

April 9, 2024

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Council Bill 120749 – Georgetown Commercial Zone Height Limit Exception

On April 17, the Land Use Committee will hold a public hearing on [Council Bill \(CB\) 120749](#), which would amend the Land Use Code to allow an additional 10 feet of height in the Commercial 1-75 (M) (C1-75 (M)) zone on 4th Avenue S between S Fidalgo Street and S Dawson Street. This zone is located near the Georgetown neighborhood and surrounded by the Duwamish Manufacturing/Industrial Center (Council District 1). To receive the additional height, which would allow buildings up to 85 feet in height, a project would be required to:

1. Commit to developing a green building, under the rules of Seattle Municipal Code (SMC) [Chapter 23.58D](#);
2. Include at least five residential floors, with residential units being provided with sound-insulating windows and air cooling and ventilation systems designed to improve internal air quality;
3. Provide neighborhood-serving retail or other commercial or institutional uses at ground floor; and
4. Have a 20-foot-tall ground floor.

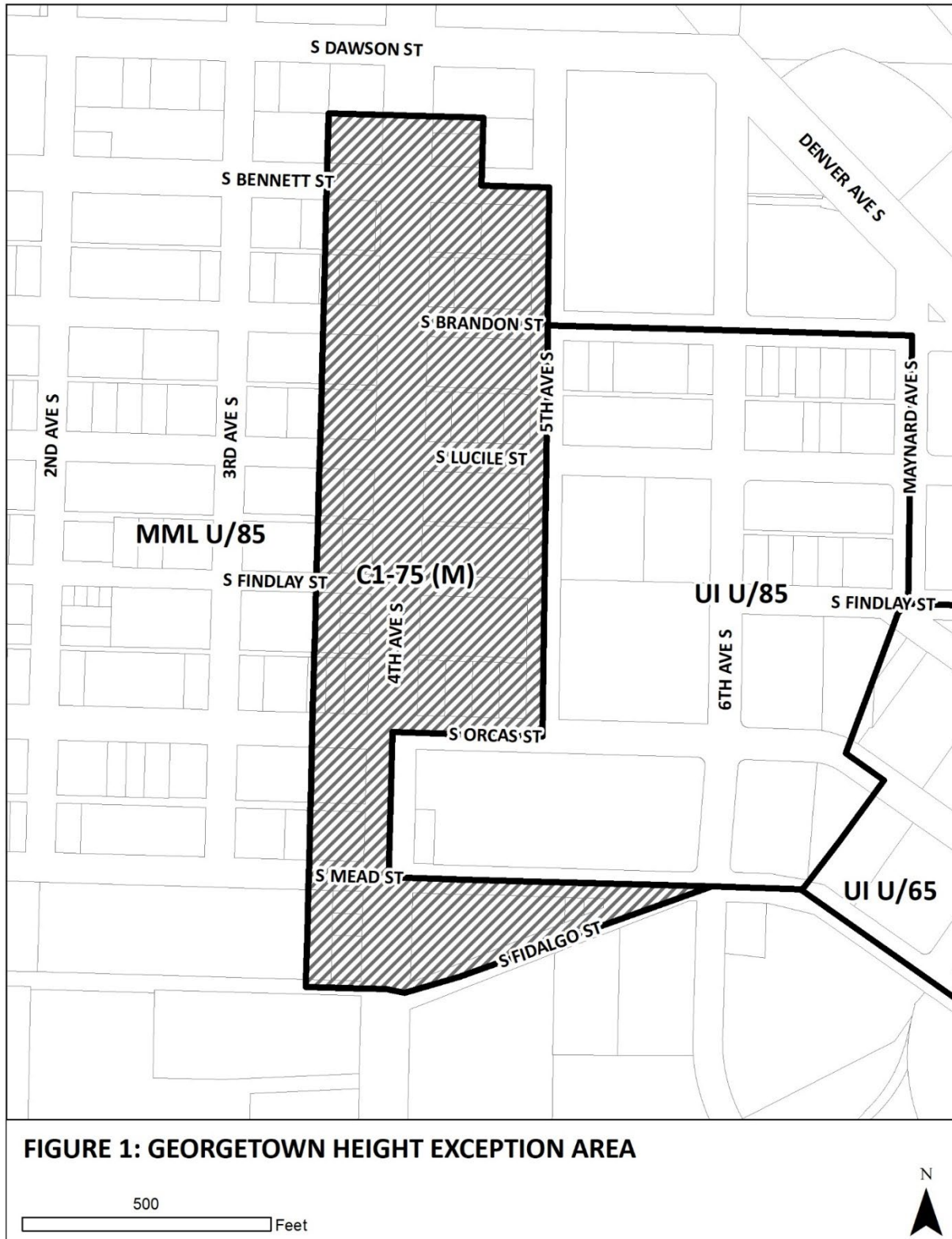
This memorandum describes the affected area and the proposed zoning changes.

