



# SEATTLE CITY COUNCIL

## Land Use and Sustainability Committee

### Agenda

Wednesday, April 15, 2026

9:30 AM

Council Chamber, City Hall  
600 4th Avenue  
Seattle, WA 98104

Eddie Lin, Chair  
Dan Strauss, Vice-Chair  
Dionne Foster, Member  
Joy Hollingsworth, Member  
Alexis Mercedes Rinck, Member

Chair Info: 206-684-8802; [Eddie.Lin@seattle.gov](mailto:Eddie.Lin@seattle.gov)

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**SEATTLE CITY COUNCIL**  
**Land Use and Sustainability Committee**  
**Agenda**  
**April 15, 2026 - 9:30 AM**

**Meeting Location:**

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

**Committee Website:**

<https://seattle.gov/council/land-use-and-sustainability>

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*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.*

Members of the public may register for remote or in-person Public Comment to address the Council. Please register in advance in order to be recognized by the Chair. Details on how to register for Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at <https://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting.

In-Person Public Comment - Register to speak on the public comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting.

Please submit written comments no later than four business hours prior to the start of the meeting to ensure that they are distributed to Councilmembers prior to the meeting. Comments may be submitted at [Council@seattle.gov](mailto:Council@seattle.gov) or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104. Business hours are considered 8 a.m. - 5 p.m. Comments received after that time will be distributed after the meeting to Councilmembers and included as part of the public record.

*Please Note: Times listed are estimated*

**A. Call To Order**

**B. Approval of the Agenda**

**C. Public Comment**

*Members of the public may address items on the agenda and matters within the purview of the committee. Please register in advance to be recognized by the Chair.*

**D. Items of Business**

1. [CB 121195](#) **An ordinance relating to land use and zoning; adopting interim provisions to expand the capacity of transitional encampments; and amending Sections 23.42.054 and 23.42.056 of the Seattle Municipal Code.**

*Supporting Documents:*

[Summary and Fiscal Note](#)

[Mayor's Office Presentation \(4/15/26\)](#)

[Central Staff Presentation \(4/15/26\)](#)

**Briefing and Discussion**

**Presenters:** Jon Grant, Kate Brunette Kruezer, and Alison Holcomb, Mayor's Office; Chris Klaeyesen and Dee Dhlamini, Human Services Department; Liz VanBemmel, Seattle Department of Construction and Inspections; Ketil Freeman, Council Central Staff

2.     [CB 121196](#)     **An ordinance relating to land use and zoning; rezoning certain land in the University District, the Fremont neighborhood, the Madison/Miller neighborhood, the Rainier Beach neighborhood, and the Downtown neighborhood; rezoning land and amending development standards to increase housing supply, support multi-purpose redevelopment on certain sites with community-based uses, remove code barriers to passive house, modular, and mass timber construction and to conversion from commercial space to housing in more zones, and incentivize community-serving uses along with the construction of more housing in certain areas; amending Sections 23.40.080, 23.47A.009, 23.49.008, 23.49.011, 23.49.036, 23.49.058, and 23.49.158 of the Seattle Municipal Code; adding a new Section 23.40.090 to the Seattle Municipal Code; adding a new Map 1L to Chapter 23.49 of the Seattle Municipal Code; and amending Chapter 23.32 of the Seattle Municipal Code at pages 60, 76, 109, 112, and 188 of the Official Land Use Map.**

*Attachments:*   [Full Text: CB 121196 v1](#)  
[Att 1 – Eligible Areas for Residential Height Limit Increase](#)  
[Att 2 – Fremont - Stone Way Rezone Map](#)  
[Att 3 – Downtown Retail Core Rezone Map](#)  
[Att 4 – University District Rezone Map](#)  
[Att 5 – Rainier Beach Rezone Map](#)  
[Att 6 – Madison - Miller Rezone Map](#)

*Supporting Documents:*   [Summary and Fiscal Note](#)  
[Director's Report](#)  
[Presentation \(4/15/26\)](#)

**Briefing and Discussion**

**Presenters:** Geoffrey Wentlandt, Office of Planning and Community Development; HB Harper, Council Central Staff

## E. Adjournment





Legislation Text

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**File #:** CB 121195, **Version:** 1

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## The City of Seattle

### Ordinance

#### Council Bill

**An ordinance** relating to land use and zoning; adopting interim provisions to expand the capacity of transitional encampments; and amending Sections 23.42.054 and 23.42.056 of the Seattle Municipal Code.

**Be it ordained by The City of Seattle as follows:**

Section 1. The City Council finds and declares:

A. On November 2, 2015, the Mayor of the City of Seattle declared a civil emergency regarding the homelessness crisis within the City of Seattle. The emergency remains in effect.

B. Since declaring the emergency, according to the King County Medical Examiner's Office, there has been an approximately 150 percent increase in deaths annually of people presumed to be homeless - 312 decedents in 2024 compared to 124 in 2015.

C. According to the most recent Point-in-Time Count, from the King County Regional Homelessness Authority in 2024, there are 16,868 individuals experiencing homelessness countywide, a 26 percent increase from 2022 and a 260 percent increase from 2014. 58 percent of those individuals are unsheltered.

D. According to data from the Office of Civil Legal Aid, eviction filings involving low-income tenants in King County totaled 6,375 between July 2024 and March 2024, placing the state on track

for a record number of evictions in 2025.

E. The homelessness crisis is worsening. The negative public health and safety consequences of homelessness, both upon persons experiencing homelessness and more generally, have been amply documented. Experiencing homelessness is traumatic and can trigger, create, or exacerbate health conditions, substance use, and mental and behavioral health conditions. In 2024 there were 1,042 overdose deaths countywide, with fentanyl the leading cause of deaths among the homeless population in 2023. Sleeping outdoors increases the likelihood of developing exposure-related conditions.

F. Since 2015, the City has worked to advance a comprehensive set of solutions both to prevent persons from entering homelessness and to provide housing that enables persons experiencing homelessness to become housed.

G. That strategy has recognized the importance of permanent supportive housing as a long-term solution to allow many homeless persons to become, and stay, housed.

H. Even under the best possible scenario, developing permanent supportive housing requires substantial funds and takes substantial time. Thus, the City has also recognized the importance of temporary solutions that enable persons experiencing homelessness to become housed while sufficient permanent supportive housing is developed.

I. A temporary solution that has shown great potential, both because of its acceptance among homeless persons and its relatively low cost, is the development of “tiny house villages,” also known as microshelters, a concept covered by the Land Use Code’s definition of “transitional encampment.” Based on experience gained thus far in addressing the homelessness crisis, the City is embarking on a major effort to develop additional microshelter villages.

J. The urgency of this effort has recently increased dramatically due to recent actions by the federal government. The City’s approach to the development of permanent supportive housing is

based on the concept of “housing first,” under which persons are provided permanent housing even if they are still addressing mental health, addiction, or similar issues. Evidence demonstrates that this approach increases the likelihood of those issues being successfully addressed, while also returning substantial public benefits including the reduction of costs in public services.

K. Housing-first programs have decades of research proving their efficacy. A 2009 study in the *Journal of the American Medical Association* found that the Downtown Emergency Service Center’s 1811 Eastlake housing-first program dramatically reduced costs on public services, where the average cost from a person experiencing homelessness was \$4,066 per month from corrections, shelter, substance use treatment, and healthcare costs, and after clients moved into 1811 Eastlake the average cost offset per person per month was \$2,449. The medical journal *Psychiatric Services* published a five-year study of the Pathways to Housing housing-first program based in New York City where data showed that in nearly 90 percent of cases where a person experiencing homelessness moved into one of their apartments the resident retained their housing five years later.

L. The federal government, in a major shift in policy, has recently decided to penalize local jurisdictions that use a “housing first” approach. The Department of Housing and Urban Development (HUD) issued a FY25 Notice of Funding Opportunity (NOFO) for \$3.9 billion dollars to fund programs to reduce homelessness nationwide, with \$65 million available to the Seattle-King County Continuum of Care (CoC), but prohibited more than 30 percent of funds to be spent on “housing first” programs. This would have pushed 170,000 formerly homeless residents back into homelessness across the United States, and places at risk up to 4,500 residents in Seattle and King County currently living in permanent supportive housing.

M. In previous years CoC funds provided as much as 80 percent of the funds available for permanent supportive housing programs, and an abrupt 30 percent funding cap on all housing programs will destabilize the entire housing sector dedicated for formerly homeless veterans,

formerly homeless families, people with disabilities, and chronically homeless people.

N. On November 25, 2025, Washington State, along with 19 other states and Washington, D.C., filed suit in federal court, followed by a companion lawsuit from King County and a coalition of seven local governments and four nonprofit organizations to challenge the legality of HUD's devastating cuts to this crucial housing program. However, the CoC contracts that fund 28 permanent supportive housing buildings in Seattle begin to expire in 2026 and the state and county litigation may not reach resolution in time to preclude a gap from when existing CoC contracts lapse.

O. Given the extremely negative tenor of the federal government's actions and the unpredictability of the current federal administration, it is unclear whether the City will be able to mitigate the effect of federal cutbacks over the medium- to long-term. The City must brace itself for an imminent and major disruption of the pathway that it has worked to build to provide persons at risk of or experiencing homelessness with access to the ultimate solution of permanent supportive housing.

P. One of the consequences of this impending disruption is an immediate need to create additional temporary shelter options, such as microshelter villages, that can provide persons experiencing homelessness with a place to live when permanent supportive housing is not available.

Q. While microshelter villages are quicker and less expensive to establish than permanent supportive housing, the time required to locate sites, obtain permits, and construct facilities is not insignificant. In light of the worsening of the homelessness crisis and particularly in light of recent federal actions and the resulting impending disruptions, it is necessary to quickly pursue development of microshelter villages to serve as many people as possible.

R. One of the impediments to rapidly increasing the number of persons who can be served by microshelter villages is the Land Use Code's 100-person limit on the number of occupants in a transitional encampment. Finding sites that can be developed at all for microshelter villages is

difficult, and finding sites that can be developed quickly is even harder. Many of the sites that can be developed with the greatest efficiency and speed are located on City-owned property. When City-owned property is available, maximizing the number of persons served on a given site is a critical strategy for making spaces in tiny house villages available quickly. Given the limited number of City-owned sites, the most viable sites already have microshelter villages on them, and expanding those sites is hindered by the existing 100-person limit even though there may be significantly more land available to use on the site. Even on privately-owned sites, increasing the number of occupants in each transitional encampment would increase the speed with which the overall number of spaces in tiny house villages can grow.

S. Amending the Land Use Code to increase the maximum permissible number of occupants in particular transitional encampments will allow the City to more quickly address the homelessness crisis by enabling the completion of more tiny homes in transitional encampments. Moreover, accelerating the timeline for adoption of those amendments will address the need for immediate action to prepare for and mitigate against the disruptions caused by federal government restrictions hindering the provision of permanent supportive housing.

T. Given the foregoing, the City Council determines that an exemption from conducting review under the Washington State Environmental Policy Act (SEPA) of the proposal in this ordinance is necessary under Seattle Municipal Code Section 25.05.880. For the reasons explained in this section, the proposal must be implemented immediately or within a period too short for full compliance with Seattle Municipal Code Chapter 25.05 to avoid an imminent threat to public health and safety.

U. Similarly, the City Council determines that the matters set forth in the foregoing findings create an emergency under Seattle Municipal Code Section 23.76.062 that justifies the adoption of the ordinance without a pre-adoption public hearing. Holding a public hearing (with 30 days' notice)

would significantly delay the proposed changes.

V. Adopting this legislation as an interim ordinance under RCW 36.70A.390 addresses the need for immediate action as set forth in this section. In addition, the City Council finds that it is appropriate for this interim ordinance to have a duration of one year to provide time for the Seattle Department of Construction and Inspections (SDCI) to carry out a work plan under which SDCI will undertake additional investigation and analysis to inform permanent legislation.

W. To support the success of the City's expanded shelter system, the City will also promote community safety strategies with leadership from the Community Assisted Response & Engagement (CARE) Department, crime prevention programs offered by the Seattle Police Department, and other relevant public safety agencies to support public safety needs in neighborhoods.

Section 2. Section 23.42.054 of the Seattle Municipal Code, last amended by Ordinance 126042, is amended as follows:

**23.42.054 Transitional encampments located on property owned or controlled by a religious organization**

\* \* \*

B. The encampment operator or applicant shall comply with the following provisions:

1. ~~((Allow no more than 100 persons to occupy the encampment site as residents of the encampment.))~~ Limit the number of encampment occupants as follows:

a. No more than 100 persons shall occupy a transitional encampment having more than fifty percent of shelter as tents; and

b. No more than 150 persons shall occupy a transitional encampment in which the persons occupy vehicles or micro-modular structures as shelter. For the purposes of this Section 23.42.054, a micro-modular structure is a small, prefabricated structure intended to temporarily shelter one household.

2. Comply with the following fire safety and health standards:

- a. Properly space, hang, and maintain fire extinguishers within the encampment as required by the Fire Department;
- b. Provide and maintain a ~~((400))~~150-person first-aid kit;
- c. Establish and maintain free of all obstructions access aisles as required by the Fire Department;
- d. Install appropriate power protection devices at any location where power is provided;
- e. Designate a smoking area;
- f. Keep the site free of litter and garbage;
- g. Observe all health-related requirements made by the Public Health Department of Seattle & King County; and
- h. Post and distribute to encampment residents, copies of health or safety information provided by the City of Seattle, King County, or any other public agency.
- i. Prohibit any open flames except an outdoor heat source approved by the Fire Department.

3. Provide toilets, running water, and garbage collection according to the following standards:

- a. Provide and maintain chemical toilets as recommended by the portable toilet service provider or provide access to toilets in an indoor location;
- b. Provide running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City; and
- c. Remove garbage frequently enough to prevent overflow.

4. Cooking facilities, if they are provided, may be located in either an indoor location or

outdoors according to the following standards:

a. Provide a sink with running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City;

b. Provide a nonabsorbent and easily-cleanable food preparation counter;

c. Provide a means to keep perishable food cold; and

d. Provide all products necessary to maintain the cooking facilities in a clean condition.

5. Allow officials of the Public Health Department of Seattle & King County, the Seattle Fire Department, and the Seattle Department of Construction and Inspections to inspect areas of the encampment that are located outdoors and plainly visible without prior notice to determine compliance with these standards.

6. Individuals under the age of 18 years that are not accompanied by a parent or legal guardian shall not be permitted in an encampment.

7. File a site plan with the Seattle Department of Construction and Inspections showing the arrangement of the encampment, including numbers of tents or similar sleeping shelters, all facilities that are separate from the sleeping shelters, and all existing structures on the property, if any. The site plan is for informational purposes and is not subject to City review or permitting requirements.

\* \* \*

Section 3. Section 23.42.056 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

**23.42.056 Transitional encampment as an interim use**

A Type I Master Use Permit may be issued for a transitional encampment interim use according to

the requirements of this Section 23.42.056.

\* \* \*

F. Limit on the number of encampments and occupants

1. Maximum number of encampments. No more than 40 transitional encampment interim use encampments shall be permitted and operating at any one time(~~(, and each encampment shall not have more than 100 occupants)~~). The limit (~~(of 40 transitional interim use encampments shall)~~) does not include transitional encampments located on property owned or controlled by a religious organization.

2. Maximum number of occupants. The maximum number of encampment occupants is limited as follows:

a. No more than 100 persons shall occupy a transitional encampment having more than fifty percent of shelter as tents; and

b. No more than 150 persons shall occupy a transitional encampment in which the persons occupy vehicles or micro-modular structures as shelter, except that one transitional encampment with up to 250 occupants may be permitted. For the purposes of this Section 23.42.056, a micro-modular structure is a small, prefabricated structure intended to temporarily shelter one household.

~~((2-))~~ 3. Existing encampments established by and operating under temporary use permits. Encampments presently operating under temporary use permits issued pursuant to subsections 23.42.040.B and 23.42.040.C may apply for an interim use permit pursuant to this Section 23.42.056, subject to the limits established by subsection 23.42.056.F.1 and subsection 23.42.056.F.2. The term for operating any encampments obtaining interim use permits in lieu of temporary use permits shall begin on the date the interim use permit is issued regardless of how long the encampment has been established by a prior temporary use permit.

Section 4. The interim development regulations set forth in this ordinance shall be in effect for a period of one year from the effective date of this ordinance and shall automatically expire after the one-year period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 5. Pursuant to RCW 36.70A.390, the Council will hold a public hearing within 60 days of adoption of this ordinance to take public testimony and to consider adopting further findings.

Section 6. Under RCW 36.70A.390, the Council approves the following work plan for the development of permanent regulations to address the issues in this ordinance and directs the Seattle Department of Construction and Inspections to transmit proposed legislation to the Council for adoption after resolution of any appeals under SEPA.

SDCI undertakes investigation and analysis to inform permanent legislation and conducts SEPA review Spring of 2026 through Fall of 2026 Mayor transmits permanent legislation to Council Anticipated January, 2027 Council considers and approves permanent legislation Anticipated Winter/Spring, 2027 Permanent controls effective Anticipated Spring, 2027 □

As part of the work plan, SDCI shall collect relevant data and perform analysis to make recommendations regarding (1) the appropriate maximum number of occupants per transitional encampment and whether the same maximum number should apply to all transitional encampments, and (2) if a different maximum number of occupants should apply in different cases, whether there should be a limit to the total number of transitional encampments that are allowed a particular maximum number of occupants, separate from the 40-encampment limit in Seattle Municipal Code subsection 23.42.056.F.1, and whether there should be a dispersion requirement or other limitations for transitional encampments that are allowed a particular maximum number of occupants. SDCI's analysis should take into account the following nonexclusive considerations: (1) the environmental and other impacts to surrounding areas that may result from transitional encampments depending on the maximum number of occupants allowed, (2) the effect that particular maximum occupant limits,

dispersion requirements, or other limitations would have on the City's ability to make full and efficient use of City-owned property for transitional encampments and on the availability and efficient use of sites of all types for transitional encampments, and (3) the effect that particular maximum occupant limits, dispersion requirements, or other limitations would have on the effectiveness of transitional encampments in serving their populations, including in terms of access to transit or other services.

Section 7. Based on the authority of RCW 36.70A.390 and the findings of Section 1 of this ordinance, the public hearing requirement of Seattle Municipal Code Section 23.76.062 is waived for the adoption of this ordinance.

Section 8. The City may renew these interim regulations in accordance with RCW 36.70A.390.

Section 9. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council and signed in open session in authentication of its passage on .

President of the City Council  
on .

Katie B. Wilson, Mayor

Attested on .

Scheereen Dedman, City Clerk

Seal



## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Mayor's Office	Jon Grant	Sarah Burtner

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; adopting interim provisions to expand the capacity of transitional encampments; and amending Sections 23.42.054 and 23.42.056 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** On January 15<sup>th</sup>, 2026 Mayor Katie B. Wilson announced a goal to open 1000 new shelter and emergency housing beds in 2026.

This piece of legislation is one in a package of three bills that takes several steps to advance that goal.

This proposed legislation would increase the census limit for transitional encampments to 150 people per site citywide, and allow one site up to 250 people per council district. The current land use code limits the size of each transitional encampment to 100 people per site. This creates a significant barrier to efficiently use limited City-owned lands, in particular if there is already a smaller microshelter on the site that has the potential to be expanded.

When City-owned property is available, maximizing the number of persons served on a given site is a critical strategy for making spaces in tiny house villages available quickly. Given the limited number of City-owned sites, the most viable sites already have microshelter villages on them, and expanding those sites is hindered by the existing 100-person limit even though there may be significantly more land available to use on the site. Even on privately-owned sites, increasing the number of occupants in each transitional encampment would increase the speed with which the overall number of spaces in tiny house villages can grow.

On November 2, 2015, the City of Seattle declared a civil emergency regarding the homelessness public health crisis. The emergency remains in effect. Indeed, the homelessness population has continued to grow year after year since the declaration. In order to act with the necessary urgency to accelerate the production of temporary shelter, particularly given recent federal government funding action penalizing local jurisdictions that use a "housing first" approach to providing permanent supportive housing, the bill waives the Title 23 requirement for a pre-adoption public hearing and also determines that the proposal is exempt from review under the State Environmental Policy Act pursuant to Seattle Municipal Code Section 25.05.880. The Council shall hold a post-adoption public hearing within sixty days of adoption. This proposal is being introduced as interim legislation with a duration of one year pending development of permanent legislation. In the interim period, the Seattle Department of Construction and Inspections will conduct a study to inform the scope and parameters of the permanent legislation.

Without accelerated action as set forth above, hundreds of shelter units will be delayed in their production.

The other two pieces of companion legislation also advance this effort by:

- Expanding the Director of Finance and Administrative Services’ (FAS) lease signing authority for land used for transitional encampments, and to allow rental costs at market rate. Under existing code the FAS Director is prohibited from signing a lease agreement if the land exceeds 18,000 square feet, and caps the cost per square foot. This proposal will increase the square foot limit to 65,000 square feet and allow a market rental rate for land. The average microshelter village exceeds the current square footage limit, and for a large site having rental costs capped below market significantly restricts the pool of available land for this use. As a result the work of securing sites rests with non-profit providers with an artificially narrow pool of site options, which can take months to secure a site and negotiate a lease. From the time funds are appropriated, procured, awarded, by the time land is secured through a lease this can result in seven to twelve months to stand up a program. However, if the FAS Director had discretion to sign a lease agreement at the front end of the process, and then turn the site over to a non-profit provider to build and operate the shelter program, it could reduce the timeframe to just 3-4 months to stand up a microshelter village.
- Amending the 2026 Budget to make available resources to pay for capital and operating costs associated with standing up transitional encampment programs. The proposed changes impact two fund sources, the Downtown Health and Human Service Account, and the Low-Income Housing Fund. The Low-Income Housing Fund funding is sourced from Community Development Block Grant (CDBG) funds with the Office of Housing that were previously allocated for a revolving loan fund. Due to the federal regulations on this program, it went underutilized. This legislation uses that unappropriated fund balance for capital costs to stand up more shelter. The unappropriated fund balance in the Downtown Health and Human Service Account must be spent to benefit downtown Seattle and will support new programs to house unsheltered people living downtown.

Council Central Staff Note on Pre-introduction Edits: Prior to introduction, the proposal was revised to:

- Limit the increase in transitional encampment occupants from 100 to 150 occupants to transitional encampment that utilize vehicles and micro-modular structures as shelter;
- Define micro-modular shelter as “a small, prefabricated structure intended to temporarily shelter one household;” and
- Allow only one interim use transitional encampment that shelters up to 250 occupants in vehicles or micro-modular shelters.

## **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?**

Yes  No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?  Yes  No

#### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

Funding for any ongoing costs for future operation of the shelters resulting from this legislation will be identified as part of the Mayor's 2027-2028 Proposed Budget.

This legislation may lead to increased staff time spent updating materials to reflect this change in the land use code, but it is anticipated that the cost of this time can be absorbed by existing department staff/budget.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

N/A

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

Studies continue to find that bringing people indoors and connecting them to services is the best practice to help support unsheltered people, and that such programs reduce overall costs on public services. A 2009 study in the Journal of the American Medical Association found that Downtown Emergency Service Center's 1811 Eastlake housing-first program dramatically reduced costs on public services, where the average cost from a person experiencing homelessness was \$4,066 per month from corrections, shelter, substance use treatment, and healthcare costs, and after clients moved into 1811 Eastlake the average cost offset per person per month was \$2,449.

**Please describe how this legislation may affect any City departments other than the originating department.**

The Human Services Department will conduct a procurement process and manage funding awards for standing up and operating new shelter programs, the Department of Finance and Administrative Services will negotiate and execute lease agreements with property owners to facilitate siting of shelter programs, and conduct a capital needs assessment for preparing sites for transitional encampment use. The Seattle Department of Construction and Inspection will carry out the work plan called for in the proposed ordinance to inform permanent regulations regarding changes to census limits for transitional encampments.

#### 4. OTHER IMPLICATIONS

**a. Is a public hearing required for this legislation?**

A post-adoption public hearing shall be held within sixty days of adoption of the ordinance.

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

Yes.

**c. Does this legislation affect a piece of property?**

No.

**d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

Homelessness continues to impact the most vulnerable in our community. According to the 2024 *Point In Time (PIT)* report, 17% of the total homeless population are adult survivors of domestic violence, 34% are adults with a serious mental illness, 8% are veterans, Black, Indigenous, and People of Color continue to be overrepresented.

This legislation would have a positive impact on vulnerable and historically disadvantaged populations by significantly expanding and accelerating the production of shelter and emergency housing options to give more people exit points from homelessness. By making deeper investments in behavioral health services and standing up more service rich environments for vulnerable people to receive onsite services populations that typically lack access will benefit from these essential services.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

Based on data from the King County Regional Homelessness Authority's *Point In Time (PIT)* report, Black and Indigenous people, and other People of Color are disproportionately represented in the homeless population in Seattle and King County. According to their 2024 PIT report 15% of people experiencing homelessness in King County identify as Black or African American while only making 7% of the total population countywide. 6% of people experiencing homelessness identify as American Indian, Alaskan Native, or Indigenous, but that group makes up less than 1% of King County's population.

- iii. What is the Language Access Plan for any communications to the public?**

N/A

**e. Climate Change Implications**

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

- ii. 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.**

N/A

- f. 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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

- g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

No.

**5. ATTACHMENTS**

**Summary Attachments:** None.

# Council Bill 121195: Shelter Census Limits

Land Use and Sustainability Committee

*April 15th, 2026*

Mayor's Office: Policy & Innovation



City of Seattle **23**

# Issue Identification

Land use code currently limits 100 people per site.

There are limited publicly owned sites suitable for microshelters.

Most already have an existing microshelter sited.  
A few have significant unused land adjacent to the site.

As a result, public land sits unused while demand for shelter remains high.

# Policy Overview

## Legislation increasing census limits for transitional encampments

- Increases citywide census limit for transitional encampments limited to micro-modular shelters or RV safe lots from 100 to 150 people.
- Allows one site for up to 250 people, limited to micro-modular shelters or RV safe lots.
- Interim legislation that expires after 12 months.
- SDCI workplan established to complete SEPA analysis and develop and transmit permanent regulations in Winter 2027.

# Proven Large-Scale Models Nationwide

## **Cities across the country have demonstrated that large microshelter programs can operate effectively**

- Microshelter programs can scale to 100–220 units per site.
- At the largest site, more than 300 people are served in a single location.



## **Tampa Hope, Tampa FL**

215 units plus 116 platformed tents

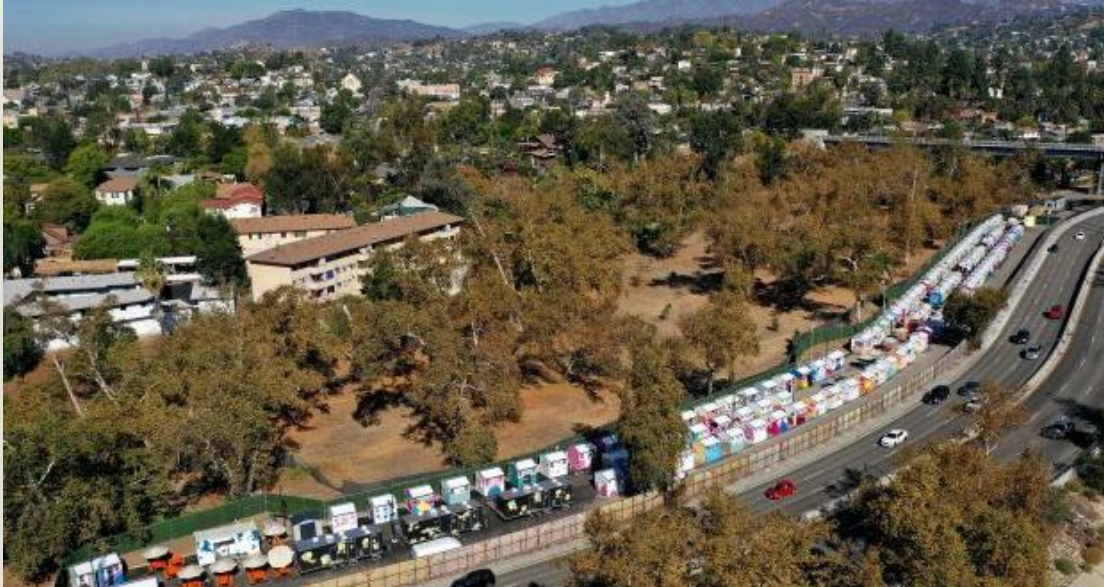
345 people served



## **Genesis Pallet Shelter, Chico CA**

177 units

200 people served



## **Arroyo Seco Village, Los Angeles, CA**

123 units

168 people served, capacity for 224



## **West LA Veterans Association**

155 units

200 estimated people served

# Large Site Profile: Tampa Hope

## 345 people served at single location

- Operated by Catholic Charities
- Tampa, Florida
- Executive Director Maggie Rogers
- 345 people served
- Plans to expand to 400 beds
- 215 shelter units, 116 platformed tents
- Services include, three daily meals, clothing, medical care, life skills and financial management classes, and substance use and mental health treatment.
- 8 case managers, 2 outreach staff, and 13 shelter monitors for 24/7 staffing.
- 550 people moved into housing since opening.



# Public Safety is Community Partnership

*Safe and welcoming neighborhoods are built through partnership, clear expectations, and shared responsibility.*



# Neighborhood Coordination and Site Safety



# Supporting a Successful Launch

## Close collaboration with SPD on neighborhood safety:

- The Seattle Police Department is in active development of specific strategies to target dangerous and illegal activities that may occur near or around existing PSH and shelter programs.
- The intent of these expanded efforts is to target criminal elements that attempt to take advantage of vulnerable populations found within encampments that may also be within the vicinity of existing shelter programs.



# Questions and Discussion



SEATTLE CITY COUNCIL  
**CENTRAL STAFF**

# Transitional Encampment Shelter Increase

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KETIL FREEMAN, ANALYST

LAND USE AND SUSTAINABILITY COMMITTEE

APRIL 15, 2026

# Council Review Process – Actions Thus Far

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- **CB 121184** – Authorizes the Finance and Administrative Services Department to execute leases for large sites that could accommodate larger transitional encampments. [Finance, Native Communities, and Tribal Governance Committee \(Finance Committee\)](#) recommended that the bill pass.
- **CB 121185** – Increases appropriation authority to the Human Services Department to fund new shelter in transitional encampments. [Finance Committee recommended that the bill pass, as amended.](#)
- **CB 121195** – Increases the number of allowed transitional encampment occupants on a temporary basis and establishes a work program to develop ongoing changes to regulations for transitional encampments. [Discussed in the Land use and Sustainability Committee \(LUSC\) on April 1. Introduced and referred to LUSC on April 14.](#)

# Legislative Intent for Transitional Shelter Budget Increase – Amendments to CB 121185 (1 of 2)

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- Reporting on implementation by September 14, 2026, with a financial plan for providing 4,000 new shelter units.
- Requesting that the Executive develop a public safety plan for transitional shelter with monthly reporting on public safety indicators.
- Standing up a shelter acuity work group to advise on services for encampments used as shelter.
- Requesting that HSD utilize providers who have expertise providing culturally appropriate services.

## Legislative Intent for Transitional Shelter Budget Increase – Amendments to CB 121185 (2 of 2)

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- Providing at least one transitional shelter be provided for people in recovery from substance abuse disorders.
- Providing at least two transitional shelters serving families with children with reporting on progress by September 14, 2026.
- Reporting to Council on prioritization of transitional shelters for people in the neighborhood served by the shelter prior to opening of new shelter.
- Continued prioritization of permanent supportive housing while transitional shelter capacity is increased.

# Pre-introduction Edits to CB 121195

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- Limit the increase in transitional encampment occupants from 100 to 150 occupants to transitional encampment that utilize vehicles and micro-modular structures as shelter;
- Define micro-modular shelter as “a small, prefabricated structure intended to temporarily shelter one household;” and
- Allow only one interim use transitional encampment that shelters up to 250 occupants in vehicles or micro-modular shelters.

# Next Steps

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- **Wednesday, April 29** – Continued Discussion of CB 121195, including discussion potential amendment concepts.
- **Wednesday, May 6** – Discussion and possible vote on a recommendation CB 121195 and any proposed amendments.
- **Tuesday, May 12** – Earliest date for the Full Council vote.



Legislation Text

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**File #:** CB 121196, **Version:** 1

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## The City of Seattle

### Ordinance

#### Council Bill

**An ordinance** relating to land use and zoning; rezoning certain land in the University District, the Fremont neighborhood, the Madison/Miller neighborhood, the Rainier Beach neighborhood, and the Downtown neighborhood; rezoning land and amending development standards to increase housing supply, support multi-purpose redevelopment on certain sites with community-based uses, remove code barriers to passive house, modular, and mass timber construction and to conversion from commercial space to housing in more zones, and incentivize community-serving uses along with the construction of more housing in certain areas; amending Sections 23.40.080, 23.47A.009, 23.49.008, 23.49.011, 23.49.036, 23.49.058, and 23.49.158 of the Seattle Municipal Code; adding a new Section 23.40.090 to the Seattle Municipal Code; adding a new Map 1L to Chapter 23.49 of the Seattle Municipal Code; and amending Chapter 23.32 of the Seattle Municipal Code at pages 60, 76, 109, 112, and 188 of the Official Land Use Map.

The full text of this legislation is attached to the file.

Screen Reader Users: Make sure settings include reading strikethrough and underline font attributes.

**The City of Seattle**  
**Ordinance \_\_\_\_\_**  
Council Bill \_\_\_\_\_

..title

**An ordinance** relating to land use and zoning; rezoning certain land in the University District, the Fremont neighborhood, the Madison/Miller neighborhood, the Rainier Beach neighborhood, and the Downtown neighborhood; rezoning land and amending development standards to increase housing supply, support multi-purpose redevelopment on certain sites with community-based uses, remove code barriers to passive house, modular, and mass timber construction and to conversion from commercial space to housing in more zones, and incentivize community-serving uses along with the construction of more housing in certain areas; amending Sections 23.40.080, 23.47A.009, 23.49.008, 23.49.011, 23.49.036, 23.49.058, and 23.49.158 of the Seattle Municipal Code; adding a new Section 23.40.090 to the Seattle Municipal Code; adding a new Map 1L to Chapter 23.49 of the Seattle Municipal Code; and amending Chapter 23.32 of the Seattle Municipal Code at pages 60, 76, 109, 112, and 188 of the Official Land Use Map.

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**Recitals:**

Seattle continues to face a housing affordability challenge and an increase to housing supply is one of many strategies that can combat the high cost of housing in the region.

The One Seattle Comprehensive Plan informs a series of broad citywide zoning changes that support increased housing supply including allowing middle housing in Neighborhood Residential zones and establishing mixed use and multifamily zoning to support new Neighborhood Centers and transit corridors.

In addition to broad citywide zoning changes it is also important to expand housing supply in focused opportunity areas that are well positioned to support abundant housing construction that can be achieved in the short term.

In the wake of the global COVID-19 pandemic downtown Seattle faces a high vacancy rate in commercial and office spaces and one of the City's strategies to increase vitality and economic activity in downtown is to facilitate an increased amount of housing development in downtown neighborhoods.

Effective strategies to increase housing supply include removing code barriers to the building practices of sustainable mass timber, modular and passive house design, and Engrossed Second Substitute House Bill 1183 passed by the Washington State Legislature during the 2025 legislative session incentivizes such building practices through building code and development regulation reform.

Promoting upper-level housing above non-profit owned community facilities when it is time for them to undergo major renovation or reconstruction is a promising strategy to increase housing supply.

The proposed legislation includes zoning amendments to facilitate new affordable housing construction in upper stories above community-oriented facilities.

The proposed legislation removes code barriers to mass timber, passive house, and modular construction methods.

