

Director's Rule 13-2016

Applicant: City of Seattle Department of Construction and Inspections	Page 1 of 2	Supersedes: N/A
	Publication: 11/17/2016	Effective: 12/22/2016
Subject: Floor Area Limit for Religious Facilities in the SM-SLU 85-240 Zone	Code and Section Reference: SMC 23.48.220 and 23.86.007.F	
	Type of Rule: Code Interpretation	
	Ordinance Authority: SMC 3.06.040	
Index: Title 23 Land use Code	Approved (signature on file) Nathan Torgelson, Director, Seattle DC	Date 12/22/2016

BACKGROUND

The purpose of this rule is to clarify how the City's Land Use Code applies to the floor area ratio (FAR) limit for religious facilities in the SM-SLU 85-240 zone.

Section 23.48.220 of the Land Use Code establishes FAR limits for specified zones in the South Lake Union Urban Center. The SM-SLU 85-240 zone consists of six half-blocks centered on 8th Avenue North. The FAR limits in this zone are unique in all of South Lake Union by providing an FAR limit specific to religious facilities.

Through an amendment to the Land Use Code approved in October 2015 by Ordinance 124883, the FAR limit for religious facilities in the SM-SLU 85-240 zone was increased from 0.5 to 1.5. This amendment was prompted by an applicant proposal to replace the existing church at 200 8th Avenue North with a new church building, while allowing a residential tower and podium to be constructed on the northern portion of the site. The method of calculating the 1.5 FAR limit for religious facilities for this type of development was not specifically addressed in the 2015 Code amendments.

Subsection 23.48.220.A.6 addresses development that includes a residential tower and podium, stating that the “FAR limits for all other portions of the structure shall be based on the total lot area minus the lot area required for the residential tower development, to meet the upper-level floor limit of subsection 23.48.245.A.”

Subsection 23.48.245.A establishes an upper-level floor area limit that shall not exceed 50% of the lot area, as described further therein.

Subsection 23.86.007.F addresses the lot area used to calculate the FAR limit on sites that include a residential tower.

In the case of a residential tower with an upper-level floor area of 10,500 square feet, the above-referenced Code provisions require that 21,000 square feet of the lot be allocated to the residential tower and podium for the purpose of calculating the FAR limit applicable to the remainder of the lot.

RULE

This rule interprets Subsections 23.48.220.A.6 and 23.86.007.F in light of the unique FAR limits in the SM-SLU 85-240 zone. In this zone, the FAR limit for religious facilities is calculated based on the total lot area minus the portion of the lot occupied by the residential tower and podium structure, rather than the lot area required for the residential tower development to meet the upper-level floor area limit of subsection 23.48.245.A.

The intent of Subsections 23.48.220.A.6 is to limit the FAR for non-residential uses within residential tower structures, and all uses in non-tower structures that share a site with a residential tower. Unique to the SM-SLU 85-240 zone, that intent is carried forward through the very low non-residential FAR (1.5 for religious facilities and .5 for other non-residential uses). The separate, higher FAR limit for religious facilities was adopted specifically to accommodate redevelopment the site of an existing religious facility in that zone with a new residential tower structure together with a new structure for the religious facility, to replace the existing one. This interpretation of how to calculate the FAR limit for religious facilities on sites that include a residential tower development is consistent with that intent.