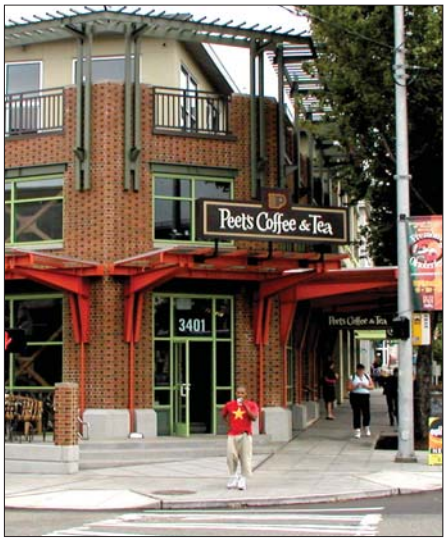
January 2007

Commercial Code 2006 Amendments: Neighborhood Business District Strategy



Summary of Changes

Effective Jan. 20, 2007

City of Seattle
Greg Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

Neighborhood Business District Strategy

The Neighborhood Business District Strategy

- Applied or expanded pedestrian overlays to commercial cores of neighborhood business districts.
- Removed unnecessary obstacles to housing development in commercial areas.
- Strengthened the pedestrian-orientation of commercial streetfronts through development standards and guidelines.
- Refined and simplified use and maximum size of business standards.
- Revised requirements for residential amenities.
- Increased landscaping requirements providing additional flexibility for different types of plants.
- Controls building bulk with floor area ratios to encourage wider sidewalks, plazas, ground-level open spaces or view corridors.
- Lowers parking requirements based on demand and to support alternative transportation.
- In Urban Centers and high capacity transit station areas, allows the market rather than the code to determine appropriate parking supply.
- Simplifies the City's regulations so they are easier to understand.

Why a Strategy for Neighborhood Business Districts?

Seattle is a city of neighborhoods. A neighborhood's business district provides a neighborhood's identity, a place for goods and services to be exchanged and a neighborhood meeting place. Seattle's neighborhood business districts are anticipated to accept much of the city's future growth and development.

Seattle's zoning for neighborhood commercial areas was in place for 20 years. In ensuing years, the City adopted a Comprehensive Plan detailing a growth management strategy for the future based on development of urban villages. Neighborhood plans were developed for each of these urban villages. Finally, design review was implemented to help ensure that new development fits with a neighborhood's character.

The Neighborhood Business District Strategy was crafted to advance Seattle's urban village strategies and goals. The strategy is intended to:

- Support job creation and business vitality
- Protect and enhance neighborhood character
- Improve the pedestrian environment
- Provide for housing growth in neighborhood business districts
- Achieve quality design through development flexibility
- Support transit connections
- Balance parking needs
- Make the Land Use Code easier to use

A new commercial land use code was adopted in December 2006. This code reflects the participation of many individuals and groups who attended public forums, wrote letters, and participated in focus groups, advisory committee meetings and workshops.

What the Neighborhood Business District Strategy Did Not Do

- Did not rezone residential or industrial zones
- Did not include significant changes to height, bulk, or anticipated development densities.
- Did not change the primary role of commercial areas as places where business is conducted and goods and services are provided.
- Did not change setbacks from residentially-zoned land.
- Did not change standards governing noise, odor, light or glare.

Pedestrian Environment

Local businesses thrive when pedestrians are able to move easily among stores and services.

Where commercial demand is low, residential streetfronts can add interest, variety and more customers.