The proposed legislation is focused on opportunity areas for infill development and is tailored to avoid development pressure on historic landmarks, sites with character structures and displacement risk areas.

The proposed rezones include application of the City's Mandatory Housing Affordability (MHA) requirement. Therefore,

**Be it ordained by The City of Seattle as follows:**

Section 1. Section 23.40.080 of the Seattle Municipal Code, last amended by Ordinance 127228, is amended as follows:

**23.40.080 Conversion to residential use in an existing structure**

A. For the purposes of this Section 23.40.080, "conversion to residential use in an existing structure" means a development that meets all the following criteria:

1. It does not expand a structure horizontally beyond the boundaries of the existing or approved exterior walls except for addition of incidental features that are necessary to accommodate residential use such as: ramps for ADA access, replacement windows or sheathing, addition of material enabling increased insulation, structural features to increase safety, additions for the purpose of complying with construction and energy codes and building performance standards for the conversion to residential use, circulation features for fire and life safety, mechanical equipment, plumbing and duct work, or awnings and bays. The horizontal expansion for incidental features shall not increase the floor area of the structure by more than 5 percent.

2. It does not expand the structure vertically beyond the existing or approved roof elevation, except by up to 15 feet to accommodate configuration or expansion of top floor residential use or rooftop features in residential use. Stair and elevator penthouses, mechanical equipment, and rooftop features allowances otherwise provided by the underlying zone may be placed on top of the 15-foot accommodation for configuration of top floor residential use without disqualifying the development from meeting this criterion.

3. The building in which the conversion would occur received either a temporary or permanent certificate of occupancy prior to March 1, ~~((2024))~~ 2026, or if no temporary or permanent certificate of occupancy is available is determined by the Director to have been legally occupied or is in a building approved for future development for which an unexpired Master Use Permit was issued, prior to March 1, ~~((2024))~~ 2026.

4. It is a conversion of floor area from nonresidential uses to residential uses that increases the number of dwelling units or congregate residence sleeping rooms in the structure.

5. It does not increase the square footage of nonresidential uses in the structure.

6. It is located in a commercial zone, a Downtown zone, a Seattle Mixed (SM) zone, the Highrise (HR) zone, ~~((or the))~~ Midrise (MR) zones, Lowrise (LR) zones, or the Neighborhood Residential (NR) zone.

\* \* \*

C. A conversion to residential use in an existing structure meeting the criteria of subsection 23.40.080.A shall be exempt from all development standards and land use regulations of Chapter 23.44 (Neighborhood Residential), Chapter 23.45 (Multifamily), Chapter 23.47A (Commercial), Chapter 23.48 (Seattle Mixed), Chapter 23.49 (Downtown Zoning), Chapter 23.52 (Transportation Concurrency, and Transportation Impact Mitigation), Chapter 23.53 (Requirements for Streets, Alleys, and Easements), Chapter 23.54 (Quantity and Design Standards for Access, Off-Street Parking, and Solid Waste Storage), and Chapter 23.58A (Incentive Provisions), except that the following categories of development standards and regulations within any of those chapters shall continue to apply:

1. Permitted and prohibited use regulations pertaining to nonresidential uses;
2. Administrative conditional use regulations;
3. Light and glare standards;
4. Noise standards;
5. Institutions;
6. Home occupations;
7. Transitional encampment accessory uses;
8. Landmark Districts and designated landmark structures; and
9. Subsections 23.54.040.F, 23.54.040.G, 23.54.040.H, 23.54.040.I, and 23.54.040.J(~~(solid waste and recyclable material storage and access)~~)).

\* \* \*

F. A conversion to residential use in an existing structure meeting the criteria of subsection 23.40.080.A.1-5 and located in a commercial zone, a Downtown zone, ((or)) a Seattle (SM) Mixed zone, the Highrise (HR) zone, Midrise (MR) zones, or Lowrise (LR) zones, shall be exempt from requirements under Chapter 23.58C ~~((Mandatory Housing Affordability for Residential Development))~~ for any portion of the development proposal that converts floor area from a nonresidential use to a residential use.

\* \* \*

Section 2. A new Section 23.40.090 is added to the Seattle Municipal Code as follows:

**23.40.090 Exception from facade modulation and upper-level setback requirements for certain types of residential projects**

A. For the purposes of this Section 23.40.090:

1. "Affordable housing" means dwelling units whose monthly costs, including utilities other than telephone, do not exceed 30 percent of the monthly income of a household whose income is:

a. For rental housing, 60 percent of the area median income adjusted for household size; or

b. For owner-occupied housing, 80 percent of the area median income adjusted for household size.

2. "Mass timber construction" means a building with structural components primarily made of mass timber products as defined in RCW 19.27.570.

3. “Modular construction” means a multistory residential building constructed of standardized components produced off-site, which are transported and assembled at a final location.

4. “Passive house requirements” means the criteria for certification as a passive house by Phius or the Passive House Institute.

B. A development with at least 50 percent of its gross floor area in residential use and that is any of the types of projects identified in subsections 23.40.090.B.1 through 23.40.090.B.5 shall be exempt from any facade modulation or upper-level setback requirement in this Title 23 including upper-level width and depth limits, tower separation, and tower spacing requirements. The types of projects identified are those:

1. Where 100 percent of the dwelling units in the development are affordable housing;
2. Where new construction meets passive house requirements;
3. Where retrofit of existing buildings meets passive house requirements;
4. That utilize modular construction; and
5. That utilize mass timber construction.

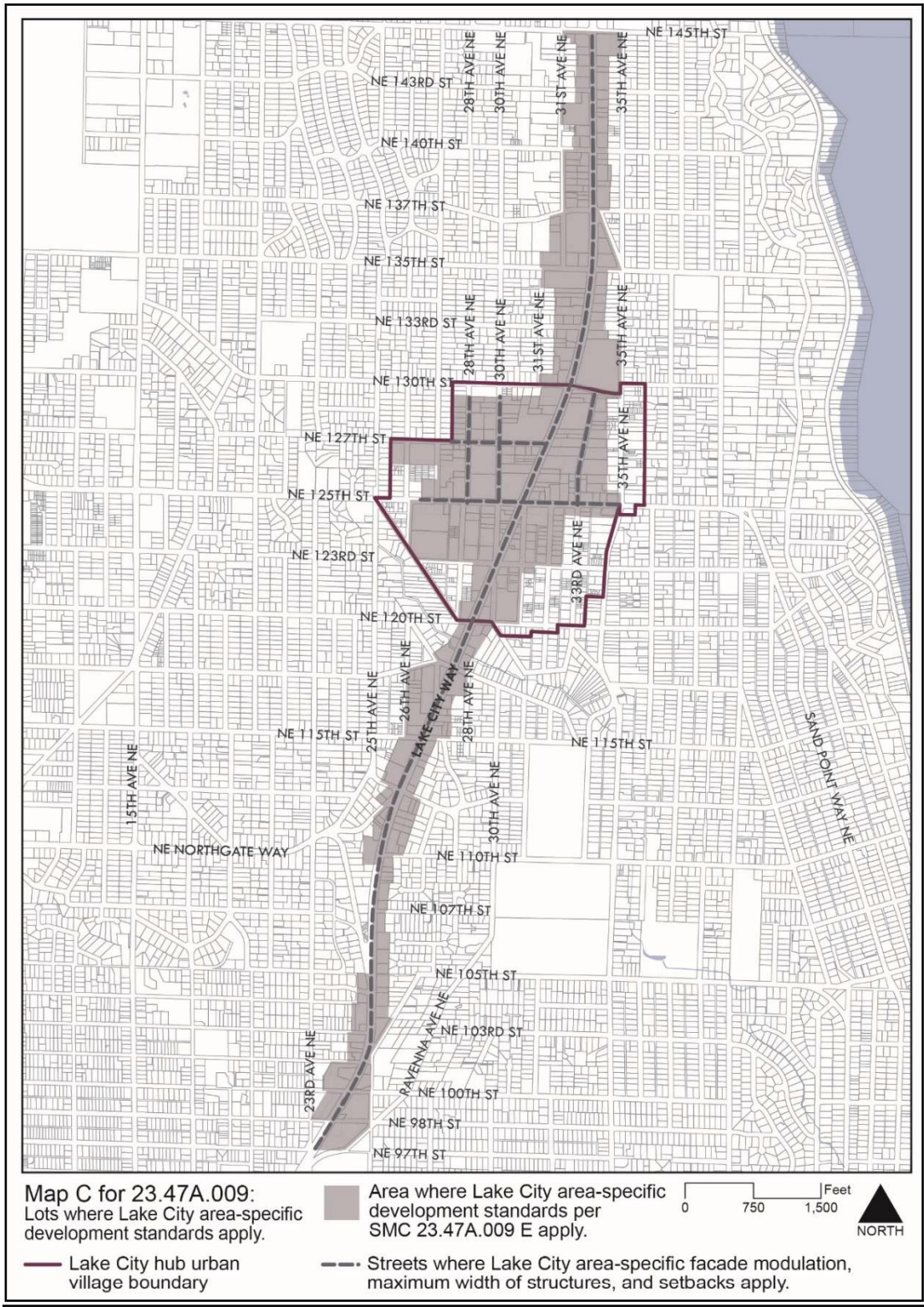
Section 3. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 127376, is amended as follows:

**23.47A.009 Standards applicable to specific areas**

\* \* \*

E. Lake City. The following provisions apply to development proposed on lots that are 40,000 square feet in size or greater and located in NC zones as shown on Map C for 23.47A.009.

### Map C for 23.47A.009 Lots where Lake City area-specific development standards apply



## 1. Maximum lot coverage

a. The maximum lot coverage permitted for principal and accessory structures is 80 percent of the lot area.

b. Lot coverage exceptions. The following structures or portions of structures are not counted in the lot coverage calculation:

1) Portions of a structure that are below grade or that do not extend more than 4 feet above the finished grade.

2) The first 18 inches of overhead horizontal building projections of an architectural or decorative character, such as cornices, eaves, sills, and gutters.

3) Ramps or other devices that provide access for the disabled and elderly and that meet the standards of the Seattle Building Code.

4) The first 4 feet of unenclosed porches or steps for residential units.

c. In the portion of the lot that is not covered by structures, owners are encouraged to provide improvements at-grade that enhance the usability and livability of the lot for occupants and visitors, such as pedestrian circulation areas, landscaping, lighting, weather protection, art, or other similar improvements.

## 2. Facade modulation

a. Facade modulation requirements apply to all portions of a structure up to a height of 35 feet and located within 10 feet of a street lot line on streets designated by Map C for 23.47A.009.

b. The maximum width of any unmodulated facade is 100 feet.

Facades longer than 100 feet shall be modulated by stepping back the facade from the street lot line for a minimum depth of 10 feet and a minimum width of 15 feet.

c. Facade modulation requirements do not apply to portions of a structure that are below grade or that do not extend more than 2 feet above the finished grade at the lot line.

### 3. Maximum structure width

a. On streets designated by Map C for 23.47A.009, the maximum allowed structure width is 250 feet.

b. Structure width limits do not apply to portions of a structure that are below grade or that do not extend more than 2 feet above the finished grade at the lot line.

### 4. Upper-level setbacks

a. On streets designated by Map C for 23.47A.009, a setback with an average depth of 10 feet from abutting street lot lines is required for portions of a structure above a height of 35 feet. The maximum depth of a setback that can be used to calculate the average setback is 20 feet.

b. A setback with an average depth of 15 feet from abutting street lot lines is required for portions of a structure above a height of 65 feet. The maximum depth of a setback that can be used to calculate the average setback is 25 feet.

5. Structures permitted in required setbacks are subject to subsection 23.47A.014.G.

6. In addition to the provisions of subsections 23.47A.009.E.1 through 23.47A.009.E.5, for areas zoned NC-55 on lots that are 100,000 square feet in size or larger within the area shown on Map C for 23.47A.009, 2.0 FAR is added to the FAR limit and 30 feet is added to the height limit for development that includes at least 200 dwelling units, and includes any combination of grocery store, pharmacy, medical services, child care center, elementary or secondary school, community club, or community center uses that meet the following conditions:

a. Space for the uses is a minimum of 50,000 square feet of gross floor area;

b. Location of the uses is at the ground level and is easily accessible to the elderly and disabled; and

c. Space for the uses is reserved for the life of the project on the lot.

Section 4. Section 23.49.008 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

### **23.49.008 Structure height**

The following provisions regulating structure height apply to all property in Downtown zones except the DH1 zone. Structure height for PSM, IDM, and IDR zones is regulated by this Section 23.49.008, and by Sections 23.49.178, 23.49.208, and 23.49.236.

#### **A. Base and maximum height limits**

1. Except as otherwise provided in this Section 23.49.008, maximum structure heights for Downtown zones are as designated on the Official Land Use Map. In certain zones, as specified in this Section 23.49.008, the maximum structure height may be allowed only for particular uses or only on specified conditions, or both. If height

limits are specified for portions of a structure that contain specified types of uses, the applicable height limit for the structure is the highest applicable height limit for the types of uses in the structure, unless otherwise specified.

2. Except in the PMM zone, the base height limit for a structure is the lowest of the maximum structure height or the lowest other height limit, if any, that applies pursuant to this Title 23 based upon the uses in the structure, before giving effect to any bonus for which the structure qualifies under this Chapter 23.49 and to any special exceptions or departures authorized under this Chapter 23.49. In the PMM zone the base height limit is the maximum height permitted pursuant to urban renewal covenants.

3. In zones listed below in this subsection 23.49.008.A.3, the applicable height limit for portions of a structure that contain non-residential and live-work uses is shown as the first figure after the zone designation (except that there is no such limit in DOC1), and the base height limit for portions of a structure in residential use is shown as the first figure following the "/". The third figure shown is the maximum residential height limit. Except as stated in subsection 23.49.008.D, the base residential height limit is the applicable height limit for portions of a structure in residential use if the structure does not achieve bonus residential floor area according to Chapter 23.58A, and the maximum residential height limit is the height limit for portions of a structure in residential use if the structure achieves bonus residential floor area according to Chapter 23.58A:

DOC1 Unlimited/450-unlimited

DOC2 500/300-550

DMC 340/290-440

DMC 240/290-440.

4. A structure in a DMC 340/290-440 zone on a lot comprising a full block that abuts a DOC1 zone along at least one street frontage may gain additional structure height of 30 percent above the maximum residential height limit if the structure achieves bonus residential floor area according to Chapter 23.58A, or 35 percent above 340 feet if the structure does not include bonus residential floor area according to Chapter 23.58A, in either case under the following conditions:

- a. Only one tower is permitted on the lot;
- b. Any additional floor area above the maximum height limit for non-residential or live-work use, as increased under this subsection 23.49.008.A.4, is occupied by residential use;
- c. The average residential gross floor area and maximum residential floor area of any story in the portion of the tower permitted above the base residential height limit do not exceed the limits prescribed in subsection 23.49.058.C.1;
- d. Any residential floor area allowed above the base residential height limit under this provision is achieved according to Chapter 23.58A;
- e. At least 35 percent of the lot area, or a minimum of 25,000 square feet, whichever is greater, is in open space use substantially at street level meeting the following standards, and subject to the following allowances for coverage:
  - 1) The location and configuration of the space shall enhance solar exposure, allow easy access to entrances to the tower serving all tenants and occupants from streets abutting the open space, and allow convenient pedestrian

circulation through all portions of the open space. The open space shall be entirely contiguous and physically accessible. To offset the impact of the taller structure allowed, the open space shall have frontage at grade abutting sidewalks, and be visible from sidewalks, on at least two streets. The elevation of the space may vary, especially on sloping lots where terracing the space facilitates connections to abutting streets, provided that grade changes are gradual and do not significantly disrupt the continuity of the space, and no part of the open space is significantly above the grade of the nearest abutting street. The Director may allow greater grade changes, as necessary, to facilitate access to transit tunnel stations.

2) Up to 20 percent of the area used to satisfy the open space condition to allowing additional height may be covered by the following features: permanent, freestanding structures, such as retail kiosks, pavilions, or pedestrian shelters; structural overhangs; overhead arcades or other forms of overhead weather protection; and any other features approved by the Director that contribute to pedestrian comfort and active use of the space. The following features within the open space area may count as open space and are not subject to the percentage coverage limit: temporary kiosks and pavilions, public art, permanent seating that is not reserved for any commercial use, exterior stairs and mechanical assists that provide access to public areas and are available for public use, and any similar features approved by the Director.

f. Open space used to satisfy the condition to allowing additional height in this Section 23.49.008 is not eligible for a bonus under Section 23.49.013.

g. Open space used to satisfy the condition to allowing additional height in this Section 23.49.008 may qualify as common recreation area to the extent permitted by subsection 23.49.011.B and may be used to satisfy open space requirements in subsection 23.49.016.C.1 if it satisfies the standards of subsection 23.49.016.C.1.

h. No increase in height shall be granted to any proposed development that would result in significant alteration to any designated feature of a Landmark structure, unless a certificate of approval for the alteration is granted by the Landmarks Preservation Board.

5. In a DRC zone, the base height limit is 85 feet, except that, subject to the conditions in subsection 23.49.008.A.6:

a. The base height limit is 170 feet if any of the following conditions is satisfied:

1) All portions of a structure above 85 feet contain only residential use; or

2) At least 25 percent of the gross floor area of all structures on a lot is in residential use; or

3) A minimum of 1.5 FAR of eating and drinking establishments, retail sales, and service or entertainment uses, or any combination thereof, is provided on the lot.

b. For residential floor area created by infill of a light well on a Landmark structure, the base height limit is the lesser of 170 feet or the highest level at which the light well is enclosed by the full length of walls of the structure on at least

three sides. For the purpose of this subsection 23.49.008.A.5.b, a light well is defined as an inward modulation on a non-street-facing facade that is enclosed on at least three sides by walls of the same structure, and infill is defined as an addition to that structure within the light well.

6. Restrictions on demolition and alteration of existing structures

a. Any structure in a DRC zone that would exceed the 85-foot base height limit shall incorporate the existing exterior street-front facade(s) of each of the structures listed below, if any, located on the lot of that project. The City Council finds that these structures are significant to the architecture, history, and character of downtown. The Director may permit changes to the exterior facade(s) to the extent that significant features are preserved and the visual integrity of the design is maintained. The degree of exterior preservation required will vary, depending upon the nature of the project and the characteristics of the affected structure(s).

b. The Director shall evaluate whether the manner in which the facade is proposed to be preserved meets the intent to preserve the architecture, character, and history of the Retail Core. If a structure on the lot is a Landmark structure, approval by the Landmarks Preservation Board for any proposed modifications to controlled features is required prior to a decision by the Director to allow or condition additional height for the project. The Landmarks Preservation Board's decision shall be incorporated into the Director's decision. Inclusion of a structure on the list below is solely for the purpose of conditioning additional height under this subsection 23.49.008.A.6.b, and shall not be interpreted in any way to prejudge the structure's merit as a Landmark:

Shafer Building / Sixth and Pine Building	515 Pine Street
Decatur Building	1521 6 <sup>th</sup> Avenue
Coliseum Theater Building	5th Avenue and Pike Street (northeast corner)
Northern Bank and Trust / Seaboard Building	1506 Westlake Avenue
<del>((Liggett/Fourth and Pike Building</del>	<del>1424 4th Avenue</del>
<del>Great Northern Building</del>	<del>1404 4th Avenue</del>
<del>Joshua Green Building</del>	<del>1425 4th Avenue</del>
<del>Holland Building/MiKen Building</del>	<del>1417 4th Avenue))</del>
Bon Marche (Macy's)	300 Pine Street

c. The restrictions in this subsection 23.49.008.A.6 are in addition to, and not in substitution for, the requirements of Chapter 25.12.

7. The applicable height limit for a structure is the base height limit plus any height allowed as a bonus under this Chapter 23.49 according to Chapter 23.58A, and any additional height allowed by special exception or departure, or by subsection 23.49.008.A.4. The height of a structure shall not exceed the applicable height limit, except as provided in subsections 23.49.008.B, 23.49.008.C, and 23.49.008.D.

8. The height of rooftop features, as provided in subsection 23.49.008.D, is allowed to exceed the applicable height limit.

9. On lots in the DMC 85/75-170 zone:

a. A height limit of 85 feet applies to the portions of a structure that contain non-residential or live-work uses.

b. A base height limit of 75 feet applies to the portions of a structure that contain residential uses.

c. The applicable height limit for portions of a structure that contain residential uses is 85 feet if extra floor area is achieved according to Section 23.49.023 and Chapter 23.58A, and the structure has no non-residential or live-work use above 85 feet, and the structure does not qualify for a higher limit for residential uses under subsection 23.49.008.A.9.d.

d. The applicable height limit is 170 feet if extra floor area is achieved according to Section 23.49.023 and Chapter 23.58A, the structure has no non-residential or live-work use above 85 feet, the lot is at least 40,000 square feet in size and includes all or part of a mid-block corridor that satisfies the conditions of Section 23.58A.040, except to the extent the Director grants a waiver of such conditions, and the standards of Section 23.49.060 are satisfied.

10. On lots in a DMC-75 zone in areas eligible for residential height limit increase indicated on Map 1L the height limit is increased to 125 for development applications submitted before January 1, 2029, provided that only those portions of structures that contain only residential uses may exceed 75 feet.

\* \* \*

C. Height in Downtown Mixed Residential (DMR) zones is regulated as follows:

1. A structure that contains only non-residential or live-work uses may not exceed the lowest height limit established on the Official Land Use Map, except for rooftop features permitted by subsection 23.49.008.D.

2. In DMR zones for which only two height limits are established, only those portions of structures that contain only residential uses may exceed the lower height limit, and they may extend to the higher height limit established on the Official Land Use Map, except that:

a. For development applications submitted before January 1, 2029, in eligible DMR zones as indicated on Map 1L for which the higher height limit established on the Official Land Use Map is 95 feet the higher height limit is increased to 145 feet, and within the infill housing focus areas the higher height limit is further increased to 245 feet, provided that in either case only those portions of structures that contain only residential uses may exceed the lower height limit; and

b. For development applications submitted before January 1, 2029, in eligible DMR zones as indicated on Map 1L for which the higher height limit established on the Official Land Use Map is 145 feet the higher height limit is increased to 245 feet provided that only those portions of structures that contain only residential uses may exceed the lower height limit.

3. On lots in the DMR/C 75/75-170 zone, the base height limit is 75 feet, and it is the applicable height limit for all structures, except that:

a. The applicable height limit is 85 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A, the structure has no non-residential or live-work use above 75 feet, and the structure does not qualify for a higher height limit under this subsection 23.49.008.C.3.

b. The applicable height limit is 170 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A; the structure has no non-

residential or live-work use above 75 feet; the lot includes all or part of a mid-block corridor that satisfies the conditions of Section 23.58A.040, except to the extent any waiver of such conditions is granted by the Director; and the standards of subsection 23.49.156.B and Section 23.49.163 are satisfied.

4. On lots in the DMR/C 75/75-95 zone, the base height limit is 75 feet, and it is the applicable height limit for all structures, except that the applicable height limit is 95 feet if the applicant qualifies for extra floor area under Section 23.49.023 and Chapter 23.58A and the structure has no non-residential or live-work use above 75 feet.

5. On lots in the DMR/R 95/65 zone:

a. A height limit of 95 feet applies to the portions of a structure that contain residential or lodging uses.

b. A height limit of 65 feet applies to the portions of a structure that contain non-residential uses (excluding lodging uses).

\* \* \*

Section 5. A new Map 1L, Eligible Areas For Residential Height Limit Increase, as shown on Attachment 1 attached to this ordinance, is added to Chapter 23.49 of the Seattle Municipal Code.

Section 6. Section 23.49.011 of the Seattle Municipal Code, last amended by Ordinance 127198, is amended as follows:

**23.49.011 Floor area ratio**

\* \* \*

B. Exemptions and deductions from FAR calculations

1. The following are not included in chargeable floor area, except as specified below in this Section 23.49.011:

a. Uses listed in subsection 23.49.009.A in a DRC zone and in the Major Retail Store and Shopping Atrium FAR Exemption Area identified on Map 1J of Chapter 23.49, up to a maximum FAR exemption of 2 for all such uses combined; and other uses provided according to Section 23.42.041 in the FAR Exemption Area identified on Map 1J for those uses (excluding the Pike Place Market Historical District), up to a maximum FAR exemption of 2; provided that for uses in the FAR Exemption Areas that are not in the DRC zone the uses are located no higher than the story above street level;

b. Street-level uses meeting the requirements of Section 23.49.009, Street-level use requirements, whether or not street-level use is required pursuant to Map 1G of Chapter 23.49, if the uses and structure also satisfy the following standards:

1) The street level of the structure containing the exempt space has a minimum floor-to-floor height of 13 feet, except that in the DMC 170 zone the street level of the structure containing the exempt space has a minimum floor-to-floor height of 18 feet;

2) The exempt space extends a minimum depth of 15 feet from the street-level, street-facing facade, except as allowed by interim street activation provisions in Section 23.42.041;

3) For the purposes of subsection 23.49.011.B.1, for floor area above street level, changes from residential use to commercial uses provided for

interim street activation purposes are subject to mandatory housing affordability pursuant to subsection 23.58B.020.B;

4) Overhead weather protection is provided satisfying Section 23.49.018; and

5) A mezzanine within a street-level use is not included in chargeable floor area, if the mezzanine does not interrupt the floor-to-floor heights for the minimum depth stated in subsection 23.49.011.B.1.b.2, except as allowed by interim street activation provisions in Section 23.42.041. Stairs leading to the mezzanine are similarly not included in chargeable floor area;

c. Shopping atria in the DRC zone and adjacent areas shown on Map 1J, provided that:

1) The minimum area of the shopping atria is 4,000 square feet;

2) The eligibility conditions of the Downtown Amenity Standards are met; and

3) The maximum area eligible for a floor area exemption is 20,000 square feet;

d. Child care centers;

e. Human service use;

f. Residential use, except in the PMM zone, and provided that allowable residential floor area is limited on lots from which TDP is transferred in accordance with Chapter 23.58A;

g. Live-work units, except in the PMM zone;

h. Museums, provided that the eligibility conditions of the  
Downtown Amenity Standards are met;

i. The floor area identified as expansion space for a museum, if  
such expansion space satisfies the following:

1) The floor area to contain the museum expansion space is  
owned by the museum or a museum development authority; and

2) The museum expansion space will be occupied by a  
museum, existing as of October 31, 2002, on a Downtown zoned lot; and

3) The museum expansion space is physically designed in  
conformance with the Seattle Building Code standards for museum use either at the  
time of original configuration or at such time as museum expansion is proposed;

j. Performing arts theaters;

k. Floor area below grade;

l. Floor area that is used only for:

1) Short-term parking or parking accessory to residential  
uses, or both, subject to a limit on floor area used wholly or in part as parking accessory  
to residential uses of one parking space for each dwelling unit on the lot with the  
residential use served by the parking; or

2) Parking accessory to hotel use in the DMC 170 zone,  
subject to a limit of one parking space for every four hotel rooms on the lot, and  
provided that the exempt parking floor area is on the same lot as the hotel use served  
by the parking;

m. Floor area of a public benefit feature that would be eligible for a bonus on the lot where the feature is located, other than a Landmark structure eligible pursuant to subsection 23.49.011.A.2.j or a small structure eligible pursuant to subsection 23.49.011.A.2.k. The exemption applies regardless of whether a floor area bonus is obtained, and regardless of limits on the maximum area eligible for a bonus;

n. Public restrooms;

o. Major retail stores in the DRC zone and adjacent areas shown on Map 1J, provided that:

1) The minimum lot area for a major retail store development is 20,000 square feet;

2) The minimum area of the major retail store is 80,000 square feet;

3) The eligibility conditions of the Downtown Amenity Standards are met;

4) The maximum area eligible for a floor area exemption is 200,000 square feet; and

5) The floor area exemption applies to storage areas, store offices, and other support spaces necessary for the store's operation;

p. Shower facilities for bicycle commuters;

q. Floor area, excluding floor area otherwise exempt, up to a maximum of 25,000 square feet on any lot, within one or more Landmark structures for which a floor area bonus has been granted pursuant to subsection 23.49.011.A.2.j, or within one or more small structures for which a floor area bonus has been granted

pursuant to subsection 23.49.011.A.2.k, or within any combination of such Landmark structures and such small structures, in each case only to the extent that the floor area satisfies the following criteria as determined by the Director:

1) The floor area is interior space of historic or architectural interest designed to accommodate the original function of the structure, and maintaining the integrity of this space prevents it from being fully utilized as commercial floor area;

2) The floor area is occupied by such uses as public assembly or performance space, human services, or indoor public amenities, including atrium or lobby area available for passive indoor recreation use or for the display of art or other objects of scientific, social, historic, cultural, educational, or aesthetic interest; and

3) The floor area is open and accessible to the public without charge, on reasonable terms and conditions consistent with the nature of the space, during normal operating hours of the building;

r. Up to 40,000 square feet of a streetcar maintenance base;

s. Up to 25,000 square feet of a community center in a DMR/C zone within South Downtown that is open to the general public for a minimum of six hours per day, five days per week, 42 weeks per year;

t. In the DMC 170 zone, hotel use that separates parking from the street lot line on stories above the first story of a structure, up to a maximum total floor area equivalent to 1 FAR, provided that the depth of the separation between the parking and the street-facing facade is a minimum of 15 feet;

u. In the DMC 170 zone, on lots abutting Alaskan Way, the floor area in a partially above-grade story, provided that:

1) The height of the above-grade portion of the partially above-grade story does not exceed 4 feet, measured from existing grade at the midpoint of the Alaskan Way street lot line;

2) All portions of the structure above the partially above-grade story are set back a minimum of 16 feet from the Alaskan Way lot line, except that horizontal projections, including balconies with open railings, eaves, cornices, and gutters, may extend a maximum of 4 feet into the setback area;

3) The roof of the portion of the partially above-grade story in the setback area is accessible to abutting required street-level uses in the structure and provides open space or space for activities related to abutting required street-level uses, such as outdoor dining;

4) Pedestrian access is provided from an abutting street to the roof of the portion of the partially above-grade story in the setback area; and

5) Up to 50 percent of the roof of the portion of the partially above-grade story in the setback area may be enclosed to provide weather protection, provided that the height of any feature or structure enclosing the space shall not exceed 20 feet, measured from the roof of the partially above-grade story;

v. Up to a maximum of 50,000 square feet of the floor area occupied by a City facility, including but not limited to fire stations and police precincts, but not a City facility predominantly occupied by office use;

w. Parking uses if:

- 1) The parking use sought to be exempted was legally established as of February 8, 2015;
  - 2) The parking is in a structure that existed on January 1, 1980;
  - 3) The structure is located west of Third Avenue in a DMC zone;
  - 4) A minimum of 50 percent of the parking spaces will be available to the general public as short-term parking;
  - 5) The existing structure and any proposed additions meet or are modified to meet the street-level use requirements of Section 23.49.009;
  - 6) The existing structure and any proposed additions are subject to administrative design review regardless of whether administrative design review is required pursuant to Chapter 23.41; and
  - 7) Any addition of non-exempt floor area to the existing structure is developed to LEED Gold standards; and
- x. Floor area for an elementary school or a secondary school, except on lots zoned DRC, which may include minimum space requirements for associated uses including but not limited to academic core functions, child care, administrative offices, a library, maintenance facilities, food service, interior recreation, and specialty instruction space, provided that:
- 1) Prior to issuance of a Master Use Permit, the applicant shall submit a letter to the Director from the operator of the school indicating that, based

on the Master Use Permit plans, the operator has determined that the development could meet the operator's specifications; and

2) Prior to issuance of a building permit, the applicant shall submit a written certification by the operator to the Director that the operator's specifications have been met.

y. The floor area of required bicycle parking for small efficiency dwelling units or congregate residence sleeping rooms, if the bicycle parking is located within the structure containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR limits.

z. In ~~((the))~~ DMR(~~(R-95/65))~~ zones, lodging uses. This exemption from FAR limits does not apply to lodging uses created by converting residential uses to lodging uses in existing structures.

Section 7. Section 23.49.036 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

**23.49.036 Planned community developments (PCDs)**

\* \* \*

F. Evaluation of PCDs. A proposed PCD shall be evaluated on the basis of public benefits provided, possible impacts of the project, and consistency with the standards contained in this subsection 23.49.036.F.

1. Public benefits. A proposed PCD shall address the priorities for public benefits identified through the process outlined in subsection 23.49.036.B. The PCD shall include at least three of the following elements:

- a. Low-income housing,
- b. Townhouse development,
- c. Historic preservation,
- d. Public open space,
- e. Improvements in pedestrian circulation,
- f. Improvements in urban form,
- g. Improvements in transit facilities,
- h. Green stormwater infrastructure beyond the requirements of the

Stormwater Code (Chapters 22.800 through 22.808), ((~~o~~))

- i. Employment training or job placement for adults.
- j. Employment training or vocational education for youths.
- k. Processing of donated materials for reuse or recycling, or
- l. Other elements that further an adopted City policy and provide a

demonstrable public benefit.

2. Potential impacts. The Director shall evaluate the potential impacts of a proposed PCD including, but not necessarily limited to, the impacts on housing, particularly low-income housing, transportation systems, parking, energy, and public services, as well as environmental factors such as noise, air, light, glare, public views, and water quality.

3. The Director may place conditions on the proposed PCD in order to make it compatible with areas adjacent to Downtown that could be affected by the PCD.

4. When the proposed PCD is located in the Pioneer Square Preservation District or International District Special Review District, the Board of the District(s) in

which the PCD is located shall review the proposal and make a recommendation to the Department of Neighborhoods Director who shall make a recommendation to the Director prior to the Director's decision on the PCD.

\* \* \*

I. Term. Expiration or renewal of a permit for the first phase of a PCD is subject to the provisions of Chapter 23.76. The applicant shall submit a phasing plan and the Director shall determine the expiration date of the PCD, which shall be no later than 15 years from the date of issuance. The expiration date shall be informed by the following factors:

1. Practical time period necessary to physically construct buildings, roads and infrastructure;

2. Documented information about the functional or operational plans of an organization or business for its future growth; and

3. Current and forecasted information about real estate markets.

J. Change to an approved PCD

1. When an amendment to a Master Use Permit with a PCD component is requested, the Director shall determine whether the amendment is minor or not. A minor amendment is one for which:

a. There is substantial compliance with the approved site plan and conditions imposed in the existing Master Use Permit with the PCD component, with no substantial change in the mix of uses and no major increase in the bulk and scale of structures originally proposed; and

b. No significantly greater impact would occur.

2. If the Director determines that the amendment is minor, the Director may approve a revised site plan as a Type I decision, in which case the Master Use Permit expiration date of the original approval shall be retained.

3. If the Director determines that the amendment is not minor, the applicant may either continue under the existing PCD approval or may submit a revised PCD application. The revised application shall be the subject of a Type II decision. The decision may retain or extend the existing expiration date on the portion of the site affected by the revision.

Section 8. Section 23.49.058 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

**23.49.058 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed Commercial upper-level development standards**

\* \* \*

C. Tower floor area limits and tower width limits for portions of structures in residential use. The requirements of this subsection 23.49.058.C apply only to structures that include portions in residential use above a height of 160 feet, and do not apply in the DMC 170 zone.

1. Maximum limits on average residential gross floor area per story and maximum residential floor area per story of towers are prescribed in Table B for 23.49.058.

