

Amendment 1 - OPTION 1B

Recitals related to investing in affordable housing in DT/SLU Sponsor: Councilmember Johnson

Amendment adding three recitals emphasizing the City's intention to make affordable housing investments in Downtown and South Lake Union Neighborhoods.

* * *

WHEREAS, the combined approach of higher commercial and lower residential payment and performance amounts address the unique characteristics and capture the type of growth that is occurring in Downtown and South Lake Union and these areas, while representing only 3% of the city's land, are estimated to produce 2,100 new affordable housing units, which is about a third of the city-wide goal of 6,000 units; and

WHEREAS, projects in Downtown and South Lake Union will tend towards the payment option under the MHA-C and MHA-R programs due to higher development costs; and

WHEREAS, Ordinance 125233 and Ordinance 125108 established factors the City will consider for purposes of determining the location for use of cash contributions made pursuant to the MHA-C or MHA-R programs, including locating near developments that generate cash contributions; and

WHEREAS, the City will employ strategies to ensure that affordable housing investments are made in the Downtown and South Lake Union neighborhoods and will monitor how affordable housing investments are distributed throughout the City; and

WHEREAS, increased residential development in the Downtown and South Lake Union areas will assist in achieving local growth management and housing policies; and

* * *

Amendment 1 - OPTION 1C

Recitals related to investing in affordable housing in DT/SLU Sponsor: Councilmember Johnson

Amendment adding three recitals emphasizing the City's intention to make affordable housing investments in Downtown and South Lake Union Neighborhoods.

* * *

WHEREAS, the combined approach of higher commercial and lower residential payment and performance amounts address the unique characteristics and capture the type of growth that is occurring in Downtown and South Lake Union and these areas, while representing only 3% of the city's land, are estimated to produce 2,100 new affordable housing units, which is about a third of the city-wide goal of 6,000 units; and

WHEREAS, projects in Downtown and South Lake Union will tend towards the payment option under the MHA-C and MHA-R programs due to higher development costs; and

WHEREAS, Ordinance 125233 and Ordinance 125108 established factors the City will consider for purposes of determining the location for use of cash contributions made pursuant to the MHA-C or MHA-R programs, including locating near developments that generate cash contributions; and

WHEREAS, the City will seek opportunities to make affordable housing investments in the Downtown and South Lake Union neighborhoods and will monitor how affordable housing investments are distributed throughout the City; and

WHEREAS, increased residential development in the Downtown and South Lake Union areas will assist in achieving local growth management and housing policies; and

* * *

Amendment 2 – OPTION 2B

Combined lot development decisions

Sponsor: Councilmember O'Brien

This amendment would amend:

- The title of Council Bill 118885 to include Section 23.76.004. *This would require the introduction of a new Council Bill.*
- Sections 23.76.004, 23.76.006 23.49.041 to: modify the type of decision for combined lot development (change from a Type I to a Type II decision); eliminate providing short term parking or improving the massing of the building as eligible public benefits; and require a detailed description of the public benefits associated with the combined lot approval.

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map (Chapter 23.32 of the Seattle Municipal Code) to rezone certain land in Downtown, South Lake Union and adjacent IC zones; amending Sections 23.41.012, 23.48.220, 23.48.225, 23.48.230, 23.48.232, 23.48.235, 23.48.245, 23.48.250, 23.48.285, 23.49.008, 23.49.011, 23.49.013, 23.49.014, 23.49.041, 23.49.058, 23.49.156, 23.49.158, 23.49.164, 23.50.020, 23.50.026, 23.50.028, 23.50.033, 23.50.039, 23.50.053, 23.50.055, 23.58B.040, 23.58B.050, 23.58C.025, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, [23.76.004](#), and 23.76.006 of the Seattle Municipal Code; amending the Downtown Overlay Maps in Chapter 23.49 of the Seattle Municipal Code; and adding new Sections 23.48.223, 23.48.231, 23.49.007, 23.49.039, and 23.50.041 to the Seattle Municipal Code to implement Mandatory Housing Affordability requirements in Downtown and South Lake Union.

