



SEATTLE CITY COUNCIL

Land Use Committee

Agenda

Wednesday, April 27, 2022

2:00 PM

Public Hearing

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

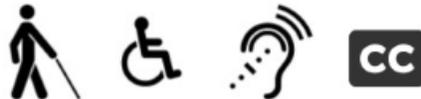
Dan Strauss, Chair
Tammy J. Morales, Vice-Chair
Teresa Mosqueda, Member
Sara Nelson, Member
Alex Pedersen, Member

Chair Info: 206-684-8806; Dan.Strauss@seattle.gov

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April 27, 2022 - 2:00 PM

Public Hearing

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<https://www.seattle.gov/council/committees/land-use>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone and Seattle Channel online.

Register online to speak during the Public Comment and Public Hearing period at the 2:00 p.m. Land Use Committee meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the Land Use Committee meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment and Public Hearing period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to Councilmember Strauss at Dan.Strauss@seattle.gov

Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at <http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164

One Tap Mobile No. US: +12532158782,,5864169164#

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

(10 minutes)

D. Items of Business

1. [CB 120287](#) **AN ORDINANCE** relating to land use and zoning; updating regulations for rooftop features; amending Sections 23.44.012, 23.44.046, 23.45.514, 23.45.545, 23.47A.012, 23.47A.013, 23.48.025, 23.48.231, 23.49.008, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.020, 23.66.140, 23.66.332, and 23.75.110 of the Seattle Municipal Code.

Attachments: [Full Text: CB 120287](#)

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Ex A - Proposal Summary Table](#)

[Director's Report](#)

[Central Staff Memo](#)

[Presentation](#)

Public Hearing, Briefing, and Discussion

Presenters: Gordon Clowers, Seattle Department of Construction and Inspections; Ketil Freeman, Council Central Staff

2. **Office of Planning and Community Development (OPCD) and Seattle Department of Construction and Inspections (SDCI) Race and Social Justice Initiative (RSJI) Report**

Supporting Documents: [Presentation](#)

Briefing and Discussion (30 minutes)

Presenters: Nathan Torgelson, Director, and Cory Buttry, Seattle Department of Construction and Inspections; Rico Quirindongo, Interim Director, and Nick Welch, Office of Planning and Community Development

E. Adjournment



Legislation Text

File #: CB 120287, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; updating regulations for rooftop features; amending Sections 23.44.012, 23.44.046, 23.45.514, 23.45.545, 23.47A.012, 23.47A.013, 23.48.025, 23.48.231, 23.49.008, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.020, 23.66.140, 23.66.332, and 23.75.110 of the Seattle Municipal Code.
Full text of the legislation is attached.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; updating regulations for rooftop features; amending Sections 23.44.012, 23.44.046, 23.45.514, 23.45.545, 23.47A.012, 23.47A.013, 23.48.025, 23.48.231, 23.49.008, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.020, 23.66.140, 23.66.332, and 23.75.110 of the Seattle Municipal Code.

..body

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.44.012 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.44.012 Height limits

* * *

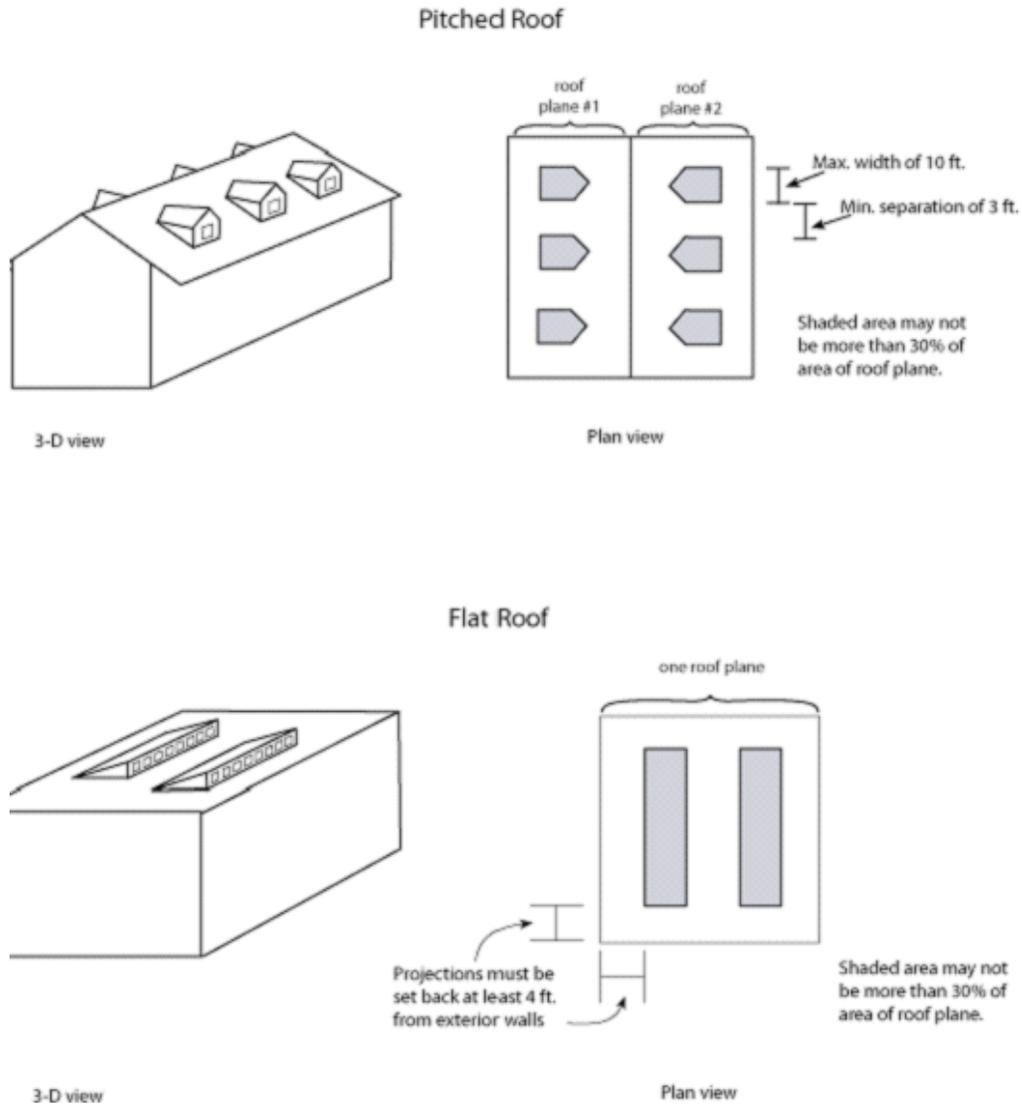
C. Height (~~(Limit Exemptions.)~~) limit exemptions

1. Flagpoles. Except in the Airport Height Overlay District, Chapter 23.64, flagpoles are exempt from height limits, provided that they are no closer to any adjoining lot line than 50 percent of their height above existing grade, or, if attached only to a roof, no closer than 50 percent of their height above the roof portion where attached.

2. Other (~~(Features)~~) features. Open rails and planters may extend no higher than the ridge of a pitched roof permitted under subsection 23.44.012.B or 4 feet above the maximum height limit in subsection 23.44.012.A. Planters on flat roofs shall not be located within 4 feet of more than 25 percent of the perimeter of the roof. For any structure with a green roof and having a minimum rooftop coverage of 50 percent, up to 24 inches of additional height above the height limit is allowed to accommodate structural requirements, roofing membranes, and soil. Chimneys may extend 4 feet above the ridge of a pitched roof or above a flat roof.

- 1 3. Projections that accommodate windows and result in additional interior space,
2 including dormers, clerestories, skylights, and greenhouses, may extend no higher than the ridge
3 of a pitched roof permitted pursuant to subsection 23.44.012.B, or 4 feet above the applicable
4 height limit pursuant to subsection 23.44.012.A, whichever is higher, if all of the following
5 conditions are satisfied (Exhibit D for 23.44.012):
- 6 a. The total area of these projections is limited to 30 percent of the area of
7 each roof plane measured from the plan view perspective;
- 8 b. On pitched roofs, projections are limited to 10 feet in width with a
9 minimum separation of 3 feet from other projections; and
- 10 c. On flat roofs, projections are set back at least 4 feet from exterior walls.

Exhibit D for 23.44.012
Roof Projections



1
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4. Solar ~~((Collectors))~~ collectors. For height exceptions for solar collectors, not including solar greenhouses, see Section 23.44.046.

5. For nonresidential principal uses, the following rooftop features may extend up to 10 feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection 23.44.012.C.5 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened or enclosed mechanical equipment:

1 a. Stair and elevator penthouses; ~~((and))~~

2 b. Mechanical equipment~~((:))~~ ; or

3 c. Wind-driven power generators.

4 6. Wind-driven power generators. Devices for generating wind power may be
5 located on structures as a rooftop feature and may extend up to 10 feet above the maximum
6 height limit set in subsections 23.44.012.A and 23.44.012.B, provided that the combined total
7 coverage of all features does not exceed 15 percent of the roof area.

8 7. For height limits and exceptions for communication utilities and accessory
9 communication devices, see Section 23.57.010.

10 Section 2. Section 23.44.046 of the Seattle Municipal Code, last amended by Ordinance
11 113401, is amended as follows:

12 **23.44.046 Solar collectors~~((:))~~**

13 A. Solar collectors are permitted outright as an accessory use to any principal use
14 permitted outright or to a permitted conditional use subject to the following development
15 standards:

16 1. Solar collectors, including solar greenhouses ~~((which meet minimum standards
17 and maximum size limits as determined by the Director))~~ , shall not be counted in lot coverage.

18 2. Solar collectors except solar greenhouses attached to principal use structures
19 may exceed the height limits of single-family zones by ~~((four (4)))~~ 4 feet or extend ~~((four (4)))~~ 4
20 feet above the ridge of a pitched roof. However, the total height from existing grade to the top of
21 the solar collector may not extend more than ~~((nine (9)))~~ 9 feet above the height limit established
22 for the zone (see Exhibit 23.44.046 A). A solar collector ~~((which))~~ that exceeds the height limit
23 for single-family zones shall be placed so as not to shade an existing solar collector or property

1 to the north on January 21~~((st))~~, at noon, any more than would a structure built to the maximum
2 permitted height and bulk.

3 3. Solar collectors and solar greenhouses (~~((meeting minimum written energy~~
4 ~~conservation standards administered by the Director))~~) may be located in required yards
5 according to the following conditions:

6 a. In a side yard, no closer than (~~((three (3)))~~) 3 feet from the side property
7 line; or

8 b. In a rear yard, no closer than (~~((fifteen (15)))~~) 15 feet from the rear
9 property line unless there is a dedicated alley, in which case the solar collector shall be no closer
10 than (~~((fifteen (15)))~~) 15 feet from the centerline of the alley; or

11 c. In a front yard, solar greenhouses which are integrated with the
12 principal structure and have a maximum height of (~~((twelve (12)))~~) 12 feet may extend up to (~~((six~~
13 ~~((6)))~~) 6 feet into the front yard. In no case shall the greenhouse be located closer than (~~((five (5)))~~)
14 5 feet from the front property line.

15 B. Nonconforming (~~((Solar Collectors))~~) solar collectors. The Director may permit the
16 installation of solar collectors which cause an existing structure to become nonconforming, or
17 which increase an existing nonconformity, as a special exception pursuant to Chapter 23.76(~~(;~~
18 ~~Procedures for Master Use Permits and Council Land Use Decisions))~~). Such installation may be
19 permitted even if it exceeds the height limit established in (~~((Section 23.44.046 A2))~~) subsection
20 23.44.046.A.2, so long as total structure height including solar collectors does not exceed
21 (~~((thirty nine (39)))~~) 39 feet above existing grade and the following conditions are met:

22 1. There is no feasible alternative to placing the collector(s) on the roof;

1 2. Such collector(s) are located so as to minimize view blockage for surrounding
2 properties and shading of property to the north, while still providing adequate solar access for the
3 collectors;

4 3. Such collector(s) meet minimum written energy conservation standards
5 administered by the Director; and

6 4. The collector(s) add no more than ((seven (7))) 7 feet of height to the existing
7 structure. To minimize view blockage or shadow impacts, the Director shall have the authority to
8 limit a nonconforming solar collector to less than ((seven (7))) 7 additional feet of height.

9 Section 3. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance
10 125791, is amended as follows:

11 **23.45.514 Structure height**

12 * * *

13 I. Rooftop features

14 1. Flagpoles and religious symbols for religious institutions that are located on a
15 roof are exempt from height controls, except as regulated in Chapter 23.64, provided they are no
16 closer to any lot line than 50 percent of their height above the roof portion where attached.

17 2. Open railings, planters, greenhouses not dedicated to food production, parapets,
18 and firewalls on the roofs of principal structures may extend 4 feet above the maximum height
19 limit set in subsections 23.45.514.A, 23.45.514.B, and 23.45.514.F.

