CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Sponsor: City of Seattle

Location of Proposal: The proposal is a non-project action, applicable in lowrise zones throughout the city. Other changes also would affect residential and nonresidential development in other zones.

Scope of Proposal: The proposal would make a number of changes to provisions for lowrise multifamily zones, generally to clarify intent, simplify rules, and provide greater flexibility in meeting standards for development in lowrise zoned areas. The proposal also includes amendments that would apply outside of multifamily zoned areas, such as methods of height measurement and provisions for solid waste storage.

BACKGROUND

Proposal Description

The proposal would amend the Land Use Code (Title 23), Seattle's policies pursuant to the Environmental Policy Act (SEPA), Environmentally Critical Areas Regulations and Tree Regulations (Title 25) to update lowrise zoning and other provisions as summarized by the following:

- Consolidate five lowrise zones (LDT, L1, L2, L3, and L4) into three (LR1, LR2, and LR3);
- Allow a height limit of 30' for most housing types and 40' for apartments in certain designated growth areas (urban centers, urban villages, and light rail station areas), with varying allowances for additional height for pitched roofs and, in some situations, a partially below grade first floor;
- Apply updated development standards based on housing types (such as townhouses and rowhouses), including:
    - flexible standards – setbacks, floor area ratios (FAR), and width and depth limits;
    - density limits – based on housing type, design features, and location in or out of growth areas;
    - transitions – restrictions on additions to height limits on lowrise zoned lots abutting single family zoned lots;
- Improve the appearance and function of new development with new design standards;
- Eliminate parking requirements for multifamily uses in commercial and multifamily zones in urban villages for lots within walking distance of transit stops with frequent service, and remove the City's authority to mitigate parking impacts of residential uses in these areas and in certain Urban Centers through environmental review;

- Apply the Green Factor landscaping requirement and residential amenity requirements to enhance livability of various housing types and promote sustainable development;
- Clarify and organize certain regulations.

Recommendations to change lowrise zone provisions apply only to land that currently is zoned for lowrise development. No single family zones areas are proposed to be rezoned. No remapping is anticipated, beyond consolidation of certain lowrise zones and applying new lowrise zone names.

A few amendments would apply to zones in addition to multifamily, such as space requirements for garbage and recycling. Minor amendments are proposed to the standards for Residential Small Lot (RSL) zones to allow for features such as eaves within setback areas, consistent with allowances in other residential zones. In addition, amendments are proposed for cottage housing, allowed in RSL and multifamily zones, to clarify standards related to the permitted floor area of a cottage structure and open space requirements. The Land Use Code height measurement technique is proposed to be amended to apply the technique now used in shoreline zones through multifamily and commercial zones. Parking requirements for multifamily uses in commercial and multifamily zones in urban villages would be eliminated if the multifamily lots were located within ¼ mile of a street with frequent transit service. The City's SEPA ordinance would be modified to remove authority to mitigate the impact of development on parking availability in the South Lake Union Urban Center, and for residential uses within the Capitol Hill/First Hill Urban Center, the Uptown Urban Center, and the University District Urban Center, except the for the portion of the Ravenna Urban Village that is not within one-quarter mile of frequent transit service. Additionally, authority also would be removed to mitigate the impact of development on parking availability for residential uses in urban villages within one-quarter mile of frequent transit service. These changes would align the City's SEPA authority to mitigate parking impacts with current and recent Land Use Code changes that have removed minimum parking requirements.

Rezone criteria are proposed to be revised consistent with the changes described above, to ensure that rezones are consistent with the bulk, density, and development patterns of adjacent areas. The rezone criteria also consider the land use mix, pedestrian activity, infrastructure, access and circulation for travel modes, neighborhood character, proximity to employment centers, recreational facilities, and special designations such as location in an environmentally critical area, urban village, urban center, or station area.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings.

ANALYSIS - OVERVIEW

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated April 21, 2010. The information in the checklist, a copy of the proposed

text changes, a City staff Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision. The following describes the analysis conducted to determine if the proposal is likely to result in probable significant adverse environmental impacts.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed amendments would result in no adverse short-term impacts because the adoption would be a non-project action. The proposed changes do not significantly increase the size or density of potential development projects or the likely number of projects that would be built in the affected zones. The following analysis generally evaluates the potential long-term impacts that might result from differences in future development patterns due to the proposed amendments.

