

Low Rise Code “Corrections” – public comment suggestions for the June 2, 2015 hearing and for sending e-mails to the City Councilmembers

Note: Given the complexity and urgency of the proposals to change the Land Use Code regarding low-rise zones, and the mix of very good and very bad things in them, neighborhood advocates have put together the following summary of the important issues along with recommended citizen responses. This issue is urgent. Please send a message to the City Councilmember (contact info is at end) and try to attend and speak at the Tues., June 2 City Council public hearing, 2 p.m., second floor of City Hall.

In October, 2014, thanks to the efforts of many neighborhood advocates, the Department of Planning and Development proposed excellent reforms to the Land Use Code that rolled back disruptive “unintended” changes that the City Council had adopted regarding the low-rise zones (townhouses, apartment and condominiums). Unfortunately, DPD is now working with Councilmember Mike O’Brien (chair of the planning and land use committee) on what they characterize as “tweaks” or “minor” changes to the October 2014 proposals—but which are actually poison pills that would adversely affect neighborhood livability and character.

Following are the changes from the Oct. 2014 package that DPD and Councilmember O’Brien are proposing in Council Bill 18385 but which neighborhood advocates should oppose; also provided is the recommended citizen response. (Please bear in mind that their other proposals not listed here are consistent with the October 2014 proposals and are worthy of support.)

1. Proposal in CB 18385: Provide exemptions to allow an additional 4’ of height allowance for partially below grade stories.
Citizen response: Eliminate the exemptions for additional 4’ of height allowance for partially below grade story for apartments.
2. Proposal in CB 118385: Eliminate side setback requirements for row housing to allow construction to the lot line of an adjacent single family residence.
Citizen response: Require minimum 3.5’ side setbacks in LR zones.
3. Proposal in CB 118385: Fails to set a standard for height of a street-facing façade to no higher than 44’ above the sidewalk within 12’ of the street.
Citizen response: Set a standard for height of street-facing façade to ensure the structure is no higher than 44’ above the sidewalk within 12’ of the street. Apply upper level setbacks.
4. Proposal in CB 118385: Exclude unenclosed exterior stairs, hallways and breezeways (Motel Model) from chargeable FAR (23.86.007). [Would reduce the floor area ratio requirement up to 50%, allowing the bulk of a structure to exceed current FAR requirements and eliminating the FAR control over height.]

Citizen responses: (a) Include unenclosed exterior stairs, hallways and breezeways in chargeable FAR (23.86.007 with no exemptions allowed; and (b) Include floor area of loft spaces, or any finished interior space with a floor-to-ceiling clearance greater than 36" in the Gross Floor Area calculation.

5. Proposal in CB 118385: Eliminate side setbacks for row housing in LR1.
Citizen response: Require a 3.5' side setback in LR1 for row houses in LR1 to provide buffer and reduce shadowing and other adverse effects on adjacent properties.
6. Proposal in CB 118385 DENSITY CALCULATIONS: DPD rounding thresholds apply only to lot sizes of 3,000 square feet or less.
Citizen Responses: (a) Establish a 0.85 rounding threshold for density calculations for all LR zoned lots regardless of lot size; and (b) Apply density limit for row houses in the LR1 zone regardless of lot size.
7. DESIGN REVIEW
A positive addition in CB 118385 requires design review for developments in LR2 that include 8 or more dwelling units. This is the current requirement in LR3. [Currently, no zone specific Design Review threshold applies; thus, projects with dozens of Residential units may be built on LR2 lots without any Design Review.]

Also requested by community groups but not included in CB 118385:

8. The 2014 code requirement for SDR was intended to apply to townhouse developments and other small forms of low-rise multifamily housing with at least three units. The proposed code change specifies townhouse units only, defined as units that are each attached to at least one other dwelling unit. As a result, developers are building anything other than townhouse developments of three units in LR1 Ballard avoid even the most perfunctory design review (i.e., SDR).
Citizen Response: Request/support the following change to the proposed code to require SDR for all new developments of 3 or more units in LR1.

Seattle Municipal Code (SMC) 23.41 Design Review
23.41.004 Applicability

Streamlined administrative design review (SDR) pursuant to Section 23.41.018 is required for all new developments that include at least three units, if design review is not otherwise required by this subsection 23.41.004.A.

9. Currently, parking/access is permitted between structures which forces the bulk of a building to the side boundary lines and increases impact on adjacent properties.
Citizen response: Require drive access to parking to one side of the property with a 3.5' setback at the other side boundary line. This will increase the open space between adjacent properties.
10. Setbacks: in all LR zones. Changes in the Land Use Code adopted by the City

Council in recent years have greatly reduced required setbacks, eliminating yards and making it impossible to plant trees in new developments.

Citizen responses: (a) Require minimum 15' setback at front of property; and (b) Require minimum 17' setback at rear of property

HOW TO MAKE YOUR VOICE HEARD

On the above issues, please speak out at the Tues., June 2 public hearing (2 p.m. on second floor of City Hall, 601 Fifth Ave.) Whether or not you can be there, please write to the City Councilmembers at P.O. Box 34025, Seattle, WA 98124-4025, by fax at 206-684-8587, or by e-mail (write them individually, not in a group), via john.okamoto@seattle.gov, tim.burgess@seattle.gov, tom.rasmussen@seattle.gov, jean.godden@seattle.gov, kshama.sawant@seattle.gov, mike.obrien@seattle.gov, bruce.harrell@seattle.gov, nick.licata@seattle.gov, and sally.bagshaw@seattle.gov.