20 3. Architectural projections that result in additional interior space, such as
21 dormers, skylights, and clerestories, are subject to the following limits:

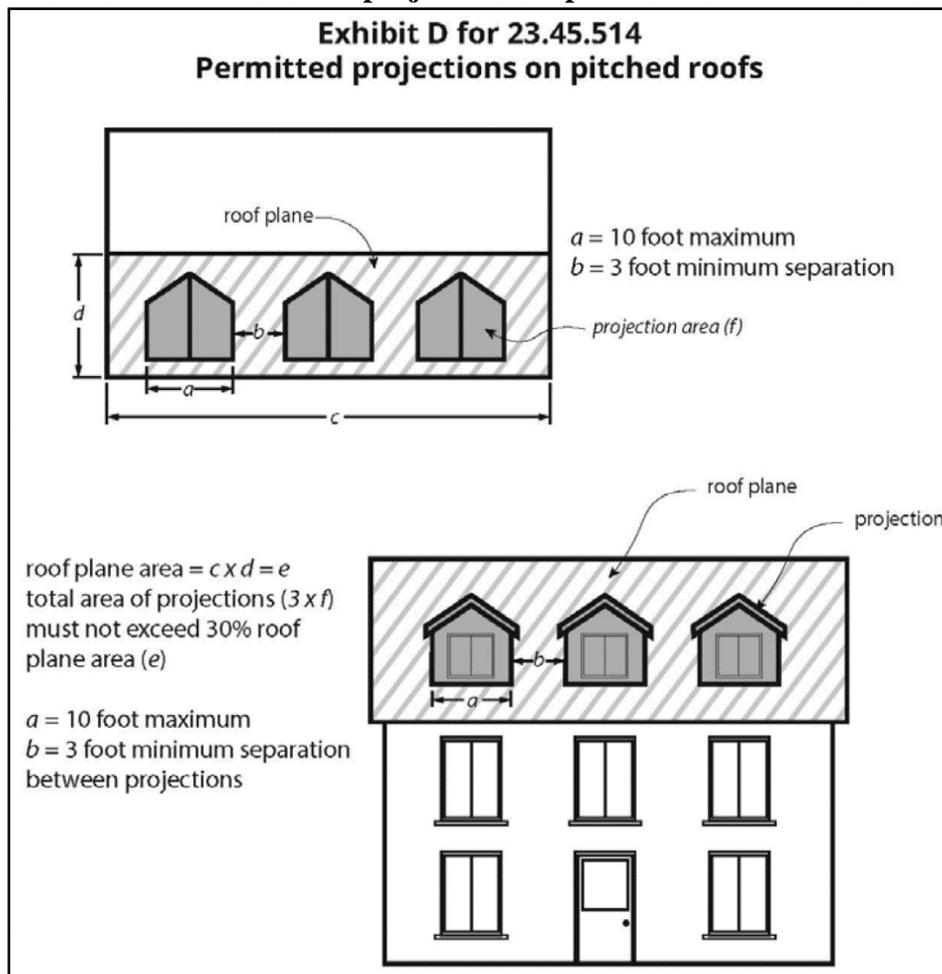
1 a. On pitched roofs, these projections may extend to the height of the ridge
2 of a pitched roof that is allowed pursuant to subsection 23.45.514.D, if the following conditions
3 are met:

4 1) The total area of the projections is no more than 30 percent of
5 the area of each roof plane measured from the plan view perspective;

6 2) Each projection is limited to 10 feet in width; and

7 3) Each projection is separated by at least 3 feet from any other
8 projection (see Exhibit D for 23.45.514).

9 **Exhibit D for 23.45.514**
10 **Permitted projections on pitched roofs**



1 b. On flat roofs, ~~((the))~~ these projections may extend 4 feet above the
2 maximum height limit allowed by subsections 23.45.514.A, 23.45.514.B, and 23.45.514.F if the
3 following requirements are met:

4 1) The total area of the projections is no more than 30 percent of
5 the area of the roof plane; and

6 2) The projections are set back at least 4 feet from any street facing
7 facade.

8 4. In LR zones, the following rooftop features may extend up to 10 feet above the
9 height limit set in subsections 23.45.514.A and 23.45.514.F, if the combined total coverage of all
10 features listed in this subsection~~((s))~~ 23.45.514.I.4 ~~((J.4.a through 23.45.514.J.4.f))~~ does not
11 exceed ~~((15))~~ 25 percent of the roof area (or ~~((20))~~ 30 percent of the roof area if the total includes
12 screened or enclosed mechanical equipment):

13 a. Stair penthouses, except as provided in subsection 23.45.514.I.6;

14 b. Mechanical equipment;

15 c. Play equipment and open-mesh fencing that encloses it, if the fencing is
16 at least 5 feet from the roof edge;

17 d. Chimneys;

18 e. Wind-driven power generators; ~~((and))~~

19 f. Sun and wind screens, and similar weather protection features such as
20 eaves or canopies extending from rooftop features;

21 g. Greenhouses and solariums;

22 h. Covered or enclosed common recreation areas; and

1 ~~((f.))~~ i. Minor communication utilities and accessory communication
2 devices, except that height is regulated according to the provisions of Section 23.57.011.

3 5. In MR and HR zones, the following rooftop features may extend up to 15 feet
4 above the applicable height limit set in subsection 23.45.514.B, if the combined total coverage of
5 all features listed in subsections 23.45.514.I.5 and 23.45.514.I.6 does not exceed ~~((20))~~ 30
6 percent of the roof area, or ~~((25))~~ does not exceed 35 percent of the roof area if the total includes
7 screened or enclosed mechanical equipment, or does not exceed 60 percent coverage of the roof
8 area if the total includes a greenhouse:

- 9 a. Stair penthouses, except as provided in subsection 23.45.514.I.6;
- 10 b. Mechanical equipment;
- 11 c. Play equipment and open-mesh fencing that encloses it, if the fencing is
12 at least 5 feet from the roof edge;
- 13 d. Chimneys;
- 14 e. Sun and wind screens, and similar weather protection features such as
15 eaves or canopies extending from rooftop features;
- 16 f. ~~((Penthouse pavilions for the common use of residents))~~ Covered or
17 enclosed common recreation areas;
- 18 g. Greenhouses and solariums~~((, in each case that meet minimum energy~~
19 ~~standards administered by the Director));~~
- 20 h. Wind-driven power generators; and
- 21 i. Minor communication utilities and accessory communication devices,
22 except that height is regulated according to the provisions of Section 23.57.011.

1 6. Subject to the roof coverage limits in subsections 23.45.514.I.4, ~~((and))~~
2 23.45.514.I.5, and 23.45.514.I.7 if applicable, elevator penthouses may extend above the
3 applicable height limit up to 16 feet. Stair penthouses may be the same height as an elevator
4 penthouse if the elevator and stairs are co-located within a common penthouse structure.

5 7. At the applicant's option, for structures exceeding 120 feet in HR zones, the
6 combined total rooftop coverage limit of all features listed in subsections 23.45.514.I.5 and
7 23.45.514.I.6 is 75 percent, provided that all of the following are satisfied:

- 8 a. All mechanical equipment is screened or enclosed; and
9 b. No rooftop features are located closer than 10 feet to the roof edge,
10 except features that do not exceed the height of the parapet or 5 feet above the roof surface,
11 whichever is greater, or which may be permitted by design review departure or other code
12 provisions including but not limited to Chapter 23.57.

13 ~~((7.))~~ 8. For height exceptions for solar collectors, see Section 23.45.545.

14 ~~((8.))~~ 9. In order to protect solar access for property to the north, the applicant
15 shall either locate the rooftop features listed in this subsection (~~((23.45.514.I.8))~~) 23.45.514.I.9 at
16 least 15 feet from the north lot line, or provide shadow diagrams to demonstrate that the
17 proposed location of such rooftop features would shade property to the north on January 21 at
18 noon no more than would a structure built to maximum permitted bulk:

- 19 a. Solar collectors;
20 b. Planters;
21 c. Clerestories;
22 d. Greenhouses and solariums (~~((that meet minimum energy standards~~
23 ~~administered by the Director))~~);

1 e. Minor communication utilities and accessory communication devices,
2 permitted according to the provisions of Section 23.57.011;

3 f. Play equipment;

4 g. Sun and wind screens, and similar weather protection features such as
5 eaves or canopies extending from rooftop features;

6 h. ~~((Penthouse pavilions for the common use of residents))~~ Covered or
7 enclosed common recreation areas.

8 ~~((9.))~~ 10. For height limits and exceptions for communication utilities and
9 devices, see Section 23.57.011.

10 ~~((10. Greenhouses that are dedicated to food production are permitted to extend~~
11 ~~15 feet above the applicable height limit, as long as the combined total coverage of all features~~
12 ~~gaining additional height listed in this subsection 23.45.514.I does not exceed 50 percent of the~~
13 ~~roof area, and the greenhouse meets the requirements of subsection 23.45.514.I.8.))~~

14 Section 4. Subsection 23.45.545.C of the Seattle Municipal Code, which section was last
15 amended by Ordinance 126157, is amended as follows:

16 **23.45.545 Standards for certain accessory uses**

17 * * *

18 C. Solar collectors

19 1. Solar collectors ~~((that meet minimum written energy conservation standards~~
20 ~~administered by the Director))~~ are permitted in required setbacks, subject to the following:

21 a. Detached solar collectors are permitted in required rear setbacks, no
22 closer than 5 feet to any other principal or accessory structure.

1 b. Detached solar collectors are permitted in required side setbacks, no
2 closer than 5 feet to any other principal or accessory structure, and no closer than 3 feet to the
3 side lot line.

4 2. Sunshades that provide shade for solar collectors that meet minimum written
5 energy conservation standards administered by the Director may project into southern front or
6 rear setbacks. Those that begin at 8 feet or more above finished grade may be no closer than 3
7 feet from the lot line. Sunshades that are between finished grade and 8 feet above finished grade
8 may be no closer than 5 feet to the lot line.

9 3. Solar collectors on roofs. Solar collectors that are located on a roof are
10 permitted as follows:

11 a. In LR zones up to 4 feet above the maximum height limit or 4 feet
12 above the height of stair or elevator penthouse(s), whichever is higher; and

13 b. In MR and HR zones up to 10 feet above the maximum height limit or
14 10 feet above the height of stair or elevator penthouse(s), whichever is higher.

15 c. If the solar collectors would cause an existing structure to become
16 nonconforming, or increase an existing nonconformity, the Director may permit the solar
17 collectors as a special exception pursuant to Chapter 23.76. Solar collectors may be permitted
18 under this subsection 23.45.545.C.3.c even if the structure exceeds the height limits established
19 in this subsection 23.45.545.C.3, if the following conditions are met:

20 1) There is no feasible alternative solution to placing the
21 collector(s) on the roof; and

1 2) The collector(s) are located so as to minimize view blockage
2 from surrounding properties and the shading of property to the north, while still providing
3 adequate solar access for the solar collectors.

4 * * *

5 Section 5. Section 23.47A.012 of the Seattle Municipal Code, last amended by Ordinance
6 126157, is amended as follows:

7 **23.47A.012 Structure height**

8 * * *

9 C. Rooftop features

10 1. Smokestacks, chimneys, flagpoles, and religious symbols for religious
11 institutions are exempt from height controls, except as regulated in Chapter 23.64, provided they
12 are a minimum of 10 feet from any side or rear lot line.

13 2. Open railings, planters, skylights, clerestories, greenhouses, solariums,
14 parapets, and firewalls may extend as high as the highest ridge of a pitched roof permitted by
15 subsection 23.47A.012.B or up to 4 feet above the otherwise applicable height limit, whichever
16 is higher. Insulation material or soil for landscaping located above the structural roof surface
17 may exceed the maximum height limit by up to 2 feet if enclosed by parapets or walls that
18 comply with this subsection 23.47A.012.C.2. Rooftop decks and other similar features may
19 exceed the maximum height limit by up to two feet, and open railings or parapets required by the
20 Building Code around the perimeter of rooftop decks or other similar features may exceed the
21 maximum height limit by the minimum necessary to meet Building Code requirements.

22 3. Solar collectors

1 a. In zones with mapped height limits of 30 or 40 feet, solar collectors may
2 extend up to 4 feet above the otherwise applicable height limit, with unlimited rooftop coverage.

3 b. In zones with height limits of 65 feet or more, solar collectors may
4 extend up to 7 feet above the otherwise applicable height limit, with unlimited rooftop coverage.

5 4. Except as provided below, the following rooftop features may extend up to 15
6 feet above the applicable height limit(~~(, as long as)~~) if the combined total coverage of all features
7 gaining additional height listed in this subsection 23.47A.012.C.4(~~(, including weather protection~~
8 such as eaves or canopies extending from rooftop features,)) does not exceed ((20)) 30 percent of
9 the roof area, or ((25)) the combined total coverage does not exceed 35 percent of the roof area if
10 the total includes stair or elevator penthouses or screened or enclosed mechanical equipment, or
11 does not exceed 60 percent coverage of the roof area if the total includes a greenhouse:

12 a. Solar collectors that exceed heights allowed by subsection
13 23.47A.012.C.3;

14 b. Mechanical equipment;

15 c. Play equipment and open-mesh fencing that encloses it, as long as the
16 fencing is at least ((45)) 10 feet from the roof edge;

17 d. Chimneys;

18 e. Sun and wind screens, and similar weather protection features such as
19 eaves or canopies extending from rooftop features;

20 f. Covered or enclosed common recreation areas;

21 g. Greenhouses and solariums;

22 ((d-)) h. Wind-driven power generators;

1 ~~((e-))~~ i. Minor communication utilities and accessory communication
2 devices, except that height is regulated according to the provisions of Section 23.57.012; and

3 ~~((f-))~~ j. Stair and elevator penthouses, which may extend above the
4 applicable height limit by up to 16 feet.

5 ~~((5. Greenhouses that are dedicated to food production are permitted to extend 15
6 feet above the applicable height limit if the combined total coverage of all features gaining
7 additional height listed in this subsection 23.47A.012.C does not exceed 50 percent of the roof
8 area, and the greenhouse adheres to the setback requirements in subsection 23.47A.012.C.6.))~~

9 5. At the applicant's option, for buildings exceeding 120 feet, the combined total
10 rooftop coverage limit of all features listed in subsections 23.47A.012.C.4 is 75 percent,
11 provided that all of the following are satisfied:

- 12 a. All mechanical equipment is screened or enclosed; and
13 b. No rooftop features are located closer than 10 feet to the roof edge,
14 except features that do not exceed the height of the parapet or 5 feet above the roof surface,
15 whichever is greater, or which may be permitted by design review departure or other code
16 provisions including but not limited to Chapter 23.57.