23.49.041 Combined lot development

When authorized by the Director pursuant to this Section 23.49.041, lots located on the same block in DOC1, ~~((or))~~ DOC2 ~~((zones))~~, or ~~((in))~~ DMC 340/290-440 zones ~~((with a maximum FAR of 10))~~, or lots zoned DOC1 and DMC on the same block, may be combined, whether contiguous or not, solely for the purpose of allowing some or all of the capacity for chargeable floor area on one such lot under this Chapter 23.49 to be used on one or more other lots, according to the following provisions:

A. Up to all of the capacity on one lot, referred to in this Section 23.49.041 as the "sending lot," for chargeable floor area in addition to the base FAR, pursuant to Section 23.49.011 (referred to in this Section 23.49.041 as "bonus capacity"), may be used on one or more other lots, subject to compliance with all conditions to use of such bonus capacity, pursuant to Sections 23.49.011 through 23.49.014, as modified in this Section 23.49.041. For purposes of applying any conditions related to amenities or features provided on site under Section 23.49.013, only the lot or lots on which such bonus capacity shall be used are considered to be the lot or site using a bonus. Criteria for use of bonus that apply to the structure or structures shall be applied only to the structure(s) on the lots using the transferred bonus capacity.

B. Only if all of the bonus capacity on one lot shall be used on other lots pursuant to this Section 23.49.041, there may also be transferred from the sending lot, to one or more such other lots, up to all of the unused base FAR on the sending lot, without regard to limits on the transfer or on use of TDR in Section 23.49.014. Such transfer shall be treated as a transfer of TDR for purposes of determining remaining development capacity on the sending lot and TDR available to transfer under Section 23.49.014, but shall be treated as additional base FAR on the other lots, and to the extent so treated shall not qualify such lots for bonus development. If less than all of the bonus capacity of the sending lot shall be used on such other lots, then unused base FAR on the sending lot still may be transferred to the extent permitted for within-block TDR under Section 23.49.014, and if the sending lot qualifies for transfer of TDR under any other category of sending lot in Table A for 23.49.014, such unused base FAR may be transferred to the extent permitted for such category, but in each case only to satisfy in part the conditions to use of bonus capacity, not as additional base FAR.

C. To the extent permitted by the Director, the maximum chargeable floor area for any one or more lots in the combined lot development may be increased up to the combined maximum chargeable floor area under Section 23.49.011 computed for all lots participating in the combined lot development. To the extent permitted by the Director, and subject to subsection 23.49.041.B, the base floor area for any one or more lots in the combined lot development may be increased up to the combined maximum base chargeable floor area under Section 23.49.011 computed for all lots participating in the combined lot development.

D. The Director shall allow combined lot development only to the extent that the Director determines in a ~~((Type I))~~ Type II land use decision that permitting more chargeable floor area than would otherwise be allowed on a lot shall result in a significant public benefit. In addition to features for which floor area bonuses are granted, the Director may also consider the ~~((following as))~~ public benefits listed in subsections 23.49.041.D.1 through 23.49.041.D.9 that could satisfy this condition when provided for as a result of the lot combination. ~~((§))~~ When issuing a decision on a Type II decision for combined lot development the Director shall include a written report with a detailed description of the public benefit(s) received, how the public benefit(s) serves the general public and that the public benefit(s) are not also used to meet required land use code requirements or other requirements in the Seattle Municipal Code for development.

1. ~~((preservation))~~ Preservation of a ~~((landmark))~~ Landmark structure located on the block or adjacent blocks;
2. ~~((uses))~~ Uses serving the downtown residential community, such as a grocery store, at appropriate locations;
3. ~~((public))~~ Public facilities serving the Downtown population, including schools, parks, community centers, human service facilities, and clinics;

4. ~~((transportation))~~ Transportation facilities promoting pedestrian circulation and transit use, including through-block pedestrian connections, transit stations, and bus layover facilities;

5. ~~((short-term))~~ ~~((Short-term parking on blocks within convenient walking distance of the retail core or other downtown business areas where the amount of available short-term parking is determined to be insufficient;))~~

~~6.~~ ~~((a))~~ A significant amount of affordable housing serving households with a range of income levels that exceed the requirements under Chapters 23.58B and 23.58C;

7. ~~((improved))~~ ~~((Improved massing of development on the block that achieves a better relationship with surrounding conditions, including: better integration with adjacent development, greater compatibility with an established scale of development, especially relative to))~~ ~~((landmark))~~ ~~((Landmark structures, or improved conditions for adjacent public open spaces, designated green streets, or other special street environments;))~~

~~8.~~ ~~((public))~~ Public view protection within an area;

~~9.~~ ~~((arts))~~ Arts and cultural facilities, including a museum or museum expansion space; or

~~10.~~ ~~((green))~~ Green stormwater infrastructure beyond the requirements of the Stormwater Code (Chapters 22.800 through 22.808).

