The Seattle resident responses and recommendations for revisions to the Lowrise Zoning currently proposed by Councilmember Mike O'Brien in Council Bill 118385 can be found in the right hand column of this matrix.

In general, the proposed bill, and even the 2014 proposed amendments fail to fully address the two most crucial complaints made by residents across the city in response to buildings built to the 2010 code revisions: *Height and Context.* Our recommendations seek to do so.

		Current Land Use Code Provisions	Department of Planning and Development (DPD) Proposed Amendments, May 2014	Councilmember O'Brien's Proposed Amendments (Council Bill 118385), May 2015	Our Recommendations (prepared by a citywide coalition of neighborhood advocates)
1	**Inclusion of unenclosed, exterior spaces in floor area ratio (FAR) calculations**	All "gross floor area" (GFA) is included in chargeable FAR. GFA is defined as being bounded by the "inside surface of the exterior wall." Since the new Lowrise zoning standards became effective in December 2010, many more apartment buildings have used exterior stairs and walkways than in the past. These "1950s-style" exterior corridors do not count in GFA, and allow the building to be larger than anticipated. In addition, some buildings provide corridors that are completely enclosed except for a lattice screen at one end. DPD does not count the area of these interior corridors towards GFA, because the screen is not considered an exterior wall. This has led to unanticipated FAR increases of 15% to 27% in some projects.	Include all unenclosed exterior stairs, hallways, and breezeways in chargeable FAR.	Include unenclosed exterior stairs, hallways, and breezeways in chargeable FAR, unless they meet Building Code requirements for egress balconies or exterior exit stairways. An egress balcony must be at least 50% open on the long side of the corridor, and exit stairways must be at least 50% open on one side, with a required minimum amount of open area.	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE **The actual FAR exceeds the 2010 promised FAR creating significant impacts.** **The 2014 amendment would:** - reduce the bulk of buildings - Increase privacy - Improve security - Reduce the amount of noise generated by 'balcony parties - Improve design - simplify the code by treating all corridors the same.

2	**Area limit for clerestories**	Clerestories, like most architectural rooftop features, are allowed to extend 4' above the maximum height. However, unlike other similar features, there is no limit to how much of the roof they can cover. As a result, the clerestory exemption has had greater impacts on building height and bulk than anticipated. DPD has identified several buildings that used the clerestory provision and appear to have five stories as viewed from one or more exterior angles. The use of clerestories has also resulted in more units with lofts, particularly on the top floors of buildings.	Limit clerestories and similar rooftop features to 30% of the area of the roof. Include all finished interior spaces with a floor-to-ceiling clearance greater than 3', such as lofts, in GFA calculations.	Limit clerestories and similar rooftop features to 30% of the area of the roof. Do not add a provision that all finished interior spaces with a floor-to-ceiling clearance greater than 3' count toward GFA.	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE **The idea was sold as improving design. However, as currently used it appears to add an entire floor increasing the height and bulk of new buildings.** **The 2014 amendment would:** -Improve the design by adding detail and breaking down the scale of building roof lines. -Reduce shadow impact for adjacent neighbors -Increase adjacent neighbors views of surroundings and sky - provide consistency in that all areas intended to be occupied or used as storage, such as lofts, should be counted in GFA.
3	**Passive House qualification for FAR increase**	Projects can qualify for higher FAR if they meet one of three sets of green building performance standards: Leadership in Energy and Environmental Design (LEED) Silver rating; Built Green 4-star rating of the Master Builders Association of King and Snohomish Counties; and Washington Evergreen Sustainable Development Standards (for affordable housing projects).	No change from current standards.	Add certification by the Passive House Institute U.S. as an option for qualifying for higher FAR	**Require minimum green performance criteria for all new residential buildings by adopting into building code (legislate green building practices).** **Eliminate the FAR bonus.** BECAUSE "Green building" is essential for decreasing our carbon footprint and deserves to be incorporated into all buildings.– The present bonus complicates

