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	
For any building height category 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	
For buildings exceeding 120 feet in height 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%
For buildings less than 120 feet in height 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**: • 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**: • 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**: • 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**: • 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:** • 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**: • 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**: • 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.