E. The fee owners of each of the combined lots shall execute an appropriate agreement or instrument, which shall include the legal descriptions of each lot and shall be recorded ~~((in))~~ with the King County ~~((real property records))~~ Recorder's Office. In the agreement or instrument, the owners shall acknowledge the extent to which development capacity on each sending lot is reduced by the use of such capacity on another lot or lots, at least for so long as the chargeable

floor area for which such capacity is used remains on such other lot or lots. The deed or instrument shall also provide that its covenants and conditions shall run with the land and shall be specifically enforceable by the parties and by the City of Seattle.

F. Nothing in this Section 23.49.041 shall allow the development on any lot in a combined lot development to exceed or deviate from height limits or other development standards.

* * *

23.76.004 - Land use decision framework

A. Land use decisions are classified into five categories. Procedures for the five different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are generally categorized by type in Table A for 23.76.004.

* * *

Table A for 23.76.004 LAND USE DECISION FRAMEWORK ¹	
Director's and Hearing Examiner's Decisions Requiring Master Use Permits TYPE I Director's Decision (Administrative review through land use interpretation as allowed by Section 23.88.020 ²)	
*	Application of development standards for decisions not otherwise designated Type II, III, IV, or V
*	Uses permitted outright
*	Temporary uses, four weeks or less
*	Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments
*	Intermittent uses

*	Interim use parking authorized under subsection 23.42.040.G
*	Uses on vacant or underused lots pursuant to Section 23.42.038
*	Transitional encampment interim use
*	Certain street uses
*	Lot boundary adjustments
*	Modifications of features bonused under Title 24
*	Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
*	Temporary uses for relocation of police and fire stations
*	Exemptions from right-of-way improvement requirements
*	Special accommodation
*	Reasonable accommodation
*	Minor amendment to a Major Phased Development permit
*	((Determination of public benefit for combined lot FAR))
*	Determination of whether an amendment to a property use and development agreement is major or minor
*	Streamlined design review decisions pursuant to Section 23.41.018; if no development standard departures are requested, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
*	Shoreline special use approvals that are not part of a shoreline substantial development permit
*	Adjustments to major institution boundaries pursuant to subsection 23.69.023.B
*	Determination that a project is consistent with a planned action ordinance
*	Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance
*	Other Type I decisions that are identified as such in the Land Use Code
TYPE II Director's Decision (Appealable to Hearing Examiner or Shorelines Hearing Board ³)	
*	Temporary uses, more than four weeks, except for temporary relocation of police and fire stations
*	Variances
*	Administrative conditional uses

*	Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit ³
*	Short subdivisions
*	Special exceptions
*	Design review decisions, except for streamlined design review pursuant to Section 23.41.018 if no development standard departures are requested, and except for design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
*	Light rail transit facilities
*	The following environmental determinations:
	1. Determination of non-significance (EIS not required)
	2. Determination of final EIS adequacy
	3. Determinations of significance based solely on historic and cultural preservation
	4. A decision to condition or deny a permit for a project based on SEPA policies, except for a project determined to be consistent with a planned action ordinance
*	Major Phased Developments
*	Downtown Planned Community Developments
<u>*</u>	<u>Determination of public benefit for combined lot development</u>
*	Other Type II decisions that are identified as such in the Land Use Code
	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
*	Subdivisions (preliminary plats)
	COUNCIL LAND USE DECISIONS TYPE IV (Quasi-Judicial)
*	Amendments to the Official Land Use Map (rezones), except area-wide amendments and correction of errors
*	Public projects that require Council approval
*	Major Institution master plans, including major amendments, renewal of a master plan's development plan component, and master plans prepared pursuant to subsection 23.69.023.C after an acquisition, merger, or consolidation of major institutions
*	Major amendments to property use and development agreements
*	Council conditional uses

