

DPD

Director's Rule 12-2005

Applicant: City of Seattle Department of Planning and Development	Page 1 of 2	Supersedes: N/A
	Publication: 3/3/05	Effective: 3/22/05
Subject: Clarifying measurement techniques regarding structure height on lots with unusual topographic conditions in all zones, except downtown zones and the shoreline district.	Code and Section Reference: SMC Title 23, Land Use Code, Sections 23.84.024 and 23.86.006.	
	Type of Rule: Code Interpretation	
	Ordinance Authority: SMC 3.06.040	
Index: Land Use Code, Technical and Procedural	Approved	Date
	(signature on file) Diane M. Sugimura, Director, DPD	3/21/05

PURPOSE

The current structure height measurement technique is based on Land Use Height Policies contained in the Seattle Comprehensive Plan. These policies state a general preference to establish predictable maximum heights that respond to varying topographic conditions. While some topographic allowances, such as the sloped lot bonus, already exist in the Land Use Code, they do not always adequately accommodate the range of “unusual topographic conditions” that can occur on a lot.

This Rule clarifies the measurement technique for determining allowable structure height in order to allow “reasonable development” on lots that have “unusual topographic conditions.” It applies in all zones except downtown zones and properties located in the shoreline district.

For the purpose of this Rule, the terms “reasonable development” and “unusual topographic conditions” are defined as follows:

1. "Reasonable development" means development that could occur on a flat lot, given its existing zoning designation and associated development standards and the strict application of 23.86.006 A, B, and C.

2. "Unusual topographic conditions" means depressions or mounds, previous excavation, remnants of previous development, previous site or street grading, or similar features that would result in a reduction in the allowable development potential of a lot in terms of floor area, number of stories, or floor-to-floor heights, when compared to what would otherwise be permitted if the subject lot were flat.

RULE

A. In order to allow "reasonable development" on lots that have "unusual topographic conditions," Section 23.86.006 is interpreted to allow the Director to adjust the grade or grades (existing or finished) used for the purpose of measuring allowable structure height, provided that both of the following conditions are met:

1. The strict application of 23.86.006 A, B, C and D does not allow "reasonable development"; and

2. In no case shall the Director authorize more development, in terms of floor area, number of stories, or floor-to-floor heights, than would otherwise be permitted if the subject lot were flat.

B. Any request for application of this Rule may be denied if the Director determines that the application of this Rule would result in significantly greater potential impacts on adjacent properties than would otherwise be anticipated if the subject lot and adjacent properties were flat and located on the same horizontal plane. Examples of potential impacts include, but are not limited to, height, bulk, and scale impacts and shadow impacts.