Natural Environment

Discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances

As Seattle and its lowrise zoned neighborhoods are generally urban areas, most of the area affected by the proposed action is dominated by impervious surfaces (such as paving and rooftops), with some amount of vegetation (e.g., street trees and landscaped areas) and few animals other than birds, insects, and mammals commonly found in developed urban areas. Each neighborhood that would be affected by these code revisions has a network of sewer/storm drain utility systems to handle much of the surface stormwater runoff.

The proposed amendments would result in limited impacts to water, air, noise, or releases of toxic/hazardous substances. Major changes in the rate or patterns of development in the city, include lowrise areas, are not expected. To the extent that greater numbers of housing units are constructed due to the proposed code changes, slight increases in impacts to water, air (including greenhouse gas emissions) and noise may occur. In addition, greater lot coverage in certain zones may lead to slightly greater stormwater runoff. Given the expected incremental change in development potential, it is likely that these impacts would not be significant. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater, Grading and Drainage Ordinance and the Environmentally Critical Areas Ordinance, and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Plants, animals, fish or marine life

As major changes in the rate or patterns of development in the city are not expected from these proposed amendments, they are unlikely to have noticeable impacts on plants, animals, fish or marine life. Replacement of existing landscaping requirements in lowrise zones with green

factor provisions may slightly alter the mix of plants or areas of landscaping. No significant impacts on plants, animals, fish or marine life are expected. On a site-by-site basis, future development projects could potentially result in plant and animal impacts as a result of clearing vegetation or habitat that may be present on these sites. The existing regulatory framework, including the Land Use Code, the Shoreline Master Program, the Environmentally Critical Areas Ordinance, and the City's SEPA Ordinance will address impacts during review of development proposals on a project-specific basis.

Energy or Natural Resources

Residential energy demands are relatively low compared to those of commercial and other uses. As major changes in the rate or patterns of development in the city are not expected from these proposed amendments, they are unlikely to deplete energy or natural resources to a noticeably different extent than existing regulations. The modification of current density standards is expected to increase overall development capacity (see below, Land & Shoreline Use); this increase would result in greater energy and natural resources depletion. However, as noted in the checklist, increased housing density might reduce demand for energy and natural resources on a per-unit basis. Mixed-use development patterns, which are more feasible as density increases, can reduce energy consumption by supporting shifts to walking and transit. Building heating costs per household may also be reduced since multifamily units typically result in greater common wall area, which is more thermally efficient than stand-alone walls. Benefits to natural resources also could occur to the extent new landscaping is designed to encourage water infiltration as a result of the green factor landscaping requirement, and through provisions that encourage wind and solar energy generators on rooftops. On balance, the proposed text amendments are unlikely to have a significant impact on energy or natural resources depletion.

Environmentally Sensitive Areas or Areas Designated For Government Protection

Future development on parcels covered by these text amendments likely would have little effect on historic sites and districts that are located in the city. Fifty-three designated landmark structures and sites are located within Seattle's multifamily zones. The vast majority of these sites are institutions, public facilities, single-family residences, and apartment buildings. If any of these sites were to redevelop pursuant to the code changes, existing regulations, including the City's Landmarks Preservation Ordinance, would be applied during project review. Two historic districts include lowrise zones (Columbia City and Harvard Belmont). Development standards in these areas are specified by the Landmark District Guidelines. The proposed code changes would have minimal impacts within these areas since the Landmark District Guidelines would prevail.

Certain code changes, such as flexibility in setback standards and updating landscaping requirements with green factor provisions, may change how buildings are located on a site. To the extent that a development site contains an environmentally critical area, ECA regulations will continue to apply to such sites and may further restrict the locations of structures. In general,

future development pursuant to these code amendments is unlikely to substantially affect environmentally sensitive areas as these types of areas are infrequent within the multifamily residential areas of the city. The existing regulatory framework, including the Land Use Code, the Shoreline Master Program, the Environmentally Critical Areas Ordinance, and the City's SEPA Ordinance will address impacts during review of development proposals on a project-specific basis.

