

Department of Planning and Development

Director's Report

Background and Summary of Proposal

The Department of Planning and Development (DPD) is responsible for maintenance of the Land Use Code. The proposed amendments, affecting the Downtown chapter of the Land Use Code are proposed to clarify and improve these code sections consistent with applicable plans and policies. The sections proposed to be amended are: Subsections 23.49.009.A (Street-Level Use Requirements), 23.49.011 (FAR), and 23.54.035 (Parking and Loading).

Analysis

23.49.009.A is proposed to be amended to clarify desired street-level uses. This clarification would eliminate certain uses that currently qualify as street-level use requirements, including animal shelters, kennels, and sales and/service for automobiles or marinas. Other uses, such as arts and religious facilities, colleges, and building lobbies would now qualify as street-level uses. The changes are intended to promote active uses along key streets throughout downtown.

There are four amendments proposed to the list of exemptions from Floor Area Ratio (FAR) calculations in 23.49.011.B.

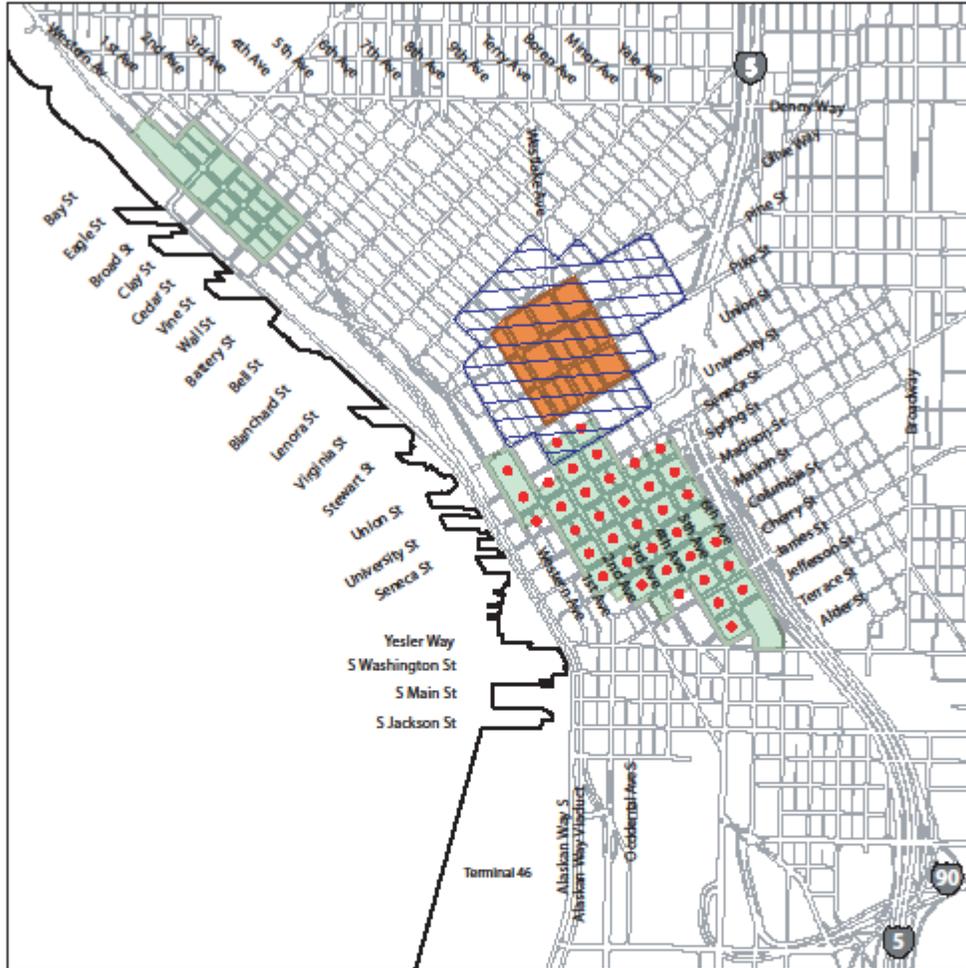
1. A new subsection would exempt 50,000 square feet from FAR limits for City facilities such as police and fire stations. A City facility is defined as a facility owned and/or operated for public purposes by the City of Seattle (23.84.A.006.C). These facilities, such as fire and police stations, provide essential public services that would not be provided by the private sector. They must be located where those services can be provided equitably and efficiently.

Unlike most commercial uses subject to an FAR limit, City facilities such as fire and police stations do not generate the type of impacts, such as vehicular trips, that a limit on floor area is generally intended to regulate. A City facility that is primarily office use would not be granted the exemption, since its impacts would be similar to other similar types of commercial uses, and office uses have more location options.

