Title 24

ZONING AND SUBDIVISIONS

Subtitle I Zoning Regulations

This subtitle is intended for those provisions of the Code which relate to the regulation of land use.

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Cases: A provision of a zoning ordinance making the right to maintain a home for aged persons within a particular district depend upon consent of the owners of two-thirds of the property within four hundred feet of the proposed building violates the due process clause of the Federal Constitution. **Washington ex rel. Seattle Title Trust Co. v. Roberge**, 278 U.S. 116 (1929).

A zoning ordinance prohibiting skating rinks within five hundred feet of any public park, school or playground held unconstitutional as imposing an unreasonable restriction upon the use of private property. **Manos v. Seattle,** 173 Wn. 662, 24 P. 2d 91 (1933).

Severability: If any section, paragraph, subdivision, clause, phrase, or provision of Subtitle I shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of Subtitle I as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.
(Ord. 86300 § 29, 1957.)

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Subtitle II Miscellaneous Land Use Provisions

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Subtitle III Subdivisions

This subtitle is intended for those provisions of the Code which relate to the regulation of plats, subdivisions, and dedications of land.

Chapters:

24.98 Subdivisions

Statutory Reference: For statutory provisions regarding plats and subdivisions, see RCW Ch. 58.17.

Severability: The invalidity of any section, subsection, provision, clause, or portion of Subtitle III, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of Subtitle III or the validity of its application to other persons or circumstances.
(Ord. 105636 § 34, 1976.)

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Subtitle I Zoning Regulations

Chapter 24.06

TITLE, PURPOSE AND SCOPE

Sections:

24.06.010 Short title.
24.06.020 General purpose and scope.
24.06.030 Purpose of residential zones.
24.06.040 Single-family residence zones.
24.06.050 Duplex residence zones.
24.06.060 Multiple-family residence zones.
24.06.070 Purpose of business zones.
24.06.080 Purpose of commercial zones.
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24.06.010 Short title.

This subtitle shall be known as the Comprehensive Zoning Ordinance of The City of Seattle.
(Ord. 86300 § 1, 1957.)

24.06.020 General purpose and scope.

A. The general purpose of this subtitle is to protect and promote public health, safety, morals, and general welfare through a well-considered comprehensive plan for the use of land. It classifies land within the city into various land use zones, each with appropriate zone designations, and within each zone, this subtitle limits the use of land and limits the height, size, use and location of buildings and structures and requires space for off-street parking. The economic stability of land use areas and conservation of building values are promoted and protected thereby.

B. Its provisions are designed to provide adequate light, air, and access, to secure safety from fire and other dangers, and to avoid excessive concentration of population, in order to lessen traffic congestion, and to facilitate adequate provisions for transportation, water, sewerage, schools, parks, and other public requirements.

C. In interpretation and application, the provisions of this subtitle are minimum requirements.
(Ord. 86300 § 2.1, 1957.)

24.06.030 Purpose of residential zones.

Twelve residential zone classifications permit a variety of housing and population densities without conflict. Protection is provided against hazards, objectionable influences, traffic, building congestion, and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in R zones.
(Ord. 104271 § 5(part), 1975: Ord. 98608 § 1 (part), 1970: Ord. 96202 § 1(part), 1967: Ord. 86300 § 2.21, 1957.)

24.06.040 Single-family residence zones.

Three single-family residence zone classifications are provided to promote and protect various densities and uniformity of development within each. A Residence Waterfront Zone classification recognizes special waterfront needs.

A. The RS 9600 Zone provides low density chiefly in outlying areas or where required by soil conditions or topography.

B. The RS 7200 Zone provides medium density of development where indicated by desirability or feasibility.

C. The RS 5000 Zone protects basic minimum density of development chiefly in mature areas.

D. The RW Zone permits houseboats and group pleasure boat moorages when compatible with permitted residential uses.
(Ord. 104271 § 5(part), 1975: Ord. 98608 § 1(part), 1970: Ord. 96202 § 1(part), 1967: Ord. 86300 § 2.22, 1957.)

24.06.050 Duplex residence zones.

Two duplex zone classifications permit two-family dwellings and, under certain conditions, three-family structures protected from more concentrated residential uses and permitting a greater variety of institutional uses.

A. The RD 7200 Zone permits the use and development of two- or three-family dwellings on larger lots in outlying areas of the city.

B. The RD 5000 Zone permits two- and three-family dwellings in appropriate areas of the city where lots are smaller.
(Ord. 104271 § 5(part), 1975: Ord. 98608 § 1(part), 1970: Ord. 96202 § 1(part), 1967: Ord. 86300 § 2.23, 1957.)

24.06.060 Multiple-family residence zones.

Five multiple-family residence zone classifications permit apartment houses and other group living, together with certain appropriate nonresidential uses. Transportation, major shopping and employment centers influence location of the multiple-family zones.

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A. The RM 1600 Zone provides for residential development of greater density than permitted in duplex zones but less than that allowed in the Multiple Residence Low Density Zone.

B. The RM 800 Zone provides for low density multiple-family dwellings.

C. The RMH 350 Zone provides for high density elevator apartment houses generally near the city center and at major subcenters near transportation facilities and for certain intensive institutional uses requiring residential environment.

D. The RMV 200 Zone provides for high density tower apartment houses in areas where such buildings will result in a minimum of interference with view, and certain compatible institutional uses, located with desirable relationship to the city center or subcenters and employment areas, having proximity to adequate transportation facilities and other amenity features.

E. The RMV 150 Zone provides for the highest density tower apartment houses in areas where such buildings will result in a minimum of interference with view, and certain compatible institutional uses, located in close proximity to the city center or other major subcenters and employment areas, having proximity to adequate transportation facilities and other amenity features.

F. The RM-MD Zone provides for variable density housing including tower apartment houses where such buildings have a desirable relationship with surrounding structures, and certain nonresidential uses compatible with housing and with adjacent commercial areas, located in close proximity to the city center or other major subcenters and employment areas, and having access to adequate transportation facilities and other amenity features.
(Ord. 104271 § 5(part), 1975: Ord. 98608 § 1(part), 1970: Ord. 96202 § 1(part), 1967: Ord. 86300 § 2.24, 1957.)

24.06.070 Purpose of business zones.

Four business zone classifications are provided to promote retail business development on the basis of function performed and to minimize conflicts within each zone and with uses in adjacent residential zones.

A. The BN Zone provides small areas in local neighborhoods for neighborhood retail stores near the homes which they serve.

B. The BI Zone, generally located on the boundaries of neighborhoods, provides for intermediate sized shopping areas to serve the abutting neighborhoods.

C. The BC Zone provides for larger business centers serving the greater needs of several neighborhoods or the community district.

D. The BM Zone protects the retail core of the Central Business District, fostering first-floor retail frontages and providing maximum safety, convenience and amenity for the pedestrian shoppers. Buildings of maximum bulk are permitted with incentives for plazas and arcades.
(Ord. 96395 § 1, 1968: Ord. 94036 § 1, 1965: Ord. 86300 § 2.3, 1957.)

24.06.080 Purpose of commercial zones.

Three commercial zone classifications permit, in appropriate locations, nonretail services and other business activities protected from industrial uses.

A. The CM Zone permits a wide variety of nonretail commercial and business uses functionally related to and near the retail core of the business district in buildings of similar bulk to those in the BM Zone.

B. The CMT Zone permits a variety of commercial and business uses and is conceived as a temporary or interim classification. Permitted building bulks are similar to those permitted in the CM Zone but are not eligible for bonus provisions to permit increased building bulk.

C. The CG Zone, located in each major section of the city, permits nonretail commercial and business activity near major business districts and under conditions which minimize conflicts with nearby residential areas.
(Ord. 94036 § 2, 1965: Ord. 86300 § 2.4, 1957.)

24.06.090 Purpose of manufacturing zones.

Three manufacturing zone classifications provide protection for all kinds of industry under conditions that minimize conflicts of land use within and between zones. Mutual protection is provided by prohibiting new residential developments in manufacturing and industrial zones.

A. The M Zone provides for light manufacturing uses under specific conditions intended to minimize conflicts with nearby residential uses.

B. The IG Zone provides for a greater range of general industrial activities with provision for protecting adjacent residential zones.

C. The IH Zone provides for and protects the heaviest industrial activities prohibiting

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residential uses and in locations to achieve maximum isolation.
(Ord. 86300 § 2.5, 1957.)

Chapter 24.08

DEFINITIONS

Sections:

24.08.010 Definitions generally.
24.08.020 "A."
24.08.030 "B."
24.08.040 "C."
24.08.050 "D."
24.08.060 "E."
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24.08.240 "W."
24.08.250 "X."
24.08.260 "Y."
24.08.270 "Z."

24.08.010 Definitions generally.

For the purpose of this subtitle, certain terms and words are defined in this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; and the word "shall" is mandatory and not merely permissive.
(Ord. 86300 § 3.01, 1957.)

24.08.020 "A."

1. "Accessory building." See "Use or structure, accessory."

2. "Accessory use." See "Use or structure, accessory."

3. "Adjacent properties" means properties within the same block and same zone. For purposes of computing floor area ratio, "adjacent properties" shall not include properties separated by public rights-of-way.

4. "Alley" means a public or private way not less than ten feet in width permanently reserved and so recorded in the county records as secondary means of access to abutting property.

5. "Animal control shelter" means a structure maintained and operated primarily for the impounding and/or disposal of lost, stray, unwanted, dead or injured animals.

6. "Apartment hotel" means a building providing accomodations for transient guests in which at least fifty percent of the gross habitable floor area is devoted to dwelling units.

7. "Apartment house." See "Dwelling, multiple."

8. "Arcade" means a continuous covered area, open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects, and unobstructed to a height of not less than twelve feet except for supporting columns and beams and either:

a. Is adjacent to a street or plaza and not less than ten feet in depth and five hundred square feet in area and extending along the street or adjoining plaza for at least fifty feet or for the full street frontage; or

b. Extends from a street or plaza through to another street or plaza and is not less than fifteen feet in width and five hundred square feet in area.

9. "Arcade, shopping" means a continuous covered area, open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects, unobstructed to a height of not less than twelve feet except for supporting beams, having at least thirty-five percent of its perimeter when adjacent to a street or plaza, or fifty percent of its perimeter when it extends from a street or plaza to another street or plaza, devoted to consumer shopping uses such as but not limited to flower and gift shops, indoor-outdoor cafes, art galleries, and similar specialty shops readily accessible to the public from it and either:

a. Is adjacent to a street or plaza and not less than ten feet or more than twenty feet in depth and five hundred square feet in area and extending along an adjoining plaza for at least fifty feet or along a street for the full street frontage; or

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b. Extends from a street or plaza through to another street or plaza and is not less than fifteen feet in width and five hundred square feet in area.

To help ensure that required consumer shopping uses are retained and the public interest served, in the event such spaces cease to function for their intended purpose, the actual area so affected or an equivalent area shall be converted into readily accessible public space either as additional plazas, arcades or public display areas within one hundred twenty days. Certain consumer services, excluding financial institutions, that are of visual interest from the exterior and oriented to passing pedestrians may be permitted on an interim or permanent basis when approved by the Director.

10. "Area." See "Floor area, gross."

11. "Artist" means a person who is regularly engaged in the visual, performing or creative arts.

12. "Artist's studio/dwelling" means a combination studio and dwelling unit for artists. An artist's dwelling unit consists of a room or suite of rooms on one or more floors designed for and occupied by not more than one family and including adequate working space reserved for the artist or artists residing therein.

13. "Automobile laundry" means a structure designed and primarily used for washing cars by mechanical means and by movement through washing and drying stages.

14. "Automobile or house trailer, sales or rental area" means an open area used for the display, sale or rental of new or used passenger motor vehicles or house trailers in operable condition, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold, or rented on the premises.

15. "Automobile repair, major" means rebuilding or reconditioning of motor vehicles or trailers including trucks over one and one-half tons capacity; collision service including body, frame or fender straightening or repair; overall painting or paint shop; automobile wrecking when within an enclosed building.

16. "Automobile repair, minor" means general motor repair, replacement of new or reconditioned parts to passenger automobiles and trucks not exceeding one and one-half tons capacity, but not including any operation specified under "Automobile repair, major."

17. "Automobile wrecking yard" means an area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked or where vehicles not in operable condition or used parts of motor vehicles are stored. (Ord. 107109 § 1, 1978: Ord. 107075 § 1, 1978: Ord. 106862 § 1, 1977: Ord. 106832 § 1, 1977: Ord. 106230 § 1, 1977: Ord. 94036 § 3, 1965: Ord. 89859 § 1, 1960: Ord. 86300 § 3.02, 1957.)

24.08.030 "B."

1. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above the grade but so located that the vertical distance from the grade to the floor below is less than the vertical distance from grade to ceiling. A basement shall be counted as a story.

2. "Base structure" means the aboveground portion or base of a building, generally used for parking or other nonresidential purposes.

3. "Billboard." See "Sign, advertising."

4. "Block front" means the frontage of private property within a single zone and along one side of a street between intersecting or intercepting platted streets or between a platted street and a railroad right-of-way or a waterway provided such distance does not extend more than four hundred feet on either side of a lot.

5. "Board" means the Board of Adjustment of The City of Seattle.

6. "Boarding, lodging, or rooming house" means a building, other than a hotel, where meals and/or room or lodging are provided for compensation for seven or more nontransient persons.

7. "Building" means any structure for the support, shelter or enclosure of persons, animals, mechanical devices or chattels, or property of any kind. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building. The term "building" shall include signs and fences over six feet high.

8. "Building, accessory." See "Use or structure, accessory."

9. "Building, completely enclosed" means a roofed building or portion thereof having no openings other than fixed windows and such exits as are required by law, and equipped with self-closing doors.

10. "Building, detached" means a building having no wall in common with another building.

11. "Building, enclosed" means a building

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enclosed on all sides with wall and roof and having no openings other than closeable, glazed windows and doors and vents.

12. "Building or part, residential" means a building or building part containing solely one or more dwelling units or a building or building part occupied or intended to be occupied in whole for sleeping or living purposes, including hospitals, sanitariums and similar uses, but not including motels or hotels.

13. "Building or structure, nonconforming" means a building or structure specifically designed or occupied for any use which is a nonconforming use and lawfully existing prior to the effective date of the ordinance codified in this subtitle[1] or the effective date of any amendment changing the zone classification of the land upon which such building or structure is located.

14. "Building or structure, nonconforming as to bulk" means a lawfully established building or structure which on the effective date of the ordinance codified in this subtitle[1] was not in conformance with the bulk regulations of this subtitle for the zone in which located.

15. "Building, principal." See "Use or building, principal."

16. "Building site." See "Lot."

17. "Bulk" means size and location of buildings and structures in relation to the lot. Bulk regulations include maximum height of building, minimum lot area, minimum front, side and rear yards and maximum lot coverage.

18. "Bulk station" means any installation for the storage, handling and selling of flammable liquids or oils, from which such liquids or oils are sold at wholesale or distributed to retail stations or private storage by tank trucks.

19. "Bulletin board, illuminated." See "Sign, illuminated."

20. "Bulletin board, self-illuminated." See "Sign, self-illuminated."

(Ord. 96202 § 2, 1967: Ord. 87225 § 1, 1958: Ord. 86300 § 3.03, 1957.)

Cases: A "home for the retired" is a "building or part, residential" within the meaning of the zoning ordinance. **State ex. rel. Meany Hotel v. Seattle**, 66 Wn. 2d 334, 402 P.2d 486 (1965).

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.08.040 "C."

1. "Carport" means a private garage which is open to the weather on at least forty percent of the total area of its sides.

2. "Cellar" means that portion of a building between floor and ceiling which is wholly below grade or partly below and partly above grade but so located that the vertical distance from the grade to the floor below is more than the vertical distance from the grade to ceiling. A cellar shall not be counted as a story.

3. "Children's resident home" means a dwelling unit occupied by a family which provides full-time supervision for from seven to twelve children unrelated to the resident family.

4. "Children's institution" means an establishment consisting of one or more buildings organized and maintained for the group care and supervision of thirteen or more children, but not including hospitals.

5. "Church" means a building or portion thereof used for religious worship.

6. "Clinic" means a building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for outpatients only, but not including the sale of drugs or medical supplies.

7. "Collection station" means a container or containers for the collection of secondhand goods and recyclable materials.

8. "Commission" means the City Planning Commission of The City of Seattle.

9. "Common community space, interior" means an indoor area of such location, size, and shape as to provide space for the common recreational pursuits of those residing within the residential development of which it is part.

10. "Common community space, landscaped" means an outdoor area, thirty percent or more of which is landscaped with evergreen plant material, of such location, size, and shape as to provide space for the common recreational pursuits of those residing within the residential development of which it is a part.

11. "Community club" means a building and related grounds used for social, civic or recreational purposes and owned and operated by a private nonprofit institution or organization serving the neighborhood in which it is located and open to the general public on equal basis and where no activities are carried on for gain.

12. "Conditional use." See "Use or structure, conditional."

13. "Convalescent home." See "Nursing home."

14. "Council" means the City Council of The City of Seattle.

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15. "Curb elevation" means the elevation of the curb, as established by the City Engineer, at the intersection of the projected centerline of the building and the front lot line. Where no curb elevation has been established, the City Engineer shall indicate such for the purpose of this subtitle.

16. "Custom manufacture" means production of products to order, usually involving individual or special design, considerable handwork, and a high ratio of value to bulk, such as jewelry, apparel and handicraft art work.

(Ord. 104271 § 4, 1975: Ord. 100890 § 1, 1972: Ord. 94036 § 4, 1965: Ord. 87225 § 2, 1958: Ord. 86300 § 3.04, 1957.)

24.08.050 "D."

1. "Day care center" means a facility operated by any person, firm, association, partnership or corporation which regularly provides care in other than a family setting to a group of children for less than twenty-four hours a day, whether for compensation or not.

2. "Director" means the Director of the Department of Community Development of The City of Seattle.

3. "Display area, public" means a continuous enclosed exhibit area readily visible and accessible to the public from a plaza, arcade or street, exhibiting materials of general interest such as but not limited to: works of art such as paintings, sculptures, lithographs, serigraphs, crafts, photographs, travel displays, antiques, and artifacts from other cultures. When used in conjunction with an improvement for which a floor area ratio bonus is claimed, a public display area shall have:

a. A minimum average depth of not less than ten feet and frontage parallel to and abutting such plaza, arcade or street of not less than twenty feet; and

b. An area of not less than two hundred square feet.

4. "Dormitory tower complex" means a boarding, lodging or rooming house utilizing a tower structure, being a building designed for occupancy by students, faculty or staff employees of an accredited institution of higher learning and by members of the operating staff of the building, and having not more than twenty percent of the gross floor area of the tower structure devoted to dwelling units.

5. "Drive-in business" means a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to carry on business, in the off-street parking area accessory to the business, while seated in a motor vehicle.

6. "Dwelling, duplex" means a detached building containing two dwelling units.

7. "Dwelling, multiple" means a building or portion thereof containing three or more dwelling units.

8. "Dwelling, mutiple for low income elderly" means a multiple dwelling in which at least ninety percent of the dwelling units are occupied by one or more persons sixty-two or more years of age who have incomes not exceeding income limits for low rent public housing for one- and two-person families as established by the Seattle Housing Authority.

9. "Dwelling, single-family" means a detached building containing one dwelling unit.

10. "Dwelling, townhouse" means a dwelling unit attached to one or more other dwelling units, each dwelling unit occupying space from the ground to the roof and being attached to other dwelling units at the side or rear by common walls located on lot lines.

11. "Dwelling unit" means a room or rooms located within a building, designed, arranged, occupied or intended to be occupied by not more than one family and permitted roomers or boarders, as living accommodations independent from any other family. The existence of a food preparation area within such room or rooms shall be evidence of the existence of a dwelling unit.

(Ord. 107075 § 2, 1978: Ord. 106862 § 2, 1977: Ord. 106775 § 1, 1977: Ord. 102290 § 1, 1973: Ord. 101285 § 1, 1972: Ord. 99872 § 1, 1971: Ord. 98608 § 2, 1970: Ord. 98426 § 1, 1969: Ord. 96539 § 1, 1968: Ord. 96278 § 1, 1967: Ord. 88516 § 1, 1959: Ord. 86300 § 3.05, 1957.)

24.08.060 "E."

1. "Existing use or building" means a use or building established under ordinance.

(Ord. 86300 § 3.06, 1957.)

24.08.070 "F."

1. "Family" means any number of related persons, or not to exceed eight nonrelated persons, or not to exceed a total of eight related and nonrelated, nontransient persons living as a single, nonprofit housekeeping unit as distinguished from a group occupying a club;

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boarding, lodging or rooming house; or fraternity, sorority or group student house.

2. "Family day care home" means a family dwelling in which a child or children are regularly received for care and supervision for periods of less than twenty-four hours per day in lieu of care in their own homes, whether or not compensation is given or received for such care and supervision.

3. "Floor area, gross" means the number of square feet of total floor area bounded by the exterior faces of the building.

4."Food preparation area" means a room or rooms designed, arranged, intended or used for cooking or otherwise making food ready for consumption for a family living independently from other families within the same building. A recreation room "wet bar" or similar convenience accessory food preparation facility is not included in this definition.

5. "Fraternity, sorority or group student house" means a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, and when regulated by such institution.
(Ord. 106775 § 2, 1977: Ord. 101285 § 2, 1972: Ord. 87225 § 3, 1958: Ord. 86300 § 3.07, 1957.)

24.08.080 "G."

1. "Garage, parking" means a structure, or part thereof, used only for the storage of automobiles by the public and including the sale of automobile fuels, lubricants, radiator fluids, and accessories; and the performance of incidental services including tire changing, tube repairing, lubrication and washing.

2. "Garage, private" means an accessory building or an accessory portion of the principal building designed or used for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

3. "Garage, repair." See "Automobile, repair."

4. "Grade, lot." For the purpose of determining the height of a building, "lot grade" shall be the average of the finished ground elevations at all exterior walls of the perimeter of a building, except that walls nearer than five feet to an adjoining lot line shall be disregarded. In case walls are parallel to and within five feet of a public sidewalk, alley or other public way, the ground level of such walls shall be measured at the sidewalk, alley or public way.

5. "Group student house." See "Fraternity."
(Ord. 96202 § 3, 1967: Ord. 96031 § 1, 1967: Ord. 86300 § 3.08, 1957.)

24.08.090 "H."

1. "Halfway house" means an establishment operated with full-time supervision for housing resident persons who, by reason of their mental or physical disability, addiction to drugs or alcohol, or family and social adjustment problems, require a transitional nonmedical treatment program for rehabilitation and social readjustment. For purposes of this subtitle, a nonmedical treatment program consists of counseling, vocational guidance, training, group therapy and other similar rehabilitative social services. These services shall not include drug and/or alcohol detoxification. Monitoring the taking of prescription medication shall be permitted. Programs providing alternatives to imprisonment, including prerelease, work-release and probationary programs which are under the supervision of a court, state or local agency, are included within this definition.

2. "Height of building" means the vertical distance from the lot grade to the highest point of the roof surface of a flat or mansard roofed building or to the average height of the highest gable of a pitch or hipped roofed building.

3. "Heliport" means an area used by helicopters or by other steep gradient aircraft which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, hangars and other accessory buildings and open spaces.

4. "Helistop" means an area on a roof or on the ground used by helicopters or steep gradient aircraft for the purpose of picking up or discharging passengers or cargo, but not including fueling service, maintenance or overhaul.

5. "Home for the retired" means an establishment operated for the purpose of providing domiciliary care for a group of persons who by reason of age are unable to provide such care for themselves and who are not in need of medical or nursing treatment except in the case of temporary illness.

6. "Hospital or sanitarium"means an establishment which provides accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis and care, of two or more individuals, not related by blood or marriage to the operator,

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who are suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.

7. "Hotel" means a building in which at least fifty percent of the gross habitable floor area is used for sleeping.

8. "Hotel, apartment." See "Apartment hotel."

9. "House trailer" means any unit used or designed to be used for living or sleeping purposes and which is equipped with wheels for the purpose of transporting such unit from place to place, whether or not such unit is self-propelled. A house trailer is not a dwelling unit.

(Ord. 106090 § 1, 1976: Ord. 100100 § 1, 1971: Ord. 96031 § 2, 1967: Ord. 89796 § 1, 1960: Ord. 86300 § 3.09, 1957.)

Cases: A "home for the retired" is a "building or part, residential" within the meaning of the zoning ordinance. **State ex rel. Meany Hotel v. Seattle**, 66 Wn. 2d 334, 402 P.2d 486 (1965).

The word "unable" in the definition of "home for the retired" means "not desiring but financially capable of" providing domiciliary care. **State ex rel. Meany Hotel v. Seattle**, 66 Wn. 2d 334, 402 P.2d 486 (1965).

24.08.100 "I."

(Reserved.)

(Ord. 86300 § 3.10, 1957.)

24.08.110 "J."

1. "Jail" means a facility for the incarceration of persons under warrant, awaiting trial on felony or misdemeanor charges, or serving a sentence for such conviction, including work-release programs and other accessory services commonly associated with such incarceration.

2. "Junkyard" means a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards, house wrecking yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment. A "junkyard" shall not be construed to include such uses when conducted entirely within an enclosed building, nor pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

(Ord. 107537 § 1, 1978: Ord. 86300 § 3.11, 1957.)

24.08.120 "K."

1. "Kennel, commercial" means any lot or building in which four or more dogs and/or cats at least four months of age are kept commercially for board or propagation or treatment.

2. "Kennel, pet" means any establishment or premises where four or more dogs and/or cats at least four months of age are kept for any purpose other than a commercial kennel, retail pet shop, or animal hospital.

(Ord. 88920 § 1, 1960: Ord. 86300 § 3.12, 1957.)

24.08.130 "L."

1. "Landscaped" means planted with vegetation in the form of hardy trees, shrubs, or grass or evergreen ground cover maintained in good condition, or occupied by sculptures or water features. The area landscaped is determined by the coverage of the plantings or other features, and the coverage of a tree shall be the drip line at the time of planting.

2. "Lodging house." See "Boarding house."

3. "Lot" means a platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principal use or building and accessory buildings, together with such yards and open spaces as are required by this subtitle and abutting by not less than twenty feet upon a street sufficiently improved for automotive travel or having an exclusive, unobstructed permanent access easement serving not more than two principal uses and jointly owned by the two property owners served and at least twenty feet wide and not exceeding one hundred fifty feet in length to such street; provided, that lots for townhouse dwellings may abut upon a street or unobstructed permanent access easement by not less than twelve feet and said easement may be not less than fifteen feet in width and may serve up to ten townhouse dwellings.

4. "Lot area" means the total horizontal area within the lot lines of a lot.

5. "Lot, corner" means a lot situated at the intersection of two streets, or bounded on two or more adjacent sides by street lot lines, provided that the angle of intersection of such street lot lines does not exceed one hundred thirty-five degrees. For the purposes of the provisions of this subtitle applying to corner lots, no corner lot shall be considered wider than seventy-five feet and the remainder of such lot shall be considered as an interior lot.

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6. "Lot coverage" means that portion of a lot occupied by the principal building and its accessory buildings, expressed as a percentage of the total lot area.

7. "Lot depth" means the mean horizontal distance between the front and rear lot lines.

8. "Lot, interior" means a lot other than a corner lot.

9. "Lot, key" means the first lot to the rear of a reversed corner lot whether or not separated by an alley.

10. "Lot line, front" means in the case of an interior lot, the lot line separating the lot from the street, and in the case of a corner lot, either street lot line provided the other is considered to be a side street lot line.

11. "Lot line, rear" means a lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or gore-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

12. "Lot lines" means the property lines bounding a lot.

13. "Lot line, side" means any lot line not a front lot line or a rear lot line.

14. "Lot line, side street" means a lot line abutting upon a street other than a front lot line.

15. "Lot line, street" means a lot line abutting upon a street.

16. "Lot, through" means a lot having frontage on two parallel or approximately parallel streets.

17. "Lot, reversed corner" means a corner lot, the side street lot line of which is substantially a continuation of the front lot line of the lot to its rear.

18. "Lot, waterfront" means a lot any portion of which is offshore of or abuts upon the line of higher regulated lake level of Lake Washington, Lake Union and connecting fresh waters, or the line of ordinary high tide, or the line of ordinary high water of nonnavigable lakes.

19. "Lot width" means the mean horizontal distance between side lot lines measured at right angles to the lot depth.