					design, construction and enforcement, increasing the cost of development, while creating unintended consequences by shading adjacent lots and ruining gardens.
4	**FAR and height exemptions for partially-buried floors**	Currently, a 4' height allowance is available for apartments in LR2 zones and all types of multifamily development in LR3 zones if the building includes a partially below-grade story. The intent of this allowance was to: encourage stoops and porches along the street front; raise the building's first level to increase privacy; and allow a partial basement for parking or lower-cost housing. The area in the partially below-grade story is generally also exempted from FAR.	Eliminate the FAR and height exemptions for partially buried floors.	Maintain the FAR and height exemptions for partially buried floors, and add a required upper-level setback along the street-front to address the bulk and scale effects of the exemptions (see item 5 below).	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE -Current code creates buildings that are out of scale with their context. -No demonstrated link to affordable housing (If the intent was to create more affordable ground floor units why is this exemption applied to Rowhouse and Townhouse units?) - Simplifies the code
5	**Upper-level setback requirements for street-facing facades**	No upper-level setbacks are required for street-facing facades. The change to using the average grade plane method for height measurement in 2010 led to buildings that appear to have more stories or taller facades when viewed from the low side of slopes and as compared with prior development. On the downhill side of a slope, a story that is partially below grade elsewhere on the site may be fully exposed, appearing to be an additional story. This has produced buildings with the	Establish a new control to limit the height of street-facing façades on sloping lots. This standard would create an upper-level setback condition for street-facing building facades. For structures in LR zones that are subject to a 30' height limit, the upper level setback requirement would be 12' above a height of 34'. For structures in LR zones that are subject to a 40' height limit, the upper-level setback	In LR zones, a minimum upper-level setback from all street lot lines would be required in addition to any required ground-level setback, as follows: 1. For structures in LR zones that are subject to a 30' height limit, the upper-level setback requirement is 12' above a height of 34'. 2. For structures in LR zones that are subject to a 40' height limit, the upper-level	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE -It minimizes the visual impact of these buildings. -It reduced shadow impact on adjacent properties. -It reduces the perceived overall bulk of these structures.

		appearance from the downhill side of a slope of five (or even six) stories for some apartments in the LR3 zones. Five- or six-story buildings were not an anticipated outcome of the 2010 update. Apartments in LR3 zones in urban villages and centers are the only type of housing that may access the 40' height limit, but similar slope issues are present in areas where the height limit is 30'.	requirement would be 12' above a height of 40'. The height of street-facing façades would be measured from average grade at the street property line. Limiting the height of the street-facing facades would achieve the public benefit of reducing the visual appearance of bulk and scale to the public street and preserve light penetration and views of the sky from the street or sidewalk. Developers would not be able to request departures from the proposed standard through the Design Review process, as this is not allowed for height regulations.	setback requirement is 16' above a height of 44'. 3. The minimum upper-level setback shall be provided at all points along the length of the street property line as measured from finished grade. 4. Open railings, parapets, and other permitted projections that are predominantly transparent above a height of 1.5', may be located in the required upper-level setback. Developers would be able to request departures from the proposed setback standard through the Design Review process.	
6	**Rounding thresholds for density limits**	Calculating the residential density limits that apply to individual lots often results in fractional unit counts. To address this issue, any density limit calculation that results in a fraction up to and including 0.5 constitutes zero additional units and any fraction over 0.5 constitutes one additional unit. The same 0.5 rounding threshold applies in all zones where residential density limits are in place. Example: Townhouse project on a 5,000 square foot LR1-zoned lot with a density limit of one townhouse per 1,600 square feet of lot area. Density calculation: 5,000 / 1,600 =	Establish a 0.85 rounding threshold for density calculations for LR-zoned lots, regardless of lot size. Specifically, when density calculations for allowable dwelling unit counts on LR-zoned lots result in fractions, any fraction up to and including 0.85 would be disregarded and any fraction over 0.85 would allow one additional unit. This would remove the incentive to subdivide a lot in order to increase the allowable unit count. Example: Townhouse project	Establish a 0.85 rounding threshold for density calculations only for LR1-zoned lots that measure less than 3,000 square feet. For such lots, if density calculations result in a fraction of a unit, any fraction up to and including 0.85 would be disregarded, and any fraction over 0.85 would allow one additional unit. This would remove the incentive to subdivide a lot in order to round of the unit count without penalizing larger lots.	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE - limiting the new threshold to 3,000 sf lots would still encourage developers to subdivide and round up on larger lots and exceed the allowable density in LR1 zones (1 unit per 1,600 sf).