Pedestrian Designation

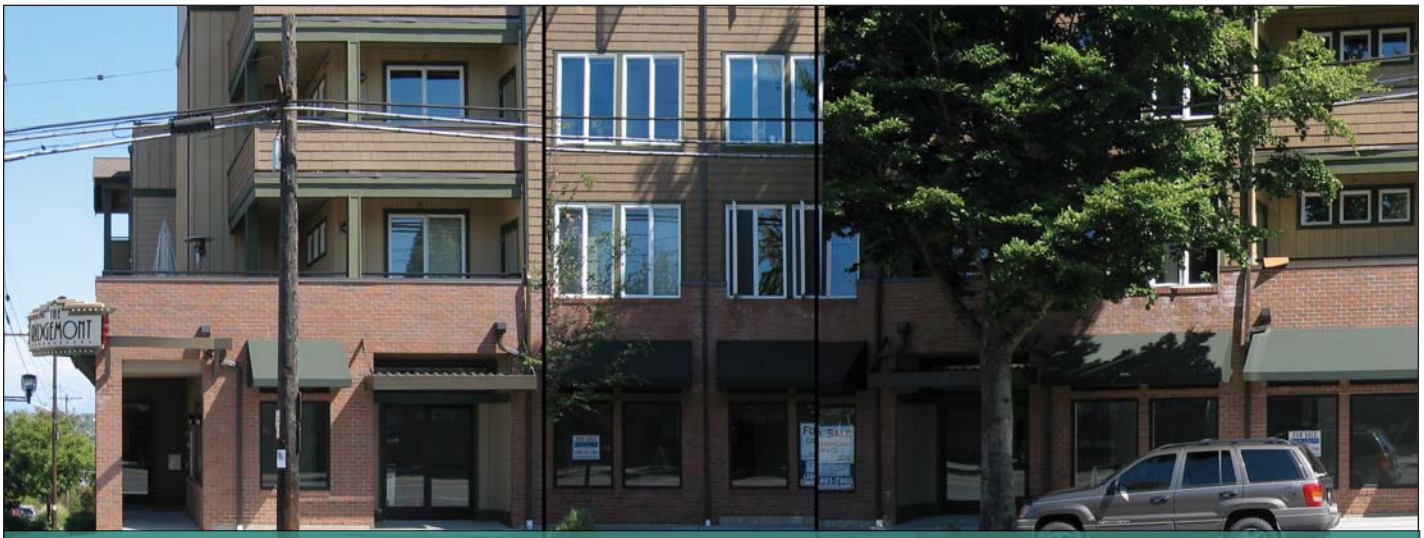
All of Seattle's neighborhood plans envision walkable neighborhood business districts. To encourage compact, pedestrian-oriented centers, the Neighborhood Business District Strategy emphasizes and expands current pedestrian zone designations.

A single pedestrian designation is replacing the two pedestrian zones that had been in place. The pedestrian designation defines pedestrian-oriented commercial areas. A broader range of street-level commercial uses are now allowed. These uses are compatible with and complement traditional retail sales and services.

Provide for a Range of Pedestrian Environments

Not all neighborhood business districts are the same. The Neighborhood Business District Strategy recognizes the differences among business districts.

At the center of a business district, the pedestrian core, the most active types of uses are required by a pedestrian designation. Outside of core areas, a wider range of businesses are permitted. On streets where there is less visibility for a business, residential uses are permitted at the street level, bringing residents close to businesses. Together, these diverse areas support a varied pedestrian experience, with different levels of activity.



Requiring too much commercial space may increase the likelihood of vacant storefronts. The commercial streetfronts of this mixed-use development were vacant for three years before a tenant was found for one of the spaces.

Well-designed streetfronts are an important component of neighborhood business districts.

