



Legislation Text

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File #: CB 120749, Version: 2

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to land use and zoning; amending Section 23.47A.012 of the Seattle Municipal Code to provide a 10-foot height limit exception in commercial zones in a portion of the Georgetown neighborhood.

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, 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 WCD and could be developed with a broad mix of commercial and residential uses; and

WHEREAS, the 9.7 acre area is completely surrounded by land designated Manufacturing Industrial Center (MIC) on the City's Future Land Use Map and is in an industrial zone with an 85 foot height limit; and

WHEREAS, the Georgetown neighborhood contains a high number of artist studios and arts

organizations and portions of the MIC near Georgetown contain a variety of industrial, logistics, and manufacturing businesses, resulting in a higher likelihood of demand for ground level arts and industrial uses in Georgetown compared to many other commercially zoned areas of the city; and

WHEREAS, arts and industrial uses often need space with a high ceiling height of 16 feet or greater to accommodate their activities; and

WHEREAS, in zones with a 75-foot height limit it is unlikely that a builder could maximize the amount of housing that could be constructed using an economical non-high rise construction type while providing tall ground floor spaces needed by arts and industrial uses; and

WHEREAS, a height limit exception allowing an increase to 85 feet would allow a builder to maximize the amount of housing that could be built in a non-high rise construction type and accommodate ground floor ceiling heights of approximately 20 feet; and

WHEREAS, an 85-foot height limit in the 9.7 acre Commercial 1 zone would be the same as the height limit in all surrounding zones; and

WHEREAS, it is a high priority for the City to support increased housing production to meet strong demand and to increase the quantity of rent- and income-restricted affordable housing; and

WHEREAS, 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,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Subsection 23.47A.012.A of the Seattle Municipal Code, which section was last amended by Ordinance 126685, is amended 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.

1. In zones with a 30-foot or 40-foot mapped height limit:

a. The height of a structure may exceed the otherwise applicable limit by up to 4 feet, subject to subsection 23.47A.012.A.1.c, provided the following conditions are met:

1) Either:

a) A floor-to-floor height of 13 feet or more is provided for non-residential uses at street level; or

b) A residential use is located on a street-level, street-facing facade, provided that the average height of the exterior facades of any portion of a story that is partially below-grade does not exceed 4 feet, measured from existing or finished grade, whichever is less, and the first floor of the structure at or above grade is at least 4 feet above sidewalk grade; and

2) The additional height allowed for the structure will not allow an additional story beyond the number that could be built under the otherwise applicable height limit.

b. The height of a structure may exceed the otherwise applicable limit by up to 7 feet, subject to subsection 23.47A.012.A.1.c, provided all of the following conditions are met:

1) Residential and multi-purpose retail sales uses are located in the same structure;

2) The total gross floor area of at least one multi-purpose retail sales use exceeds 12,000 square feet;

3) A floor-to-floor height of 16 feet or more is provided for the multi-purpose retail sales use at street level;

4) The additional height allowed for the structure will not allow an additional

story beyond the number that could be built under the otherwise applicable height limit if a floor-to-floor height of 16 feet were not provided at street level; and

5) The structure is not allowed additional height under subsection 23.47A.012.A.1.a.

c. The Director shall reduce or deny the additional structure height allowed by this subsection 23.47A.012.A.1 if the additional height would significantly block views from neighboring residential structures of any of the following: Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, Green Lake, Puget Sound, Lake Washington, Lake Union, or the Ship Canal.

2. Within the Station Area Overlay District within the University Community Urban Center, maximum structure height may be increased to 125 feet when all of the following are met:

- a. The lot is within two blocks of a planned or existing light rail station;
- b. The proposed use of the lot is functionally related to other office development, permitted prior to 1971, to have over 500,000 square feet of gross floor area to be occupied by a single entity;
- c. A transportation management plan for the life of the use includes incentives for light rail and other transit use by the employees of the office use;
- d. The development shall provide street-level amenities for pedestrians and shall be designed to promote pedestrian interest, safety, and comfort through features such as landscaping, lighting, and transparent facades, as determined by the Director; and
- e. This subsection 23.47A.012.A.2 can be used only once for each development that is functionally related.

3. On a lot containing a peat settlement-prone environmentally critical area, the height of a structure may exceed the otherwise applicable height limit and the other height allowances provided by this Section 23.47A.012 by up to 3 feet. In addition, 3 more feet of height may be allowed for any wall of a structure on a sloped lot, provided that on the uphill sides of the structure, the maximum elevation of the

structure height shall be no greater than the height allowed by the first sentence of this subsection

23.47A.012.A.3. The Director may apply the allowances in this subsection 23.47A.012.A.3 only if the following conditions are met:

a. The Director finds that locating a story of parking underground is infeasible due to physical site conditions such as a high water table;

b. The Director finds that the additional height allowed for the structure is necessary to accommodate parking located partially below grade that extends no more than 6 feet above existing or finished grade, whichever is lower, and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level above; and

c. Other than the additional story of parking allowed according to this subsection 23.47A.012.A.3, the additional height shall not allow an additional story beyond the number of stories that could be built under the otherwise applicable height limit.

4. In zones that are located within the Pike/Pine Conservation Overlay District with a mapped height limit of 75 feet, the provisions of Section 23.73.014 apply.

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.

\* \* \*

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Scheereen Dedman, City Clerk

(Seal)