Built Environment

Land & Shoreline Use, Height/Bulk/Scale

The proposed amendments primarily apply to approximately 3,779 acres of lowrise zoned lot area located throughout the city. The proposal would combine the five existing lowrise zone categories into three categories: LR 1 (including current lowrise duplex-triplex and lowrise 1 zones outside growth areas), LR 2 (including current lowrise 1 zones inside growth areas and lowrise 2), and LR 3 (including current lowrise 3 and lowrise 4). The proposal also defines five housing types that are appropriate for lowrise zones and tailors certain development standards for each type. While the proposal modifies standards related to the type of development allowed in lowrise zones, and in some instances includes provisions allowing for some increase in development density, current provisions related to permitted and restricted uses are essentially retained, and no significant adverse impacts are anticipated as a result of this legislation.

Land & Shoreline Use

The text amendments do not propose changes in zoning designations beyond the reduction of lowrise zoning categories from five to three. No rezones or changes to the zoning map are proposed. Lowrise zones will continue to be primarily residential. No substantial changes in compatibility with neighboring properties are anticipated from these code changes.

Because the proposal would retain the use of density limits for certain housing types, and development standards would limit the achievable density for other development types to varying degrees, the proposed changes are not expected to result in substantial density increases. For example, in the LR1 zone, which is a combination of all existing LDT zones and L1 zones located outside urban centers, station overlay areas, and urban villages, the achieved densities in individual projects would continue to be relatively low, although the overall the multifamily residential development capacity in this zone is estimated to increase by 23 percent. To promote rowhouse and townhouse development as the preferred housing type in this zone, apartment development would be limited to duplexes and triplexes subject to the same density limit that currently applies in the LDT zone. For those projects that accommodate parking in the typical autocourt townhouse fashion, a density limit also would continue to apply. Even for those townhouse and rowhouse projects that would not be subject to a density limit, the required configuration of individual units on the lot and limitations on parking location would limit achievable density.

Height, Bulk, and Scale

Under the proposed amendments, height limits would increase from 25 to 30 feet in the proposed LR1 and LR2 zones for all housing types other than cottage housing. The LR3 zone would have a height limit of 30 feet (consistent with the current L3 zone height limit, and less than the

current L4 zone height limits of 37 feet), except that apartments in growth areas would have a height limit of 40 feet. Additionally, a new height exception would permit up to four additional feet for a partially buried first floor. These changes may result in increases in view blockages and shadowing on neighboring properties; however, these increases are expected to be minor as the increases in allowed heights are small. Impacts of these new height limits would be partially mitigated through a code provision that provides a height limit of no more than 30 feet for any portion of a lot located within 50 feet of a lot line that abuts a single family zone.

Height measurement also would change for most zones, with the current method for measuring building height replaced by the method used in shoreline areas for all areas of the city except downtown and South Lake Union. The new measurement technique likely would produce little change in building massing on relatively level parcels, but could result in noticeably different buildings on sloping lots. Higher wall heights may be seen from the bottom of the slope, while building facades viewed from and across the top of the slope would be lower. Although the development envelopes of buildings on sloping lots would be expected to change with this measurement technique, no additional floor area or height would be allowed, and it is expected that impacts to height, bulk, and scale would be minor.

Other proposed code provisions, such as modifications to setback standards and use of floor-area ratio to regulate structure size, may slightly alter the bulk and scale of buildings constructed pursuant to these standards. Structure width and depth limits would be applied to townhouse and apartments in lowrise zones, to reduce potential impacts from these larger structures. Overall, these changes to development standards are expected to result in only minor bulk and scale impacts.

Housing

The proposed text amendments include minor changes that could influence the type and density of residential projects built in the future. Reduced parking requirements, elimination of density limits for some housing types that comply with specific design standards, and increased flexibility in development standards could increase the variety of housing types produced, which could accommodate a wider range of housing needs and promote more affordable housing. No significant adverse impacts are anticipated as a result of this legislation. However, zoning changes could influence the number of lots likely to become available for redevelopment and/or the density of projects that can be built on these lots.

Increased capacity for housing: Under current zoning, lowrise multifamily zones have an estimated development capacity for 26,800 dwelling units. When the current zoning was adopted in 1989, the EIS analyzing the proposed changes anticipated that a much higher density of development would be achieved than has actually occurred, as observed in actual projects built since 1989. Using current density limits, which, since their adoption in 1989 have proven to be higher than the densities actually achieved in multifamily projects over the years, it is estimated that the capacity that would have been available today would be about 35,327 additional housing units. Under the proposed changes, this total could increase to 38,903 units, for a gain of 3,527 units, reflecting a 10 percent increase above what was achievable with the density limits adopted in 1989.