Pedestrian Changes

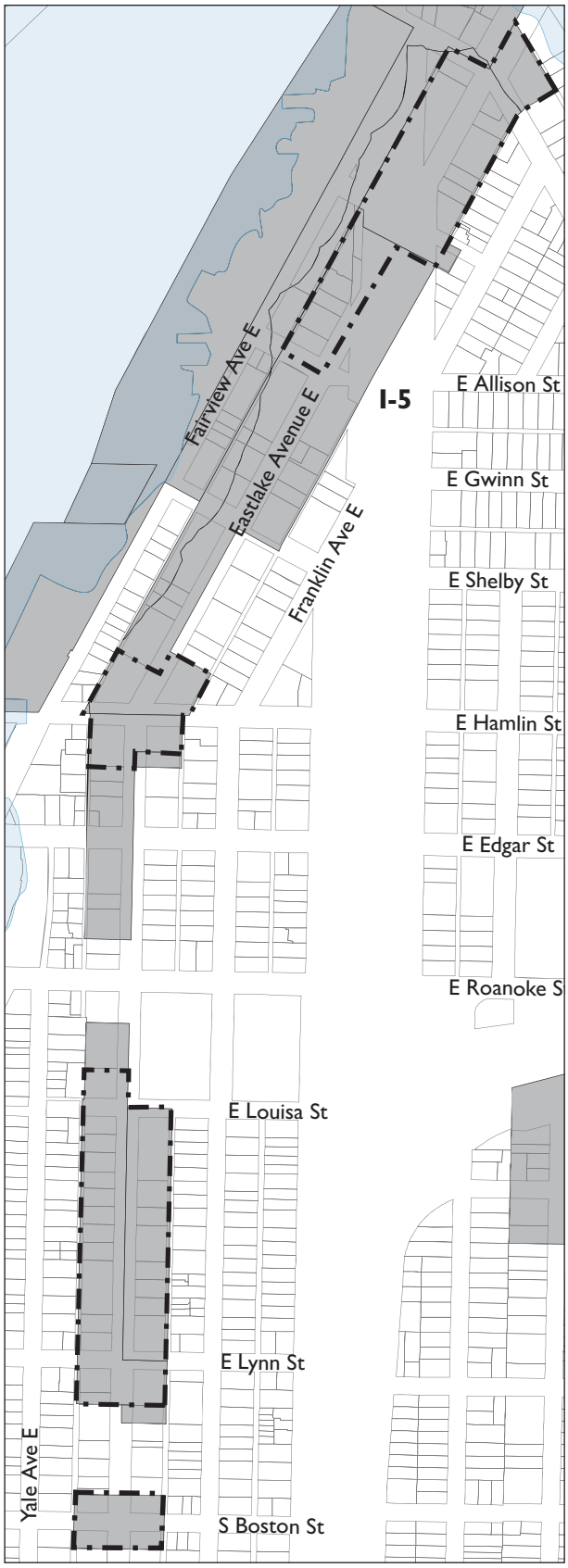
- One pedestrian designation replaced current pedestrian 1 and pedestrian 2 designations.
- Pedestrian-friendly facade and parking location requirements are now standard in all NC zones.
- The range of uses that qualify for street-level use in pedestrian designated areas include community centers, hotels, medical services and parks.
- Criteria for establishing NC zones and pedestrian-designated areas allow future rezones of areas that are currently more auto-oriented.
- Pedestrian designated areas were designated or expanded in five neighborhoods (Columbia City, Eastlake, Greenwood, Lake City and Madison/Miller). Other neighborhood business districts will be evaluated starting in 2007.

Mapping Pedestrian-Oriented Commercial Cores

The Neighborhood Business District Strategy established new pedestrian designations in Eastlake and Madison-Miller. The Strategy expands existing pedestrian designations in Columbia City, Greenwood/Phinney Ridge and Lake City.

Mapping of these pedestrian designations was based on inventories of existing uses, vacancies and streetscape conditions of the business districts. Public meetings were held in the respective communities to discuss the proposed changes with residents and business and property owners. Based on public comments, the new code reduces the parking waiver.

DPD intends to work closely with other neighborhoods to designate or expand pedestrian-oriented zones in neighborhood business areas throughout the city, in 2007.



New pedestrian designations will emphasize retail nodes within larger business districts, as shown in this Eastlake neighborhood map.

Key

Commercial Zoning

New Pedestrian Designated Area

Streetfront Standards & Guidelines

New design guidelines will encourage environments conducive to activity along streetfronts in business districts.