(Ord. 100542 § 3, 1971: Ord. 98608 § 3, 1970: Ord. 97998 § 1, 1969: Ord. 96252 § 1, 1967: Ord. 87225 § 4, 1958: Ord. 86300 § 3.13, 1957.)

24.08.140 "M."

1. "Medical-hospital complex" means a building or group or buildings occupied by a licensed hospital and by offices for the practice of medicine by physicians associated with said hospital, subject to the following requirements:

a. The site shall consist of adjacent property or property abutting across a street or alley containing a minimum of sixty thousand square feet, exclusive of the street or alley;

b. The building or group of buildings shall have a minimum of three hundred thousand square feet of gross floor area;

c. The building or group of buildings shall be in common ownership or linked together by appropriate legal agreements or deed restrictions to integrate functions and facilities having a term of not less than twenty years;

d. Physicians occupying office space shall be limited to those using the hospital as the primary facility for admission of their patients;

e. Appropriate aggreements shall be established and maintained between the hospital and physicians occupying office space for the economical sharing of services and equipment.

2. "Motel" means a building or group of buildings on a lot, consisting of individual sleeping quarters, detached or connected, not more than fifty percent of which have kitchen facilities, for rental to transients.

(Ord. 102816 § 1, 1973: Ord. 90110 § 1, 1961: Ord. 86300 § 3.14, 1957.)

24.08.150 "N."

1. "Nonconforming building." See "Building, nonconforming."

2. "Nonconforming building as to bulk." See "Building, nonconforming as to bulk."

3. "Nonconforming use." See "Use, nonconforming."

4. "Nursing or convalescent home" means an establishment which provides full-time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such a home; a hospital or sanitarium shall not be construed to be included in this definition.

(Ord. 101285 § 3, 1972: Ord. 86300 § 3.15, 1957.)

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24.08.160 "O."

1. "Open space" means any part of a lot unobstructed from the ground upward except as specified in Sections 24.62.070 through 24-.62.160.

2. "Open space, usable" means an outdoor area of such location, size and shape as to provide space for outdoor recreational activity, landscape features, or pedestrian access.

3. "Open space, private usable" means usable open space which is screened from public view by fences, walls or foliage so as to restrict view from without and intended to be utilized by the occupants of a related dwelling unit.

(Ord. 98608 § 4, 1970: Ord. 90772 § 1, 1961: Ord. 86300 § 3.16, 1957.)

24.08.170 "P."

1. "Part, residential." See "Building or part, residential."

2. "Place" means an open unoccupied named space, other than a street or alley, at least twenty feet in width, permanently reserved and so recorded in the county records as the principal means of access to abutting or adjacent property.

3. "Plaza" means a continuous uncovered area which is accessible to the public at all times and which, if a floor area bonus is claimed in connection with the provisions of this subtitle is either:

a. At least ten feet in depth extending along a street lot line, with a minimum area of five hundred square feet and a minimum length of fifty feet or the full width of the lot, whichever is less; or

b. At least thirty feet in width, extending from street to street; or

c. On a corner lot, an open area with a minimum area of five hundred square feet, and a minimum dimension of ten feet, which is bounded on two sides by the intersecting street lines; or

d. At least five thousand square feet in area, with a minimum dimension of sixty feet, and is connected to a street by means of another plaza, an arcade, or a public way at least thirty feet wide. Such a plaza shall not at any point be more than ten feet above or below the elevation of a connecting street at point of access thereto.

4. "Plaza, landscaped" means a plaza having thirty percent or more of its area landscaped.

5. "Plaza shopping" means a continuous open and uncovered area (except for such consumer shopping uses as those permitted in subsection b below having a total area not to exceed fifteen percent of the surface area of the whole plaza and a height of not more than one story) which is accessible to the public at all times and which, if a floor area bonus is claimed in connection with the provisions of this subtitle is:

a. At least two thousand square feet in area with a minimum dimension of forty feet; and

b. Has contiguous, readily accessible and visible consumer shopping uses such as but not limited to: flower shops, apparel shops, magazine and smoke shops, card shops, gift shops, outdoor-indoor cafes, art galleries, and similar specialty shops readily accessible to the public from it along at least forty-five percent of its perimeter. Partial perimeter credit towards this amount will be given both permitted consumer shopping uses not contained within the principal building as well as those contained within an abutting shopping arcade fronting on such a plaza at a rate of one-half of the actual consumer shopping frontage provided. To help ensure that such visual interest uses are retained and the public interest served, in the event such spaces cease to function for their intended purpose, the actual area so affected or an equivalent area shall be converted into readily accessible public open space either as additional plaza, arcade or public display area accessible from such plazas within one hundred twenty days. Certain consumer services, excluding financial institutions, that are of visual interest from the exterior and oriented to passing pedestrians may be permitted on an interim or permanent basis when approved by the Director.

6. "Principal use." See "Use, principal."

(Ord. 107075 § 3, 1978: Ord. 106862 § 3, 1977: Ord. 100542 § 4, 1971: Ord. 96372 § 1, 1968: Ord. 96252 § 2, 1967: Ord. 96031 § 3, 1967: Ord. 94036 § 5, 1965: Ord. 86300 § 3.17, 1957.)

24.08.180 "Q."

(Reserved.)

(Ord. 86300 § 3.18, 1957.)

24.08.190 "R."

1. "Recycling center" means an establishment for the collection, storage and processing only of recyclable materials, including crushing, breaking, sorting and packaging operations, but not a junkyard.

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2. "Restaurant, fast food" means an establishment whose principal business is the sale of foods, frozen desserts, or beverages served in or on disposable containers for consumption while seated within the building or in a vehicle or incidentally within a designated outdoor area, or for takeout with consumption off the premises.

3. "Riding academy" means a stable other than a private stable for the housing of horses for hire.

4. "Roof or deck garden" means an open area on the top of a building or building part having forty percent or more of its qualifying area landscaped.

5. "Rooming house." See "Boarding house."

6. "Rules" means the rules governing land use and zoning proceedings promulgated and adopted pursuant to Section 24.70.060.

(Ord. 106848 § 1, 1977: Ord. 102290 § 2, 1973: Ord. 100890 § 2, 1972: Ord. 100542 § 5, 1971: Ord. 86300 § 3.19, 1957.)

24.08.200 "S."

1. "Screening" means a continuous fence supplemented with landscape planting or a continuous wall, evergreen hedge or combination thereof, that would effectively screen the property which it encloses, is at least four feet high and not more than six feet high and is broken only for access drives and walks.

2. "Sign, advertising" means a structure or portion thereof that is intended for advertising purposes or on which letters, figures, or pictorial matter are, or are intended to be, displayed for advertising purposes other than the name, occupation and/or nature of the enterprise conducted on the premises. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.

3. "Sign, business" means any sign, structure, or device identifying the premises on which located or the occupant of the premises, or signs relating to goods or services manufactured, produced, or available on the premises.

4. "Sign, illuminated" means any sign, nameplate or bulletin board which is illuminated exclusively by nonflashing reflected light.

5. "Sign, self-illuminated" means any sign, nameplate or bulletin board in which the letters, figures, or pictorial matter are outlined by neon, fluorescent, incandescent or other lighting device in which the artificial light is maintained stationary and constant in intensity and color at all times when lighted.

6. "Sorority." See "Fraternity."

7. "Special exception" means any of the modifications to the regulations of this subtitle specified in Section 24.70.050.

8. "Stable, private" means an accessory building for the keeping of horses, cows, or other similar domestic animals owned by the occupants of the premises and not for remuneration, hire or sale.

9. "Stable, public." See "Riding academy."

10. "Story" means that portion of a building, except a mezzanine, included between the surface of any floor and the surface of the floor next above, except that the highest story is that portion of the building included between the highest floor surface and the ceiling or roof above. The basement shall be counted as a story.

11. "Street" means a public way thirty feet or more in width permanently open to public use including an avenue, place, drive, boulevard, parkway, highway, and any similar way, except an alley.

12. "Street level floor space" means that portion of a floor of a building located within forty feet of the exterior building face, and whose elevation is no more than half of a story above or below the elevation of the nearest adjacent street sidewalk.

13. "Structural alterations" means any change in the supporting members of a building, such as foundations, bearing walls or partitions, columns, beams or girders, or any structural change in the roof.

14. "Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but not including fences and walls less than six feet in height.

15. "Structure, townhouse" means a structure containing two or more townhouse dwellings.

16. "Superintendent" means the Superintendent of Buildings of The City of Seattle.

(Ord. 98608 § 5, 1970: Ord. 96252 § 3, 1967: Ord. 94036 § 6, 1965: Ord. 86300 § 3.20, 1957.)

24.08.210 "T."

1. "Theater, adult motion picture" means an enclosed building used for presenting motion picture films distinguished or characterized by an emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas," as defined in this subsection, for observation by patrons therein:

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a. "Specified sexual activities":

i. Human genitals in a state of sexual stimulation or arousal;

ii. Acts of human masturbation, sexual intercourse or sodomy;

iii. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

b. "Specified anatomical areas":

i. Less than completely and opaquely covered: (A) human genitals, pubic region, (B) buttock, and (C) female breast below a point immediately above the top of the areola; and

ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2. "Towing business" means an establishment providing tow truck services as a principal use and including impound or storage and automobile sales area but not including disassembly, dismantling or junking of vehicles.

3. "Tower structure" means a building or building part, more than sixty feet in height and normally residential in design, which may or may not be built on top of a base structure.

4. "Trade or business school" means an establishment conducted as a commercial enterprise for teaching trades, business or secretarial courses, instrumental or vocal music, art, dancing, barbering or hairdressing or for teaching similar skills.

5. "Trailer house." See "House trailer."

6. "Trailer park" means any lot or any portion of any lot used or offered for use for the accommodation of inhabited house trailers for compensation.

7. "Truck and truck trailer sales lot" means an outdoor area used for the display, sale or rental of new or used trucks or truck trailers, where no repair work is done except minor incidental repair to vehicles to be displayed, sold or rented on the premises.

(Ord. 108137 § 1, 1979: Ord. 105565 § 1, 1976: Ord. 98426 § 2, 1969: Ord. 96202 § 4, 1967: Ord. 86300 § 3.21, 1957.)

24.08.220 "U."

1. "Use" means the purpose for which land or a building is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

2. "Use, consumer shopping" means a use in which goods, including food, are displayed and/or served on the premises and sold at retail to the public and which when used in conjunction with a shopping plaza or shopping arcade for which a floor area bonus is claimed in connection with the provisions of this subtitle shall have:

a. Direct access from such a plaza or arcade;

b. An average depth of at least fifteen feet measured perpendicular to the improvement on which it abuts; and

c. Exterior display walls that are transparent and visually oriented to pedestrians passing the premises.

3. "Use, noncomforming" means a lawful use of land or structure in existence on the effective date of the ordinance codified in this subtitle[1] or at the time of any amendments thereto and which does not comform to the use regulations of the zone in which such use is located.

4. "Usable open space" means an outdoor area of such location, size and shape as to provide space for outdoor recreational activity, landscape features, or pedestrian access.

5. "Use or building, principal" means the principal use conducted on the lot or the building housing the principal use as distinguished from any separate buildings housing accessory uses.

6. "Use or structure, accessory" means a use or structure incidental to a permitted principal use, provided that such use or structure shall be located on the same lot as the principal use or structure, except when permitted elsewhere as specifically set forth in this subtitle.

7. "Use or structure, conditional" means uses permitted in this subtitle as principal or accessory uses when authorized by the Hearing Examiner or Board, or by the Council and subject to specified conditions.

(Ord. 107075 § 4, 1978: Ord. 106862 § 4, 1977: Ord. 96202 § 5, 1967: Ord. 91700 § 1, 1962: Ord. 86300 § 3.22, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.08.230 "V."

1. "Variance" means a modification of the regulations of this subtitle when authorized by the Board or Council after a finding that the literal application of the provisions of this subtitle would cause undue and unnecessary hardship in view of specific facts and conditions applying to a lot.

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2. "Voluntary building setback area" means an area on a lot, at a maximum height of twenty-five feet above curb elevation or the roof of a building, whichever is the lower, which is open and uncovered to the sky and which, if a floor area bonus is claimed in connection with its provision, is within twenty feet of the street lot line on streets less than seventy feet wide or within fifteen feet of the street lot line on streets at least seventy feet wide.

3. "Voluntary building setback area, landscaped" means a voluntary building setback area having seventy-five percent or more of its qualifying area landscaped.

(Ord. 100542 § 6, 1971: Ord. 94970 § 1, 1966: Ord. 94036 § 7, 1965: Ord. 86300 § 3.23, 1957.)

24.08.240 "W."

1. "Wholesale office" means an establishment for the sale of goods and merchandise in wholesale lots, not including any wholesale storage.

2. "Wholesale store" means an establishment for the sale of goods and merchandise in wholesale lots, including wholesale storage.

3. "Work release center" means an establishment other than a jail operated with full-time supervision, housing twenty or more resident persons who are on a prerelease, work-release or probationary status and employed or enrolled in a supervised education/training program.

(Ord. 107537 § 2, 1978: Ord. 86300 § 3.24, 1957.)

24.08.250 "X."

(Reserved.)

(Ord. 86300 § 3.25, 1957.)

24.08.260 "Y."

1. "Yard" means any front, rear or side yard.

2. "Yard, front" means an open space between the side lot lines of a lot, extending from the front lot line to a line on the lot parallel to the front lot line, to a depth, measured horizontally, as specified in this subtitle.

3. "Yard, rear" means an open space between the side lot lines of a lot, extending from the rear lot line to a line on the lot parallel to the rear lot line, to a depth measured horizontally, as specified in this subtitle.

4. "Yard, side" means one of two open spaces between the front yard, or front lot line if no front yard is required, of a lot, and the rear yard, or rear lot line if no rear yard is required, of such lot; and extending from a side lot line to a line on the lot, parallel to the side lot line, to a width, measured horizontally, as specified in this subtitle.

(Ord. 90722 § 2, 1961: Ord. 86300 § 3.26, 1957.)

24.08.270 "Z."

1. "Zone" means a portion of the city designated on the Official Zoning Map of The City of Seattle as one of twenty-one categories listed and described in Sections 24.12.010 through 24.12.040 for the purpose of promoting the orderly and harmonious development of land compatible with the surrounding areas and the Comprehensive Land Use Plan.

2. "Zone, B" includes BN, BI, BC, or BM Zones.

3. "Zone, C" includes CM, CMT or CG Zones.

4. "Zone, I" includes IG or IH Zones.

5. "Zone, less intensive." In the list of zones in Section 24.12.020 each zone shall be deemed to be less intensive than the zone succeeding it.

6. "Zone, more intensive." In the list of zones in Section 24.12.020 each zone shall be deemed to be more intensive than the zone preceding it.

7. "Zone, R" includes RS 9600, RS 7200, RS 5000, RW, RD 7200, RD 5000, RM 1600, RM 800, RMH 350, RMV 200 and RMV 150 Zones.

8. "Zone, RD" includes RD 7200 and RD 5000 Zones.

9. "Zone, RS" includes RS 9600, RS 7200 and RS 5000 Zones.

(Ord. 98608 § 6, 1970: Ord. 96395 § 2, 1968: Ord. 96202 § 6, 1967: Ord. 94036 § 8, 1965: Ord. 86300 § 3.27, 1957.)

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Chapter 24.10

ADMINISTRATION AND ENFORCEMENT

Sections:

24.10.010 Administration generally.
24.10.020 Use permits.
24.10.030 Right of appeal.
24.10.040 Notice of appealable rulings and interpretations.
24.10.050 Advance ruling procedure.
24.10.060 Appeal procedure.
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24.10.010 Administration generally.

A. It shall be the duty of the Superintendent to enforce this subtitle. The Superintendent may call upon the police and fire and health and other appropriate city departments to assist in the enforcement of this subtitle.

B. It is unlawful to construct or locate any building in such manner as will result in a violation of this subtitle, and if the Superintendent shall find any building being so constructed or so located, he may order the work stopped by notice in writing to persons engaged in the doing or causing such work to be done, posted on the premises and all shall forthwith stop such work until authorized by the Superintendent to proceed.

(Ord. 91138 § 10, 1962: Ord. 86300 § 25.1, 1957.)

24.10.020 Use permits.

A. It shall be unlawful for an owner to permit the establishment or change of use of any structures, buildings or premises, or any part thereof, until a use permit shall have been issued by the Superintendent.

B. The Superintendent shall issue a use permit only if he is satisfied that the plans filed in accordance with subsection C conform to the requirements of this subtitle and other pertinent laws and ordinances.

C. Every application for a use permit to use a structure or building or premises shall be made to the Superintendent and shall be accompanied by plans in duplicate showing the actual shape and dimensions of the lot to be used, based on a recorded plat or survey by a licensed surveyor, and the exact location, size, and height of the buildings or structures to be used, the existing and intended use of each structure or building or part, the number of dwelling units and other information necessary to enforce this subtitle. All lot corners shall be established on the ground by survey stakes prior to submission of plans. One copy of such plans shall be returned to the owner when such plans have been approved, and one copy of such application and plan shall be kept in the office of the Superintendent.

(Ord. 104795 § 1, 1975: Ord. 86300 § 25.2, 1957.)

24.10.030 Right of appeal.

The following rulings or interpretations of the Superintendent shall be subject to review by the Hearing Examiner:

A. That a use permit shall issue or be denied;

B. That a permit to demolish an existing structure shall issue or be denied;

C. That a building permit shall or shall not be renewed pursuant to the Seattle Building Code,[1] provided such action shall be subject to review only when there has been a change in this subtitle or other applicable law which would prohibit the issuance of the renewed permit as a new permit; and

D. Written rulings and interpretations of the Superintendent as to the meaning, application or intent of any provision of this subtitle.

Decisions of the Superintendent made pursuant to the State Environmental Policy Act (RCW 43-.21C) shall be subject to review in accordance with the provisions of Section 20 of Ordinance 105735.[2]

(Ord. 106438 § 1, 1977: Ord. 106340 § 1, 1977: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.40, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

2. Editor's Note: § 20 of Ord. 105735 is codified in § 25.04-.200 of this Code.

24.10.040 Notice of appealable rulings and interpretations.

The Superintendent shall compile a list of the appealable rulings or interpretations made by him and publish such list in the city official newspaper, stating the nature of the proposed

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work, the street address where such work is proposed, its estimated cost, and the action taken by the Superintendent, within seven days after such action has been taken. The list shall also be posted in a conspicuous place on the fifth floor of the municipal building convenient to the public, and shall be mailed to the main and all branch public libraries of the city. Use permits shall state on their face that the permit is issued subject to the right of appeal as provided in this subtitle, that any work done or expense incurred pursuant to the permit and prior to the expiration of the time for filing an appeal is at the risk of the permittee, and that if a timely appeal is filed the permit may be suspended in whole or in part until the appeal has been decided by the Hearing Examiner. A building permit to demolish an existing structure shall not be issued until the time for appeal has expired or until any appeal is finally decided in favor of the applicant.
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.41, 1957.)

24.10.050 Advance ruling procedure.
Any developer may obtain an advance ruling by the Superintendent as to whether a use permit will issue by filing a request therefor with the Superintendent describing the essential features of a proposed development, to determine whether an application for a use permit would comply with this subtitle. Notice that such filing has been made shall be published by the developer once in the city offical newspaper and once a week for two consecutive weeks in a local community newspaper serving such area, in form approved by the Superintendent. The advance ruling of the Superintendent shall be included in the list of appealable rulings and interpretations referred to in Section 24.10.040, and if not appealed or if appealed and sustained, such ruling shall be subject to review by the Hearing Examiner under Section 24.10.030 only if a use permit is not obtained or the work permitted is not started within a period of eighteen months from the date of such advance ruling or the date of a decision of the Hearing Examiner sustaining such advance ruling if the same is appealed. Such advance ruling shall be subject to any subsequent changes in applicable law and shall vest no rights in the developer to obtain a use permit as against such subsequent changes of law.
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.42, 1957.)

24.10.060 Appeal procedure.
Any individual, partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in any appealable ruling or interpretation of the Superintendent may demand that the same be reduced to writing and may file an appeal in writing with the Hearing Examiner within a period extending to five p.m. of the fourteenth day following the date of publication of such ruling or interpretation, stating explicit exceptions and objections thereto. The appeal shall be accompanied by a receipt from the City Treasurer showing payment by the appellant of a filing fee of Twenty-five Dollars ($25.00).
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.43, 1957.)

24.10.070 Hearing Examiner's consideration.
The Hearing Examiner shall consider the appeal in accordance with the procedures established for hearing contested cases in the Administrative Code of the city (Ordinance 102228),[1] provided that notice shall be given not less than seven days prior to the hearing. Appeals shall be considered de novo and the decision thereon shall be made upon the same basis as was required of the Superintendent, provided that the ruling or interpretation of the Superintendent shall be regarded as prima facie correct, and the burden of establishing the contrary shall be upon the appellant, and provided further that appeals from findings, conclusions and decisions made pursuant to the State Environmental Policy Act shall be based upon the records of the Superintendent plus such additional testimony or evidence as may be offered. The Hearing Examiner shall summarily dismiss an appeal without hearing which is determined to be without merit on its face, frivolous, or brought merely to secure a delay.
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.44, 1957.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

24.10.080 Hearing Examiner's decision.
Decisions of the Hearing Examiner shall be made in accordance with the procedures established for deciding contested cases in the Administrative Code of the city (Ordinance 102228),[1] and the ruling or interpretation of the Superintendent may be affirmed or reversed

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in whole or in part. If the ruling or interpretation of the Superintendent is reversed or substantially modified, the Hearing Examiner shall direct that the filing fee be returned to the appellant by the City Treasurer. The decision of the Hearing Examiner shall be final, the applicant, appellant and Superintendent shall be bound thereby, and the Superintendent shall modify or revoke any use permit issued to conform the same to the decision of the Hearing Examiner.
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.45, 1957.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

24.10.090 Rules.

Within sixty days after the passage of the amendatory ordinance codified in this chapter,[1] the Hearing Examiner shall promulgate rules to implement the provisions hereof, which rules shall be submitted to the City Council for approval, and shall include time limits for filing by the Superintendent of a written response to appellant's exceptions and objections, for hearing the appeal, and for rendering a decision, to the end that all appeals will be decided within forty-one days from the date of first publication of notice of the ruling or interpretation.
(Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.46, 1957.)

1. Editor's Note: Ord. 104795 was passed by the City Council on August 11, 1975.

24.10.100 Violation—Penalty.

Anyone violating or failing to comply with any of the provisions of this subtitle shall upon conviction thereof be fined in a sum of not exceeding Five Hundred Dollars ($500.00) or imprisoned in the City Jail for a term not exceeding one hundred eighty days, or may be both so fined and imprisoned and each day that any one shall continue to violate or fail to comply with any of the provisions of this subtitle shall be considered a separate offense.
(Ord. 108352 § 1, 1979: Ord. 86300 § 30, 1957.)

24.10.110 Shoreline Master Program—Regulatory order.

A. In addition to the remedy provided in Section 24.10.100, the Superintendent shall have authority to serve upon a person undertaking, or about to undertake, development as defined in Section 24.60.035, a regulatory order if:

1. The development constitutes an integral part of substantial development being undertaken, or about to be undertaken, on the shorelines of the city in the absence of a substantial development permit; or

2. The development being undertaken, although an intergral part of a project approved by an existing, valid substantial development permit is outside the scope and intent of the permit; or

3. The development being undertaken on the shorelines of the state is in violation of RCW 90.58.020, and Chapter 24.60.

B. The regulatory order shall set forth and contain:

1. The specific nature, extent and time of violation, and the damage or potential damage;

2. An order that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a specific and reasonable time; and

3. The right of the person to whom the order is directed to a hearing before the Shoreline Hearings Board.

C. A regulatory order issued pursuant hereto shall become effective immediately upon receipt by the person to whom the order is directed and shall become final unless review is requested pursuant to WAC 173-14-190.

D. The person to whom the order is directed may request review to the Shoreline Hearings Board within thirty days after being served, in accordance with WAC 173-14-190.
(Ord. 106200 § 2, 1977: Ord. 86300 § 30.1, 1957.)

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Chapter 24.12

MAPPED ZONES

Sections:

24.12.010 Zones generally.
24.12.020 Zone classifications.
24.12.030 Zoning map.
24.12.040 Zone boundaries.
24.12.050 Property not specifically zoned.
24.12.060 Vacated streets.

24.12.010 Zones generally.

Zones shall be as set forth in Sections 24.12-.020 through 24.12.040.
(Ord. 104271 § 6(part), 1975: Ord. 86300 § 4.10, 1957.)

24.12.020 Zone classifications.

For the purpose of this subtitle, The City of Seattle is divided into twenty-two zone classifications designated as follows:

Zones	Abbreviated Designator
Single-family Residence Low Density Zone	RS 9600
Single-family Residence Medium Density Zone	RS 7200
Single-family Residence High Density Zone	RS 5000
Residence Waterfront Zone	RW
Duplex Residence Medium Density Zone	RD 7200
Duplex Residence High Density Zone	RD 5000
Multiple Residence Lowest Density Zone	RM 1600
Multiple Residence Low Density Zone	RM 800
Multiple Residence High Density Zone	RM 350
Multiple Residence High Density Variable Height Zone	RMV 200
Multiple Residence Highest Density Variable Height Zone	RMV 150
Multiple Residence - Mixed Density Zone	RM-MD
Neighborhood Business Zone	BN
Intermediate Business Zone	BI
Community Business Zone	BC
Metropolitan Business Zone	BM
Metropolitan Commercial Zone	CM
Metropolitan Commercial Zone Temporary	CMT
General Commercial Zone	CG
Manufacturing Zone	M
General Industrial Zone	IG
Heavy Industrial Zone	IH

(Ord. 104271 § 6(part), 1975: Ord. 98838 § 1(part), 1970: Ord. 98608 § 7(part), 1970: Ord. 96395 § 3(part), 1968: Ord. 96202 § 7 (part), 1967: Ord. 94036 § 9(part), 1965: Ord. 93350 § 1(part), 1964: Ord. 92059 § 1 (part), 1963: Ord. 90110 § 2(part), 1961: Ord. 87225 § 5(part), 1958: Ord. 86300 § 4.11, 1957.)

24.12.030 Zoning map.

The zone classifications in Section 24.12.020 and the boundaries of such zones are established as shown on a series of sectional maps, marked Exhibit "A," all of which constitute the Official Zoning Map of The City of Seattle, and which Official Map, is by this reference made a part of this subtitle.[1] Such map and all amendments thereto shall be filed in the office of the City Clerk. Each copy of this subtitle prepared by or under the direction of the city, shall include a reduced sectional facsimile of the Official Map. (Ord. 104271 § 6(part), 1975: Ord. 98838 § 1(part), 1970: Ord. 98608 § 7(part), 1970: Ord. 96395 § 3(part), 1968: Ord. 96202 § 7 (part), 1967: Ord. 94036 § 9(part), 1965: Ord. 93350 § 1(part), 1964: Ord. 92059 § 1(part), 1963: Ord. 90110 § 2(part), 1961: Ord. 87225 § 5(part), 1958: Ord. 86300 § 4.12, 1957.)

1. Editor's Note: The maps constituting Exhibit "A" are codified following this subtitle.

24.12.040 Zone boundaries.

A. Unless the location of zone boundary lines is established by dimensions shown on the Official Zoning Map, or by reference to established lines, points, or features, the zone boundary lines are the centerlines of streets, including freeways, espressways and parkways, public alleys, waterways or railroad rights-of-way, or in the case of navigable water, the pierhead or outer harbor lines, or in the case of Lake Union, the "Seattle Construction Limit Line" as established by Ordinance 92887.[1] Where such pierhead, outer harbor lines or construction limit lines are not established, then the zone boundary lines shall be on the water side of the natural shoreline and five hundred feet, measured at

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right angles, from such shoreline. If the exact location of a zone boundary line cannot be determined otherwise, then such location shall be determined by measuring to scale on the Official Zoning Map.

B. Where a zone boundary line parallel or approximately parallel to a street divides a lot between two zones, with street frontage only in the less intensive zone, then the provisions of this subtitle covering the less intensive zoned portion of such lot may be extended to the entire lot, provided that such extension shall not be so applied as to permit the extension of any use which would otherwise be prohibited in an M or I Zone.