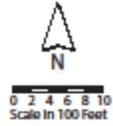
The exemption also would increase the amount of development potential that could be transferred if such a City facility is also eligible as a within-block or landmark structure under the transfer of development rights (TDR) program. Since up to 50,000 square feet of the facility's floor area would be exempt, it would not be included in the amount of chargeable floor area that is deducted from the base FAR on the lot.

One or two existing City facilities would qualify for this new exemption if the proposal is adopted. New facilities would also qualify but are not expected to be common. This exemption will make it easier to co-locate new facilities, if needed in the future, preserve the

Public Amenity and Other Features



- Hill Climb Assist
- Hillside Terrace
- FAR Exemption Area: Uses Listed in 23.49.009.A, Major Retail Store and Shopping Atrium
- Shopping Corridor Bonus



© 2005 City of Seattle
 All rights reserved. No warranties of any sort, including accuracy, fitness, or merchantability accompany this product.

DOWNTOWN ZONING

Map 1J

Public Amenity
and Other Features

Director's Report Downtown Amendments

Kristian F Kofoed

August 26, 2013

3. The next amendment to 23.49.011.B relates to loading berths. The existing language in 23.49.011.B exempts short-term parking from the calculation of FAR. This amendment proposes to similarly exempt floor area that is used for at-grade loading berths. Typically, these are not fully enclosed and thus would not be subject to FAR calculations. These spaces would be more attractive if they were enclosed and thus screened from view at street-level. Therefore, the proposal is to clarify that these spaces would be exempt if they are enclosed.

A complementary proposal is to add a new section to 23.54.035. This amendment is based on the existing allowance in 23.54.035.B.2, where projects that are part of a campus-like setting with a central loading facility are eligible for a modification of the loading berth development standard in terms of size of berth and/or the number of spaces provided. Under the amendment, a similar modification would be allowed based on similar criteria for a single building as well as one that is part of a campus.

The applicant would be required to present information to the Director of DPD. This information is likely to be contained in the traffic study, which most new projects in the Downtown and South Lake Union urban centers would be preparing due to their size and complexity. The amendment requires the Director of DPD to consult with the Director of SDOT so that any reduction in loading berths will not negatively affect uses in the right-of-way, including curb space.

The dimensions of loading berths are open to be a potential development standard departure as part of the design review process. This would continue to be allowed, but in cases where design review is not required or the focus is on the function and number of loading spaces, it would be useful for the Code to have an alternative means for modification.

4. The final proposed amendment to 23.49.011 is to clarify the language in subsection C to exempt rooftop mechanical equipment from FAR. The amendment would be consistent with the approach used in South Lake Union (23.48.009.D.4). New sections B.2.a and B.2.b are proposed to incorporate this clarified language. Exempting rooftop mechanical equipment in downtown is intended to help promote better urban design. Secondly, using a consistent approach in similar zoning designations makes the code easier to use and understand. This amendment could allow a slight increase in allowed floor area as the area limit once applied to the area occupied by the mechanical equipment could be used within a building.

Overall, the new FAR exemptions for active street-level and second floor uses, loading berths and rooftop mechanical equipment are relatively minor and would not, for any particular project, create a significant increase in the bulk of development. For all new development that might include newly exempt floor area, other development standards and review processes would still apply and would manage the bulk and scale of structures including height and coverage limits and design review.

Consistency with Comprehensive Plan

The proposed amendments will assist in implementing Comprehensive Plan goals for downtown, including:

LUG30

Promote Downtown Seattle as the home to the broadest mix of activities and greatest intensity of development in the region. Promote the continued economic vitality of Downtown Seattle, *with particular attention to the retail core and the tourism industry.* (emphasis added)

DT-G6

Reinforce the concentrated shopping function of the retail core; preserve the general form and scale of the area; and protect the area from high-density uses that conflict with the primary retail function. Other concentrations of retail activity should be encouraged where they already exist or where such uses are desirable to encourage an active pedestrian environment or focal point of neighborhood activity.

The desired function of the retail core, as provided in the Downtown Neighborhood Plan, is to “have... the greatest concentration of downtown’s retail activity...[to be]...the principal center of shopping for both the downtown and the region...[and to] ... maintain an active and pleasant street level environment through development standards specifically tailored to the unique function and character of this area.” (DT- LUP4).

Recommendation

The proposed changes fall within the scope and intent of adopted policy goals for the City of Seattle. The general effect of the changes would be to improve the ability of the Land Use Code to help implement goals of the Comprehensive Plan/Downtown Urban Center plans relating to urban design and activation of downtown, and especially in and around the retail core. DPD recommends approval of the proposed amendments.