New streetfront standards require transparency for commercial uses in all Neighborhood Commercial zones.

Development standards help define building forms and density. Wider sidewalks, overhead weather protection, street trees, seating and pedestrian-scaled light fixtures also help to shape the character of business districts.

New guidelines and standards are used to help both residential and commercial development contribute positively to the pedestrian environment.

Seattle's design guidelines address the streetfront. They include recommendations on appropriate storefront architectural details, ways to emphasize residential unit identity and appropriate locations for parking, among others.

New development standards for the streetfront include requirements that limit blank walls, require windows, and require parking to be inside, behind or beside buildings. New standards for residential streetfronts require pedestrian-oriented entrances and ensure privacy for residents.

Streetfront Changes

- The setback of buildings from the sidewalk is limited.
- Parking between a building and the street and at corners is prohibited.
- Blank walls along streets are reduced.
- Minimum commercial space standards to help viability of businesses are maintained.
- The number of driveways across sidewalks is limited.
- Multiple storefronts are encouraged by revised street-front design guidelines.
- Departures through Design Review for visually prominent residential entrances, such as "grand stairways" or stoops, are allowed.
- In auto-oriented areas, pedestrian pathways from adjacent sidewalks, through parking lots, to a retail establishment are required.

Uses

Medical services have been added to the list of uses allowed along pedestrian-designated streets.

Changes will make it easier for new businesses to start up in new mixed-use buildings and in existing buildings.

A collection of different, but compatible, uses helps to create a lively business area. In order to provide for compatibility among activities, and to address impacts of different types of activities, the new code consolidates the list of uses regulated in commercial areas, reducing the number of categories from 115 to 74. This provides flexibility in how property can be used, without increasing impacts.

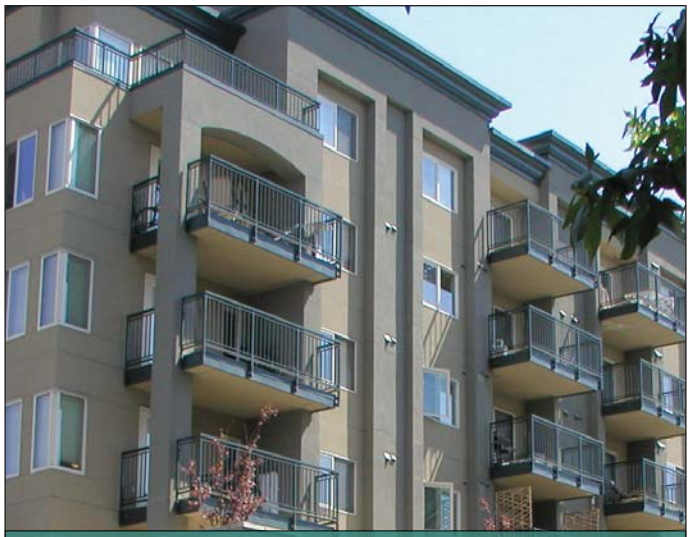
The code limits the size of many businesses in NC zones to ensure a pedestrian scale and function. There are fewer limits in NC3 zones and there are generally no size limits in the auto-oriented C1 and C2 zones. However, office uses are limited in C1 and C2 zones to encourage their location in areas with better pedestrian, transit and bicycle access.

To support small businesses and the vitality of commercial areas, business size limitations for new businesses now are the same as limits on existing businesses. This maintains the relative scale of neighborhood commercial areas, while acknowledging the need for flexibility in how existing spaces are occupied.

To help limit storefront vacancies and provide a timely change of use process, the new commercial code allows the waiver of up to 20 spaces of parking for a new business locating in an existing building.