*	Other decisions listed in subsection 23.76.036.A
TYPE V (Legislative)	
*	Land Use Code text amendments
*	Area-wide amendments to the Official Land Use Map
*	Corrections of errors on the Official Land Use Map due to cartographic and clerical mistakes
*	Concept approvals for the location or expansion of City facilities requiring Council land use approval
*	Major Institution designations and revocations of Major Institution designations
*	Waivers or modifications of development standards for City facilities
*	Adoption of or amendments to Planned Action Ordinances
*	Other decisions listed in subsection 23.76.036.C
Footnotes for Table A for 23.76.004:	
¹ Sections 23.76.006 and 23.76.036 establish the types of land use decisions in each category. This Table A for 23.76.004 is intended to provide only a general description of land use decision types.	
² Type I decisions are subject to administrative review through a land use interpretation pursuant to Section 23.88.020 if the decision is one that is subject to interpretation.	
³ Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit, are appealable to the Shorelines Hearings Board along with all related environmental appeals.	

* * *

23.76.006 Master Use Permits required

* * *

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;
2. Establishment or change of use for uses permitted outright, interim use parking under subsection 23.42.040.G, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, transitional encampment interim use, temporary uses for four weeks or less not otherwise permitted in the zone, and renewals of temporary uses

for up to six months, except temporary uses and facilities for light rail transit facility construction and transitional encampments;

3. The following street use approvals:

a. Curb cut for access to parking whether associated with a development proposal or not;

b. Concept approval of street improvements associated with a development proposal, such as additional on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving;

c. Structural building overhangs associated with a development proposal;

d. Areaways associated with a development proposal;

4. Lot boundary adjustments;

5. Modification of the following features bonused under Title 24:

a. Plazas;

b. Shopping plazas;

c. Arcades;

d. Shopping arcades; and

e. Voluntary building setbacks;

6. Determinations of Significance (determination that an Environmental Impact Statement is required) for Master Use Permits and for building, demolition, grading, and other construction permits (supplemental procedures for environmental review are established in Chapter 25.05, Environmental Policies and Procedures), except for Determinations of Significance based solely on historic and cultural preservation;

7. Discretionary exceptions for certain business signs authorized by subsection 23.55.042.D;
8. Waiver or modification of required right-of-way improvements;
9. Special accommodation pursuant to Section 23.44.015;
10. Reasonable accommodation;
11. Minor amendment to Major Phased Development Permit;
12. ~~((Determination of public benefit for combined lot development;~~
~~13.))~~ Streamlined design review decisions pursuant to Section 23.41.018 if no development standard departures are requested pursuant to Section 23.41.012, and design review decisions in an MPC zone if no development standard departures are requested pursuant to Section 23.41.012;
- ~~((14))~~ 13. Shoreline special use approvals that are not part of a shoreline substantial development permit;
- ~~((15))~~ 14. Determination that a project is consistent with a planned action ordinance, except as provided in subsection 23.76.006.C;
- ~~((16))~~ 15. Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance;
- ~~((17))~~ 16. Determination of requirements according to subsections 23.58B.025.A.3.a, 23.58B.025.A.3.b, 23.58B.025.A.3.c, 23.58C.030.A.2.a, ~~((and))~~ 23.58C.030.A.2.b, and 23.58C.030.A.2.c; and
- ~~((18))~~ 17. Other Type I decisions.

C. The following are Type II decisions:

1. The following procedural environmental decisions for Master Use Permits and for building, demolition, grading, and other construction permits are subject to appeal to the Hearing Examiner and are not subject to further appeal to the City Council (supplemental procedures for environmental review are established in Chapter 25.05, Environmental Policies and Procedures):

- a. Determination of Non-significance (DNS), including mitigated DNS;
- b. Determination that a final Environmental Impact Statement (EIS) is adequate; and
- c. Determination of Significance based solely on historic and cultural preservation.

2. The following decisions are subject to appeal to the Hearing Examiner (except shoreline decisions and related environmental determinations that are appealable to the Shorelines Hearings Board):

- a. Establishment or change of use for temporary uses more than four weeks not otherwise permitted in the zone or not meeting development standards, including the establishment of temporary uses and facilities to construct a light rail transit system for so long as is necessary to construct the system as provided in subsection 23.42.040.F, but excepting temporary relocation of police and fire stations for 24 months or less;
- b. Short subdivisions;
- c. Variances, provided that the decision on variances sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

d. Special exceptions, provided that the decision on special exceptions sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

e. Design review decisions, except for streamlined design review decisions pursuant to Section 23.41.018 if no development standard departures are requested pursuant to Section 23.41.012, and except for design review decisions in a MPC zone pursuant to Section 23.41.020 if no development standard departures are requested pursuant to Section 23.41.012;

f. Administrative conditional uses, provided that the decision on administrative conditional uses sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

g. The following shoreline decisions, provided that these decisions shall be made by the Council pursuant to Section 23.76.036 when they are sought as part of a Council land use decision (supplemental procedures for shoreline decisions are established in Chapter 23.60A):