17 6. The rooftop features listed in this subsection 23.47A.012.C.6 shall be located at
18 least 10 feet from the north lot line unless a shadow diagram is provided that demonstrates that
19 locating such features within 10 feet of the north lot line would not shade property to the north
20 on January 21 at noon more than would a structure built to maximum permitted height and FAR:

- 21 a. Solar collectors;
22 b. Planters;
23 c. Clerestories;

1 3. Gross floor area of a transit station, including all floor area open to the general
2 public during normal hours of station operation but excluding retail or service establishments to
3 which public access is limited to customers or clients, even where such establishments are
4 primarily intended to serve transit riders;

5 4. On a lot containing a peat settlement-prone environmentally critical area,
6 above-grade parking within or covered by a structure or portion of a structure, if the Director
7 finds that locating a story of parking below grade is infeasible due to physical site conditions
8 such as a high water table, if either:

9 a. The above-grade parking extends no more than 6 feet above existing or
10 finished grade and no more than 3 feet above the highest existing or finished grade along the
11 structure footprint, whichever is lower, as measured to the finished floor level or roof above,
12 pursuant to subsection 23.47A.012.A.3; or

13 b. All of the following conditions are met:

14 1) No above-grade parking is exempted by subsection
15 23.47A.013.B.4.a;

16 2) The parking is accessory to a residential use on the lot;

17 3) Total parking on the lot does not exceed one space for each
18 residential dwelling unit plus the number of spaces required for non-residential uses; and

19 4) The amount of gross floor area exempted by this subsection
20 23.47A.013.B.4.b does not exceed 25 percent of the area of the lot in zones with a height limit
21 less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or
22 greater; (~~and~~)

1 may exceed the maximum height limit if enclosed by parapets or walls that comply with this
2 subsection 23.48.025.C.2.

3 3. Solar collectors may extend up to 7 feet above the maximum height limit, with
4 unlimited rooftop coverage.

5 4. The following rooftop features may extend up to 15 feet above the
6 ~~((maximum))~~ applicable height limit, ~~((so long as))~~ if the combined total coverage of all features
7 listed in this subsection 23.48.025.C.4~~((, including weather protection such as eaves or canopies~~
8 ~~extending from rooftop features,))~~ does not exceed ~~((20))~~ 35 percent of the roof area, ~~((or 25~~
9 ~~percent of the roof area if the total includes stair or elevator penthouses or screened mechanical~~
10 ~~equipment))~~ or does not exceed 60 percent coverage of the roof area if the total includes a
11 greenhouse:

12 a. Solar collectors that exceed heights allowed by subsection
13 23.48.025.C.3;

14 b. Stair and elevator penthouses;

15 c. Mechanical equipment;

16 d. Atriums, greenhouses, and solariums;

17 e. Play equipment and open-mesh fencing that encloses it, as long as the
18 fencing is at least 15 feet from the roof edge;

19 f. Minor communication utilities and accessory communication devices,
20 except that height is regulated according to the provisions of Section 23.57.012; ~~((and))~~

21 g. Covered or enclosed common amenity area ~~((for structures exceeding a~~
22 ~~height of 125 feet.))~~ ;

23 h. Chimneys;

1 i. Sun and wind screens, and similar weather protection features such as
2 eaves or canopies extending from rooftop features; and

3 j. Wind-driven power generators.

4 5. For structures greater than 85 feet in height, elevator penthouses up to 25 feet
5 above the height limit are permitted. If the elevator provides access to a rooftop designed to
6 provide usable open space or common recreation area, elevator penthouses and mechanical
7 equipment up to 45 feet above the height limit are permitted, provided that all of the following
8 are satisfied:

9 a. The structure must be greater than 125 feet in height; and

10 b. The combined total coverage of all features gaining additional height
11 listed in ~~((this))~~ subsection 23.48.025.C.4 does not exceed limits listed in subsection
12 23.48.025.C.4, or the limit in subsection 23.48.025.C.6 if it applies.

13 ~~((6. Greenhouses that are dedicated to food production are permitted to extend 15~~
14 ~~feet above the applicable height limit, as long as the combined total coverage of all features~~
15 ~~gaining additional height listed in this subsection 23.48.025.C does not exceed 50 percent of the~~
16 ~~roof area.))~~

17 ~~((7.))~~ 6. At the applicant's option, the combined total coverage limit of all rooftop
18 features listed in subsections 23.48.025.C.4 and 23.48.025.C.5 ~~((may be increased to 65 percent~~
19 ~~of the roof area))~~ is 75 percent, provided that all of the following are satisfied:

20 a. All mechanical equipment is screened or enclosed; and

21 b. No rooftop features are located closer than 10 feet to the roof edge,
22 except features that do not exceed the height of the parapet or 5 feet above the roof surface.

1 whichever is greater, or which may be permitted by design review departure or other code
2 provisions including but not limited to Chapter 23.57.

3 ((&-)) 7. In order to protect solar access for property to the north, the applicant
4 shall either locate the rooftop features listed in this subsection ((23.48.025.C.8)) 23.48.025.C.7 at
5 least 10 feet from the north lot line, or provide shadow diagrams to demonstrate that the
6 proposed location of such rooftop features would shade property to the north on January 21 at
7 noon no more than would a structure built to maximum permitted bulk:

8 a. Solar collectors;

9 b. Planters;

10 c. Clerestories;

11 d. Atriums, greenhouses, and solariums;

12 e. Minor communication utilities and accessory communication devices

13 according to the provisions of Section 23.57.012;

14 f. Sun and wind screens, and similar weather protection features such as
15 eaves or canopies extending from rooftop features;

16 ((f-)) g. Nonfirewall parapets; ((and))

17 ((g-)) h. Play equipment;((-)) and

18 i. Covered or enclosed common amenity areas.

19 ((9-)) 8. Screening. Rooftop mechanical equipment and elevator penthouses shall
20 be screened with fencing, wall enclosures, or other structures.

21 ((10-)) 9. For height limits and exceptions for communication utilities and
22 accessory communication devices, see Section 23.57.012.

1 Section 8. Section 23.48.231 of the Seattle Municipal Code, last amended by Ordinance
2 125603, is amended as follows:

3 **23.48.231 Modification of development standards in certain SM-SLU zones**

4 A. In a SM-SLU 175/85-280 zone located in the South Lake Union Seaport Flight
5 Corridor as shown on Map A for 23.48.225, the following apply:

6 1. The following modifications shall occur if the height limit according to
7 subsection 23.48.225.E would prevent a development from being able to achieve the maximum
8 height that would otherwise be allowed according to subsection 23.48.225.A:

9 a. The upper-level floor area limit according to subsection 23.48.245.A
10 shall be increased from 50 percent to 55 percent, except that for lots less than 12,500 square feet
11 the upper-level floor area limit according to subsection 23.48.245.A shall be increased from 50
12 percent to 67 percent;

13 b. The non-residential floor plate limits according to subsection
14 23.48.245.B.1.d shall be increased from 24,000 to 25,000 square feet;

15 c. The residential floor plate limits according to subsection
16 23.48.245.B.2.a shall be increased from 12,500 to 13,500 square feet; and

17 d. The residential floor plate limits according to subsection
18 23.48.245.B.2.b.1 shall be increased from 10,500 to 11,500 square feet.

19 2. The height above which a development is a tower according to Section
20 23.48.245 and the base height for purposes of calculating extra floor area shall be increased from
21 85 feet to 95 feet if:

22 a. Either:

1 a. Open railings, planters, clerestories, skylights, play equipment, parapets,
2 and firewalls up to 4 feet above the applicable height limit;

3 b. Insulation material, rooftop decks and other similar features, or soil for
4 landscaping located above the structural roof surface, may exceed the maximum height limit by
5 up to ~~((two))~~ 2 feet if enclosed by parapets or walls that comply with subsection 23.49.008.D.1.a;

6 c. Solar collectors up to 7 feet above the applicable height limit; and

7 d. The rooftop features listed below shall be located a minimum of 10 feet
8 from all lot lines and may extend up to 50 feet above the roof of the structure on which they are
9 located or 50 feet above the applicable height limit, whichever is less, except as regulated by
10 Chapter 23.64(~~(, Airport Height Overlay District)~~):

11 1) Religious symbols for religious institutions;

12 2) Smokestacks; and

13 3) Flagpoles.

14 2. The following rooftop features are permitted up to the heights indicated below,
15 as long as the combined coverage of all rooftop features(~~(, whether or not)~~) listed in this
16 subsection 23.49.008.D.2, does not exceed ~~((55))~~ 75 percent of the roof area for structures that
17 are subject to maximum floor area limits per story pursuant to Section 23.49.058(~~(,)~~); or ~~((35))~~
18 50 percent of the roof area for other structures, unless a different limit is specified by other
19 provisions.

20 a. The following rooftop features are permitted to extend up to 15 feet
21 above the applicable height limit:

22 1) Solar collectors that exceed the height listed in subsection
23 23.49.008.D.1.c;

1 d. Greenhouses (~~(that are dedicated to food production)~~) are permitted to
2 extend up to 15 feet above the applicable height limit, as long as the combined total coverage of
3 all features gaining additional height listed does not exceed (~~(50)~~) 60 percent of the roof area.

4 e. Mechanical equipment, whether new or replacement, may be allowed
5 up to 15 feet above the roof elevation of a structure existing prior to June 1, 1989.

6 3. Screening of rooftop features

7 a. Measures may be taken to screen rooftop features from public view
8 through the design review process or, if located within the Pike Place Market Historical District,
9 by the Pike Place Market Historical Commission.

10 b. Except in the PMM zone, the amount of roof area enclosed by rooftop
11 screening may exceed the maximum percentage of the combined coverage of all rooftop features
12 as provided in subsection 23.49.008.D.2.

13 c. Except in the PMM zone, in no circumstances shall the height of
14 rooftop screening exceed ten percent of the applicable height limit, or 15 feet, whichever is
15 greater. In the PMM zone, the height of the screening shall not exceed the height of the rooftop
16 feature being screened, or such greater height necessary for effective screening as determined by
17 the Pike Place Market Historical Commission.

18 4. Administrative conditional use for rooftop features. Except in the PMM zone,
19 the rooftop features listed in subsection (~~(23.49.008.D.1.e)~~) 23.49.008.D.1.d may exceed a height
20 of 50 feet above the roof of the structure on which they are located if authorized by the Director
21 through an administrative conditional use(~~(s)~~) under Chapter 23.76. The request for additional
22 height shall be evaluated on the basis of public benefits provided, the possible impacts of the
23 additional height, consistency with the City's Comprehensive Plan, and the following criteria:

1 a. The feature shall be compatible with and not adversely affect the
2 downtown skyline.

3 b. The feature shall not have a substantial adverse effect upon the light,
4 air, solar, and visual access of properties within a 300 foot radius.

5 c. The feature, supporting structure, and structure below shall be
6 compatible in design elements such as bulk, profile, color, and materials.

7 d. The increased size is necessary for the successful physical function of
8 the feature, except for religious symbols.

9 5. Residential penthouses above height limit in a DRC zone

10 a. A residential penthouse exceeding the applicable height limit shall be
11 permitted in a DRC zone only on a mixed-use, City-designated Landmark structure for which a
12 certificate of approval by the Landmarks Preservation Board is required. A residential penthouse
13 allowed under this Section 23.49.008 may cover a maximum of 50 percent of the total roof
14 surface. Except as the Director may allow under subsection 23.49.008.D.5.b:

15 1) A residential penthouse allowed under this subsection
16 23.49.008.D.5 shall be set back a minimum of 15 feet from the street lot line.

17 2) A residential penthouse may extend up to 8 feet above the roof,
18 or 12 feet above the roof if set back a minimum of 30 feet from the street lot line.

19 b. If the Director determines, after a sight line review based upon adequate
20 information submitted by the applicant, that a penthouse will be invisible or minimally visible
21 from public streets and parks within 300 feet from the structure, the Director may allow one or
22 both of the following in a Type I decision:

1 1) An increase of the penthouse height limit under subsection
2 23.49.008.D.5.a by an amount up to the average height of the structure's street-facing parapet; or

3 2) A reduction in the required setback for a residential penthouse.

4 c. The Director's decision to modify development standards pursuant to
5 subsection 23.49.008.D.5.b shall be consistent with the certificate of approval from the
6 Landmarks Preservation Board.

7 d. A residential penthouse allowed under this subsection 23.49.008.D.5
8 shall not exceed the maximum structure height in the DRC zone under Section 23.49.008.

9 e. No rooftop features shall be permitted on a residential penthouse
10 allowed under this subsection 23.49.008.D.5.

11 6. For height limits and exceptions for communication utilities and accessory
12 communication devices, see Section 23.57.013.

13 * * *

14 Section 10. Subsection 23.49.046.E of the Seattle Municipal Code, which section was last
15 amended by Ordinance 125558, is amended as follows:

16 **23.49.046 Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), and**
17 **Downtown Mixed Commercial (DMC) conditional uses and Council decisions**

18 * * *

19 E. Rooftop features listed in subsection (~~(23.49.008.D.1.e)~~) 23.49.008.D.1.d more than 50
20 feet above the roof of the structure on which they are located may be authorized by the Director
21 as an administrative conditional use pursuant to Chapter 23.76(~~(, Procedures for Master Use~~
22 ~~Permits and Council Land Use Decisions,)) according to the criteria of Section 23.49.008.~~

23 * * *

1 Section 11. Subsection 23.49.096.F of the Seattle Municipal Code, which section was last
2 amended by Ordinance 125558, is amended as follows:

3 **23.49.096 Downtown Retail Core, conditional uses and Council decisions**

4 * * *

5 F. Rooftop features listed in subsection (~~(23.49.008.D.1.e)~~) 23.49.008.D.1.d more than 50
6 feet above the roof of the structure on which they are located may be authorized by the Director
7 as an administrative conditional use pursuant to Chapter 23.76(~~(, Procedures for Master Use~~
8 ~~Permits and Council Land Use Decisions,)~~) according to the criteria of Section 23.49.008.