**Table B for 23.49.058 – Average residential gross floor area per story and maximum residential gross floor area per story of a tower <sup>1</sup>**

<b>(1) Zone</b>	<b>(2) Average residential gross floor area limit per story of a tower if height does not exceed the base height limit for residential use</b>	<b>(3) Average residential gross floor area limit per story of a tower if height exceeds the base height limit for residential use</b>	<b>(4) Maximum residential floor area of any story in a tower</b>
DMC 240/290-440 and DMC 340/290-440	(( <del>10,000</del> ) <u>11,000</u> ) square feet	(( <del>10,700</del> ) <u>11,800</u> ) square feet	(( <del>11,500</del> ) <u>12,700</u> ) square feet
DOC2	15,000 square feet	12,700 square feet	16,500 square feet
DOC1	15,000 square feet	14,800 square feet	16,500 square feet

**Footnote to Table B for 23.49.058**

<sup>1</sup> For the height at which a "tower" begins, see the definition in subsection 23.49.058.A.

a. For structures that do not exceed the base height limit for residential use, each tower is subject to the average floor area per story limits specified in column (2) on Table B for 23.49.058.

b. For structures that exceed the base height limit for residential use according to Chapter 23.58A, the average residential gross floor area per story of each tower is subject to the applicable maximum limit specified in column (3) on Table B for 23.49.058.

c. In no instance shall the residential gross floor area of any story in a tower exceed the applicable maximum limit specified in column (4) on Table B for 23.49.058.

d. Unoccupied space provided for architectural interest pursuant to subsection 23.49.008.B shall not be included in the calculation of gross floor area.

2. Maximum tower width

a. In DMC zones, the maximum facade width for portions of a building above 85 feet along the general north/south axis of a site (parallel to the Avenues) shall be 120 feet or 80 percent of the width of the lot measured on the Avenue, whichever is less, except that:

1) On a lot where the limiting factor is the 80 percent width limit, the maximum facade width is 120 feet, if at all elevations above a height of 85 feet, no more than 50 percent of the area of the lot located within 15 feet of the street lot line(s) is occupied by the structure; and

2) On lots smaller than 10,700 square feet that are bounded on all sides by street right-of-way, the maximum facade width shall be 120 feet.

b. In DOC2 zones, the maximum facade width for portions of a building above 85 feet along the general north/south axis of a site (parallel to the Avenues) shall be 145 feet.

c. In DOC1, the maximum facade width for portions of a building above 85 feet along the general north/south axis of a site (parallel to the Avenues) shall be 160 feet.

d. The projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating the maximum width of a facade.

D. Tower spacing in DMC zones

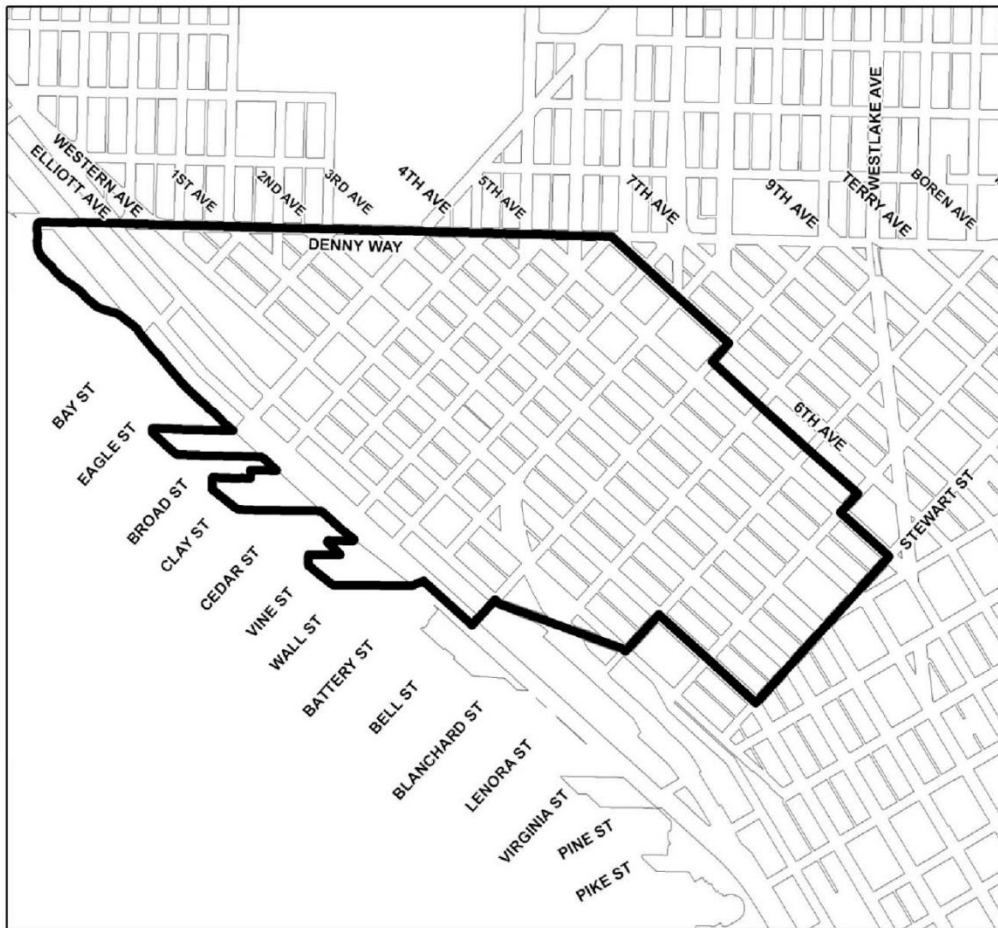
1. The requirements of this subsection 23.49.058.D apply to all structures over 160 feet in height in DMC zones, excluding DMC 170 zones, except that no separation is required:

- a. Between structures on different blocks, except as may be required by view corridor or designated green street setbacks; or
- b. From a structure on the same block that is not located in a DMC zone; or
- c. From a structure allowed pursuant to the Land Use Code in effect prior to May 12, 2006; or
- d. From a structure on the same block that is 160 feet in height or less, excluding rooftop features permitted above the applicable height limit for the zone pursuant to Section 23.49.008; or
- e. From a structure in a DMC 170.

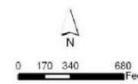
2. Except as otherwise provided in this subsection 23.49.058.D, in the DMC 240/290-440 zone located between Stewart Street, Union Street, Third Avenue, and First Avenue, if any part of a tower exceeds 160 feet in height, then all portions of the tower that are above 125 feet in height shall be separated from any other existing tower that is above 160 feet in height, and the minimum separation required between towers from all points above the height of 125 feet in each tower is 60 feet.

3. Except as otherwise provided in this subsection 23.49.058.D, in a DMC zone with a mapped height limit of more than 170 feet located either in Belltown, as shown on Map A for 23.49.058, or south of Union Street, if any part of a tower exceeds 160 feet in height, then all portions of the tower that are above 125 feet in height must be separated from any other existing tower that is above 160 feet in height, and the

### Map A for 23.49.058 Belltown



**— Belltown Boundary**



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minimum separation required between towers from all points above the height of 125 feet in each tower is ~~((80))~~ 60 feet.

4. Except as otherwise provided in this subsection 23.49.058.D, in a DMC zone with a mapped height limit of more than 170 feet located in the Denny Triangle, as shown on Map A for 23.49.056, if any part of a tower exceeds 160 feet in height, then all portions of the tower that are above 125 feet in height must be separated from any other existing tower that is above 160 feet in height, and the minimum separation required between towers from all points above the height of 125 feet in each tower is 60 feet.

5. The projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating tower separation.

6. If the presence of an existing tower would preclude the addition of another tower proposed on the same block, as a special exception, the Director may waive or modify the tower spacing requirements of this Section 23.49.058 to allow a maximum of two towers to be located on the same block that are not separated by at least the minimum spacing required in subsections 23.49.058.D.2, 23.49.058.D.3, and 23.49.058.D.4, other than towers described in subsection 23.49.058.D.1. The Director shall determine that issues raised in the design review process related to the presence of the additional tower have been adequately addressed before granting any exceptions to tower spacing standards. The Director shall consider the following factors in determining whether such an exception shall be granted:

a. Potential impact of the additional tower on adjacent residential structures, located within the same block and on adjacent blocks, in terms of views, privacy, and shadows;

b. Aspects of the proposal that offset the impact of the reduction in required separation between towers, including the provision of public open space, designated green street or other streetscape improvements, and preservation of Landmark structures;

c. Potential impact on the public environment, including shadow and view impacts on nearby streets and public open spaces;

d. Design characteristics of the additional tower in terms of overall bulk and massing, facade treatments and transparency, visual interest, and other features that may offset impacts related to the reduction in required separation between towers;

e. The City's goal of encouraging residential development downtown; and

f. The feasibility of developing the site without an exception from the tower spacing requirement.

7. For purposes of this Section 23.49.058 a tower is considered to be "existing" and must be taken into consideration when other towers are proposed, under any of the following circumstances:

a. The tower is physically present, except that a tower that is physically present is not considered "existing" if the owner of the lot where the tower is located has applied to the Director for a permit to demolish the tower and provided that the no building permit for the proposed tower is issued until the demolition of the tower that is physically present has been completed;

b. The tower is a proposed tower for which a complete application for a Master Use Permit or building permit has been submitted, provided that:

1) The application has not been withdrawn or cancelled without the tower having been constructed; and

2) If a decision on that application has been published or a permit on the application has been issued, the decision or permit has not expired, and has not been withdrawn, cancelled, or invalidated, without the tower having been constructed.

c. The tower is a proposed tower for which a complete application for early design guidance has been filed and a complete application for a Master Use Permit or building permit has not been submitted, provided that the early design guidance application will not qualify a proposed tower as an existing tower if a complete Master Use Permit application is not submitted within 90 days of the date of the early design guidance public meeting if one is required, or within 90 days of the date the Director provides guidance if no early design meeting is required, or within 150 days of the first early design guidance public meeting if more than one early design guidance public meeting is held. Failure to file a complete Master Use Permit application within 12 months of filing a complete application for early design guidance or from the effective date of this ordinance shall disqualify a proposed tower from being considered an existing tower.

\* \* \*

Section 9. Section 23.49.158 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

**23.49.158 Downtown Mixed Residential, coverage and floor size limits**

A. Coverage

1. Except on lots located in DMR/R 95/65 zones, and except as provided in subsection 23.49.158.C, portions of structures above 65 feet shall not exceed the coverage limits in Table A for 23.49.158:

**Table A for 23.49.158 – Percent coverage permitted by lot size**

Elevation of portion of structure (in feet)	0—19,000 square feet	19,001—25,000 square feet	25,001—38,000 square feet	Greater than 38,000 square feet
65 or less	100%	100%	100%	100%
Greater than 65 up to 85 <sup>(1)</sup>	75%	65%	55%	45%
Greater than 85 up to 145 <sup>(1)</sup>	65%	55%	50%	40%
Greater than 145 up to 280 <sup>(1)</sup>	Not applicable	45%	40%	35%

Footnote to Table A for 23.49.158

(1) The percent coverage permitted is five percentage points more than the number indicated in the row of the table, for development applications in the area north of Lenora Street and west of 4th Avenue that are submitted before January 1, 2029.

2. In order to meet the coverage limits, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:

a. The coverage of all structures on the lots does not exceed any of the applicable limits set in this subsection 23.49.158.A; and

b. The fee owners of the abutting lot(s) execute a deed or other agreement, recorded with the King County Recorder's Office as an encumbrance on the lots, that restricts future development so that in combination with the other lots, the coverage limits will not be exceeded.

B. Story size. Each story in portions of structures above 145 feet in height shall have a maximum gross floor area of 8,800 square feet, except that for development applications north of Lenora Street and west of 4th Avenue that are submitted before January 1, 2029 the maximum gross floor area is 10,700 square feet.

\* \* \*

Section 10. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone properties identified on pages 60, 76, 109, 112, and 188 of the Official Land Use Map as shown on Attachments 2, 3, 4, 5 and 6 attached to this ordinance.

Attachments:

Attachment 1 – Eligible Areas For Residential Height Limit Increase

Attachment 2 – Fremont / Stone Way Rezone Map

Attachment 3 – Downtown Retail Core Rezone Map

Attachment 4 – University District Rezone Map

Attachment 5 – Rainier Beach Rezone Map

Attachment 6 – Madison / Miller Rezone Map

This ordinance shall take effect as provided by Seattle Municipal Code Sections  
1.04.020 and 1.04.070.

Passed by the City Council and signed in open session in authentication of its  
passage on \_\_\_\_\_.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

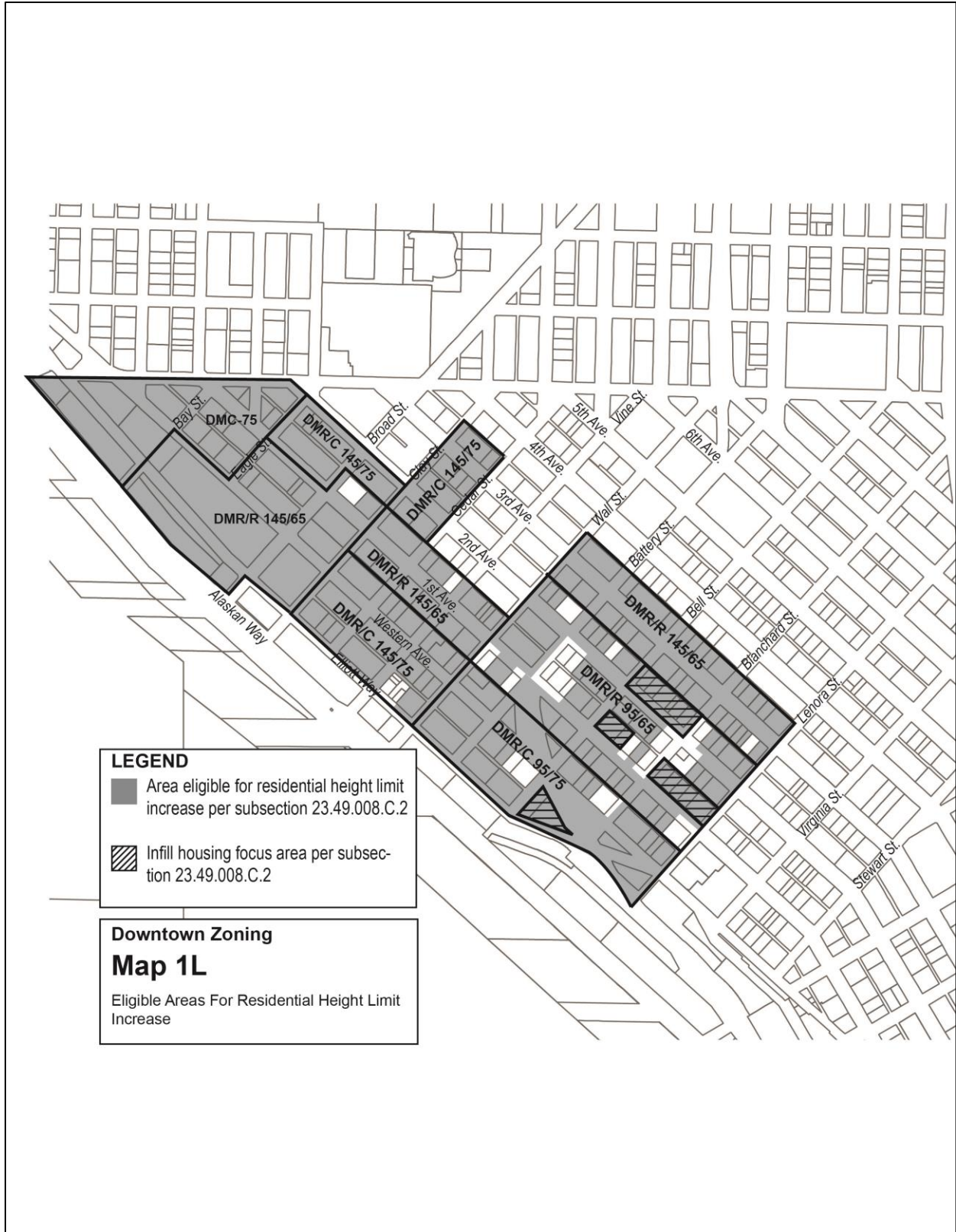
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\_\_\_\_\_  
Katie B. Wilson, Mayor

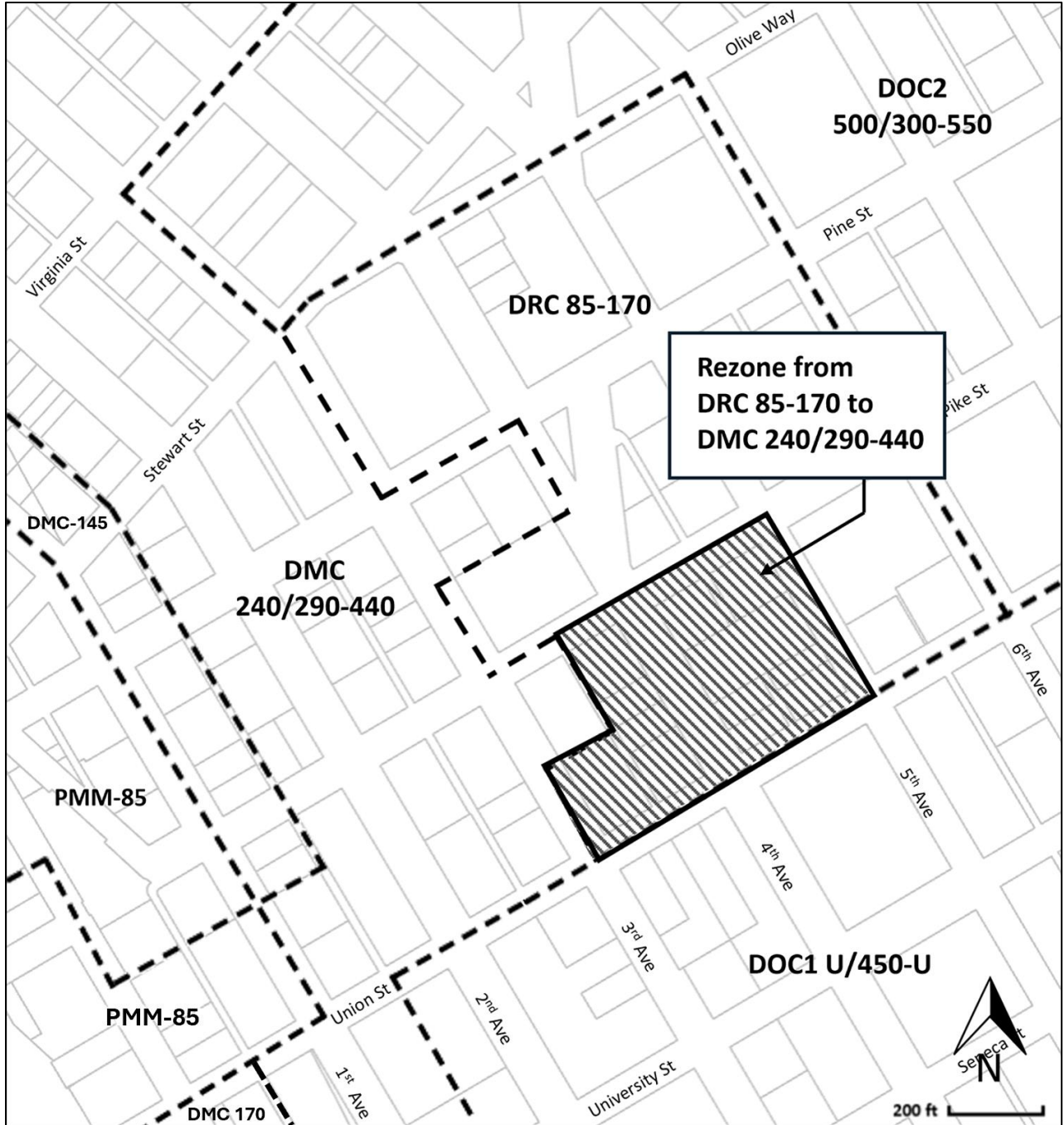
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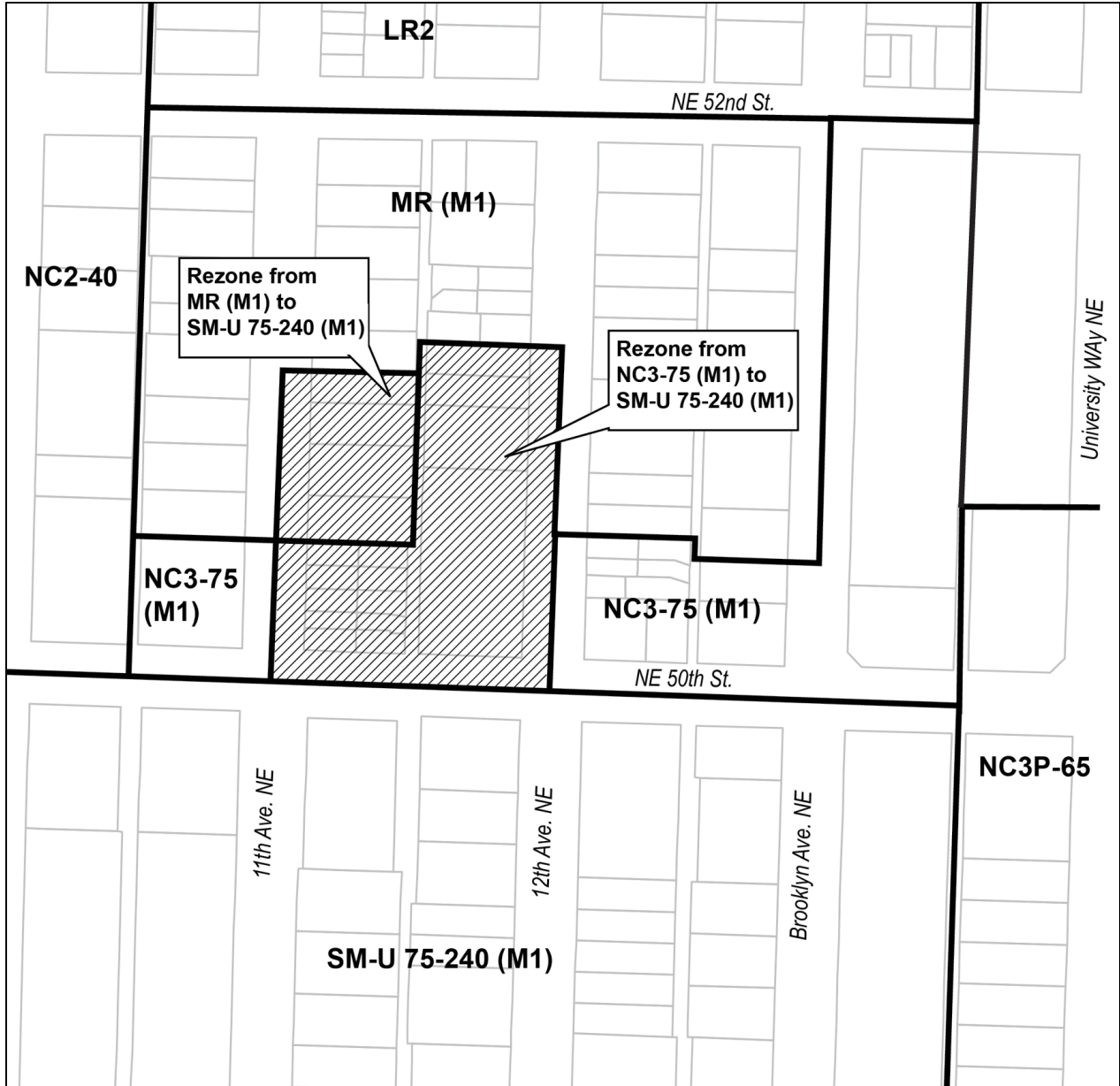
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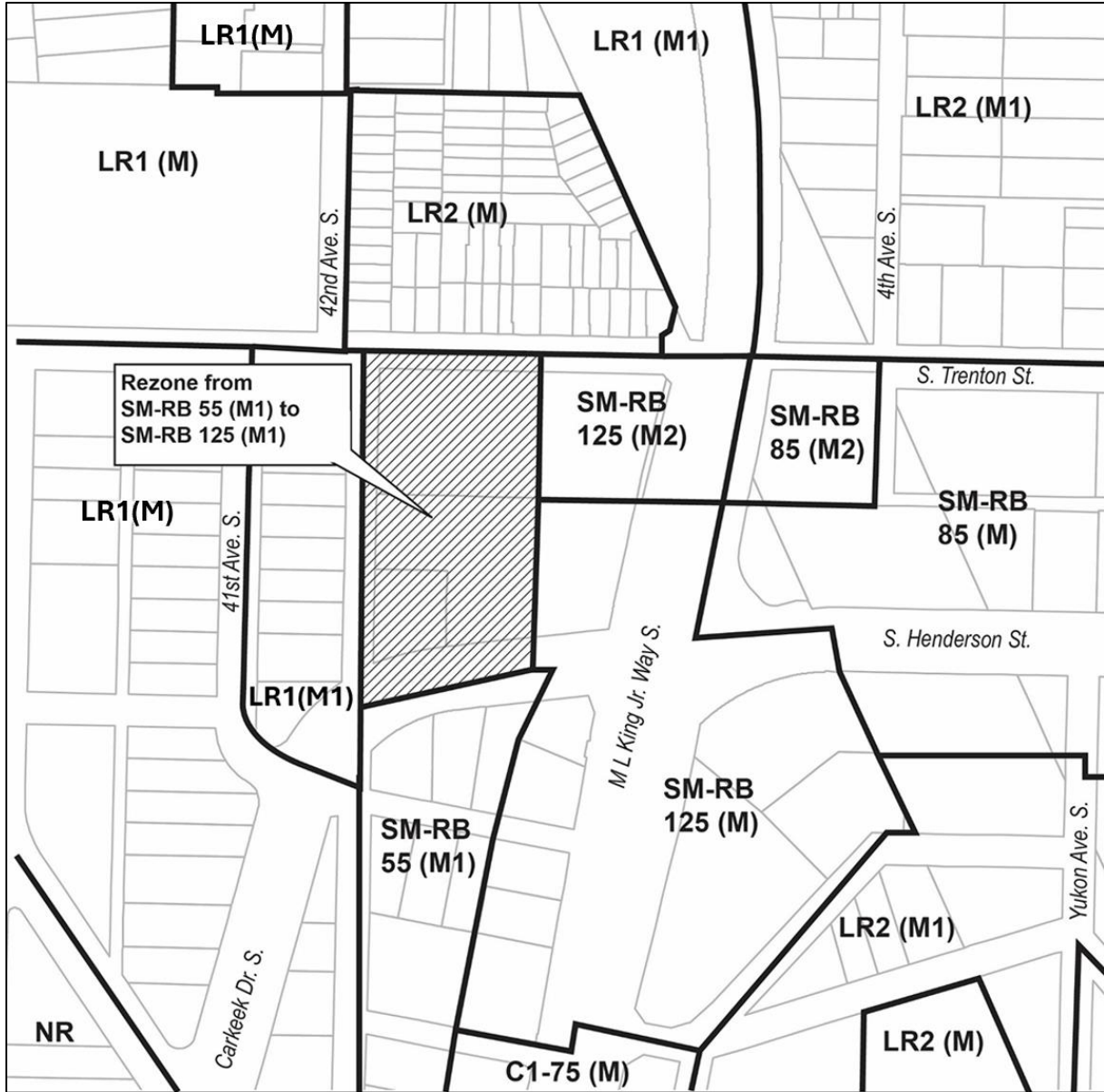
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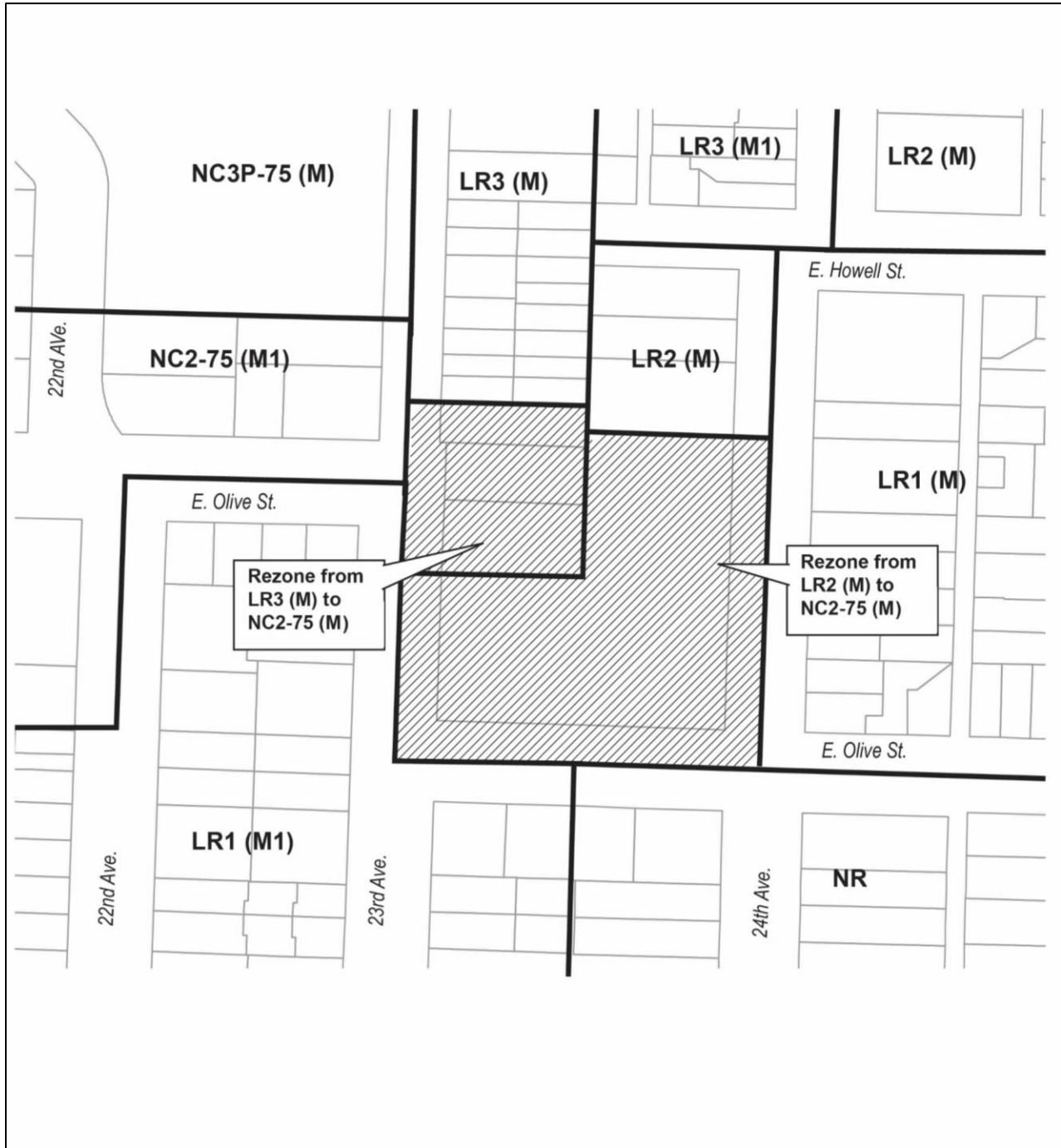












## Summary and Fiscal Note

### 1. Legislation Summary

**Department:** Office of Planning and Community Development

**Title:** An ordinance relating to land use and zoning; rezoning certain land in the University District, the Fremont neighborhood, the Madison/Miller neighborhood, the Rainier Beach neighborhood, and the Downtown neighborhood; rezoning land and amending development standards to increase housing supply, support multi-purpose redevelopment on certain sites with community-based uses, remove code barriers to passive house, modular, and mass timber construction and to conversion from commercial space to housing in more zones, and incentivize community-serving uses along with the construction of more housing in certain areas; amending Sections 23.40.080, 23.47A.009, 23.49.008, 23.49.011, 23.49.036, 23.49.058, and 23.49.158 of the Seattle Municipal Code; adding a new Section 23.40.090 to the Seattle Municipal Code; adding a new Map 1L to Chapter 23.49 of the Seattle Municipal Code; and amending Chapter 23.32 of the Seattle Municipal Code at pages 60, 76, 109, 112, and 188 of the Official Land Use Map.

**Background:** This legislation changes the City's land use code and zoning to support near-term investment in additional housing supply. The City is working to dramatically expand housing production, choice and affordability through its Seattle Comprehensive Plan update and implementing zoning changes that will occur over the next year. There is also a need to increase housing production now, while broader changes make their way through the process.

This legislation is focused on areas that have unique opportunities to create new housing production without causing displacement pressure. These changes include affordable housing through application of the City's Mandatory Housing Affordability (MHA) requirements. In total, the legislation is projected to generate an additional 3,000 – 4,000 new homes in the next decade.

This legislation consists of seven components:

- Fremont / Stone Way Rezone – Rezones land at the southern end of the Stone Way corridor, from the Industrial Commercial zone with a 65-foot height limit (IC-65) to the Neighborhood Commercial 3 zone with a 75-foot height limit (NC3-75), to unlock infill housing opportunities near major employment centers.
- Downtown Retail Core (DRC) Expansion – Expands an existing 2023 rezone along Union Street, from the existing Downtown Retail Core (DRC) zone to the Downtown Mixed Commercial (DMC 240/290-440) zone, to allow residential towers and incentivize adaptive reuse of underutilized office buildings for housing.
- Community-Based Uses Rezone Sites – Rezones and amends development standards for areas that include ownership by nonprofit and public entities in Rainier Beach, the University District, and Madison/Miller, and adjusts Planned Community Development (PCD) standards to facilitate redevelopment on larger nonprofit-owned parcels.
- Removes code barriers to passive house, modular and mass timber construction – Second Substitute House Bill (2SHB) 1183 adopted during the 2025 State legislative session calls on cities to amend their zoning codes to remove façade modulation and upper-level setback requirements for buildings constructed using passive house, modular, or mass timber construction, and for affordable housing. Although these changes are not required for five years, this legislation implements them now as a measure to spur housing production using innovative construction methods.
- Belltown Zoning Changes – Increases height limits for residential uses by 50–100 feet and makes related adjustments to development standards in Belltown. These changes would be time-limited (three years), pending broader Downtown planning updates.
- Removes code barriers to conversion from commercial space to housing in more zones. During 2024, the City passed legislation removing zoning barriers to the conversion of existing commercial structures to housing. That legislation focused on downtown and other zones with a lot of commercial and office uses. However, the State legislation, (HB 1042) calls on cities to remove barriers in all zones that allow housing. This legislation makes technical changes to add Lowrise (LR) and Neighborhood Residential (NR) to the list of zones that have development standards waivers for conversion of existing commercial structures to housing.
- Lake City – Incentivize grocery store retention and housing. Grocery and pharmacy closures are causing the neighborhood to lose convenient access to food and medicines. To encourage inclusion of grocery and pharmacy space in new developments, in Neighborhood Commercial 55 (NC-55) zones in Lake City, this legislation provides height limit exceptions of up to 30 feet for development on very large sites only (exceeding 100,000 square feet) and provides a floor area ratio (FAR) bonus of 2.0, for development that includes a grocery, pharmacy, or other community-supportive uses on site, and 200 or more homes.

## Summary Attachments:

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### 2. Capital Improvement Program (CIP)

Does this legislation create, fund, or amend a CIP Project?

Yes

No

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### 3. Summary of Financial Implications

Does this legislation have financial impacts to the City?

Yes

No

#### 3d. Other Financial Impacts

**a. Does this legislation create any other financial impacts for The City of Seattle, such as direct or indirect costs, one-time or ongoing, that aren't mentioned above? If yes, please explain these impacts.**

No significant financial impacts are anticipated. Minor one-time cost impacts are described below.