C. Where a zone boundary line parallel or approximately parallel to a street divides a lot between two zones, with street frontage in the more intensive zone, then the provisions of this subtitle covering the more intensive zoned portion of such lot may be extended to the entire lot, or for twenty-five feet from such zone boundary line, whichever is the lesser distance.

D. Where a zone boundary line at right angles or approximately at right angles to a street divides a lot which fronts on such street, then the provisions of this subtitle covering the more intensive zoned portion of such lot may be extended to the entire lot, or for twenty-five feet from such zone boundary line, whichever is the lesser distance.

(Ord. 104271 § 6(part), 1975: Ord. 98838 § 1(part), 1970: Ord. 98608 § 7(part), 1970: Ord. 96395 § 3(part), 1968: Ord. 96202 § 7(part), 1967: Ord. 94036 § 9(part), 1965: Ord. 93350 § 1(part), 1964: Ord. 92059 § 1 (part), 1963: Ord. 90110 § 2(part), 1961: Ord. 87225 § 5(part), 1958: Ord. 86300 § 4.13, 1957.)

1. Editor's Note: Ord. 92887 is codified in Chapter 24.82 of this Code.

24.12.050 Property not specifically zoned.

In every case where property has not been specifically included within a zone, the same is declared to be in the RS 9600 Zone and said provision shall apply to any properties included in areas annexed to the city after the effective date of the ordinance codified in this subtitle,[1] until otherwise classified under the terms of this subtitle.

(Ord. 98838 § 1(part), 1970: Ord. 86300 § 4.21, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.12.060 Vacated streets.

Vacated streets, places and alleys shall assume the zone classification of the property which fronted on such street prior to vacation, and where zone classification differs from one side to the other of a street, place or alley, then the boundary line shall be at the centerline of such vacated street, place or alley until otherwise classified under the terms of this subtitle.

(Ord. 98838 § 1(part), 1970: Ord. 86300 § 4.22, 1957.)

Chapter 24.14

GENERAL PROVISIONS

Sections:

24.14.010 Compliance with regulations.
24.14.020 Lot area, yards, open spaces and off-street parking or loading.
24.14.030 Continuance of nonconforming building or use.
24.14.040 Buildings nonconforming as to bulk.
24.14.050 Termination of certain nonconforming uses.
24.14.060 Limitations on nonconforming buildings and uses.
24.14.070 Existing automobile service stations.

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24.14.010 Compliance with regulations.

No building, structure or premises shall hereafter be used or occupied and no building or part thereof shall be erected, moved, reconstructed, extended, enlarged or altered, except in conformity with the regulations specified in this chapter for the zone in which it is, or will be located, unless excepted in Sections 24.14-.030 through 24.14.070. Bulk regulations of one zone shall not be applied to another zone unless such application is specifically provided for in bulk regulations of the latter zone.

(Ord. 106230 § 2, 1977: Ord. 86300 § 5.1, 1957.)

24.14.020 Lot area, yards, open spaces and off-street parking or loading.

No required lot area, required yard, or other open space or a legally established off-street

parking or loading area existing on or after the effective date of the ordinance codified in this subtitle[1] shall be reduced in area or dimension below the minimum required by this subtitle, nor shall any existing required lot area, required yard, or other open space or legally established off-street parking or loading area less than the minimum required by this subtitle be further reduced, nor shall any required open spaces be used as the required lot area, required yard, off-street parking or loading area for another structure or building except as provided in Section 24.64.100, provided, however, that in the case of off-street parking and loading area, a reduction in the existing space may be permitted when other such space is provided in accordance with the provisions of Chapter 24.64.
(Ord. 97394 § 1, 1969: Ord. 86300 § 5.2, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.14.030 Continuance of nonconforming building or use.

Any nonconforming building or use may be continued, subject, however, to provisions of Sections 24.14.040 through 24.14.070.
(Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6 (part), 1958: Ord. 86300 § 5.31, 1957.)

24.14.040 Buildings nonconforming as to bulk.

Any building conforming as to use but which is a building nonconforming as to bulk as of the effective date of the ordinance codified in this subtitle[1] may be altered, repaired or extended; provided, that such alteration, repair or extension does not cause such building to further exceed the bulk provisions of this subtitle.
(Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6 (part), 1958: Ord. 86300 § 5.32, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

Cases: Zoning provisions which allow a nonconforming use to continue and which permit certain physical alterations in a building where the use is conforming but the building bulk does not conform do not constitute authority to alter the building and change the use to another one in which the bulk requirements are still not met. **State ex rel. Meany Hotel v. Seattle**, 66 Wn. 2d 334, 402 P. 2d 486 (1965).

24.14.050 Termination of certain nonconforming uses.

A. Any nonconforming use not involving a structure or one involving a structure having an assessed value of less than One Hundred Dollars ($100.00) on the effective date of the ordinance codified in this subtitle[1] may be continued for no longer than one year after said date, and any nonconforming use involving a structure having an assessed value of more than One Hundred Dollars ($100.00) but less than Three Hundred Dollars ($300.00) on the effective date of the ordinance codified in this subtitle[1] may be continued no longer than two years after said date; provided, however, the above provisions shall not apply to any nonconforming advertising sign.

B. All advertising signs in R and BN Zones which have been nonconforming uses for a period of three or more years prior to July 1, 1962, shall be discontinued by July 1, 1963, and all other nonconforming advertising sign uses in R and BN Zones shall be discontinued within three years of the date such sign became or becomes a nonconforming use; provided, that such time limitations may be extended for periods of not to exceed two years at a time by the Superintendent of Buildings, upon application by the owner of such sign and payment of a Twenty-five Dollar ($25.00) filing fee, if the Superintendent finds that such nonconforming use is on a lot with or adjacent to and fronting on the same street with uses (other than another advertising sign) which are first permitted in BC or more intensive zones or that such nonconforming use is on a lot separated from the nearest portion of an existing R or BN use by a grade equal to the height of the sign above the ground, and further finds that continuance of such nonconforming sign will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the sign is located, and is not otherwise inconsistent with the spirit and purpose of this subtitle and that such advertising sign has been and will be properly maintained. Decisions of the

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Superintendent under this subsection shall be final, subject to review by the City Council upon application.

C. Advertising signs in all zones other than the M, IG, and IH Zones which are nonconforming because located upon and supported by a roof or parapet of a building or structure shall be discontinued and removed upon notification in writing within a period of from three to seven years from August 1, 1975 or from the date such sign became or becomes nonconforming in accordance with an amortization schedule established by the Superintendent and based upon the age, condition, cost, and remaining useful life of the sign.

D. Adult motion picture theaters which are nonconforming in the zone in which located shall be discontinued within ninety days of the date the use became or becomes nonconforming. (Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1 (part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6(part), 1958: Ord. 86300 § 5.33, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

Cases: Discontinuance of an existing nonconforming use pursuant to the requirements of a zoning ordinance does not constitute an unconstitional taking without compensation where the value of the property is reduced but not completely eliminated. Asia v. Seattle, 4 Wn. App. 530, 482 P.2d 810 (1971).

24.14.060 Limitations on nonconforming buildings and uses.

A. Subject to Section 24.14.050, any nonconforming building or part may be maintained with ordinary repair, but, no such building or part shall be extended, expanded or structurally altered, except as otherwise required by law, nor shall a nonconforming use be extended or expanded; provided, that nothing in this subtitle shall prevent the restoration of a nonconforming building destroyed by fire or other act of God.

B. Any change of a nonconforming use in a conforming building shall be to a conforming use.

C. Except as provided in subsection D or E, a nonconforming use in a nonconforming building or part may be changed only to a use permitted in a less intensive zone than the nonconforming use.

D. A nonconforming building or part which has been unoccupied continuously for one year or more shall not be reoccupied except by a conforming use.

E. In any zone, except an M or I Zone, a nonconforming use in a nonconforming building, may be changed to a use permitted in a less intensive zone than the zone in which the nonconforming use would be conforming, or to another use which is listed and grouped in the same zone classification as an outright permitted use, if such new use will be no more detrimental or injurious than the previous nonconforming use to other property in the same zone or vicinity.

F. In any R Zone, a nonconforming business use may change an existing business sign to another business sign, subject to the limitations contained in Section 24.40.050B and Chapter 49 of the Seattle Building Code (Sign Ordinance).[1]

(Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6 (part), 1958: Ord. 86300 § 5.34, 1957.)

1. Editor's Note: The current Building Code is codified in Title 22 of this Code. Chapter 49 does not appear in this text.

24.14.070 Existing automobile service stations.

Existing automobile service stations may be extended, expanded or structually altered in the BN and more intensive zones without obtaining conditional use authorization from the Hearing Examiner or Board where the estimated cost of such improvements within any twelve-month period does not exceed twenty-five percent of the true and fair market value of such automobile service station as computed from the assessed value of the existing use.

(Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 86300 § 5.35, 1957.)

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Chapter 24.16

RS 9600 SINGLE-FAMILY RESIDENCE LOW DENSITY ZONE

Sections:

24.16.010 Principal uses permitted outright.
24.16.020 Principal conditional uses generally.
24.16.030 Principal conditional uses permitted by Council.
24.16.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.16.050 Accessory uses permitted outright.
24.16.060 Accessory conditional uses.
24.16.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.16.080 Building height.
24.16.090 Lot area.
24.16.100 Required yards.
24.16.110 Lot coverage.
24.16.120 Prohibited uses.

24.16.010 Principal uses permitted outright.

The following uses are permitted:

A. Single-family dwellings;

B. Existing railroad rights-of-way including passenger shelter stations but not including switching, storage, freight yards or sidings;

C. Existing cemeteries;

D. Public pocket parks not exceeding one acre in area;

E. The following uses provided any building or active play area shall be located thirty feet or more from any other lot in an RS Zone and twenty feet or more from any other lot in any other R Zone:

1. Public and private graded schools for academic instruction, including accessory dormitories, gymnasiums, dining facilities, offices, and other similar accessory buildings on the same premises,

2. Public playgrounds and public community centers; public parks, including customary buildings and activities, provided that garages and service or storage areas accessory to parks shall be located one hundred feet or more from any other lot in an R Zone and shall be completely obscured from view from such lots,

3. Publicly owned boat moorages, operated under public jurisdiction, for private pleasure craft subject to the conditions imposed in Section 24.22.010B1 through B13;

F. Churches providing any building or active play area is located at least twenty feet from any other lot in an RS Zone, and fifteen feet or more from any other lot in any other R Zone.

(Ord. 99503 § 1, 1970: Ord. 89626 § 1, 1960: Ord. 88283 § 1, 1959: Ord. 86300 § 6.11, 1957.)

24.16.020 Principal conditional uses generally.

Principal conditional uses shall be as set forth in Sections 24.16.030 through 24.16.040.

(Ord. 105408 § 1(part), 1976: Ord. 86300 § 6.20, 1957.)

24.16.030 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter 24.72:

A. Fire stations, public and private art galleries, libraries, museums, branch telephone exchanges, microwave or line-of-sight transmissions stations, static transformer and booster stations, and other public utility service uses when necessary due to operating requirements, but not including yards or buildings for service or storage;

B. Police precinct stations including accessory holding rooms or cells for detention of suspects for a period not to exceed twenty-four hours.

(Ord. 107537 § 3, 1978: Ord. 105408 § 1(part), 1976: Ord. 101985 § 1(part), 1973: Ord. 101285 § 4(part), 1972: Ord. 100383 § 1(part), 1971: Ord. 100232 § 1(part), 1971: Ord. 100100 § 2(part), 1971: Ord. 99368 § 1(part), 1970: Ord. 98426 § 3(part), 1969: Ord. 98066 § 1(part), 1969: Ord. 97652 § 1(part), 1969: Ord. 93617 § 1(part), 1965: Ord. 86300 § 6.21, 1957.)

24.16.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Children's resident home, provided such is operated under standards established in accordance with state laws governing child welfare;

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B. Day care center subject to the following conditions:

1. Such use shall be instituted and operated under standards established in accordance with state laws governing child welfare,

2. No lot so used shall be less than five thousand square feet in area plus two hundred fifty square feet per child over ten in number,

3. A fenced outdoor play area shall be provided on the lot. When more than ten children are accommodated, such play area shall be located no closer than fifteen feet from any other lot in an R Zone;

C. Children's institution, subject to the following conditions:

1. Such institution shall be operated by public or nonprofit charitable organization or instituted and operated under standards established in accordance with state laws governing child welfare,

2. No lot so used shall be less than fifteen thousand square feet plus one thousand square feet for each child over fifteen in number,

3. Maximum lot coverage shall not exceed twenty percent of the lot,

4. No building shall be closer than thirty feet to any other lot in an RS or RD Zone,

5. No building shall exceed one story in height nor shall any single building be occupied by more than twenty children,

6. Border screen planting shall be provided as specified by the Hearing Examiner or Board;

D. Homes for the retired, subject to the following conditions:

1. Such homes shall be instituted and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definition established thereby shall govern or affect the meaning or interpretation of the term "home for the retired" as defined in Section 24.08.090,

2. No lot so used shall be less than fifteen thousand square feet in area plus one thousand square feet additional for each resident person over fifteen in number,

3. Such homes shall be occupied by no more than twenty persons,

4. No structure so used shall be located closer than thirty feet from any other lot in an RS or RD Zone,

5. No structure so used shall be more than one story in height;

E. Riding academy, provided the building and related exercise ring is located one hundred feet or more from any other lot in an R Zone;

F. Private nonprofit athletic or recreational clubhouse not providing dwelling accommodations for members; swimming pool or like facility when located on a lot forty thousand square feet or more in area, provided any building or active play area shall be located twenty-five feet or more from any other lot in an RS Zone and fifteen feet or more from any other lot in any other R Zone and subject to screening and other requirements which may be imposed at the discretion of the Hearing Examiner or Board;

G. Private community club provided any building or active play area shall be located twenty-five feet or more from any other lot in an RS Zone and fifteen feet or more from any other lot in any other R Zone;

H. The following uses provided any building or active play area shall be located twenty-five feet or more from any other lot in an RS Zone and fifteen feet or more from any other lot in any other R Zone:

1. Dormitories on separate lots but in connection with and owned and operated by a permitted school giving precollege academic courses,

2. Group dwellings for members of religious orders in conjunction with permitted churches and for personnel of public and private graded schools for academic instruction when located on the same lot with the principal building(s) or on a lot abutting such principal use lot directly or across an alley or street. Such group dwelling may be divided into living units each with kitchen facilities;

I. Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and accessory thereto; scientific and technological seminar centers and institutes for advanced study and other institutes organized as nonprofit entities for the advancement of knowledge, including theoretical and light physical laboratory research incidental thereto and customarily incidental accessory uses, but excluding the performance of heavy types of laboratory physical research, subject to the following conditions:

1. No lot so used shall be less than ten acres in area,

2. No building shall exceed two stories nor thirty-five feet in height,

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3. No principal building shall be located closer than one hundred feet to any other lot in an R Zone,

4. No off-street parking area shall be closer than fifty feet to any other lot in an R Zone,

5. Border screen planting and fencing shall be provided as specified by the Hearing Examiner or Board;

J. Halfway houses subject to the following conditions:

1. For each resident over eight in number, including required staff, the minimum lot area shall be increased by two hundred eighty-four square feet,

2. Not more than twenty persons in residence shall be accommodated at one time, exclusive of required staff,

3. No lot so used shall be less than six hundred feet from any other lot with the same such use,

4. No such use shall be located in an area where such location would increase to more than five the number of such uses located within a one-half mile radius of the applicant use,

5. Authorization for such use shall be reviewed at a public hearing by the Hearing Examiner one year after occupancy as a halfway house. Such permit may be withdrawn by the Hearing Examiner for cause following such review and public hearing;

K. Public and private schools for academic instruction which do not group children by age or grade level for purposes of instruction, subject to the following conditions:

1. No lot used shall be less than nine thousand six hundred square feet for the first ten children and two hundred square feet for each child in excess of ten,

2. An active play area of not less than fifty square feet per child shall be provided which shall be located fifteen feet or more from any other lot in an RS Zone and ten feet or more from any other lot in any other R Zone,

3. The principal building shall be located twenty feet from any other lot in an RS Zone and ten feet from any other lot in any other R Zone;

L. Neighborhood development or improvement project site office for a period not to exceed the life of the project but in no event longer than thirty-six months, subject to the following conditions:

1. Such use shall be located in an authorized neighborhood development or improvement program area designated by the Council,

2. Such use shall be located in a pre-existing structure,

3. No exterior structural alterations to accommodate such use shall be permitted.

(Ord. 106090 § 2, 1976: Ord. 105408 § 1 (part), 1976: Ord. 101985 § 1(part), 1973: Ord. 101285 § 4(part), 1972: Ord. 100383 § 1(part), 1971: Ord. 100232 § 1(part), 1971: Ord. 100100 § 2(part), 1971: Ord. 99368 § 1(part), 1970: Ord. 98426 § 3(part), 1969: Ord. 98066 § 1 (part), 1969: Ord. 97652 § 1(part), 1969: Ord. 93617 § 1(part), 1965: Ord. 86300 § 6.22, 1957.)

24.16.050 Accessory uses permitted outright.

The following accessory uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright, such as private garages containing in total not more than one thousand square feet, or parking areas for noncommercial vehicles only, not including any business, trade or industry in accordance with provisions set forth in Chapter 24.64; rectories or other similar church residence, Sunday schools, and similar customary accessory uses;

B. Separate living quarters containing no more than one dwelling unit for domestic servants employed on premises when the lot area is fifteen thousand square feet or more;

C. Keeping of up to three fowl or other small animals;

D. The keeping of horses, cows or other similar domestic or farm animals, except swine, and accessory buildings including private stables for housing such animals on a lot of at least twenty thousand square feet, provided that such animals and buildings are maintained at least fifty feet from any other lot in an R Zone, and provided further that not more than one animal will be permitted for each ten thousand square feet of lot area. The keeping of four or more small animals and pets, including domestic fowl, and accessory buildings including pet kennels for housing such animals on a lot of at least twenty thousand square feet, provided that such animals and buildings are maintained at least thirty-five feet from any other lot in an R Zone;

E. The renting of rooms by a resident family for lodging purposes only, for the accommodation of not more than two lodgers in a single-family structure;

F. Illuminated or nonilluminated residential

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nameplates not exceeding sixty-four square inches bearing name of occupant and bulletin boards for churches and identifying signs for schools or other public or semipublic institutions provided such signs shall not exceed fifteen square feet;

G. Temporary, nonilluminated real estate for sale or rent signs not exceeding eight square feet and not employing light-reflecting paint;

H. Mausoleums and columbariums when accessory to cemeteries, provided that such structures shall be located one hundred feet or more from any other lot in any R Zone;

I. Garden wall crypts when accessory to cemeteries, provided that such structures meet the following requirements:

1. No interment openings shall face property other than cemetery property,

2. The height shall not exceed twenty feet,

3. Such structures shall be no closer to a street lot line than the required front yard for the zone in which such structure is located,

4. Such structure shall be ten feet or more from the side lot line of any other lot in an R Zone, and five feet or more from any alley or utility right-of-way of less than thirty feet in width when abutting across such alley or right-of-way the side lot line of any lot in any R Zone,

5. Such structure may be located on the cemetery property line except as specified in this subsection,

6. Any border between such structure and the property line shall be landscaped and maintained in good condition;

J. Home occupations of a resident person, when clearly incidental to the use of the property for dwelling purposes, subject to the following conditions:

1. No sales of goods, merchandise or things shall be made on the premises except sales which are the consummation of a prior order or which are made as a result of the referral of the customer from other premises,

2. Such occupation shall be conducted within the dwelling and not in an accessory building, shall not require internal or structural alterations, and there shall be no evidence of such occupation from the exterior of the building so as to preserve the residential appearance of the building,

3. Total rated capacity of mechanical equipment used shall not exceed three horsepower,

4. Not more than one person who is not a resident of the dwelling may be employed in such home occupation;

K. Moorages for private pleasure craft only, provided that when covered such moorages meet the following requirements:

1. The roof line shall not exceed sixteen feet above highwater lake level,

2. Covered structures shall abut upon the natural shore line,

3. Covered structures shall be located five feet or more from the side lot lines,

4. Any side walls and roof shall consist of rigid or semirigid materials,

5. The roof area of such covered moorages shall not exceed one thousand square feet in area and such roofs shall not be supported by extended piling,

6. Such covered structures shall not occupy more than fifty percent of the width of the lot at the natural shore line upon which it is located,

7. Any boat using such moorage shall not be used as a place of residence when so moored;

L. Amateur radio transmission towers to a maximum height of fifty feet above grade; provided that the base of such towers shall be located at a point which is distant from any other lot at least one-half the height above grade of such tower;

M. Private swimming pool provided that it shall be enclosed with a fence of strength and design sufficient to resist penetration by children. Such fence shall be not less than four feet high except when placed within a yard enclosed by a fence not less than four feet high;

N. Beekeeping, when registered with the State Department of Agriculture and subject to the following conditions:

1. Lots having less than ten thousand square feet shall have not more than four hives,

2. Hives shall not be located within twenty-five feet of any property line, except:

a. When situated eight feet or more above adjacent ground level, or

b. When situated less than six feet above adjacent ground level and behind a solid fence or hedge six feet in height parallel to any property line within twenty-five feet of the hive and extending at least twenty feet beyond the hive in both directions;

O. Family day care home instituted and operated under standards established in accordance with state laws governing child welfare

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accommodating up to twelve children, including those children of the resident family under six years of age.
(Ord. 102684 § 1, 1973: Ord. 101285 § 5, 1972: Ord. 101169 § 1, 1972: Ord. 96668 § 1, 1968: Ord. 92059 § 2, 1963: Ord. 90722 § 3, 1961: Ord. 88920 § 2, 1960: Ord. 87225 § 7, 1958: Ord. 86300 § 6.31, 1957.)

24.16.060 Accessory conditional uses.

Uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 100100 § 3(part), 1971: Ord. 91700 § 2(part), 1962: Ord. 89796 § 2(part), 1960: Ord. 86300 § 6.41, 1957.)

24.16.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following accessory conditional uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses permitted in Section 24.16.040;

B. Parking areas accessory to permitted uses in an abutting RM, RMH, B or C Zone under conditions specified in Section 24.64.170;

C. Parking areas accessory to permitted uses when not located on the lot of the principal building, under conditions specified in Section 24.64.160;

D. Helistops accessory to principal uses permitted, subject to the provisions for heliports in Section 24.54.060, provided that the authorization of such accessory conditional use shall be subject to annual review by the Hearing Examiner and, for cause, may be withdrawn by the Hearing Examiner following any such annual review;

E. Sale and consumption of beer during daylight hours on public park premises, in a building or within fifty feet of the building on an adjoining terrace, provided however, that such use shall be in a completely enclosed building or enclosed portion of building when within one hundred feet of any lot in an R Zone.
(Ord. 100100 § 3(part), 1971: Ord. 91700 § 2(part), 1962: Ord. 89796 § 2(part), 1960: Ord. 86300 § 6.42, 1957.)

24.16.080 Building height.

No building shall exceed a height of thirty-five feet except churches or schools, which shall not exceed a height of fifty feet, except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 86300 § 6.51, 1957.)

24.16.090 Lot area.

No lot area shall be less than nine thousand six hundred square feet, except as provided in Sections 24.62.050 and 24.62.060.
(Ord. 86300 § 6.52, 1957.)

24.16.100 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as provided in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty-five feet;

B. Side yard: Eight feet for the least side yard, and twenty feet for sum of both side yards;

C. Rear yard: Thirty feet.
(Ord. 86300 § 6.53, 1957.)

24.16.110 Lot coverage.

Buildings shall not occupy more than thirty percent of a lot, except as modified in Sections 24.62.170 and 24.62.180.
(Ord. 86300 § 6.54, 1957.)

24.16.120 Prohibited uses.

Any use not permitted by this chapter is a prohibited use.
(Ord. 86300 § 6.6, 1957.)

Chapter 24.18

RS 7200 SINGLE-FAMILY RESIDENCE MEDIUM DENSITY ZONE

Sections:

24.18.010 Principal uses permitted outright.
24.18.020 Principal conditional uses permitted by Council.
24.18.030 Principal conditional uses permitted by Hearing Examiner or Board.
24.18.040 Accessory uses permitted outright.
24.18.050 Accessory conditional uses permitted by Council.

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24.18.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.18.070 Building height.
24.18.080 Lot area.
24.18.090 Required yards.
24.18.100 Lot coverage.
24.18.110 Prohibited uses.

24.18.010 Principal uses permitted outright.

RS 9600 principal uses permitted outright as specified and regulated in Chapter 24.16 are permitted, unless modified in this chapter.
(Ord. 86300 § 7.11, 1957.)

24.18.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, unless modified in this chapter.
(Ord. 106090 § 3(part), 1976: Ord. 100383 § 2(part), 1971: Ord. 100232 § 2(part), 1971: Ord. 100100 § 4(part), 1971: Ord. 93617 § 2 (part), 1965: Ord. 86300 § 7.21, 1957.)

24.18.030 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses set forth in Section 24.16.040 unless modified in this chapter;

B. Commercial nursery or greenhouse, provided that the following conditions are met:

1. All structures shall be located twenty feet or more from any lot line,

2. Any heating plant or chimney shall be located fifty feet or more from any other lot in an R Zone,

3. No retail sales shall be permitted on the premises,

4. No advertising sign shall be permitted,

5. The number of employees on the premises shall not exceed five in number;

C. Halfway houses as specified and regulated in Section 24.16.040J, except that for each resident over eight in number, including required staff, the minimum lot area shall be increased by three hundred seventeen square feet and the maximum number of persons in residence, including required staff, shall be sixteen;

D. Public and private schools for academic instruction which do not group children by age or grade level for purposes of instruction as specified and regulated in Section 24.16.040K, except that no lot so used shall be less than seven thousand two hundred square feet for the first ten children and two hundred square feet for each child in excess of ten.
(Ord. 106090 § 3(part), 1976: Ord. 100383 § 2(part), 1971: Ord. 100232 § 2(part), 1971: Ord. 100100 § 4(part), 1971: Ord. 93617 § 2 (part), 1965: Ord. 86300 § 7.22, 1957.)

24.18.040 Accessory uses permitted outright.

RS 9600 accessory uses are permitted outright as specified and regulated in Chapter 24.16 unless modified in this chapter.
(Ord. 86300 § 7.31, 1957.)

24.18.050 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 91700 § 3(part), 1962: Ord. 86300 § 7.41, 1957.)

24.18.060 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.18.030 except as modified in this chapter;

B. Accessory conditional uses as set forth in Section 24.16.070, except as modified in this chapter.
(Ord. 91700 § 3(part), 1962: Ord. 86300 § 7.42, 1957.)

24.18.070 Building height.

No building shall exceed a height of thirty-five feet except churches or schools which shall not exceed a height of fifty feet, except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 86300 § 7.51, 1957.)

24.18.080 Lot area.

No lot area shall be less than seven thousand two hundred square feet, except as modified in Sections 24.62.050 and 24.62.060.
(Ord. 86300 § 7.52, 1957.)

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24.18.090 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty feet;

B. Side yards: Five feet for the least side yard and twelve feet for sum of both side yards;

C. Rear yard: Thirty feet.

(Ord. 86300 § 7.53, 1957.)

24.18.100 Lot coverage.

Buildings shall not occupy more than thirty-five percent of a lot, except as modified in Sections 24.62.170 and 24.62.180.

(Ord. 86300 § 7.54, 1957.)

24.18.110 Prohibited uses.

Uses not permitted by this subtitle in RS 7200 or RS 9600 Zones are prohibited.

(Ord. 86300 § 7.6, 1957.)

Chapter 24.20

RS 5000 SINGLE-FAMILY RESIDENCE HIGH DENSITY ZONE

Sections:

24.20.010 Principal uses permitted outright.
24.20.020 Principal conditional uses permitted by Council.
24.20.030 Principal conditional uses permitted by Hearing Examiner or Board.
24.20.040 Accessory uses permitted outright.
24.20.050 Accessory conditional uses permitted by Council.
24.20.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.20.070 Building height.
24.20.080 Lot area.
24.20.090 Required yards.
24.20.100 Lot coverage.
24.20.110 Prohibited uses.

24.20.010 Principal uses permitted outright.

RS 7200 principal uses are permitted outright as regulated in Chapter 24.18, unless modified in this chapter.

(Ord. 86300 § 8.11, 1957.)

24.20.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as modified in this chapter.

(Ord. 106090 § 4(part), 1976: Ord. 100383 § 3(part), 1971: Ord. 100232 § 3(part), 1971: Ord. 100100 § 5(part), 1971: Ord. 86300 § 8.21, 1957.)

