

This amendment would amend CB 119269 to correct an error in the height limit designation for commercial uses in the Downtown Office Core (DOC) 2 zone and clarify a limited exception recommended by the Planning Land Use and Zoning Committee to allow some commercial floor area above the maximum height limit for commercial uses in mixed-use buildings with smaller floor plates that meet tower separation requirements.

The ~~double strikethrough in red~~ indicates the language that would be removed from the bill. The double underline in red indicates the language that would be added to the bill.

\* \* \*

Section 44. Section 23.49.008 of the Seattle Municipal Code, last amended by Ordinance 125374, is amended as follows:

### **23.49.008 Structure height**

The following provisions regulating structure height apply to all property in Downtown zones except the DH1 zone. Structure height for PSM, IDM, and IDR zones is regulated by this Section 23.49.008, and by Sections 23.49.178, 23.49.208, and 23.49.236.

#### **A. Base and maximum height limits**

1. Except as otherwise provided in this Section 23.49.008, maximum structure heights for Downtown zones are as designated on the Official Land Use Map. In certain zones, as specified in this Section 23.49.008, the maximum structure height may be allowed only for particular uses or only on specified conditions, or both. If height limits are specified for portions of a structure that contain specified types of uses, the applicable height limit for the structure is the highest applicable height limit for the types of uses in the structure, unless otherwise specified.

2. Except in the PMM zone, the base height limit for a structure is the lowest of the maximum structure height or the lowest other height limit, if any, that applies pursuant to this Title 23 based upon the uses in the structure, before giving effect to any bonus for which the

structure qualifies under this Chapter 23.49 and to any special exceptions or departures authorized under this Chapter 23.49. In the PMM zone the base height limit is the maximum height permitted pursuant to urban renewal covenants.

3. In zones listed below in this subsection 23.49.008.A.3, the applicable height limit for portions of a structure that contain non-residential and live-work uses is shown as the first figure after the zone designation (except that there is no such limit in DOC1), and the base height limit for portions of a structure in residential use is shown as the first figure following the “/”. The third figure shown is the maximum residential height limit. Except as stated in subsection 23.49.008.D, the base residential height limit is the applicable height limit for portions of a structure in residential use if the structure does not use the bonus available under Section 23.49.015, and the maximum residential height limit is the height limit for portions of a structure in residential use if the structure uses the bonus available under Section 23.49.015:

DOC1 Unlimited/450-unlimited

DOC2 ~~((500))550~~ 500/300-550

DMC 340/290-440

DMC 240/290-440.

\* \* \*

~~((F-))~~ H. In the DOC2 500/300-550 zone, as a Type I decision, the Director may increase the maximum height for residential uses to 640 feet, allow up to 40,000 square feet of non-residential floor area to exceed the maximum height limit for non-residential uses up to 640 feet, or both, provided that:

1. The structure is located on a block with an existing tower that exceeds 160 feet in height and that has at least 50 percent of gross floor area in residential use; and

2. The lot with the structure either:

a. ~~((abuts))~~ Abuts the lot with the existing tower or

b. ~~((is))~~ Is across an alley from the lot with the existing tower and has lot area, which could be developed with a tower meeting the requirements of Section 23.49.058, located within 22 lineal feet of any portion of the lot with the existing tower; and

3. The average ~~((residential))~~ gross floor area of the structure per story above a height of 85 feet is not more than 11,200 square feet; and

4. All portions of the structure above a height of 85 feet: ~~((are set back from the lot line closest to the lot with the existing tower by:))~~

a. Are set back from the lot line closest to the lot with the existing tower by at least 15 feet, if the lot on which the structure is located is across an alley from the lot with the existing tower; or

b. Are set back from the lot line closest to the lot with the existing tower by at least 30 feet, if the lot on which the structure is located abuts the lot with the existing tower; or

c. Are separated from all portions of the existing tower by at least 45 feet, except that the projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating tower separation. This subsection 23.49.008.H.4.c applies only if the lot on which the structure is located is across an alley from the lot with the existing tower.

5. For the purposes of this subsection ~~((23.49.008.F))~~ 23.49.008.H, any setback from the lot line closest to the lot with the existing tower is measured from the lot line after any dedication required by Section 23.53.030.

Amendment 2 to CB 119269  
Downtown Office Core 2 – Height Limit for Commercial Uses  
Full Council on June 18, 2018

Sponsor: Councilmember Johnson

6. For the purposes of this subsection ((23.49.008.F)) 23.49.008.H, a tower is

“existing” if it meets the requirements of subsection 23.49.058.D.7.