		3.13 townhouse units permitted. Number of townhouses permitted after application of 0.5 rounding threshold: 3 DPD has observed that the existing 0.5 rounding threshold has led some property owners to subdivide their land into smaller lots in order to increase the number of dwelling units their property could accommodate. For instance, if the 5,000 square foot lot described the example above was subdivided into two 2,500 square foot lots, it would, under the existing 0.5 rounding threshold, be able to accommodate 4 townhouse units. This outcome was not anticipated when the 0.5 rounding threshold was established.	on a 9,000 square foot lot: Density calculation: 9,000 / 1,600 = 5.63 townhouse units permitted. Number of townhouses permitted after application of 0.5 rounding threshold: 6 Number of townhouses permitted after application of 0.85 rounding threshold: 5		
7	**Density limits for rowhouses in LR1 zones**	No density limit for rowhouse development in LR1 zones. According to DPD, the absence of a density limit for rowhouses in LR1 zones has led some property owners to subdivide their land in order to double-stack rowhouse and townhouse development on what was previously platted as one lot. The existing Land Use Code provisions were neither intended nor anticipated to result in the double-stacking of development behind street-facing rowhouse units.	On LR1-zoned lots measuring less than 5,000 square feet, allow one rowhouse unit to be built per every 1,600 square feet of lot area.	On LR1-zoned lots measuring less than 3,000 square feet, allow one rowhouse unit to be built per every 1,600 square feet of lot area. This would remove the incentive to subdivide a lot in order to gain increased density, without penalizing larger lots. On a 3,000 square foot lot, two units would be allowed per the rounding provision discussed in item 6.	**Adopt the DPD May 2014 Proposed Amendments** BECAUSE -limiting the new threshold to 3,000 sf lots would still allow developers to subdivide and double-stack on larger lots and exceed the allowable density in LR1 zones (1 unit per 1,600 sf). - LR1 is often adjacent to SF 5000 where there is 1 housing unit. The density restriction would still allow a 3 unit rowhouse – triple the density of the adjacent zone. This seems like an adequate increase in a transition zone.
8	**Side setback requirements**	No required side setback for rowhouse projects unless the side lot	Establish a new, 3.5’ side setback requirement for	No change from existing Land Use Code provisions.	**Adopt the DPD May 2014 Proposed Amendments**

	for rowhouses	line abuts a single family zone. DPD has received comments from the public expressing concerns about adjacency impacts associated with not requiring a side setback for some rowhouse projects. These include the construction of large sidewalls with limited modulation and few windows, shadowing impacts, and the absence of space between sidewalls and side lot lines for building maintenance. A potential downside of requiring side setbacks for rowhouse projects is that it would mandate the creation of small gaps ("missing teeth") between rowhouse developments built on adjoining lots rather than allowing for the construction of contiguous rowhouses that provide a consistent streetscape.	rowhouses projects that do not share a side lot line with another rowhouse or a single-family zone.		**EXCEPT Additionally amend to Increase the setback to 5'.** BECAUSE .-Setbacks allow for a transition between sidewalk and buildings on corner lots. -Increasing setbacks protects private property and increases fire safety. - Allows for landscaping which increases tree canopy, reduces noise, allows for urban wildlife habitat, cleans the air, cleans the water via filtration which helps keep Puget Sound healthy. - Provides enough space for basic maintenance. - 5' is the requirement for other forms of housing in LR zones. - Increases the potential for better design -makes it possible to have windows. -departures from side setbacks are possible through design review.
9	**Design Review in LR2 zones**	Not required. Apartment construction is permitted in LR2 zones; however, no zone-specific Design Review threshold applies to those areas. As a result, projects with dozens of residential units may be built on lots in LR2 zones without first undergoing Design Review.	Not required.	Require Design Review for development proposals in LR2 zones that include 8 or more dwelling units. This same threshold currently applies in LR3 zones.	**Adopt the CB 118385 Proposed Amendments** BECAUSE - closes a loophole identified by neighborhoods in 2014. (Townhomes are covered by current code but not apartments.)