24.20.030 Principal conditional uses permitted by Hearing Examiner or Board.

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70, except as modified in this chapter;

B. Halfway houses as specified and regulated in Section 24.16.040J, except that for each resident over eight in number, including required staff, the minimum lot area shall be increased by three hundred thirty-four square feet and the maximum number of persons, in residence, including required staff, shall be sixteen;

C. Public and private schools for academic instruction which do not group children by age or grade level for purposes of instruction as specified and regulated in Section 24.16.040K, except that no lot so used shall be less than five thousand square feet for the first ten children and two hundred square feet for each child in excess of ten.

(Ord. 106090 § 4(part), 1976: Ord. 100383 § 3(part), 1971: Ord. 100232 § 3(part), 1971: Ord. 100100 § 5(part), 1971: Ord. 86300 § 8.22, 1957.)

24.20.040 Accessory uses permitted outright.

RS 7200 accessory uses are permitted outright as specified and regulated in Chapter 24.18 unless modified in this chapter.

(Ord. 96668 § 2, 1968: Ord. 86300 § 8.31, 1957.)

24.20.050 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74

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except as modified in this chapter.
(Ord. 91700 § 4(part), 1962: Ord. 86300 § 8.41, 1957.)

24.20.060 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.20.030 except as modified in this chapter;

B. Accessory conditional uses as set forth in Section 24.16.070, except as modified in this chapter.
(Ord. 91700 § 4(part), 1962: Ord. 86300 § 8.42, 1957.)

24.20.070 Building height.

No building shall exceed a height of thirty-five feet except churches or schools, which shall not exceed a height of fifty feet except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 86300 § 8.51, 1957.)

24.20.080 Lot area.

No lot area shall be less than five thousand square feet, except as modified in Sections 24.62.050 and 24.62.060.
(Ord. 86300 § 8.52, 1957.)

24.20.090 Required yards.

Each lot shall have front, side and rear yards of not less than the depth and width as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty feet;

B. Side yard: Five feet for the least side yard and ten feet for the sum of both side yards;

C. Rear yard: Twenty-five feet.
(Ord. 86300 § 8.53, 1957.)

24.20.100 Lot coverage.

Buildings shall not occupy more than thirty-five percent of a lot, except as modified in Sections 24.62.170 and 24.62.180.
(Ord. 86300 § 8.54, 1957.)

24.20.110 Prohibited uses.

A. Uses not permitted by this subtitle in RS 5000 or less intensive zones are prohibited;

B. Riding academies;

C. Maintenance of domestic fowl.
(Ord. 96668 § 3, 1968: Ord. 86300 § 8.6, 1957.)

Chapter 24.22

RW RESIDENCE WATERFRONT ZONE

Sections:

24.22.010 Principal uses permitted outright.
24.22.020 Principal conditional uses permitted by Council.
24.22.030 Principal conditional uses permitted by Board.
24.22.040 Accessory uses permitted outright.
24.22.050 Accessory conditional uses permitted by Council.
24.22.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.22.070 Building height.
24.22.080 Lot area.
24.22.090 Required yards.
24.22.100 Lot coverage.
24.22.110 Prohibited uses.

24.22.010 Principal uses permitted outright.

The following uses are permitted:

A. RS 5000 principal uses permitted outright as specified and regulated in Chapter 24.20, except as modified in this chapter;

B. Buildings and facilities for yacht or boat clubs which are incorporated, nonprofit, fraternal organizations limited to pleasure boat and pleasure yachting activities and not including the public sale of alcoholic beverages on the premises, subject to the following conditions and restrictions and the requirements of the Building Code[1]:

1. No boat sales, service, repair, boat charter or rental shall be permitted on the premises,

2. The deck of any pier shall be no more than five feet above high water level,

3. On-shore toilet facilities shall be provided,

4. Boats using such moorage facilities shall not be used as a place of residence,

5. No overhead wiring shall be permitted on piers or floats except within covered moorage structures,

6. All covered structures over water shall

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abut upon the shore or where more than one covered structure over water is permitted, it shall be in accordance with the provisions of subdivision 12 of this subsection,

7. No covered structure over water shall be permitted to extend out from shore a distance greater than fifty percent of the maximum permitted distance from shore of a pier on the applicant's property, but in no case a distance of more than three hundred feet from shore, provided that in cases where the outer line of applicant's property is less than two hundred feet from shore, a covered structure may be permitted to extend to the applicant's outer property line,

8. No pier, including finger piers, shall occupy more than ten percent of the water area of any lot upon which same is built, nor shall the total area of covered structures over water occupy more than twenty percent of the water area of such lot,

9. All covered structures over water under one ownership shall be built in a uniform manner and design with no point in the roof of such structure higher than sixteen feet above high water in fresh water, and no floating moorage located in fresh or tidal water shall have a structure higher than sixteen feet from the water line,

10. The roofs of covered moorages shall contain no more than seven thousand two hundred square feet in any one unit and shall not be supported directly by extended piling,

11. Side walls on covered moorages shall not exceed fifty percent of the area of any three sides, shall be of rigid or semirigid material and shall cover from external view all roof bracing,

12. Covered structures over water shall be at least forty feet apart when placed side by side, or fifteen feet apart when placed end to end or side to end,

13. No permit shall be issued for a covered moorage until authorization therefor has been granted by the Board. Before granting such authorization for a covered moorage, the applicant shall submit to the Board plans and specifications describing in full the location, design, extent of coverage, and type of materials to be used in the structure, which plans and specifications shall be open for public inspection for at least ten days before approval and notice of filing of the plans and specifications shall be given by posting a notice in the area affected at least five days before approval thereof, and the Board may, if deemed necessary, hold a public hearing thereon. The Board, immediately upon receipt of such plans and specifications, shall submit same to the Municipal Arts Commission for review and recommendation as to the appropriateness of the design. In order to assure that the development of such moorage facility will be compatible with surrounding residential uses, the Board may require the plans and specifications submitted by the applicant to be altered or changed in regard to location, design, extent of coverage and/or material used, before approving the plans;

C. Houseboats, subject to the following conditions:

1. Minimum lot area shall be two thousand square feet per houseboat,

2. The minimum distance between the sides or ends of adjacent houseboats shall be ten feet. The minimum distance between any houseboats and any lot line shall be five feet,

3. Each houseboat shall abut upon open water at least forty feet wide and open continuously to navigable waters,

4. For each houseboat there shall be provided one off-street parking space within a distance of six hundred feet.

(Ord. 87225 § 8, 1958: Ord. 86300 § 9.11, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

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24.22.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as modified in this chapter.
(Ord. 86300 § 9.21, 1957.)

24.22.030 Principal conditional uses permitted by Board.

The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones, except as modified in this chapter;

B. Covered group moorages for small pleasure craft only, subject to the following conditions:

1. Conditions 1 through 12 as specified in Section 24.22.010B,

2. The applicant shall submit to the Hearing Examiner plans and specifications describing in full the location, design, extent of coverage, and type of materials to be used in the proposed covered moorage. The Hearing Examiner, immediately upon receipt of such plans and specifications, shall transmit same to the Municipal Arts Commission for review and recommendation as to the appropriateness of the design. In order to assure the development of such moorage facility will be compatible with surrounding residential uses, the Hearing Examiner may require the plans and specifications submitted by the applicant to be altered or changed in regard to location, design, extent of coverage and/or material used before approving the plans.
(Ord. 86300 § 9.22, 1957.)

24.22.040 Accessory uses permitted outright.
RS 5000 accessory uses are permitted outright as specified and regulated in Chapter 24-.20, unless modified in this chapter.
(Ord. 86300 § 9.31, 1957.)

24.22.050 Accessory conditional uses permitted by Council.
The accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 91700 § 5(part), 1962: Ord. 86300 § 9.41, 1957.)

24.22.060 Accessory conditional uses permitted by Hearing Examiner or Board.
The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:
A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.22.030 except as modified in this chapter;
B. Accessory conditional uses as set forth in Section 24.16.070, except as modified in this chapter.
(Ord. 91700 § 5(part), 1962: Ord. 86300 § 9.42, 1957.)

24.22.070 Building height.
No building shall exceed a height of thirty-five feet except churches or schools which shall not exceed a height of fifty feet except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 86300 § 9:51, 1957.)

24.22.080 Lot area.
No lot area shall be less than five thousand square feet, except as modified in Sections 24-.62.050 and 24.62.060, and except for houseboats.
(Ord. 86300 § 9.52, 1957.)

24.22.090 Required yards.
Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160 and except for houseboats and moorages:
A. Front yard: Twenty feet;
B. Side yards: Five feet for the least side yard and ten feet width for the sum of both side yards;
C. Rear yard: Twenty-five feet depth.
(Ord. 86300 § 9.53, 1957.)

24.22.100 Lot coverage.
Buildings shall not occupy more than thirty-five percent of a lot, except as modified in Sections 24.62.170 and 24.62.180 and except in the case of moorages and houseboats.
(Ord. 86300 § 9.54, 1957.)

24.22.110 Prohibited uses.
A. Uses not permitted by this subtitle in RW or in less intensive zones are prohibited;
B. Riding academies;
C. Private stables;
D. Maintenance of domestic fowl.
(Ord. 86300 § 9.6, 1957.)

Chapter 24.24

RD 7200 DUPLEX RESIDENCE MEDIUM DENSITY ZONE

Sections:

.24.24.010 Principal uses permitted outright.
24.24.020 Permitted uses when building located twenty feet from other lot.
24.24.030 Principal conditional uses permitted by Council.
24.24.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.24.050 Accessory uses permitted outright.
24.24.060 Accessory conditional uses permitted by Council.

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24.24.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.24.080 Building height.
24.24.090 Lot area.
24.24.100 Required yards.
24.24.110 Lot coverage.
24.24.120 Prohibited uses.

24.24.010 Principal uses permitted outright.

The following uses are permitted:

A. RS 7200 principal uses permitted outright as specified and regulated in Chapter 24.18 unless modified in this chapter;

B. Duplex dwellings;

C. Three-family dwelling (triplexes) subject to the following conditions:

The minimum lot area shall be nine thousand square feet, and Section 24.62.050 shall not apply.

(Ord. 106057 § 1(part), 1976: Ord. 98608 § 8(part), 1970: Ord. 96539 § 2(part), 1968: Ord. 93617 § 3(part), 1965: Ord. 89229 § 1 (part), 1960: Ord. 86300 § 10.11, 1957.)

24.24.020 Permitted uses when building located twenty feet from other lot.

Uses permitted when all buildings are located twenty feet or more from any other lot in an R Zone:

Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and accessory thereto; scientific and technological seminar centers and institutes for advanced study and other institutes organized as nonprofit entities for the advancement of knowledge, including theoretical and light physical laboratory research incidental thereto and customarily incidental accessory uses, but excluding the performance of heavy types of laboratory physical research.

(Ord. 106057 § 1(part), 1976: Ord. 98608 § 8(part), 1970: Ord. 96539 § 2(part), 1968: Ord. 93617 § 3(part), 1965: Ord. 89229 § 1 (part), 1960: Ord. 86300 § 10.12, 1957.)

24.24.030 Principal conditional uses permitted by Council.

The uses set forth in Section 24.16.030 when authorized by the Council in accordance with Chapter 24.74.

(Ord. 106090 § 5(part), 1976: Ord. 101285 § 6(part), 1972: Ord. 100100 § 6(part), 1971: Ord. 99368 § 2(part), 1970: Ord. 96031 § 4 (part), 1967: Ord. 86300 § 10.21, 1957.)

24.24.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board after public hearing and in accordance with the provisions of Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter;

B. Nursing or convalescent homes, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definition established thereby shall govern or affect the meaning or interpretation of the term "nursing or convalescent home" as defined in Section 24.08.150,

2. No lot so used shall be less than fifteen thousand square feet plus one thousand square feet additional for each resident person over fifteen in number,

3. All principal buildings shall be located thirty feet or more from any other lot in an RS or RD Zone,

4. No structure so used shall be more than one story in height,

5. Not more than twenty patients shall be accommodated at one time,

6. Any other condition which the Hearing Examiner or Board may impose for the protection of adjacent properties and in the public interest;

C. Hospitals or sanitariums not predominantly for psychiatric care, contagious diseases, or for epileptics, spastics, drug or liquor addicts, subject to the following conditions:

1. No lot so used shall be less than forty thousand square feet in area,

2. No structure so used shall be greater than two stories in height where the lot is less than four acres in area,

3. All principal buildings shall be located fifty feet or more from any other lot in an RS or RD Zone;

D. Homes for the retired and nursing or convalescent homes accommodating more than twenty persons in residence or patients at one

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time, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definition established thereby shall govern or affect the meaning or interpretation of the terms "home for the retired" and "nursing or convalescent home" as defined respectively in Sections 24.08.090 and 24.08.150,

2. No lot so used shall be less than forty thousand square feet in area,

3. No structure so used shall be greater than two stories in height where the lot is less than four acres in area,

4. All principal buildings shall be located fifty feet or more from any other lot in an RS or RD Zone;

E. Hospitals and sanitariums, predominantly for psychiatric care, contagious diseases, epileptics, spastics, care of the mentally retarded, drug or liquor addicts, provided that no lot so used shall be less than four acres in area, and that all principal buildings shall be located one hundred feet or more from any other lot in an R Zone;

F. Halfway houses as specified and regulated in Section 24.16.040J except that no lot so used shall be less than eight thousand square feet in area, and no lot so used shall be less than six hundred feet from any other such use.

(Ord. 106090 § 5(part), 1976: Ord. 101285 § 6(part), 1972: Ord. 100100 § 6(part), 1971: Ord. 99368 § 2(part), 1970: Ord. 96031 § 4 (part), 1967: Ord. 86300 § 10.22, 1957.)

24.24.050 Accessory uses permitted outright.

The following accessory uses are permitted:

A. RS 7200 accessory uses, except private stables and the maintenance of domestic fowl, as specified and regulated in Chapter 24.18, unless modified in this chapter;

B. Accessory uses and structures customarily incidental to any principal use permitted outright;

C. Keeping of not more than four roomers or boarders by a resident family in a single-family structure, or two roomers or boarders by a resident family in each dwelling unit of a duplex;

D. Office of a resident physician, dentist, architect, engineer, or lawyer within his dwelling provided not more than one person, not a resident in the dwelling is employed in such office, otherwise subject to the conditions as stipulated in Section 24.16.050 J;

E. Private garages exceeding one thousand square feet in area when accessory to permitted institutional uses;

F. Illuminated or nonilluminated signs identifying professional or home occupation not exceeding one and one-half square feet, bearing only the name and occupation;

G. Temporary, nonilluminated real estate for sale or rent sign not exceeding twelve square feet.

(Ord. 86300 § 10.31, 1957.)

24.24.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 91700 § 6(part), 1962: Ord. 86300 § 10.41, 1957.)

24.24.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.24.040 except as modified in this chapter;

B. Accessory conditional uses as set forth in Section 24.16.070 except as modified in this chapter;

C. Access driveway or walk not more than twenty feet in width to premises in an RM, RMH, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone.

(Ord. 91700 § 6(part), 1962: Ord. 86300 § 10.42, 1957.)

24.24.080 Building height.

No building shall exceed a height of thirty-five feet except churches, schools or hospitals or sanitariums, which shall not exceed a height of fifty feet, except as modified in Sections 24.62.030 and 24.62.040.

(Ord. 86300 § 10.51, 1957.)

24.24.090 Lot area.

No lot area shall be less than seven thousand two hundred square feet, except as modified in Sections 24.62.050 and 24.62.060.

(Ord. 86300 § 10.52, 1957.)

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24.24.100 Required yards.

Each lot shall have front, side and rear yards of not less than the depth and width as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty feet;

B. Side yards: Five feet for the least side yard and twelve feet for the sum of both side yards;

C. Rear yard: Thirty feet.

(Ord. 86300 § 10.53, 1957.)

24.24.110 Lot coverage.

Buildings shall not occupy more than thirty-five percent of a lot except as modified in Sections 24.62.170 and 24.62.180.

(Ord. 86300 § 10.54, 1957.)

24.24.120 Prohibited uses.

A. Uses not permitted by this subtitle in RD 7200 or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 86300 § 10.6, 1957.)

Chapter 24.26

RD 5000 DUPLEX RESIDENCE HIGH DENSITY ZONE

Sections:

24.26.010 Principal uses permitted outright.
24.26.020 Principal conditional uses permitted by Council.
24.26.030 Principal conditional uses permitted by Hearing Examiner or Board.
24.26.040 Accessory uses permitted outright.
24.26.050 Accessory conditional uses permitted by Council.
24.26.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.26.070 Building height.
24.26.080 Lot area.
24.26.090 Required yards.
24.26.100 Lot coverage.
24.26.110 Prohibited uses.

24.26.010 Principal uses permitted outright.

The following uses are permitted:

A. RD 7200 principal uses permitted outright as specified and regulated in Chapter 24-.24, unless modified in this chapter;

B. Three-family dwellings (triplexes) subject to the following conditions:

The minimum lot area shall be six thousand five hundred square feet, and Section 24.62-.050 shall not apply;

C. Townhouse structures, subject to the following conditions:

1. A townhouse structure shall contain at least two and not more than ten townhouse dwellings,

2. The minimum lot area shall be at least one thousand six hundred square feet per townhouse dwelling and Section 24.62.050 shall not apply,

3. Each townhouse dwelling shall have a rear and front yard totaling forty-five feet, provided that the average of such front and rear yards for one townhouse structure shall be no less than twenty feet and twenty-five feet respectively and the minimum front or rear yard of any townhouse dwelling shall be not less than ten feet. If townhouse dwellings make up an entire block front, the front yard may be reduced to five feet, provided, however, that the townhouse dwelling abutting a less intensive zone or development shall provide front and rear yards as otherwise required in the zone,

4. The minimum side yard for an end townhouse dwelling of a townhouse structure shall be five feet, except as modified in Sections 24.62.070 through 24.62.160,

5. Townhouse dwellings shall not occupy more than fifty-five percent of the lot and Sections 24.62.170 and 24.62.180 shall not apply,

6. No townhouse dwelling shall exceed a height of thirty-five feet and Sections 24.62-.030 and 24.62.040 shall not apply,

7. At least ten feet of open space shall be provided between townhouse structures except when the overlap is ten feet or less and then the open space may be reduced to five feet,

8. A minimum of fifteen percent of the lot must be private usable open space,

9. In townhouse dwelling developments consisting of five or more townhouse dwellings the required lot area may be reduced up to fifteen percent by providing an equivalent amount of continuous common open space, not including required parking area,

10. Required parking with connecting permanent pedestrian access shall be located

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within two hundred feet of the townhouse dwelling that it serves,

11. Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design prior to issuance of a building or use permit by the Director of Planning after receiving advice and recommendations from the Commission. Any applicant feeling aggrieved by a decision of the Director of Planning may appeal such decision within fourteen days to the Council, citing the reasons therefor. The Council shall consider such appeal with or without a public hearing, and render a decision within sixty days of the filing of such appeal. The proposal will be judged as to design on the following criteria:

a. Efficient and harmonious grouping of structures and space encouraging individuality of separate townhouse dwellings within a unifying design concept,

b. Efficient parking for occupants and guests with adequate space for maneuvering,

c. Provision for short-term parking of service and delivery vehicles,

d. Provision for common open space,

e. Space for children's play space with allowance for visual supervision,

f. Access points from all townhouse dwellings to common space separated from moving vehicles,

g. Separation of pedestrians, common open spaces, and children's play spaces from moving vehicles,

h. Clear definition between the private domain of the townhouse dwelling and the surrounding public domain,

i. Screening of private spaces, as appropriate; and the Director of Planning may authorize fences exceeding the height limits established in Section 24.62.090C where necessary to achieve privacy,

j. Adequate light and air,

k. Provision for emergency access of escape, fire, ambulance and service,

l. Enclosed garbage storage and collection area,

m. Provision of space for control and maintenance of public utilities,

n. Preservation of natural vegetation and topography to the greatest extent possible,

o. Undergrounding of utilities,

p. Due consideration for the impact of the townhouse dwelling proposal on the vicinity or zone in which the property is located.

(Ord. 106057 § 2, 1976: Ord. 98608 § 9, 1970: Ord. 96539 § 3, 1968: Ord. 89229 § 2, 1960: Ord. 87225 § 9, 1958: Ord. 86300 § 11.11, 1957.)

24.26.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 87225 § 10(part), 1958: Ord. 86300 § 11.21, 1957.)

24.26.030 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Board may authorize in less intensive zones, unless modified in this chapter;

B. Fraternity, sorority, or group student house provided that all principal buildings are located twenty feet or more from any other lot in an R Zone except when the side of a lot adjoins a lot occupied by a fraternity, sorority, or group student house.

(Ord. 87225 § 10(part), 1958: Ord. 86300 § 11.22, 1957.)

24.26.040 Accessory uses permitted outright.

The following accessory uses are permitted:

A. RD 7200 accessory uses permitted outright as specified and regulated in Chapter 24-.24, unless modified in this chapter;

B. Keeping of not more than six roomers or boarders by a resident family in a single-family structure, or three roomers or boarders in a dwelling unit of a duplex.

(Ord. 86300 § 11.31, 1957.)

24.26.050 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 91700 § 7(part), 1962: Ord. 86300 § 11.41, 1957.)

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24.26.060 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.26.030 except as modified in this chapter;

B. Accessory conditional uses as set forth in Section 24.16.070 except as modified in this chapter;

C. Access driveway or walk not more than twenty feet in width to premises in an RM, RMH, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone.

(Ord. 91700 § 7(part), 1962: Ord. 86300 § 11.42, 1957.)

24.26.070 Building height.

No building shall exceed a height of thirty-five feet except churches, schools or hospitals or sanitariums, which shall not exceed a height of fifty feet, except as modified in Sections 24.62.030 and 24.62.040.

(Ord. 86300 § 11.51, 1957.)

24.26.080 Lot area.

No lot area shall be less than five thousand square feet, except as modified in Sections 24.62.050 and 24.62.060.

(Ord. 86300 § 11.52, 1957.)

24.26.090 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty feet;

B. Side yards: Five feet wide for the least side yard and ten feet for the sum of both side yards;

C. Rear yard: Twenty-five feet.

(Ord. 86300 § 11.53, 1957.)

24.26.100 Lot coverage.

Buildings shall not occupy more than thirty-five percent of a lot, except as modified in Sections 24.62.170 and 25.62.180.

(Ord. 86300 § 11.54, 1957.)

24.26.110 Prohibited uses.

A. Uses not permitted by this subtitle in RD 5000 or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 86300 § 11.6, 1957.)

Chapter 24.28

RM 1600 MULTIPLE RESIDENCE LOWEST DENSITY ZONE

Sections:

24.28.010 Principal uses permitted outright.
24.28.020 Principal conditional uses permitted by Council.
24.28.030 Principal conditional uses permitted by Hearing Examiner or Board.
24.28.040 Accessory uses permitted outright.
24.28.050 Accessory conditional uses permitted by Council.
24.28.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.28.070 Building height.
24.28.080 Lot area.
24.28.090 Required yards.
24.28.100 Lot coverage.
24.28.110 Prohibited uses.

24.28.010 Principal uses permitted outright.

The following uses are permitted:

A. RD 5000 principal uses permitted outright as specificed and regulated in Chapter 24-.26, unless modified in this chapter;

B. Three-family dwellings (triplexes) and four-family dwellings (fourplexes) subject to the following conditions:

1. Each dwelling unit shall have at least four hundred square feet of usable open space not including parking or accessory areas, utility areas, or required side yards,

2. Off-street parking spaces may be located in required side and rear street yards notwithstanding Section 24.62.080D, which shall be provided with screening along street margins,

3. Driveway access to the parking area shall occupy no more than twenty-five percent of the front yard width,

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4. The minimum lot area shall be one thousand six hundred square feet per dwelling unit and Section 24.62.050 shall not apply.
(Ord. 98608 § 10, 1970: Ord. 86300 § 11A.1, 1957.)

24.28.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 98608 § 11(part), 1970: Ord. 86300 § 11A.21, 1957.)

24.28.030 Principal conditional uses permitted by Hearing Examiner or Board.

Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones are permitted unless modified in this chapter.
(Ord. 98608 § 11(part), 1970: Ord. 86300 § 11A.22, 1957.)

24.28.040 Accessory uses permitted outright.

The following accessory uses are permitted:

A. RD 5000 accessory uses permitted outright as specified and regulated in Chapter 24.26 unless modified in this chapter.
(Ord. 98608 § 12, 1970: Ord. 86300 § 11A.31, 1957.)

24.28.050 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 98608 § 13(part), 1970: Ord. 86300 § 11A.41, 1957.)

24.28.060 Accessory conditional uses permitted by Hearing Examiner or Board.

The following accessory uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.28.030 except as modified in this chapter;

B. Accessory conditional uses as set forth in Section 24.16.070 except as modified in this chapter;

C. Access driveway or walk not more than twenty feet in width to premises in an RM 800, RMH 350, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone.
(Ord. 98608 § 13(part), 1970: Ord. 86300 § 11A.42, 1957.)

24.28.070 Building height.

No building shall exceed a height of thirty-five feet except churches, schools or hospitals or sanitariums, which shall not exceed a height of fifty feet, except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 98608 § 14(part), 1970: Ord. 86300 § 11A.51, 1957.)

24.28.080 Lot area.

No lot area shall be less than five thousand square feet except as modified in Sections 24-.62.050 and 24.62.060.
(Ord. 98608 § 14(part), 1970: Ord. 86300 § 11A.52, 1957.)

24.28.090 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Twenty feet;

B. Side yards: Five feet for the least side yard and ten feet for the sum of both side yards;

C. Rear yard: Twenty-five feet.
(Ord. 98608 § 14(part), 1970: Ord. 86300 § 11A.53, 1957.)

24.28.100 Lot coverage.

Buildings shall not occupy more than thirty-five percent of a lot, except as modified in Sections 24.62.170 and 24.62.180.
(Ord. 98608 § 14(part), 1970: Ord. 86300 § 11A.54, 1957).

24.28.110 Prohibited uses.

A. Uses not permitted by this subtitle in RM 1600 or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.
(Ord. 98608 § 15, 1970: Ord. 86300 § 11A.6, 1957.)

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Chapter 24.30

RM MULTIPLE LOW DENSITY ZONE

Sections:

24.30.010 Principal uses permitted outright—Generally.
24.30.020 Principal uses permitted outright—Designated.
24.30.030 Principal uses permitted outright—Buildings or play area fifteen feet from R Zone.
24.30.040 Principal uses permitted outright—Buildings thirty feet from R Zone.
24.30.050 Principal conditional uses permitted by Council.
24.30.060 Principal conditional uses permitted by Hearing Examiner or Board.
24.30.070 Principal conditional uses permitted twenty feet from R Zone.
24.30.080 Accessory uses permitted outright.
24.30.090 Accessory conditional uses permitted by Council.
24.30.100 Accessory conditional uses permitted by Hearing Examiner or Board.
24.30.110 Building Height.
24.30.120 Lot area.
24.30.130 Required yards.
24.30.140 Lot coverage.
24.30.150 Prohibited uses.

24.30.010 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.30.020 through 24.30-.040 of this chapter.

(Ord. 105408 § 2(part), 1976: Ord. 86300 § 12.10, 1957.)

