



Date: June 15, 2015
To: Planning, Land Use, and Sustainability (PLUS) Committee Members
From: Sara Belz, Council Central Staff
Subject: **Council Bill (CB) 118385 – Amendments to development regulations in Lowrise multifamily (LR) zones**

On June 16, 2015, the PLUS Committee will have its third discussion on CB 118385, which proposes several amendments to the City’s regulatory framework for LR zones. LR zones are residential areas where property owners may construct smaller-scale, multifamily projects such as rowhouses, townhouses, and three- or four-story apartment buildings. Single-family houses are also found in some of the City’s LR zones. LR zoning includes LR1, LR2, and LR3 zones, with LR3 zones allowing the greatest density of development. A map of the City’s LR zones is attached to this memorandum. In total, LR zones cover about 10% of the City’s total land area.

The PLUS Committee received its first briefing on CB 118385 on May 19 and hosted an associated public hearing on June 2. If adopted as introduced, the legislation would make the following amendments to the City’s development standards for LR zones:

- Add new upper-level setback requirements for all street-facing building facades in LR zones that exceed certain height limits;
- Clarify when exterior spaces such as shared corridors and stairwells must be included in floor area ratio (FAR) calculations for projects in LR zones;
- Increase the rounding thresholds for density calculations applied to lots in LR1 zones that do not exceed 3,000 square feet in size.
- Modify density limits for rowhouse projects located on LR1-zoned lots that do not exceed 3,000 square feet in size;
- Limit the size of clerestories and similar rooftop features in LR and other multi-family zones;
- Allow projects in LR zones that receive certification from the Passive House Institute U.S. to qualify for additional floor area (three other green building certifications already qualify); and
- Establish a new Design Review threshold for LR2 zones.

CB 118385 is Council-generated legislation; however, a draft ordinance developed by Department of Planning and Development (DPD) staff in 2014 served as the basis for the proposal. A matrix that compares the content of CB 118385 to both the 2014 DPD proposal and the City's current LR zoning regulations is also appended to the agenda for the Committee's June 16 meeting.

Proposed Amendments

A total of nine proposed amendments to CB 118385 are attached to the June 16 PLUS Committee agenda for Committee members' review. Eight of the amendments were prepared at the request of Councilmember Rasmussen. The ninth reflects an amendment request by DPD staff. More complete summaries of each of the amendments are provided on the individual amendment sheets.

Amendments #1 – 8: Rasmussen Amendments

If adopted, the eight amendments proposed by Councilmember Rasmussen would have the collective impact of bringing the content of CB 118385 more directly in line with that of the draft LR ordinance prepared by DPD staff in 2014. Brief descriptions of each of the individual amendments requested by Councilmember Rasmussen are provided below.

Amendment #1: Include all exterior corridors and stairways in FAR calculations for projects in LR zones, regardless of their level of enclosure.

Amendment #2: Require all finished interior spaces with a floor-to-ceiling clearance of 36 inches or greater (would capture spaces like sleeping lofts) to be included in FAR calculations for projects in LR zones.

Amendment #3: Remove the proposed inclusion of certification by the Passive House Institute U.S. from the list of green building performance standards that qualify development projects in LR zones for a higher FAR limit.

Amendment #4: Eliminate the FAR and 4 foot height exemptions for partially below-grade floors in apartment projects in LR zones. For rowhouse and townhouse projects in LR zones that would still be eligible for the 4 foot height and FAR exemptions for partially-buried floors, the amendment would limit the number of stories that could be built above the partially-buried floor to three.

Amendment #5: Remove the upper-level setback requirements proposed in CB 118385 for street-facing building facades and instead establish a height limit for street-facing building facades.

Amendment #6: Apply the 0.85 rounding threshold proposed in CB 118385 for density calculations for LR1-zoned lots that measure less than 3,000 square feet to density calculations for all LR-zoned lots regardless of lot size.

Amendment #7: Extend the density limit of one rowhouse per every 1,600 square feet of lot area proposed in CB 118385 for LR1-zoned lots that measure less than 3,000 square feet to LR1-zoned lots that measure less than 5,000 square feet.

Amendment #8: Establish a new 3.5 foot side setback requirement for all rowhouse projects in LR zones except those that share a side lot line with another rowhouse project (no side setback required) or a single-family zone (5 to 7 foot side setback required).

Amendment #9: DPD Amendment

DPD has requested one amendment to CB 118385 to simplify and expand the FAR provisions for exterior corridors, and rowhouse and townhouse common walls. The intent of the amendment is to improve the clarity of the proposed regulatory language in order better ensure it will be applied consistently by DPD staff. If Councilmember Rasmussen's Amendment #1 or Amendment #2 are adopted by the PLUS Committee, the content of DPD's amendment will need to be revised as noted on the amendment sheet for Amendment #9.

Other Potential Amendments




Design Review threshold for LR2 zones (Mayor Murray and DPD)

In a letter to Councilmember O'Brien dated May 19, 2015, Mayor Murray offered general support for CB 118385 because it includes most of the LR amendments recommended by the City's Housing Affordability and Livability Advisory (HALA) Committee's Zoning and Housing Types Work Group in April 2015. However, the Mayor also expressed concern about proposed language in CB 118385 that would require all new multifamily projects in LR2 zones that include more than eight dwelling units to undergo full Design Review. In the letter, the Mayor requested the Council refrain from taking up the issue of Design Review thresholds until 2016, when the results of a comprehensive evaluation of the program (currently underway) will be available for review. To date, no Councilmember has requested the preparation of an amendment that addresses the Mayor's concern about establishing a Design Review threshold for LR2 zones.

Next Steps

If the PLUS Committee does not take action on CB 118385 on June 16, the next opportunity for a discussion and possible vote on the legislation will be in July. If you have any questions about the content of CB 118385 or the PLUS Committee's review process, please feel free to contact me at any time (sara.belz@seattle.gov / 206.684.5382).

**Lowrise Multi-family Zones,
Urban Centers and Urban Villages**
(Except Manufacturing / Industrial Centers)

- LR3 
- LR2 
- LR1 

**Urban Centers and
Urban Villages.** 
(Except M/ICs)