**b. If the legislation has costs that can be covered within the current budget, explain how. Does the department have extra resources in its budget to handle these costs? Or does the department need to shift resources away from other work to handle these costs?**

Implementation will require coordination with the Seattle Department of Construction and Inspections (SDCI) to update zoning maps, modify permit-tracking systems, and update GIS and municipal code data. The scope of work includes:

- Updating zoning maps for Fremont, Downtown Retail Core, University District, Madison/Miller, Rainier Beach, and Belltown.
- Training permit review staff about code changes that waive certain development standards for mass timber, modular, and Passive House construction.
- Training permit review staff about the extensions of development standards waivers for conversion of commercial structure to housing in LR and NR zones.
- Training permit review staff about the specialized development standards that will apply in the Lake City area.

SDCI estimates that the mapping changes will require approximately 25 hours of GIS and system work to update Geocortex, Accela, public GIS layers, and Municode, resulting in a total cost of \$3,500 at \$140/hour. The training of permit review staff will occur during ongoing monthly interdepartmental code coordination meetings. These costs can be absorbed within the workloads of existing staff, but they are costs not covered by permit revenues and must be covered by hours billed to the General Fund.

**c. What financial costs or other impacts might happen if this legislation is not implemented?**

None.

**d. How might this legislation affect other City departments besides the one that proposed it?**

The legislation primarily affects SDCI which will incorporate the code amendments into permit review and tracking systems and will make mapping amendments. No additional staffing or ongoing costs are anticipated.

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#### 4. Other Impacts

a. Does this legislation require a public hearing?

Yes

No

b. Does this legislation require a notice to be published in The Daily Journal of Commerce and/or The Seattle Times?

Yes

No

OPCD issued a SEPA Determination of Non-Significance (DNS) on September 22, 2025, and a Revised DNS on October 14, 2025, both of which were published in the Daily Journal of Commerce and the City's Land Use Information Bulletin. A public hearing notice will also be published in the DJC and the LUIB at least 30 days prior to a City Council public hearing on the proposal.

**c. Does this legislation affect a piece of property?**

Yes, the ordinance includes amendments to the Official Land Use Map for multiple rezone areas in Fremont, the Downtown Retail Core, the University District,

Madison/Miller, Rainier Beach, Belltown, and Lake City. See attached Director's Report for zoning maps.

**d. Race and Social Justice Initiative impacts:**

**1. How does this legislation affect vulnerable or historically disadvantaged communities? How did you come to this conclusion? Please consider both impacts within City government (like employees and internal programs) and in the broader community.**

This legislation is not expected to have adverse impacts on vulnerable or historically disadvantaged communities. This legislation focuses on areas with strong access to transit, services, and existing infrastructure, and is designed to expand overall housing opportunities while minimizing displacement risk.

**2. Please attach any Racial Equity Toolkits or other racial equity analyses used to develop or assess this legislation.**

None.

**3. What is the Language Access Plan for communicating with the public about this legislation?**

No separate language access plan is anticipated. Should future public materials or engagement occur related to implementation, OPCD and SDCI will follow the City's existing Language Access policies to ensure accessibility for limited-English-proficient residents.

**e. Climate change impacts:**

**1. Emissions:** Will this legislation significantly increase or decrease carbon emissions? Attach any studies or materials that inform your answer.

This legislation is not expected to materially increase carbon emissions. It does not alter the City's Energy Code or building energy performance requirements. Individual projects subject to this legislation will continue to be reviewed under applicable codes at the permit stage. In cases where older buildings are converted to housing, upgrades to building systems and envelopes are expected to reduce energy use and greenhouse gas emissions. This legislation does not substantially affect vehicle trip generation because it primarily affects existing developed areas. This legislation is intended to provide more housing in the City. To the extent more housing is provided closer to employment centers the legislation could potentially decrease overall emissions compared to the absence of the legislation if fewer or shorter trips between housing and jobs are a result of the legislation.

2. **Resiliency:** Will this legislation make Seattle more or less able to adapt to climate change? If it reduces resiliency, explain what can be done to lessen the impact.

The legislation is not expected to increase or decrease Seattle's overall resiliency in a material or significant way.

f. If this legislation creates a new program or expands an existing one, what are the long-term, measurable goals? How will this legislation help achieve those goals? What methods will be used to track progress?

N/A.

g. Does this legislation create a non-utility CIP that involves shared funding with a non-City partner or organization?

No.

# Housing Opportunities Zoning Amendments

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**Director's Report and Recommendation**  
**Office of Planning and Community Development**  
**March 2026**

## Contents

- Introduction
- Fremont/Stone Way Rezone
- Expanded Downtown Retail Core Rezone
- Multi-Purpose Redevelopment on Sites with Community-Based Uses
- Removal of Code Barriers to Passive House, Modular and Mass Timber Construction
- Increase Residential Height Limits and Modify Development Standards to Encourage More Housing in Belltown
- Remove Code Barriers to Conversion of Commercial Space to Housing in More Zones
- Lake City – Incentivize Grocery Store Retention and Housing
- Summary of Public Input
- Recommendation
- Appendix 1 – Landmark Information
- Appendix 2 – Illustrative Maps of Zoning Change Areas

## Introduction

The City of Seattle is continuing to address the challenges many community members face finding a home that is affordable and available to them. This proposed legislation would make changes to the City's land use code and zoning to support near-term investment in additional housing supply to bring more homes online sooner. The City is working to dramatically expand housing production, choice and affordability through its Seattle Comprehensive Plan update and implementing zoning that will occur over the next months and year. There is also a need to increase housing production now, while broader changes make their way through the process.

The proposed legislation would amplify housing production on sites and in areas that are well-positioned to spur new housing development in the shorter term. The proposed legislation is focused on opportunity areas that have unique advantages to receive new housing production without causing displacement pressure. The proposed legislation has strong potential to result in housing developments entering the permitting pipeline in the next one to three years. The proposed changes would include affordable housing through application of the City's Mandatory Housing Affordability (MHA) requirements.

This proposed legislation has seven components. The package includes zoning map changes (rezones), and amendments to development standards that would create practical efficiencies for construction intending to spur stalled or potential housing developments forward. Components of the legislation are listed below and fully described and analyzed in subsections of this report.

**Fremont / Stone Way rezone:** Rezone land at the southern end of the Stone Way corridor in Fremont to unlock infill housing production adjacent to a cluster of major Seattle-based employers.

**Expanded Downtown Retail Core (DRC) rezone:** Expand the area of a 2023 rezone in the center of Downtown along Union St. Rezone from the existing Downtown Retail Core (DRC) zone to the Downtown Mixed Commercial (DMC 240/290-440) zone. The change would allow residential towers

where they are not allowed today and incentivize the potential conversion of several underused historic-aged office structures to housing. The action would also make minor amendments to the DMC zones concerning tower spacing and maximum floor plate size to increase feasibility of tower construction in the zone.

**Rezone land and amend development standards to support multi-purpose redevelopment on sites with community-based uses.** Recently the City rezoned the site of the former Lake City Community Center to support higher density redevelopment with a new community center and City-funded affordable housing. This proposed legislation would expand the approach to facilitate similar mixed-use developments of sites owned by public or nonprofit actors. Such sites would be encouraged to redevelop with revitalized community facilities combined with increased amounts of housing. The legislation would rezone areas with sites owned by charitable organizations in the Madison / Miller, Rainier Beach and University District neighborhoods, and would amend the City's Planned Community Development (PCD) regulations to make redevelopment more viable on large sites owned by nonprofit agencies, such as the Goodwill site on South Dearborn Street.

**Remove code barriers to passive house, modular and mass timber construction.** Second Substitute House Bill (2SHB) 1183, which passed during the 2025 State legislative session calls on cities to amend their zoning codes to remove façade modulation and upper-level setback requirements for buildings constructed using passive house, modular, or mass timber construction, and for affordable housing. Although these changes are not required for five years the City's proposed legislation would implement them now as a measure to spur housing production using innovative construction methods.

**Increase height limits and modify development standards to encourage more housing in Belltown.** While most of Downtown has received major upzones in the last 25 years, zoning in Belltown has had minimal increases since 1985. Outdated zoning parameters create inefficiencies for development and may be constraining infill housing in a relatively strong housing market area. This proposed legislation would increase height limits for residential uses by 50 to 100 feet and make other minor adjustments to coverage and story size limits to encourage moderate scale residential towers. The changes would be in Belltown only for a 3-year period until broader changes to Downtown zoning could be made following adoption of a new Downtown Subarea Plan.

**Remove code barriers to conversion from commercial space to housing in more zones.** During 2024 the City passed legislation to remove zoning barriers associated with the conversion of existing commercial structures to housing. That legislation focused on downtown and other zones with a lot of commercial and office uses. However, 2023 State legislation (House Bill 1042) calls on cities to remove barriers in all zones that allow housing. The proposed legislation makes technical changes to add Lowrise (LR) and Neighborhood Residential (NR) to the list of zones that have development standards waivers for conversion of existing commercial structures to housing.

**Lake City - Incentivize grocery store retention and housing.** Grocery and pharmacy closures are causing the neighborhood to lose convenient access to food and medicines. To encourage inclusion of essential community-serving uses in new developments, in Neighborhood Commercial 55 (NC-55) zones in Lake City, the proposed legislation would provide height limit exceptions of up to 30 feet and add a bonus floor area ratio (FAR) increment of 2.0 for development on very large sites only (exceeding 100,000

square feet) for development that includes any combination of grocery store, pharmacy, medical services, child care center, elementary or secondary school, community club, or community center uses with a minimum of 50,000 square feet of ground-level space that is accessible to the elderly and disabled and reserved for the life of the project, and includes at least 200 dwelling units.

## **Fremont / Stone Way Rezone**

### ***Background***

The area along Stone Way within the Fremont Urban Center has seen significant changes in the past decade. Previously, the Stone Way corridor had a high concentration of repair and building supply services. In the last ten years large parcel sizes, rezones, and other factors have contributed to making the corridor an attractive location for multi-story mixed use developments with dense housing. The area is a strong housing market fueled by well-paying jobs in Fremont and the University District. Most of the light industrial and building supply uses along Stone Way have relocated.

At the south end of the Stone Way corridor, two innovative Seattle-based companies in the outdoor and athletic equipment sector have established major headquarters: Brooks Running, and Evo (a mountain bike, ski, snowboard, skate and surf supplier). The co-located companies have created a cluster of employment, knowledge, skills, and a network of interpersonal connections in the location. Beyond Seattle, Evo has expanded its physical presence to Salt Lake City and Japan. Brooks sells its running products all over the world, with most of its manufacturing taking place in Vietnam, Thailand and Mexico, while its corporate headquarters are in its building on Stone Way. Black Diamond Equipment and other outdoor-oriented retailers have recently added locations in the ground floor of the buildings where Brooks and Evo are based.

The campus-like setting includes a variety of recreation facilities and services including a basement skatepark, large indoor climbing gym (Bouldering Project), equipment repair and service shops, and street level restaurants and cafes. These facilities attract visitors and patrons. Buildings are designed with a very high level of sustainability. Structures occupied by Brooks and Evo are Living Building Pilot program buildings, with cutting edge sustainability features including on-site stormwater retention and construction with mass timber materials.

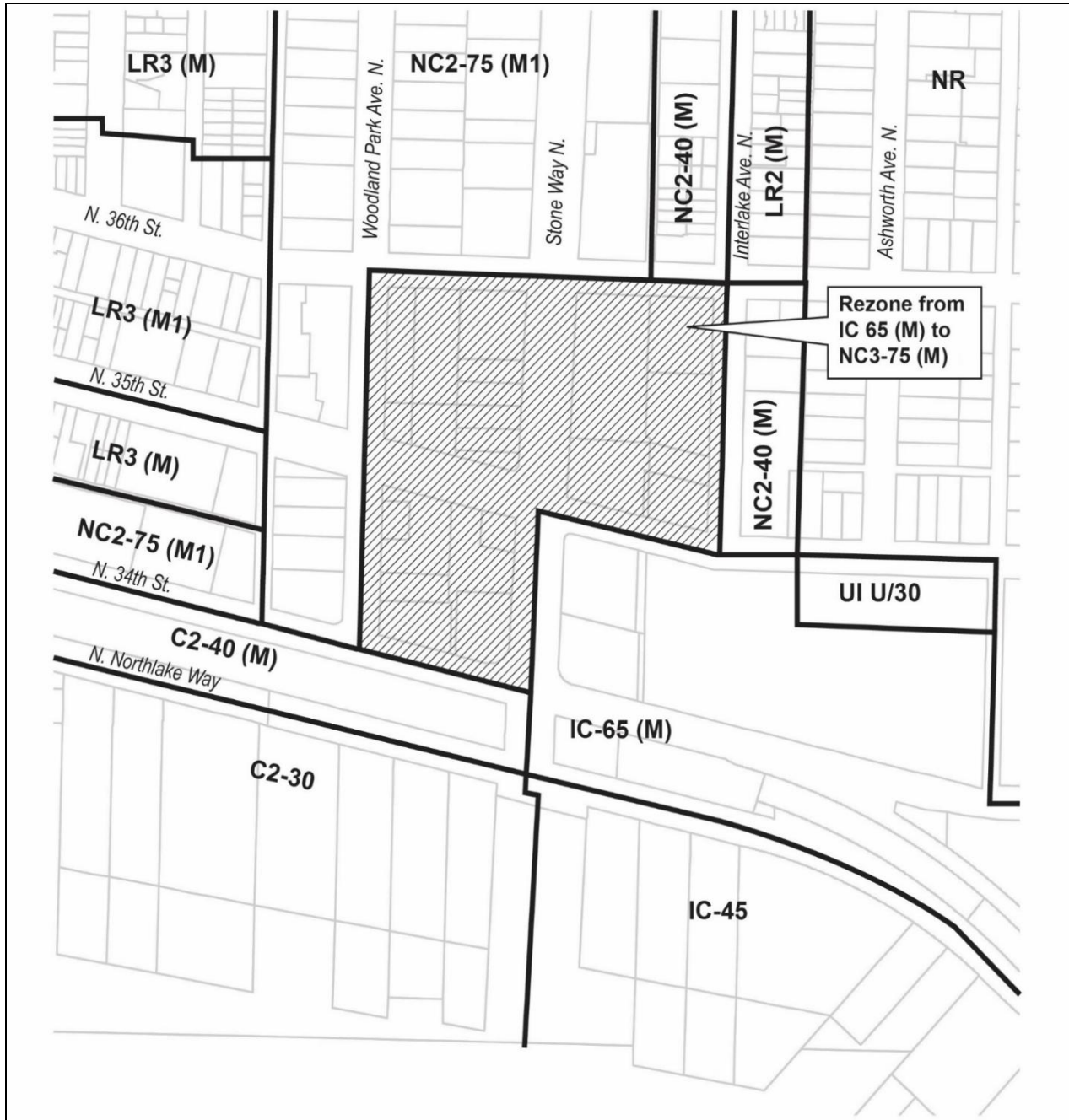
Together the companies base an estimated 1,000 employees within two contiguous city blocks, with plans for additional employment growth. The jobs span a very wide variety of income bands including executive, business and finance roles, product buyers, product design, and a wide variety of retail and service occupations.

### ***Proposal***

The proposed legislation would change the zoning map for three blocks at the south end of Stone Way within the Fremont Urban Center, including the block of the Brooks and Evo headquarters, from the Industrial Commercial (IC) zone with a 65 foot height limit (IC-65) to the Neighborhood Commercial (NC) 3 zone with a 75 foot height limit (NC3-75). In total the proposed rezone includes 5.1 acres, consisting of 23 parcels of land in private ownership by numerous landowners. (See the map of the rezone area and context map on the following pages.)

The overall massing and scale of potential development in the existing and the proposed zones is similar. The primary effect of this change is that the existing IC zone does not allow housing, and allows lodging as a conditional use, while these uses are allowed outright in the proposed NC zone.

**FREMONT / STONE WAY PROPOSED REZONE MAP**



**ALLOWED AND PROHIBITED USES**

Both the existing and proposed zones allow a broad range of commercial uses. There are a small number of substantive differences in allowed uses as summarized in the table below.

<b>Allowed and Prohibited Uses Existing and Proposed Zones</b>		
	<b>IC-65 (Existing)</b>	<b>NC3-75 (Proposed)</b>
Residential Uses	Prohibited	Allowed
Lodging	Conditional Use	Allowed
General Manufacturing	Allowed	Prohibited
Heavy Manufacturing	Conditional Use	Prohibited
Outdoor Storage	Allowed	Prohibited

**The overall effect of the change in allowed uses** would be to allow housing and lodging uses in the new NC3-75 zone. In addition, there would be a moderate difference in allowances for manufacturing uses and outdoor storage. These uses are allowed within the IC zone – a zone intended to support mixed commercial and industrial development – but they are prohibited in the NC3 zone. Manufacturing and outdoor storage uses are not currently present in the rezone area. Further differentiation between the intended use mix in the two zones is expressed in difference in maximum size of use limits for certain categories of uses, discussed below.

**HEIGHT LIMITS**

The table below summarizes the differences in the height limits between the existing IC-65 zone and the proposed NC3-75 zone.

<b>IC-65 (Existing)</b>	<b>NC3-75 (Proposed)</b>
<p>The height limit is 65 feet.</p> <p>Generally, 4-5 stories of commercial development would typically result in the zone.</p>	<p>The height limit is 75 feet.</p> <p>Typically, a total of 6 stories of development would be built in the zone consisting of 5 stories of wood-framed construction over a story of concrete base construction.</p>

**The overall effect of the change to height limits** is a moderate increase in allowable building height of 10 feet and potentially one additional story. It is notable that development under the proposal would be the same as recent construction in the Stone Way corridor which is directly north of the site in an NC-75 zone. The existing Brooks and Evo buildings built in the area used the Living Building Pilot Program to increase the height of those developments by 10 feet over the base height limit, for a total height 75 feet. Therefore, the proposed increase to the height limit would be fully consistent with context.

**FLOOR AREA RATIO (FAR) LIMITS**

The table below summarizes the differences in the Floor Area Ratio limits between the existing IC-65 zone and the proposed NC3-75 zone.

IC-65 (Existing)	NC3-75 (Proposed)
Maximum FAR: 2.75	Maximum FAR: 5.5
<b>Key FAR Exemptions:</b> <ul style="list-style-type: none"> <li>Underground stories</li> </ul>	

**The overall effect of the zone change with respect to FAR limits** is a significant increase to the maximum allowed amount of floor area. The maximum FAR limit would double from 2.75 to 5.5. This change would support a much higher density of development within a similar overall building envelope. More floors of residential development are expected under the proposed zone than the floors of commercial development that would be expected under existing zoning. The change could support new buildings with a greater amount of mass and bulk within blocks of new development, with fewer breaks in building masses for features like courtyards.

**MAXIMUM SIZE OF USES**

The existing IC-65 zone and the proposed NC3-75 zone both contain maximum size of use limits for certain uses. The categories of size limited uses are different between the two zones as indicated in the table below. This is a summary focusing on substantive differences, not a comprehensive list.

Summary of Maximum Size of Use Limits Existing and Proposed Zones		
	IC-65 (Existing) <i>Code maximums are for non-industrial commercial uses</i>	NC3-75 (Proposed) <i>Code maximums are for nonresidential uses</i>
Entertainment	50,000 sq. ft.	No size limit
Lodging	75,000 sq. ft.	No size limit
Office	No size limit	No size limit
General Sales & Service	50,000 sq. ft.	No size limit
Restaurants and Drinking Establishments	No size limit	No size limit
Food processing and craft work	No size limit	25,000 sq. ft.
Heavy commercial sales	No size limit	25,000 sq. ft.
Wholesale showrooms	No size limit	25,000 sq. ft.
Warehouses	No size limit	25,000 sq. ft.

Light manufacturing	No size limit	25,000 sq. ft.
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**The overall effect of the zone change with respect to maximum size of use** is that the existing IC zone size-limits entertainment and general sales and service uses while the proposed zone does not, and several light industrial and manufacturing uses are size-limited in the proposed zone but not the existing zone.

**MANDATORY HOUSING AFFORDABILITY (MHA)**

Mandatory Housing Affordability (MHA) is proposed to apply to the rezone. The existing MHA suffix is the (M) level, as the site was upzoned as part of zoning changes across the city to increase height and capacity in 2019. Since the scale of development will be little changed under the existing and the proposed zone, the MHA suffix is proposed to remain at the (M) tier. MHA contribution amounts in new development are shown in the table below.

**MANDATORY HOUSING AFFORDABILITY (MHA) REQUIREMENTS**

	MHA (M) Tier	
	Performance % Affordable Units	Payment \$ / Sq. Ft.
Residential Development	6%	\$17.25
Commercial Development	5%	\$9.45
Notes: Table shows quantities for the MEDIUM cost area of the city where the rezone is located.		

**Analysis**

**Comprehensive Plan Consistency**

The proposed rezone area is within the Fremont Urban Center, a designated growth area in the Seattle Comprehensive Plan. The Seattle Comprehensive Plan directs a significant share of Seattle’s future housing and employment growth to urban centers and other mixed-use areas that are well served by transit, infrastructure, and services. These areas are intended to accommodate compact mixed-use development, support a concentration of housing and jobs, and foster environments that support walking, biking , and transit use.

The Fremont Urban Center is an established mixed-use area with access to frequent transit service, neighborhood services, and employment opportunities. The proposed rezone would allow additional mixed-use development and housing in this location, which is consistent with the Comprehensive Plan’s strategy of directing growth to designated centers where infrastructure, services, and transit are already available.

Allowing residential uses within the rezone area would support the Comprehensive Plan’s goals of increasing housing opportunities in mixed-use areas, encouraging infill development on underutilized sites, and promoting complete neighborhoods where residents can live near jobs, services, and transit.

It is important to note that the rezone area is not within the designated Manufacturing and Industrial Center (MIC). The existing zoning is the Industrial Commercial (IC) zone. During the 2023 Industrial and Maritime strategy process the City strengthened protections for industrial lands within MICs and limited opportunities for rezones out of industrial zones in MICs. A few areas of formerly industrial land outside of MICs were kept in the Industrial Commercial zone outside of MICs. The industrial land protections applied within MICs do not apply to zones outside of MICs.

For the proposed rezone, the City is the proponent and is conducting a comprehensive review of the issue. Out of an abundance of caution with respect to Land Use Policy 10.3 OPCD includes a comprehensive review of industrial lands polices with respect to the proposed rezone in the Fremont Urban Center below.

	<b>Policy</b>	<b>Analysis / Discussion</b>
<b>LU 13.1</b>	<p>Designate industrial zones generally where</p> <ul style="list-style-type: none"> <li>• The primary functions are industrial activity and industrial-related commercial functions,</li> <li>• The basic infrastructure needed to support industrial uses already exists,</li> <li>• Areas are large enough to allow a full range of industrial activities to function successfully, and</li> <li>• Sufficient separation or special conditions exist to reduce the possibility of conflicts with development in adjacent less intensive areas.</li> </ul>	<p>The primary function of the proposed rezone area is not industrial activity. The rezone area is not large enough to allow a full range of industrial activities to function successfully. There are not major separations between the rezone area with nearby less intensive areas.</p>
<b>LU 13.2</b>	<p>Preserve industrial land for industrial uses, especially where industrial land is near rail- or water-transportation facilities, in order to allow marine- and rail related industries that rely on that transportation infrastructure to continue to function in the city.</p>	<p>The proposed rezone area is not served by rail or water-transportation facilities, and land uses in the rezone area would not rely on that infrastructure.</p>
<b>LU 13.3</b>	<p>Ensure predictability and permanence for industrial activities in industrial areas by limiting changes in industrial land use designation. There should be no reclassification of industrial land to a non-industrial land use category except as part of a City-initiated comprehensive study and review of industrial land use policies or as part of a major update to the Comprehensive Plan.</p>	<p>The rezone proposal is a city-initiated proposal and this Director’s Report contains a comprehensive study and review of industrial land use policies. Even though the comprehensive</p>

		review of industrial land policies is provided, the City does not consider land outside of MICs to be the subject of this policy statement.
<b>LU 13.4</b>	Accommodate the expansion of current industrial businesses and promote opportunities for new industrial businesses and emerging industries within Seattle to strengthen the city’s industrial economy.	The proposal does not limit the expansion of current industrial businesses. The proposal supports emerging Seattle-based businesses in the outdoor recreation and equipment industry.
<b>LU 13.5</b>	Restrict to appropriate locations within industrial areas those activities that—by the nature of materials involved or processes employed—are potentially dangerous or very noxious.	No potentially dangerous or very noxious activities are known to exist in the rezone area.
<b>LU 13.6</b>	Provide a range of industrial zones that address varying conditions and priorities in different industrial areas. Those priorities include maintaining industrial areas that have critical supporting infrastructure, leveraging investments in high capacity transit service, providing transitions between industrial areas and less intensive areas, and promoting high-quality environments attractive to business expansion or to new industrial activities.	The proposed rezone area is not within a MIC. The range of industrial zones described is intended for within the MICs and the proposal does not impact any MIC.
<b>LU 13.7</b> (Excerpted for brevity)	Use the following industrial land use designations: <ul style="list-style-type: none"> <li>• Maritime, Manufacturing and Logistics</li> <li>• Industry and Innovation</li> <li>• Urban Industrial</li> <li>• Industrial Commercial</li> </ul>	The proposed rezone does not pertain to the listed industrial zones, and the proposal is for land outside of a MIC.
<b>LU 13.8</b>	Prohibit new residential development in industrial zones, except for certain types of dwellings, such as caretaker units or, potentially in urban industrial zones, dwellings for workers that are related to the industrial area and that would not restrict or disrupt industrial activity. Within the Stadium Area Transition Overlay District, only allow residential uses east of First Avenue S and do not expand that area.	The proposal rezones land to the Neighborhood Commercial zone. There would be no expansion of housing within an industrial zone.
<b>LU 13.9</b>	Use the general industrial or maritime, manufacturing, and logistics zones to promote a full range of industrial activities and related support uses.	The proposal is not within an area conducive to a full range of heavy industrial activities.

<b>LU 13.10</b>	Apply the maritime, manufacturing and industrial zones mostly within the designated Manufacturing and Industrial Centers, where impacts from industrial activity are less likely to affect residential or commercial uses. Outside of Manufacturing/Industrial Centers, the maritime, manufacturing, and logistics zones may be appropriate along waterways used for maritime uses.	The proposed rezone area is not within a MIC and the area is not along a waterway.
<b>LU 13.11</b>	Avoid placing industrial zones within regional, urban, and neighborhood centers. However, in locations where a center borders a Manufacturing and Industrial center, use the industrial commercial zone within the center where it abuts the Manufacturing and Industrial Center to provide an appropriate transition to help separate residential uses from heavier industrial activities.	The proposed rezone location is within the Fremont Urban Center <u>85</u> . The action increases consistency with this policy by changing the zoning from the Industrial Commercial zone.
<b>LU 13.12</b>	Consider using the urban industrial zone in locations where a center borders a Manufacturing and Industrial Center and where it may provide an appropriate transition to help separate residential uses from heavier industrial activities.	The proposal does not propose urban industrial rezone.
<b>LU 13.13</b>	Limit the density of development for nonindustrial uses in the Manufacturing and Industrial Centers and where it may provide an appropriate transition to help separate residential uses from heavier industrial activities.	The proposed rezone area is not within a MIC.
<b>LU 13.14</b>	Recognize the unique working character of industrial areas by allowing flexibility in application of landscaping and street standards for industrial activities in the maritime, manufacturing, and logistics zone.	The proposed rezone does not affect landscaping or street standards for industrial zones.
<b><u>LU 13.15</u></b>	Set parking and loading requirements in industrial zones to provide adequate parking and loading facilities to support business activity, promote air quality, encourage efficient use of the land in industrial areas, discourage underused parking facilities, and maintain adequate traffic safety and circulation. Allow some on-street loading and occasional spillover parking. Consider limiting parking in the industry and innovation zone located in the vicinity of high-capacity transit stations.	The proposed rezone does not affect parking or loading requirements.
<b>LU 13.16</b>	Maintain standards for the size and location of vehicle curb cuts and driveways in industrial zones in order to balance the need to provide adequate maneuvering and loading areas with availability of on-street parking and safe pedestrian, bike, and transit access.	The proposal does not alter the size or location of curb cuts and driveway standards in industrial zones.
<b>LU 13.17</b>	Permit noise levels in industrial areas, except buffer areas, that would not be allowed in other parts of the city, in recognition of the importance and special nature of industrial activities. When residential uses are permitted in industrial areas apply noise	The proposal does not alter noise regulations.

	attenuation measures to the dwelling units to lessen impacts from noise on residents.	
<b>LU 13.18</b>	Classify certain industrial activities as conditional uses in industrial zones in order to accommodate these uses while making sure they are compatible with the zone's primary industrial function and to protect public safety and welfare on nearby sites. Require mitigation of impacts on industrial activity and on the immediate surroundings, especially nearby less intensive zones.	The proposal does not alter conditional use standards in industrial zones.
<b><u>LU 13.19</u></b>	Prohibit uses that attract large numbers of people to the industrial area for nonindustrial purposes, in order to keep the focus on industrial activity and to minimize potential conflicts from the noise, nighttime activity, and truck movement that accompanies industrial activity. Consider allowing such uses in the urban industrial zone only.	The proposal is not within a MIC, and it does not contain substantial industrial activity. The proposal would attract more people and employees to the affected area.
<b>LU 13.20</b>	In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments. Consider upper-level density limits to discourage higher value ancillary uses that are more appropriate in nonindustrial areas.	The proposal does not alter development regulations for the II zone.
<b>LU 13.21</b>	In the Industry and Innovation zone, consider development standards that promotes development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.	The proposal does not alter development regulations for the II zone.
<b>LU 13.22</b>	Use the urban industrial zone to provide an appropriate transition between industrial areas and adjacent residential or pedestrian-oriented commercial zones.	Since the area is outside of the MIC the Urban Industrial zone is less appropriate than the Neighborhood Commercial zone (See also policy LU <del>130</del> .11)
<b>LU 13.23</b>	In the urban industrial zone, allow a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a greater need for a limited amount of space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.	The proposal does not alter development regulations for the UI zone.
<b>LU 13.24</b>	Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts.	The proposed rezone supports the transition with the adjacent area
<b>LU 13.25</b>	In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial	The proposal does not alter development

	areas to urban villages and other non-industrial parts of Seattle.	regulations for the UI zone.
<b>LU 13.26</b>	Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a Manufacturing and Industrial Center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.	The proposal is not for the Interbay Armory site and does not affect that site.
<b>LU 13.27</b>	Allow the widest possible range of manufacturing uses and related industrial and commercial activities within the industrial buffer zone, while ensuring compatibility the activity and physical character of neighboring less intensive zones.	The proposal does not alter development regulations for the IB zone.
<b>LU 13.28</b>	Include development standards or performance standards for the industrial buffer zone that protect the livability of neighboring areas, promote visual quality, and maintain a compatible scale of development along zone edges. Apply these standards only in places where existing conditions do not adequately separate industrial activity from less intensive zones.	The proposal does not alter development regulations for the IB zone.
<b>LU 13.29</b>	Limit the height of structures on the borders of industrial buffer zones where streets along the zone edge do not provide sufficient separation for a reasonable transition in scale between industrial areas and less intensive neighboring zones, taking into consideration the permitted height in the abutting less intensive zone.	The proposal is not on the border of an IB zone.
<b>LU 13.30</b>	Allow a wide mix of employment activities in the industrial commercial zones, such as light manufacturing and research and development.	The proposal does not alter development regulations for the IC zone.
<b>LU 13.31</b>	Support employment-dense emerging industries that require greater flexibility in the range of on-site uses and activities.	The proposal does not reduce opportunities for emerging industries.
<b>LU 13.32</b>	Limit development density in industrial commercial and maritime, manufacturing, and logistics zones in order to reflect transportation and other infrastructure constraints, while taking into account other features of an area.	The proposal does not alter development regulations for the II or the IC zone.
<b>LU 13.33</b>	Include development standards in the industrial commercial zone designed to create environments that are attractive to new technology businesses and that support a pedestrian-oriented environment, while controlling structure height and scale to limit impacts on nearby neighborhoods.	The proposal does not alter development regulations for the IC zone.

<b>LU 13.34</b>	Provide a range of maximum building height limits in the industrial commercial zones in order to protect the distinctive features that attract new technology businesses to the area—such as views of water, shoreline access, and the neighborhood scale and character—to make sure that these features will continue to be enjoyed, both within the zone and from the surrounding area.	The proposal does not alter development regulations for the IC zone.
<b>LU 13.35</b>	Assign height limits independently of the industrial zoning designation to provide flexibility in zoning-specific areas and to allow different areas within a zone to be assigned different height limits according to the rezone criteria.	The proposal does not alter height limit regulations for industrial zones.
<b>LU 13.36</b>	Restrict or prohibit uses that may negatively affect the availability of land for industrial activity, or that conflict with the character and function of industrial areas.	The proposal is not within a MIC and the affected land does not contain industrial uses.
<b>LU 13.37</b>	Consider high value-added, living wage industrial activities to be a high priority.	The proposal supports value-added living wage jobs. It does not detract from industrial job creation and economic development in MICs.
<b>LU 13.38</b>	Permit commercial uses in industrial areas to the extent that they reinforce the industrial character, and limit specified non-industrial uses, including office and retail development, in order to preserve these areas for industrial development.	There are not industrial activities in the proposed rezone area and the area is not within a MIC.

**Compatibility**

There is a very high degree of compatibility between the proposed rezone to a NC-75 zone and adjacent areas. The zone would match the NC-75 zones immediately to the north and west of the rezone area along Stone Way. A major structure within the rezone area and another one immediately south of the rezone area is already built to the 75 foot height limit because it used the Living Building Pilot program to achieve extra height up to 75 feet. New development under the proposed zone would be very similar to other recent mixed use developments to the north in the Stone Way corridor. Transitions in scale are provided to the east because a half block of intervening NC zoning with a 40 foot height limit in place there.

The Seattle North Transfer Station is located directly south of North 35<sup>th</sup> Street. from a portion of the rezone area. Although there are potential compatibility conflicts in cases of close proximity of residential and lodging uses to a transfer station, these potential issues are greatly mitigated by the unique and exemplary design of the North Transfer Station. The station was rebuilt and completed in 2016. The

state-of-the-art and environmentally friendly facility features advanced odor and dust control and community amenities such as an education room and an outdoor play area.

### **Housing**

The companies located in the subject area and other area landowners see potential to add a substantial quantity of infill housing development within the blocks, which would be integrated and complementary to the growing employment campus. The change would also allow lodging uses that are only allowed as a conditional use and size-limited under existing zoning. It is anticipated that some of the homes would be amenable to workers in the general area and other members of the community seeking housing in the neighborhood. Additionally, hospitality could locate close to the company headquarters.

A rough estimate by OPCD finds that approximately 300 – 600 new homes could be expected to be constructed in the rezone area during a 20-year planning horizon. At proposed MHA levels, 6% of those homes (18 – 36) would be provided as affordable to low-income households if developers choose to provide on-site affordable units, or proceeds of \$5.0M - \$10M towards the City's affordable housing fund would be generated if they choose in-lieu payment.

### **Economic development**

Although housing is the primary focus of this legislation, this component of the bill would also have an important economic development function. The action would support the continued growth in place by major Seattle-based employers (Brooks Running, and Evo, as well as other ancillary companies). These are examples of major employers that started in Seattle and are rooted in the city. A key principle of local economic development is business retention and expansion. Modifying zoning would support the retention and growth of existing businesses, which can enhance the overall business climate and improve community vitality. Growth of a cluster of outdoor and recreation companies in the location helps workforce development and creates a climate of collaboration. Potential continued growth in the location and addition of housing would support employee retention by increasing nearby housing options, which is critical for organizational success.