9 * * *

10 Section 12. Subsection 23.49.148.E of the Seattle Municipal Code, which section was last
11 amended by Ordinance 125558, is amended as follows:

12 **23.49.148 Downtown Mixed Residential, conditional uses and Council decisions**

13 * * *

14 E. Rooftop features listed in subsection (~~(23.49.008.D.1.e)~~) 23.49.008.D.1.d more than 50
15 feet above the roof of the structure on which they are located may be authorized by the Director
16 as an administrative conditional use pursuant to Chapter 23.76(~~(, Procedures for Master Use~~
17 ~~Permits and Council Land Use Decisions,)~~) according to the criteria of Section 23.49.008.

18 * * *

19 Section 13. Subsection 23.49.324.E of the Seattle Municipal Code, which section was last
20 amended by Ordinance 125558, is amended as follows:

21 **23.49.324 Downtown Harborfront 2, conditional uses**

22 * * *

1 E. Rooftop features listed in subsection (~~(23.49.008.D.1.e)~~) 23.49.008.D.1.d more than 50
2 feet above the roof of the structure on which they are located may be authorized by the Director
3 as an administrative conditional use pursuant to Chapter 23.76(~~(Procedures for Master Use~~
4 ~~Permits and Council Land Use Decisions,)~~) according to the criteria of Section 23.49.008.

5 * * *

6 Section 14. Section 23.50.020 of the Seattle Municipal Code, last amended by Ordinance
7 125791, is amended as follows:

8 **23.50.020 Structure height exceptions and additional restrictions**

9 A. Rooftop features. Where a height limit applies to a structure, except as provided in
10 subsections 23.50.024.C.4, 23.50.024.D.4, 23.50.024.E.4, and 23.50.024.F.3, the provisions in
11 this subsection 23.50.020.A apply to rooftop features:

12 1. In all industrial zones, smokestacks, chimneys and flagpoles, and religious
13 symbols for religious institutions are exempt from height limits, except as regulated in Chapter
14 23.64, (~~(Airport Height Overlay District,)~~) provided they are a minimum of 10 feet from any side
15 or rear lot line.

16 2. In all industrial zones, open railings, planters, skylights, clerestories,
17 greenhouses, solariums, parapets, and firewalls may extend 4 feet above the applicable height
18 limit with unlimited rooftop coverage. Insulation material, rooftop decks and other similar
19 features, or soil for landscaping located above the structural roof surface, may exceed the
20 maximum height limit by up to 2 feet if enclosed by parapets or walls that comply with this
21 subsection 23.50.020.A.2.

22 3. In all industrial zones, solar collectors may extend up to 7 feet above the
23 applicable height limit, with unlimited rooftop coverage.

1 4. Additional height is permitted for specified rooftop features according to this
2 subsection 23.50.020.A.4.

3 a. The following rooftop features may extend up to 15 feet above the
4 applicable height limit in all industrial zones, subject to subsection 23.50.020.A.4.c:

5 1) Solar collectors that exceed heights indicated by subsection
6 23.50.020.A.3;

7 2) Stair and elevator penthouses, except as provided in subsection
8 23.50.020.A.4.b;

9 3) Greenhouses and solariums;

10 4) Mechanical equipment; and

11 ((4)) 5) Minor communication utilities and accessory
12 communication devices, except that height is regulated according to Section 23.57.015.

13 b. In an IC 85-175 zone, elevator penthouses may extend up to 25 feet
14 above the applicable height limit, subject to subsection 23.50.020.A.4.c.

15 c. The combined total coverage of all features listed in subsection((s))
16 23.50.020.A.4((a and 23.50.020.A.4.b)) is limited to ((20)) 35 percent of the roof area, or ((25))
17 60 percent of the roof area if the total includes ((screened mechanical equipment)) greenhouses.

18 5. ((Greenhouses that are dedicated to food production are permitted to extend 15
19 feet above the applicable height limit if the combined total coverage of all features gaining
20 additional height does not exceed 50 percent of the roof area.)) Greenhouses ((allowed under this
21 subsection 23.50.020.A.5)) shall be located at least 10 feet from the north lot line unless a
22 shadow diagram is provided that demonstrates that locating such features within 10 feet of the

1 north lot line would not shade property to the north on January 21 at noon more than would a
2 structure built to maximum permitted height and FAR.

3 6. Within an IC 85-175 zone, solar collectors and wind-driven power generators
4 may extend up to 15 feet above the applicable height limit, with unlimited rooftop coverage, and
5 are not subject to a coverage limit under subsection 23.50.020.A.4.c.

6 B. Structures existing prior to October 8, 1987((;)) that exceed the height limit of the zone
7 may add the rooftop features listed as conditioned in subsection 23.50.020.A. The existing roof
8 elevation of the structure is considered the applicable height limit for the purpose of adding
9 rooftop features.

10 Section 15. Section 23.66.140 of the Seattle Municipal Code, last amended by Ordinance
11 125272, is amended as follows:

12 **23.66.140 Height**

13 A. Maximum ((Height)) height. Maximum structure height is regulated by Section
14 23.49.178 ((Pioneer Square Mixed, structure height)).

15 B. Minimum ((Height)) height. No structure shall be erected or permanent addition added
16 to an existing structure that would result in the height of the new structure of less than 50 feet,
17 except as allowed in the PSM 85-120 zone under the provisions of Section 23.49.180 for the area
18 shown on Map A for 23.49.180. Height of the structure is to be measured from mean street level
19 fronting on the property to the mean roofline of the structure.

20 C. Rooftop features and additions to structures

21 1. The height limits established for the rooftop features described in this Section
22 23.66.140 may be increased by the average height of the existing street parapet or a historically
23 substantiated reconstructed parapet on the building on which the rooftop feature is proposed.

1 2. For development in the PSM 85-120 zone in the area shown on Map A for
2 23.49.180 and subject to the provisions of Section 23.49.180, the height limits for rooftop
3 features are provided in subsection 23.49.008.D. The standards contained in subsections
4 23.66.140.C.1 and 23.66.140.C.4 do not apply to rooftop features on development subject to the
5 provisions of Section 23.49.180.

6 3. The setbacks required for rooftop features may be modified by the Department
7 of Neighborhoods Director, after a sight line review by the Preservation Board to ensure that the
8 features are minimally visible from public streets and parks within 300 feet of the structure.

9 4. Height limits for rooftop features

10 a. Religious symbols for religious institutions, smokestacks, and flagpoles
11 may extend up to 50 feet above the roof of the structure or the maximum height limit, whichever
12 is less, except as regulated in Chapter 23.64, provided that they are a minimum of 10 feet from
13 all lot lines.

14 b. For existing structures, open railings, planters, clerestories, skylights,
15 play equipment, parapets, and firewalls may extend up to 4 feet above the roof of the structure or
16 the maximum height limit, whichever is less. For new structures, such features may extend up to
17 4 feet above the maximum height limit. No rooftop coverage limits apply to such features
18 regardless of whether the structure is existing or new.

19 c. Solar collectors, excluding greenhouses, may extend up to 7 feet above
20 the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop
21 coverage, provided they are a minimum of 10 feet from all lot lines. For new structures, solar
22 collectors may extend up to 7 feet above the maximum height limit, except as provided in
23 subsection 23.66.140.C.4.j.1, and provided that they are a minimum of 10 feet from all lot lines.

1 d. The following rooftop features may extend up to 8 feet above the roof
2 or maximum height limit, whichever is less, if they are set back a minimum of 15 feet from the
3 street and 3 feet from an alley. They may extend up to 15 feet above the roof if set back a
4 minimum of 30 feet from the street. A setback may not be required at common wall lines subject
5 to review by the Preservation Board and approval by the Department of Neighborhoods Director.
6 The combined coverage of the following listed rooftop features shall not exceed ~~((15))~~ 25
7 percent of the roof area:

- 8 1) ~~((solar))~~ Solar collectors, excluding greenhouses;
- 9 2) ~~((stair))~~ Stair and elevator penthouses;
- 10 3) ~~((mechanical))~~ Mechanical equipment;
- 11 4) ~~((minor))~~ Minor communication utilities and accessory
12 communication devices, except that height is regulated according to the provisions of Section
13 23.57.014.

14 Additional combined coverage of ~~((these))~~ the rooftop features listed in
15 subsection 23.66.140.C.4.d.1 through 23.66.140.C.4.d.4, not to exceed ~~((25))~~ 35 percent of the
16 roof area, may be permitted subject to review by the Preservation Board and approval by the
17 Department of Neighborhoods Director.

18 e. On structures existing prior to June 1, 1989, and on additions to such
19 structures permitted according to subsection 23.66.140.C.4.i or otherwise, new or replacement
20 mechanical equipment and stair and elevator penthouses may extend up to 8 feet above the
21 elevation of the existing roof or addition, as applicable, when they are set back a minimum of 15
22 feet from the street and 3 feet from an alley; or may extend up to 12 feet above the elevation of
23 the existing roof or addition, as applicable, if they are set back a minimum of 30 feet from the

1 street, subject to review by the Preservation Board and approval by the Department of
2 Neighborhoods Director. On structures where rooftop features are allowed under this subsection
3 23.66.140.C.4.e, the combined coverage of these rooftop features and any other features listed in
4 subsection 23.66.140.C.4.d shall not exceed the ~~((limit))~~ limits provided in subsection
5 23.66.140.C.4.d, ~~((as it may be increased pursuant to subsection 23.66.140.C.4.d))~~ or the limits
6 in subsection 23.66.140.C.4.k if they apply.

7 f. ~~((Residential and office penthouses))~~ Rooftop penthouses. The
8 following types of occupied rooftop penthouse uses are permitted as a rooftop feature of a new
9 building, or as a rooftop addition on an existing structure if it is at least 40 feet in height.
10 Measurement of height for purposes of this subsection 23.66.140.C.4.f may include the height of
11 already-permitted and already-built rooftop penthouses regulated by this subsection
12 23.66.140.C.4.f.

13 1) Residential penthouses may cover a maximum of 50 percent of
14 the total roof surface and may extend up to 8 feet above the roof if set back a minimum of 15 feet
15 from the street property line, or 12 feet above the roof if set back a minimum of 30 feet from the
16 street property line.

17 2) ~~((Office penthouses are permitted only if the footprint of the~~
18 ~~existing structure is greater than 10,000 square feet and the structure is at least 60 feet in~~
19 ~~height.))~~ When permitted, office penthouses ~~((shall be set back a minimum of 15 feet from all~~
20 ~~property lines and))~~ may cover a maximum of 50 percent of the total roof surface, ~~((Office~~
21 ~~penthouses))~~ may extend up to 12 feet above the roof of the structure, ~~((and))~~ shall be
22 functionally integrated into the existing structure, and shall be set back a minimum of 15 feet
23 from all property lines. Accessory mechanical equipment may be placed on roofs of these

1 penthouses if needed to support lodging uses. The height of this equipment is limited to the
2 minimum needed to serve its function, and its coverage is subject to the coverage limits in
3 subsection 23.66.140.C.4.d.

4 3) Penthouses for lodging uses. When permitted, penthouses for
5 lodging uses may cover a maximum of 50 percent of the total roof surface, may extend up to 12
6 feet above the roof of the structure, shall be functionally integrated into the existing structure,
7 and shall be set back a minimum of 15 feet from all property lines. Accessory mechanical
8 equipment may be placed on roofs of these penthouses if needed to support lodging uses. The
9 height of this equipment is limited to the minimum needed to serve its function, and its coverage
10 is subject to the coverage limits in subsection 23.66.140.C.4.d.

11 4) Penthouses for eating and drinking establishments. When
12 permitted, penthouses for these uses may cover a maximum of 50 percent of the total roof
13 surface, may extend up to 12 feet above the roof of the structure, shall be functionally integrated
14 into the existing structure, and shall be set back a minimum of 15 feet from all property lines.
15 Accessory mechanical equipment may be placed on roofs of these penthouses if needed to
16 support these uses. The height of this equipment is limited to the minimum needed to serve its
17 function, and its coverage is subject to the coverage limits in subsection 23.66.140.C.4.d.

18 ~~((3))~~ 5) The combined height of the structure and a ((residential
19 penthouse or office)) penthouse, if permitted, shall not exceed the maximum height limit for that
20 area of the District in which the structure is located.

21 6) View studies depicting views toward a proposed improvement,
22 including from distances up to 300 feet, are required for all rooftop penthouses. Increasing

1 setbacks, lowering roof heights, or other design adjustments may be required to ensure the
2 penthouse is minimally visible.

3 g. Screening of rooftop features. Measures may be taken to screen rooftop
4 features from public view subject to review by the Preservation Board and approval by the
5 Department of Neighborhoods Director. The amount of rooftop area enclosed by rooftop
6 screening may exceed the maximum percentage of the combined coverage of rooftop features
7 listed in subsection 23.66.140.C.4.d. In no circumstances shall the height of rooftop screening
8 exceed 15 feet above the maximum height limit or height of an addition permitted according to
9 subsection 23.66.140.C.4.i or otherwise, whichever is higher.

