

Amendment to Council Bill (CB) 119038 to correct an error by increasing the qualifying distance from 18 feet to 22 feet for a proposed tower across an alley from an existing residential tower.

Sponsor: Bagshaw

CB 119038 establishes a qualifying distance that allows a developer of a proposed tower to voluntarily provide a greater setback from an existing residential tower, which is located across an alley, in exchange for more development capacity. The qualifying distance in the bill is less than the required minimum width of a downtown improved alley, which is 20 feet. The amendment changes the qualifying distance from 18 feet to 22 feet. The proposed change would allow administration of the voluntary setback incentive as contemplated by the Council. Changes are shown in ~~double strikethrough~~ or double underline.

Section 1. Section 23.49.008 of the Seattle Municipal Code, last amended by Ordinance 125291, 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.

* * *

F. 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 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 the lot with the existing tower or

b. 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

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23.49.058, located within ~~18~~ 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. 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. at least 30 feet, if the lot on which the structure is located abuts the lot with the existing tower.

5. For the purposes of this subsection 23.49.008.F, 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.

6. For the purposes of this subsection 23.49.008.F, a tower is “existing” if it meets the requirements of subsection 23.49.058.D.7.

Section 2. Section 23.49.011 of the Seattle Municipal Code, last amended by Ordinance 125291, is amended as follows:

23.49.011 Floor area ratio

A. General standards

1. The base and maximum floor area ratio (FAR) for each zone is provided in Table A for 23.49.011.

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2. Chargeable floor area shall not exceed the applicable base FAR except as expressly authorized pursuant to this Chapter 23.49.

n. In the DOC2 500/300-550 zone, as a Type I decision, the Director may increase the maximum FAR by an additional .33 FAR 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 the lot with the existing tower; or
b) 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 ~~18~~ 22 lineal feet of any portion of the lot with the existing tower; and

3) 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) 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) At least 30 feet, if the lot on which the structure is located abuts the lot with the existing tower.

4) For the purposes of this subsection 23.49.011.A.2.n, 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.

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5) For the purposes of this subsection 23.49.011.A.2.n,
a tower is “existing” if it meets the requirements of 23.49.058.D.7.
