Maximum Building Heights in the Downtown: Proposed Amendments

March 14, 2017
Planning Commission Workshop

Chad Eiken, CED Director
Willy Williamson, Pearson Field Airport Manager
VMC 20.630.050 “Maximum Building Heights” contains max height limits in the City Center District.

- Intended to facilitate redevelopment, maximize waterfront development, meet historic preservation goals, protect adjacent neighborhoods, and comply with Federal Aviation Administration Regulations.
- Maximum heights shown on map in the ordinance; some areas are allowed a “range of heights” with text that explains conditions for allowing increased heights.
Downtown Building Heights - Background

- Blocks with range of heights have a footnote (1 or 2) that cross-references conditions in code that allow for taller buildings
- Footnote 1 refers to VMC 20.630.050 C for requirements that must be met in order for building heights to exceed low number in the range
- Footnote 2 requires FAA determination and other restrictions for added height
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Footnote 2 requires FAA approval and other restrictions for added height.
Maximum Building Heights – Current Ordinance

- **VMC 20.630.050C** Implements Range of Allowed Heights indicated by Footnote 1 on Figure 20.630-4
- Low number of the range identifies max building height outright
- Above the low number of the range:
  - Up to 50% increase in height is allowed if FAA certifies that height complies with FAA regulation Part 77 - “determination of no hazard to air navigation”
  - Up to 100% increase in height is allowed if FAA makes this determination and gross floor area at each floor above 50% increased height shall not exceed 12,000 square feet
Maximum Building Heights - Conflicts

- Federal Aviation Administration approves the height of proposed buildings if there is no penetration of the horizontal and transitional surfaces, which keeps buildings in a theoretical "safe zone;" doesn’t always take other factors into consideration.
- Recent determination by FAA of a request for additional height of an office tower has raised questions about FAA having the final say over increases in building height.
- FAA officials say that they have “never considered their agency to be the final approval body” regarding building heights.
Pearson Flight Path to West: Current

Downtown

Runway

PDX Airspace
Pearson Flight Path to West: with Office & Hotel
Proposed Amendments

Modify the Text of VMC 20.630.050, C and D as follows:

1) Make it clear that the Planning Official, not FAA, has final approval authority over increase in building heights through the site plan approval process

2) Add a requirement that the Planning Official shall consult with the Pearson Field Airport Manager on any proposed increase in building heights covered by Footnotes 1 and 2

3) Retain the requirement that the FAA confirm that the increase in height must comply with FAA Regulation Part 77
Optional Additional Amendment

- For parcels that are of most concern to Pearson pilots (north of BNSF tracks, south of City Hall), eliminate the range of heights and instead amend Fig. 20.630-4 to show the absolute maximum building height to reduce uncertainty
Next Steps

- Based on Planning Commission direction, planning staff will initiate public and agency outreach, complete SEPA review, and schedule a public hearing.
- Anticipated PC public hearing would be May 9th.
- Council workshop tentatively scheduled for May 8th.
- Council public hearing on proposed ordinance amendments would likely be scheduled for June 5th.
Questions and Discussion

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Maximum Building Heights Amendments