1) Shoreline substantial development permits;

2) Shoreline variances; and

3) Shoreline conditional uses;

h. Major Phased Developments;

i. Determination of project consistency with a planned action ordinance, only if the project requires another Type II decision;

j. Establishment of light rail transit facilities necessary to operate and maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

k. Downtown planned community developments;

l. Establishment of temporary uses for transitional encampments, except transitional encampment interim uses provided for in subsection 23.76.006.B.2;

m. Determination of requirements according to subsections 23.58B.025.A.4 and 23.58C.030.A.3; ~~((and))~~

n. Except for projects determined to be consistent with a planned action ordinance, decisions to approve, condition, or deny based on SEPA policies if such decisions are integrated with the decisions listed in subsections 23.76.006.C.2.a. through 23.76.006.C.2.i; provided that, for decisions listed in subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g that are made by the Council, integrated decisions to approve, condition, or deny based on SEPA policies are made by the Council pursuant to Section 23.76.036~~((=))~~; and

o. Determination of public benefit for combined lot development.

* * *

Amendment 3 – OPTION 3B

Approved and vested projects - election to participate in MHA Sponsor: Councilmember Johnson

Text in RED: revised amendment language

This amendment would amend:

- The title of Council Bill 118885 **to add new Sections 23.58B.055, and 23.58C.055.** *This would require the introduction of a new Council Bill.*
- Chapters 23.58B and 23.58C adding new Sections to allow projects that have a Master Use Permit or are vested prior to the effective date of the DT/SLU rezone, to modify the project to (1) incorporate the additional capacity and (2) participate in the MHA program, without requiring additional review by the Design Review Board

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map (Chapter 23.32 of the Seattle Municipal Code) to rezone certain land in Downtown, South Lake Union and adjacent IC zones; amending Sections 23.41.012, 23.48.220, 23.48.225, 23.48.230, 23.48.232, 23.48.235, 23.48.245, 23.48.250, 23.48.285, 23.49.008, 23.49.011, 23.49.013, 23.49.014, 23.49.041, 23.49.058, 23.49.156, 23.49.158, 23.49.164, 23.50.020, 23.50.026, 23.50.028, 23.50.033, 23.50.039, 23.50.053, 23.50.055, 23.58B.040, 23.58B.050, 23.58C.025, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, and 23.76.006 of the Seattle Municipal Code; amending the Downtown Overlay Maps in Chapter 23.49 of the Seattle Municipal Code; and adding new Sections 23.48.223, 23.48.231, 23.49.007, 23.49.039, ~~and 23.50.041,~~ 23.58B.055, and 23.58C.055, to the Seattle Municipal Code to implement Mandatory Housing Affordability requirements in Downtown and South Lake Union.

Section ##. A new Section 23.58B.055 is added to the Seattle Municipal Code as follows:

23.58B.055 Approved and vested projects - election to participate

An applicant who (1) has an unexpired Master Use Permit for a project issued prior to the effective date of the ordinance introduced as Council Bill 118885, or (2) has submitted an application for a Master Use Permit for a project that is under review by the Department, has completed the Design Review Board Recommendation phase pursuant to subsection 23.41.014.E, and is vested pursuant to Section 23.76.026 prior to the effective date of the ordinance introduced as Council Bill 118885, may elect to incorporate into the project some or

all of the capacity added to the applicable zone through the ordinance introduced as Council Bill 118885 without additional review by the Design Review Board if the following conditions are met:

A. The project is located in a Downtown or SM-SLU zone to which capacity was added through the ordinance introduced as Council Bill 118885; and

B. The proposed changes to the project are limited to incorporating capacity added to the applicable zone through the ordinance introduced as Council Bill 118885; and

C. The Director determines, as a Type I decision, that incorporating the additional capacity into the project is done in a manner consistent with the design recommended for approval by the Design Review Board pursuant to [subsection 23.41.014.E](#); and

D. Incorporating the additional capacity into the project does not require any new development standard departures pursuant to [Section 23.41.012](#); and