10 h. See Section 23.57.014 for regulation of communication utilities and
11 accessory devices.

12 i. For a structure that has existed since before June 10, 1985, and is
13 nonconforming as to structure height, an addition to the structure may extend to the height of the
14 roof of the existing structure if:

15 1) ~~((the))~~ The use of the addition above the limit on structure
16 height applicable under Section 23.49.178 is limited to residential use; and

17 2) ~~((the))~~ The addition occupies only all or a portion of the part of
18 a lot that is bounded by an alley on one side and is bounded on at least two sides by walls of the
19 existing structure that are not street-facing facades.

20 j. Enclosed rooftop recreational spaces for new structures

21 1) If included on new structures or structures built later than
22 January 19, 2008, enclosed rooftop recreational spaces and solar collectors may exceed the
23 maximum height limit by up to 15 feet. The applicant shall make a commitment that the

1 exceed 45 percent of the roof area may be permitted subject to review by the Preservation Board
2 and approval by the Department of Neighborhoods Director.

3 D. New ((~~Structures~~)) structures. When new structures are proposed in the District, the
4 Preservation Board shall review the proposed height of the structure and make recommendations
5 to the Department of Neighborhoods Director who may require design changes to assure
6 reasonable protection of views from Kobe Terrace Park.

7 Section 16. Section 23.66.332 of the Seattle Municipal Code, last amended by Ordinance
8 125603, is amended as follows:

9 **23.66.332 Height and rooftop features**

10 A. Maximum structure height is as designated on the Official Land Use Map, Chapter
11 23.32, except as provided in this Section 23.66.332.

12 B. Rooftop features

13 1. The Special Review Board and the Director of Neighborhoods shall review
14 rooftop features to preserve views from Kobe Terrace Park.

15 2. Religious symbols for religious institutions, as well as smokestacks and
16 flagpoles, are exempt from height controls, except as regulated in Chapter 23.64, provided they
17 are at least 10 feet from all lot lines.

18 3. Open railings, planters, clerestories, skylights, play equipment, parapets and
19 firewalls may extend up to 4 feet above the maximum height limit and may have unlimited
20 rooftop coverage.

21 4. Solar collectors excluding greenhouses may extend up to 7 feet above the
22 maximum height limit and may have unlimited rooftop coverage.

1 5. The following rooftop features may extend up to 15 feet above the maximum
2 height limit provided that the combined coverage of all features listed below does not exceed
3 ~~((15))~~ 25 percent of the roof area:

- 4 a. Solar collectors, excluding greenhouses;
- 5 b. Mechanical equipment that is set back at least 15 feet from the roof
6 edge;
- 7 c. Minor communication utilities and accessory communication devices,
8 except that height is regulated according to Section 23.57.014.

9 6. Stair and elevator penthouses and greenhouses may extend above the applicable
10 height limit up to 15 feet provided that the combined rooftop coverage of ~~((stair and elevator
11 penthouses))~~ these features and all features listed in subsection 23.66.332.B.5 does not exceed
12 ~~((15))~~ 30 percent of the roof area. Greenhouses shall be set back at least 15 feet from a roof edge
13 abutting a street.

14 a. When additional height is needed to accommodate energy-efficient
15 elevators in zones with height limits of 125 feet or greater, elevator penthouses may extend the
16 minimum amount necessary to accommodate energy-efficient elevators, up to 25 feet above the
17 applicable height limit. Energy-efficient elevators shall be defined by Director's Rule. When
18 additional height is allowed for an energy-efficient elevator, stair penthouses may be granted the
19 same additional height if they are co-located with the elevator penthouse.

20 b. Additional combined coverage of ~~((these))~~ the rooftop features listed in
21 subsections 23.66.332.B.5 and 23.66.332.B.6, not to exceed ~~((25))~~ 35 percent of the roof area,
22 may be permitted subject to review by the Special Review Board and approval by the Director of
23 Neighborhoods. If the rooftop coverage includes a greenhouse, additional combined coverage of

1 the rooftop features listed in subsections 23.66.332.B.5 and 23.66.332.B.6, not to exceed 45
2 percent of the roof area, may be permitted subject to review by the Special Review Board and
3 approval by the Director of Neighborhoods.

4 7. Structures existing prior to June 1, 1989 may add new or replace existing
5 mechanical equipment up to 15 feet above the existing roof elevation of the structure as long as it
6 is set back at least 15 feet from the roof edge subject to review by the Special Review Board and
7 approval by the Director of Neighborhoods.

8 8. Screening of rooftop features. Measures may be taken to screen rooftop
9 features from public view subject to review by the Special Review Board and approval by the
10 Director of Neighborhoods. The amount of roof area enclosed by rooftop screening may exceed
11 the maximum percentage of the combined coverage of rooftop features listed in subsection
12 23.66.332.B.5. In no circumstances shall the height of rooftop screening exceed 15 feet above
13 the maximum height limit.

14 9. For height exceptions for communication utilities and devices, see Section
15 23.57.014.

16 Section 17. Section 23.75.110 of the Seattle Municipal Code, enacted by Ordinance
17 123963, is amended as follows:

18 **23.75.110 Rooftop features**

19 A. Flagpoles and religious symbols for religious institutions are exempt from height
20 controls, except as regulated in Chapter 23.64(~~(, Airport Height Overlay District)~~), provided they
21 are no closer to any lot line than 50 percent of their height above the roof portion where attached.

22 B. Open railings, planters, skylights, clerestories, parapets, and firewalls may extend 4
23 feet above the applicable height limit set in Section 23.75.100.

1 C. Rooftop solar collectors may extend up to 10 feet above the applicable height limit set
2 in Section 23.75.100.

3 D. The following rooftop features may extend above the applicable height limit set in
4 Section 23.75.100 if none of those features extends more than 15 feet above the applicable height
5 limit set in Section 23.75.100 and the combined total coverage of all those features that extend
6 above the applicable height limit and any elevator penthouse does not exceed ~~((20))~~ 30 percent
7 of the roof area, or ~~((25))~~ 35 percent of the roof area if the total includes screened or enclosed
8 mechanical equipment:

- 9 1. Stair penthouses that are not also elevator penthouses;
- 10 2. Mechanical equipment;
- 11 3. Play equipment and open-mesh fencing that encloses it, if the fencing is at least
12 5 feet from the roof edge;
- 13 4. Chimneys;
- 14 5. Sun and wind screens, and similar weather protection features such as eaves or
15 canopies extending from rooftop features;
- 16 6. Penthouse pavilions for the common use of residents;
- 17 7. Greenhouses and solariums;
- 18 8. Wind-driven power generators;
- 19 ~~((7-))~~ 9. Covered or enclosed common amenity areas; ~~((and))~~ or
- 20 ~~((8-))~~ 10. Minor communication utilities and accessory communication devices,
21 except that height is regulated according to the provisions of Section 23.57.011.

22 E. Subject to the roof coverage limits in subsection 23.75.110.D, height exceptions for
23 elevator penthouses are as follows:

1 1. Within the view corridor height restriction area depicted in Exhibit A for
2 23.75.100, an elevator penthouse may extend above the applicable height limit by up to 15 feet.

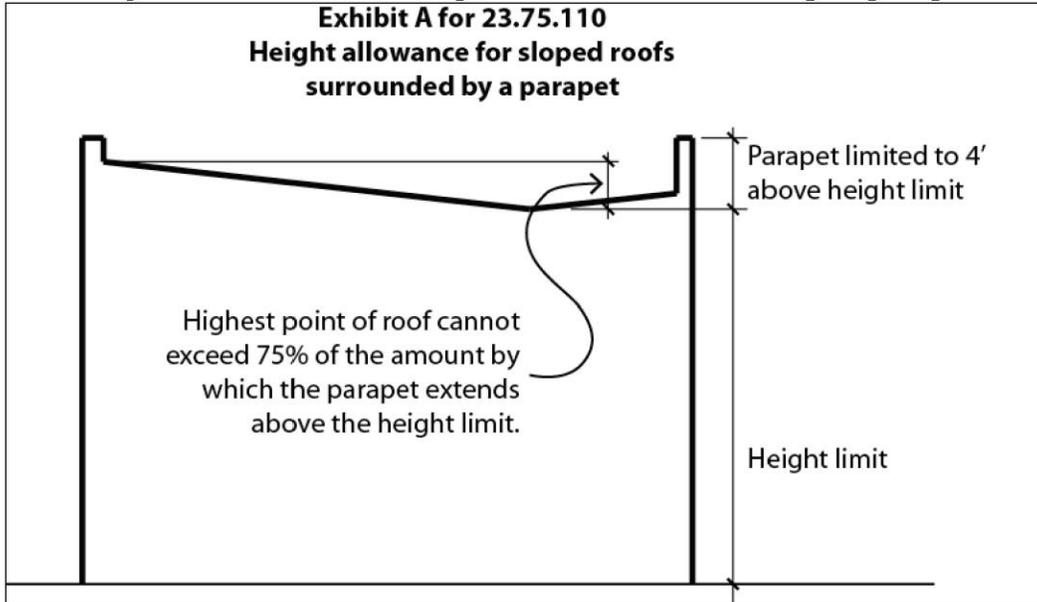
3 2. Outside the view corridor height restriction area depicted in Exhibit A for
4 23.75.100, an elevator penthouse may extend above the applicable height limit by up to 25 feet.
5 If the elevator provides access to a highrise rooftop that includes residential amenity area or a
6 green roof, the penthouse may extend above the applicable height limit by up to 35 feet.

7 3. A stair penthouse may be the same height as an elevator penthouse if the
8 elevator and the stairs are located within a common penthouse.

9 F. Greenhouses and solariums are permitted to extend 15 feet above the applicable height
10 limit, if, together with all features gaining additional height through subsections 23.75.110.D and
11 23.75.110.E, they do not exceed ~~((50))~~ 60 percent of the roof area.

12 G. To protect solar access for property to the north, the applicant shall locate the rooftop
13 features listed in this Section 23.75.110 that extend above the applicable height limit at least 10
14 feet from the northerly edge of the roof, except that stair and elevator penthouses may extend to
15 the edge of the roof for a total length along the edge of not more than 30 feet.

16 H. Portions of a sloped roof that are completely surrounded by a parapet may exceed the
17 applicable height limit to allow drainage, provided that the highest point of the roof does not
18 exceed the applicable height limit in Section 23.75.100 by more than 75 percent of the amount
19 by which the parapet extends above the height limit. See Exhibit A for 23.75.110.



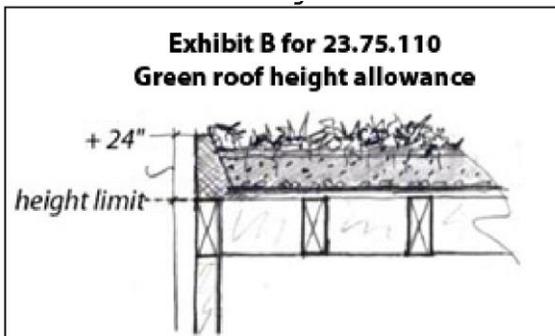
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I. For any structure with a green roof, up to 24 inches of additional height above the applicable height limit in Section 23.75.100 is allowed to accommodate the structural requirements, roofing membranes, and soil for that green roof. See Exhibit B for 23.75.110.



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SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SDCI	Gordon Clowers/206-679-8030	Christie Parker/206-684-5211

** 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; updating regulations for rooftop features; amending Sections 23.44.012, 23.44.046, 23.45.514, 23.45.545, 23.47A.012, 23.47A.013, 23.48.025, 23.48.231, 23.49.008, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.020, 23.66.140, 23.66.332, and 23.75.110 of the Seattle Municipal Code.

Summary and Background of the Legislation: The legislation updates standards for rooftop features to better accommodate mechanical equipment (like heat pumps) needed in new buildings to meet new Energy Code requirements. This will aid in the design and permitting of new buildings in ways that will support the City’s carbon neutrality goals.

The legislation will increase rooftop percent coverage allowances for new buildings in most of the City’s zones, for rooftop equipment and enclosed areas between 4 and 15 feet above the roof. These kinds of features can legally extend above the height limit that is measured at the roof’s surface elevation.

The legislation updates the Land Use Code to accommodate the amount of needed rooftop equipment to rely more on cleaner technologies and less on gas as an energy source. This means that greater quantities of features such as heat pumps may need to be placed on building rooftops than in past development. The legislation also helps accommodate options for other beneficial rooftop uses to be present, such as rooftop recreational amenities for building residents.

The legislation updates rooftop coverage and use allowances in the Pioneer Square and Chinatown/International District (CID) zones to give more flexibility and opportunity for greenhouse additions in both neighborhoods and defines new options for penthouse uses and recreational spaces on rooftops in Pioneer Square.

The legislation includes the following:

An increase in rooftop coverage limits for rooftop features ranging from 4 to 15 feet above rooftops. The allowed increase would be +10% of roof area above existing limits in most zones. No changes in maximum height limits of roof features are proposed. The changes will (see summary table in attached Exhibit A):

- Increase the percent coverage limit by 10%, from 25% to 35%, for buildings in Midrise, Highrise, Commercial, Neighborhood Commercial, and Yesler Terrace zones (and to 30% in Lowrise zones).