	New additional Amendments proposed by residents to address height, bulk and scale of new buildings.				
10	15 ' Front Setbacks in all LR zones	Current front setbacks for all LR zones are as follows: **Cottage Housing**: 7' Average, 5' minimum **Rowhouse**: 5' minimum **Townhouse**: 7' Average, 5' minimum **Apartment**: 5' minimum	Not addressed	Not addressed	**New Amendment for 15' front setbacks in all LR zones** BECAUSE - Eliminates "sore thumb" look from existing overall context of the street - Provides 'defensible space' with a sense of ownership of the space between the sidewalk and building. - Eyes on the street – people are willing to keep their curtains open. - More likely to get good landscaping and trees which mask the building. - Less likely to get blank facades (no windows, tall fences).
11	15' Rear Setbacks in all LR zones	Current rear setbacks for all LR zones are as follows: **Cottage Housing:** 0' with Alley, 7' no Alley **Rowhouse:** 0' with Alley, 7' no Alley, 5' minimum **Townhouse:** 7' Average, 5' minimum **Apartment:** 10' minimum with Alley, 15' minimum no Alley	Not addressed	Not addressed	**New Amendment for 15' rear setbacks in all LR zones** BECAUSE - Rear setbacks provide transition from adjacent zones (many single family) - Landscape space for trees to mask the building. - Outdoor space for gardens - Controlled play space for small children. - Allows for urban wildlife habitat.
12	Require drive access to	Currently parking access is permitted between structures. This can lead to	Not Addressed	Not Addressed	**New Amendment for side only drive access to one side of**

	parking to one side of the property with a 3.5' setback at the other side boundary line.	blank end walls facing the street and increasing the bulk of a building to the side boundary lines and increases impact on adjacent properties.			**property line with a 3.5 ' setback on the other boundary line** BECAUSE -It allows for increased setback between adjacent unrelated properties. Setbacks as a barrier decrease noise between properties and keeps neighborhoods quieter.
13	Apply SDR to all developments of 3 or more units in LR zones if design review is not otherwise required .	A loophole limits this requirement to a certain type of townhouse development. Other townhouse-style developments of three or more units are able to avoid any design oversight.	Not Addressed	Not Addressed	**New Amendment to correct SDR so that it applies to all new low rise developments of three or more units.** BECAUSE currently neighbors are not even notified of projects, let alone provided an opportunity to comment. This is a significant issue in areas experiencing high development.
14	Eliminates loopholes and work-arounds while increasing predictability and improving design.	Currently the Lowrise code and the way it is administered by DPD hopelessly complicates both the zoned height and FAR limits. The original language calls for measuring the height from the existing or finish (new) grade, *whichever is lower***.** Currently, all buildings on lots with slopes are completely excavated allowing at least one additional floor to be constructed increasing the height beyond what was promised in 2010. Similarly, areas below the original	Not Addressed	Not Addressed	**Height and FAR** **1. Go back to the pre-2010 height measurement definition: "from existing or finish grade *whichever is lower*."** **2. Require FAR calculations include all space, portions of which are above existing or finish grade.** **3. Limit the sum of all height bonuses to 4 feet (or simplify the code by eliminating all bonuses).** BECAUSE - Improve predictability to

		grade are not counted toward the FAR, resulting in greater bulk than promised in 2010. -DPD interpretation of height and FAR results in added complexity and much larger than intended buildings.			adjoining owners. - Simplifies the code - Improves design.