E. The project will comply with the requirements of Chapter 23.58B.

Section ##. A new Section 23.58C.055 is added to the Seattle Municipal Code as follows:

23.58C.055 Approved and vested projects - election to participate

An applicant who (1) has an unexpired Master Use Permit for a project issued prior to the effective date of the ordinance introduced as Council Bill 118885, or (2) has submitted an application for a Master Use Permit for a project that is under review by the Department, has completed the Design Review Board Recommendation phase pursuant to [subsection 23.41.014.E](#), and is vested pursuant to [Section 23.76.026](#) prior to the effective date of the ordinance introduced as Council Bill 118885, may elect to incorporate into the project some or all of the capacity added to the applicable zone

through the ordinance introduced as Council Bill 118885 without additional review by the Design Review Board if the following conditions are met:

A. The project is located in a Downtown or SM-SLU zone to which capacity was added through the ordinance introduced as Council Bill 118885; and

B. The proposed changes to the project are limited to incorporating capacity added to the applicable zone through the ordinance introduced as Council Bill 118885; and

C. The Director determines, as a Type I decision, that incorporating the additional capacity into the project is done in a manner consistent with the design recommended for approval by the Design Review Board [pursuant to subsection 23.41.014.E](#); and

D. Incorporating the additional capacity into the project does not require any new development standard departures pursuant to [Section 23.41.012](#); and

D. Incorporating the additional capacity into the project does not require any new development standard departures; and

E. The project will comply with the requirements of [Chapter 23.58C](#).

Amendment 3 – OPTION 3C
Approved and vested projects - election to participate in MHA
Sponsor: Councilmember Johnson

This amendment would request a report from SDCI on projects that elect to participate in MHA that are vested prior to the effective date of CB 118885 (this amendment would be made in combination with option 3b)

Section #. The Council requests that the Seattle Department of Construction and Inspections (SDCI) reports to the Chair of the Planning, Land Use and Zoning Committee on projects that utilize the provisions in Sections 23.58B.055 and 23.58C.055. The report shall include the following: (1) a list of projects that requested a Type I decision pursuant to Sections 23.58B.055 and 23.58C.055; (2) the decision made by the Director and the rationale; (3) the time required to issue each decision; and (4) if granted, the resulting MHA contributions (amount of payments collected under the payment option and/or the number of units constructed through the performance option).

Amendment 4 – OPTION 4B

Incentives for family-sized units

Sponsors: Councilmembers Johnson, O'Brien and Herbold

This amendment would amend Sections 23.48.220 and 23.49.011 to exempt up to 0.5 FAR of commercial floor area in mixed-use buildings if family size units are included with accessible outdoor space

23.48.220 Floor area ratio (FAR) in South Lake Union Urban Center

* * *

B. The following floor area is exempt from FAR calculations:

* * *

6. In a development that includes a mix of non-residential and residential use, the amount of commercial floor area that is equivalent to the amount of floor area in residential use for dwelling units that comply with all of the following conditions, provided that in no case shall the amount of exempt floor area allowed under this subsection 23.48.220.B.6 exceed an amount of floor area equivalent to 0.5 FAR on the lot:

a. Unit Size. Each dwelling unit shall have a minimum area of 900 gross square feet and include two or more bedrooms;

b. Private amenity area. Each dwelling unit shall have direct access to a private amenity area, such as a private patio or roof deck, that is located either at ground-level or on the roof of a story that is not above 45 feet in height and that has a minimum area of 150 square feet and a minimum horizontal dimension of 8 feet. Private amenity area that is provided to meet the conditions of this subsection 23.48.220.B.6 shall be allowed to count as residential amenity area required by Section 23.48.045; and

c. Common amenity area. Each dwelling unit shall have access to an outdoor common amenity area that is located on the same story as the dwelling unit, is accessible only to the residents of the building, and meets the following standards:

