

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	Executive Contact/Phone:
LEG	Freeman / 48178	NA

** 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

a. Legislation Title:

AN ORDINANCE relating to land use and zoning; amending Sections 23.49.008, 23.49.011, 23.76.004, and 23.76.006 of the Seattle Municipal Code to encourage voluntary setbacks in the Downtown Office Core 2 zone between existing residential towers and new towers by authorizing additional height and density.

b. Summary and background of the Legislation:

The proposal is intended to provide a regulatory incentive for developers of new towers, which are proposed for blocks in the DOC2 zone where there is an existing residential tower, to provide a voluntary separation from the existing residential tower. Proposed separation distances exceed separations that might otherwise be required to comply with Seattle Building Code fire separation standards.

The proposed changes to the Land Use Code would:

- Where new residential towers are proposed adjacent to existing residential towers, authorize the SDCI Director to increase the maximum height of residential uses from 550 feet to 640 feet;
- Require residential towers using the additional height to have reduced floor plates resulting in skinnier towers;
- Where new commercial towers are proposed adjacent to existing residential towers, authorize the SDCI Director to increase the maximum commercial Floor Area Ratio (FAR) from 15 to 15.33;
- Above a height of 85 feet, require new residential or commercial towers to set back from existing residential towers by at least 15 feet, if a lot with an existing residential tower is across an alley from the new residential or commercial tower, or at least 30 feet if a lot with an existing residential tower abuts a lot with the new residential or commercial tower; and
- Establish that the decision by the SDCI director to grant additional height is a Type I decision, meaning that it is a non-discretionary decision by the SDCI Director that is not subject to appeal to the City Hearing Examiner.

The proposed voluntary separation distances would require that a developer relocate floor area. The proposed additional height for residential development or commercial density would allow a developer to achieve the same floor area that might otherwise be available

without the voluntary setback, plus a small floor area incentive to encourage developers to provide the separation. That incentive represents additional height or commercial density above zoned maximums equal to approximately 1.22 square feet of additional floor area for every one square foot of separation area.

The Council indicated its intent to consider this bill through Ordinance 125291.

2. CAPITAL IMPROVEMENT PROGRAM

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

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2022:

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

If there are no changes to appropriations, revenues, or positions, please delete the table below.

Budget program(s) affected:				
Appropriation change (\$):	General Fund \$		Other \$	
	2017	2018	2017	2018
Estimated Revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2017	2018	2017	2018
Positions affected:	No. of Positions		Total FTE Change	
	2017	2018	2017	2018

b. 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?

No.

c. Is there financial cost or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes, the Seattle Department of Construction and Inspection.

b. Is a public hearing required for this legislation?

Yes, a public hearing will be held on July 26th.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes, the hearing notice was published in the Daily Journal of Commerce.

e. Does this legislation affect a piece of property?

The legislation affects lots that can be redeveloped in the DOC2 zone. In 2016, OPCD estimated that there are approximately nine such sites.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

Sites identified by OPCD as potentially redevelopable are not currently developed with affordable housing or cultural institutions associated with people of color, people with disabilities, families, people who are foreign-born, or people of a different gender orientation. Consequently, no impacts to historically disadvantaged communities are anticipated.

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).

The legislation does not include a new initiative or programmatic expansion.

h. Other Issues:

List attachments/exhibits below: