacts are expected.

Housing

The proposed amendments are not expected to increase the amount of housing constructed, affect the affordability of housing, or result in changes to the amounts of housing expected to be demolished. As such, the amendments are unlikely to have an adverse affect on housing.