24.30.020 Principal uses permitted outright—Designated.

The following uses are permitted:

A. RM 1600 principal uses permitted outright as specified and regulated in Chapter 24.28 unless modified in this chapter;

B. Apartment houses;

C. Boarding, lodging or rooming houses;

D. Public and private schools for academic instruction which do not group children by age or grade level for purposes of instruction; art school, not including dance or music;

E. Children's resident home;

F. Day care center subject to the following conditions:

1. Such shall be instituted and operated under standards established in accordance with state laws governing child welfare,

2. No lot so used shall be less than four thousand square feet in area and shall provide a minimum lot area of two hundred fifty square feet per child,

3. A fenced outdoor play area shall be provided on the lot;

G. Fraternity, sorority or group student house;

H. Student multiple dwelling, subject to the following conditions and requirements:

1. Building site shall be on or within one thousand feet of the campus of a college or university or other recognized institution of higher learning,

2. The building shall be owned and regulated by such institution of higher learning,

3. Such structures shall be occupied only by families in which either the husband or wife is a student enrolled in the institution,

4. Four hundred square feet or more of lot area shall be provided for each dwelling unit in such structures;

I. Group apartments, subject to the following conditions:

1. Apartment houses consisting of two or more principal buildings may be located on one lot of less than forty thousand square feet,

2. Yards on the boundary of the lot shall be provided as required for one principal building on the lot,

3. The minimum distance between principal buildings on one lot shall be the sum of the depth of the following required yards as provided in this chapter:

Relationship of Buildings	Minimum Distance
Front to front	Two front yards
Front to rear	One front yard and one rear yard
Side to front	One side and one front yard
Side to rear	One side and one rear yard
Side to side	Two side yards
Rear to rear	Two rear yards

Provided that where a wall not containing windows of dwelling units faces a like wall, the minimum distance may be reduced one-half, and

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provided further that in no case shall the minimum distance exceed fifty feet;

J. Existing towing businesses subject to the following conditions:

1. Storage lots, space and number of towing trucks other than those located in CG, M or I Zones shall be limited to those devoted to towing business use on March 15, 1979,

2. A view-obscuring screen six feet in height shall be established and maintained between the towing businesses and any abutting lot, except within ten feet of all driveways onto public streets or alleys, where the screen shall be two and one-half feet in height. Such screen may be incorporated into security fencing.

(Ord. 108137 § 2, 1979: Ord. 106090 § 6, 1976: Ord. 105408 § 2(part), 1976: Ord. 101285 § 7(part), 1972: Ord. 100383 § 4(part), 1971: Ord. 100232 § 4(part), 1971: Ord. 100100 § 7(part), 1971: Ord. 99503 § 2(part), 1970: Ord. 99368 § 3(part), 1970: Ord. 98608 § 16(part), 1970: Ord. 96539 § 4(part), 1968: Ord. 92492 § 1(part), 1963: Ord. 87225 § 11 (part), 1958: Ord. 86300 § 12.11, 1957.)

24.30.030 Principal uses permitted outright—Buildings or play area fifteen feet from R Zone.

Uses permitted when all buildings or active play areas are located fifteen feet or more from any other lot in an R Zone are:

A. Church;

B. Group dwellings for members of religious orders;

C. A community club;

D. Children's institutions, subject to the following requirements:

1. Such use shall be operated by a public or nonprofit charitable organization as established and operated under standards established in accordance with state laws governing child welfare,

2. No lot so used shall be less than ten thousand square feet in area, plus one thousand square feet for each child over fifteen in number;

E. Homes for the retired, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definition established thereby shall govern or affect the meaning or interpretation of the term "home for the retired" as defined in Section 24.08.090,

2. No lot so used shall be less than ten thousand square feet in area,

3. All principal buildings shall be located fifteen feet or more from any other lot in an R Zone,

4. No more than twenty persons shall be in residence at one time.

(Ord. 107186 § 1, 1978: Ord. 106090 § 7, 1976: Ord. 105408 § 2(part), 1976: Ord. 101285 § 7(part), 1972: Ord. 100383 § 4(part), 1971: Ord. 100232 § 4(part), 1971: Ord. 100100 § 7(part), 1971: Ord. 99503 § 2(part), 1970: Ord. 99368 § 3(part), 1970: Ord. 98608 § 16(part), 1970: Ord. 96539 § 4(part), 1968: Ord. 92492 § 1(part), 1963: Ord. 87225 § 11 (part), 1958: Ord. 86300 § 12.12, 1957.)

24.30.040 Principal uses permitted outright—Buildings thirty feet from R Zone.

Uses permitted when all principal buildings are located thirty feet or more from any other lot in an R Zone are:

A. Homes for the retired accommodating more than twenty persons in residence at one time, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definition established thereby shall govern or affect the meaning or interpretation of the term "home for the retired," as defined in Section 24.08.090,

2. No lot so used shall be less than twenty thousand square feet in area.

(Ord. 107186 § 2, 1978: Ord. 106282 § 1, 1977: Ord. 106090 § 8, 1976: Ord. 105408 § 2(part), 1976: Ord. 101285 § 7(part), 1972: Ord. 100383 § 4(part), 1971: Ord. 100232 § 4(part), 1971: Ord. 100100 § 7(part), 1971: Ord. 99503 § 2(part), 1970: Ord. 99368 § 3 (part), 1970: Ord. 98608 § 16(part), 1970: Ord. 96539 § 4(part), 1968: Ord. 92492 § 1 (part), 1963: Ord. 87225 § 11(part), 1958: Ord. 86300 § 12.13, 1957.)

24.30.050 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

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(Ord. 107579 § 1(part), 1978: Ord. 107186 § 3(part), 1978: Ord. 107024 § 1(part), 1977: Ord. 106090 § 9(part), 1976: Ord. 102685 § 1(part), 1973: Ord. 92059 § 3(part), 1963: Ord. 90722 § 4(part), 1961: Ord. 87225 § 12 (part), 1958: Ord. 86300 § 12.21, 1957.)

24.30.060 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter;

B. Motels, subject to the following conditions:

1. The property so used shall abut upon a major arterial as defined by city ordinance,

2. Separate sanitary facilities shall be provided for each motel unit,

3. No business, other than the renting of rooms shall be conducted on the premises,

4. Motels shall be subject to all bulk provisions of this chapter except that the minimum lot area required shall be no less than one thousand square feet for each motel unit,

5. When the motel consists of detached buildings, the minimum distance between such buildings shall be ten feet,

6. Signs shall be limited to nonilluminated, illuminated or self-illuminated business signs not exceeding thirty square feet and not exceeding one in number;

C. Mortuary, when located on a lot containing at least fifteen thousand square feet;

D. Trailer parks, subject to the following conditions:

1. The property so used shall abut upon a major arterial street as defined by city ordinance,

2. No business other than the rental of house trailer space shall be conducted on the premises,

3. A screening shall be provided as specified for parking lots in Section 24.64.160 A except on that side of the lot which adjoins or faces premises used for a motel or trailer park or a B, C, M, or I Zone,

4. Except where abutting upon a lot occupied by a motel or trailer park, minimum side yards of ten feet shall be provided when adjoining any lot in any R Zone. No house trailer shall encroach upon any required yard space,

5. Each house trailer space shall include one thousand square feet;

E. Offices and clinics of physicians, surgeons, psychiatrists, psychologists, dentists, chiropractors, chiropodists, osteopaths, optometrists, engineers, surveyors, lawyers, public accountants, architects, landscape architects, or interior designers, having no stock in trade and making no retail sales on the premises, and offices of civic, religious or charitable organizations, provided such offices or clinic occupy no more than the first two stories of a building or a cellar of a building and the story next above, and the property so used shall front upon an arterial as defined by city ordinance; provided further, that offices and clinics of physicians, surgeons, psychiatrists, psychologists, dentists, chiropractors, chiropodists, osteopaths, and optometrists, which are part of an existing hospital and which either abut or are directly across a street or alley from such hospital, shall not be required to front upon an arterial;

F. Halfway houses as specified and regulated in Section 24.26.040J, except that there shall be not more than thirty persons in residence and no lot so used shall be less than five thousand square feet in area for up to twenty persons in residence, exclusive of required staff, plus two hundred fifty square feet for each nonstaff person in residence over twenty in number;

G. Nursing or convalescent homes, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definitions established thereby shall govern or affect the meaning or interpretation of the term "nursing or convalscent home" as defined in Section 24.08.150,

2. No lot so used shall be less than ten thousand square feet in area,

3. All principal buildings shall be located fifteen feet or more from any other lot in an R Zone,

4. No more than twenty persons shall be in residence at one time;

H. Hospitals or sanitariums not predominantly for psychiatric care, contagious diseases, epileptics, spastics, or drug or liquor addicts, provided that no lot so used shall be less than twenty thousand square feet in area;

I. Professional pharmacies when located within a medical office building, hospital or

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clinic, subject to the following conditions: No exterior display or advertising may be used except for an illuminated or nonilluminated identifying sign, not exceeding three square feet in area and not exceeding one in number. Any such sign shall be installed flush against the wall of the principal building.
(Ord. 107579 § 1(part), 1978: Ord. 107186 § 3(part), 1978: Ord. 107024 § 1(part), 1977: Ord. 106090 § 9(part), 1976: Ord. 102685 § 1(part), 1973: Ord. 92059 § 3(part), 1963: Ord. 90722 § 4(part), 1961: Ord. 87225 § 12(part), 1958: Ord. 86300 § 12.22, 1957.)

24.30.070 Principal conditional uses permitted twenty feet from R Zone.

Uses permitted when all principal buildings are located twenty feet or more from any other lot in an R Zone are:

A. Private or fraternal clubs, lodges, social or recreational buildings, except those the chief activity of which is customarily carried on primarily for gain;

B. Trade or business school, excluding mechanical equipment not customarily used in dwellings for professional offices.
(Ord. 107579 § 1(part), 1978: Ord. 107186 § 3(part), 1978: Ord. 106090 § 9(part), 1976: Ord. 102685 § 1(part), 1973: Ord. 92059 § 3(part), 1963: Ord. 90722 § 4(part), 1961: Ord. 87225 § 12(part), 1958: Ord. 86300 § 12.23, 1957.)

24.30.080 Accessory uses permitted outright.

A. RM 1600 accessory uses permitted outright as specified and regulated in Chapter 24.28, unless modified in this chapter;

B. Accessory uses customarily incidental to a principal use permitted outright in this chapter except of a type prohibited in Section 24.30.150.
(Ord. 98608 § 17, 1970: Ord. 86300 § 12.31, 1957.)

24.30.090 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.
(Ord. 91700 § 8(part), 1962: Ord. 86300 § 12.41, 1957.)

24.30.100 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.30.060 except as modified in this chapter;

B. Parking areas accessory to permitted uses in an abutting RMH, B or C Zone under conditions specified in Section 24.64.170;

C. Accessory conditional uses as set forth in Section 24.16.42A, C and D, except as modified in this chapter;

D. Accessory conditional uses in connection with a club, lodge, social or recreational building, when conducted and entered entirely from within the building with no visible evidence from the outside and no exterior display or advertising except for an illuminated or nonilluminated identifying sign not exceeding one and one-half square feet. Any such sign shall be attached flat against the principal building;

E. Access driveway or walk not more than twenty feet in width to premises in an RMH, B, C, or M Zone provided such driveway or walk is contiguous to the boundary of such zone.
(Ord. 91700 § 8(part), 1962: Ord. 86300 § 12.42, 1957.)

24.30.110 Building height.

No building shall exceed a height of thirty-five feet except churches, schools, hospitals, or sanitariums which shall not exceed a height of fifty feet except as modified in Sections 24-.62.030 and 24.62.040.
(Ord. 98171 § 1(part), 1969: Ord. 95698 § 1(part), 1967: Ord. 86300 § 12.51, 1957.)

24.30.120 Lot area.

No lot area shall be less than four thousand square feet, except as modified in Sections 24.62.050 and 24.62.060, and in addition, for multiple dwellings, the minimum lot area per dwelling unit shall be eight hundred square feet; provided, that for multiple dwellings for low income elderly where not less than five percent gross floor area is devoted to common community space, the minimum lot area per dwelling unit shall be five hundred twenty square feet.
(Ord. 98171 § 1(part), 1969: Ord. 95698 § 1 (part), 1967: Ord. 86300 § 12.52, 1957.)

Seattle Municipal Code as adopted in 1960. For current SMC, contact the Office of the City Clerk

24.30.130 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Fifteen feet;

B. Side yards:

When Height of Building is:	Least Side Yard:	Sum of Side Yards:
1 story	5 feet	10 feet
2 story	6 feet	14 feet
3 or more stories	8 feet	18 feet

C. Rear yard: Twenty-five feet.

(Ord. 98171 § 1(part), 1969: Ord. 95698 § 1(part), 1967: Ord. 86300 § 12.53, 1957.)

24.30.140 Lot coverage.

Buildings shall not occupy more than forty percent of a lot, except as modified in Sections 24.62.170 and 24.62.180.

(Ord. 98171 § 1(part), 1969: Ord. 95698 § 1(part), 1967: Ord. 86300 § 12.54, 1957.)

24.30.150 Prohibited uses.

A. Uses not permitted by this subtitle in RM or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 86300 § 12.6, 1957.)

Chapter 24.32

RMH 350 MULTIPLE RESIDENCE HIGH DENSITY ZONE

Sections:

24.32.010 Required conditions.
24.32.020 Principal uses permitted outright.
24.32.030 Principal uses permitted twenty feet from R Zone.
24.32.040 Principal uses permitted thirty feet from R Zone.
24.32.050 Principal conditional uses permitted by Council.
24.32.060 Principal conditional uses permitted by Hearing Examiner or Board.
24.32.070 Accessory uses permitted outright.
24.32.080 Accessory conditional uses permitted by Council.
24.32.090 Accessory conditional uses permitted by Hearing Examiner or Board.
24.32.100 Building height.
24.32.110 Lot area.
24.32.120 Required yards.
24.32.130 Lot coverage.
24.32.140 Prohibited uses.

24.32.010 Required conditions.

No building with greater bulk or greater number of dwelling units than allowed for the zone classification which existed immediately prior to March 1, 1969 shall be permitted unless the distance from the centerline of the street(s) to the required yard(s) of the lot upon which such building is to be located is at least thirty feet.

(Ord. 97499 § 1, 1969: Ord. 86300 § 13.0, 1957.)

24.32.020 Principal uses permitted outright.

The following uses are permitted:

A. RM principal uses permitted outright as specified and regulated in Chapter 24.30, unless modified in this chapter;

B. Apartment hotels;

C. Offices and clinics of physicians, surgeons, psychiatrists, psychologists, dentists, chiropractors, chiropodists, osteopaths, optometrists, engineers, surveyors, lawyers, public accountants, architects, landscape architects, or interior designers, having no stock in trade and making no retail sales on the premises, and offices of civic, religious, or charitable organizations, provided such offices or clinics occupy no more than the first two stories of a building or a cellar of a building and the story next above;

D. Nursing or convalescent homes, subject to the following conditions:

1. Such homes shall be established and operated under standards established in accordance with state laws governing such homes,

2. Such homes having twenty or less persons in residence shall be located on lots not less that ten thousand square feet in area and all principal buildings shall be located fifteen feet or more from any other lot in an R Zone,

3. Such homes having more than twenty persons in residence shall be located on lots not less than twenty thousand square feet in area and all principal buildings shall be located thirty feet or more from any other lot in an R Zone.

Seattle Municipal Code as adopted in 1969. For current SMC, contact the Office of the City Clerk

(Ord. 107186 § 4(part), 1978: Ord. 102685 § 2(part), 1973: Ord. 92059 § 4(part), 1963: Ord. 90722 § 5(part), 1961: Ord. 87225 § 13(part), 1958: Ord. 86300 § 13.11, 1957.)

24.32.030 Principal uses permitted twenty feet from R Zone.

Uses permitted when all principal buildings are located twenty feet or more from any other lot in an R Zone: private or fraternal clubs, lodges, social or recreational buildings with dining and other social facilities for members only except when rented to organized social groups.
(Ord. 107186 § 4(part), 1978: Ord. 102685 § 2(part), 1973: Ord. 92059 § 4(part), 1963: Ord. 90722 § 5(part), 1961: Ord. 87225 § 13 (part), 1958: Ord. 86300 § 13.12, 1957.)

24.32.040 Principal uses permitted thirty feet from R Zone.

Uses permitted when all principal buildings are located thirty feet or more from any other lot in an R Zone:

A. Hospitals or sanitariums not predominantly for psychiatric care, contagious diseases, epileptics, spastics or drug or liquor addicts, provided that no lot so used shall be less than twenty thousand square feet in area;

B. Homes for the retired and nursing or convalescent homes accommodating more than twenty persons in residence at one time, subject to the following conditions:

Such homes shall be established and operated under standards established in accordance with state laws governing such homes; provided, that nothing in said standards or in any definitions established thereby shall govern or affect the meaning or interpretation of the terms "home for the retired" and "nursing or convalescent home" as defined respectively in Sections 24.08.090 and 24.08.150.
(Ord. 107186 § 4(part), 1978: Ord. 86300 § 13.13, 1957.)

24.32.050 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 92059 § 5(part), 1963: Ord. 90722 § 6 (part), 1961: Ord. 86300 § 13.21, 1957.)

24.32.060 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter;

B. Hotels;

C. Prescription pharmacy when located within a permitted clinic building and having no exterior entrance;

D. Offices for no more than three stories of financial or insurance institutions, the activities of which are conducted primarily by mail and no merchandise is displayed or handled or services rendered on the premises, provided that all principal buildings are located fifteen feet or more from any other lot in an R Zone. Such offices may be located in the same building with the uses allowed in Section 24.32.020C, provided that the combined nonresidential uses shall not exceed three stories.
(Ord. 92059 § 5(part), 1963: Ord. 90722 § 6(part), 1961: Ord. 86300 § 13.22, 1957.)

24.32.070 Accessory uses permitted outright.

The following uses are permitted:

A. RM accessory uses permitted outright as specified and regulated in Chapter 24.30 unless modified in this chapter;

B. Accessory uses customarily incidental to a principal use permitted outright in this chapter except of a type prohibited in Section 24.32-.140;

C. Illuminated or nonilluminated identifying signs not exceeding eight square feet in area;

D. Public restaurants, magazine stands, barbershops and other accessory services within an apartment hotel, multiple dwelling, club, lodge, social or recreational building, when conducted and entered entirely from within the building with no visible evidence from the outside and no exterior display or advertising except for an illuminated or nonilluminated identifying sign not exceeding four square feet. Any such sign shall be installed flat against the principal building.
(Ord. 89229 § 3, 1960: Ord. 86300 § 13.31, 1957.)

Seattle Municipal Code as adopted in 1959. For current SMC, contact the Office of the City Clerk

24.32.080 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 92886 § 1(part), 1964: Ord. 91700 § 9 (part), 1962: Ord. 86300 § 13.41, 1957.)

24.32.090 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.32.060 except as modified in this chapter;

B. Parking areas accessory to permitted uses in an abutting B or C Zone under conditions specified in Section 24.64.170;

C. Accessory conditional uses as set forth in Section 24.16.070 A, C and D except as modified in this chapter;

D. Access driveway or walk not more than twenty feet in width to premises in a B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone;

E. Serving of alcoholic beverages incidental to the serving of meals in a public restaurant operated as specified in Section 24.32.070D.
(Ord. 92886 § 1(part), 1964: Ord. 91700 § 9(part), 1962 : Ord. 86300 § 13.42, 1957.)

24.32.100 Building height.

No part of a building shall exceed a height of one and one-half times the mean horizontal distance from such building to the centerline of the abutting street or streets, except as modified in Sections 24.62.030 and 24.62.040, provided not more than thirty feet of street width shall be utilized to compute the permitted height of the building.
(Ord. 103063 § 1(part), 1974: Ord. 99704 § 1(part), 1971: Ord. 98171 § 2(part), 1969: Ord. 96202 § 8(part), 1967: Ord. 88283 § 2 (part), 1959: Ord. 86300 § 13.51, 1957.)

24.32.110 Lot area.

No lot area shall be less than four thousand square feet, except as modified in Sections 24-.62.050 and 24.62.060, provided that for multiple dwellings the minimum lot area per dwelling unit shall be three hundred fifty square feet; and provided further that for multiple dwellings for low income elderly where not less than three percent of the gross floor area is devoted to common community space, the minimum lot area per dwelling unit shall be two hundred thirty square feet.
(Ord. 103063 § 1(part), 1974: Ord. 99704 § 1(part), 1971: Ord. 98171 § 2(part), 1969: Ord. 96202 § 8(part), 1967: Ord. 88283 § 2(part), 1959: Ord. 86300 § 13.52, 1957.)

24.32.120 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Ten feet;

B. Side yards:

When Height of Building is:	Least Side Yard	Sum of Side Yards
1 story	5 feet	10 feet
2 story	6 feet	14 feet
3 story	8 feet	18 feet
Over 3 story	2 feet additional each side yard for each story over 3, except that a side yard abutting upon a street need not exceed 10 feet in such case;	

C. Rear yard: Twenty feet plus four feet additional depth for each story over three, provided that the required depth shall not exceed thirty-six feet.
(Ord. 103063 § 1(part), 1974: Ord. 99704 § 1(part), 1971: Ord. 98171 § 2(part), 1969: Ord. 96202 § 8(part), 1967: Ord. 88283 § 2(part), 1959: Ord. 86300 § 13.53, 1957.)

24.32.130 Lot coverage.

Buildings shall not occupy more than fifty percent of a lot except as modified in Sections 24.62.170 and 24.62.180.
(Ord. 103063 § 1(part), 1974: Ord. 99704 § 1 (part), 1971: Ord. 98171 § 2(part), 1969: Ord. 96202 § 8(part), 1967: Ord. 88283 § 2(part), 1959: Ord. 86300 § 13.54, 1957.)

24.32.140 Prohibited uses.

A. Uses not permitted by this subtitle in RMH or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.
(Ord. 86300 § 13.6, 1957.)

Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk

Chapter 24.34

RMV 200 MULTIPLE RESIDENCE HIGH DENSITY VARIABLE HEIGHT ZONE

Sections:

24.34.010 Required conditions.
24.34.020 Principal uses permitted outright.
24.34.030 Principal conditional uses permitted by Council.
24.34.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.34.050 Accessory uses permitted outright.
24.34.060 Accessory conditional uses permitted by Council.
24.34.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.34.080 Building height.
24.34.090 Lot area.
24.34.100 Floor area ratio.
24.34.110 Required yards.
24.34.120 Lot coverage.
24.34.130 Open space requirements.
24.34.140 Prohibited uses.

24.34.010 Required conditions.

No building with greater bulk or greater number of dwelling units than allowed for the zone classification which existed immediately prior to April 25, 1968 shall be permitted unless the distance from the centerline of the street(s) to the required yard(s) of the lot upon which such building is to be located is at least thirty-five feet.
(Ord. 97499 § 2, 1969: Ord. 86300 § 13A.0, 1957.)

24.34.020 Principal uses permitted outright.

The following uses are permitted:
RMH 350 principal uses permitted outright as specified and regulated in Chapter 24.32, unless modified in this chapter.
(Ord. 96202 § 9, 1967: Ord. 86300 § 13A.11, 1957.)

24.34.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 96202 § 10(part), 1967: Ord. 86300 § 13A.21, 1957.)

24.34.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:
Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter.
(Ord. 96202 § 10(part), 1967: Ord. 86300 § 13A.22, 1957.)

24.34.050 Accessory uses permitted outright.

The following uses are permitted:
A. RMH 350 accessory uses permitted outright as specified and regulated in Chapter 24-.32 unless modified in this chapter;
B. Accessory uses customarily incidental to a principal use permitted outright in this chapter except of a type prohibited in Section 24-.34.140;
C. Grocery stores, drugstores, beauty shops, cigar stores, delicatessens, dry-cleaning and laundry pickup stations, laundromats and self-service cleaners, gift shops, variety stores, travel agencies, cafes, florists, when conducted and entered enitrely from within a permitted principal building with no exterior evidence of the use;
D. Exterior signs limited to those permitted in Section 24.32.070.
(Ord. 96202 § 11, 1967: Ord. 86300 § 13A.31, 1957.)

24.34.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.
(Ord. 96202 § 12(part), 1967: Ord. 86300 § 13A.41, 1957.)

24.34.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

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A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.32.060 except as modified in this chapter;

B. RMH 350 accessory conditional uses listed under Section 24.32.090 B, C, D and E, unless modified in this chapter.

(Ord. 96202 § 12(part), 1967: Ord. 86300 § 13A.42, 1957.)

24.34.080 Building height.

No specific height limit applies to buildings developed under the bulk regulations for this zone, provided, however, the height of any base structure which exceeds fifty percent lot coverage shall not exceed four feet above lot grade, except as modified in Section 24.70-.050.

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13 (part), 1967: Ord. 86300 § 13A.51, 1957.)

24.34.090 Lot area.

No lot developed under the bulk regulations for this zone shall be less than twelve thousand square feet in area, and the provisions of Section 24.62.050 shall not apply. Lots containing less than twelve thousand square feet of area shall be subject to all of the bulk regulations of Sections 24.32.100 through 24.32.130. In addition, for multiple dwellings, the minimum lot area per dwelling unit shall be three hundred fifty square feet, and for multiple dwellings for low income elderly where not less than three percent of the gross floor area is devoted to common community space, the minimum lot area per dwelling unit shall be two hundred thirty square feet; provided that where the tower structure of a building occupies less than fifty percent of the lot, the minimum lot area per dwelling unit shall be reduced proportionately as follows:

Percent of Lot Coverage by Tower	Minimum Lot Area Per Dwelling Unit	Minimum Lot Area Per Dwelling Unit (Low income Elderly)
50 to 45	350 to 340 sq. ft.	230 to 220 sq. ft.
45 to 40	340 to 330 sq. ft.	220 to 215 sq. ft.
40 to 35	330 to 320 sq. ft.	215 to 210 sq. ft.
35 to 30	320 to 310 sq. ft.	210 to 200 sq. ft.
30 to 25	310 to 290 sq. ft.	200 to 190 sq. ft.
25 to 20	290 to 270 sq. ft.	190 to 175 sq. ft.
20 to 15	270 to 235 sq. ft	175 to 150 sq. ft.
15 to 10	235 to 200 sq. ft.	150 to 130 sq. ft.
10 or less	200 square feet	130 square feet

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13(part), 1967: Ord. 86300 § 13A.52, 1957.)

24.34.100 Floor area ratio.

A. Tower Structure—Nonresidential. The gross floor area of any nonresidential building not including the floor area used for accessory parking, shall not exceed three times the lot area, except as modified in Sections 24.62.030 and 24.62.040.

B. Tower Structure—Mixed Uses. Where a building contains both residential uses to which the minimum lot area requirement is applicable and nonresidential uses to which the floor area ratio is applicable, each such requirement shall be applicable proportionately to that part of the building devoted to such use. The following formula will determine the percentage of permitted residential building bulk in terms of dwelling units when the size of the nonresidential part is known: The percentage of dwelling units otherwise allowed under residential density standards shall equal one hundred percent, minus the quotient of the floor area proposed for nonresidential use divided by the floor area permitted in the zone, multiplied by one hundred.

The following formula will determine the percentage of permitted nonresidential building bulk in terms of gross floor area when the number of dwelling units is known:

The percentage of gross floor area otherwise allowed under nonresidential bulk standards shall equal one hundred percent minus the quotient of the number of dwelling units proposed divided by the number of dwelling units allowed, multiplied by one hundred.

C. Dormitory Tower Complex. The gross floor area of any dormitory tower complex, excluding the floor area used for accessory parking, shall not exceed the area permitted by the following ratios and interpolated ratios:

Percent of Lot Coverage by Tower	Maximum Floor Area Ratio (Building Area per Lot Area)
50 to 45	2.57 to 2.65
45 to 40	2.65 to 2.73
40 to 35	2.73 to 2.81
35 to 30	2.81 to 2.90
30 to 25	2.90 to 3.10
25 to 20	3.10 to 3.33

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20 to 15	3.33 to 3.83
15 to 10	3.83 to 4.50
10 or less	4.50

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13(part), 1967: Ord. 86300 § 13A.53, 1957.)

24.34.110 Required yards.

Except as modified in Sections 24.62.070 through 24.62.160, each lot shall have front, side and rear yards of not less than the following depths and widths, provided that the provisions of Section 24.62.120B and of Section 24.62.150B shall not apply to any lot having an area of twelve thousand square feet or more:

A. Front yard: Ten feet. The front of the lot shall be assigned to the longest street frontage when the lot occupies a corner and exceeds eighteen thousand square feet in area;

B. Side yards: Twenty feet where the side lot line adjoins another lot, provided a base structure may be built adjacent to an interior lot line without side yards. Ten feet where the side lot line adjoins a street or an alley. Tower structures shall not occupy more than seventy percent of the lot width;

C. Rear yard: Fifteen feet where no alley adjoins the rear lot line. Ten feet where an alley adjoins a rear lot line, as measured to the lot line, provided a base structure may be built to the rear lot line.

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13 (part), 1967: Ord. 86300 § 13A.54, 1957.)

24.34.120 Lot coverage.

No building shall occupy more than fifty percent of a lot, provided lot coverage shall be computed only with relation to tower structures excluding any nonresidential base structure, and the provisions of Sections 24.62.170 and 24.62.180 shall not be applicable.

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13(part), 1967: Ord. 86300 § 13A.55, 1957.)

