

June 21, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Council Bill 120592 – Pioneer Square Rooftop Regulations

On June 28, the Land Use Committee (Committee) will receive a briefing on [Council Bill \(CB\) 120592](#), which would modify height limits and rooftop use requirements in Pioneer Square. The bill is intended to encourage investment and economic activity in keeping with the neighborhood’s historic character. The bill would amend the height provisions in the Downtown Chapter of the Land Use Code, [Chapter 23.49](#) of the Seattle Municipal Code (SMC), and Pioneer Square Special Review District regulations, SMC [Chapter 23.66](#). This memorandum describes the bill and identifies next steps.

Pioneer Square rooftop regulations

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,” 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.

CB 120592 would make the following changes to rooftop regulations for buildings built in 2008 or later in Pioneer Square Mixed zones:

1. Allow covered or enclosed rooftop recreational spaces on rooftops to extend up to 15 feet above the applicable height limit;
2. Permit covered and unenclosed rooftop recreational spaces or eating and drinking establishments on rooftops to exceed the height limit by up to 15 feet (previously only enclosed spaces were permitted); and
3. Provide that accessory mechanical equipment may extend above these spaces.

For any buildings, including historic structures, the bill would increase the height that penthouses containing residences, offices, lodging, or eating and drinking establishments can extend above roofs from 12 feet to 15 feet.

Height limits in the Pioneer Square Mixed zone range from 85 feet to 150 feet, with the Smith Tower zoned to allow heights up to 245 feet. With this change, rooftop features may be a little bit more noticeable from street level. Open air rooftop restaurants and bars may lead to increased nighttime noise levels on nearby blocks.

Council Bill 120592 would update regulations regarding rooftop features adopted last year under [Ordinance 126600](#). Among other changes to rooftop coverage limits to zones across the City, Ordinance 126600 allowed extra height for mechanical equipment serving rooftop penthouses in Pioneer Square. The Ordinance also allowed penthouses for lodging and eating and drinking establishments in Pioneer Square. The Ordinance required view studies for rooftop penthouses and authorized the Seattle Department of Construction and Inspections to require increased setbacks, lower heights, or other design adjustments to reduce the visual impacts of rooftop penthouses.

Next Steps

The Committee will hold a public hearing on the bill at its July 6 Special Meeting. If the Committee decides to vote on the bill at that meeting, it will need to waive the Council rules that discourage voting on the bills on the same day as the hearing. If the Council votes on the bill on July 6, it could be considered by the City Council as early as July 11.

cc: Esther Handy, Executive Director
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