## **Expanded Downtown Retail Core (DRC) Rezone**

### **Background**

During the summer of 2023 the City rezoned a portion of the Downtown Retail Core (DRC) zone via Ordinance 120632. The current proposal would extend the same rezone to two additional blocks along Union Street between 3<sup>rd</sup> Avenue and 5<sup>th</sup> Avenue. In total the proposal would rezone 12 parcels. The intent behind the rezone of the Downtown Retail Core (DRC) zone to the Downtown Mixed Commercial (DMC) zone includes the following factors:

**Trends in Retail.** The function and character of central downtown as a destination shopping center has declined, and the policy intent for a retail core zone that supports shopping centers is reduced.

**Limited Investment.** In recent years, new development with housing has been more limited in the Downtown Retail Core zone compared to other nearby zones in the downtown area.

**Residential uses.** The proposed DMC zone encourages much denser housing than the existing DRC zone and increasing housing supply in downtown is a policy goal for Seattle.

For a more complete description of intent for the proposed rezone refer to the Director's Report from summer 2023.

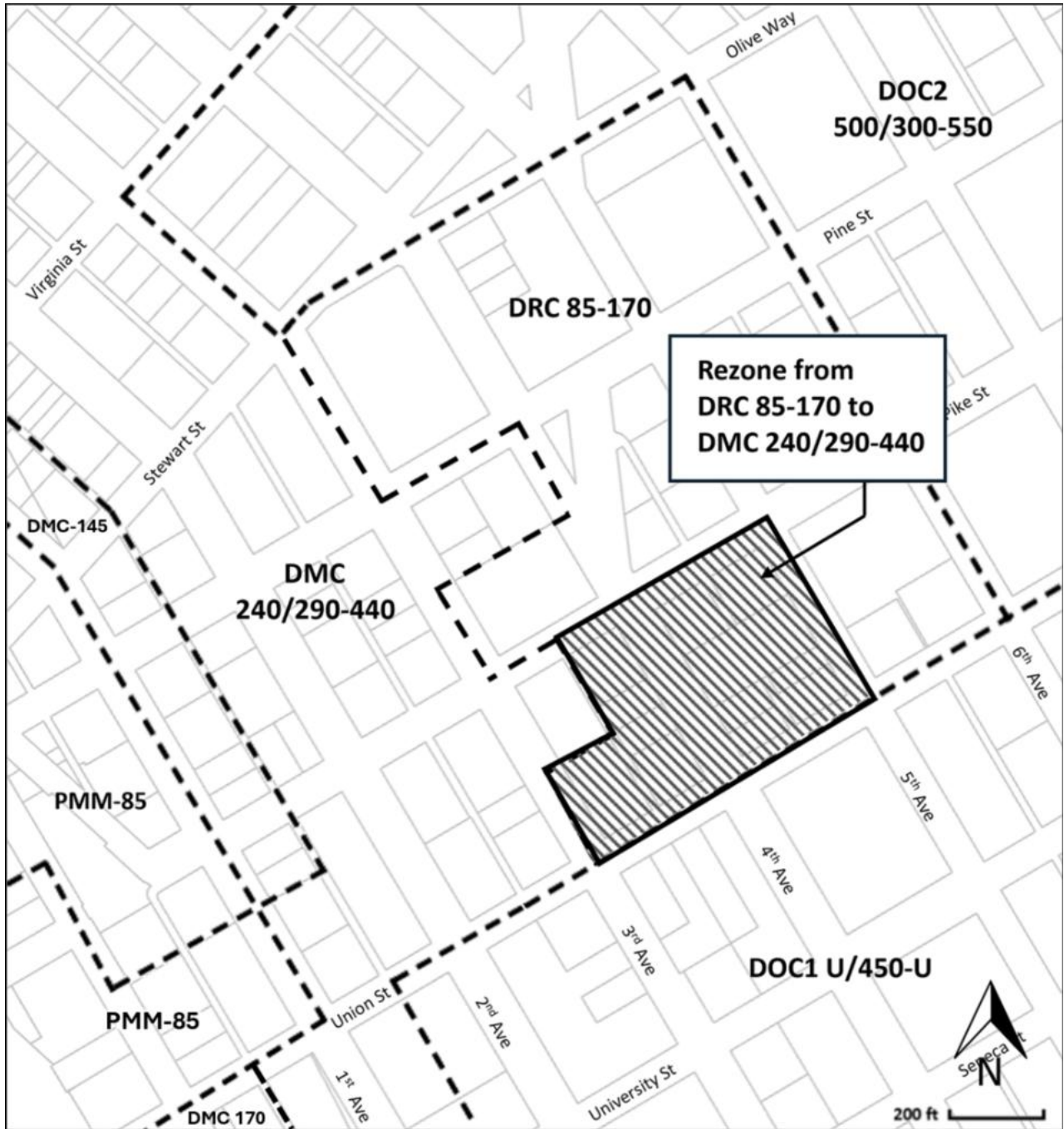
**Office to Residential Conversion.** Another supporting factor for extending the rezone is the potential to encourage conversions of underused office structures to housing. The City has taken multiple steps to encourage conversions as a strategy to increase housing supply and support downtown activation. These efforts include Ordinance 127054 which removed regulatory barriers to conversions, and Ordinance 127181 which provided a sales and use tax deferral to incentivize conversion projects. The currently proposed rezone will further support the potential for conversion of several vacant or underused office spaces in historic buildings by enhancing the potential for Transfer of Development Rights (TDR). The increase of allowable development capacity for housing would increase the amount of TDR these buildings can sell, potentially making certain conversions more economically viable. (See further discussion of TDR in the analysis section below.)

### **Proposal**

The proposed rezone is from the DRC 85-170 zone to the DMC 240/290-440 zone. The map below shows the proposed rezone area (indicated as Phase 2) alongside the area that was similarly rezoned in the summer of 2023 (indicated as Phase 1). The 2023 legislation rezoned 11 strategically located parcels within a five-block area along 3rd Avenue. The current proposal extends the rezone area to 12 more parcels in adjacent blocks on Union Street as far east as 5<sup>th</sup> Avenue.

The 2023 rezone (Phase 1) is beginning to yield results. Application materials for a development proposal on the half block of the former Kress IGA site have been submitted for a new building with two residential towers totaling about 900 homes. Property owners of the Ross building in the 2023 rezone area are currently exploring preliminary development concepts.

**Downtown Retail Core Rezone Map**  
**Currently Proposed Rezone Indicated as "Phase 2"**



The following summarizes the key changes to development standards between the DRC zone and the DMC zones. Not all changes can be summarized concisely in this report. The comparison focuses on the standards that govern the scale and qualities of potential development the most.

**HEIGHT LIMITS**

DRC 85-170 (Existing)	DMC 240/290-440 (Proposed)
<p>The base height limit is 85 feet, except that the base height limit is 170 feet if:</p> <ul style="list-style-type: none"> <li>• All portions of a structure above 85 feet contain only residential use; or</li> <li>• At least 25 percent of the gross floor area of all structures on a lot is in residential use; or</li> <li>• A minimum of 1.5 FAR of eating and drinking establishments, retail sales, and service or entertainment uses, or any combination thereof, is provided on the lot.</li> </ul>	<ul style="list-style-type: none"> <li>• The height limit for non-residential and live-work uses is 240’, the first figure after the zone designation.</li> <li>• For residential use, the base height limit is 290’</li> <li>• For residential use the maximum height is 440’. The maximum height is available to structures in residential use that use the bonus.</li> </ul>

**The overall effect of the change to height limits** is that substantially taller tower structures could be built in the rezoned area. Maximum height limits would increase by 70 feet for commercial uses and 270 feet for residential uses. The change would allow a different scale of tall residential tower. Height is not the only standard that governs potential building form. Other key standards such as floor plate limits apply that govern the form of development. Height increase would be material for new infill development projects. For Landmark structures that would be preserved the primary effect is an increase in the amount of Transfer of Development Rights (TDR) that historic properties could sell. (See also analysis below.)

**FLOOR AREA RATIO (FAR) AND INCENTIVE ZONING STRUCTURE**

DRC 85-170 (existing)	DMC 240/290-440 (proposed)
<p><b>Base FAR: 3</b> <b>Maximum FAR: 6</b> (Does not apply to residential development because residential use is exempt from FAR limits.)</p>	<p><b>Base FAR: 5</b> <b>Maximum FAR: 8</b> (Does not apply to residential development because residential use is exempt from FAR limits.)</p>
<p><b>Bonus Floor Area (for Commercial Development)</b> The bonus structure to build FAR above the base amount is summarized below and is the same for the existing and proposed zones except items with an * only apply to the proposed DMC zone.</p> <ul style="list-style-type: none"> <li>• * First 0.25 increment of FAR through Regional Development Credits</li> <li>• 75% of bonus floor area derived from affordable housing (via MHA), and a contribution to childcare</li> </ul>	

<ul style="list-style-type: none"> <li>• 25% of bonus floor area from a combination of landmark or open space TDR or downtown amenities.</li> </ul>
<p><b>Key FAR Exemptions:</b></p> <p>The FAR exemptions are the same for most uses under the existing DRC zone, and the proposed DMC 240/290-440 zone in the rezone location because Map 1j of the downtown code applies these exemptions to a mapped area that includes the land in this proposal.</p> <ul style="list-style-type: none"> <li>• Residential use</li> <li>• Uses in 23.49.009.A (required active street level uses)</li> <li>• Shopping atria</li> <li>• Childcare centers</li> <li>• Human service use</li> <li>• Museums</li> <li>• Performing arts theaters</li> <li>• Floor area below grade</li> <li>• Public restrooms</li> <li>• Major retail stores</li> <li>• Shower facilities for bike commuters</li> <li>• City facility (police, fire station)</li> </ul>
<p>Elementary and secondary schools are exempt from FAR limits in the proposed DMC 240/290-440 zone but not the existing DRC zone.</p>

**The overall effect of the zone change with respect to FAR limits** is an increase to overall development capacity for commercial development. The maximum FAR limit for commercial development would increase by 33% from 6 to 8. However, in the foreseeable future new commercial/office development is not anticipated in this area. The proposed change is focused on residential development. Since residential is exempt from FAR limits in the existing and proposed zones, the scale and quantity of residential development would be controlled by other building envelope standards. The incentives to gain bonus FAR are very similar between the existing and proposed zones.

**ALLOWED AND PROHIBITED USES**

<b>DRC 85-170 (existing)</b>	<b>DMC 240/290-440 (proposed)</b>
<p>All uses are allowed except for a narrow list of prohibited uses:</p> <ul style="list-style-type: none"> <li>• Drive-in businesses</li> <li>• Outdoor storage;</li> <li>• General and heavy manufacturing uses</li> <li>• Solid waste management and recycling</li> <li>• All high-impact uses.</li> </ul>	<p>All uses are allowed except for a narrow list of prohibited uses:</p> <ul style="list-style-type: none"> <li>• Drive-in businesses</li> <li>• Outdoor storage;</li> <li>• General and heavy manufacturing uses;</li> <li>• Solid waste management and recycling,</li> <li>• High-impact uses;</li> <li>• Adult theaters and panoramas;</li> <li>• Flexible-use parking garages for long-term parking</li> </ul>

The overall effect of the proposed change with respect to allowed and prohibited uses is negligible. The standards under the existing zone and the proposed zone are nearly identical.

**STREET LEVEL USES AND FAÇADE REQUIREMENTS**

DRC 85-170 (existing)	DMC 240/290-440 (proposed)
<p><b>Active street level uses.</b> All streets in the proposed zone change area are streets requiring active street level uses regardless of the zone by the downtown zoning chapter. 75% of the street frontage would have to be occupied by the following uses:</p> <ul style="list-style-type: none"> <li>• General sales and services</li> <li>• Human services and childcare</li> <li>• Retail sales, major durables</li> <li>• Entertainment uses</li> <li>• Museums</li> <li>• Libraries</li> <li>• Schools*</li> <li>• Public atriums</li> <li>• Eating and drinking establishments</li> <li>• Arts facilities</li> <li>• Religious facilities</li> <li>• Bicycle parking</li> </ul> <p>*Except schools are not one of the options in the DRC zone.</p>	
<p><b>Façade requirements</b></p> <ul style="list-style-type: none"> <li>• Minimum façade height of 35’</li> <li>• Facades must be placed close to the sidewalk</li> <li>• 60% transparency requirement for ground floor façade</li> <li>• Limitation on blank facades</li> </ul>	<p><b>Façade requirements</b></p> <p>Standards are set according to the street classification, and all streets in the affected area are Class I Pedestrian Streets. The following standards apply:</p> <ul style="list-style-type: none"> <li>• Minimum façade height of 25’</li> <li>• Facades must be placed close to the sidewalk</li> <li>• 60% transparency requirement for ground floor facades</li> <li>• Blank façade limits</li> </ul>

The overall effect of the proposed change with respect to street level uses and façade requirements is negligible. The standards under the existing zone and the proposed zone are nearly identical.

**TOWER SPACING, UPPER LEVEL DEVELOPMENT STANDARDS, AND FLOOR PLATE LIMITS**

DRC 85-170 (existing)	DMC 240/290-440 (proposed)
<ul style="list-style-type: none"> <li>15’ setback required above 85’ of structure height</li> </ul>	<ul style="list-style-type: none"> <li>Required tower separation is 60’ for the affected area.</li> <li>Average residential tower floor area limit per story is 10,700 sq. ft.</li> <li>Maximum residential tower floor area limit per story is 11,500 sq. ft.</li> <li>Commercial towers are required to be modulated</li> <li>Maximum tower width of 120’</li> <li>15’ setback required above 45’ on green streets</li> </ul>

**The overall effect of the change** is that taller residential structures would be allowed in the DMC zone, but they are subject to numerous controls that would limit the bulk. The development standards of the proposed DMC 240/290-440 zone would result in relatively slender tall residential towers. Under existing regulations residential structures would be lower but could have a bulkier presence since there are not floor plate or width limits under current conditions. (See examples on following pages).

**AMENDMENT TO TOWER FLOOR PLATE LIMITS**

In conjunction with the rezone to the DRC zone, the proposed legislation would adjust the floor plate size limits for towers in the DMC zones. Average and maximum floor plate size limits in the zones are constraining and sometimes cause development to be more expensive, because of the limit on the amount of floor area that can be provided for homes in proportional to the vertical circulation in the structure. The proposed increase is approximately 10% to both the average and maximum limit as shown below. The change is intended to create more workable floor plans that reduce inefficiency.

DMC 240/290-440 and DMC 240/290-440	Existing DMC Floor Plate Size Limits	Proposed DMC Floor Plate Size Limits
Average residential gross floor area limit per story if tower does not exceed base height limit.	10,000 sq. ft.	11,000 sq. ft.
Average residential gross floor area limit per story of a tower if height exceeds the base height limit for residential use	10,700 sq. ft.	11,800 sq. ft.
Maximum residential floor area of any story in a tower	11,500 sq. ft.	12,700 sq. ft.

**The overall effect of the change** is that towers in the DMC zones would be allowed to be about 10% bulkier than currently allowed. The visual effect of a 10% increase would not be readily recognizable to many observers. However, the change could lead to an incremental decrease in the perception of lightness or slenderness to tall residential towers. Other standards limiting proliferation and spacing between towers would mitigate increased bulk effects.

**PARKING**

<b>DRC 85-170 (existing)</b>	<b>DMC 240/290-440 (proposed)</b>
<ul style="list-style-type: none"><li>• No long- or short-term parking is required in downtown zones.</li><li>• Flexible-use parking garages for long-term parking are prohibited.</li><li>• Flexible-use parking garages for short-term parking are allowed by conditional use.</li><li>• Accessory parking garages for long- and short-term parking are allowed up to the parking maximum of 1 space per 1,000 sq. ft. of commercial floor area.</li></ul>	

**The overall effect of the change on parking** is negligible. The core standards governing parking are identical.

**Analysis**

**Projected Development**

Many factors inform whether properties will redevelop such as the goals of property owners, conditions in the regional economy, and interest rates. All sites within the proposed rezone area could be redeveloped under existing regulations in the absence of the rezone. Any increased likelihood of redevelopment must be considered relative to the potential development under existing zoning.

Sites in the rezone area are already built out to varying degrees. In general, more intensively used land and buildings that are occupied are less likely to be redeveloped, and properties with a lower scale of existing structures or vacancies are more likely to be redeveloped.

The presence of historic landmarks can limit redevelopment potential, as landmark status imposes additional regulatory constraints. However, the proposed rezone in the Downtown Retail Core is expected to support the office to residential conversion of vacant upper-floor office space in historic buildings through the viability of the Transfer of Development Rights (TDR) program. By increasing allowable development capacity, the rezone will boost the amount of development rights that landmarked properties can sell, thereby strengthening the financial incentive for their preservation. (See further discussion of TDR below).

A specific estimate of the quantity of projected housing development in the rezone area is difficult, but an order of magnitude range can be understood by identifying the candidate sites for redevelopment or conversion. The following sites in the rezone area have at least a moderate potential for redevelopment or conversion.

*Candidate Sites for New Construction*

- 1405 5<sup>th</sup> Avenue (5<sup>th</sup> & Union, vacant former Chase bank branch).
- 425 Pike Street (Washington Federal 5-story office structure).

*Candidate Sites for Conversion of Upper Floors to Housing*

- Holland/MiKen Building (1417 4<sup>th</sup> Avenue Landmark).
- Joshua Green Building (1425 4<sup>th</sup> Avenue Landmark).
- Great Northern Building (1404 4<sup>th</sup> Avenue Landmark).
- Liggett Building (1424 4<sup>th</sup> Avenue Landmark).

Vance Building (1402 3<sup>rd</sup> Avenue).

It is extremely unlikely that all or even most of these sites would develop during an intermediate time horizon of 10 years. However, for a general sense of scale, if all were developed (including conversions) OPCD estimates that an additional 900-1,200 homes could be created, which are estimated to generate \$4.8 million- \$6.6 million of MHA proceeds for affordable housing. The estimate anticipate that landmark structures would be rehabilitated and converted to housing, because they would not be demolished due to their landmark status.

### Historic Landmarks

There are four landmarks within the proposed rezone area as shown in the map below: Joshua Green Building, 1425 4th Avenue, Holland/MiKen Building, 1417 4th Avenue, The Liggett Building, 1424 4th Avenue, and the Great Northern Building 1404 4th Avenue, Seattle. Other structures in the proposed rezone area are historic aged but not designated as a landmark. (Appendix 1 includes more complete description of each landmark.)

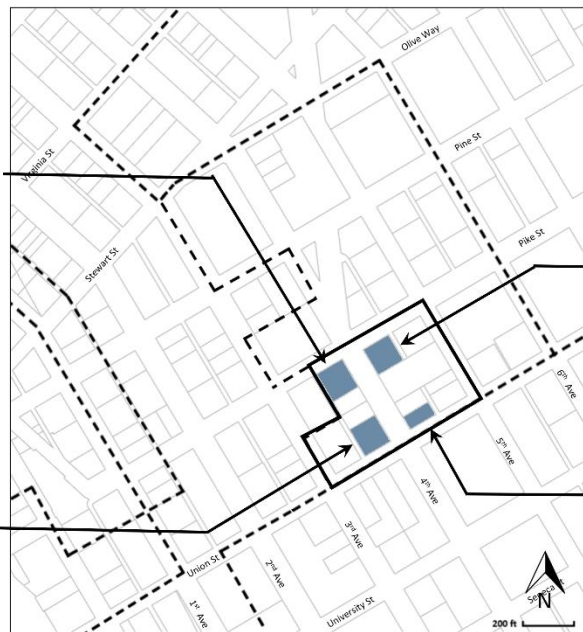
### Historic Landmark Buildings in the Proposed Rezone Area Seattle Landmark Protections



Joshua Green Building, 1425 4th Ave Seattle



Holland/MiKen Building, 1417 4th Ave, Seattle



The Liggett Building, 1424 4th Ave, Seattle



Great Northern Building 1404 4th Ave, Seattle

Seattle Municipal Chapter 25.12 governs the designation of landmarks, controls on landmarks, and limits on alteration of a designated landmark. When a landmark is designated, the City adopts a controls and incentives ordinance that identifies the specific features of the landmark which are designated, the basis for the designation and any controls imposed on the landmark. A certificate of approval must be issued before changes can be made to individually designated City Landmarks. A Certificate of Approval is a written authorization, much like a permit.

Before a Certificate of Approval is issued, an application must be submitted via the Seattle Services Portal, which then is reviewed by staff; once the application is determined complete it is scheduled for a

public meeting of the Landmarks Preservation Board for review and action. The Secretary of the Interior’s Standards for Rehabilitation are considered by the Department of Neighborhoods and the Landmarks Preservation Board when reviewing applications for certificate of approval. Demolition of any landmark is strongly discouraged by the City’s policies.

**Transfer of Development Rights (TDR)**

The Downtown Zoning Chapter of the Land Use and Zoning Code (SMC 23.49) promotes historic preservation through several key mechanisms, including landmark protections for buildings, and the use of Transfer of Development Rights. (The technical term for transfer of commercial development rights at issue here is “Transfer of Development Potential” (TDP), but “Transfer of Development Rights” is used in this report as a more familiar and commonly used term.)

In the area of the proposed rezone, the program allows owners of designated Seattle landmarks to sell unused development rights of commercial square footage to other properties within defined areas of downtown. This incentivizes the preservation, rehabilitation, and restoration of historic structures by enabling financial return for unused commercial development capacity. The value of these rights is determined through negotiation between the sending and receiving property owners. Once transferred, the commercial development rights remain with the receiving lot in perpetuity.

For the foreseeable future, owners of historic structures may be interested in converting underused office space in underused commercial buildings to housing. If they do, the converted buildings would not have any commercial office space in them that would count against FAR limits under zoning – referred to as “chargeable” floor area. Therefore, after the conversion, the owner of the historic structure could sell off their rights to commercial development. They could sell TDR square footage up to the amount of commercial space that would be allowed on their site by zoning - governed by the base FAR limit. The proposed rezone increases the base FAR limit from 3.0 to 5.0, increasing the commercial square footage rights that the historic building owners could sell after the conversion. The increased economic value of the future proceeds from TDR would make the decision to pursue a residential conversion more viable. The table below illustrates how this would work using the Ligett Building as an example. In the example the amount of TDR that could be sold increases by 24,690 square feet.

**Ligett Building at 4<sup>th</sup> and Pike Example**

	<b>Existing DRC 85-170 Zone</b>	<b>Proposed DMC 240/290-440</b>
Site Area	12,210	12,210
Base FAR Limit	3.0	5.0
Commercial floor area that could be sold through transfer of development rights	36,360	61,050
Assumes a conversion to residential occurs and ground floor commercial square footage in the revitalized buildings is also exempt from chargeable FAR limits.		

**Development Examples Under the Existing and Proposed Zones**

For new development, the DMC 240/290-440 zone has resulted in a relatively consistent pattern of residential towers, characterized by slender upper stories and overall building heights of approximately 40 stories. This pattern is evident in several buildings located west of the proposed rezone area along

2nd Avenue. These projects demonstrate the scale and form made possible by the height limits, floor plate restrictions, and development capacity permitted in the DMC zone.

One example is a development proposal in the Commercial Core, just west of the proposed rezone area, at 1516 2nd Avenue. This project includes a 46-story, 531-unit mixed-use residential tower with ground-floor retail and parking for 268 vehicles. The scale of this development is enabled by the DMC 240/290-440 zoning, which supports greater building height and density than the existing DRC zone.

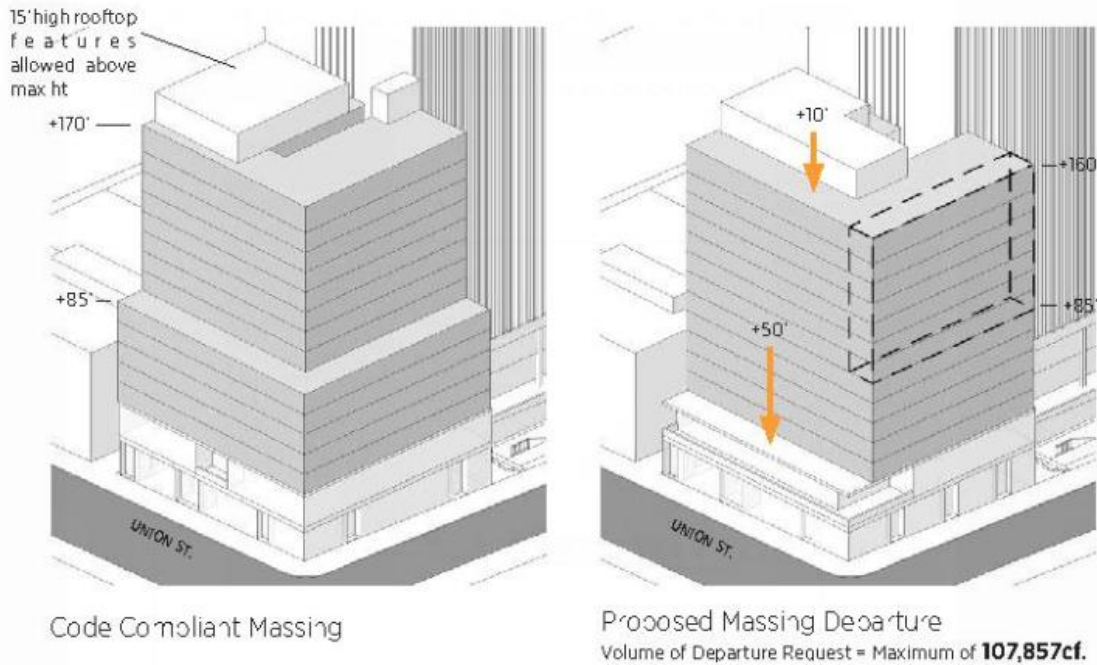
#### **Example Development in the Proposed DMC 240/290-440 Zone**



In contrast, a development proposal that is not moving forward within the Downtown Retail Core, at 5th Avenue and Union Street—within the proposed rezone area—consisted of a 15-story, 100-unit apartment building that included hotel rooms and retail space, with no parking proposed. The DRC 85-170 zoning limits the scale of development through lower height limits and fewer building form controls.

### Example Development in the Existing DRC Zone

These two proposals highlight the different development patterns produced under the DRC and DMC



zones. While both zones permit a wide range of uses and share similar ground-floor activation and parking standards, the key distinction lies in the scale and form of residential development. Rezoning to DMC 240/290-440 would allow significantly taller towers—with up to 270 additional feet for residential uses—and introduce form-based regulations such as tower spacing and floor plate limits that promote slender, vertical structures. These changes would support more efficient land use, greater housing production, and increased foot traffic and activity in the downtown core, particularly during evenings and weekends, while maintaining a strong pedestrian-scale environment through consistent street-level design standards.

### Comprehensive Plan consistency

The proposed rezone area is located in Downtown Seattle, which the Seattle Comprehensive Plan identifies as a Regional center. The Plan describes Regional Centers as places of regional importance with substantial housing, office, retail, institutional, and entertainment uses and access to regional transit. The Plan also specifically recognizes the unique role and character of different neighborhoods within large Regional Centers, particularly Downtown.

The Proposed legislation would rezone 12 parcels from Downtown Retail Core (DRC 85-170) to Downtown Mixed Commercial (DMC 240/ 290-440). The proposal would extend to additional blocks the same zoning approach adopted in 2023 for nearby properties in Downtown. As described in the proposal, the intent is to respond to changing retail conditions, support additional housing, and increase opportunities for office-to-residential conversion and other mixed use redevelopment.

The proposal is consistent with the Seattle Comprehensive Plan's growth strategy for Downtown because it would increase opportunities for housing and mixed-use development within a designated Regional Center planned to accommodate substantial future growth. The Plan calls for Downtown to

accommodate 13,500 new housing units and 60,000 new jobs between 2024 and 2044. The proposal would support that growth strategy by allowing more housing capacity in a central Downtown location while continuing to allow a broad mix of non-residential uses.

The proposal is also consistent with the Land Use element's direction for Downtown zones. The Plan states that Downtown zones should promote Downtown's unique regional role through high-density development, a wide diversity of residential and non-residential uses, and a vital and attractive environment. The Plan further provides that in the core of Downtown, regulations should allow a broad range of uses and significant flexibility to switch uses so Downtown can adjust to changing conditions and support a 24/7 environment. Extending the DMC zoning designation to these additional blocks is consistent with that direction because it would allow greater flexibility in how underused properties are reused and redeveloped while supporting continued retail, employment, residential, and pedestrian activity in this part of Downtown.

The proposed legislation therefore supports the Seattle Comprehensive Plan's direction to focus substantial growth in Regional Centers, expand housing opportunities, maintain a broad mix of uses in Downtown, and allow land use regulations in the core of Downtown to respond to changing economic conditions.

## **Rezone land and amend development standards to support multi-purpose redevelopment on sites with community-based uses.**

### ***Background***

In September of 2025 the City rezoned the vicinity of the former Lake City Community Center to support higher density redevelopment with a new community center and City-funded affordable housing. The currently-proposed legislation would expand the approach to facilitate similar mixed-use developments of several groups of properties anchored by sites owned by nonprofit actors. Such sites would be encouraged to redevelop with revitalized community facilities combined with increased amounts of housing. The rezone would present the opportunity for owners of community-based sites to partner with adjacent property owners for potential future development.

The intent of this proposal is to amplify housing production on groups of properties scattered across the city with a high likelihood of being developed with affordable housing, social housing, or equitable development uses.

### ***Proposal***

The legislation would make the following rezones. Maps are provided on the following pages.

**Rainier Beach Light Rail Station Area.** Rezone the west half of a block bounded by MLK Jr. Way South, South Trenton Street, 42<sup>nd</sup> Ave. South, and South Henderson Street from the Seattle Mixed Rainier Beach zone with a 55 foot height limit (SM-RB 55) to the Seattle Mixed Rainier Beach zone with a 125 foot height limit (SM-RB 125). In total this would rezone 2 and a half parcels and approximately 1.57

acres of land. The area is one block directly northwest of the Rainier Beach light rail station platform, within about 500 feet of the station platform.

The east half of the block is already zoned SM-RB 125 and the change would unify the zoning for the whole block. The rezone would rectify a split zone condition on the north part of the block fronting South Trenton Street. The Mt. Baker Housing Association (a non-profit development) intends to build affordable housing with community-oriented ground level uses on the split-zoned parcel, and removing the split zone would simplify the development process and increase the amount of affordable housing that could be built.

**University District YMCA Vicinity.** Rezone the south portion of the block between 11<sup>th</sup> Avenue NE and 12<sup>th</sup> Avenue NE fronting on NE 50<sup>th</sup> Street. Change the zoning of 4 properties owned by the Seattle / King County YMCA and the Low Income Housing Institute (LIHI) and the site of 10 townhouses from the Neighborhood Commercial 3 zone with a 75 foot height limit to the Seattle Mixed University District zone with the 75-240 height limit (SM-U 75-240). Additionally, change the zoning of four other adjacent parcels from the Midrise (MR) zone to the SM-U 75-240 zone. The rezone would create a contiguous area of the SM-U 75-240 zone, matching the existing zone directly across NE 50<sup>th</sup> Street from the rezone area. In total, 18 parcels and 1.3 acres of land would be rezoned. The change would create a consolidated block of SM-U 75-240 zoning, which would present a strong opportunity for mixed use redevelopment of the YMCA and LIHI properties, with opportunities to coordinate such development with opportunities on adjacent property.

**Madison / Miller YMCA Vicinity.** Rezone the property between 23<sup>rd</sup> and 24<sup>th</sup> Avenue fronting on East Olive Street that is owned by the Seattle / King County YMCA from Lowrise 2 (LR2) to Neighborhood Commercial 2 with a 75 foot height limit (NC2-75). Additionally, rezone three adjacent parcels owned by the Ebenezer AME church from the Lowrise 3 (LR3) zone to the NC2-75 zone. In total the rezone area would consist of four parcels and 1.4 acres of land.

The proposal also would amend the City's Planned Community Development (PCD) regulations to make redevelopment more viable on large sites in any downtown zone that are owned by nonprofit agencies. Potentially relevant large properties include the Goodwill campus of sites on South Dearborn Street, and would also apply to other large properties owned by non-profit agencies in downtown. PCDs are applicable to sites in downtown zones with a minimum size of 100,000 square feet. (A typical downtown full city block is approximately 84,000 sq. ft.) Three changes to the PCD regulations are proposed as follows:

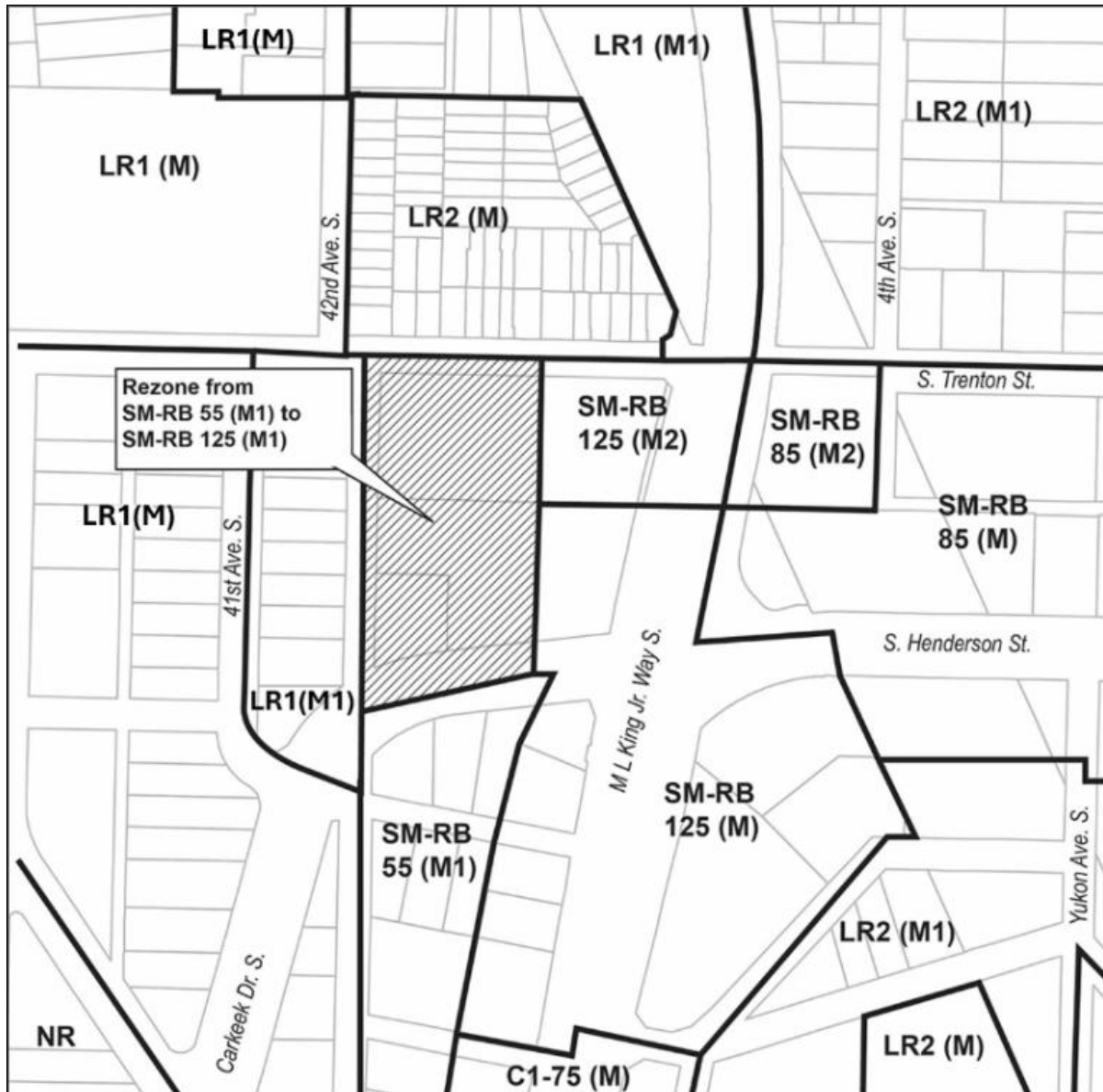
**Remove duplicative public benefit priorities for non-profit organizations.** SMC section 23.59.036.B requires a process to identify public benefit priorities for a PCD proposal prior to application for a Master Use Permit. The proposed legislation amends the eligible public benefit features to add more features that match the activities of non-profit services providers. Since the nonprofit would be providing such public benefits, the amendment makes the option to prepare a PCD more accessible to non-profit applicants.