4th Avenue S

The blocks adjacent to 4th Avenue S between S Fidalgo Street and S Dawson Street are zoned C1-75 (M) (see Figure 1). C1 is an auto-oriented commercial district which allows commercial and residential buildings up to 75 feet tall. C1 zones are intended to “provide for an auto-oriented, primarily retail/service commercial area that serves surrounding neighborhoods and the larger community, citywide, or regional clientele.” ([SMC 23.34.080](#))

C1 zones allow a wide range of uses, often without maximum size limits for individual uses. The size of structures is controlled by height limits and floor area ratio (FAR) limits, which limit development to 5.5 FAR in areas with 75 foot height limits.¹ In this area, as of April 2024, (M) mandatory housing affordability [requirements](#) equal five percent of residential units if units are provided on-site, or \$9.80 a square foot of residential space if the payment option is exercised.

¹ The floor area ratio or FAR of a structure equals the ratio between the amount of floor space within a structure and the size of the lot the structure is on. For example, a 2,000 square foot building on a 10,000 square foot lot has a FAR of 0.20. A 100,000 square foot building on a 10,000 square foot lot has an FAR of 10.0.



This pocket of C1 zoning is surrounded by the Duwamish Manufacturing/Industrial Center. To the north, south, and west is a Maritime, Manufacturing, and Logistics U/85 zone (MML U/85), an industrial zone that allows heavy industrial uses with no maximum size limit, and heavy commercial uses up to a height limit of 85 feet. On the east side of the C1 zone is an Urban Industrial U/85 (UI-U/85) zone, which allows a mix of industrial and commercial uses up to 85 feet. In the UI zone, residential uses are permitted as a conditional use.

The 4th Avenue S C1 zone includes a mix of industrial and commercial uses commonly found throughout the industrial area. Among the uses fronting on 4th Avenue S include:

- businesses selling industrial goods such as hoses for industrial applications;
- businesses focused on serving other commercial businesses, such as construction supply companies and print shops;
- automobile repair shops;
- food banks; and
- bars, restaurants, and clubs.

A 501(c)(3) organization, Watershed Community Development Authority (WCD (formerly Georgetown CDA)), has acquired property in the C1 zone and seeks to develop at least 900 new residential units in the area. Other uses planned by WCD include childcare, community resources, and cultural institutions.

Council Bill 120749 would amend SMC Section 23.47A.012 related to structure height in commercial zones, to allow an additional 10 feet of height in the C1 zone along 4th Avenue S, up to 85 feet. This amendment would allow the additional height in projects that:

- Commit to developing a green building, under the rules of SMC Chapter 23.58D;
- Include at least five residential floors;
- Provide all residential units with sound-insulating windows and air cooling and ventilation systems designed to improve internal air quality;
- Dedicate at least 20 percent of the street-level street frontage uses of the structure to one or more uses listed in SMC Section 23.47A.005.D.1. The uses listed in this subsection are neighborhood-serving uses that are intended to attract and support pedestrian activity in pedestrian-oriented commercial areas; and
- Provide space with at least 20 feet ceilings for uses at the street level.

Projects that include all of these features are allowed to add 10 feet, or approximately one story in height.

Issue Identification

Street Level Height

As noted above, one of the rationales for allowing additional height in structures in the Georgetown C1 zone is to accommodate greater floor to ceiling heights for street-level uses, such as those needed by arts and industrial uses, without impacting the amount of residential space that can be built in a project. Consequently, the bill would require that projects include street level uses with higher than typical ceiling heights in order to access the height incentive.

WCD has explored building designs that would provide 20-foot-tall ceilings in portions of street level spaces but would also have live-work units with two ten-foot floors on other parts of the street level.

Amendment 1 (Attachment 1 to this memo), proposed by Chair Morales, would allow the 20-foot-tall ground floor requirement to only apply to portions of the building that are provided to comply with the requirement that 20 percent of the street frontage be in an active use. The amendment would also update the recitals to the bill to reflect WCD's new name.

