

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending Sections 23.45.508, 23.45.512, 23.45.518, 23.45.536, 23.53.015, 23.53.020, 23.53.025, 23.54.015, 23.54.030, 23.84A.024, 23.86.007, 23.86.014, and 23.86.015 of the Seattle Municipal Code; and adding a new Section 23.53.002 to the Seattle Municipal Code; to implement changes to support the development of townhouses and rowhouses.

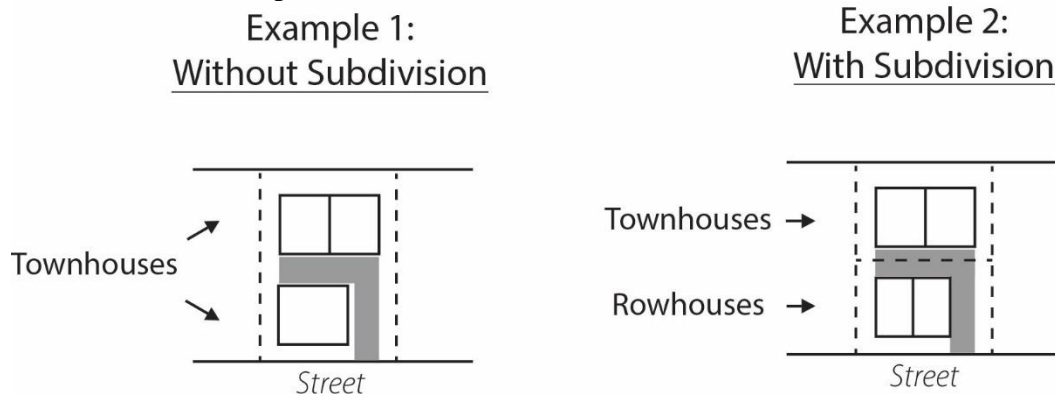
Summary and Background of the Legislation: This legislation implements a variety of changes to support the development of townhouses and rowhouses. This proposal was developed based on the recommendations of the Affordable Middle Income Housing Advisory Council.

This proposal includes the following changes:

1. Modify the Density Limit in Lowrise 1 Zones

Background: Lowrise 1 (LR1) zones are the primary zone where townhouse and rowhouse development occurs. Townhouses and rowhouses are very similar styles of housing, with just minor design differences between them. Townhouse development in LR1 zones is subject to a density limit which limits the number of housing units allowed. Density limits do not, however, currently apply to small apartments, cottage housing, and most rowhouse development.

On lots in the interior of a block, developers that want to build townhouses or rowhouses have the choice of either developing the entire lot with townhouses (Example 1) or subdividing the property parallel to the street and developing townhouses on the back lot and rowhouses on the front lot (Example 2). Because rowhouses are exempt from density limits, subdividing allows more units to be built. Since the floor area limit is the same in both cases, the resulting rowhouse units are smaller and less expensive.



While we don't know the exact number of projects that have chosen to subdivide to achieve more units, an informal review of permits suggests that a significant number of projects are choosing to subdivide, particularly on lots greater than 6,000 square feet.

Changes: The legislation implements two changes:

1. Increases the density limit in LR1 zones for townhouses from 1 unit per 1,300 square feet of lot to 1 unit per 1,150 square feet of lot, similar to what is achieved today when the lot is subdivided. A review of recent permit data found that development on larger interior lots is frequently developed below 1 unit per 1,300 square feet, but infrequently developed below 1 unit per 1,150 square feet.
2. Apply this density limit to all rowhouses on interior lots.

Together, these changes will continue to allow development consistent with what is occurring today and substantially reduce complexity and delay in the permitting process. It also removes the incentive to subdivide the lot to achieve higher densities. The proposal does not modify the total floor area or lot coverage allowed in these projects.