**Add a phasing plan for PCDs.** The proposed legislation adds a requirement for a PCD applicant to submit a phasing plan. The phasing plan would allow for a 15-year time horizon for development before

expiration of the PCD. This change is intended to give potential applicants for a PCD more certainty that they could phase their development over time, providing more incentive to undertake the PCD process.

**Add a minor amendment process for PCDs.** The proposed legislation adds clarity to the process for making minor amendments to a PCD. The legislation sets a process for the Director of SDCI to determine minor and major amendments and allows the SDCI Director to approve a minor amendment as a simple Type I permit decision. This proposed change gives potential applicants for PCD greater flexibility, enabling them greater confidence to pursue a PCD process.

### Rainier Beach Rezone Map

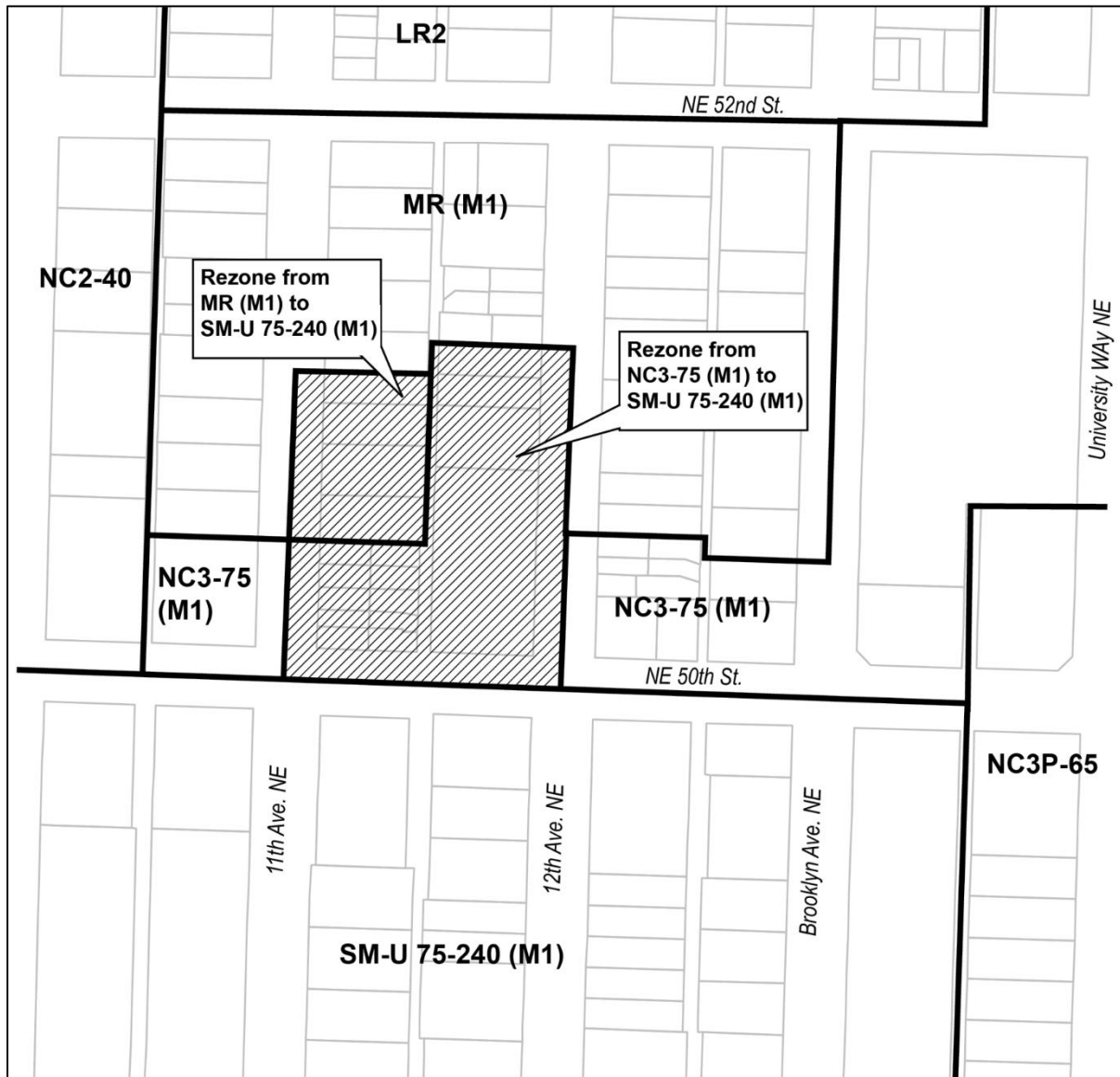


**Summary of Zoning Changes – Key Development Standards  
Rainier Beach Rezone**

	<b>Existing SM-RB 55</b>	<b>Proposed SM-RB 125</b>
<b>Maximum Height</b>	55’	125’
<b>FAR Limit</b>	2.25  3.25 The FAR shall be increased by an amount of floor area equal to twice the amount of floor area occupied by these uses: light manufacturing; college; School, vocational, or fine arts; Food processing and craft work; Child care center; or Low-income housing.	3.75 5.75 The FAR shall be increased by an amount of floor area equal to twice the amount of floor area occupied by these uses: light manufacturing; college; School, vocational, or fine arts; Food processing and craft work; Child care center; or Low-income housing.
<b>Allowable Uses</b>	Residential and live-work uses are prohibited in street-level	Residential and live-work uses are prohibited in street-level
<b>Typical New Development in the Zone</b>	5 story buildings with commercial on ground floor, office and residential uses above	Up to 12-story buildings with commercial on ground floor, office and residential uses above

**The primary effect of the proposed rezone from SM-RB 55 to SM-RB 125** is to allow greater building scale and intensity of development. Maximum height would increase from 55 feet to 125 feet, enabling structures more than twice as tall. FAR limits would rise from 2.25 to a range of 3.25–5.75. 5.75 is achievable if development incorporates community-serving uses such as child care, vocational schools, light manufacturing, and low-income housing. Allowable uses would remain largely unchanged from the existing zone, with residential and live-work prohibited at street level along designated streets, while a mix of commercial, institutional, and upper-level residential uses would continue to be permitted. As a result, the typical new development in the zone would shift from mid-rise buildings of about five stories to high-rise mixed-use projects up to twelve stories, with active street-level uses and a greater mix of housing and employment opportunities. However, even with the zone change, economic conditions could still lead to the production of midrise buildings in the location.

University District Rezone Map

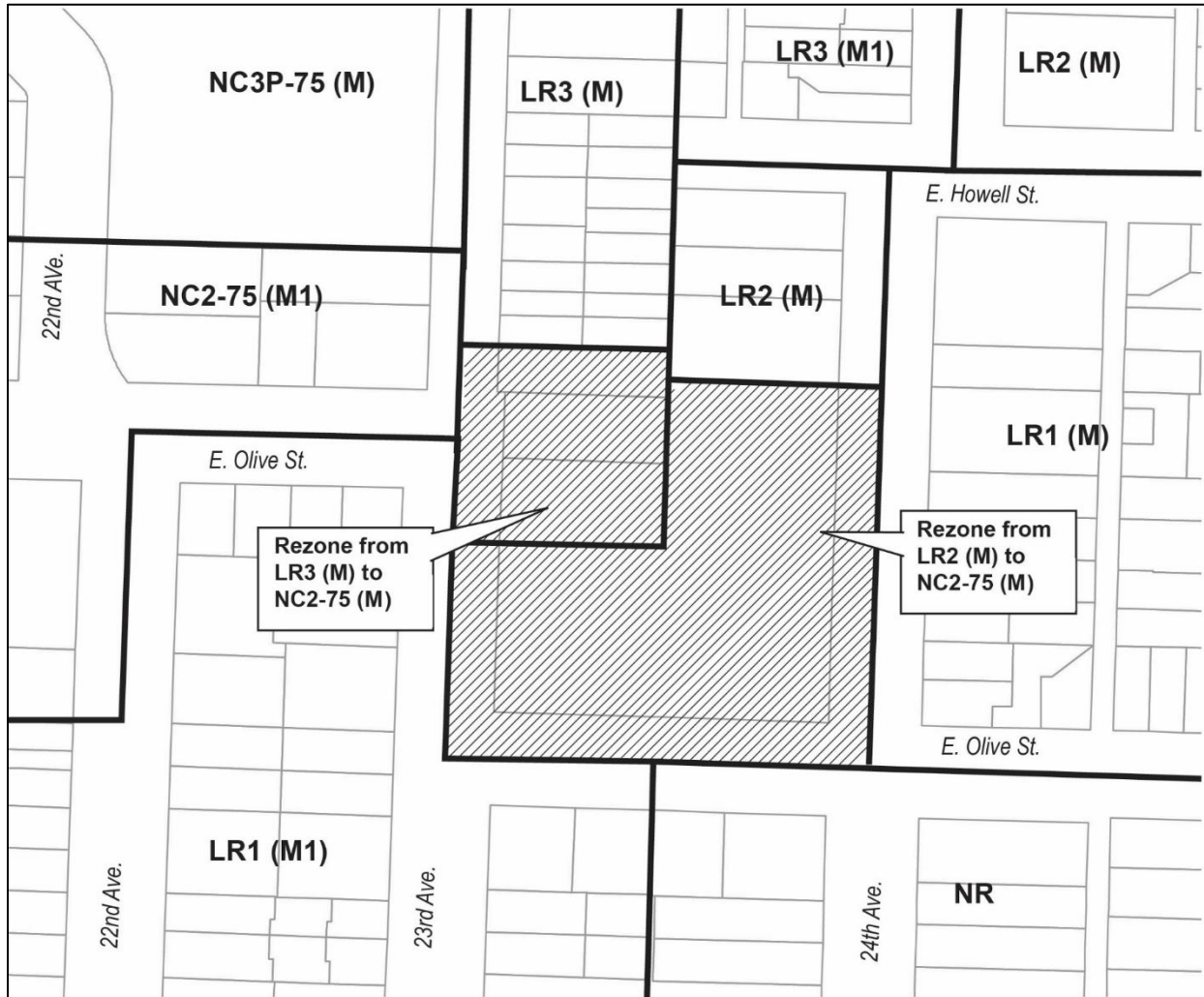


**Summary of Zoning Changes – Key Development Standards  
University District Rezone Area**

	<b>Existing MR Zone</b>	<b>Existing NC3-75</b>	<b>Proposed SMU 75-240</b>
<b>Maximum Height</b>	80’	75’	Base of 75’ for midrise structures 240’ for highrise structures with bonuses
<b>FAR Limit</b>	4.5	5.5	Base FAR for all uses is 7 Maximum FAR for non-residential uses 10 Maximum FAR in a mixed uses development
<b>Allowable Uses</b>			Required street level commercial, civil, or community uses.
<b>Typical New Development in the Zone</b>	7- or 8-story apartment building	Mixed-use building with commercial on ground floor, housing above	Midrise or highrise buildings with commercial on ground floor, office and residential uses above

**The primary effect of the proposed rezones to SMU 75-240** would be to allow taller buildings, greater floor area, and a broader mix of uses than currently permitted. Maximum height would increase from 75–80 feet in the MR and NC3-75 zones to up to 240 feet for highrise residential structures in the SMU 75-240 zone. FAR limits would expand from 4.5 in MR and 5.5 in NC3-75 to a base FAR of 4.75, with a maximum of 10 for mixed-use projects, substantially increasing development capacity. Allowable uses would continue to require street-level commercial, civic, or community uses, reinforcing an active pedestrian environment while allowing a wide range of office, residential, and other uses above. As a result, the typical new development in the zone would shift from 7- to 8-story apartment buildings or modest mixed-use projects to larger midrise and highrise mixed-use towers with commercial at the ground floor and significant residential space above. Under the proposed SM zone, maximum floor area and height above 75’ is only achievable if developments provide items from the incentives menu (i.e. open space, family-sized housing etc.)

**Madison Miller Rezone Map**



**Summary of Zoning Changes – Key Development Standards  
Madison Miller Rezone Area**

	<b>Existing LR2</b>	<b>Existing LR3</b>	<b>Proposed NC2-75</b>
<b>Maximum Height</b>	40’	50’	75’
<b>FAR Limit</b>	1.4 for attached and detached homes 1.6-1.8 for stacked flats	2.3	5.5
<b>Allowable Uses</b>			
<b>Typical New Development in the Zone</b>	Mostly 3- and 4-story townhouses, Some 4-story apartments	Mostly 5-story apartments, some 3-story townhouses	Mixed-use building with commercial on ground floor and residential above

**The primary effect of the proposed rezone** would be to allow larger and more intensive development than what is currently permitted. Maximum height would increase from 30–50 feet in the Lowrise zones to 75 feet in NC2-75. Floor Area Ratio (FAR) limits would expand from a range of about 1.4–2.3 in LR2 and LR3 to 5.5 in NC2-75. Allowable uses would also broaden, shifting from primarily residential with some institutional uses in LR2 and LR3 to a wide mix of residential, retail, office, and other commercial uses in NC2-75, encouraging mixed-use activity. Accordingly, the typical new development in the zone would change from small- to mid-scale apartments or townhouses to larger mixed-use buildings with active ground-floor commercial uses and multiple stories of housing above.

**Analysis**

**Comprehensive Plan Consistency**

**Rainier Beach Light Rail Station Area.**

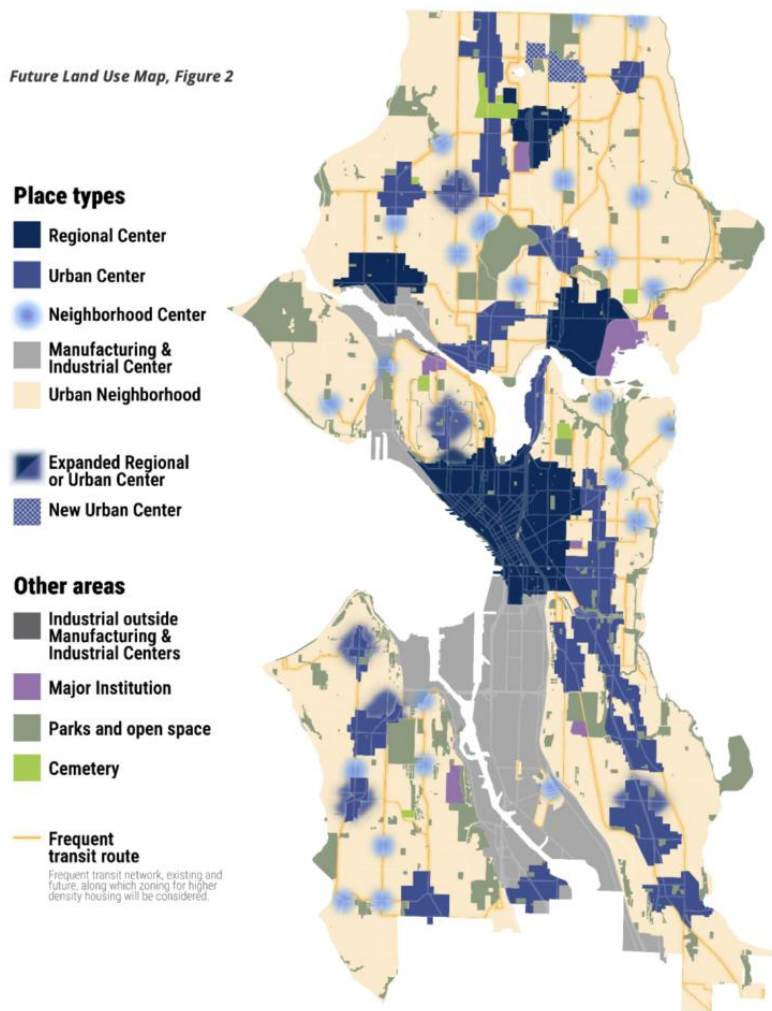
In the Seattle Comprehensive Plan, Rainier Beach is identified as an Urban Center as shown in the Future Land use map below. The plan designates Urban Centers as areas to accommodate meaningful residential and employment growth as well as concentrated investment in infrastructure, services, and affordability. Under this framework, Rainier Beach’s designation as an Urban Center affirms its role as a focal node for equitable growth. The proposal emphasizes community uses and nonprofit-led development. Therefore it is strongly compatible with the Seattle Comprehensive Plan as it aligns with the Plan’s core values of housing affordability, equity & opportunity, and inclusive community & neighborhoods by ensuring that growth in Rainier Beach benefits current residents, supports cultural institutions, and expands access to needed amenities without increasing displacement risks.

In Seattle Comprehensive Plan, Urban Centers near significant transit investments, especially light rail stations, may be appropriate locations for buildings greater than eight stories. The proposed rezone is

consistent with that framework. The site is located within approximately 500 feet of the Rainier Beach light rail station, and the proposal would increase height capacity on the west half of the block to match the Seattle Mixed zoning already in place on the east half. The Plan's Land Use element specifically states that Seattle Mixed zones are intended to address unique local conditions in high-density, mixed-use areas outside Downtown, including the Rainier Beach light rail station vicinity.

The proposal is also consistent with the plan's direction to support equitable development and community-serving uses. The Land Use element includes a policy to consider zoning pilot programs that demonstrate the social benefits of equitable development, including community-serving uses and housing serving a spectrum of household incomes through partnerships among public, private, and community-based organizations. The Capital Facilities element also calls for collaboration with public and nonprofit organizations to construct or expand community-based facilities and to pursue co-location opportunities for community programs and services. In that context, rezoning this site to facilitate affordable housing and community-oriented ground-floor uses by a nonprofit developer is consistent with the Seattle Comprehensive Plan.

### The Seattle Comprehensive Plan Future Land Use Map



### **University District YMCA Vicinity**

In the Seattle Comprehensive Plan, the University District is identified as a Regional Center. The Plan describes Regional Centers as places of regional importance with substantial housing, office, retail, institutional, and cultural or entertainment uses, together with access to regional transit. The University District is specifically listed as a Regional Center, and the Growth Strategy plans for it to accommodate 4,000 new housing units and 3,500 new jobs between 2024 and 2044.

The proposal is consistent with that framework. The Plan states that Regional Centers should allow a wide range of higher-density housing types and a wide range of non-residential uses, including office, retail, institutional, and entertainment uses. The proposed rezone would create a larger contiguous area of Seattle Mixed University District zoning and would expand redevelopment opportunities for properties owned by the YMCA, LIHI, and adjacent property owners in a location where the Plan anticipates substantial housing and employment growth.

The proposal is also consistent with the Land Use element's treatment of Seattle Mixed zones. The Plan explains that Seattle Mixed zones are intended to support unique local conditions in high-density, mixed-use areas outside Downtown, including the University District, and calls for using a range of Seattle Mixed zones and height limits to support the existing and desired character of those areas. In addition, the Plan supports equitable development and collaboration with nonprofit organizations to expand community-based facilities and co-located services. The proposed rezone would therefore further the Plan's vision for growth in the University District by supporting additional housing capacity, institutional and community-serving uses, and potential nonprofit-led mixed-use redevelopment in a major transit-served Regional Center.

### **Madison / Miller YMCA Vicinity**

In the Seattle Comprehensive Plan, Madison–Miller is identified as an Urban Center. The Growth Strategy describes Urban Centers as areas with an important citywide role that include a wide range of housing, jobs, shops, and services and access to regional or local transit. The Plan also states that Urban Centers should allow a wide range of housing types and generally allow buildings of three to eight stories, and should allow a wide range of non-residential uses including office, retail, institutional, and entertainment uses.

The Proposed rezone is consistent with that framework. Rezoning the YMCA property and adjacent Ebenezer AME Church parcels to NC2-75 would support additional mixed-use development capacity in an Urban Center and would allow a combination of housing and community-serving uses in a location where the Plan anticipates a broad mix of residential and non-residential activity. The proposal is also consistent with citywide land use policies that support a wide variety of housing options, a wide variety of businesses and institutions that meet residents' everyday needs, and development that contributes to vibrant, equitable, complete, and walkable neighborhoods.

The proposal would also support the Plan's direction to remove regulatory barriers to uses that support equitable development and to collaborate with nonprofit organizations to construct or expand community-based facilities. In that context, allowing additional development capacity on sites owned by the YMCA and Ebenezer AME Church is consistent with the Seattle Comprehensive Plan's approach to

concentrating growth in centers while supporting community serving institutions and opportunities for housing.

## **Compatibility**

### **Rainier Beach Light Rail Station Area.**

The site is one block directly northwest of the Rainier Beach light rail station, within about 500 feet of the station platform. The site consists of the west half of a block where the current SM-RB 55 designation creates a split-zoned condition with SM-RB 125 already mapped on the east half of the block. Unifying the zoning across the entire block to SM-RB 125 is important to simplify the development process and enable Mt. Baker Housing's planned affordable housing and community-serving ground-level uses.

This change is also compatible with the surrounding context. To the north, the area transitions to Lowrise zones developed with townhouses; to the west, LR1 parcels with older single-family homes; and to the east and south, it directly relates to existing Seattle Mixed zoning, including SM-RB 125. The unified zoning provides an appropriate step between lower-intensity residential areas and higher-intensity mixed-use development at the station, ensuring a logical and context-sensitive fit within the neighborhood fabric. The change would provide a zone transition at the 42<sup>nd</sup> Avenue South Street right of way instead of midblock.

### **University District YMCA Vicinity**

The site consists of the south portion of the block where the proposal would rezone four properties owned by the Seattle/King County YMCA and the Low Income Housing Institute (LIHI), along with the site of 10 townhouses, from Neighborhood Commercial 3 with a 75-foot height limit (NC3-75) to Seattle Mixed University District with a 75–240 foot height limit (SM-U 75-240). In addition, four adjacent parcels currently zoned Midrise (MR) would be rezoned to SM-U 75-240. This change would create a contiguous area of SM-U 75-240 zoning, aligning with the existing SM-U 75-240 designation directly across NE 50th Street. The change establishes a consolidated block of SM-U 75-240 zoning provides a strong opportunity for mixed-use redevelopment of the YMCA and LIHI properties, while also enabling coordinated planning and investment with adjacent parcels.

### **Madison / Miller YMCA Vicinity.**

The proposal would rezone property between 23rd and 24th Avenues fronting on E. Olive Street, including land owned by the Seattle/King County YMCA, from Lowrise 2 (LR2) to Neighborhood Commercial 2 with a 75-foot height limit (NC2-75). Three adjacent parcels owned by the Ebenezer AME Church, currently zoned Lowrise 3 (LR3), would also be rezoned to NC2-75. In total, the rezone area encompasses four parcels covering approximately 1.4 acres. The surrounding context supports this change, as the northwest portion of the area already carries the same NC2-75 designation, while the remaining surroundings include a mix of Lowrise zones and Neighborhood Residential to the southeast, creating a transition of uses and building scales.

## **Housing**

Each of the rezone areas would amplify the amount of housing production that could occur on and near the community-based uses by allowing a greater number of upper stories of residential construction

over community-uses at ground level. The following is a general estimate of housing production that could result in an intermediate 10-year planning horizon.

For each of these areas it is unknown whether additional property in the rezone areas beyond the community-based sites (YMCA and Mt. Baker Housing) would redevelop, potentially in combination with the community-based sites. General assumptions about the total amount of land that would be redeveloped and the likely scale of potential development are made.

#### **Rainier Beach Light Rail Station Area**

OPCD estimates that an additional 200-275 homes could be created. If it were a typical market-generated development this would create an estimated \$2 million - \$3 million of MHA proceeds for. The actual quantity of affordable housing would probably be significantly greater since a large portion of the development would be 100% affordable. Mt. Baker Housing envisions a potential development with over 40% of homes being affordable family-sized 2 and 3 bedroom homes.

#### **University District YMCA Vicinity**

OPCD estimates that an additional 300-385 homes could be created. If it were a typical market-generated development this would create an estimated \$6 million to \$10 million of MHA proceeds for affordable housing. The actual quantity of affordable housing would probably be significantly greater since a large portion of the development on the YMCA site would be entirely affordable housing.

#### **Madison / Miller YMCA Vicinity**

OPCD estimates that an additional 200-240 homes could be created. If it were a typical market-generated development this would create an estimated \$3 million to \$5 million of MHA proceeds for affordable housing. The actual quantity of affordable housing would probably be significantly greater since a large portion of the development on the YMCA site would be entirely affordable housing.

## **Remove code barriers to affordable housing, passive house, modular and mass timber construction**

### ***Background and Proposal***

During the 2024-2025 State Legislative session the legislature passed Second Substitute House Bill 1183 (ESHB 1183) "incentivizing affordable and sustainable building practices through building code and development regulation reform". The bill limits regulations cities can impose on residential development. Section 6 prohibits facade modulations or upper level setbacks as a condition of permitting the following types of residential projects:

- affordable housing
- construction meeting passive house requirements
- conversions to residential within existing structures
- modular construction
- mass timber construction

The currently-proposed legislation directly implements 2SHB 1183 by adding an exemption into SMC 23.40 Compliance with Regulations – Exceptions, for any of the types of construction listed above from any upper-level setback and façade modulation requirement anywhere in the Seattle Municipal Code Title 23.

Although the City of Seattle is not required to implement the mandates of 2SHB 1183 until 2028, the City is seeking to implement Section 6 early to reduce barriers to housing construction. Upper-level setbacks and façade modulation requirements present a unique challenge to construction using passive house methods, modular construction methods, and mass timber methods because those construction methods can't accommodate frequent modulations due to the inherent properties of the materials and/or panels. However, these construction methods are sustainable and can result in relatively lower cost housing development in certain circumstances. Therefore, removing modulation and upper-level setback requirements will facilitate increased housing production.

Seattle's land use code includes upper-level setback requirements in several zones including but not limited to certain Neighborhood Commercial zones, numerous downtown zones, and in some specific areas such as the Roosevelt neighborhood.

### ***Analysis***

2SHB 1183 requires that cities in Washington make the type of changes in this proposed legislation. The only aspect of this action at the city's discretion is the timeline. OPCD is recommending that Seattle make the zoning changes earlier than required by State law – the deadline would be in 2028. There could be some minor impact from the changes on the bulk and scale of upper levels of structures built in certain zones. Construction in mass timber or passive house standards is not yet widespread and constitutes a small percentage of buildings built today. Since the relevant types of construction and affordable housing are likely to be a small percentage of all development, the scale of impact from the change would be moderate. The practical scale of construction using mass timber or modular methods under today's conditions is generally limited to midrise buildings, although a few intermediate mass timber towers in the 12-18 story range have been built in the Pacific Northwest in the last five years. It is unlikely that mass timber towers greater than 18 stories will be constructed in the foreseeable future – meaning that the impact of the upper-level setback waiver in Seattle's downtown zones would have a moderated effect – since most tower built in downtown Seattle with conventional construction methods far exceed those heights. The primary effect of implementing section 6 of HB 1183 early is giving several potential residential development projects that are exploring the use of mass timber or passive house construction methods, including for affordable housing, a greater likelihood of moving forward to construction in the next few years.

## **Increase height limits and modify development standards to encourage more housing in Belltown**

### ***Background***

While most of Downtown has received major upzones in the last 25 years, zoning in Belltown has had minimal increases since 1985. Outdated zoning parameters create inefficiencies for development and

may be constraining infill housing in a relatively strong housing market area. This proposed legislation would increase height limits for residential uses by 50 – 100 feet and make other minor adjustments to coverage and story size limits to encourage moderate scale residential towers.

### ***Proposal***

This proposed legislation would make several amendments to the Land Use Code text to address zoning inefficiency and support residential development in Belltown. These amendments would apply specifically within the Belltown neighborhood and they would be for a limited time period through year 2028. The intent is to encourage development in the near term, and to allow for permanent or more comprehensive zoning updates to occur following adoption of a new Downtown Subarea Plan.

The amendments are:

For Downtown Mixed Residential (DMR) zones with a 95' height limit, increase allowed height by 50' to a maximum of 145'.

For Downtown Mixed Residential (DMR) zones with a 145' height limit, increase allowed height by 100' to a maximum of 245'.

Increase the allowed coverage limits for upper stories of buildings, above 65' by 5%.

Increase the maximum allowed story size for buildings above 145' tall from 8,800 sq. ft. to 10,700 sq. ft.

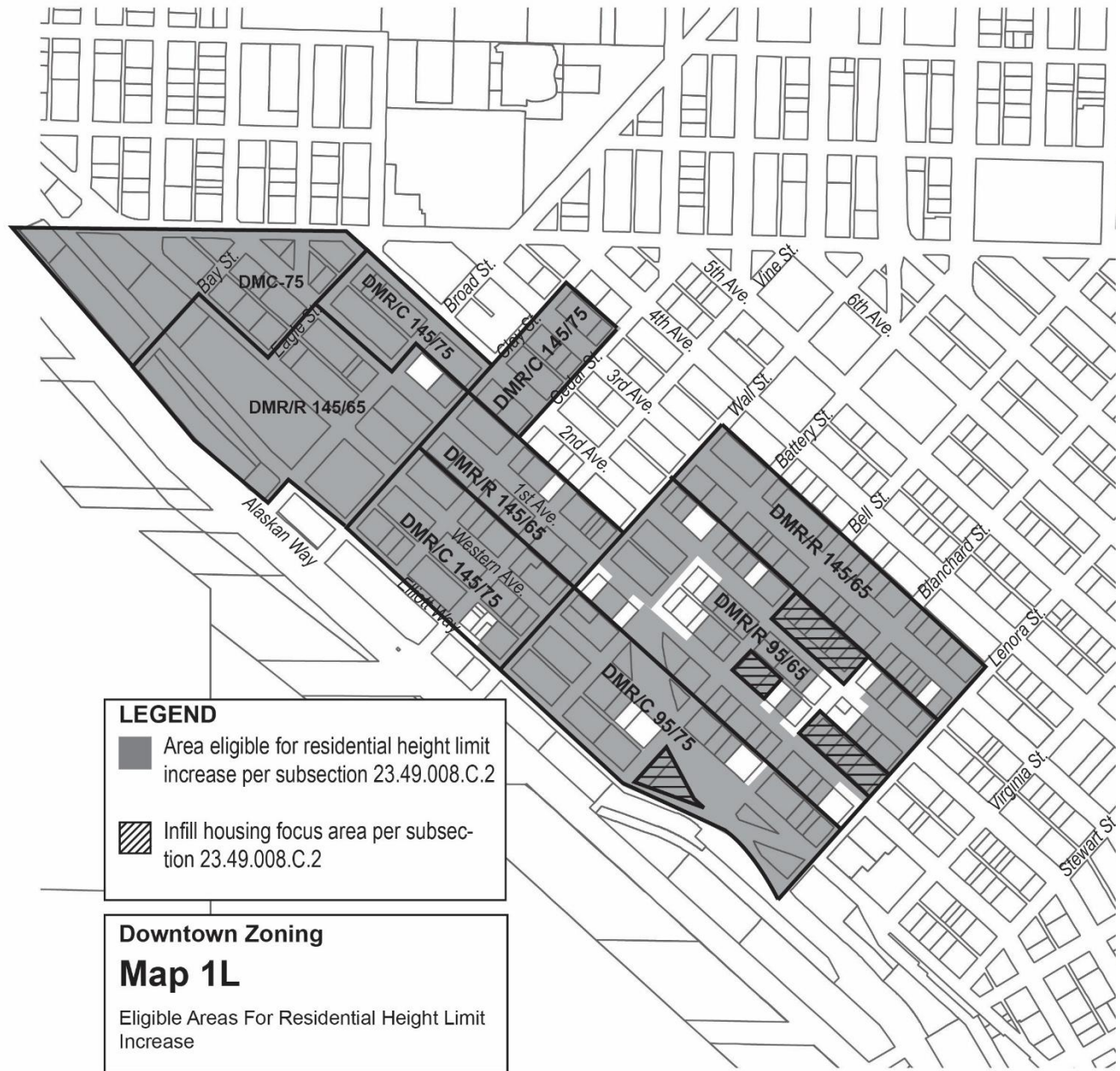
Exempt lodging uses from FAR limits in the DMR zone zones.

The proposal considers unique characteristics of Belltown. Belltown community members value the small shops and storefronts, unique local businesses, and the historic character of the neighborhood. Belltown is known for vibrant and active street level uses. Engagement during the City's Downtown Subarea Plan process ongoing in 2025 affirms these priorities.

To address the priorities, the proposed legislation exempts historic landmarks and other character structures from the increased height allowance. This aspect of the proposal is intended to keep the status quo for valued character structures and local businesses, and avoids the perception of an increase to development pressure on these sites. Intent is to spur potential infill development on key opportunity sites – especially vacant land and surface parking – while retaining character businesses and structures. See map on the following page. Only the sites shaded in gray are eligible for the increased height.

The legislation identifies two particularly strong candidate areas for infill housing. These are the northeast corner of Bell St. and 1<sup>st</sup> Ave., and the half block fronting onto 2<sup>nd</sup> Ave. between Bell St. and Blanchard St. These areas feature vacant land or underused structures and are well-positioned to receive revitalizing investment with dense housing. The legislation allows an extra height increase to 245' within the existing DMR/R 95/65 zone for these areas.

### Eligible Area for Belltown Height Limit Increase



### Analysis

#### Comprehensive Plan consistency

In the Seattle Comprehensive Plan, Downtown Seattle is identified as a Regional Center. Regional Centers are described as places of regional importance with substantial housing, office, retail, institutional, and entertainment uses and access to regional transit. The Plan recognizes that large Regional Centers, particularly Downtown, contain multiple neighborhoods with distinct identities and roles within the broader center.

Belltown is one of the established neighborhoods within the Downtown Regional Center. Citywide land use policies for Regional Centers support high-density development, a wide range of housing types, and a broad mix of residential and non-residential uses to sustain vibrant, walkable neighborhoods and support the concentration of jobs and housing in these locations.

The proposed legislation affects the Downtown Mixed Residential (DMR) zone in Belltown. Downtown mixed residential areas are intended to support predominantly residential communities within Downtown while allowing compatible non-residential uses that contribute to neighborhood vitality. The proposed legislation increases the allowed height for residential uses and makes limited adjustments to development standards in order to encourage additional housing development. Because the increased height allowance applies only to residential uses and does not expand commercial development capacity, the proposal reinforces the residential emphasis of the DMR zone.

The proposal is consistent with the Seattle Comprehensive Plan's direction to accommodate substantial housing growth within Regional Centers. The Plan's growth strategy anticipates that Regional Centers such as Downtown will accommodate a large share of the city's future housing and employment growth. Allowing additional residential density in Belltown supports that strategy by enabling infill housing development in a centrally located neighborhood with access to transit, jobs, and services.

The proposal also supports the Plan's direction to maintain a vibrant urban environment in Downtown through a mix of uses and active street-level conditions. The legislation does not modify existing street-level development standards or requirements intended to support pedestrian activity and active ground-floor uses. In addition, the legislation excludes historic landmarks and other identified character structures from eligibility for increased height limits. This approach helps maintain valued historic resources and neighborhood character while directing new development capacity to opportunity sites such as vacant land and underutilized properties.

Overall, the proposal advances the Seattle Comprehensive Plan's objectives for the Downtown Regional Center by encouraging additional housing development, supporting a dense and vibrant residential neighborhood, and directing growth to areas with strong access to transit, employment, and urban amenities.

