



City of Seattle

Seattle Planning Commission

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March 22, 2010

Honorable Councilmember Sally J. Clark, Chair
Committee on the Built Environment
Seattle City Council
PO Box 34025
Seattle, WA 98124-4025

Re: Comments on the Proposed Multifamily Code Update – Lowrise Zones

Dear Councilmember Clark,

The Planning Commission has reviewed and made recommendations about the proposed changes to the multifamily code since the project was initiated in 2005. Last fall, the Commission submitted a series of discussion papers that addressed issues related to Phase 1 of the City Council's review of proposed code changes that focused on Midrise and Highrise zones. This letter addresses the issues for Phase 2, lowrise zones. While the Committee on the Built Environment (COBE) has already discussed many of these topics, the Commission would like to provide our independent and objective perspective and commensurate recommendations.

We have been working closely with Council Central Staff to track ongoing discussions related to the lowrise zones, and hope that our recommendations will be timely and useful. Within the coming weeks, the Commission will continue to work with Council and DPD staff to refine the legislation. We appreciate the diligent work of Councilmembers, DPD and Council staff in revising this portion of the land use code.

The Commission's recommendations address the following categories of issues:

- Overall changes to lowrise zone regulations;
- Specific changes within lowrise zone regulations; and
- Changes that would apply to all Multifamily and Commercial zones.

OVERALL CHANGES TO LOWRISE ZONE REGULATIONS

The proposed legislation would make two significant changes to the way lowrise zones are regulated: (1) define five housing types that are appropriate for lowrise zones; and (2) consolidate the lowrise zones from five to three. The Commission supports both of these changes. The first change, articulating the types of housing that are appropriate for lowrise zones, would identify development standards that are tailored to each type rather than the current generic standards that distinguish only between ground-related and non-ground-related building types. The second change would simplify the code and yet still provide opportunities for a variety of multifamily neighborhoods throughout the city.

SPECIFIC CHANGES WITHIN LOWRISE ZONE REGULATIONS

There are multiple specific regulations within the lowrise zones that would be affected by the overall changes. While the Commission supports many of these changes, there are others that the Commission does not support; these are both outlined below. Additionally, detailed development standards need to be developed based on the definition of the five housing types appropriate for lowrise zones. We will continue to work with DPD and Council staff to identify these development standards which will include setbacks, modulation standards, open space requirements and Green Factor by housing type and zone.

Additionally, we will continue to review the Unit Lot Subdivision and its significant implications for the economics of townhouse developments, which in turn drive design decisions that can adversely impact neighborhoods and future development and property ownership patterns.

CHANGES THAT THE COMMISSION SUPPORTS

Height limits

The proposed legislation would generally restore height limits to the pre-1989 regulations. The Commission has long advocated for this change. Height limits would return to 30 feet in LR1 and LR2 zones, making them the same as single family zoning throughout the city. We understand that Council is still determining appropriate heights within the LR3 zone and considering different height limits for townhouses and apartments. The current 30 foot height limit has stifled the design quality and variety of townhouses and limited the quantity of stacked flats built within this higher density zone. Raising the height limit is an important step in achieving higher density projects that fit better within their neighborhoods. We will continue to work with Council and DPD staff to identify appropriate height limits for the buildings types allowed within this zone.

FAR

The Commission supports the proposed change to regulate bulk by Floor Area Ratio (FAR) and to eliminate maximum density limits. As with other development standards, the specific FAR will need to be tailored to zone and housing type; the Commission will continue to provide recommendations. One consideration in eliminating maximum density limits will be to avoid encouraging smaller unit sizes throughout the lowrise zones. Development standards, including FAR, will need to allow homes for larger household sizes to be constructed. As we have previously recommended, minimum density limits should be considered with relationship to specific housing typologies.

Parking

The current code prohibits using an alley to access multifamily parking in certain circumstances where a multifamily zone backs up to a single family zone; the proposed legislation would eliminate this prohibition. The Commission supports this change because it would contribute to a more pedestrian friendly environment at the street in front of the new homes.