2. Update Requirements for Bike Parking

Background: In 2018, the City quadrupled the number of long-term bike parking stalls required for residential projects and added a new requirement for public short-term bike parking. The short-term bike parking requirement was designed for apartments where most of the first floor and basement are common areas. This requirement has been problematic for townhouses and rowhouses because this development type has limited open space and common area. To meet the requirement, many developments must use the front yard of one unit as a common bike storage area, reducing the green space and privacy for the future homeowner.

While the bike parking update substantially increased the amount of bike parking required, it did not update the standards for where bike parking is allowed. Consequently, developers have a difficult time locating bike parking on site, especially for townhouse and rowhouse projects that don't have garages.

Changes: The legislation removes the short-term bike parking requirement for townhouses and rowhouses and makes it easier to accommodate long-term bike parking through the following changes:

1. Allow bike parking on the ground floor of a dwelling unit of a townhouse or rowhouse development to count toward the bicycle parking requirement
2. Allow bike lockers and sheds in certain setbacks and separations
3. Clarify that enclosed bicycle parking does not count toward floor area if it is in a freestanding structure used exclusively for bike parking
4. Clarify that weather protection and freestanding structures used exclusively for bike parking don't count in measuring building length and width, and
5. Clarify that short-term bike parking is not required for townhouses and rowhouses.

3. Right-size Access Easement Requirements

Background: The Land Use Code currently requires a 20-foot-wide access easement to serve a development with three to nine units, which aligned with previous guidance in the Seattle Fire

Code. However, the Fire Code now allows easements to be 10 feet (standard driveway size) as SFD feels they can access smaller sites on foot to provide fire protection and respond to medical emergencies.

Change: This legislation reduces the easement requirement in the Land Use Code to 10 feet, to match standard driveway width and the Fire Code requirement. This allows greater flexibility in the design of projects and provides an opportunity for additional housing.

4. Implement Minor Modifications and Clarifications

Background: There are multiple areas where the code is unclear or having unintended consequences.

Changes: The legislation implements the following additional modifications and clarifications:

1. Exclude from floor area calculations any surface parking in single-family and multifamily zones that is only covered by:
 - projections of up to 4 feet; or
 - projections of up to 6 feet for the area of parking accessed from an alley and located directly adjacent to an alley.
2. Modify an existing provision that prohibits surface parking between a principal structure and street line so that it is only prohibited in the required front and side setbacks in order to address issues on corner lots.
3. Modify an existing provision that allows parking off an alley within 7 feet of a side property line so that parking can occur within 28 feet of the alley property line rather than 25 feet.
4. Change the minimum size of parking spaces in the individual garage of a townhouse from large to medium.
5. Clarify how development standards such as density limits apply to lots with multiple development types.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes **X** No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes **X** No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This legislation could encourage additional housing development projects which could increase the number of Master Use and Building Permits that are submitted to the City for review. Additionally, this legislation could result in very minor decreases in the time it takes to review projects in LR1 zones as it would discourage subdividing parcels to avoid density limits in certain situations. The cost of additional review time would be paid for by additional permit fees.

Are there financial costs or other impacts of *not* implementing the legislation?

Not implementing this legislation could result in fewer townhouse units.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
The legislation would affect the Seattle Department of Construction and Inspections (SDCI) due to potential small increases in the number of permits submitted.
- b. Is a public hearing required for this legislation?**
Yes. A public hearing is expected to be held in 2022.
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
Publication is required in the Daily Journal of Commerce.
- d. Does this legislation affect a piece of property?**
The legislation will apply to certain development in multi-family and single-family zones as well as townhouse and rowhouse development in other zones.
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
This legislation will encourage the production of additional housing units and will encourage housing units that are smaller and less expensive. New housing production is required to contribute to affordable housing through Mandatory Housing Affordability and will help slow or prevent increasing housing prices by increasing the supply of housing.
- f. Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
This legislation will tend to encourage housing within Seattle compared to areas outside of Seattle. Consequently, it will help to reduce carbon emissions from transportation by locating new households in areas of transit, employment, and amenities.
- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
This legislation is not expected to substantially affect Seattle's resiliency.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
No new initiative or major programmatic expansion is proposed.