Based on growth forecasts to the year 2024, roughly 50,000 new dwelling units are expected in Seattle; if current development patterns hold, about 18,500 of these units would be located in multifamily zones, although the capacity for new units, as noted above, is estimated to be much higher. (18,500 units is about 48 percent of the 38,903 units of estimated development capacity in lowrise zones with the proposed changes.) The amount of growth anticipated in lowrise zones could occur with or without the proposed changes, but some additional growth might be attracted to multifamily areas as a result of changes that could enable projects to increase development densities.

Affordability: New housing developed in lowrise zones accommodate the full range of affordability, including subsidized housing provided for low-income households by public and non-profit housing agencies, market rate housing available to renters and owners at a range of income levels, and high-income, luxury housing. Affordability will be influenced by many factors beyond the scope of land use regulations, including locational characteristics, such as proximity to amenities and employment, the overall demand for housing in the region, and construction costs. Individual projects that will be influenced by the provisions of this proposal will occur over time and cannot be evaluated in terms of affordability at this time.

Loss of existing housing: As noted above, capacity exists in lowrise zones under both existing conditions and the proposed code changes to accommodate substantially more growth than is anticipated over the next fourteen years. As the amount of growth in these zones will not significantly increase under the proposed changes, it is likely that no significant increase will occur in the number of existing units expected to be lost to future development. If individual projects achieve higher development densities and accommodate more units on redeveloped lots than would be expected to occur under existing regulatory conditions, slightly fewer lots would be required to accommodate the same number of units, which in turn could reduce the loss of units as fewer existing structures would need to be demolished.

Development of specific projects on individual sites is subject to the City's existing regulations and will be subject to environmental review (if they meet or exceed thresholds for environmental review). Overall, the proposed text amendments are not expected to have significant impacts on land and shoreline use, housing, or on the height, bulk and scale of resulting development.

Noise, Shadows on Open Spaces, Light & Glare, Environmental Health, Public View Protection

The proposed code changes are expected to have minor if any impacts on these elements of the environment. Existing light and glare and noise standards are not proposed to be changed. Development of specific projects on individual sites is subject to the City's existing regulations and will be subject to environmental review (if they meet or exceed thresholds for environmental review), as well as the City's Noise Ordinance.

Transportation, Public Services and Utilities

Transportation

The primary cause of potential transportation impacts from the proposed text amendments would be the potential for construction of additional residential units, beyond what would be likely to occur under existing zoning. One indicator of how the proposed changes could increase the potential for new residential units in lowrise zones is the resulting change in available development capacity. The capacity for development is not a prediction of the number of new units that will actually be built, but it does provide a reasonable estimate of what is possible if available sites are redeveloped.

Overall, the total development capacity in lowrise zones under the proposal is estimated to be 38,903 units, or roughly a 10 percent increase above the capacity for new units under current zoning, assuming development that is built to the maximum permitted densities on parcels currently assumed available for redevelopment. What actually will be built in these zones depends on many factors, including market conditions, demand for certain types of housing, and opportunities for residential development in other zones. The nature of transportation impacts that could result from changes to lowrise zoning would depend on the additional amount of growth that would occur due to increases in density, the distribution of growth throughout lowrise zoned areas (i.e., widely dispersed growth throughout the city or concentrated growth in limited areas), and the transportation characteristics of areas where any substantial growth might occur.

Increases in development capacity are expected to occur fairly evenly across the three new lowrise zones. The LR1 zone is forecast to increase development capacity by 1,109 dwelling units, the LR2 zone by 1,749 dwelling units, and the LR3 zone by 718 units.

Data from the Institute of Transportation Engineers' (ITE) Trip Generation report (7^{th} edition) provide an estimate of how much additional traffic might be generated by the forecasted increases in development capacity. In general, the empirical data gathered by ITE indicate that 100 multifamily housing units would generate approximately 672 new daily trips, with about 51 of these occurring during the morning peak hour and 62 occurring during the afternoon peak hour. In denser areas with more transit service and a larger number of destinations within walking distance, these volumes likely would be lower.