24.34.130 Open space requirements.

A. At least fifty percent of the ground area or roof area of a base structure, not devoted to principal buildings, shall be maintained as usable open space.

B. No more than twenty-five percent of the total usable open space may be roofed, and in any case, no more than fifty percent of the perimeter of the roofed section may be walled or enclosed.

C. Required usable open space must be accessible and available to all occupants of the building.

D. Any open space having horizontal dimensions of less than fifteen feet in any direction may not be counted as usable open space.

E. Private roadways open to vehicular transportation, off-street parking space or loading berths may not be counted as usable open space.

F. Private balconies and balconies providing the principal access to dwelling units may not be counted as usable open space.

G. The yard area between a base structure and the street lot line shall be landscaped to a depth of ten feet with grass, hardy shrubs or evergreen ground cover and shall be maintained in good condition.

H. The provisions of Section 24.66.130 shall not apply to any lot developed under the bulk regulations for this zone.

(Ord. 101608 § 1(part), 1972: Ord. 98426 § 4(part), 1969: Ord. 98171 § 3(part), 1969: Ord. 96668 § 4(part), 1968: Ord. 96202 § 13 (part), 1967: Ord. 86300 § 13A.56, 1957.)

24.34.140 Prohibited uses.

A. Uses not permitted by this subtitle in the RMV 200 or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 96202 § 14, 1967: Ord. 86300 § 13A.6, 1957.)

Chapter 24.36

RMV 150 MULTIPLE RESIDENCE HIGHEST DENSITY VARIABLE HEIGHT ZONE

Sections:

24.36.010 Required conditions.
24.36.020 Principal uses permitted outright.
24.36.030 Principal conditional uses permitted by Council.

Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk

24.36.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.36.050 Accessory uses permitted outright.
24.36.060 Accessory conditional uses permitted by Council.
24.36.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.36.080 Building height.
24.36.090 Lot area.
24.36.100 Floor area ratio.
24.36.110 Required yards.
24.36.120 Lot coverage.
24.36.130 Open space requirements.
24.36.140 Prohibited uses.

24.36.010 Required conditions.

A. No building with greater bulk or greater number of dwelling units than allowed for the zone classification which existed immediately prior to April 25, 1968 shall be permitted unless the distance from the centerline of the street(s) to the required yard(s) of the lot upon which such building is to be located is at least thirty-five feet.

B. Off-street parking spaces in the "downtown area" shall be subject to Section 24.64.130.

(Ord. 105876 § 1, 1976: Ord. 97499 § 3, 1969: Ord. 86300 § 13B.0, 1957.)

24.36.020 Principal uses permitted outright.

The following uses are permitted:

A. RMV 200 principal uses permitted outright as specified and regulated in Chapter 24.34, unless modified in this chapter;

B. Hospitals; prescription pharmacies when conducted and entered entirely from within a permitted principal use with no exterior evidence of the use;

C. Offices and clinics of physicians, surgeons, psychiatrists, psychologists, dentists, chiropractors, chiropodists, osteopaths, optometrists, engineers, surveyors, lawyers, public accountants, architects, landscape architects, or interior designers, having no stock in trade and making no retail sales on the premises, and offices of civic, religious or charitable organizations;

D. Uses permitted when limited to the first three stories of a nonresidential building constructed prior to August 1, 1974 and provided no significant changes to the exterior appearance of said building are made to accomodate such uses:

Rental, sale and service of orthopedic appliances; offices for enterprises having no stock in trade on the premises and making no retail sales on the premises.

(Ord. 103517 § 1, 1974: Ord. 102685 § 3, 1973: Ord. 96202 § 15, 1967: Ord. 86300 § 13B.11, 1957.)

24.36.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 96202 § 16(part), 1967: Ord. 86300 § 13B. 21, 1957.)

24.36.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70: Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter.

(Ord. 96202 § 16(part), 1967: Ord. 86300 § 13B.22, 1957.)

24.36.050 Accessory uses permitted outright.

The following uses are permitted:

A. RMV 200 accessory uses permitted outright as specified and regulated in Chapter 24.34 unless modified in this chapter;

B. Accessory uses customarily incidental to a principal use permitted outright in this chapter except of a type prohibited in Section 24-.36.140;

C. Other accessory uses as listed in Section 24.34.050C;

D. Exterior signs limited to those permitted in Section 24.34.050.

(Ord. 96202 § 17, 1967: Ord. 86300 § 13B.31, 1957.)

24.36.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

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(Ord. 97085 § 1(part), 1968: Ord. 96202 § 18(part), 1967: Ord. 86300 § 13B.41, 1957.)

24.36.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.34.070 except as modified in this chapter;

B. RMV 200 accessory conditional uses listed under 24.34.070 unless modified in this chapter;

C. Accessory parking garages on a lot other than the principal use lot, in accordance with the provisions of Sections 24.64.040 and 24-.64.180.

(Ord. 97085 § 1(part), 1968: Ord. 96202 § 18(part), 1967: Ord. 86300 § 13B. 42, 1957.)

24.36.080 Building height.

No specific height limit applies to buildings developed under the bulk regulations for this zone, provided, however, the height of any base structure which exceeds fifty percent lot coverage shall not exceed three stories or thirty feet, whichever is less, and provided further that an accessory parking garage on a lot other than the principal use lot shall not exceed thirty feet in height.

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part), 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.51, 1957.)

24.36.090 Lot area.

No lot developed under the bulk regulations for this zone shall be less than twelve thousand square feet in area, and the provisions of Section 24.62.050 shall not apply. Lots containing less than twelve thousand square feet of area shall be subject to all of the bulk regulations of Sections 24.32.100 through 24.32.130. In addition, for multiple dwellings, the minimum lot area per dwelling unit shall be three hundred square feet, and for multiple dwellings for low income elderly where not less than three percent of the gross floor area is devoted to common community space, the minimum lot area per dwelling unit shall be one hundred ninety-five square feet; provided that where the tower structure of a building occupies less than fifty percent of the lot, the minimum lot area per dwelling unit shall be reduced proportionately as follows:

Percent of Lot Coverage by Tower	Minimum Lot Area Per Dwelling Unit	Minimum Lot Area Per Dwelling unit (Low Income Elderly)
50 to 45	300 to 285 sq. ft.	195 to 185 sq. ft.
45 to 40	285 to 270 sq. ft.	185 to 175 sq. ft.
40 to 35	270 to 255 sq. ft.	175 to 165 sq. ft.
35 to 30	255 to 230 sq. ft.	165 to 150 sq. ft.
30 to 25	230 to 195 sq. ft.	150 to 125 sq. ft.
25 to 20	195 to 150 sq. ft.	125 to 100 sq. ft.
20 or less	150 sq. ft.	100 sq. ft.

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part), 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.52, 1957.)

24.36.100 Floor area ratio.

A. Tower Structure—Nonresidential. The gross floor area of any nonresidential building, not including the floor area used for accessory parking, shall not exceed six times the lot area, except as modified in Sections 24.62.030 and 24.62.040.

B. Tower Structure—Mixed Uses. Where a building contains both residential uses to which the minimum lot area requirement is applicable and nonresidential uses to which the floor area ratio is applicable, each such requirement shall be applicable proportionately to that part of the building devoted to such use. The following formula with determine the percentage of permitted residential building bulk in terms of dwelling units when the size of the nonresidential part is known:

The percentage of number of dwelling units otherwise allowed under residential density standards shall equal one hundred percent, minus the quotient of the floor area proposed for nonresidential use divided by the floor area permitted in the zone, multiplied by one hundred.

The following formula will determine the percentage of permitted nonresidential building bulk when the number of dwelling units is known:

The percentage of gross floor area otherwise allowed under nonresidential bulk standards shall equal one hundred percent, minus the quotient of the number of dwelling units

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proposed divided by the maximum number of dwelling units allowed, multiplied by one hundred.

C. Dormitory Tower Complex. The gross floor area of any dormitory tower complex, excluding the floor areas used for accessory parking, shall not exceed the area permitted by the following ratios and interpolated ratios:

Percent of Lot Coverage by Tower	Maximum Floor Area Ratio (Building Area per Lot Area)
50 to 45	3.00 to 3.16
45 to 40	3.16 to 3.33
40 to 35	3.33 to 3.53
35 to 30	3.53 to 3.91
30 to 25	3.91 to 4.62
25 to 20	4.62 to 6.00
20 or less	6.00

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part), 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.53, 1957.)

24.36.110 Required yards.

Except as modified in Sections 24.62.070 through 24.62.160, each lot shall have front, side and rear yards of not less than the following depths and widths, provided that the provisions of Section 24.62.120B and of Section 24.62.150B shall not apply to any lot having an area of twelve thousand square feet or more:

A. Front yard: Ten feet. The front of the lot shall be assigned to the longest street frontage when the lot occupies a corner and exceeds eighteen thousand square feet in area;

B. Side yards: Twenty feet where the side lot line adjoins another lot, provided a base structure may be built adjacent to an interior lot line without side yards. Ten feet where the side lot line adjoins a street or any alley. Tower structures shall not occupy more than seventy percent of the lot width;

C. Rear yard: Fifteen feet where no alley adjoins the rear lot line. Ten feet where an alley adjoins a rear lot line, as measured to the lot line, provided a base structure may be built to the rear lot line.

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part), 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.54, 1957.)

24.36.120 Lot coverage.

Except for an accessory parking garage located on a lot other than the principal use lot, no building shall occupy more than fifty percent of a lot, provided lot coverage shall be computed only with relation to tower structures excluding any nonresidential base structure, and the provisions of Section 24.62.170 shall not be applicable.

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part) 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.55, 1957.)

24.36.130 Open space requirements.

A. At least fifty percent of the ground area or roof area of a base structure, not devoted to principal buildings, shall be maintained as usable open space.

B. No more than twenty-five percent of the total usable open space may be roofed, and in any case, no more than fifty percent of the perimeter of the roofed section may be walled or enclosed.

C. Required usable open space must be accessible and available to all occupants of the building.

D. Any open space having horizontal dimensions of less than fifteen feet in any direction may not be counted as usable open space.

E. Private roadways open to vehicular transportation, off-street parking space, or loading berths, may not be counted as usable open space.

F. Private balconies and balconies providing the principal access to dwelling units may not be counted as usable open space.

G. The yard area between a base structure and the street lot line shall be landscaped to a depth of ten feet with grass, hardy shrubs or evergreen groundcover and shall be maintained in good condition.

H. The provisions of Section 24.66.130 shall not apply to any lot developed under the bulk regulations for this zone.

(Ord. 101608 § 2(part), 1972: Ord. 98426 § 5(part), 1969: Ord. 98171 § 4(part), 1969: Ord. 97085 § 2(part), 1968: Ord. 96668 § 5 (part), 1968: Ord. 96202 § 19(part), 1967: Ord. 86300 § 13B.56, 1957.)

24.36.140 Prohibited uses.

A. Uses not permitted by this subtitle in

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RMV 150 or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 96202 § 20, 1967: Ord. 86300 § 13B.6, 1957.)

Chapter 24.38

RM-MD MULTIPLE RESIDENCE-MIXED DENSITY ZONE

Sections:

24.38.010 Principal uses permitted outright.
24.38.020 Prohibited uses.
24.38.030 Principal conditional uses permitted by Council.
24.38.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.38.050 Accessory uses permitted outright.
24.38.060 Accessory conditional uses.
24.38.070 Bulk regulations—Gross floor area.
24.38.080 Bulk regulations—Height of buildings.
24.38.090 Bulk regulations—Lot area.
24.38.100 Bulk regulations—Lot coverage.
24.38.110 Bulk regulations—Required open space.
24.38.120 Bulk regulations—Setbacks.
24.38.130 Conditional bulk regulations—Generally.
24.38.140 Conditional bulk regulations—Gross floor area.
24.38.150 Conditional bulk regulations—Height of buildings.
24.38.160 Conditional bulk regulations—Setbacks.
24.38.170 Conditional bulk design review procedures.
24.38.180 Review procedures—Gross floor area and height of buildings.
24.38.190 Review procedures—Setbacks.
24.38.200 Guidelines.
24.38.210 Permit issuance on basis of prior classification.

24.38.010 Principal uses permitted outright.

The following uses are permitted:

A. RMH 350 principal uses permitted outright as specified and regulated in Chapter 24-.32, unless modified in this chapter;

B. Hotels;

C. Retail business and services serving primarily the residents of the vicinity, such as, but not limited to: grocery, delicatessen, meat market, bakery or restaurant, drugstore, hardware store, gift shop, barbershop, beauty shop, bank, flower shop, recreation club, hand- or coin-operated laundry, dry-cleaning shop, variety or notions store, millinery store, taverns, liquor stores, cocktail bars, automobile service station limited to two pump islands containing no more than three pumps each and including minor automobile repair as an accessory use;

D. Commercial business and services serving or related to the central business, such as, but not limited to: business and professional office, automobile rental, art gallery, library, museum, catering establishment, radio or television studio, appliance repair shop, meeting hall, auditorium, theater, bowling lane, skating rink, dance hall, trade or business school, testing laboratory, art, dance, and/or music school or studio, printing or publishing establishment, manufacture or assembly of electrical appliances, electronic instruments and devices, wholesale store including wholesale storage of low bulk items such as jewelry, optical and photographic goods, pharmaceuticals and cosmetics.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.11, 1957.)

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24.38.020 Prohibited uses.

A. Uses not permitted by this subtitle in the RM-MD or less intensive zones;

B. Automobile laundry, contractors' yards, fuel yards, drive-in theaters, drive-in restaurants, retail ice dispensaries, maintenance of domestic fowl.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.12, 1957.)

24.38.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as modified in this chapter.

(Ord. 105876 § 2(part), 1976: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.21, 1957.)

24.38.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Nursing or convalescent homes;

B. Commercial parking lots or structures for private passenger vehicles only, subject to Sections 24.64.130 and 24.64.160A and following review and report by the Engineering Department and the Department of Community Development concerning the impact on adjacent streets, on existing and proposed development, and on pedestrian corridors as defined in Section 24.38.200K.

(Ord. 105876 § 2(part), 1976: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.22, 1957.)

24.38.050 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter except as modified in this chapter;

B. Manufacture or processing of goods sold at retail where produced, provided that such use is located in street level floor space and no more than two persons are employed therein in such manufacture or process;

C. Accessory off-street parking spaces within a principal building or at grade when screened from public view from streets and ground level usable open spaces in accordance with Section 24.64.160A and containing no more than the maximum number of parking spaces specified in Section 24.64.130;

D. Accessory off-street loading space within a principal building or at grade when screened from public view from streets and ground level usable open spaces in accordance with Section 24.64.160A and containing no more than the minimum number of required berths specified in Sections 24.64.200 through 24.64.230.

(Ord. 105876 § 2(part), 1976: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.31, 1957.)

24.38.060 Accessory conditional uses.

Accessory uses customarily incidental to the principal conditional uses specified in Sections 24.38.030 and 24.38.040 are permitted except as modified in this chapter, when authorized by the Council, Hearing Examiner or Board, as appropriate.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.4, 1957.)

24.38.070 Bulk regulations—Gross floor area.

A. The gross floor area of any nonresidential structure, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment shall not exceed two times the lot area. Hotels shall be regarded as residential uses for purposes of the bulk provisions of this chapter.

B. The gross floor area of any residential development, mixed residential and nonresidential development in which at least half the space provided is used for residential purposes, excluding the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating or air-conditioning equipment, shall not exceed three times the lot area, provided the ratio may be increased to a maximum of five times the lot area as follows:

1. For each square foot of interior common community space provided on the lot, the gross floor area may be increased by four square feet;

2. For each square foot of landscaped common community space provided on the lot, the gross floor area may be increased six square feet;

3. For each square foot of private usable open space provided on the lot, the gross floor area may be increased four square feet;

4. For each square foot of pedestrian-oriented retail street level floor space provided on the lot which is visually and physically accessible from an adjacent public sidewalk, the gross floor area may be increased by four square feet;

5. For each square foot of arcade provided on the lot, the gross floor area may be increased by six square feet;

and provided further that the gross floor area may be increased not to exceed a maximum of ten times the lot area with the approval of the Director as provided in Section 24.38.140.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.51, 1957.)

24.38.080 Bulk regulations—Height of buildings.

No building shall exceed a height of sixty-five feet unless approved by the Director as provided in Sections 24.38.130 through 24.38.160.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.52, 1957.)

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24.38.090 Bulk regulations—Lot area.

No lot developed under the bulk regulations for this zone shall be less than twelve thousand square feet in area, except that residential or mixed residential-nonresidential lots containing less than twelve thousand square feet of area shall be permitted subject to the bulk regulations of Section 24.32.110.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.53, 1957.)

24.38.100 Bulk regulations—Lot coverage.

No lot coverage requirements shall apply to nonresidential buildings. Lot coverage requirements for residential buildings or buildings of mixed residential and nonresidential uses of which at least half the space therein contained is used for residential purposes and hotels shall be as follows:

A. No maximum lot coverage where the natural gradient or slope, as measured between the street lot line and rear property line is in excess of ten percent;

B. Elsewhere buildings shall not occupy more than seventy-five percent of a lot except that a base structure not exceeding a maximum height of thirty-five feet, when part of a high-rise residential development with a tower exceeding a height of sixty-five feet and approved by the Director as set forth in Sections 24.38-.130 through 24.38.160, may occupy up to one hundred percent of the lot area.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.54, 1957.)

24.38.110 Bulk regulations—Required open space.

No minimum open space requirements shall apply to nonresidential buildings. Residential or mixed residential-nonresidential buildings shall provide useable open space equal to at least twenty-five percent of the lot area. Such required useable open space shall qualify for a floor area bonus if developed as landscaped common community space.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.55, 1957.)

24.38.120 Bulk regulations—Setbacks.

In order to ensure strong street edge definition and a sense of spatial enclosure within the street, building setbacks shall be prohibited along street lot lines for a minimum height equal to one-third of the width of the widest street on which it abuts, except as permitted in Sections 24.38.130 through 24.38.160.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.56, 1957.)

24.38.130 Conditional bulk regulations—Generally.

The following conditional bulk provisions will apply if approved by the Director pursuant to Sections 24.38.170 through 24.38.190.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.6(part), 1957.)

24.38.140 Conditional bulk regulations—Gross floor area.

The gross floor area of residential and mixed residential-nonresidential development on a site of which at least half of the space therein contained is used for residential purposes may be increased from a maximum of five times the lot area with bonus floor area earned without design review as provided in Sections 24.38.070 through 24.38.120 to a maximum of ten times the lot area with bonus floor area earned with design review as provided in Sections 24.38.170 through 24.38.190.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.61, 1957.)

24.38.150 Conditional bulk regulations—Height of buildings.

The height of a tower of a residential or mixed residential-nonresidential development of which at least half the floor area therein contained is used for residential purposes, excluding the floor area used for mechanical purposes, may be increased from a maximum of sixty-five feet without design review as provided in Sections 24.38.070 through 24.38.120 to a maximum of three hundred fifty feet with design review as provided in Sections 24.38.170 through 24.38.190.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.62, 1957.)

24.38.160 Conditional bulk regulations—Setbacks.

Building setbacks may be permitted with design review as provided in Sections 24.38.170 through 24.38.190 along street lot lines or at a height less than one-third of the width of the widest street on which it abuts, to allow for open access to arcades, plazas or the development of other forms of usable open space,

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especially when related to nearby pedestrian-oriented retail business uses.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.63, 1957.)

24.38.170 Conditional bulk design review procedures.

The following procedures shall be used by the Director for the purpose of approving conditional bulk authorized in Sections 24.38.130 through 24.38.160.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.7(part), 1957.)

24.38.180 Review procedures—Gross floor area and height of buildings.

A. At least four months prior to the issuance of a building permit the applicant shall attend a conference with representatives of the Building and Community Development Departments to consider Building Code,[1] Zoning Ordinance, and environmental requirements, and the impact of the proposed development on other nearby structures, including proposed structures for which a reasonable degree of planning has been undertaken, as well as on the immediate area as a whole, particularly as to:

1. The effect upon availability of light and air circulation to nearby residential structures and public open spaces such as parks and courtyards;

2. The impact upon views from other similar structures within the zone as well as efforts taken to enhance views;

3. Whether adequate consideration has been given to public amenities such as ground level usable open space, arcades or pedestrian-oriented retail or service uses at street level;

4. Whether adequate provision has been made for private amenities such as private usable open space, community or landscaped open space, and private recreational facilities, such as tennis courts or swimming pools;

5. Its visual relationship to the street facade and to other structures.

B. At least one month prior to the issuance of a building permit the applicant shall submit specific plans, in duplicate to the Director for final design review, including elevations, sections, site plan, and floor plans. The Director shall approve or disapprove the plans of the applicant within thirty days using the guidelines set forth in Section 24.38.200, and shall forward such decision to the Superintendent and to the applicant. Extensions of time may be granted by the mutual consent of the applicant and the Director.

C. The applicant shall have fifteen days after receipt of the Director's decision to appeal such decision to the Hearing Examiner as to conformance of such decision to the procedures and guidelines of this subtitle.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.71, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

24.38.190 Review procedures—Setbacks.

At least one month prior to the issuance of a building permit the applicant shall submit in duplicate to the Director plans, elevations, and sections, where appropriate, of proposed setbacks along street lot lines or at a height less than one-third of the width of the widest abutting street. The Director shall within thirty days make a determination as to whether such setbacks enhance or detract from the street facade and conform with appropriate guidelines set forth in Section 24.38.200. The street facade shall include existing or proposed structures for which a reasonable amount of planning has been undertaken and which will have a life expectancy of at least twenty years. The Director shall immediately forward his approval or disapproval to the Superintendent and to the applicant. The applicant may appeal such decision to the Hearing Examiner in the manner and within the time provided in Section 24.38.180.
(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.72, 1957.)

24.38.200 Guidelines.

The following guidelines should be used, when appropriate, for all new developments. Such guidelines shall be used by the Director in evaluating a proposed development, or optional site improvement, where design review by the Director is required as set forth in Sections 24.38.130 through 24.38.160.

A. In siting a new building, consideration should be given to the spatial relationships created between it and other buildings, including proposed structures for which a reasonable degree of planning has been undertaken, in order to insure adequate street edge definition, spatial enclosure of pedestrian-oriented open spaces, solar exposure to streets and pedestrian-

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oriented exterior spaces, preservation of views, visual compatibility, and accomplishment of other accepted urban design goals.

B. Base structures should be of a size and shape consistent with the scale of other structures within the immediate area. The height of a base structure directly related to a residential or mixed residential-nonresidential tower structure shall generally not exceed thirty-five feet. Exceptions may be desirable to retain street facade continuity with other structures. In such cases, the height of a base structure may be increased not to exceed sixty-five feet. In order to protect public views along east-west streets, tower structures should have a minimum setback from said streets of at least twenty feet.

C. Shadows created by new buildings should not adversely affect the utility of usable open space located on adjacent public or private developments.

D. All wiring shall be placed underground. Lighting standards, fixtures, landscaping, and other site improvements, should be of a design which is compatible with surrounding buildings and areas.

E. There should be pedestrian linkage between streets and usable open spaces which are oriented to the public, and between parking facilities and the structures which they serve.

F. Common community open spaces shall generally be located so as to optimize solar exposure. For low- and medium-rise development, at least twenty-five percent of the open space provided should:

1. Be at ground level or at an elevation of not more than six feet above ground level;

2. Be a contiguous area with a minimum dimension equal to the mean average height of any adjacent building walls enclosing the open space. Under some circumstances, it may be desirable to provide usable open spaces fronting on streets, particularly where such spaces would complement retail activites. In such cases, the minimum dimensions would not be applicable;

3. Be located to the rear of the property or as interior courtyards;

4. Provide privacy from street activity and provide outdoor recreational facilities for the use and enjoyment of the residents;

5. Be landscaped with a substantial amount of evergreen plant material including lawns and pedestrian furniture;

6. Not be used for parking or storage.

G. Service, storage and other similar areas which tend to be unsightly or unsafe shall be screened by the use of walls, fencing, landscaping, or by a combination thereof.

H. Rectangular signs integrated into marquees, arcades, or the structural framework of new buildings are preferable to most attached signs with the exception of opaque three-dimensional symbolic forms illustrative of the major product or service being provided on the premises.

I. Preference shall be given to low-key signing which enhances or complements pedestrian-oriented activities on the premises as well as the general character of signs and buildings in the immediate vicinity.

J. Site development should optimize opportunities for the use of public transportation adjacent to a development through such provisions as bus shelters, overhead weather protection and facilities for personal security.

K. To focus a pedestrian emphasis on a few streets rather than having it diluted throughout the area, certain streets are designated as "pedestrian corridors," that is, streets retaining vehicular circulation but emphasizing pedestrian circulation, amenities and supporting activities. Pedestrian-oriented retail uses at street level, as well as such pedestrian-oriented amenities such as arcades, plazas, and other forms of usable open space contiguous to a street should be located on these pedestrian corridors, whenever possible. Curb cuts for driveways shall generally not be made on these streets, and, whenever possible driveways should be located on streets not designated as pedestrian corridors, or on alleys. The following streets are designated as pedestrian corridors when located in the RM-MD Zone: First, Third and Fifth Avenues and Cedar, Wall, Bell and Lenora Streets.

(Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.8, 1957.)

24.38.210 Permit issuance on basis of prior classification.

Subsequent to reclassification to RM-MD a lot may be devoted either to a use consistent with the provisions of this chapter or to a use consistent with the provisions of the zoning classification in effect prior to such reclassification, provided that a use permit may be issued for a use consistent with a prior zoning classification only if a valid application for a building permit, accompanied by final plans as required by Section 302 of the Building Code (Ordinance 85500),[1] is submitted to the

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Superintendent within two years of the effective date of the reclassifying ordinance.
(Ord. 105156 § 1, 1975: Ord. 86300 § 13C.9, 1957.)

1. Editor's Note: Ord. 85500 has been replaced by a more recent edition of the Building Code. Information on building permits is codified in Chapter 22.106 of this Code.

Chapter 24.40

BN NEIGHBORHOOD BUSINESS ZONE

Sections:

24.40.010 Required conditions.
24.40.020 Principal uses permitted outright.
24.40.030 Principal conditional uses permitted by Council.
24.40.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.40.050 Accessory uses permitted outright.
24.40.060 Accessory conditional uses permitted by Council.
24.40.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.40.080 Building height.
24.40.090 Lot area.
24.40.100 Required yards.
24.40.110 Lot coverage.
24.40.120 Prohibited uses.

24.40.010 Required conditions.

All uses permitted in this chapter shall be subject to the following conditions:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and off-street loading, commercial moorages, automobile service stations and outside storage of radiator fluids, motor oils and similar merchandise, provided that such storage shall include only those quantities used in a day's operation.

B. The gross building floor area occupied by any one business enterprise shall be no greater than seven thousand five hundred square feet.

C. Goods sold shall consist primarily of new merchandise, and all goods produced shall be sold at retail on the premises where produced.

D. Not more than three persons shall be engaged at any one time in fabricating, repairing, cleaning or other processing of goods in any establishment, except for food preparation in restaurants.

E. Not more than eight horsepower shall be employed in the operation of all machines used for fabrication, repair or other processing of any goods in any establishment.

F. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

G. Except for moorages, any outdoor principal or accessory use which abuts upon any lot in an R Zone, shall provide screening of six feet in height. Such screening shall be maintained in good condition.

H. Other conditions as specified in this chapter and Section 24.66.140A.
(Ord. 96395 § 4, 1968: Ord. 89983 § 1, 1961: Ord. 87225 § 14, 1958: Ord. 86300 § 14.1, 1957.)

24.40.020 Principal uses permitted outright.

The following uses are permitted:

A. RMH 350 principal uses permitted outright as specified and regulated in Chapter 24-.32, unless modified in this chapter;

B. Retail business and services serving primarily the residents of the neighborhood; such as, but not limited to, grocery, delicatessen, meat market, drugstore, hardware store, gift shop, confectionery, bakery, shoe repair shop, barbershop, beauty shop, hand- or coin-operated laundry, dry-cleaning shop, upholstery shop, business and professional offices, florist shop, variety or notions store, millinery store, or restaurant without live entertainment, dancing or alcoholic beverages;

C. Fire stations, police precinct stations including accessory holding rooms or cells for detention of suspects for a period not to exceed twenty-four hours; branch libraries, branch telephone exchanges, static transformer and booster stations and other public utility service uses, but not including storage or service yards;

D. Uncovered and covered moorages for pleasure craft, boat rental moorages and piers for pleasure craft only, including sales and service and minor repair to boats as an accessory use;

E. Houseboats, subject to the provisions of Section 24.22.010C;

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F. Antique shops having a gross floor area of not more than two thousand five hundred square feet, provided the use fronts upon a major arterial as designated in the comprehensive plan of Seattle;

G. Day care center on condition that a fenced outdoor play area shall be provided on the lot;

H. Offices for residential home builders and renovators provided that no goods, machinery or stock in trade is kept on the premises;

I. Printing shops serving the residents of the neighborhood, and which operate machinery employing a combined maximum of four horsepower at any one time, and which have a gross floor area of not more than one thousand five hundred square feet;

J. Artist's studio/dwelling, provided such use is completely enclosed within a building when located within fifty feet of any lot in an R Zone. Such use is exempt from compliance with Section 24.40.010C.