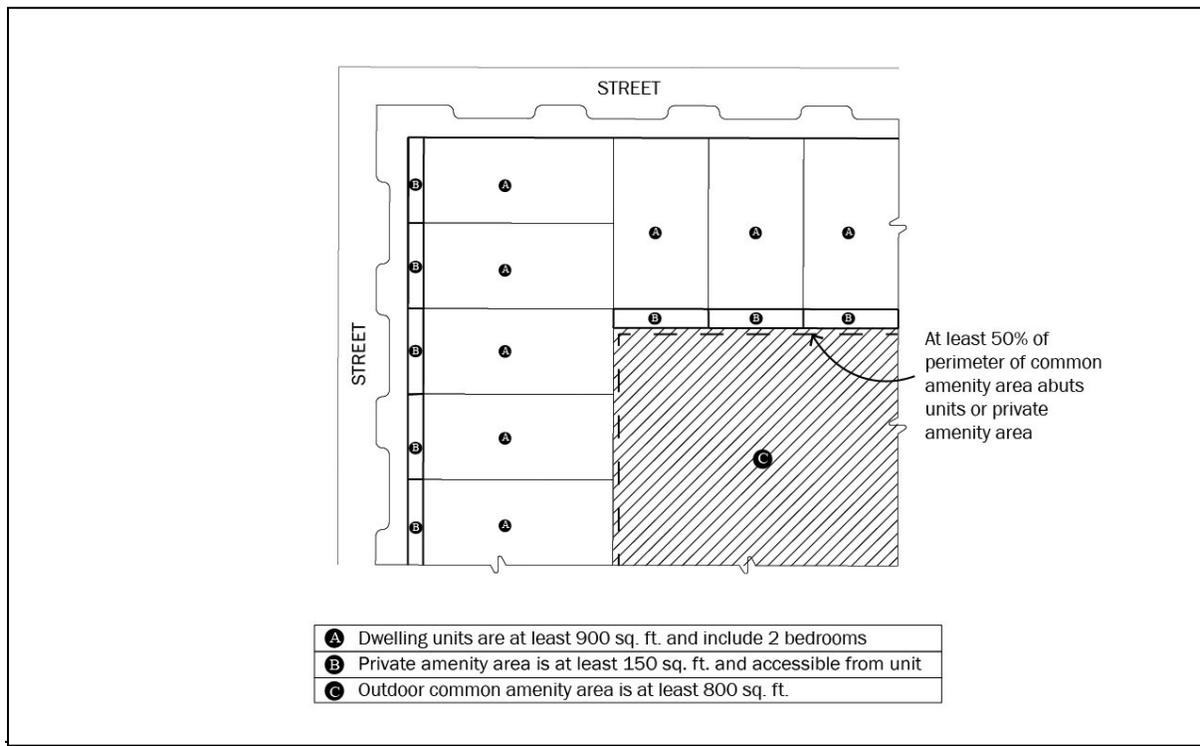
1) the common amenity area has a minimum area of 800 square feet and a minimum horizontal dimension of 10 feet;

2) the common amenity area abuts and is visually or physically accessible from these dwelling units, or it abuts the private amenity area of these units, along at least 50 percent of its perimeter; and

3) the common amenity area includes space for children's play equipment.

Exhibit A for 23.48.220

Dwelling units and amenity area exempt from FAR



* * *

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:

* * *

y. In a development that includes a mix of non-residential and residential use, the amount of commercial floor area that is equivalent to the amount of floor area in residential use for dwelling units that comply with all of the following conditions provided that in no case shall the amount of exempt floor area allowed under this subsection 23.49.011.B.1.y exceed an amount of floor area equivalent to 0.5 FAR on the lot:

1) Unit Size. Each dwelling unit shall have a minimum area of 900 gross square feet and include two or more bedrooms;

2) Private amenity area. Each dwelling unit shall have direct access to a private amenity area, as illustrated in Exhibit A for 23.49.011, such as a private patio or roof deck, that is located either at ground-level or on the roof of a story that is not above 45 feet in height and that has a minimum area of 150 square feet and a minimum horizontal dimension of 8 feet. Private amenity area that is provided to meet the conditions of this subsection 23.49.011.B.1.y shall be allowed to count as common recreation area required by subsection 23.49.010.B; and

3) Common amenity area. Each dwelling unit shall have access to an outdoor common amenity area that is located on the same story as the dwelling unit, is accessible only to the residents of the building, as illustrated in Exhibit A for 23.49.011, and meets the following standards:

