

Amendment #4 to Council Bill (CB) 118385

Sponsor: Rasmussen
Planning, Land Use, and Sustainability Committee

Elimination of floor area ratio (FAR) and height exemptions for partially-buried floors

Currently, a 4 foot height increase is available for apartment projects in Lowrise (LR) zones if the building includes a partially below-grade story. The area in the partially-buried floor is also generally exempted from FAR calculations. This amendment would eliminate the FAR and 4 foot height exemptions for partially below-grade floors in apartment projects in LR zones. For rowhouse and townhouse projects in LR zones that would still be eligible for the 4 foot height and FAR exemptions for partially-buried floors, the amendment would limit the number of stories that could be built above the partially-buried floor to three.

The content of the amendment is shown below in underline and (~~strikethrough~~).

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Section 2. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.45.510 Floor area ratio (FAR) limits

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E. The following floor area is exempt from FAR limits:

1. All underground stories.
2. The floor area contained in a landmark structure subject to controls and incentives imposed by a designating ordinance, if the owner of the landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential (TDP) has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A

3. The floor area contained in structures built prior to January 1, 1982, as single-family dwelling units that will remain in residential use, regardless of the number of dwelling units within the existing structure, provided that:

a. no principal structure is located between the existing single-family dwelling unit and the street lot line along at least one street frontage. If the single-family dwelling unit is moved on the lot, the floor area of the dwelling remains exempt if it continues to meet this provision; and

b. the exemption is limited to the gross square footage in the single-family dwelling unit as of January 1, 1982.

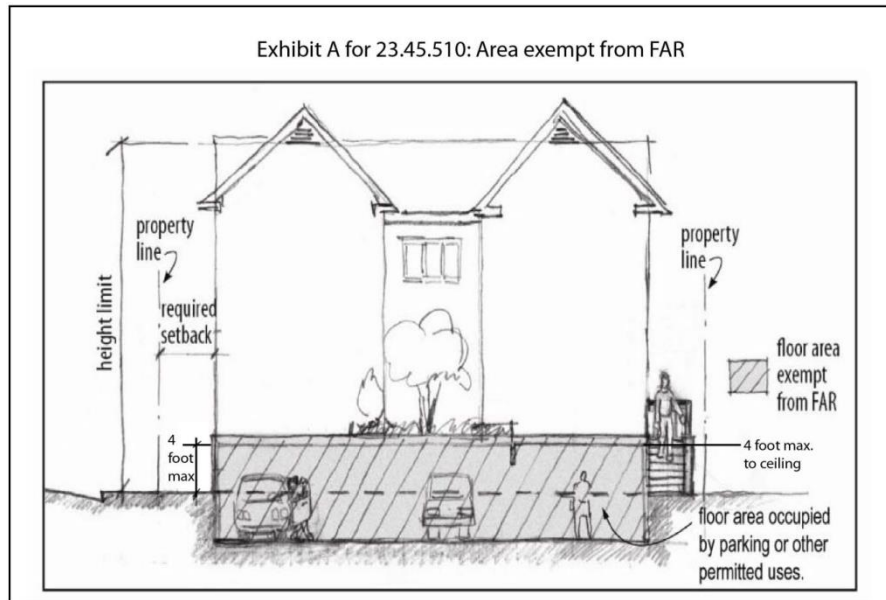
4. Portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, excluding access, (see Exhibit A for 23.45.510), in the following circumstances:

~~((a. apartments in LR zones that qualify for the higher FAR limit shown in Table A for 23.45.510;))~~

a.~~(b.)~~ rowhouse developments in LR zones located on lots that have a lot depth of 100 feet or less, do not have alley access, and that qualify for the higher FAR limit shown in Table A for 23.45.510, provided that parking access is located at the rear of the rowhouse development; and

b.~~(c.)~~ all multifamily structures in MR and HR zones.

~~((Exhibit A for 23.45.510
Area exempt from FAR))~~



5. For rowhouse and townhouse developments and apartments that qualify for the higher FAR limit shown in Table A for 23.45.510, floor area within a structure or portion of a structure that is partially above grade, is used for parking or other accessory uses, and has no additional stories above, if the following conditions are met:

- a. The average height of the exterior walls enclosing the floor area does not exceed one story, measured from existing or finished grade, whichever is lower;
- b. The roof area above the exempt floor area is predominantly flat, is used as amenity area, and meets the standards for amenity area at ground level in Section 23.45.522
- c. At least 25 percent of the perimeter of the amenity area on the roof above the floor area is not enclosed by the walls of the structure..

6. Enclosed common amenity area in HR zones.

7. As an allowance for mechanical equipment, in any structure more than 85 feet in height, 3.5 percent of the gross floor area that is not exempt under this subsection 23.45.510.E.

8. In HR zones, ground floor commercial uses meeting the requirements of Section 23.45.532, if the street level of the structure containing the commercial uses has a minimum floor to floor height of 13 feet and a minimum depth of 15 feet.

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Section 4. (~~Subsection J of~~) Section 23.45.514 of the Seattle Municipal Code, which section was last amended by Ordinance 124378, is amended as follows:

23.45.514 Structure height

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F. For (~~apartments in LR2 zones, and for all residential uses~~) townhouses and rowhouses in LR3 zones, the applicable height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure that includes a story that is partially below-grade, provided that:

1. This height exception does not apply to portions of lots that are within 50 feet of a single-family zone boundary, unless the lot in the LR zone is separated from a single-family zoned lot by a street;
2. The number of stories above the partially below-grade story is limited to three stories (~~for residential uses with a 30-foot height limit and to four stories for residential uses with a 40-foot height limit~~);
3. On the street-facing facade(s) of the structure, the story above the partially below-grade story is at least 18 inches above the elevation of the street, except that this requirement may be waived to accommodate units accessible to the disabled or elderly, consistent with the Seattle Residential Code, Section R322, or the Seattle Building Code, Chapter 11; and

4. The average height of the exterior facades of the portion of the story that is partially below-grade does not exceed 4 feet, measured from existing or finished grade, whichever is less.

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