As noted above, the greatest absolute increase in development capacity is expected to occur in the LR2 zone, with capacity for an additional 1,749 units. Based on past trends, less than half of the development capacity in any of the lowrise zones is expected to be used to accommodate 20 year growth targets, so a more realistic estimate is that LR2 parcels throughout the city would be expected to add about 875 dwelling units. This would result in roughly 5,880 new daily trips, 446 new morning peak hour trips, and 542 new afternoon peak hour trips, although actual trip volumes may be somewhat lower, if development on LR2 parcels primarily takes place in areas with good transit service and walkable destinations. These new trips would be spread across developable parcels in LR2 zones throughout the city, with no substantial concentrations of additional development on any one site. Given this dispersion of development, no particular intersection or roadway segment would be expected to carry a preponderance of additional

traffic. Therefore, it is unlikely that these dispersed traffic volumes would have a significant transportation impact. Similar considerations would apply to increased development capacities in the LR1 and LR3 zones, although the future forecasted trip volumes would be smaller, as they would be based on smaller increases in development capacity in these zones.

The proposed code changes are not anticipated to produce significant adverse environmental impacts. Some of the changes address the location of parking on a project site; these changes address the use of space on a site, and are not expected to have direct parking impacts. Transportation impacts would be limited to a slight potential increase in use of alleys and a corresponding decrease in use of local streets, if greater access to lowrise development is taken from alleys. This could lead to greater amounts of on-street parking capacity, as less of the streetfront would be used for curbcuts.

Transportation impacts of individual projects developing pursuant to these code changes would be assessed at the time of project MUP applications, if they meet or exceed thresholds for environmental review.

Parking

The proposed amendments would eliminate the multifamily parking requirement for residential uses in multifamily and commercial zones in urban villages for lots located within a quarter-mile (1,320 feet) of a street with frequent transit service. Seattle Department of Transportation planners have indicated that one-quarter mile is the standard distance that people will walk to take most forms of transit (the distance increases to one-half mile for light rail). Because frequent transit service is provided in most urban villages, which also provide easy walking access to neighborhood shopping and other amenities, fewer residents need to use an automobile regularly. Of the 24 urban villages outside urban centers, 16 are entirely within one-quarter mile of frequent transit service, and five are partially within one-quarter mile. Current parking requirements would remain for urban villages or portions of urban villages that are not within one-quarter mile of frequent transit service.

The amendments also would remove SEPA authority to condition residential projects for parking impacts in urban villages with frequent transit service, and would add Uptown to the list of urban centers where SEPA cannot be used to condition residential projects for parking impacts. Within the South Lake Union Urban Center, limits on SEPA authority to mitigate parking impacts would be extended to all uses.

These proposed changes to the Land Use Code and SEPA regulations could result in additional parking impacts, such as increased on-street parking. However, these impacts are not expected to be significant, for two reasons:

1) In areas of the city where no parking currently is required and no SEPA authority exists to require additional parking, developments still provide parking. Data from projects in commercial zones in urban centers and station areas, where no parking has been required by city codes since 2007, indicate that residential projects have been constructed with at least 0.65 spaces/unit. Residential projects in downtown frequently provide parking at a ratio close to one space per unit, although no parking is required of these projects. This

indicates that residential developers respond to market demand for parking, and are unlikely to construct projects that are substantially underparked. If the parking requirements are eliminated, and less demand for parking occurs over time, developers could adjust gradually to the changing market without having to wait for code updates to modify parking requirements.

2) Parking demand likely will decrease as development occurs in areas with strong transit service. As these code amendments would apply only to urban centers and urban villages proximate to frequent transit service, the transportation infrastructure to support non-auto modes will be in place, and is expected to reduce reliance on automobile use.

In combination, increased transportation alternatives and developer responsiveness to market demand are expected to limit the expected parking impacts from these proposed code changes. Adverse impacts that do occur are not expected to be significant.

Public Services and Utilities

Any additional future development in the areas affected by the text amendments may contribute to overall cumulative increases in demand for public services and utilities. However, the code changes are expected to only modestly change the amount of development that occurs in lowrise zones, as noted above. Because additional amounts of development are not expected to be large, no significant adverse impacts to public services and utilities are anticipated from the proposed code changes.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, code amendment, and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: (signature on file) Date: April 22, 201

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