

Amendment B Version 1 to CB 120833 – SDCI Living Building Amendment ORD

Sponsor: Councilmember Moore

Limiting building height in the DMR zone and adding a sunset date

Effect: This amendment would allow a structure on a lot size below 19,000 square feet to have a structure over 145 feet, up to a maximum height of 180 feet in the DMR zone when using height bonuses allowed under the Living Building Pilot Program. This amendment would add a sunset date to the legislation. The changes in the ordinance would expire at the end of 2025 unless the Council takes action to extend it or have it expire earlier. Any projects that vest to the legislation before its expiration date could use the incentives described in the legislation after it expires.

Amend Section 1 and add Section 2 to CB 120833 as follows and renumber subsequent sections as appropriate:

Section 1. Subsection 23.49.156.A of the Seattle Municipal Code, which section was last amended by Ordinance 125371, is amended as follows:

23.49.156 Downtown Mixed Residential, minimum lot size

A. This subsection 23.49.156.A applies to DMR zones outside of South Downtown.

1. The minimum lot size is 19,000 square feet for any structure over 145 feet high, except that a project in a DMR zone that is part of the Living Building Pilot Program pursuant to Section 23.40.060 and uses a height bonus pursuant to subsections 23.40.060.C.5, 23.40.070.C.5, or 23.49.008.F, is exempt from this requirement **to have a minimum lot size and may not exceed 180 feet in height after all height bonuses are applied.** Pursuant to subsection 23.76.026.E, an applicant may elect to use this exemption even if the applicant's application vested before the effective date of this ordinance.

2. To meet the minimum lot size requirement, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:

- a. The total area of the combined lots meets the minimum lot size requirement;
- b. All lots have frontage on the same avenue;
- c. Any existing structure does not exceed a height of 145 feet;
- d. The lot coverage of both the proposed and any existing structures does not exceed applicable lot coverage limits in Section 23.49.158; and
- e. The fee owners of the abutting lot(s) execute a deed or other agreement, recorded with the King County Recorder's Office as an encumbrance on the abutting lot(s), that restricts future development of the abutting lot(s) to a maximum height of 145 feet for the life of the proposed structure, and that precludes the use of the abutting lot(s) in combination with any other abutting lots for purposes of meeting the minimum lot size requirements for any other lot.

Section 2. This ordinance shall automatically expire on December 31, 2025 unless the Council takes action to either extend it as provided by statute or terminate it sooner.