Use Changes

- List of uses was consolidated. Uses are distinguished only to the extent needed due to impacts or activities associated with the use.
- Size of use limits are simplified in neighborhood commercial zones without allowing larger businesses than permitted today.
- Flexibility was added to allow a new use to locate in an existing structure that doesn't meet current code requirements:
  - Parking up to 20 spaces is waived.
  - Structural changes to meet mixed use standards is no longer required under certain circumstances when adding residential units to existing commercial buildings.



Decks like these provide access to light and air for residents while meeting residential amenity requirements.

New FAR standards will help encourage new ground-level and semi-public open spaces, which today are rarely provided.

Well-designed residential development at the street-level enhances the pedestrian experience, creates distinctive urban neighborhoods and provides customers for businesses. Encouraging more housing within these areas also helps meet the City's growth management objectives and reduces reliance on automobiles, aiding efforts to reduce congestion and air pollution in the city.

In most commercial areas, residential uses are allowed at street-level along non-arterial streets. Along arterials, non-residential uses are required at the street-level. In C2 zones, residential uses must meet certain conditions before they are approved, in order to avoid potential conflicts with heavy commercial uses allowed in these areas.

In the past, residential-only buildings were subject to density limits, while mixed-use buildings were not. This was intended to encourage mixed-use buildings. However, the incentive to build substantially more residential units in a mixed-use building resulted in some commercial spaces that were not economically sustainable. In other locations, density limits have forced larger, more expensive units to be built, rather than allowing for a range of unit types.

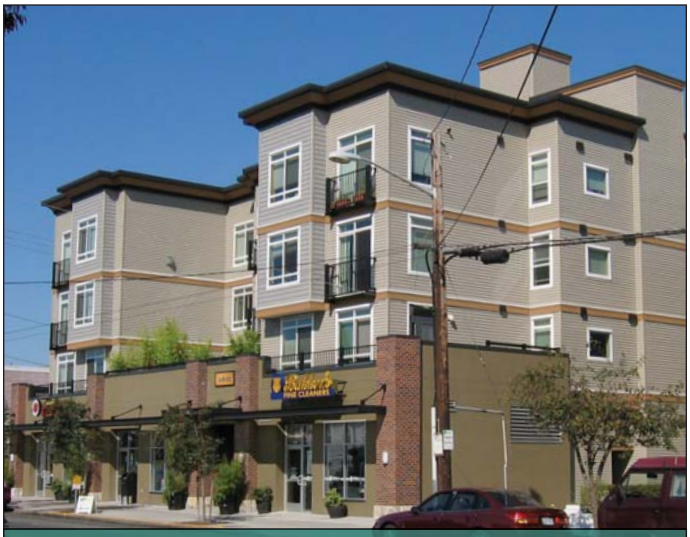
Identifying where non-residential uses are required at street-level, and allowing the same density in residential-only buildings as mixed-use buildings, eliminates the incentive to build commercial spaces where they may be ill-advised. Density is still limited by the height and bulk limits that apply to all uses.

Outdoor space for use by residents is still required. These residential amenity requirements are primarily met in the form of decks or balconies. The residential amenity requirements provide for an appropriate minimum amount of space for residents and are consistent with zones with similar development, such as the Seattle Mixed and downtown mixed-use zones.

Housing Changes

- Housing is allowed at street level along non-arterial streets.
- Residential density limits are removed.
- Residential amenities are required in an amount equal to at least 5 percent of the gross floor area of residential use.

Height, Bulk and Density Standards



Bulk is the perceived volume of a building. Density is the number of units divided by a unit of land measurement. FAR regulates both.

FAR, in tandem with design guidelines, can encourage wider sidewalks in appropriate places.

Height, Bulk and Density Standards

In neighborhood business districts, the scale of development is generally governed by the size of the lot and the height of buildings. Height limits vary among zones and are independent of the zone classification, while other standards apply more uniformly.