### **Compatibility**

The proposed legislation would allow for development that is compatible with the overall vicinity of the Belltown neighborhood and north Downtown (including Denny Triangle, Commercial Core). However, the proposed legislation could create localized incompatibilities in scale and development character within the Belltown neighborhood.

The increase to height limits for residential towers (by 50 and 100 feet) could introduce a scale of development in localized areas that is somewhat different from and larger/taller than neighboring structures. This could occur if new mixed-use towers are built on infill sites – in which case the tower portion of the new buildings in the affected areas would likely be 5-10 stories greater than structures on neighboring sites. Due to increases in the proposed legislation for floor plate size, these towers could also be incrementally wider than other existing tall structures in Belltown. This juxtaposition is not

necessarily bad, since variety of scales and characters is an interesting aspect of urban life, and the higher structures would provide housing opportunities. Nonetheless, the legislation would have potential to moderately increase the degree of incompatibility between new infill structures and existing built context.

With respect to allowed uses there would be no increased incompatibility because the Belltown neighborhood is already a predominantly residential area, and the proposal would further increase the residential aspect of the district.

The proposal would be compatible with broader development patterns and context in the north part of Downtown. Areas in blocks east of the affected area in Belltown already allow for and contain residential towers of equal or greater scale than would be allowed by the proposed legislation. In the nearby neighborhoods of Denny Triangle and the Commercial Core, tower heights much greater than proposed by this legislation are allowed and already exist in ample amounts.

The impact of scale incompatibility would be moderated by the fact that the proposed legislation is time limited. There are likely to be a handful of development proposals during the 3-year effective period of the proposed height limit allowance. Following the three-year period the City may reevaluate the merits of taller towers in Belltown after conclusion of the Downtown Subarea Plan process.

### **Housing**

The proposed legislation has the potential to increase housing production in Belltown. The proposal is intended to make new residential development incrementally more financially viable, which could spur stalled projects or projects on the margins forward to development during the 3-year period. It is anticipated that these projects would be on vacant or underused development sites. It is difficult to anticipate the amount of development that would occur during the 3-year period because the economic climate and individual decisions by property owners are unpredictable. For a rough estimate, based on available information and anecdotal conversations, OPCD estimates that about five development projects could move forward during the timeframe in an optimistic scenario. If five development projects did move forward OPCD estimates that they could yield an estimated 900 – 1,200 total housing units, which would generate \$14 million - \$19.2 million of MHA proceeds for affordable housing.

## **Remove code barriers to conversion from commercial space to housing in more zones**

### ***Background***

During 2024 the City passed Ordinance 127054, removing zoning barriers to the conversion of existing commercial structures to housing. That legislation focused on downtown and other zones that contain a lot of commercial and office uses. However, the State legislation from 2024, (HB 1042) calls on cities to remove barriers in all zones that allow housing. The currently proposed legislation makes corrections to ensure zoning code barriers are removed in all housing zones including zones that don't typically contain significant commercial uses.

In addition to Ordinance 127054, in early 2025 the City also passed legislation enabling a sales and use tax deferral for conversion of underutilized commercial space to housing, Ordinance 127181. The sales and use tax deferral was made available to cities by Senate Bill 6175 (ESSB). Following these two legislative changes, the City started to receive development applications for conversion of commercial space to housing. OPCD administers the tax deferral program and to date has issued preliminary approvals to three projects located in Denny Triangle, Uptown, and Ballard, and has received numerous additional inquiries by property owners and designers about the option to convert their underutilized commercial structures to housing.

### ***Proposal***

The proposed legislation makes technical changes to existing SMC Section 23.40.080 "Conversion to residential use in an existing structure", to add Lowrise (LR), and Neighborhood Residential (NR) zones to the list of zones that contain development standard waivers for conversion of existing commercial structures to housing. Other aspects of Section 23.40.080 are not substantively changed. The existing Section 23.40.080 waives Mandatory Housing Affordability (MHA) requirements as an incentive for conversions of existing structures to housing, and this opportunity would be extended by the proposed legislation to conversions in the LR, RSL and NR zones.

### ***Analysis***

The impact of this proposed legislation is primarily to achieve full technical compliance with State Law pursuant to HB 1042. The added zones (LR, and NR) do not contain many existing commercial uses. These zones generally do not allow non-residential uses as a principal use as they are intended primarily for residential uses and development. Pending changes being reviewed during the Seattle Comprehensive Planning process the zone would in the future allow a greater amount of small commercial uses in corner stores. There are rare or atypical instances of commercial structures extant in the LR and NR zones. Some of these are historic-aged commercial buildings that predate modern zoning codes, many of which are non-conforming to the current zoning regulations. Therefore, the primary substantive effect of the proposed legislation would be to make existing non-conforming commercial structures in the city's low-scale residential zones more feasible for conversion to housing.

## **Lake City – Incentivize Grocery Store Retention and Housing**

### ***Background***

Access to healthy food is an important factor for the livability and desirability of a neighborhood. Increasingly Seattle and other cities are experiencing areas of food deserts. Grocery store closures and consolidations in recent years are contributing to food deserts.

In 2025 the Seattle City Council issued a statement of Legislative Intent (SLI) OPCD-003S-A requesting the Office of Planning and Community Development (OPCD), in partnership with the Office of Economic Development (OED) and Office of Sustainability and Environment (OSE), to submit a report outlining strategies to attract food retailers to food deserts. The resulting report included policy and zoning options to improve access to grocery stores in food deserts. Seattle's Office of Sustainability and Environment (OSE) published the [Food Action Plan](#). In September of 2025, the City announced a budget proposal to invest nearly \$12 million to significantly increase food access. This fall the City also

introduced legislation that would prohibit the use of restrictive or negative covenants preventing a property from being used as a grocery store or pharmacy. Taken together, these actions demonstrate the City's continued efforts to address the issue of food deserts.

In the fall of 2025, the Fred Meyer grocery store in the Lake City neighborhood was closed by the Kroger corporation. The store served as the area's primary grocery store and pharmacy. After the closure, residents will have to travel further to procure everyday groceries. The store was also the Lake City neighborhood's last pharmacy.

### ***Proposal***

Although the closure of the Fred Meyer grocery store is a decision by a private company that can't be affected by Seattle government, the City can take steps to incentivize the retention or re-establishment of a grocery store in the neighborhood in the future. The proposed legislation uses the City's land use regulations to encourage the redevelopment of land in certain zones to include a grocery store or pharmacy or other community-supportive land uses. The Lake City neighborhood is a location well positioned to receive additional density of infill housing in appropriate locations, including market rate housing and housing for all income levels.

The proposed legislation would amend the Land Use Code at SMC 23.47A.009 to provide several incentives for inclusion of a grocery store and housing in future development in Lake City. Incentives for housing development would have the effect of supporting the economic viability of redevelopment that is inclusive of a grocery store and/or pharmacy. In Lake City, in the Neighborhood Commercial zone with a 55 foot height limit (NC-55) only, and only on lots of 100,000 sq. ft. or larger the legislation would increase the allowed height limit 30' and add a 2.0 FAR bonus increment, for development containing 50,000 sq. ft. or more gross floor area that is dedicated at ground level for any combination of: grocery store, pharmacy, medical services, child care center, or elementary or secondary school, community club, or community center uses, and the dedicated space is easily accessible to the elderly and disabled, and is reserved for the life of the project. The development would also be required to include at least 200 residential dwelling units to qualify for the bonus increment.

### ***Analysis***

The proposed legislation would encourage inclusion of a grocery store and/or pharmacy and other eligible community serving uses at the time of future significant development in the NC-55 zone. The size threshold of at least 100,000 sq. ft. is intended to focus the incentive on sites that are obviously large enough to accommodate a grocery store and a substantial amount of housing. Two available sites are present in the affected area – the current Fred Meyer grocery store site and the First Student bus storage lot at the intersection of Lake City Way NE and NE 137<sup>th</sup> St. A few other locations in the area could achieve the 100,000 sq. ft. lot size threshold if other existing large lot sites were consolidated. An increase in the height limit of 30' in the NC-55 zone would enable development that approximates the scale of existing recent development near the center of the Lake City neighborhood. The proposed legislation could extend the geographic scope of where such mixed-use developments could be located. The resultant height limit with an added 2.0 FAR bonus increment that would likely result in buildings with a grocery store or pharmacy or other eligible uses at ground level plus 5 or 6 stories of residential development above.

## Summary of Public Input

Varied streams of public input gathered via ongoing planning processes informed this Housing Opportunities legislation. OPCD also solicited direct community input on the specific legislative proposal. Public input is summarized for the purposes of this Director's Report. OPCD reviewed and considered public comments from varied sources and different formats.

**Seattle Comprehensive Plan Update Process.** OPCD considered content from the extensive public engagement process that accompanied the Seattle Comprehensive Plan major update between 2022 and 2025. In the Phase 1 engagement "Housing availability and affordability" was the highest priority issue for respondents. Respondents expressed a desire for additional housing and a wider range of housing types. In a community meeting series in 2023 when asked "what types of housing are needed where you live", the top responses were affordable housing, apartments, and a variety of options. This broad public engagement informs the Housing Opportunities zoning legislation. Specifically, the elements of the proposal to expand housing opportunities through zoning and development code changes (Fremont/Stone Way Rezone, Expanded Downtown Retail Core Rezone, Multi-Purpose Redevelopment on Sites with Community-Based Uses, Removal of Code Barriers to Passive House, Modular and Mass Timber Construction, Increase Residential Height Limits and Modify Development Standards to Encourage More Housing in Belltown, and Remove Code Barriers to Conversion of Commercial Space to Housing in More Zones) respond to the broad themes of public input received during the Seattle Comprehensive Plan update process.

**Downtown Regional Center Subarea Planning Process.** OPCD considered content from the extensive public engagement process that accompanied the Downtown Regional Centers Subarea Planning process in 2024 and 2025. Input directly from community in public meeting formats and in small group stakeholder meetings informed the Housing Opportunities legislation. A central theme of the engagement is the need to add more housing in downtown Seattle, especially as a measure to increase vitality and foot traffic. Public input was strongly in favor of converting underutilized commercial space to housing, and community members expressed a strong desire for increased foot traffic as a way to address perceived public safety concerns and address instances of disorder. An increase to the quantity of housing especially in neighborhoods that already have a strong residential base (Belltown and South Downtown) was seen as a promising measure to make downtown more safe and welcoming for everyone. Residents expressed a strong desire for livability features (i.e. open space, schools, and safe streets for walking) in conjunction with addition of more housing. Elements of the proposed legislation to rezone for expanded housing supply in downtown (Expanded Downtown Retail Core Rezone, Removal of Code Barriers to Passive House, Modular and Mass Timber Construction, Increase Residential Height Limits and Modify Development Standards to Encourage More Housing in Belltown, and Remove Code Barriers to Conversion of Commercial Space to Housing in More Zones) respond directly to the themes of public input from the Downtown subarea planning process.

**OPCDs Office to Residential Call for Ideas.** During 2023 OPCD invited design teams and building owners to submit proposals that explore converting existing office space into new residential and commercial uses. The design competition was a way to gauge public interest in actions by the City to spur conversion of office space to housing. Engagement included a showcase series of exhibitions where

project submissions were available to the public. American Institute of Architects, Seattle Architecture Foundation and the City of Seattle hosted a reception and all submissions were available to community online. Community input on the proposals was overwhelmingly positive, with few detractors or concerns expressed about the general strategy to facilitate conversion of underutilized commercial space to housing. The portion of the proposed Housing Opportunities legislation that facilitates conversions to housing is in direct response to this public input (Expanded Downtown Retail Core Rezone and Remove Code Barriers to Conversion of Commercial Space to Housing in More Zones).

**Washington State Legislature ESSHB Community Input Process.** OPCD reviewed and considered public testimony provided during the 2025 State legislative session on ESSHB. A variety of public commenters from the design, development, and sustainability/environmentalism communities testified in strong support of actions in ESSHB to facilitate mass timber and modular construction methods. Several of the commenters were stakeholders from Seattle. The portion of the proposed Housing Opportunities legislation that implements the requirements of ESSHB years early is in response to the strong public comment on the topic.

**SEPA Determination and Public Announcement of Housing Opportunities Legislation.** In addition to the broad public input that informed the crafting of the proposed legislation, OPCD also conducted engagement directly on the proposed legislation. OPCD posted all of the materials online including draft ordinance, director's report, and SEPA documents on its public-facing "DailyPlanIt" blog site. OPCD published two SEPA Determinations of Non-Significance, with SEPA checklists, and all associated materials in September and October of 2025. OPCD did not receive any written community comments from members of the public on the proposed legislation. OPCD received written comments from staff at the Seattle Department of Neighborhoods requesting clarification of information pertaining to historic preservation. OPCD received a comment from the Washington State Department of Commerce acknowledging receipt of materials and noting that the agency had no concerns about the proposal.

## Recommendation

In consideration of the factors and information contained in this report and other information, OPCD recommends that City Council review the proposed legislation and adopt the proposed zone changes and Land Use Code text amendments. OPCD considered and balanced various policy priorities and acknowledges that the proposal could lead to changed conditions in localized areas near the opportunity sites and areas this bill directly addresses. OPCD notes that the timing of the proposed changes is more immediate than broader adjustments to growth and development patterns that are advancing in coming years through the Seattle Comprehensive Plan major update process and Regional Centers Subarea planning. The intent of forwarding this legislation now is to take short-term action to bring more housing and essential community-serving uses online soon where tangible opportunities exist for infill housing. All of the proposed changes are consistent with the City's recently adopted comprehensive plan for growth.

## **Appendix -1**

### **Historic Landmark Information**

There are four designated landmark buildings within the proposed rezone of the Downtown Retail Core area: Joshua Green Building, 1425 4th Ave Seattle, Holland/MiKen Building, 1417 4th Ave, Seattle, The Liggett Building, 1424 4th Ave, Seattle, and Great Northern Building 1404 4th Ave, Seattle. For reference, information is provided below about these landmarks.

Photo Credit: Joe Mabel Photos [Joe Mabel - Art and photography](#)  
photo source: [www.en.wikipedia.org/wiki/Liggett\\_Building\\_\(Seattle\)](http://www.en.wikipedia.org/wiki/Liggett_Building_(Seattle))  
photo source: [www.joshua-greenbuilding.com](http://www.joshua-greenbuilding.com)  
Photo credit: [Joshua Green Building](#)

### **Liggett Building**

**Address:** 1424 4<sup>th</sup> Ave.

Constructed in 1927, the Liggett Building is a ten-story Gothic Revival office and retail building at the southeast corner of Fourth Avenue and Pike Street. Designed by Lawton and Moldenhour, the building was constructed with reinforced concrete and steel and clad in ivory terra cotta. Intended to support five additional stories (never built), its sculptural facade blends Tudor English and Venetian Gothic elements. A modern two-story retail base supports an eight-story office structure defined by Chicago-style windows, fluted piers, and ornate tracery. Decorative features include quatrefoil spandrels, finialed pinnacles, and ogee arches culminating in a richly detailed parapet.



**Joshua Green Building**

**Address:** 1425 4<sup>th</sup> Ave.

Constructed in 1912, the Joshua Green Building is a ten-story retail and office structure located at the southwest corner of Fourth Avenue and Pike Street. Designed with a nearly square footprint, the building features a cream-colored terra cotta façade characterized by wide window bays framed by decorative pilasters. The facade is horizontally layered with cornices and detailed vertical piers with acanthus leaf and shield capitals, creating a balanced rhythm on both street-facing elevations. Originally featuring glass-and-metal storefronts and multi-part transom windows, the ground and second floors have since been remodeled with modern materials, obscuring some of the original design intent.



### **Holland/MiKen Building**

**Address:** 1411 4<sup>th</sup> Ave.

Constructed in 1929, the 15-story Building exemplifies a transitional modernist design with subtle Art Deco and Celtic influences. Designed in an "L" shape for optimal daylight exposure, the stone-clad structure features recessed spandrels and unornamented vertical piers that gently taper at the parapet. Notable for being the tallest Seattle building at the time to be fully clad in stone, it shares architectural lineage with other R.C. Reamer-designed buildings nearby, including the Great Northern Building. The facade's verticality and material quality convey a dignified and streamlined urban presence.



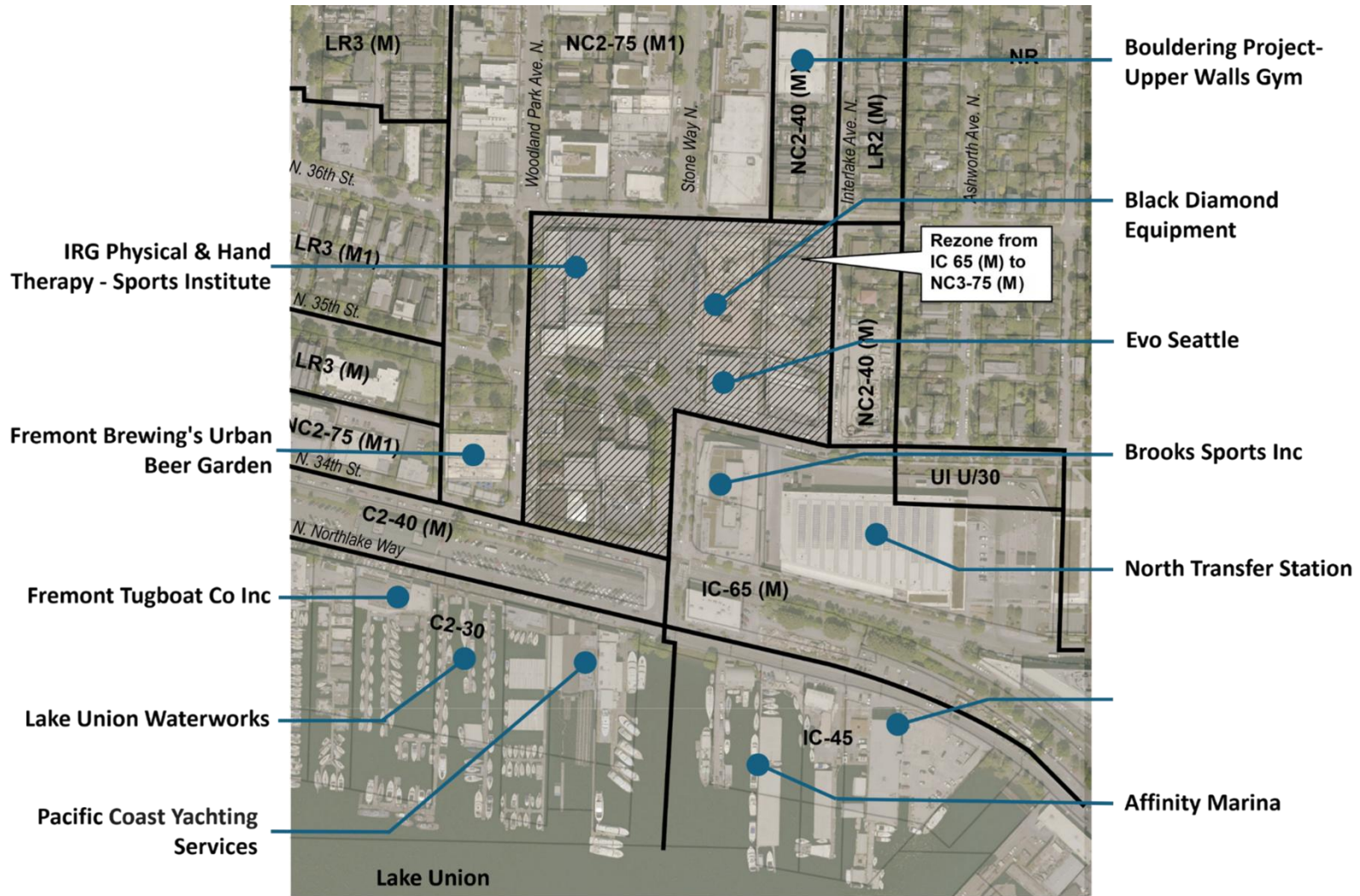
### Great Northern Building

**Address:** 1404 4th Ave.

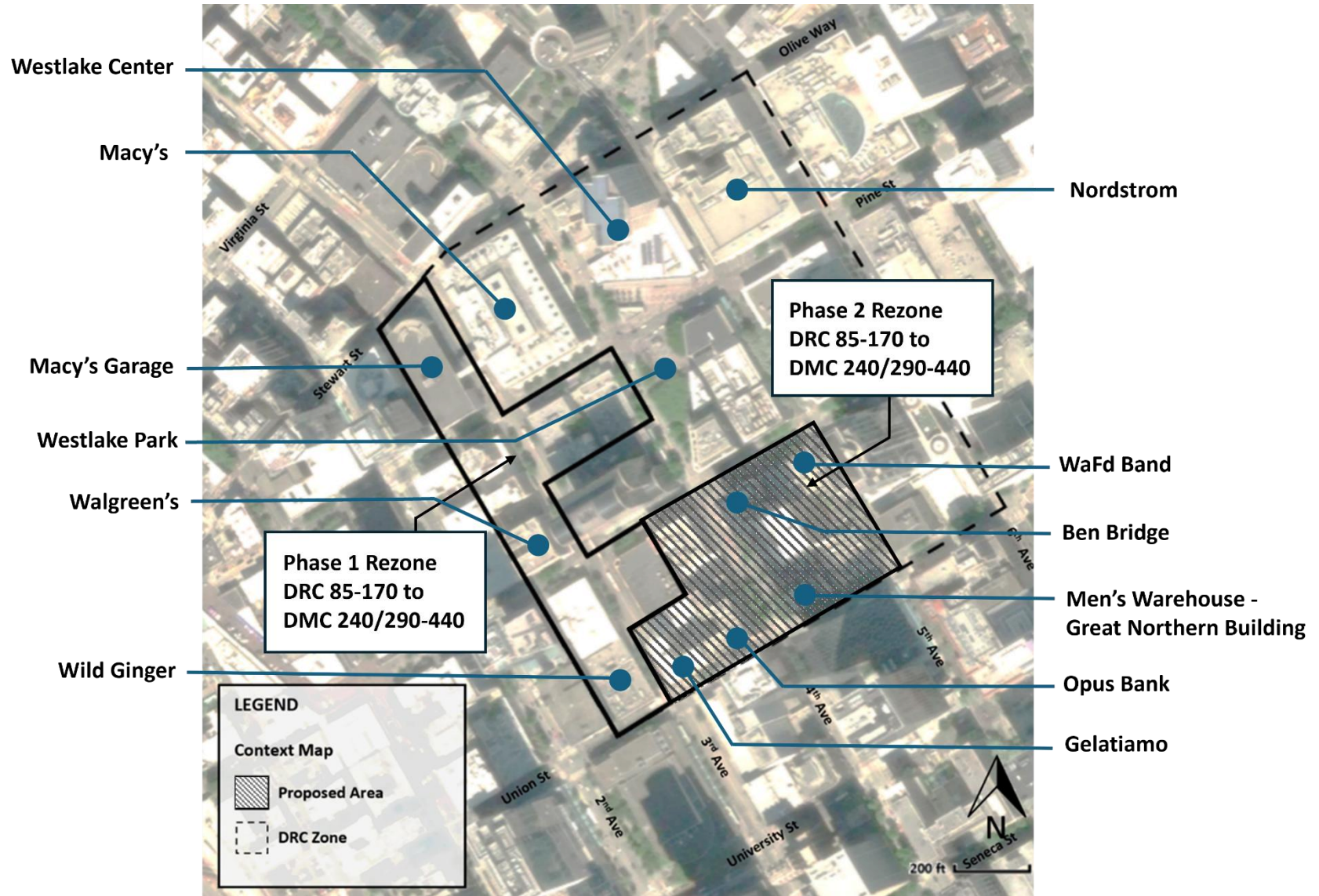
Completed in 1928, the four-story Great Northern Building was originally developed to house the main ticket office of the Great Northern Railroad. Designed by R.C. Reamer and noted as Seattle's earliest example of a modernistic medium-rise, the building signaled a transition from traditional Beaux-Arts ornamentation toward streamlined design. While some historic elements remain—such as floral plaster friezes—the ground floor has been significantly altered with modern windows, signage, and a bronze canopy. The building stands as a pivotal example of late 1920s architectural shifts toward simplified forms and restrained detailing.



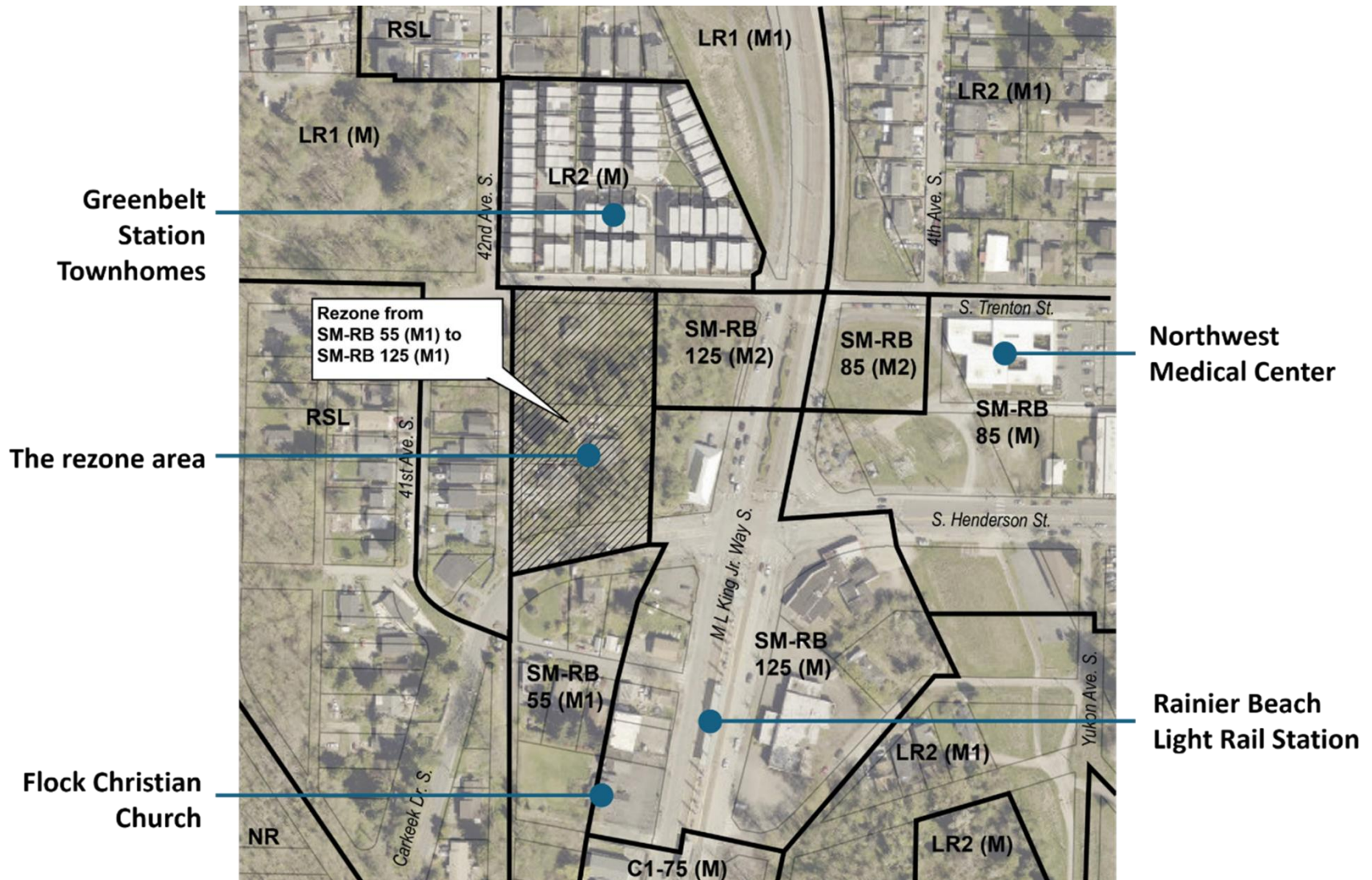
### Appendix -2 Illustrative Maps of Zoning Change Areas Fremont/Stone Way



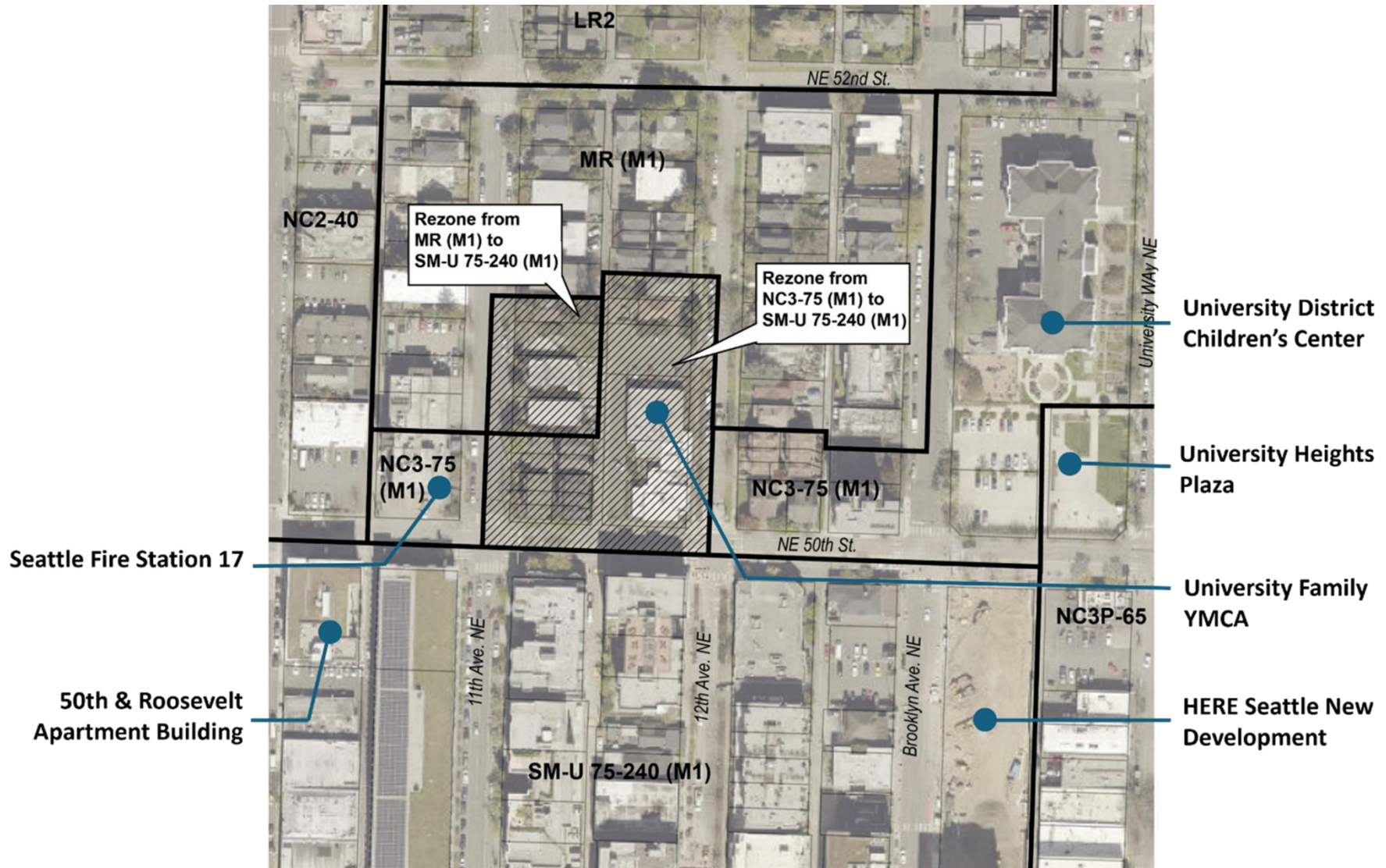
Downtown Retail Core



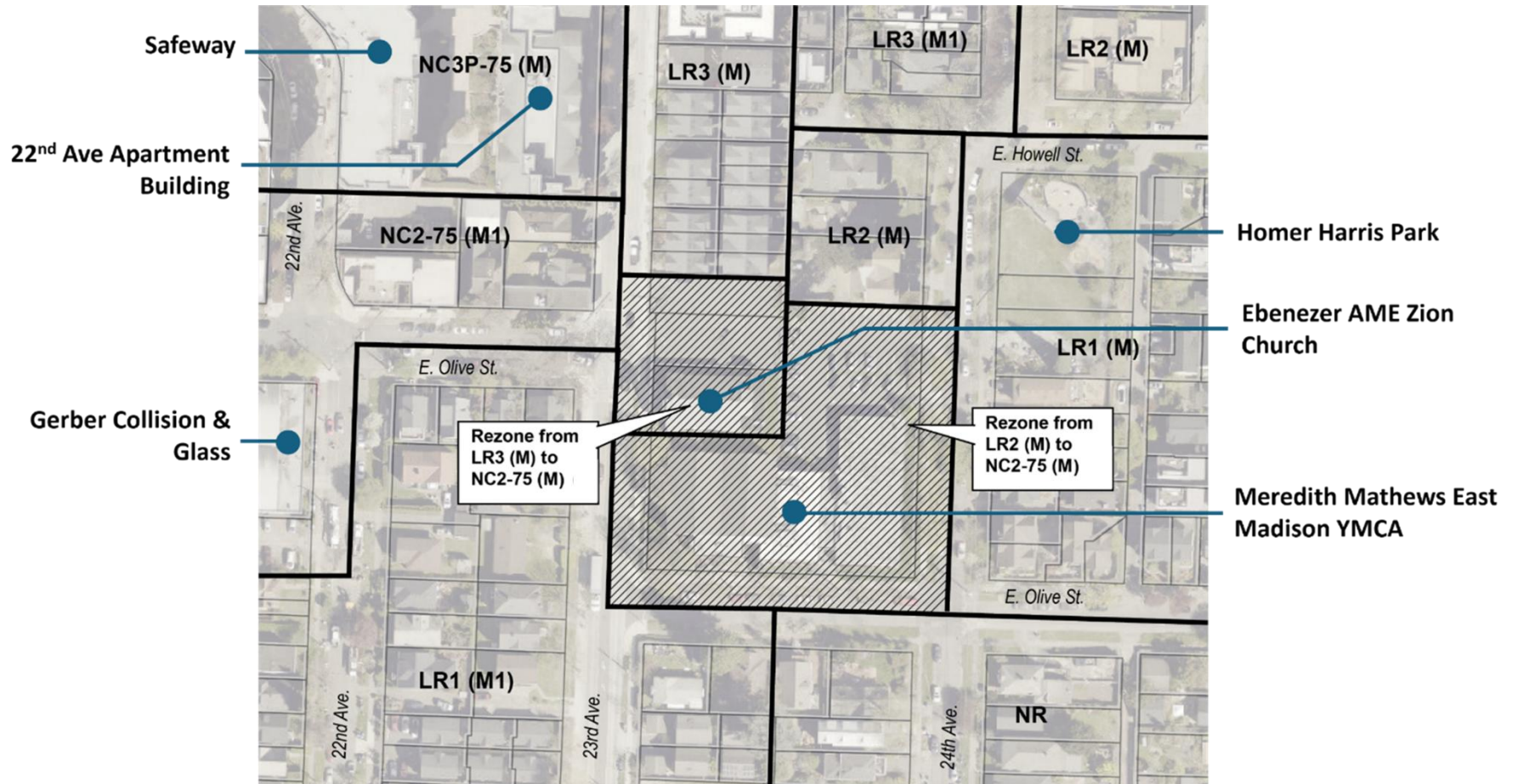
Rainier Beach



University District

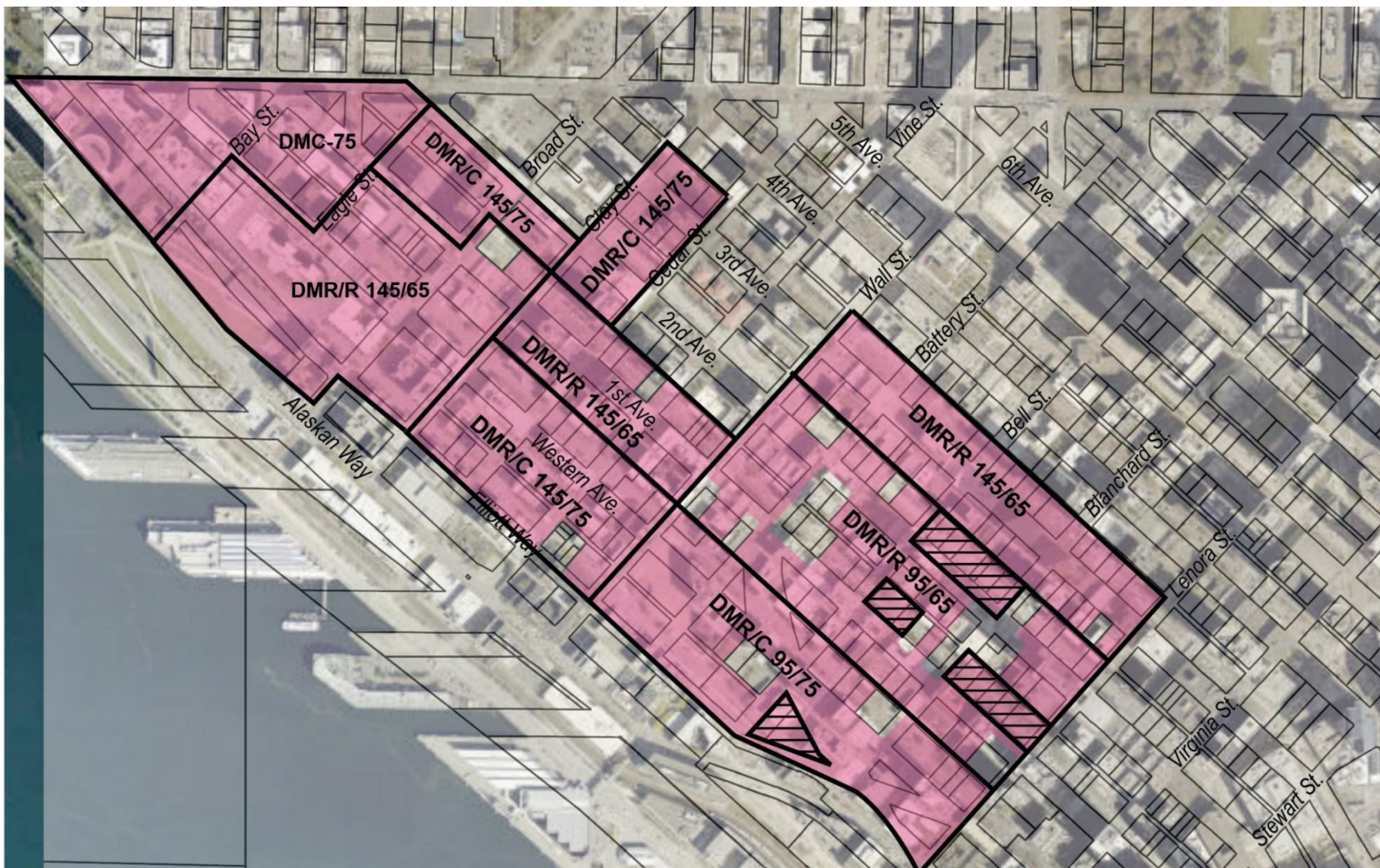


Madison/ Miller



**Belltown**

Areas indicated in pink are extra residential height allowance (+50' in DMR 95 and the DMC-75 zone, and +100' in DMR 145 zones).  
Hatched areas are infill residential focus blocks for extra height limit allowance of +100' in DMR 95 zone.



