

Mandatory Rezone

Criteria:

SMC 23.34.009.D.2 – “A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers... are provided.”

Examiner’s Fatal Flaw:

The Examiner counted the vacant lot within the Single Family zone (characterized as “private open space”) as the buffer required between zones.

See Conc. #7 at p8: “A gradual transition between zoning categories would occur between the mid-portion of the project and the SF 5000 zoned properties to the west, as a *private open space area will be landscaped to provide some separation between the five story building and the single family zone.*”