Height

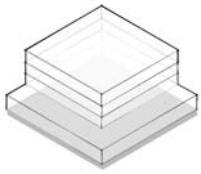
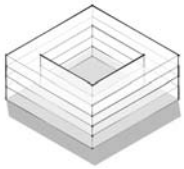
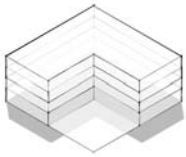
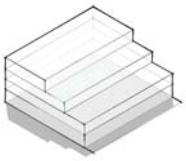
In commercial zones, height is generally governed by the zoned height limit. Additional height is permitted in 30- and 40-foot height limits to accommodate better designed street-level retail spaces.

In these lower height areas, a 4-foot height increase is also granted to accommodate street-level residential units above the sidewalk. This small increase helps create better designed residential streetfronts and protect the privacy of residents without increasing density.

Bulk

Floor Area Ratio (FAR) limits regulate bulk and density for all uses. FAR offers design flexibility. It allows for wider sidewalks, plazas and open space, and room for pedestrian amenities such as sidewalk cafes and outdoor sales, creating a more informal and comfortable pedestrian experience. FAR limits in commercial zones will result in development that is generally equivalent to the size of buildings allowed under the previous regulations.

Examples of Building Forms Meeting the New FAR Limits

			
Typical building form: podium above lot line-to-lot line first floor	Interior courtyard with exterior walls built to the lot line	Ground level plaza with upper stories covering more than 64% of lot	Terraced upper floors with any one upper floor covering more than 64% of lot

FAR Limits

Height Limit (feet)	30	40	65	85	125	160
FAR for residential or nonresidential structures	2.25	3	4.25	4.5	5	5
FAR for structures with both residential and nonresidential uses	2.5	3.25	4.75	6	6	7

Height, Bulk and Density Changes

- Floor area ratio (FAR) limits apply to all uses.
- Additional floor area to meet City and neighborhood objectives such as focusing development around station areas, or as an incentive for mixed-use development will continue to be allowed.
- A small height increase to accommodate well-designed streetfronts is permitted.

Seattle Green Factor

Landscaping has environmental benefits and enhances the character of a neighborhood business area.

The Seattle Green Factor will encourage more landscaping in the right-of-way and other locations visible to pedestrians.

The Seattle Green Factor is a new menu of landscaping strategies to meet requirements for new development in neighborhood business districts. It is intended to increase the amount and quality of urban landscaping in these dense urban areas while providing flexibility for developers and designers to efficiently use their properties.

The Green Factor encourages the planting of layers of vegetation and larger trees in areas visible to the public and along the street next to the property. Bonuses are provided for harvesting rainwater and/or low-water-use landscaping. Use of larger trees, tree preservation, green roofs and even green walls is encouraged by this proposal.

The Seattle Green Factor requires the functional equivalent of 30% of a parcel to be vegetated.

Landscaping Changes

- Landscaping requirements are increased through the use of a Seattle Green Factor. The green factor identifies a range of options for developers to meet the landscaping requirements. The options are weighted so that alternatives with greater public benefits receive higher scores. For example preserving an exceptional tree receives more weight than planting a small tree.

Parking

Parking recommendations will allow businesses to move into existing buildings without having to provide additional parking.

In Neighborhood Commercial zones the presence of off-street parking along streetfronts will be minimized.