Overview Briefing

# Housing Opportunities Legislation

April 2026

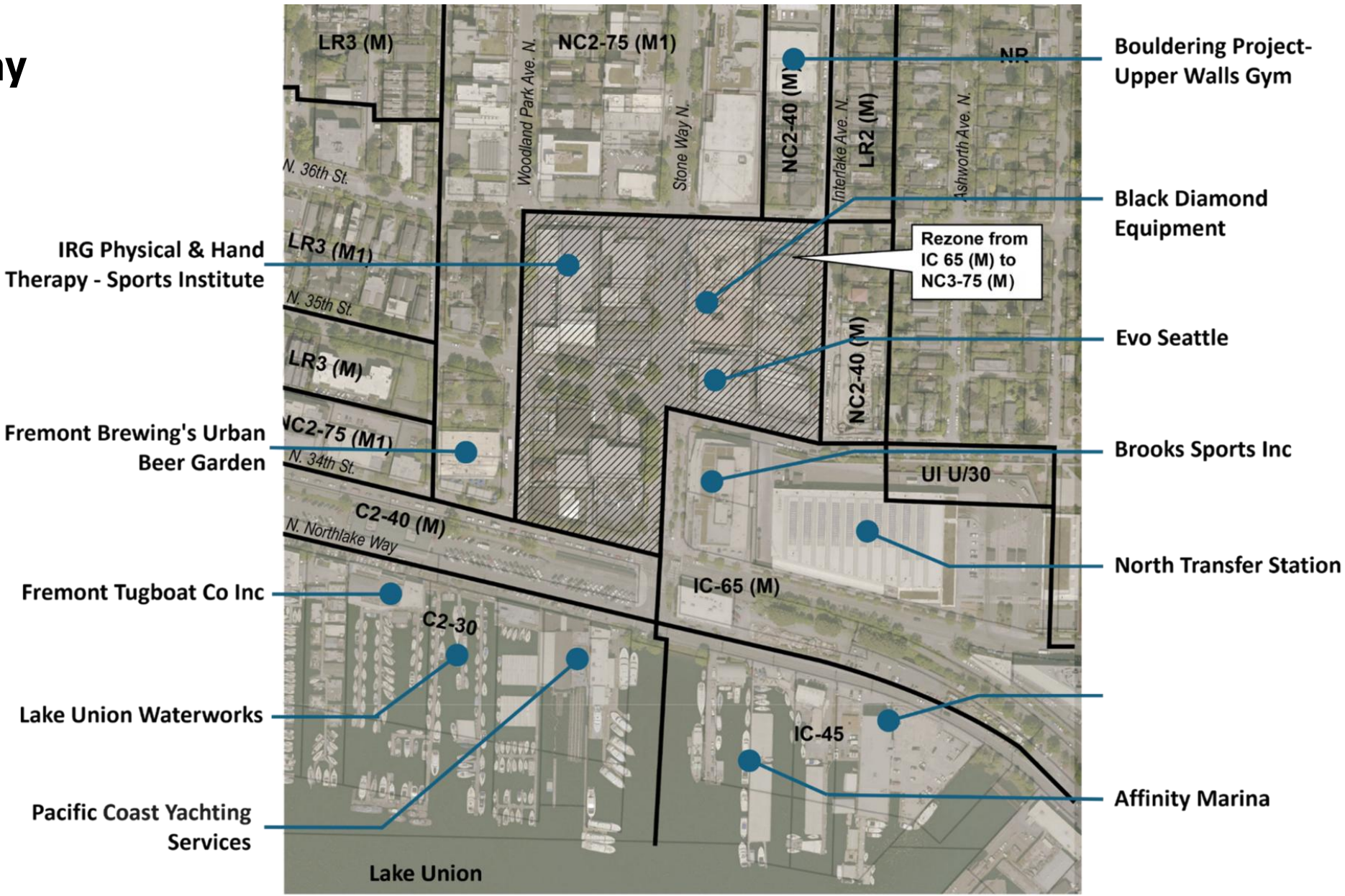
# Housing Opportunities - Purpose

- Make focused changes to the City's land use code and zoning to support near-term investment in additional housing supply. (e.g. 1-3 years to enter permitting).
- Amplify housing production on opportunity sites and in areas that are well-positioned to spur new housing development without causing displacement pressure.
- Advance these changes while broader, more holistic changes to implement the new Comprehensive Plan work their way through the process.

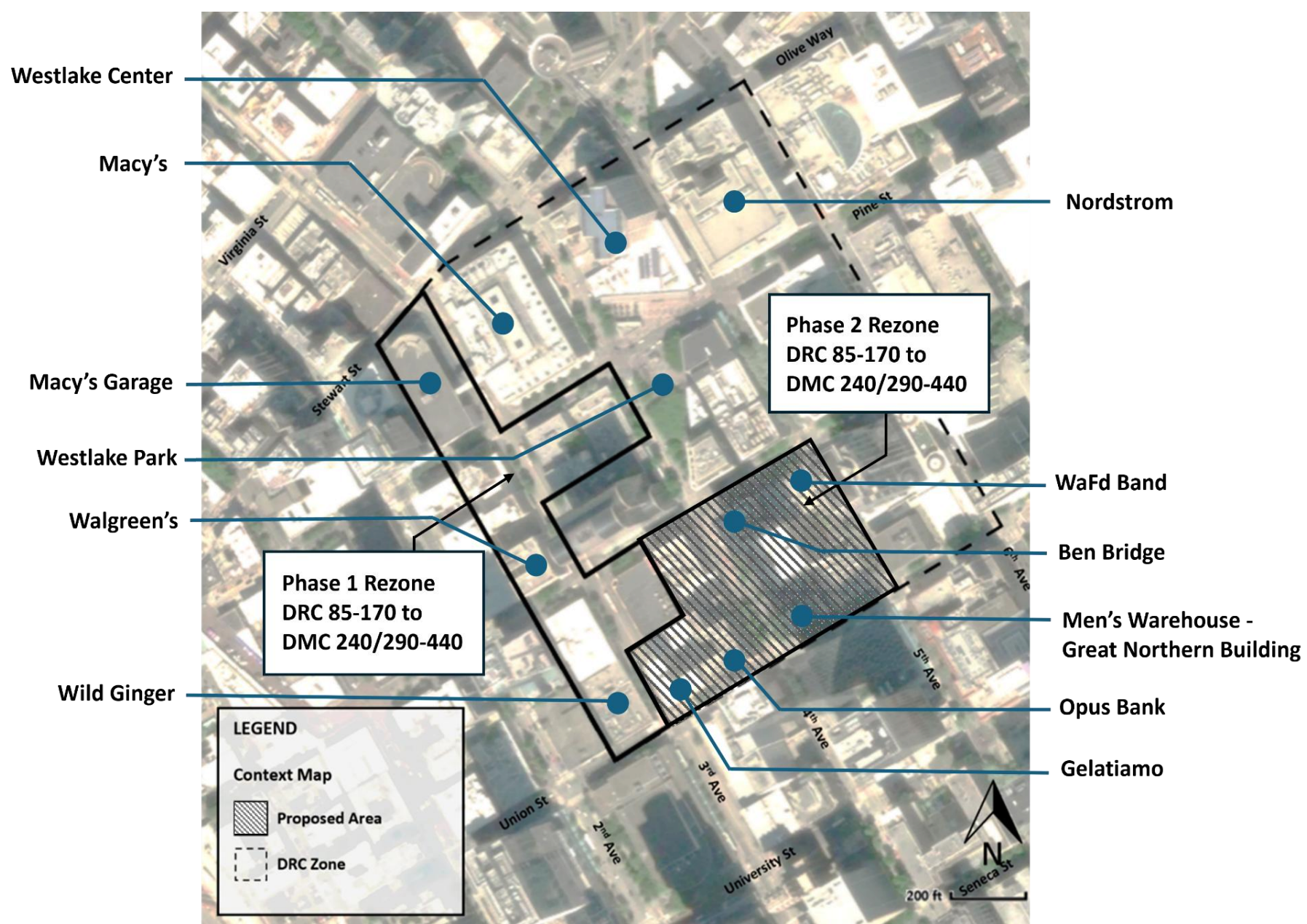
# Housing Opportunities Legislation - Components

- Fremont / Stone Way rezone
- Expanded Downtown Retail Core (DRC) rezone
- Rezone to support multi-purpose redevelopment on sites with community-based uses
- Remove code barriers to passive house, modular and mass timber construction. (HB 1183 implementation)
- Increase height limits and modify development standards to encourage more housing in Belltown
- Remove code barriers to conversion from commercial space to housing in more zones
- Lake City - Incentivize grocery store retention and housing

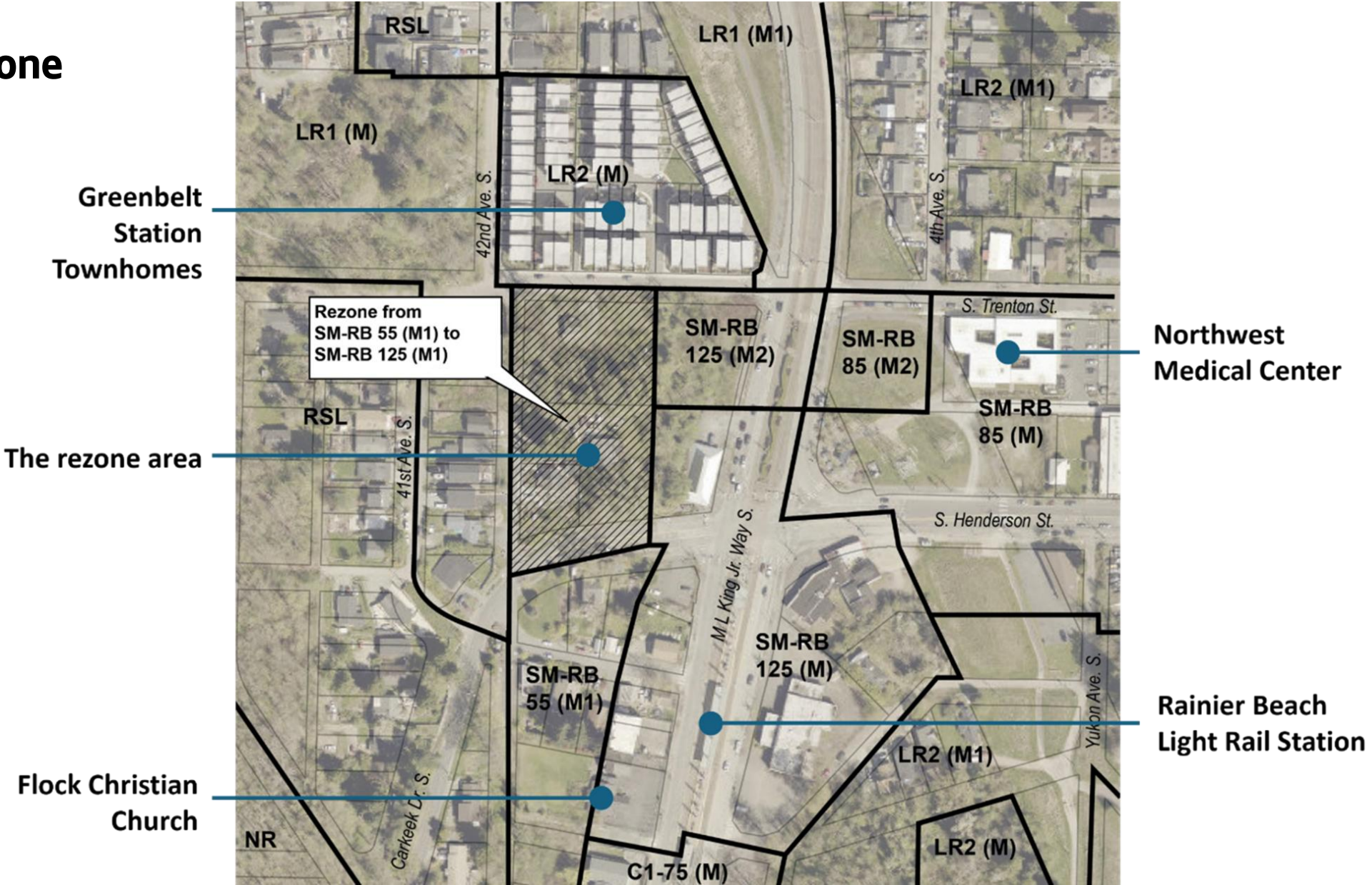
# Fremont / Stone Way Rezone



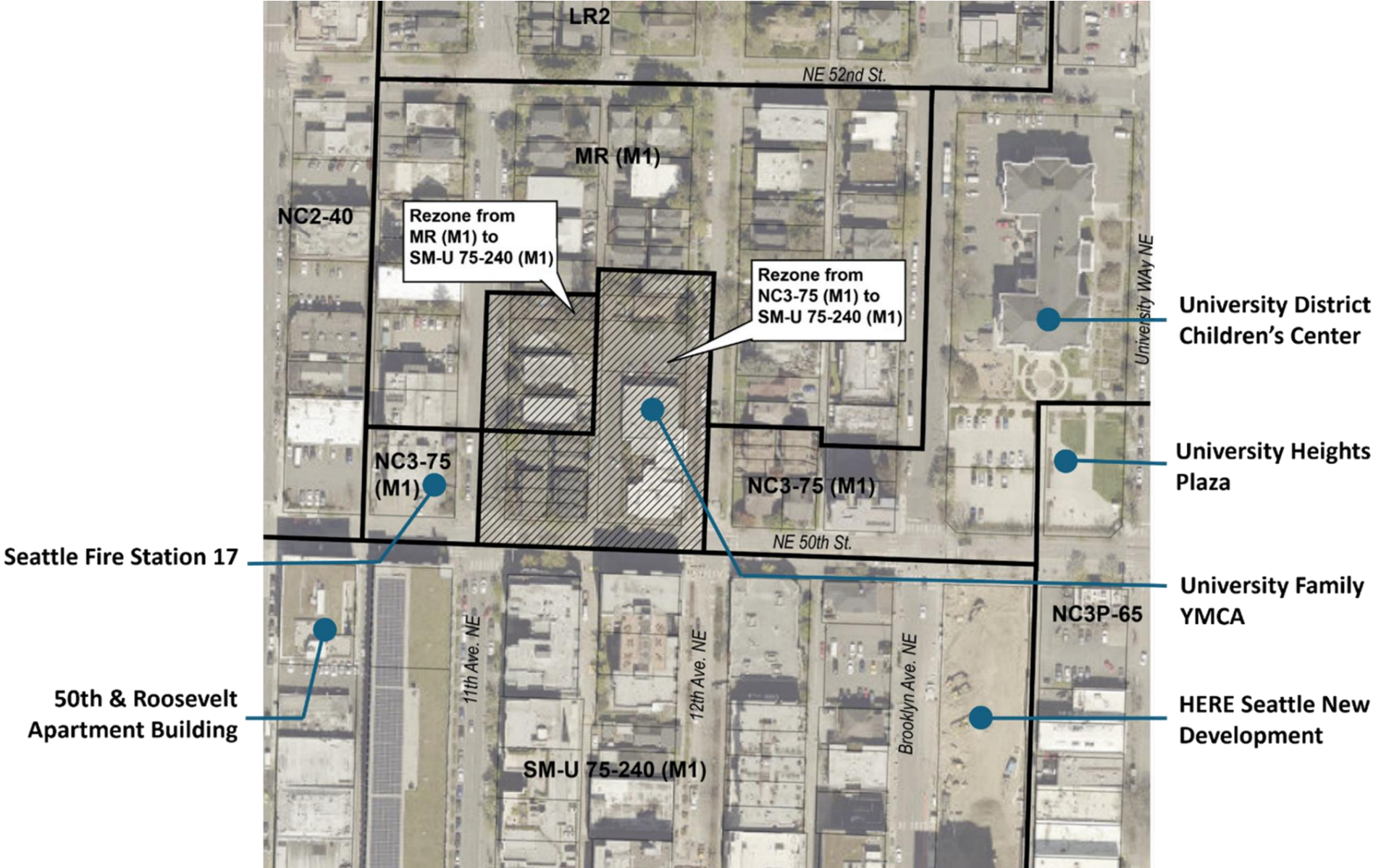
# Expanded Downtown Retail Core Rezone



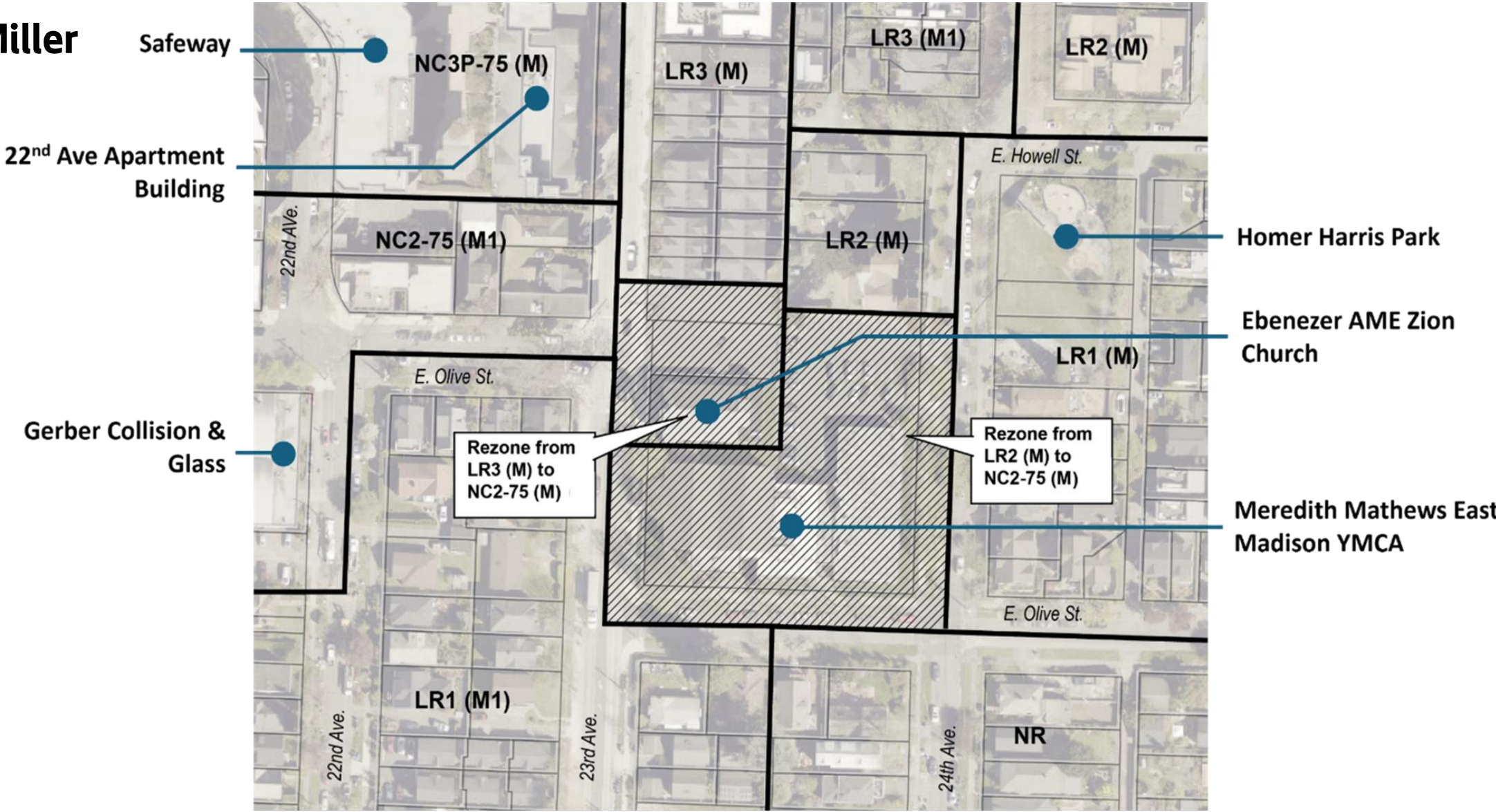
# Rainier Beach Rezone



# University District Rezone



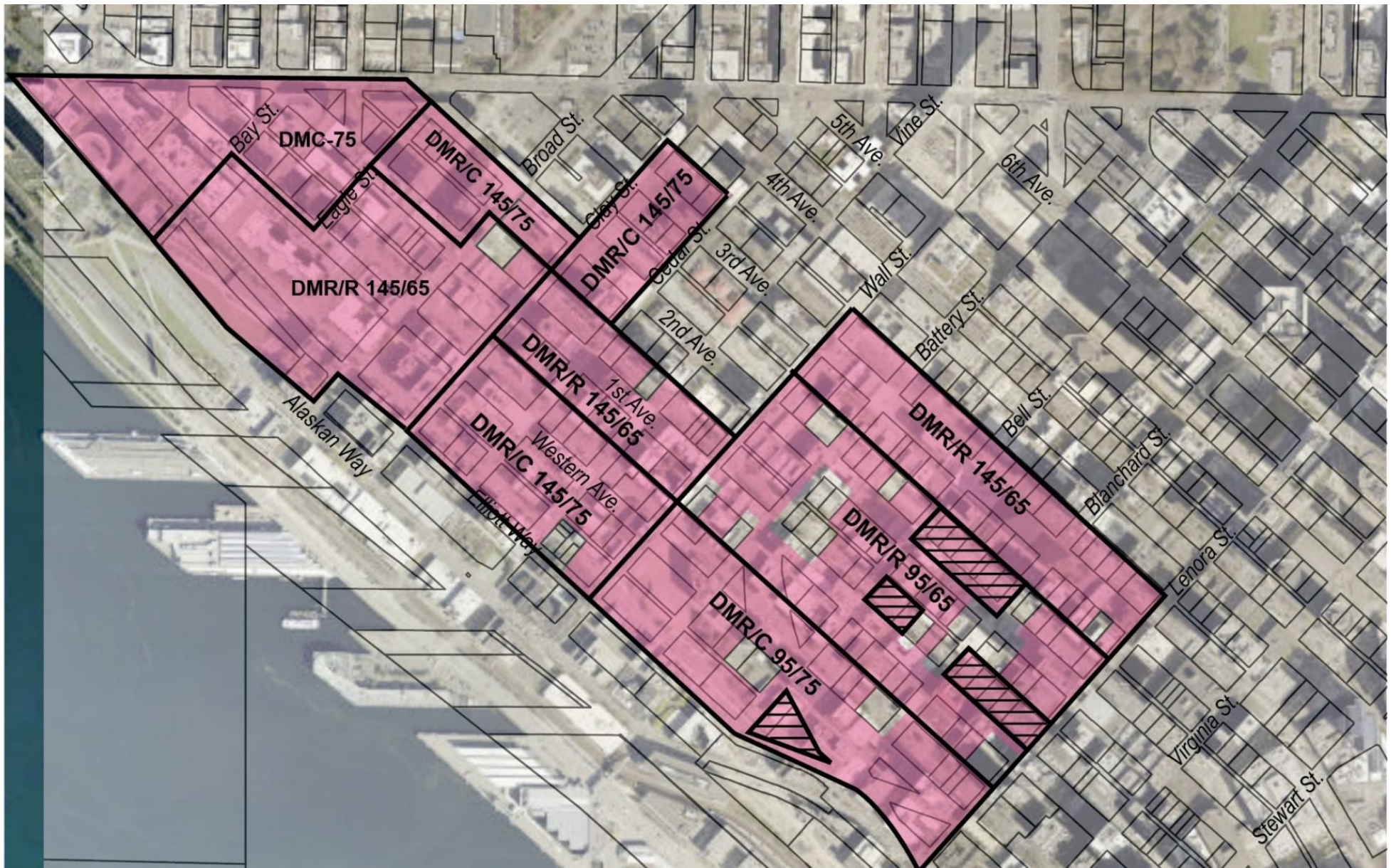
# Madison / Miller Rezone



# Belltown height limit increases

Areas indicated in pink are extra residential height allowance (+50' in DMR 95 and the DMC-75 zone, and +100' in DMR 145 zones).

Hatched areas are infill residential focus blocks for extra height limit allowance of +100' in DMR 95 zone.



# Remove code barriers to passive house, modular and mass timber construction

## **New Section 23.40.090 Exception from facade modulation and upper-level setback requirements for certain types of residential projects.**

*(Early implementation of HB 1183 Section 6)*

Residential developments of the following types of projects would be exempt from any facade modulation or upper-level setback requirement:

- Where 100 percent of the dwelling units in the development are affordable housing; or
- Where new construction meets passive house requirements; or
- Where retrofit of existing buildings meets passive house requirements; or
- That utilize modular construction; or
- That utilize mass timber construction.

# Lake City - Incentivize Grocery Store Retention and Housing

Increase the allowed height limit 30' (from 55' to 85') and add a 2.0 FAR increment, for development containing the following:

- 50,000 sq. ft. or more gross floor area is dedicated at ground level for any combination of grocery store, pharmacy, medical services, child care center, or elementary or secondary school, community club, or community center uses; and
- Include at least 200 residential dwelling units in the development.

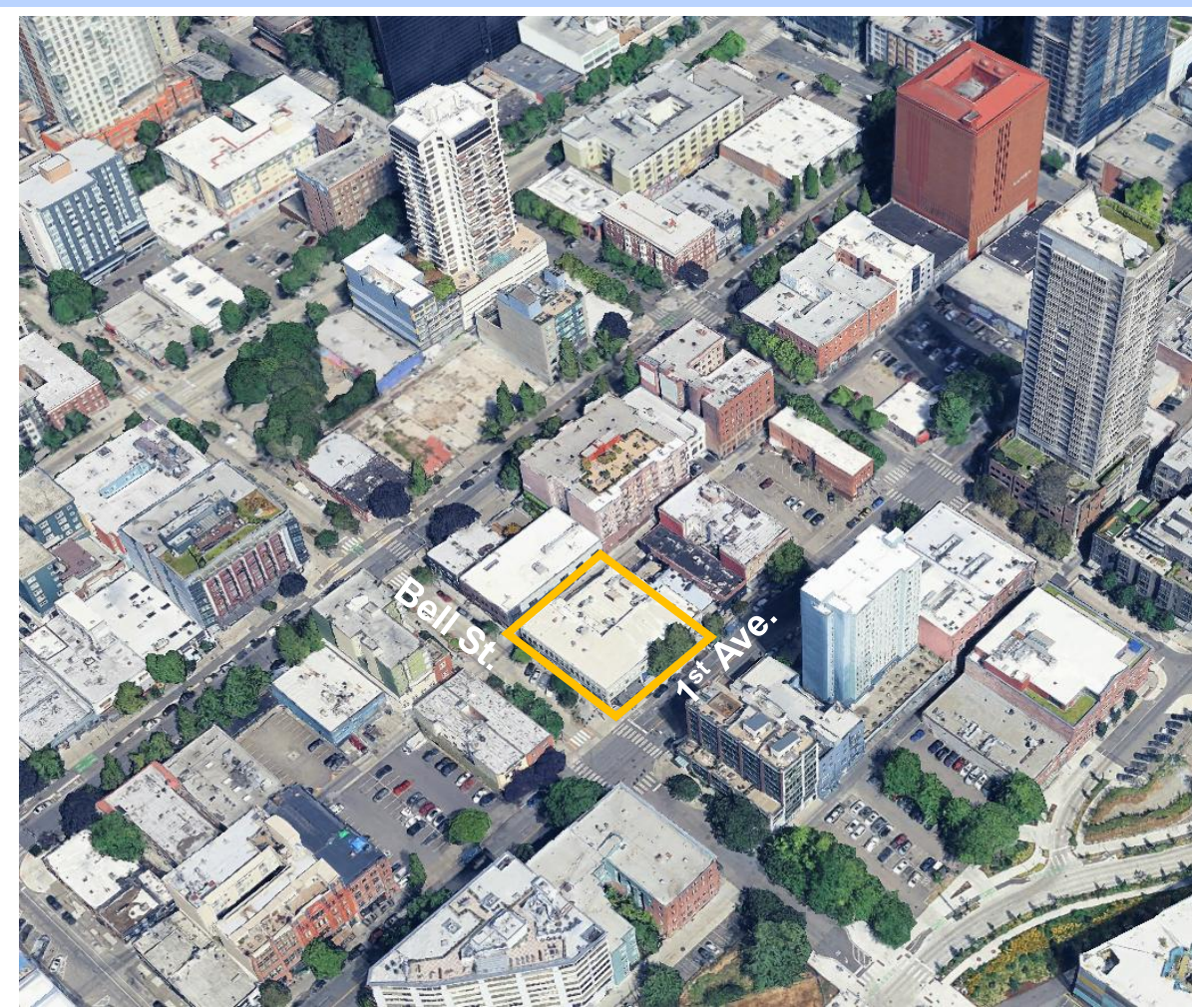
# Example - Mass Timber Tower



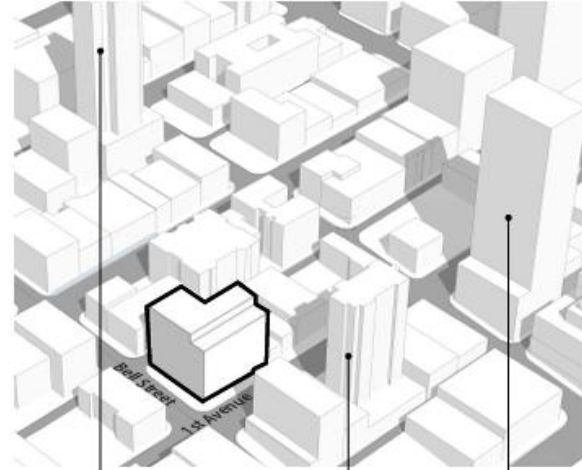
*Akari House is a proposed 17 story hybrid mass timber tower with 117 homes at Seneca St. And E. Union St. in First Hill. It contains 12 stories of mass timber construction over a 5 story concrete and steel base. OPCD anticipates opportunities for similar intermediate-scale towers in more places in Seattle in future years if supportive zoning and development standards are in place.*

**Credit:** Clarke / Barnes Architects.

# Example Housing Opportunity

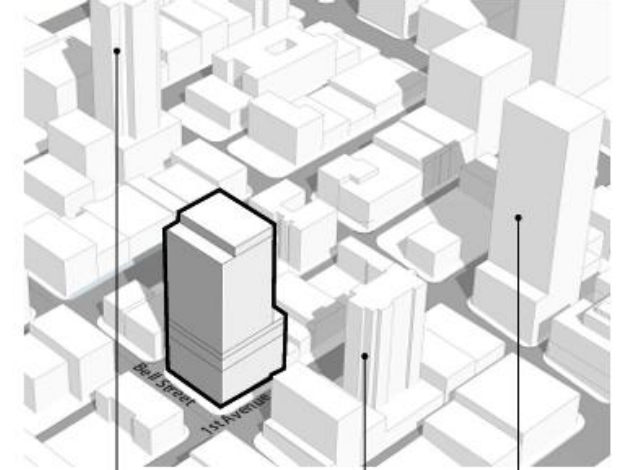


Existing Zoning: 95' Max



Grandview Condominium 210'  
Bell Tower Apartments 175'  
Continental Place 350'

Housing Opportunities: 195'



Grandview Condominium 210'  
Bell Tower Apartments 175'  
Continental Place 350'

The graphic compares potential development under existing zoning, and under the proposed Housing Opportunities legislation at 2228 First Ave. in Belltown. The proposed legislation would enable approximately 150 more homes (250 total). Without the legislation housing development is far less likely to be economically viable under current conditions.

**Credit:** Graphite Design Group architects.

# Example Housing Opportunity



*The proposed 35 Interlake building would be enabled by the proposed legislation. It is envisioned as a housing and hotel building with a retail courtyard. It would be added next to the Brooks world headquarters and the Evo retail and recreation uses.*

**Credit:** Evolution Projects

# Future Housing Opportunities

For the future, OPCD recommends that focused packages of zoning and land use code legislation similar to this housing opportunities bill be brought forward on a periodic basis.

# Thank You

City of Seattle

Office of Planning & Community Development (OPCD)

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