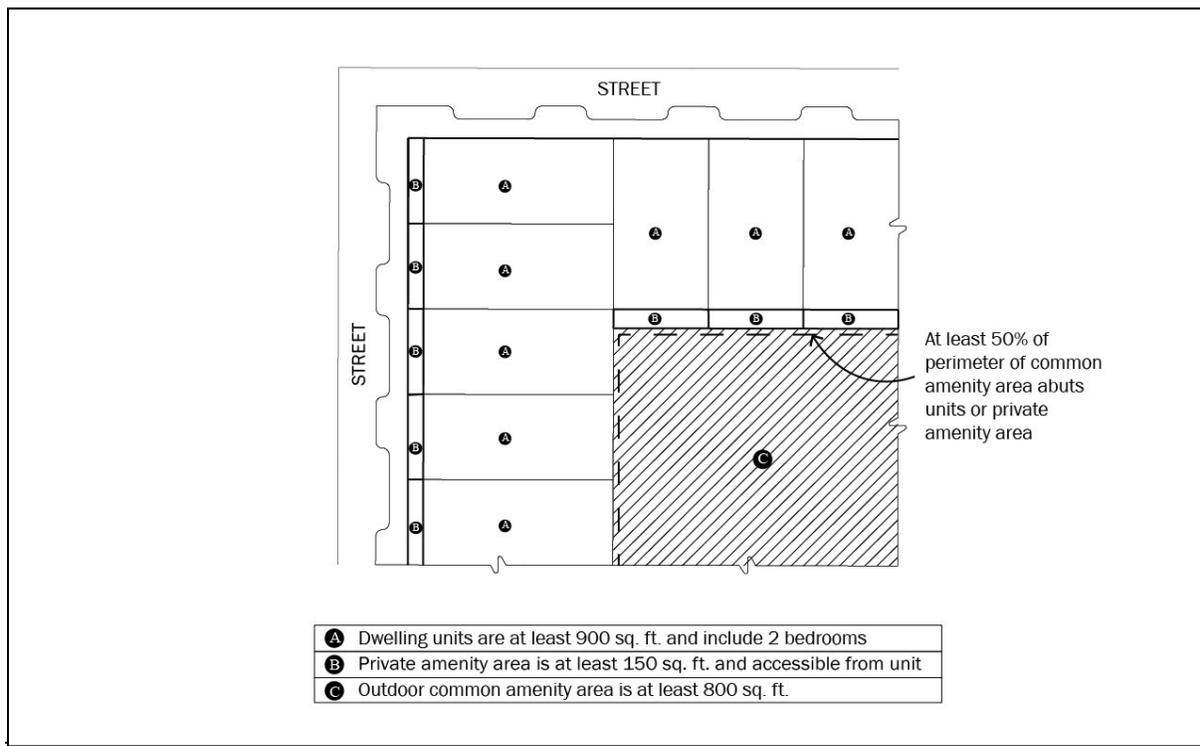
i. the common amenity area has a minimum area of 800 square feet and a minimum horizontal dimension of 10 feet;

ii. the common amenity area abuts and is visually or physically accessible from these dwelling units, or it abuts the private amenity area of these units, along at least 50 percent of its perimeter; and

iii. the common amenity area includes space for children's play equipment.

Exhibit A for 23.49.011

Dwelling units and amenity area exempt from FAR



* * *

Amendment 6 – OPTION 6B

Intent to (1) consider future legislation amending the Downtown Code to allow voluntary tower separation in DOC2 and (2) pursue additional urban design and livability efforts.

Sponsor: Councilmember Bagshaw

This amendment would amend:

- Add a new section to CB 118885 establishing the Council’s intent to consider an amendment to the Land Use Code that would authorize the SDCI Director to allow structures to exceed the maximum height limit in DOC2 zones if they are setback from existing residential structures on the same block. The amendment would also establish the Council intent to pursue complementary urban design and livability efforts downtown.

* * *

Section 41. The Council intends to consider, as soon as environmental review on the proposal is complete and after a public hearing, an amendment to the text of the Land Use Code that would authorize the Director of the Seattle Department of Construction and Inspections, as a Type I decision, to allow increases in height above the maximum height for residential uses in the DOC2 500/300-550 zone. The increases would be granted when new development voluntarily provides a greater separation than would otherwise be required from existing residential towers on the same block. Additionally, the Council intends to explore complementary livability initiatives Downtown including, exploring rights-of-way management techniques to optimize access and service use of alleys, considering additional programs to use rights-of-way downtown as an open space amenity, and refining the urban design strategy downtown through an Urban Design Framework and revised Design Review guidelines.

Section ~~4142~~. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.