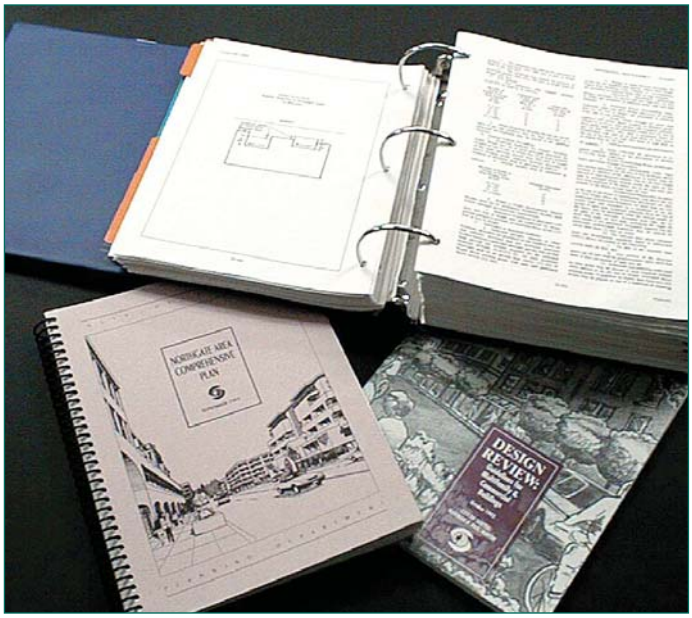
Seattle's Land Use Code identifies the minimum number of parking spaces required based on the type and size of a use. These requirements are based upon the City's 2000 Comprehensive Neighborhood Parking Study, and parking studies for neighborhoods performed in 2004, in order to:

- **Build the urban neighborhoods that we want, not surface parking that we don't need**: the City's Urban Village strategy encourages more pedestrian and transit-oriented development.
- **Reduce the cost of housing and commercial space**: the market will continue to provide what buyers or tenants demand. Requiring more increases costs.
- **Support transit and other alternatives to the car in Seattle neighborhoods**: bus and rail transit, walking and biking are healthy and viable alternatives to using cars.
- **Improve the environment**: in the long run, reducing parking improves air and water quality, reduces reliance on fossil fuels, and creates more walkable communities, and requires less resources during construction.
- **Be responsive to local conditions**: use local transit-use and parking-demand data to set minimum requirements.
- **Support development of smaller lots and re-use of existing buildings**: parking requirements are especially burdensome for smaller development. The effective re-use of existing buildings will help reduce tenant vacancies.

Parking Changes

- Parking requirements are reduced throughout commercial areas based on Seattle-specific demand data, transit accessibility and City transit and walking goals.
- Minimum parking requirements are eliminated in Urban Centers and light rail station areas to reflect transit accessibility and to encourage new development in Urban Centers.
- Parking for the first 1,500 ft^2 of business is waived, instead of 2,500 ft^2 per building.
- On-site parking is allowed to be shared with other uses as long as it is signed short-term (4 hours or less).
- Parking requirements are waived up to 20 spaces for businesses that are locating in an existing building.
- A one-acre surface parking maximum is established to reduce new impervious surfaces.
- Requirements for bicycle parking are revised so that the number of parking spaces doesn't decrease when the number of required car spaces is reduced or eliminated.
- Car-share vehicle parking spaces are allowed to replace 3 normal spaces.

Simplifying the Land Use Code



Code simplification will ease review of projects, while improving community understanding of the regulations and maintaining a high quality commercial environment.

One of the primary objectives of the Neighborhood Business District Strategy is to simplify the Commercial chapter of the land use code, so that it is easier to understand and to use. The code has been simplified in a number of ways:

- The Commercial chapter was reduced to approximately 27 pages, from 51 pages.
- The number of separate uses that are regulated by the code was reduced from 140 to 90.
- Revised graphics more clearly illustrate code provisions.
- Tables and charts present requirements more clearly than text.
- Care has been taken to write the new Commercial Land Use Code in simple, easy to understand language, whenever legally possible.
- The previous Land Use Code sometimes forced the reader to look at a number of different sections of the code to find answers to simple questions. These circular references were removed from the Commercial land use code.
- Sections of the code that were put in place in anticipation of development types or circumstances that have never or rarely been pursued have been removed.
- Repetitive code sections, where the same regulations appear number of times throughout the Land Use Code, were consolidated in to one location.

CITY PLANNING

For more information on the Neighborhood Business District Strategy go to the website at www.seattle.gov/dpd/planning/nbds or contact the Department of Planning and Development at (206) 684-8880.

Printed on totally chlorine-free paper made with 100% post-consumer fiber