CHANGES THAT THE COMMISSION DOES NOT SUPPORT

Incentive Zoning

Lowrise zones provide a very good opportunity for the development of relatively affordable homes. While the Commission generally supports the concept of incentive zoning, we remain skeptical that it would be appropriate within any of the lowrise zones. It is unlikely that an incentive requirement would produce a meaningful number of affordable homes in the lowrise zones. Due to the smaller scale of buildings, parking plays a larger role in determining the affordability of the unit. We agree with the recent

COBE decision not to pursue incentive zoning in LR3, and we will continue to pursue other policies that could increase affordable housing options.

Small Commercial Uses

The Commission understands the benefit of having small corner stores at some locations within neighborhoods and recognizes that there could be a need for more such stores in some locations. Nevertheless, we believe that these types of development are more suited to the Neighborhood Commercial 1 zone and would encourage appropriate new locations be identified through neighborhood planning or mapping exercises rather than through wide scale changes to lowrise zones.

CHANGES THAT WILL CONTINUE TO BE REVIEWED

Administrative Design Review for Townhouses

The Commission strongly supports code changes that would improve overall design quality, inspire responsible development, and protect neighborhood character in all zones including lowrise zones. We expect that the proposed changes to lowrise zones will create significant new regulations that will go a long way toward improving project design and addressing neighborhood concerns. While we also recognize that ADR could provide an important opportunity to help inspire better projects and ensure greater respect for our neighborhoods, we shall reserve final opinion until we have had adequate time to study and comment upon the final ADR proposal and its specific relationship to the proposed new housing typologies in the lowrise zones. For instance, we believe the ADR should not add substantially to the permitting time and expense that may translate into increasing overall project costs and impact affordability.

CHANGES THAT WOULD APPLY TO ALL MULTIFAMILY AND COMMERCIAL ZONES

Parking


Last year, City Council eliminated parking requirements in multifamily zones located within urban centers and Station Area Overlay Districts and lowered the minimum requirements in other locations. Similar changes were made within Commercial zones almost five years ago. The Comprehensive Plan notes that parking “has a strong influence on the scale, shape and cost of development.” This impacts the design of the building and its affordability; when minimum requirements are too high, buildings are less likely to fit within the neighborhood context and costs are driven up. Even where there are no minimum parking requirements, developers are still very likely to provide parking based on market demand and bank lending requirements. The Commission understands that parking is a complex issue and supports the analysis being done by Council and Executive staff that uses data on transit levels of service, parking demand studies and car ownership to further evaluate appropriate parking requirements.

Height Measurement

The Commission and many others have long advocated for a more consistent and simple method for measuring structure height. We strongly support the proposed change to measure height from a plane datum established as the average of the midpoint elevations of the sides of the site, as within the Shoreline Overlay.

Again, thank you, DPD and Council staff for your diligent work on this legislation. We believe the proposed legislation is a step in the right direction to help create high quality multifamily neighborhoods through development flexibility. Please feel free to contact the Commission for clarification on any of these points through our Executive Director, Barbara Wilson at (206) 684-0431.

Sincerely,



Josh Brower, Chair
Seattle Planning Commission

cc: Mayor Mike McGinn
Seattle City Councilmembers
Phil Fujii, Rebecca Deehr; Mayor's Office
Diane Sugimura, Alan Justad, Marshall Foster, John Skelton, Mike Podowski; DPD
Peter Hahn, Tracy Krawczyk; SDOT
Bill Rumpf, Rick Hooper; OH
Michael Jenkins, Rebecca Herzfeld; Council Central Staff

SEATTLE PLANNING COMMISSION RECORD OF DISCLOSURE & RECUSAL:

- Commissioner Benotto disclosed that her firm, Weber Thompson, works on projects in multifamily zones.
- Commissioner Brower disclosed that his firm, Tupper Mack Brower, represents clients who own and develop multifamily properties in Seattle.
- Commissioner Kaplan disclosed that his firm, Martin Henry Kaplan Architects, designs projects in multifamily zones.
- Commissioner Cutler disclosed that his firm, GGLO, works on projects in multifamily zones.
- Commissioner Roewe disclosed that his firm, VIA Architecture, works on projects in multifamily zones.
- Commissioner Johnson disclosed that his firm, ESA Adolfson, works on projects in multifamily zones.
- Commissioner Leighton disclosed that her employer, SvR Design Company, works on projects in multifamily zones.