- Increase the percent rooftop coverage limit by 15%, from 20% to 35%, for buildings in Industrial and Seattle Mixed zones.
- Increase the percent rooftop coverage limit by 20%, from 55% to 75%, for residential tower buildings in Downtown zones taller than 120 feet. For most other Downtown buildings, the coverage limit is increased by 15%, from 35% to 50% coverage.
- Increase the percent coverage limit option by 10%, from 15% to 25% in the Pioneer Square and Chinatown/International District (CID) zones. With approval of the special review district board, rooftop coverage up to 35% would be possible.
- Maintain three existing varieties of coverage limits that vary by zone:
 - 1) **Percent-coverage limit**, as summarized above;
 - 2) **Higher allowance when a greenhouse is present**, up to 60% in most zones, and up to 45% in Chinatown/ID (newly added by this legislation) and Pioneer Square;
 - 3) **“Screening and roof edge setback” limit** with screening of mechanical equipment and features near roof edges no taller than 5 feet. This allows up to 75% rooftop coverage for buildings greater than 120 feet in Midrise, Highrise, Seattle Mixed, Commercial, Neighborhood Commercial and Yesler Terrace zones.
- Add lodging and eating and drinking establishments as new kinds of penthouse uses on rooftops in Pioneer Square zones. This could occur on buildings 40 feet or taller. Currently, the code identifies only residential and office types of rooftop penthouse uses for historic-contributing buildings. The legislation also allows enclosed recreation spaces to be retrofitted on roofs of non-historic buildings built since 2008.
- Increase consistency in the use of terms and in the list of what is counted toward rooftop coverage limits for most zones. This should increase clarity and usability of the rules.
 - Update and add terms such as “covered or enclosed common recreation areas” and “eaves and canopies.”
 - Clarify references to wind power, solar power equipment, and greenhouses.
 - Consistently list the features counted toward the coverage limit.
 - Correct and simplify text organization.
- Remove a permitting barrier for solar collectors by discontinuing a Director’s Rule with outdated minimum efficiency requirements that add costs and discourage solar collector installation in Lowrise and Neighborhood Residential (formerly Single Family) zones.

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?

No.

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

No.

4. OTHER IMPLICATIONS

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

No effects are identified. Rooftop features and the Energy Code are mostly of interest to SDCI in its reviews of new buildings.

b. Is a public hearing required for this legislation?

Yes. It would occur during the City Council's deliberations on the proposal. The proposal was discussed at a meeting of the Construction Codes Advisory Board (CCAB) on August 5, 2021, which was a public meeting. The committee expressed support for the proposal.

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

Yes. Notices will be published in the DJC and the City's Land Use Information Bulletin.

d. Does this legislation affect a piece of property?

The legislation affects numerous properties in many zones across the city, although most Neighborhood Residential zoned properties would not be affected. A portion of the legislation changes height and use allowances related to rooftops in the Pioneer Square Preservation District. This could positively affect properties in Pioneer Square, some of which are subject to pending permit reviews, by newly allowing uses such as eating and drinking establishments and lodging-related uses on rooftops in the Pioneer Square neighborhood. Other properties in this neighborhood could also benefit from these changes in the future, if future applicants seek to remodel, expand or change uses in existing buildings through renovations and rooftop additions.

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?

No, this legislation would not adversely impact vulnerable or historically disadvantaged communities or perpetuate race and social justice inequities.

- The proposal would result in increases to rooftop coverage that are kept approximately the same or similar in terms of percentage increase in limits, and percent of rooftop coverage allowed, with a proportional but slightly lower amount of coverage in lower density zones such as Lowrise.
- Higher levels of rooftop coverages are allowed to continue and increase primarily in Downtown and the other densest zones that are mostly located in Urban Centers.
- No particular negative or disproportionate effects or inequities are identified for this proposal. The proposal affords similar positive adjustments in allowances across most zones in the city, which should not hinder any future development type such as affordable housing, for example.
- Similarly, the proposal is not likely to result in disproportionate effects like view blockage or increased density upon any given area that may have disadvantaged communities. The proposal does not increase the total height possible in future new buildings in any zone category.
- The proposal does not introduce new restrictive regulatory obligations. Rather it clarifies and tends to make the achievement of consistency with requirements easier and more flexible, and preserves building design options for rooftops. This would help avoid affecting new building outcomes in ways that could unfairly burden one type of building or potential user population of a new building.
- The code becomes more specific for the Chinatown/International District (and Pioneer Square) to indicate that greenhouses on rooftops are a possible use with a specific coverage limit that fits within the other code rules of these special review districts. This could positively influence future development by informing building designers and the community that such features are possible. Greenhouses on roofs could be an asset to individuals and communities living in these neighborhoods, for activities such as cultivating food crops and other plants as sustainable food sources, and recreational and community benefit. The current code has an allowance for greenhouses in a Downtown code section, but it is difficult for the code user to identify its relationship to these neighborhoods. Also, the proposal revises other language that is potentially restrictive of greenhouses (limiting them only for food production) for clarity and flexibility. The same benefits would accrue by related code changes in most other zones' regulations as well.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

The recently updated Seattle Energy Code, related to this proposal, would help reduce carbon emissions to the air by affecting fuel use and use of electricity in many future new buildings. For example, space heating and hot water heating for many residential uses would be less often achieved by natural gas use and more often by other methods, which

may include heat pump technologies. The legislation would help to ensure these technologies can be sufficiently designed and located in and on buildings within City code requirements. Other edits encourage more use of solar collectors in Neighborhood Residential and Multifamily zones by removing extra improvement requirements that are now outdated and can be deleted from the Land Use Code. Thus, it will help support actions and features in new buildings that will increase energy efficiency and decrease the amount of carbon emissions that would otherwise be released to the environment from future new development.

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.

The factors discussed above in f.1 also support resiliency, due to the clarifications of rooftop greenhouse use possibilities in several zones, including most of the zones that allow commercial, industrial, and mixed-use development with moderate to high densities. Also, revisions to phrasing would improve code clarity and eliminate unintentional restrictiveness on building new greenhouses, which supports the original intent of past sustainability legislation about greenhouses. Recent planning trends have emphasized the role that greenhouses in urban areas can play in supporting food production and aiding air quality.

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)?

This proposal does not introduce a new program or initiative.

Summary Attachments:

Summary Exhibit A – Proposal Summary Table

Summary Exhibit A
Proposal Summary Table

Maximum rooftop coverage limit for features exceeding height limit more than 4 ft.	Proposed percent increase
Percent-rooftop-coverage limit option	
Up to 30% in LR	+10%
Up to 35% in MR, HR, C, NC, Yesler Terrace	+10%
Up to 35% in SM and Industrial	+15%
Up to 75% for Downtown residential towers,* and 50% for other Downtown buildings	+15-20%
Up to 25% for buildings in Pioneer Square and Chinatown/I.D. zones	+10%
Greenhouse limit option	
<i>For any building height category</i>	
Up to 60% in most zones, for buildings with a rooftop greenhouse present	+10%
Up to 45% in Pioneer Square and Chinatown/I.D. zones	Newly allowed
Screening and roof-edge setback limit option	
<i>For buildings exceeding 120 feet in height</i>	
Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM, HR, C, NC, Yesler Terrace zones	+10%
<i>For buildings less than 120 feet in height</i>	
Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM zones	+10%

* Downtown residential towers exceed 65-85 feet height, and usually approach the zoned maximum height limit.

Director's Report and Recommendation Rooftop Features Code Amendments

Summary of Proposal

The proposal would amend various provisions of the Land Use Code addressing rooftop features in most zones across the city. The proposal is intended to remove barriers to meeting new energy code requirements that will allow buildings to be more energy efficient and environmentally friendly. In addition, amendments are proposed to provisions in Pioneer Square and Chinatown/International District (CID) zones to give more flexibility and opportunity for: greenhouse additions in both neighborhoods; and new options for penthouse uses and recreational spaces on rooftops in Pioneer Square.

In most zones across the city, the proposal includes updates to three existing maximum rooftop coverage options from which an applicant may choose. They are expressed in terms of percent coverage of a rooftop's physical area. They address rooftop features typically within the range of greater than 4 feet and up to 15 feet in height, with certain features like mechanical penthouses above elevators allowed to reach higher heights.

- Option 1: The **percent-rooftop-coverage limit option** is the smallest area, baseline percent rooftop coverage limit that applies to nearly all locations, kinds, and sizes of buildings.
- Option 2: The **greenhouse limit option** is the percent rooftop coverage limit that applies to buildings in most zones (excluding Neighborhood Residential and Lowrise zones) if a greenhouse is present or proposed on a rooftop. This limit is set to cover all of the listed rooftop features that may be present, and is set higher than the percent-rooftop-coverage limit to ensure enough extra space within the limit for a greenhouse to be present.
- Option 3: The **screening and roof-edge setback limit option** allows an applicant the highest percent coverage of a rooftop as long as minimum design conditions are met. The approach consolidates tall rooftop features in places at least 10 feet away from roof edges, screening or enclosing mechanical equipment, and keeping rooftop features near roof edges at 5 feet in height or less.

The amendments include:

1. Increase rooftop coverage limits for buildings Downtown:

- In most Downtown zones, increase the **percent-rooftop-coverage limit option** by 20%, from 55% to 75% for residential towers subject to floor size limits. "Towers" are the portions of a building higher than 65 or 85 feet in height depending on zone, up to maximum limits for residential uses: 440 feet in Downtown Mixed zones, 550 feet in Downtown Office Core 2 (DOC2) zones, and unlimited height in DOC1 zones.
- Increase the **percent-rooftop-coverage limit option** by 15%, from 35% to 50%

maximum coverage for buildings in the Downtown Urban Center that are not residential towers with floor area limits; but not in Chinatown/International District, Pioneer Square or Pike Place Market zones. These include commercial towers (generally over 85 feet to an unlimited height in the DOC1 zone, for example) as well as other sizes of residential and non-residential buildings that are not towers (generally 10 - 85 feet in height).

- Increase the percent coverage limit option by 10%, from 15% to 25% in Pioneer Square and Chinatown/International District (CID) zones, which have more specific rooftop development standards. With approval of the special review district board, rooftop coverage up to 35% would be possible.

2. Increase rooftop coverage limits for buildings outside Downtown:

- Increase the **percent coverage limit option** by 10%, from 25% to 35% for buildings in Midrise, Highrise, Commercial, Neighborhood Commercial, and Yesler Terrace zones (and to 30% in Lowrise zones).
- Increase the **percent coverage limit option** by 15%, from 20% to 35% coverage for buildings in Industrial and Seattle Mixed zones.
- Increase the **screening and roof-edge setback limit option** by 10%, from 65% to 75% for buildings if mechanical equipment is screened or enclosed, and rooftop features within 10 feet of roof edges do not exceed parapet heights or 5 feet, whichever is higher. This would newly apply in Highrise, Commercial, and Neighborhood Commercial zones, and would modify an existing option in Seattle Mixed zones. For Seattle Mixed zones only, this option could be used on buildings of any size, while in other zones it could only be used for buildings greater than 120 feet in height.

3. For buildings with rooftop greenhouses, increase the rooftop coverage limit by 10%, from 50% to 60% in most zones except Lowrise, Pioneer Square and CID zones (proposed as 45% in the latter two zone types).

- This **greenhouse limit option** applies if a rooftop greenhouse would be present. It is set at a higher limit than the percent-coverage-limit option to allow enough space for the greenhouse and all other rooftop features. This incentivizes greenhouses because they are features promoting environmental sustainability and resilience through plant cultivation and food production.

4. Add the ability to have lodging uses and eating and drinking establishments as penthouse uses on rooftops in Pioneer Square zones, and revise a minimum building height requirement for all kinds of penthouses on existing buildings to 40 feet:

- Add these uses to the current list of penthouse uses that currently includes office and residential uses.
- Allow all of these kinds of penthouse uses to be added to existing buildings 40 feet or greater in height. This revises an existing minimum 60-foot height and deletes a minimum 10,000 square foot building footprint requirement for office penthouses.

5. Add the ability to put enclosed recreational facility spaces on certain newer buildings in Pioneer Square zones:

- Extend a code allowance for these recreational spaces that are conditionally allowed on new structures to be added to existing structures built after January 19, 2008.
- Allow these rooftop spaces to extend up to 15 feet above the height limit (20 feet for elevator equipment).
- Eligible newer buildings would be required to meet standards for these spaces, including the green building standards, Green Factor vegetation standard, and 30-foot setbacks of these spaces from streets.

The proposal's percent increases in maximum rooftop coverage limits are summarized as:

Maximum rooftop coverage limit for features exceeding height limit more than 4 ft.	Proposed percent increase
Percent-rooftop-coverage limit option	
Up to 30% in LR	+10%
Up to 35% in MR, HR, C, NC, Yesler Terrace	+10%
Up to 35% in SM and Industrial	+15%
Up to 75% for Downtown residential towers,* and 50% for other Downtown buildings	+15-20%
Up to 25% for buildings in Pioneer Square and Chinatown/I.D. zones**	+10%
Greenhouse limit option	
<i>For any building height category</i>	
Up to 60% in most zones, for buildings with a rooftop greenhouse present	+10%
Up to 45% in Pioneer Square and Chinatown/I.D. zones	Newly allowed
Screening and roof-edge setback limit option	
<i>For buildings exceeding 120 feet in height</i>	
Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM, HR, C, NC, Yesler Terrace zones	+10%
<i>For buildings less than 120 feet in height</i>	
Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM zones	+10%

* Downtown residential towers exceed 65-85 feet height, and usually approach the zoned maximum height limit.

** An added +10%, up to 35% coverage, can be approved by the special review district boards.

6. Increase consistency in the use of terms and in the list of what is counted toward rooftop coverage limits for most zones:

- Update and add terms such as “covered or enclosed common recreation areas” and “eaves and canopies.”
- Make grammatical edits to consistently list what is counted toward rooftop coverage limits and simplify the text.
- Consolidate references to greenhouses and solariums.

- Correct typographical errors and outdated references.