(Ord. 107537 § 4, 1978: Ord. 107109 § 2, 1978: Ord. 106950 § 1, 1977: Ord. 105408 § 3, 1976: Ord. 104675 § 1, 1975: Ord. 102817 § 2, 1973: Ord. 101285 § 8, 1972: Ord. 100890 § 3, 1972: Ord. 96395 § 5, 1968: Ord. 91700 § 10, 1962: Ord. 91138 § 1, 1962: Ord. 89983 § 2, 1961: Ord. 88921 § 1, 1960: Ord. 86300 § 14.21, 1957.)

24.40.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord.108137 § 3(part), 1979: Ord. 105260 § 1 (part), 1976: Ord. 104675 § 2(part), 1975: Ord. 102817 § 3(part), 1973: Ord. 91700 § 11(part), 1962: Ord. 88283 § 3(part), 1959: Ord. 86300 § 14.31, 1957.)

24.40.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter;

B. Automobile service station, including accessory towing service limited to two tow trucks, subject to the following conditions:

1. At least six percent of the lot area shall be landscaped, including all lot lines except for necessary walkways and driveways;

2. Driveway access lanes to abutting property in the C, M or I Zones shall not exceed thirty feet in width;

3. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between the automobile service station and any abutting lot in an R Zone except adjacent to the front or street yard of the abutting lot where the fence or wall shall be three feet in height;

C. Shops of home builders and renovators, provided such use is completely enclosed within a building when located within fifty feet of any lot in an R Zone;

D. Restaurants serving alcoholic beverages, subject to the following conditions:

1. The property so used shall front upon an arterial as defined by city ordinance,

2. There shall be no visible evidence from the outside and no interior advertising of the sale or serving of alcoholic beverages,

3. No alcoholic beverage shall be served without meals or in any room or area where meals are not served.

(Ord.108137 § 3(part), 1979: Ord. 105260 § 1(part), 1976: Ord. 104675 § 2(part), 1975: Ord. 102817 § 3(part), 1973: Ord. 91700 § 11 (part), 1962: Ord. 88283 § 3(part), 1959: Ord. 86300 § 14.32, 1957.)

24.40.050 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter except as modified in this chapter;

B. Exterior business sign, located anywhere on the same lot with the principal use, provided that:

1. Maximum total area of sign faces on each premises shall be one hundred seventy square feet, and maximum area of the face of any single sign shall be eighty-five square feet,

2. Maximum height of any portion of such sign shall be twenty-five feet above finish lot grade at base of sign,

3. When located within fifty feet of any adjoining lot in an R Zone, such sign shall be erected so that no portion of its face shall be visible from an existing or permitted principal building on the adjoining lot,

4. Such sign shall be permanent, stationary and nonflashing. No pennants, banners,

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bunting, string lights or decoration shall be permitted.
(Ord. 93424 § 1, 1964: Ord. 86300 § 14.41, 1957.)

24.40.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as modified in this chapter.
(Ord. 103064 § 1(part), 1974: Ord. 86300 § 14.51, 1957.)

24.40.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board after public hearing and in accordance with the provisions of Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.40.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.44, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;

C. Collection stations for secondhand goods and recyclable materials subject to the following provisions:

1. The use shall be located on a lot with a minimum lot area of ten thousand square feet,

2. The use shall occupy no more than eight hundred square feet,

3. All goods and materials shall be stored in sturdy, weather-resistant containers maintained in good condition,

4. No processing of secondhand goods or recyclable materials shall be permitted,

5. The use shall be located fifty feet or more from any lot in an R Zone, or shall be screened by a six-foot view-obscuring fence or wall on all sides which abut upon or face across a street or alley any lot in an R Zone.

(Ord. 103064 § 1(part), 1974: Ord. 86300 § 14.52, 1957.)

24.40.080 Building height.

No building shall exceed a height of thirty-five feet, except as modified in Sections 24.62.030 and 24.62.040.
(Ord. 101151 § 1(part), 1972: Ord. 86300 § 14.61, 1957.)

24.40.090 Lot area.

A. No minimum lot area requirements for nonresidential buildings.

B. Lot area requirements for residential buidings or residential parts shall be as provided in Section 24.30.120.
(Ord. 101151 § 1(part), 1972: Ord. 86300 § 14.62, 1957.)

24.40.100 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: Ten feet for nonresidential buildings, twenty feet for residential buildings;

B. Side yards: None required for nonresidential buildings, except on corner lots where a side street side yard of ten feet shall be provided. Side yards for residential buildings or residential parts shall be as provided in Section 24.30.130;

C. Rear yard: None required for nonresidential buildings; twenty-five feet for residential buildings or parts.
(Ord. 101151 § 1(part), 1972: Ord. 86300 § 14.63, 1957.)

24.40.110 Lot coverage.

No lot coverage limitations for nonresidential buildings. Residential buildings or residential parts shall not occupy more than forty percent of a lot, except as modified in Sections 24.62-.170 and 24.62.180.
(Ord. 101151 § 1(part), 1972: Ord. 86300 § 14.64, 1957.)

24.40.120 Prohibited uses.

A. Uses not permitted by this subtitle in BN or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.
(Ord. 86300 § 14.7, 1957.)

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Chapter 24.42

BI INTERMEDIATE BUSINESS ZONE

Sections:

24.42.010 Required conditions.
24.42.020 Principal uses permitted outright.
24.42.030 Principal conditional uses permitted by Council.
24.42.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.42.050 Accessory uses permitted outright.
24.42.060 Accessory conditional uses permitted by Council.
24.42.070 Accessory conditional uses permitted by Hearing Examiner or Board.
24.42.080 Building height.
24.42.090 Lot area.
24.42.100 Required yards.
24.42.110 Lot coverage.
24.42.120 Prohibited uses.

24.42.010 Required conditions.

All uses permitted in this chapter shall be subject to the following conditions:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and off-street loading, commercial moorages, automobile service stations and outside storage of radiator fluids, motor oils and similar merchandise, provided that such storage shall include only those quantities used in a day's operation.

B. The gross building floor area occupied by any one business enterprise shall be no greater than twenty-five thousand square feet.

C. Goods sold shall consist primarily of new merchandise, except in the case of antique shops, and all goods produced shall be sold at retail on the premises where produced.

D. Not more than five persons shall be engaged at any one time in fabricating, repairing, cleaning or any other processing of goods in any establishment except for food preparation in restaurants.

E. Not more than ten horsepower shall be employed in the operation of all machines used for fabrication, repair or processing of any goods in any establishment.

F. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

G. Except for moorages, any outdoor principal or accessory use which abuts upon any lot in an R Zone, shall provide screening of six feet in height. Such screening shall be maintained in good condition.

H. Other conditions as specified in this chapter and Section 24.66.140A.

(Ord. 99368 § 4, 1970: Ord. 96395 § 6, 1968: Ord. 86300 § 14A.1, 1957.)

24.42.020 Principal uses permitted outright.

The following uses are permitted:

A. BN principal uses permitted outright as specified and regulated in Chapter 24.40 unless modified in this chapter;

B. Retail business and services, such as but not limited to, dance and music studio, retail plant nursery, frozen food lockers, clothing stores, catering establishment, drygoods store, general merchandise store, locksmith, ice dispensary, pet shop, appliance store, bank, financial institution, furniture store selling new furniture, and coin-operated laundries and cleaners;

C. Secondhand shops having a gross floor area of not more than two thousand five hundred square feet;

D. Artist's studio/dwelling. Such use is exempted from compliance with Section 24.42-.010C.

(Ord. 107109 §3, 1978: Ord. 100890 § 4, 1972: Ord. 100216 § 1, 1971: Ord. 99872 § 2, 1971: Ord. 96395 § 7, 1968: Ord. 86300 § 14A.21, 1957.)

24.42.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord. 105294 § 1(part), 1976: Ord. 101266 § 1 (part), 1972: Ord. 100276 § 1(part), 1971: Ord. 97652 § 2(part), 1969: Ord. 96395 § 8(part), 1968: Ord. 86300 § 14A.31, 1957.)

24.42.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when au-

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thorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in less intensive zones unless modified in this chapter;

B. Restaurants with Class H liquor licenses, package liquor stores, and taverns; provided, however, such uses shall be located five hundred feet or more from the grounds of any school for academic instruction other than a university or college campus, or from any publicly designated play area for children measured along the most direct route over or across established public walks, streets, or other public passageways from the outer property line of the school or play area to the nearest public entrance of the restaurant, package liquor store or tavern; and provided further that such uses shall be in a completely enclosed building or completely enclosed portion of a building when the lot devoted to such use is within fifty feet of any lot in an R Zone.

(Ord. 105294 § 1(part), 1976: Ord. 101266 § 1 (part), 1972: Ord. 100276 § 1(part), 1971: Ord. 97652 § 2(part), 1969: Ord. 96395 § 8 (part), 1968: Ord. 86300 § 14A.32, 1957.)

24.42.050 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter except as modified in this chapter;

B. Exterior business sign under conditions specified in Section 24.40.050B;

C. Drive-in business activity;

D. Collection stations for secondhand goods and recyclable materials subject to the following provisions:

1. The use shall be located on a lot with a minimum lot area of ten thousand square feet,

2. The use shall occupy no more than eight hundred square feet,

3. All goods and materials shall be stored in sturdy, weather-resistant containers maintained in good condition,

4. No processing of secondhand goods or recyclable materials shall be permitted,

5. The use shall be located fifty feet or more from any lot in an R Zone, or shall be screened by a six-foot view-obscuring fence or wall on all sides which abut upon or face across a street or alley any lot in an R Zone.

(Ord. 100890 § 5, 1972: Ord. 99872 § 3, 1971: Ord. 96395 § 9, 1968: Ord. 86300 § 14A.41, 1957.)

24.42.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as modified in this chapter.

(Ord. 96395 § 10(part), 1968: Ord. 86300 § 14A.51, 1957.)

24.42.070 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board after public hearing and in accordance with the provisions of Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.42.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.44, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter.

(Ord. 96395 § 10(part), 1968: Ord. 86300 § 14A.52, 1957.)

24.42.080 Building height.

No building shall exceed a height of thirty-five feet except as modified in Sections 24.62-.030 and 24.62.040.

(Ord. 96395 § 11(part), 1968: Ord. 86300 § 14A.61, 1957.)

24.42.090 Lot area.

A. No minimum lot area requirements for nonresidential buildings;

B. Lot area requirements for residential buildings or residential parts shall be as provided in Section 24.30.120.

(Ord. 96395 § 11(part), 1968: Ord. 86300 § 14A.62, 1957.)

24.42.100 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: None required for nonresidential buildings; twenty feet for residential buildings or parts;

B. Side yards: None required for nonresidential buildings. Side yards for residential

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buildings or residential parts shall be as provided in Section 24.30.130;

C. Rear yard: None required for nonresidential buildings; twenty-five feet for residential buildings or parts.

(Ord. 96395 § 11(part), 1968: Ord. 86300 § 14A.63, 1957.)

24.42.110 Lot coverage.

No lot coverage limitations for nonresidential buildings. Residential buildings or residential parts shall not occupy more than forty percent of a lot, except as modified in Sections 24.62-.170 and 24.62.180.

(Ord. 96395 § 11(part), 1968: Ord. 86300 § 14A.64, 1957.)

24.42.120 Prohibited uses.

A. Uses not permitted by this subtitle in BI or less intensive zones are prohibited;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl;

E. Drive-in restaurants;

F. Fast-food restaurants.

(Ord. 106848 § 2, 1977: Ord. 99872 § 4, 1971: Ord. 96395 § 12, 1968: Ord. 86300 § 14A.7, 1957.)

Chapter 24.44

BC COMMUNITY BUSINESS ZONE

Sections:

24.44.010 Required conditions.
24.44.020 Principal uses permitted outright—Generally.
24.44.030 Principal uses permitted outright—Designated.
24.44.040 Principal uses permitted in enclosed building.
24.44.050 Principal uses permitted five hundred feet from certain school or play areas.
24.44.060 Principal uses permitted outdoors.
24.44.070 Principal conditional uses permitted by Council.
24.44.080 Principal conditional uses permitted by Hearing Examiner or Board.
24.44.090 Accessory uses permitted outright.
24.44.100 Accessory conditional uses permitted by Council.
24.44.110 Accessory conditional uses permitted by Hearing Examiner or Board.
24.44.120 Building height.
24.44.130 Lot area.
24.44.140 Required yards.
24.44.150 Lot coverage.
24.44.160 Prohibited uses.

24.44.010 Required conditions.

All uses permitted in this zone shall be subject to the following conditions:

A. All business, service, repair or processing, merchandise display, and storage, including storage of containers or commercial vehicles, shall be conducted wholly within an enclosed building except as modified in this chapter.

B. All goods produced on the premises shall be sold at retail on the premises.

C. Not more than five persons shall be engaged at any one time in repair, fabrication or other processing of goods in any establishment except for food preparation in restaurants and retail food markets.

D. Not more than twelve horsepower shall be employed in the operation of all machines for fabricating, processing, or repair in any establishment.

E. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste.

F. Advertising signs shall not be located upon and supported by a roof or parapet of a building or structure, and shall be located fifty feet or more from any lot in an R Zone and one hundred feet or more from any public school grounds or public park. Any outdoor principal or accessory use which abuts upon any lot in an R Zone shall provide screening of six feet in height. Such screening shall be maintained in good condition.

G. Other required conditions specified in this chapter and Section 24.66.140A.

H. Off-street parking spaces established in the "downtown area" shall be subject to Section 24.64.130.

(Ord. 106479 § 1, 1977: Ord. 105876 § 4, 1976: Ord. 104971 § 2, 1975: Ord. 104660 § 2, 1975: Ord. 100217 § 1, 1971: Ord. 86300 § 15.1, 1957.)

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24.44.020 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.44.030 through 24.44-.060.

(Ord. 104423 § 1(part), 1975: Ord. 86300 § 15.20, 1957.)

24.44.030 Principal uses permitted outright—Designated.

The following uses are permitted:

A. BI principal uses as specified and regulated in Chapter 24.42 unless modified in this chapter and not limited to uses primarily serving the surrounding neighborhood;

B. Retail store and personal service establishments, banks and financial institutions, business and professional offices, hotels, catering establishments, trade or business school, experimental or testing laboratory which does not employ machinery or equipment not permitted in the BC Zone, taxidermy shop, locksmith, appliance repair shops, convalescent homes, homes for the retired, dance and music studios, antique shops, and secondhand shops;

C. Frozen food lockers, retail ice dispensary, not including ice manufacture, motel, mortuary, storage building for household goods;

D. Automobile laundry subject to the following conditions:

1. When located one hundred feet or more from any lot in an R Zone,

2. When located one hundred feet or more from the entrance of any retail store serving pedestrians, other than a store selling automobile supplies and accessories,

3. When located on a lot containing at least ten thousand square feet,

4. When stacking space for at least twenty-five cars is provided;

E. Residential tower structures and dormitory tower complexes when located three hundred feet or more from any lot in a zone with a height limit of thirty-five feet and also located within a BC Zone which is either within one thousand five hundred feet of the campus of a four-year state university, or which abuts an RMV 200 or RMV 150 Zone on a least sixty percent of its perimeter, subject to the following conditions:

1. The bulk requirements of Sections 24-.34.080 through 24.34.130 shall apply to a residential tower structure or dormitory tower complex except where the lot is in a BC Zone which abuts an RMV 150 Zone on sixty percent or more of its perimeter, in which case the bulk requirements of Sections 24.36.080 through 24.36.130 shall apply,

2. Any base structure which covers more than fifty percent of the lot shall not exceed three stories, including mezzanines. No yard shall be required for base structures. Nonresidential uses located in a base structure shall be excluded in computing the permitted number of dwelling units or amount of floor area devoted to residential uses,

3. The street level floor space shall be occupied only by those business uses specified in Section 24.46.030;

F. Radio or television studio, subject to the following conditions:

1. The principal building shall be located one hundred feet or more from any lot in an R Zone,

2. Any transmitting tower located on the lot shall conform to the provisions of Section 24.62.040A;

G. Artist's studio/dwelling. Such use is exempted from compliance with Section 24.44-.010B.

(Ord. 107109 § 4, 1978: Ord. 104735 § 1, 1975: Ord. 104423 § 1(part), 1975: Ord. 102817 § 4(part), 1973: Ord. 101362 § 1 (part), 1972: Ord. 101266 § 2(part), 1972: Ord. 100890 § 6(part), 1972: Ord. 100612 § 1 (part), 1972: Ord. 100276 § 2(part), 1971: Ord. 99872 § 5(part), 1971: Ord. 99368 § 5 (part), 1970: Ord. 98426 § 6(part), 1969: Ord. 98216 § 1(part), 1969: Ord. 98067 § 1(part), 1969: Ord. 96395 § 13(part), 1968: Ord. 92886 § 2(part), 1964: Ord. 91138 § 2(part), 1962: Ord. 89983 § 3(part), 1961: Ord. 89859 § 2 (part), 1960: Ord. 89229 § 4(part), 1960: Ord. 88921 § 2(part), 1960: Ord. 87225 § 15(part), 1958: Ord. 86300 § 15.21, 1957.)

24.44.040 Principal uses permitted in enclosed building.

The following uses are permitted provided however that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty feet of any lot in an R Zone:

A. Meeting hall, auditorium, theater, bowling lanes, skating rinks, parking garage and automobile rental garage, bakery, printing and publishing establishment, and photographic processing laboratory;

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B. Automobile and pleasure boat display or sales establishment, garage for minor repairs including accessory towing limited to two tow trucks, laundry, dry-cleaning or dyeing establishment, upholstering establishment, retail pet shop or small animal clinic for outpatient treatment only except that domestic cats may be kept overnight, and retail building supply store provided that any retail lumber or building material storage in connection therewith shall be enclosed by a roofed building on any side which abuts upon or faces across a street, alley or place any lot in an R Zone;

C. Animal hospital or clinic subject to the following conditions:

1. When adequate precautions are taken to suppress noise emanating from the premises,

2. When adequate precautions are taken to prevent obnoxious odors from escaping the premises,

3. When no large animals other than dogs are treated or kept on the premises.

(Ord. 108137 § 4, 1979: Ord. 104423 § 1(part), 1975: Ord. 102817 § 4(part), 1973: Ord. 101362 § 1(part), 1972: Ord. 101266 § 2(part), 1972: Ord. 100890 § 6(part), 1972: Ord. 100612 § 1(part), 1972: Ord. 100276 § 2(part), 1971: Ord. 99872 § 5(part), 1971: Ord. 99368 § 5(part), 1970: Ord. 98426 § 6(part), 1969: Ord. 98216 § 1(part), 1969: Ord. 98067 § 1(part), 1969: Ord. 96395 § 13(part), 1968: Ord. 92886 § 2(part), 1964: Ord. 91138 § 2(part), 1962: Ord. 89983 § 3(part), 1961: Ord. 89859 § 2(part), 1960: Ord. 89229 § 4(part), 1960: Ord. 88921 § 2(part), 1960: Ord. 87225 § 15(part), 1958: Ord. 86300 § 15.22, 1957.)

24.44.050 Principal uses permitted five hundred feet from certain school or play areas.

The following uses are permitted provided, however, that such uses shall be located five hundred feet or more from the grounds of any school for academic instruction other than a university or college campus, or from any publicly designated play area for children measured along the most direct route over or across established public walks, streets or other public passageways from the outer property line of the school or play area to the nearest public entrance of the use, and provided further that such uses shall be in a completely enclosed building or completely enclosed portion of building when the lot devoted to such use is within fifty feet of any lot in an R Zone: pool halls, public dance halls, taverns, package liquor stores, restaurants or cafes with live entertainment or dancing or serving of alcoholic beverages, and other similar enterprises.

(Ord. 104423 § 1(part), 1975: Ord. 102817 § 4(part), 1973: Ord. 101362 § 1(part), 1972: Ord. 101266 § 2(part), 1972: Ord. 100890 § 6(part), 1972: Ord. 100612 § 1(part), 1972: Ord. 100276 § 2(part), 1971: Ord. 99872 § 5(part), 1971: Ord. 99368 § 5(part), 1970: Ord. 98426 § 6(part), 1969: Ord. 98216 § 1(part), 1969: Ord. 98067 § 1(part), 1969: Ord. 96395 § 13(part), 1968: Ord. 92886 § 2(part), 1964: Ord. 91138 § 2(part), 1962: Ord. 89983 § 3(part), 1961: Ord. 89859 § 2(part), 1960: Ord. 89229 § 4(part), 1960: Ord. 88921 § 2(part), 1960: Ord. 87225 § 15(part), 1958: Ord. 86300 § 15.23, 1957.)

24.44.060 Principal uses permitted outdoors.

The following outdoor uses are permitted subject to the requirements of Section 22.44.010F:

A. Advertising signs, structures;

B. Commercial parking lots for private passenger vehicles only, open structures for parking of private passenger vehicles only, located fifty feet or more from any lot in an R Zone, except in the "downtown area" as shown on Plate IV, following Chapter 24.64 of this Code;

C. Plant nurseries including retail sales of products, commercial moorages and boat rental establishments limited to minor repair of boats;

D. Commercial golf driving ranges, commercial miniature golf courses, commercial trampoline centers, commercial swimming pools, commercial tennis courts, commercial bowling greens, located fifty feet or more from any lot in an R Zone.

(Ord. 105876 § 5, 1976: Ord. 104735 § 2, 1975: Ord. 104423 § 1(part), 1975: Ord. 102817 § 4(part), 1973: Ord. 101362 § 1(part), 1972: Ord. 101266 § 2(part), 1972: Ord. 100890 § 6(part), 1972: Ord. 100612 § 1(part), 1972: Ord. 100276 § 2(part), 1971: Ord. 99872 § 5(part), 1971: Ord. 99368 § 5(part), 1970: Ord. 98426 § 6(part), 1969: Ord. 98216 § 1(part), 1969: Ord. 98067 § 1(part), 1969: Ord. 96395 § 13(part), 1968: Ord. 92886 § 2(part), 1964: Ord. 91138 § 2(part), 1962: Ord. 89983 § 3(part), 1961: Ord. 89859 § 2(part), 1960: Ord. 89229 § 4(part), 1960: Ord. 88921 § 2(part), 1960: Ord. 87225 § 15(part), 1958: Ord. 86300 § 15.24, 1957.)

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24.44.070 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74, except as provided in Section 24.40.020C.

(Ord. 108137 § 5(part), 1979: Ord. 106848 § 3(part), 1977: Ord. 99872 § 6(part), 1971: Ord. 98426 § 7(part), 1969: Ord. 98216 § 2(part), 1969: Ord. 96031 § 5(part), 1967: Ord. 92886 § 3(part), 1964: Ord. 91700 § 12(part), 1962: Ord. 91345 § 1(part), 1962: Ord. 89796 § 3 (part), 1960: Ord. 89229 § 5(part), 1960: Ord. 86300 § 15.31, 1957.)

24.44.080 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Board may authorize in less intensive zones are permitted unless modified in this chapter;

B. Automobile sales area subject to the requirements of Section 24.44.010F;

C. Repair garage for automobile repair, major, including accessory towing service limited to three tow trucks;

D. Uses permitted, provided, however that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty feet of any lot in an R Zone: pleasure craft servicing and repair, sail making and allied canvas goods, limited to sale of products on the premises, manufacture of pleasure craft up to forty feet overall length, all when located on a lot having frontage on navigable water; sheet metal shops; carpenter shops; plumbing or heating shops;

E. Helistops, subject to the provisions of Section 24.54.060 for heliports and provided further:

1. That no landing area shall be developed or continue to be used within a horizontal distance of two hundred feet from the nearest wall of any other building constructed to a height which exceeds that of the landing area,

2. That the authorization for such conditional use shall be subject to annual review by the Board and, for cause, may be withdrawn by the Board following any such annual review;

F. Hospitals and sanitariums predominantly for psychiatric care, epileptics, spastics, care of the mentally retarded, drug or liquor addicts, provided that all principal buildings shall be located twenty-five feet or more from any other lot in an R Zone;

G. Residential tower structures and dormitory tower complexes when located and regulated as provided in Section 24.44.030E, in which all or any part of the street level floor space is occupied by permitted uses other than those specified in Section 24.46.030;

H. Drive-in restaurants, subject to the following conditions:

1. Site shall be located in an auto-oriented portion or on the fringe of a business zone,

2. Vehicular access to the premises shall not conflict with high-volume pedestrian walkways nor interrupt established retail or service frontages designed to serve pedestrians,

3. Adequate refuse receptacles shall be provided on site,

4. Design of the use, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other uses and structures in the vicinity;

I. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. As a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a distinct and definite pattern or style has been established.

(Ord. 108137 § 5(part), 1979: Ord. 106848 § 3(part), 1977: Ord. 99872 § 6(part), 1971: Ord. 98426 § 7(part), 1969: Ord. 98216 § 2(part), 1969: Ord. 96031 § 5(part), 1967: Ord. 92886 § 3(part), 1964: Ord. 91700 § 12(part), 1962: Ord. 91345 § 1(part), 1962: Ord. 89796 § 3(part), 1960: Ord. 89229 § 5 (part), 1960: Ord. 86300 § 15.32, 1957.)

24.44.090 Accessory uses permitted outright.

The following uses are permitted:

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A. Accessory uses customarily incidental to a principal use permitted outright in this chapter, except of a type prohibited in Section 24.44.160;

B. Amateur radio transmitting tower;

C. Sale of alcoholic beverages for consumption on the premises.

(Ord. 88921 § 3, 1960: Ord. 86300 § 15.41, 1957.)

24.44.100 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 86300 § 15.51, 1957.)

24.44.110 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board after public hearing and in accordance with the provisions of Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.44.080 unless modified in this chapter;

B. Any principal use permitted outright in Chapter 24.46, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter.

(Ord. 86300 § 15.52, 1957.)

24.44.120 Building height.

No building other than a residential tower structure shall exceed a height of sixty feet, except as modified in Sections 24.62.030 and 24-.62.040.

(Ord. 98216 § 3(part), 1969: Ord. 86300 § 15.61, 1957.)

24.44.130 Lot area.

A. No minimum lot area requirements for nonresidential buildings;

B. Lot area requirements for residential buildings or residential parts shall be as provided in Section 24.30.120, except residential tower structures which shall be as provided in Section 24.44.030E.

(Ord. 98216 § 3(part), 1969: Ord. 86300 § 15.62, 1957.)

24.44.140 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: None required for nonresidential buildings or base structures for residential tower structures. Ten feet for residential buildings or residential parts;

B. Side yards: None required for nonresidential buildings or base structures for residential tower structures. Side yards for residential buildings or residential parts shall be as provided in Section 24.32.120;

C. Rear yards: None required for nonresidential buildings or base structures for residential tower structures. Rear yards for residential buildings or residential parts shall be as provided in Section 24.32.120.

(Ord. 98216 § 3(part), 1969: Ord. 86300 § 15.63, 1957.)

24.44.150 Lot coverage.

No lot coverage limitations for nonresidential buildings or base structures for residential tower structures. Residential buildings or residential parts shall not occupy more than forty percent of a lot, except as modified in Sections 24.62.170 and 24.62.180, and except residential tower structures which shall not occupy more than fifty percent of a lot and to which the provisions of Sections 24.62.170 and 24-.62.180 shall not apply.

(Ord. 98216 § 3(part), 1969: Ord. 86300 § 15.64, 1957.)

24.44.160 Prohibited uses.

A. Any use other than a permitted BC use which is permitted only in a more intensive zone;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 86300 § 15.7, 1957.)