Street Level Uses

Under [SMC 23.47A.005.C.1.c](#), most projects in C1-85 zones with residential uses are required to dedicate 80 percent of the street level street frontage in one or more neighborhood-serving commercial or institutional uses that are listed in SMC 23.47A.005.D. Because the proposed code amendment would allow 85-foot-tall buildings without rezoning the area to an 85-foot zone, that provision would not apply. Instead, there would be a requirement to provide a minimum of 20 percent of the street level street frontage in one or more of those uses. Because the C1 zone along 4th Avenue S is in an area without easy access to neighborhood-serving uses, Councilmembers may want to consider increasing the requirement to support the development of a complete community that can provide for the full range of neighborhood activities.

Next Steps

The Land Use Committee may vote on CB 120749 as early as its May 1 Committee meeting. A vote on May 1 would allow for a City Council vote as early as May 7.

Attachments:

1. Amendment 1 – Adjust Ground Floor Height Limit

cc: Ben Noble, Director
Aly Pennucci, Deputy Director

Amendment 1 Version #1 to CB 120749 OPCD Georgetown Commercial Zone Height Limit
Exception ORD

Sponsor: Councilmember Morales
Adjust ground floor height requirement

Effect: CB 120749 allows additional building height in an area along 4th Avenue S near Georgetown, for projects that include 20-foot-tall ground floor spaces and space for neighborhood-serving businesses for at least 20 percent of the ground floor. This amendment would only require that the ground floor be 20 feet tall for the 20 percent of the ground floor in non-residential use. It would allow greater flexibility for projects in the area to include ground-floor residential uses with more appropriate residential heights.

It would also update the recital to the bill to reflect the current name of Watershed Community Development, formerly the Georgetown Community Development Association.

Amend the recitals to CB 120749, as follows:

WHEREAS, a 9.7 acre area of the Georgetown neighborhood along 4th Avenue South between

S. Fidalgo Street and S. Dawson Street has been zoned commercial since the 1970s and the existing Commercial 1 zone that applies to the area allows a broad mix of commercial and residential uses and the height limit is 75 feet; and

WHEREAS, Watershed Community Development (WCD), formerly known as the Georgetown Community Development Authority (GCDA), was formed in 2019 as a 501(c)(3) nonprofit organization and operates affordable artist and artisan work spaces; and

WHEREAS, ((GCDA)) WCD is seeking to develop a mixed-use development that if fully built would include approximately 900 homes along with childcare, community resources, and cultural institutions on multiple blocks on land it owns in a portion of the 9.7 acre Commercial 1 zoned area; and

WHEREAS, numerous other properties in the 9.7 acre area are not owned by ((GCDA)) WCD and could be developed with a broad mix of commercial and residential uses; and

* * *

WHEREAS, ((~~GCD~~A)) WCD reports that it held meetings that were open to the public on February 27, 2022, and June 11, 2022, at which the proposed additional height was reviewed by members of the public; NOW, THEREFORE,

* * *

Amend Section 1 to CB 120749, to amend subsection A. of Section 23.47A.012, as follows:

23.47A.012 Structure height

A. The height limit for structures in NC zones or C zones is as designated on the Official Land Use Map, Chapter 23.32. Structures may not exceed the applicable height limit, except as otherwise provided in this Section 23.47A.012.

* * *

5. In Commercial zones bounded by S. Dawson St. to the north, 5th Ave. S. to the east, S. Fidalgo St. to the south, and 3rd Ave. S. to the west, the height of a structure may exceed the otherwise applicable limit by up to 10 feet, provided all of the following conditions are met:

a. The applicant makes a commitment that the proposed development will meet the green building standard and shall demonstrate compliance with that commitment in accordance with Chapter 23.58D;

b. The development includes at least five stories solely occupied by residential uses;

c. At least 20 percent of the street frontage at street-level of the development shall be street-level uses from the list in subsection 23.47A.005.D.1;

d. A floor-to-floor height of 20 feet or more is provided for ~~the~~ non-residential uses at street level ~~provided to comply with the provisions of subsection 23.47A.012.A.5.c~~; and

e. All dwelling units in the development have sound-insulating windows and air cooling and ventilation systems meeting the requirement of subsection 23.47A.009.J.4 and 23.47A.009.J.5.

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