7. Streamline Land Use Code to remove permitting barriers for solar collectors:

- Simplify the code text addressing solar power features, which will reduce code barriers to installing solar collectors, thus aiding in reducing carbon emissions. For example, removing references to extra energy efficiency minimum requirements in an outdated Director's Rule will make installing solar collectors easier in the Lowrise and Neighborhood Residential (formerly Single Family) zones.

The Design Review process will continue to be required for all buildings that would make use of the proposal's rooftop coverage limits, except in the applicable Special Review Districts, where the proposals will go to the applicable Special Review Board. Design Review is a part of the permit-review process that uses volunteer review boards and design guidelines to help address the quality of varied design elements in a building development. This will continue to be used to help relate the design of tops of buildings to the overall building form, and will address how such buildings should be designed to fit within their immediate setting.

The proposal maintains the current provisions on telecommunications, elevator/stair penthouse height allowances, retaining solar access for adjacent buildings, and roof setback rules for Chinatown/International District, Pioneer Square, and Pike Place Market.

Background and Purpose

Rooftop features codes primarily relate to height limits and taller features

Seattle's Land Use Code measures height limits for the main physical bulk of a building from ground level to roof level. Because other rooftop features serving a building, like the penthouse above an elevator, skylights, and mechanical equipment must sit on top of a roof, the Land Use Code allows them to be located above the height limit. The code sets the terms for how high those rooftop features can be and what percentage of a rooftop they can cover. These terms have evolved over many years to recognize that certain features need to be taller, sometimes up to 15 feet above the height limit or more, to work properly. The intent is to allow those necessary rooftop features to be present but avoid having them appear to add significant bulk to a building.

The Land Use Code allows the presence of a diverse range of uses on rooftops. For residential uses, recreational amenity features like decks and entertainment rooms may be provided. It also allows features such as solar power systems, antennas, and greenhouses, to name a few.

The proposal's relationship to recent Energy Code adoption

The proposed amendments to rooftop features regulations are prompted by the recent adoption of the 2018 Energy Code, which went into effect March 1, 2021, except provisions related to advanced water heating requirements that are in effect as of January 1, 2022. Going forward, the Energy Code will require the design of new buildings to meet minimum performance levels that better support City environmental sustainability policies. This includes encouraging or requiring the substitution of different technologies or equipment for heating, ventilation, and other purposes such as water heating.

This will affect what mechanical equipment is needed, how much equipment, and where equipment may be located. It will lead to a greater need for mechanical equipment on rooftops in future new buildings than would have occurred under prior codes. These implications are greater for tall buildings (typically those greater than 120 feet in height), which need more or larger equipment to serve the floor area, while also having limited roof dimensions due to typical building shapes allowed in zones with height limits greater than 120 feet. Unless updated, the limits on rooftop coverage in today's Land Use Code are likely too low to ensure that sufficient amounts of mechanical equipment can be placed on roofs to meet Energy Code requirements.

The proposal addresses these new needs by increasing the ability for rooftop features to be located on roofs while maintaining a reasonable balance in how they affect overall building height, appearance, and functionality. This would support achieving the City's goals for energy efficiency and sustainability in future growth, and continue to give flexibility to encourage high-quality architectural design. Other proposed edits would streamline and clarify the code to make it easier to use and remove impediments to more frequent use of features like solar collectors.

Analysis

This section describes the rationale for the various rooftop code amendments and interprets their relevance to future outcomes and benefits.

Intent of the proposal

The overall intent of the proposed amendments is to:

- Accommodate changes in future rooftop usage that could arise due to Energy Code changes and related mechanical equipment needs.
- Ensure enough space for all beneficial rooftop features to exist on buildings. This includes space to accommodate features such as wind power, solar collectors, and other equipment that would help us meet public goals for carbon emission reduction and environmental sustainability.
- Continue to support rooftop features with amenity value, or that serve a building function or accommodate flexibility and aesthetics in building design including screening of rooftop equipment.

The proposal makes several changes in rooftop coverage allowances that are proportionate (a 10 - 15% increase in most cases) and recognize the different scales of buildings allowed in a zone. The changes keep rooftop coverages relatively low at around 35% in most residential zones with low-to-moderate height and density, and maintain a low 30% rooftop coverage limit in Lowrise zones. But they provide higher-roof-coverage choices in zones where larger buildings with more floors and often slim tower forms could be built. In those places, the proposed option for a 75% coverage limit offers coverage levels that will give enough space flexibility on roofs to fit equipment and other features in the available area.

The table on the next page summarizes the coverage levels, their changes, and their relationship to the height and roof sizes that could occur in each zoning category.

Summary of Proposed Roof Coverage Limits and Building Sizes, by Zone

	Rooftop Coverage, % Cover Limit, general features	Rooftop Coverage, % Cover Limit, if rooftop greenhouse is present	Rooftop Coverage, % Cover Limit, with screening, near-edge limits	Notes
	"Percent-rooftop-coverage limit option"	"Greenhouse limit option"	"Screening and roof-edge setback limit option"	
Downtown zones – residential towers	55 → 75%	50 → 60%*	NA	Typical max height range: 440-550' Typical roof size range: 9,500-15,000 sf
Downtown zones – non-residential towers and other buildings	35 → 50%	50 → 60%	NA	Typical max. height range: 240' up to unlimited Typical roof size range: 6,000-30,000 sf
Seattle Mixed zones – towers and other buildings	20 → 35%	50 → 60%	65% → 75%	Typical max. height range: 85-440' Typical roof size range: <ul style="list-style-type: none"> Residential: 9,500-13,500 sf Non-resid.: 6,000-30,000 sf
Commercial zones	20, 25%** → 30, 35**%	50 → 60%	New: 75%	Typical max. height range: 40-200' Typical roof size range: <ul style="list-style-type: none"> Residential: 8,000-35,000 sf Non-resid.: 4,000-50,000 sf
Industrial zones	20, 25%** → 35%	50 → 60%	NA	Typical max. height range: Unlimited for industrial use; 85' for non-industrial uses, 65'-175' in IC zones. No residential uses. Typical roof size range: <ul style="list-style-type: none"> Variable, due to no floor limits
Highrise (HR) zones	20, 25%** → 30, 35**%	50 → 60%	New: 75%	Typical max. height range: 440' Typical roof size range: <ul style="list-style-type: none"> Residential: 9,000-10,500 sf
Midrise (MR) zones	20, 25%** → 30, 35**%	50 → 60%	NA	Typical max. height range: 80' Typical roof size range: <ul style="list-style-type: none"> Residential: 6,000-14,000 sf
Lowrise (LR) zones	15, 20% → 25, 30%	NA	NA	Typical max height range: 40'-50'*** Typical roof size range: <ul style="list-style-type: none"> Residential: 3,000-7,000 sf
Yesler Terrace zones	20, 25%** → 30, 35**%	50 → 60%	NA	Typical max. height range: 300' Typical roof size range: <ul style="list-style-type: none"> Residential: 11,000-15,000 sf Non-resid.: 24,000-30,000 sf
Neigh. Resid. zones – non-residential uses	15, 20% (No change)	NA	NA	No change. Included for comparison purposes

* For residential towers in Downtown zones that are subject to floor area limits, the permissible 75% limit would legally exceed the 60% "with-greenhouse" limit.

** Existing: 5% more cover is allowed with mechanical equipment screening.

*** Lowrise zone: height limits for rowhouses, townhouses, and apartments in LR2 and LR3 zones shown here.

Sources: Land Use Code, MHA Final Environmental Impact Statement Appx. F, prototype project modeling, 2017

Increase rooftop coverage limits for Downtown Urban Center buildings

Residential Towers

For the range of taller residential buildings that could occur in Downtown zones, the large total floor area that could be present means that more space will be needed for mechanical equipment to heat, cool, ventilate, or otherwise serve the building's needs. Yet, the City's land use code also means these taller residential buildings must be designed in relatively slim tower forms due to upper-floor size limits. For example, in Downtown zones such as the Downtown Mixed Commercial (DMC) zone that ranges up to 440 feet in height, the gross area of a residential tower's rooftop may be only 10,700 square feet in area or even smaller in special cases, in the 9,000-10,000 square foot size range.

The Land Use Code requirements accommodate a variety of uses on roofs in Downtown zones, and also intend to ensure sufficient availability of rooftop space for key features like mechanical equipment. Given this intent and the total size of the possible residential buildings in these zones (reaching up to 550 feet in the DOC2 zone), the proposal would raise the coverage limit by 20% to allow 75% rooftop coverage.

Downtown Non-Residential Towers and Other Buildings

In Downtown zones, the existing 35% coverage limit would be raised to 50% for buildings that are not residential towers. These include a range of building sizes and types, from commercial-use towers to lower-scaled large or smaller buildings that could be residential, commercial, or mixed-use buildings. For the non-residential buildings, the effects on mechanical equipment needs may be less intensive due to the Energy Code changes' emphasis on residential space heating and water heating. Still, the potential for commercial towers to have many more floors, compared to residential use, could increase total rooftop equipment needs. This supports raising the rooftop coverage limit to the 50% level that should be sufficient to accommodate the variety of possible rooftop features on such buildings. For other lower-scaled buildings of any use type, the potential space constraints and design imperatives of small-site buildings and residential uses also may create a need for more rooftop coverage, which also supports the proposed 50% level.

The code revisions described above would not affect Chinatown/I.D., Pioneer Square, or Pike Place zones, which have more specific standards regulating rooftop features. Instead, similar amendments are proposed to best fit within those neighborhoods' land use standards, as summarized below.

Pioneer Square and Chinatown/I.D. zones

- ***Increase percent-rooftop-coverage cover limits by 10% like most other zones***

The percent-rooftop-coverage limits would increase from 15% to 25% roof coverage, and a possibility of up to 35% coverage (an increase from 25%) if the Boards for these neighborhoods review and recommend approval. This will provide more flexibility in case increased rooftop mechanical equipment needs lead to higher coverage needs for a new or remodeled building.

- ***Set a 45% coverage limit where a greenhouse would be present, rather than 60% in other Downtown zones***

The proposal sets a rooftop greenhouse allowance that is lower than the 60% rooftop coverage for other Downtown zones, to better fit within the ranges established in these special review district zones. This would fill an existing gap in the code for greenhouses in these neighborhoods. It would give an extra 10% rooftop coverage opportunity as an incentive for greenhouses. Other code provisions such as setbacks from streets (to minimize changes in building appearances when viewed from street level) would continue to apply to rooftop features and be protective of these neighborhoods' visual character. The neighborhood Boards would maintain their review authority.

- ***Provide more flexibility for recreational, lodging, eating/drinking, and office rooftop penthouse uses in Pioneer Square***

a) Ability to place recreational space on newer building rooftops

The proposal gives flexibility to a wider range of buildings to have more rooftop coverage for enclosed recreational spaces, if they meet green building standards, the "green factor" landscaping requirement, and code-defined rooftop coverage limits. Because this opportunity could also be a viable option for the newest generation of existing buildings (which may be most feasible to retrofit and meet the green requirements), this capability should be provided not just for "new structures" but for buildings built approximately in the last fifteen years. The proposal includes a specific date for how old a building can be and still qualify (built no earlier than January 2008), which is the effective date of the ordinance that enacted the enclosed recreation space rules in Pioneer Square.

b) Ability to place lodging-related spaces and eating and drinking establishments in rooftop penthouses.

Until now, Land Use Code provisions for Pioneer Square have allowed penthouse spaces for residential or office uses with given height and coverage limits for these kinds of rooftop features. These were kinds of building spaces the City decades ago had deemed most likely to be viable and compatible as limited additions to existing buildings contributing to the Pioneer Square Preservation District.

This proposal now would add new prospective opportunities for viable rooftop building spaces that would complement lodging uses and/or allow for eating and drinking establishment uses. These possibilities could help aid the attractiveness and viability for lodging uses as renovation opportunities for existing contributing buildings. Eating and drinking establishment allowances would also provide for new investment and amenity potential in Pioneer Square, which would be a beneficial strategy to help revitalize the neighborhood's economic health and attractiveness as a destination for visitors.

c) Change an existing minimum 60-foot building height to 40 feet to be eligible for all kinds of rooftop penthouses, and delete a 10,000 square-foot minimum building footprint size for an office penthouse addition.

This proposal would increase the numbers of existing buildings eligible to pursue single-story rooftop additions occupied by office uses, which could help increase the financial

feasibility for building renovations. Designs consistent with penthouse requirements and other code provisions in Pioneer Square (including visual impact evaluation), subject to Board review, would be rooftop-addition outcomes consistent with the policies and objectives for the Pioneer Square Preservation District.

The City allows for many potential uses to be located on rooftops with limits already prescribed for heights and setbacks. Evaluation of future proposals of these enclosed spaces would continue to be the responsibility of the Pioneer Square Preservation Board, who would consider if a given proposal might create any concerns about localized impacts. The potential for noise could be one such impact. This might be a factor for any space of this nature (even enclosed spaces), but design details and other site characteristics would be relevant to a development proposal's review, which would be evaluated for their sufficiency by the Board, to minimize these potential impacts.

Increase rooftop coverage limits for buildings outside Downtown

In zones outside Downtown that could host tall tower buildings, the proposal increases the baseline rooftop coverage limit to 35%, an increase of 10-15% from existing levels. This gives a measured, proportionate amount of extra rooftop coverage with the intent of maintaining flexibility for mechanical equipment and a variety of other rooftop features to be present. This would help avoid the limits from being set too tight, which might generate difficulties for building designers related to floor plan and mechanical system design.

With implementation of the proposal, approximately the same mix of building amenities, uses, and functions are likely to be provided in new buildings under the current code. The proposal would primarily accommodate more space for added mechanical equipment, which would aid a wide range of future uses including commercial, industrial, and residential.

In addition, in several zones the proposal offers an option allowing a higher rooftop coverage limit of up to 75%, meant to provide more flexibility in case more coverage is needed. This is oriented to the Seattle Mixed, Commercial, and Highrise zones where taller buildings could occur: those exceeding 120 feet in height. The conditions for this requirement are that mechanical equipment is screened or enclosed, and that no rooftop features taller than five feet are located closer than 10 feet to the roof edge.¹

This would be a 10% increase in rooftop coverage for Seattle Mixed zones, which already has a comparable code option for rooftop coverage. The overall effects on future buildings would be for taller roof features to be grouped away from the edge and toward the central portion of the rooftop, which would help reduce perceived total building bulk and block fewer views if the building can be seen by others from more distant locations.

The combination of these higher rooftop coverage options outside of Downtown should provide sufficient flexibility to accommodate the potential increased needs due to rooftop mechanical

¹ Existing flexible allowances for certain rooftop features would remain without change. These include existing regulations for telecommunications features, and the ability to get a departure from coverage limit amounts through Design Review. Also, the proposal would maintain an existing option in the Seattle Mixed zones for this coverage limit to be used for buildings less than 120 feet in height.

equipment. Potential effects of the increased coverages on solar access to adjacent buildings would continue to be avoided by other existing code provisions. These restrict the presence of tall rooftop features from being located generally near the northern edges of buildings. Due to sun orientation, these are the places most likely to create solar blockages that might otherwise negatively affect neighbors' use of solar energy systems, for example.

The proposal also clarifies what must be counted toward the coverage limit for rooftop features. In certain zones, the existing code requires that features like low-height skylights must also be counted toward the coverage limit. By focusing the coverage limit only on taller rooftop features, the code will become more accurate and also give designers a bit more flexibility by not forcing miscellaneous shorter features on roofs to be counted toward the coverage limit.

A 10% increase in coverage limit, to 60% coverage, for buildings with rooftop greenhouses in most zones.

This additional rooftop coverage accommodation is proposed for these zones to avoid the coverage limit being too tight, and to underscore an existing incentive to provide such greenhouses.

- For the Industrial zones, the proposal accommodates and incentivizes the ability for businesses to engage in food production as a primary or secondary purpose of the business.
- For other zones, the adjustment also incentivizes greenhouses as an amenity and helpful building feature that could support food production to support sustainability and resilience planning goals. These were part of the purpose for previously adopting these greenhouse coverage capabilities into the code, and they should continue to be incentivized even as rooftops may host more and more features in future developments.

Increase the consistency of terms and the list of what is counted toward rooftop coverage limits for most zones.

Because the standards for rooftop features have been updated several times over the years, the code's content organization and use of terms needs simplifying. Also, the code sometimes uses different terms for similar features. This has led to ambiguities and different implications about what is counted toward rooftop coverage limits, zone by zone.

The proposal makes several edits to better align the text organization, use of terms, and consistency in what is counted toward rooftop coverage. This will simplify the code to ensure easier understanding and greater consistency in its use by applicants, neighbors, and City staff.

The proposal consolidates the rules about greenhouses on rooftops in each zone, which streamlines the code. Greenhouses by definition are features with the primary purpose of cultivating or protecting plants, usually constructed of glass or translucent materials. The proposal continues the existing code's accommodation of higher rooftop coverage when greenhouses are present.

The proposal updates the provisions for wind and solar energy features in limited ways, to increase consistency in how they are accommodated and treated by the code. This includes

clarifying that taller wind power features should be counted toward rooftop coverage in Seattle Mixed and Yesler Terrace zones (like other zones), and on existing non-residential buildings in Neighborhood Residential zones. For solar energy features, simplified wording about solar collectors removes a regulatory barrier (a reference to an outdated Director's Rule) that creates higher costs and more pre-conditions for installing solar collectors on buildings in Lowrise and Neighborhood Residential (formerly Single Family) zones. This will allow solar collectors to be more easily permitted for installation on buildings in these zones.

Comprehensive Plan Policies

Utilities Element

Policy U-1.3: Strive to develop a resilient utility system where planning and investment decisions account for changing conditions, such as climate change, fluctuations in demand, technological changes, increased solar energy generation, and natural disasters.

Environment Element

Policy EN-3.4: Encourage energy efficiency and the use of low-carbon energy sources, such as waste heat and renewables, in both existing and new buildings.

Growth Strategy Element

Policy GS-3.17: Encourage the use of land, rooftops, and other spaces to contribute to urban food production.

Land Use Element

Policy LU-5.4: Use maximum height limits to maintain the desired scale relationship between new structures, existing development, and the street environment; address varied topographic conditions; and limit public view blockage. In certain Downtown zones and in Industrial zones, heights for certain types of development uniquely suited to those zones may be unlimited.

Policy LU-5.5: Provide for residents' recreational needs on development sites by establishing standards for private or shared amenity areas such as rooftop decks, balconies, ground-level open spaces, or enclosed spaces.

Policy LU-5.15: Address view protection through

- *zoning that considers views, with special emphasis on shoreline views;*
- *development standards that help to reduce impacts on views, including height, bulk, scale, and view corridor provisions, as well as design review guidelines; and*
- *environmental policies that protect specified public views, including views of mountains, major bodies of water, designated landmarks, and the Downtown skyline.*

Land Use Element – Commercial/Mixed-Use Areas

Policy LU-9.15: Allow limited exceptions to the height limit in order to accommodate ground-floor commercial uses or special rooftop features, encourage development of mixed-use structures, enable structures to function appropriately, accommodate special features consistent

with the special character or function of an area, or support innovative design that furthers the goals of this Plan.

Public Outreach and Notice

Opportunities for public input included three discussions at the Construction Codes Advisory Board (CCAB) in October 2020 meetings, and for this current legislation on August 5, 2021. In 2020, CCAB discussed many effects of the overall Energy Code adoption, and asked about how those changes might relate to rooftop coverage limits and building design. They believed existing rooftop coverage limits might be too restrictive if more rooftop mechanical equipment is needed. In 2021, members of CCAB expressed support for the proposed updates of the rooftop coverage limits. The SEPA environmental review for the Energy Code proposal, dated November 16, 2020, included analysis and disclosure of impacts. During that process, the public also had opportunities for comment. The current proposal was also discussed during the Pioneer Square Preservation Board meeting held on October 20, 2021.

A public hearing on the proposed legislation will be scheduled before the Council's Land Use and Neighborhoods Committee in the near future. SDCI posted the proposal on its website and invited people to sign up on a list-serve to receive notices about opportunities to participate in the City's process. Additional opportunities to provide input will occur as the City Council deliberates on the proposal.

Recommendation

The SDCI Director recommends that the Mayor send the legislation to City Council for their approval, to update rooftop feature regulations in the Land Use Code. This would update provisions related to mechanical equipment on roofs and allow the Land Use Code to better accommodate the more energy efficient and environmentally friendly requirements of the recently adopted Energy Code. In addition, updates to Pioneer Square and the Chinatown/International District codes would give more flexibility and opportunity for: greenhouse additions in both neighborhoods; and new options for penthouse and recreational spaces on rooftops in Pioneer Square.

April 25, 2022

MEMORANDUM

To: Land Use Committee
From: Ketil Freeman, Analyst
Subject: Council Bill 120287 – Modifications to Regulations for Rooftop Features

On April 27, the Land Use Committee (Committee) will have an initial briefing and discussion and will hold a public hearing on [Council Bill \(CB\) 120287](#), which would modify regulations for rooftop features.

This memo: (1) briefly describes what CB 120287 would do; (2) identifies potential amendments for future discussion that have been identified by the Seattle Department of Construction and Inspections (SDCI) and stakeholders; and (3) sets out procedural next steps.

What Would CB 120287 Do?

To mitigate the appearance of the height, bulk, and scale of structures, the Land Use Code (Code) regulates rooftop features. Rooftop features are defined by the Code as, “any part of or attachment to the structure that projects above a roof line,”¹ and include things like mechanical equipment, parapets and railings, penthouses for stair and elevator overruns, solar collectors, greenhouses, and amenity areas. Generally speaking, the lower a building, the more likely it is for a person to see rooftop features from the street and for the building to, consequently, appear taller and bulkier.

The Code regulates rooftop features through three primary means: (1) percentage limits on rooftop coverage, (2) limitations on the height of rooftop features, and (3) screening and roof-edge setback requirements.

Changes to construction codes, such as the Energy Code, to limit carbon emissions have increased space requirements for mechanical equipment to meet code requirements. Additionally, changes in market preference have increased demand for amenity areas for building tenants and eating and drinking establishments on rooftops.

CB 120287 would primarily:

- Increase rooftop coverage limits (the amount of the proposed increase varies by zone);
- Clarify the types of allowed rooftop features and make allowable features more consistent across zones;

¹ [Seattle Municipal Code 23.84A.032](#).

- Allow penthouses for lodging uses and eating and drinking establishments to exceed the height limit, subject to coverage limits, in some Pioneer Square Mixed zones; and
- Make other clarifying edits to the text of the Code.

Potential Amendments for Future Discussion

SDCI and other stakeholders have identified three potential amendments for Committee consideration:

1. SDCI has identified a clarifying amendment that would allow solar collectors in commercial zones with a 55-foot height limit to exceed that maximum height by up to seven feet. Otherwise, the Code would be silent on the extent to which solar collectors could exceed the height limit for those zones at that height limit.
2. Weber Thompson, an architecture firm, has identified an amendment to increase the elevator overrun height from 25 feet to 40 feet for buildings taller than 150 feet in the International Special Review District to accommodate higher speed elevators.
3. Weber Thompson has also identified an amendment to increase rooftop coverage from the current 15 percent to 75 percent (CB 120287 proposes an increase to 25 percent) in the International Special Review District for structures, like towers, that are subject to floor plate size limits.

These amendments are currently under review by staff.

Next Steps

The Committee will hold a public hearing on CB 120287 on April 27. Committee discussion and a potential recommendation on the bill to the City Council could occur at the next regularly scheduled meeting on May 11.

cc: Aly Pennucci, Deputy Director
Yolanda Ho, Lead Analyst

A photograph of the Seattle skyline, featuring the Space Needle prominently on the left. The city is filled with various high-rise buildings under a clear blue sky. In the foreground, there are green trees and a building with a flat roof.

Rooftop Features Code Update Proposal

Photo by John Skelton



Seattle Department of
Construction & Inspections

Presentation to Land Use Committee
April 27, 2022

SDCI PURPOSE AND VALUES

Our Purpose

Helping people build a safe, livable, and inclusive Seattle.

Our Values

- Equity
- Respect
- Quality
- Integrity
- Service

WHAT DOES THIS RELATE TO?

- Rooftops will need to host more equipment (like heat pumps) per Energy Code – supports carbon neutrality
- Coordinate Land Use Code limits with new Energy Code requirements
- Simplify language, and what is counted
- Allow new rooftop spaces for Pioneer Square rooftop lodging, dining
- Chinatown/I.D.: Increasing the roof coverage limit, including for greenhouses

EXISTING CODE APPROACH – HEIGHT

- Height limit is measured at the roof's surface.
- Features up to 4 feet over roof easily allowed
- Taller features: many can reach up to 15 feet over roof
- Elevators: up to 16-35 feet (varies) over roof
- Taller features limited to a certain % limit of the roof

ROOF PERCENT COVERAGE FOR TALLER ITEMS

- The code has limits on % coverage of taller features on roofs

PROPOSAL: Adjust maximums up to account for more mech. equipment

Max. rooftop coverage limit for features more than 4 ft. over roof	Proposed % increase
Percent-rooftop-coverage limit option	
Up to 30% in LR	+10%
Up to 35% in MR, HR, C, NC, Yesler Terrace	+10%
Up to 35% in SM and Industrial	+15%
Up to 75% for Downtown residential towers, and 50% for other Downtown buildings	+15-20%
Up to 25% for buildings in Pioneer Square and Chinatown/I.D. zones (& up to 35% or 45% with Board, DON recommendation)	+10%

IMPROVE CONSISTENCY IN ROOFTOP LIMITS

- More % coverage is needed for residential towers with limited floor sizes, and greater than 120 feet tall:
 - Downtown zones: Denny Triangle, Belltown, others with residential towers
 - Seattle Mixed zones: New kinds of SM zones; better align their roof cover limit
 - Tall residential buildings in multifamily zones: MR, HR, NC, C, Yesler Terrace
- Update an existing roof % cover choice that allows 75% coverage:
 - Group taller features in middle of roof
 - Limit height of features near roof edges
 - Extend this option to HR, C, NC, SM zones

PIONEER SQUARE

- Add lodging and eating and drinking establishments as new kinds of “penthouse” uses on rooftops in Pioneer Square zones. And allow enclosed recreation spaces retrofits on roofs of non-historic buildings.
 - On buildings at least 40 feet tall
 - Coverage limit = 50%
 - Expands choice from long-time allowance for office or residential use on roof
 - Allow recreational spaces to be added to existing buildings built since 2008, up to 45% roof coverage (this space + other tall features).
- Pioneer Square has lower limits on roof coverage; this proposal fits with that more sensitive set of limits; subject to Board, DON recommendation.

CHINATOWN/INTERNATIONAL DISTRICT

- Increase allowable roof coverages by 10%; to 25%, or 35% with Board and DON recommendation
- Greenhouse allowance on rooftop is not clearly stated
 - Allow 10% more roof coverage for it; up to 45% total roof coverage with Board, DON recommendation

QUESTIONS?

Gordon Clowers

gordon.clowers@seattle.gov

www.seattle.gov/sdci





Legislation Text

File #: Inf 2044, **Version:** 1

Office of Planning and Community Development (OPCD) and Seattle Department of Construction and Inspections (SDCI)
Race and Social Justice Initiative (RSJI) Report