Chapter 24.46

BM METROPOLITAN BUSINESS ZONE

Sections:

24.46.010 Required conditions.
24.46.020 Principal uses permitted outright—Generally.

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24.46.030 Principal uses permitted outright—Designated.
24.46.040 Principal uses permitted in other than street level floor space or with view-obscuring wall.
24.46.050 Principal uses permitted in other than street level floor space.
24.46.060 Principal conditional uses permitted by Council.
24.46.070 Principal conditional uses permitted by Hearing Examiner or Board.
24.46.080 Accessory uses permitted outright.
24.46.090 Accessory conditional uses permitted by Council.
24.46.100 Accessory conditional uses permitted by Hearing Examiner or Board.
24.46.110 Floor area ratio.
24.46.120 Lot area.
24.46.130 Required yards.
24.46.140 Prohibited uses.

24.46.010 Required conditions.

All uses permitted in this chapter shall be subject to the following conditions:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building except for restaurants, cafes, establishments selling alcoholic beverages for consumption on the premises, glazed display cases, advertising signs, off-street parking, off-street loading areas, and outdoor ice skating rinks; provided, that no advertising sign shall be located upon and supported by a roof or parapet of a building or structure; and provided further that off-street parking spaces in the "downtown area" shall be subject to Section 24.64.130.

B. Processes and equipment employed and goods sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, radiation hazards, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.

C. Other required conditions specified in this chapter.

(Ord. 105876 § 6, 1976: Ord. 104971 § 3, 1975: Ord. 104660 § 3, 1975: Ord. 94036 § 10, 1965: Ord. 86300 § 16.1, 1957.)

24.46.020 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.46.030 through 24-.46.050.

(Ord. 105565 § 3(part), 1976: Ord. 86300 § 16.20, 1956.)

24.46.030 Principal uses permitted outright—Designated.

The following uses are permitted:

A. Window displays;

B. Retail store;

C. Personal service establishment, such as beauty shop, barbershop and shoe repair shop;

D. Restaurant, cafe, or establishment selling alcoholic beverages for consumption on the premises with or without live entertainment or dancing; taverns, package liquor stores;

E. Bank or other financial institution;

F. Hotel, motel;

G. Transportation ticket office, travel agency office;

H. Private or public art gallery, museum and library;

I. Locksmith;

J. Catering establishment selling at retail;

K. Glazed display case;

L. Day care center subject to standards established by state law for such uses;

M. Public playground and public park, including customary buildings and activities;

N. Theater and adult motion picture theater;

O. Advertising sign when subject to applicable provisions of this subtitle and other ordinances;

P. Automobile rental office.

(Ord. 108358 § 1, 1979: Ord. 105565 § 3 (part), 1976: Ord. 94036 § 11(part), 1965: Ord. 86300 § 16.21, 1957.)

24.46.040 Principal uses permitted in other than street level floor space or with view-obscuring wall.

The following uses are permitted when occupying other than street level floor space, or, permitted when occupying street level floor space provided that such use shall be separated from the street by a space occupied or intended to be occupied by uses permitted in Section 24-.46.030, and is also separated by a view-obscuring wall located across the rear of such permitted uses as specified in Section 24.46.030:

A. Business or professional office;

B. Catering establishment;

C. Taxidermy shop;

D. Wholesale store, including wholesale

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storage of the following merchandise: jewelry, optical and photographic goods, pharmaceuticals, and cosmetics, and other similar high-value, low-bulk articles;

E. Telephone exchange, static transformer and booster station, and other public utility service use;

F. Meeting hall, auditorium, theater, bowling lane, skating rink, pool hall, dance hall;

G. Radio and television studio;

H. Appliance repair.

(Ord. 105565 § 3(part), 1976: Ord. 94036 § 11(part), 1965: Ord. 86300 § 16.22, 1957.)

24.46.050 Principal uses permitted in other than street level floor space.

The following uses are permitted when occupying other than street level floor space:

A. Uses permitted in Sections 24.46.030 and 24.46.040 without specified limitations;

B. Trade or business school;

C. Custom manufacture for sale at retail on the premises of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding stampings of metal heavier than fourteen gauge), shell, textiles, tobacco, wax, wire, wood and yarns;

D. Experimental or testing laboratory which does not employ machinery or equipment prohibited by Section 24.46.140B;

E. Private or fraternal club, lodge, social or recreational building with dining and other social facilities;

F. Art, dance, and/or music school or studio;

G. Printing and publishing establishment;

H. Manufacture of musical instruments, except pianos and organs; toys, novelties, rubber or metal stamps, or other small molded rubber products; pottery and figurines or other similar ceramic products from previously pulverized clay, kilns to be fired by electricity or gas;

I. Manufacture or assembly of electrical appliances, electronic instruments and devices, and radios and phonographs;

J. Artist's studio/dwelling.

(Ord. 107109 § 5, 1978: Ord. 105565 § 3 (part), 1976: Ord. 94036 § 11(part), 1965: Ord. 86300 § 16.23, 1957.)

24.46.060 Principal conditional uses permitted by Council.

The following principal conditional uses are permitted when authorized by the Council in accordance with Chapter 24.74:

Microwave or line-of-sight transmission station.

(Ord. 106848 § 4(part), 1977: Ord. 105876 § 7(part), 1976: Ord. 102817 § 5(part), 1973: Ord. 94036 § 12(part), 1965: Ord. 92886 § 4(part), 1964: Ord. 91700 § 13(part), 1962: Ord. 86300 § 16.31, 1957.)

24.46.070 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Outdoor ice-skating rink;

B. Apartment hotel, apartment house, or home for the retired on other than street level floor space, following review and report by both the Commission and the Engineering Department concerning impact on adjacent streets and the Central Business District Comprehensive Plan;

C. Helistop, subject to the provisions of Sections 24.44.080E and 24.54.060;

D. Automobile service station under the conditions provided in Section 24.40.040B;

E. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. At a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a distinct and definite pattern or style has been established.

(Ord. 106848 § 4(part), 1977: Ord. 105876 § 7(part), 1976: Ord. 102817 § 5(part), 1973: Ord. 94036 § 12(part), 1965: Ord. 92886 § 4(part), 1964: Ord. 91700 § 13(part), 1962: Ord. 86300 § 16.32, 1957.)

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24.46.080 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter;

B. Window displays;

C. Production or processing of goods sold at retail where produced provided that when such use is located in the street level floor space, no more than two persons shall be employed therein in such production or process;

D. Storage of products manufactured on premises, provided that such storage shall not be located in the street level floor space;

E. Accessory off-street parking spaces within a principal building when limited to a gross floor area of ten percent of the building gross floor area, provided that such use shall not be located in street level floor space;

F. Accessory off-street loading space.

(Ord. 99368 § 6, 1970: Ord. 94036 § 13, 1965: Ord. 86300 § 16.41, 1957.)

24.46.090 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Sections 24.46.060 and 24.46.070 are permitted when authorized by the Council in accordance with Chapter 24.74.

(Ord. 99368 § 7(part), 1970: Ord. 94036 § 14(part), 1965: Ord. 86300 § 16.51, 1957.)

24.46.100 Accessory conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.46.070 except as modified in this chapter;

B. Any principal use permitted in Sections 24.54.040 and 24.54.050 but only when necessary as an accessory use to a principal use permitted in this chapter, and only when located in other street level floor space; or permitted when occupying street level floor space providing that such use shall be separated from the street by a space occupied or intended to be occupied by uses permitted in Section 24.46.030, and also separated by a view-obscuring wall located across the rear of such permitted uses as specified in Section 24.46.030;

C. Accessory off-street parking spaces within a principal building when such use is over ten percent of the building gross floor area, and when located in other than street level floor space and following review and report and recommendation by both the Commission and Engineering Department concerning impact on adjacent streets and the Central Business District Comprehensive Plan.

(Ord. 99368 § 7(part), 1970: Ord. 94036 § 14(part), 1965: Ord. 86300 § 16.52, 1957.)

24.46.110 Floor area ratio.

A. The gross floor area of any structure, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment, shall not exceed ten times the lot area, except as modified in Section 24.46.110B and in Sections 24.64.030 and 24.64.040. However, for the purpose of computing the gross floor area ratio, adjacent properties and properties located across an abutting alley under common ownership or linked for this purpose by appropriate legal agreements and deed restrictions may be considered together so that one structure may exceed the ten to one ratio, provided that the other properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. 1. For each square foot of plaza provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

2. For each square foot of shopping plaza provided on a lot, the gross floor area permitted in Section 24.48.100A may be increased fourteen square feet. However, shopping plazas containing permitted consumer shopping uses other than within the principal building shall be reviewed by the Director to ensure that open and uncovered portions are usable and that such uses are properly oriented to passing pedestrians.

3. For each square foot of arcade provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet.

4. For each square foot of shopping arcade provided on a lot, the gross floor area permitted in Section 24.48.100A may be increased by ten square feet.

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5. For each square foot of voluntary building setback area provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet. Where an arcade bonus is taken, a voluntary building setback area bonus cannot also be taken for the area above the arcade.

(Ord. 107075 § 5(part), 1978: Ord. 106862 § 5(part), 1977: Ord. 96153 § 1(part), 1967: Ord. 94036 § 15(part), 1965: Ord. 86300 § 16.61, 1957.)

24.46.120 Lot area.

No minimum lot area is required.

(Ord. 107075 § 5(part), 1978: Ord. 106862 § 5(part), 1977: Ord. 96153 § 1(part), 1967: Ord. 94036 § 15(part), 1965: Ord. 86300 § 16.62, 1957.)

24.46.130 Required yards.

No minimum yards are required.

(Ord. 107075 § 5(part), 1978: Ord. 106862 § 5(part), 1977: Ord. 96153 § 1(part), 1967: Ord. 94036 § 15(part), 1965: Ord. 86300 § 16.63, 1957.)

24.46.140 Prohibited uses.

A. Any use specified in Sections 24.44.030C or D, 24.44.040B, or 24.44.060C or D except retail pet shop and motel.

B. Any use, other than a permitted BM use, which is permitted in a more intensive zone.

(Ord. 94036 § 16, 1965: Ord. 86300 § 16.7, 1957.)

Chapter 24.48

CM METROPOLITAN COMMERCIAL ZONE

Sections:

24.48.010 Required conditions.
24.48.020 Principal uses permitted outright—Generally.
24.48.030 Principal uses permitted outright—Designated.
24.48.040 Residential uses permitted outright.
24.48.050 Principal conditional uses permitted by Council.
24.48.060 Principal conditional uses permitted by Hearing Examiner or Board.
24.48.070 Accessory uses permitted outright.
24.48.080 Accessory conditional uses.
24.48.090 Bulk regulations—Generally.
24.48.100 Floor area ratio.
24.48.110 Lot area.
24.48.120 Required yards.
24.48.130 Prohibited uses.

24.48.010 Required conditions.

All uses permitted in this chapter shall be subject to the following conditions:

A. Processes and equipment employed and goods stored, processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, radiation hazards, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.

B. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within a roofed structure except for restaurants, cafes, establishments selling alcoholic beverages for consumption on the premises, glazed display cases, advertising signs, off-street parking, off-street loading areas, service stations, automobile rental and sales, automobile laundry, helistop, and outdoor skating rink; provided that no advertising sign shall be located upon and supported by a roof or parapet of a building or structure; and provided further that off-street parking spaces established in the "downtown area" shall be subject to Section 24.64.130.

C. Other required conditions specified in this chapter and Section 24.66.140A.

(Ord. 105876 § 8, 1976: Ord. 104971 § 4, 1975: Ord. 104870 § 1, 1975: Ord. 104660 § 4, 1975: Ord. 94036 § 17, 1965: Ord. 86300 § 17.1, 1957.)

24.48.020 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.48.030 through 24.48-.040.

(Ord. 104213 § 1(part), 1975: Ord. 86300 § 17.20, 1957.)

24.48.030 Principal uses permitted outright—Designated.

The following uses are permitted:

A. Retail store, business and professional office, personal service establishment, bank or other financial institution, catering establishment, restaurant, cafe, or establishment selling

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alcoholic beverages for consumption on the premises, with or without live entertainment or dancing, window display space, glazed display case, transportation ticket office, travel agency office, and bakery, provided it sells its products at retail on the premises;

B. Hotel, apartment hotel and motel;

C. Pool hall, public dance hall, tavern, package liquor store, and other similar enterprises;

D. Frozen-food lockers, retail ice dispensary, not including ice manufacture, plant nursery including retail sales of products;

E. Taxidermy shop, locksmith, appliance repair shop; upholstery establishment, retail pet shop or small animal clinic for outpatient treatment only, retail building supply store, automobile laundry, printing and publishing establishment, and photographic processing laboratory;

F. Meeting hall, auditorium, theater, adult motion picture theater, bowling lanes, skating rink, including outdoor ice-skating rink;

G. Automobile and pleasure boat display or sales establishment, automobile repair, minor;

H. Automobile rental and sales, provided that any portion of the area not permanently maintained in a landscaped condition shall be graded, drained and surfaced as required in Section 24.64.150C;

I. Parking garage and automobile rental garage, commercial parking lot for private passenger vehicles only, open structures for parking of private passenger vehicles only, except in the "downtown area" as shown on Plate IV, following Chapter 24.64 of this Code;

J. Trade or business school, art, dance or music school or studio, and/or artist's studio/dwelling;

K. Laundry, dry-cleaning, dyeing or rug cleaning plants;

L. Warehouse or wholesale store; wholesale office, including wholesale storage of the following merchandise: jewelry, optical and photographic goods, pharmaceuticals, and cosmetics, and other similar high-value, low-bulk articles;

M. Experimental or testing laboratory which does not employ machinery or equipment not permitted in the CM Zone;

N. Fire station, public and private art gallery, library, museum, branch telephone exchange, microwave or line-of-sight transmission station, static transformer and booster station, and other public utility service uses when necessary due to operating requirements; but not including yards, or buildings for service or storage;

O. Church, private or fraternal club, lodge, social or recreational building;

P. Advertising sign, when subject to applicable provisions of this subtitle and other ordinances;

Q. Uses permitted in Section 24.54.040 provided that such uses shall not occupy any street level floor space;

R. Public or private park;

S. Existing railroad rights-of-way, including passagenger shelter stations but not including switching, storage, freight yards or sidings;

T. Radio and television studio;

U. Jail;

V. Day care center subject to standards established by state law for such uses.

(Ord. 108358 § 2, 1979: Ord. 107537 § 5, 1978: Ord. 107109 § 6, 1978: Ord. 105931 § 1, 1976: Ord. 105876 § 9, 1976: Ord. 105565 § 4, 1976: Ord. 104423 § 2, 1975: Ord. 104213 § 1(part), 1975: Ord. 103105 § 1, 1974: Ord. 102817 § 6, 1973: Ord. 99503 § 3, 1970: Ord. 94036 § 18, 1965: Ord. 91138 § 3, 1962: Ord. 86300 § 17.21, 1957.)

24.48.040 Residential uses permitted outright.

Apartment houses are permitted subject to the following conditions:

A. At least four months prior to the issuance of a building permit, the applicant shall attend a conference with representatives of the Building and Community Development Departments to consider Building Code[1] and Zoning Ordinance requirements and the impact of the proposed apartment house upon the zone and vicinity, particularly:

1. The extent to which it furthers the goals and objectives of the comprehensive plan of Seattle for the Central Business District (CBD);

2. Its relationship to various existing and future means of transportation feeding to and from the CBD;

3. Whether pedestrian movement to and from the proposed building and along adjacent streets can be improved;

4. Whether adequate provision has been made for public amenities such as ground level open space, and for private amenities to residents;

5. Whether adequate provision has been made for services to the public and to residents;

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6. How the proposed apartment house will relate to other prospective or imminent public and private improvements in the zone and vicinity;

7. Whether adequate provision has been made for light and air and whether the protection and enhancement of views have been considered;

8. Arcades or setbacks from the street property line, which may be required along certain amenity streets when designated in the comprehensive plan or by Council resolution.

B. Final plans shall be submitted to the Director by the Superintendent for final design review and advisory report to the applicant at least ten days before a building permit is issued.

C. An advisory report on the proposed building shall be made to the Commission by the Director after but no more than ten days following issuance of the building permit.

(Ord. 104213 § 1(part), 1975: Ord. 86300 § 17.22, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

24.48.050 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter 24.72:

A. Work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility;

2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 107537 § 6(part), 1978: Ord. 86300 § 17.31, 1957.)

24.48.060 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Homes for the retired;

B. Helistop, subject to provisions of Sections 24.44.080E and 24.54.060;

C. Steam manufacture;

D. Drive-in bank, drive-in dry-cleaning establishment;

E. Automobile service station under the conditions provided in Section 24.40.040B;

F. Parking garage and automobile rental garage, commercial parking lot for private passenger vehicles only, open structures for parking of private passenger vehicles only, except in Area "A" of the "downtown area" as shown on Plate IV, following Chapter 24.64 of this Code;

G. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. At a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a district and definite pattern or style has been established;

H. Drive-in restaurants, subject to the following conditions:

1. The site shall be located in an auto-oriented portion or on the fringe of a business zone,

2. Vehicular access to the premises shall not conflict with high-volume pedestrian walkways nor interrupt established retail or service frontages designed to serve pedestrians,

3. Adequate refuse receptacles shall be provided on site,

4. Design of the use, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other uses and structures in the vicinity.

(Ord. 107537 § 6(part), 1978: Ord. 107069 § 1, 1977: Ord. 106848 § 5, 1977: Ord. 105876 § 10, 1976: Ord. 103105 § 2, 1974: Ord. 102817 § 7, 1973: Ord. 99503 § 4, 1970: Ord. 98426 § 8, 1969: Ord. 94036 § 19, 1965: Ord. 91700 § 14, 1962: Ord. 86300 § 17.32, 1957.)

24.48.070 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a

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principal use permitted outright except of a type prohibited in Section 24.48.130;

B. Accessory off-street loading space.

(Ord. 99368 § 8, 1970: Ord. 94036 § 20, 1965: Ord. 86300 § 17.41, 1957.)

24.48.080 Accessory conditional uses.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.48.060 except as modified in this chapter;

B. Any principal use permitted outright in Sections 24.52.050A, 24.54.040 and 24.54.050 but only when necessary as an accessory use to a principal use permitted in this chapter.

(Ord. 99368 § 9, 1970: Ord. 94036 § 21, 1965: Ord. 86300 § 17.52, 1957.)

24.48.090 Bulk regulations—Generally.

Bulk regulations shall be as set forth in Sections 24.48.100 through 24.48.120.

(Ord. 104213 § 2(part), 1975: Ord. 86300 § 17.60, 1957.)

24.48.100 Floor area ratio.

A. Except as provided in subsection C, the gross floor area of any structure, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment shall not exceed ten times the lot area except as modified in subsection B and in Sections 24.62.030 and 24.62.040. However, for the purpose of computing the gross floor area ratio, adjacent properties and properties located across an abutting alley, under common ownership or linked for this purpose by appropriate legal agreements and deed restrictions, may be considered together so that one structure may exceed the ten to one ratio, provided that the other properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. 1. For each square foot of plaza provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

2. For each square foot of shopping plaza provided on a lot, the gross floor area permitted in subsection A may be increased by fourteen square feet. However, shopping plaza containing permitted consumer shopping uses other than within the principal building shall be reviewed by the Director to ensure that open and uncovered portions are usable and that such uses are properly oriented to passing pedestrians.

3. For each square foot of arcade provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet.

4. For each square foot of shopping arcade provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

5. For each square foot of voluntary building setback area provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet. Where an arcade bonus is taken, a voluntary building setback area bonus cannot also be taken for the area above the arcade.

C. The gross floor area of any residential structure or of any structure containing both residential and nonresidential uses, excluding the floor area used for accessory parking or stories used exclusively for heating, ventilating, air-conditioning or other mechanical equipment, shall not exceed ten times the lot area, provided the ratio may be increased to a maximum of thirteen times the lot area as follows:

1. For each square foot of landscaped plaza provided on a lot, the gross floor area may be increased by ten square feet.

2. For each square foot of arcade provided on a lot, the gross floor area may be increased by six square feet.

3. For each square foot of landscaped voluntary building setback area provided on a lot, the gross floor area may be increased by six square feet. Where an arcade bonus is taken, a landscaped voluntary building setback area bonus cannot be taken for the area above the arcade.

4. For each square foot of roof or deck garden provided on a lot, the gross floor area may be increased by six square feet.

In no case shall the gross floor area of nonresidential uses in a structure containing both residential and nonresidential uses exceed ten times the lot area.

(Ord. 107194 § 1, 1978: Ord. 107075 § 6, 1978: Ord. 106862 § 6, 1977: Ord. 104213 § 2 (part), 1975: Ord. 103105 § 3(part), 1974: Ord. 96153 § 2(part), 1967: Ord. 94036 § 22(part), 1965: Ord. 86300 § 17.61, 1957.)

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24.48.110 Lot area.

No minimum lot area is required.

(Ord. 104213 § 2(part), 1975: Ord. 103105 § 3 (part), 1974: Ord. 96153 § 2(part), 1967: Ord. 94036 § 22(part), 1965: Ord. 86300 § 17.62, 1957.)

24.48.120 Required yards.

No minimum yards are required.

(Ord. 104213 § 2(part), 1975: Ord. 103105 § 3 (part), 1974: Ord. 96153 § 2(part), 1967: Ord. 94036 § 22(part), 1965: Ord. 86300 § 17.63, 1957.)

24.48.130 Prohibited uses.

A. Any use, other than a permitted CM use, which is permitted only in a more intensive zone;

B. Riding academies;

C. Private stables;

D. Maintenance of domestic fowl.

(Ord. 94036 § 23, 1965: Ord. 86300 § 17.7, 1957.)

Chapter 24.50

CMT METROPOLITAN COMMERCIAL ZONE TEMPORARY

Sections:

24.50.010 Required conditions.
24.50.020 Principal uses permitted outright—Generally.
24.50.030 Principal uses permitted outright—Designated.
24.50.040 Principal uses permitted one hundred feet from R Zone.
24.50.050 Principal uses permitted in enclosed building.
24.50.060 Principal uses permitted subject to Section 24.50.040.
24.50.070 Principal conditional uses.
24.50.080 Accessory uses permitted outright.
24.50.090 Accessory conditional uses.
24.50.100 Floor area ratio.
24.50.110 Lot area.
24.50.120 Required yards.
24.50.130 Prohibited uses.

24.50.010 Required conditions.

All uses permitted in this chapter shall be subject to the following conditions:

A. Advertising signs shall not be located upon and supported by a roof or parapet of a building or structure, and shall be located fifty feet or more from any lot in an R Zone and one hundred feet or more from any public schoolgrounds or public park. Except for advertising signs, any outdoor principal or accessory use which abuts upon, or faces across a street, alley or place, any lot in an R Zone, shall provide screening of six feet in height. Such screening shall be maintained in good condition.

B. Processes and equipment employed and goods stored, processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter or water-carried waste.

C. Other required conditions specified in this chapter.

D. Off-street parking spaces in the "downtown area" shall be subject to Section 24.64.130.

(Ord. 105876 § 11, 1976: Ord. 104971 § 5, 1975: Ord. 104660 § 5, 1975: Ord. 94036 § 27, 1965: Ord. 86300 § 17A.1, 1957.)

24.50.020 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.50.030 through 24.50.060.

(Ord. 104213 § 3(part), 1975: Ord. 86300 § 17A.20, 1957.)

24.50.030 Principal uses permitted outright—Designated.

The following uses are permitted:

A. BC, BM and CM principal uses permitted outright as specified and regulated in Chapters 24.44, 24.46 and 24.48 unless modified in this chapter;

B. Warehouse or wholesale store;

C. Trade or business school, experimental or testing laboratory, which does not employ machinery permitted only in a more intensive zone;

D. Automobile rental and sales area, provided that any portion of the area not permanently maintained in a landscaped condition shall be graded, drained and surfaced as required in Section 24.64.150C;

E. Uses set forth in Section 24.16.030, except as modified in this chapter.

(Ord. 104213 § 3(part), 1975: Ord. 103105

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§ 4(part), 1974: Ord. 100542 § 1(part), 1971: Ord. 94036 § 28(part), 1965: Ord. 86300 § 17A.21, 1957.)

24.50.040 Principal uses permitted one hundred feet from R Zone.

The following uses are permitted when all principal buildings are located one hundred feet or more from any lot in an R Zone:

Automobile laundry.

(Ord. 104213 § 3(part), 1975: Ord. 103105 § 4(part), 1974: Ord. 100542 § 1(part), 1971: Ord. 94036 § 28(part), 1965: Ord. 86300 § 17A.22, 1957.)

24.50.050 Principal uses permitted in enclosed building.

The following uses are permitted provided however that they shall be in a completely enclosed building or completely enclosed portion of a building when within fifty feet of any lot in an R Zone:

A. Automobile repair, major but not including auto wrecking yards;

B. Freight terminal for motor trucks;

C. Truck and truck trailer and house trailer display, rental and sales establishment;

D. Any of the manufacturing uses named in Section 24.54.040 A, B, C, D and E; provided that such use shall not occupy any street level floor space;

E. Manufacture and repair of electric or neon signs, advertising signs;

F. Cabinet shop, not including millwork, plumbing or heating shop, sheet metal shop;

G. Laundry, dry-cleaning, dyeing or rug cleaning plants;

H. Wholesale bakery;

I. Sorting and baling or new and used salvage materials, not including a junkyard;

J. Commercial vehicle storage.

(Ord. 104213 § 3(part), 1975: Ord. 103105 § 4(part), 1974: Ord. 100542 § 1(part), 1971: Ord. 94036 § 28(part), 1965: Ord. 86300 § 17A.23, 1957.)

24.50.060 Principal uses permitted subject to Section 24.50.040.

The following uses are permitted subject to the provisions of Section 24.50.040:

Apartment houses.

(Ord. 104213 § 3(part), 1975: Ord. 103105 § 4 (part), 1974: Ord. 100542 § 1(part), 1971: Ord. 86300 § 17A.24, 1957.)

24.50.070 Principal conditional uses.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in a less intensive zone unless modified in this chapter.

(Ord. 94036 § 29, 1965: Ord. 86300 § 17A.32, 1957.)

24.50.080 Accessory uses permitted outright.

Accessory uses customarily incidental to a principal use permitted outright except of a type prohibited in Section 24.50.130.

(Ord. 94036 § 30, 1965: Ord. 86300 § 17A.41, 1957.)

24.50.090 Accessory conditional uses.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.50.070 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.54, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter.

(Ord. 94036 § 31, 1965: Ord. 86300 § 17A.52, 1957.)

24.50.100 Floor area ratio.

A. The gross floor area of any nonresidential structure, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment shall not exceed ten times the lot area except as modified in Sections 24.62.030 and 24.62.040. However, for the purpose of computing the gross floor area ratio, adjacent properties under common ownership or linked for this purpose by appropriate legal agreements and deed restrictions, may be considered together so that one structure may exceed the ten to one ratio provided the other property or properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. The gross floor area of any residential structure or of any structure containing both residential and nonresidential uses, excluding the floor area used for accessory parking or stories used exclusively for heating, ventilating,

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air-conditioning or other mechanical equipment, shall be subject to provisions of Section 24.48.100C.
(Ord. 103105 § 5(part), 1974: Ord. 100542 § 2(part), 1971: Ord. 97394 § 2(part), 1969: Ord. 94036 § 32(part), 1965: Ord. 86300 § 17A.61, 1957.)

24.50.110 Lot area.
No minimum lot area is required.
(Ord. 103105 § 5(part), 1974: Ord. 100542 § 2(part), 1971: Ord. 97394 § 2(part), 1969: Ord. 94036 § 32(part), 1965: Ord. 86300 § 17A.62, 1957.)

24.50.120 Required yards.
No minimum yards are required.
(Ord. 103105 § 5(part), 1974: Ord. 100542 § 2(part), 1971: Ord. 97394 § 2(part), 1969: Ord. 94036 § 32(part), 1965: Ord. 86300 § 17A.63, 1957.)

24.50.130 Prohibited uses.
A. Any use other than a permitted CM use which is permitted only in a more intensive zone;
B. Riding academies;
C. Private stables;
D. Maintenance of domestic fowl;
E. Jails and work-release centers.
(Ord. 107537 § 7, 1978: Ord. 94036 § 33, 1965: Ord. 86300 § 17A.7, 1957.)

Chapter 24.52

CG GENERAL COMMERCIAL ZONE

Sections:

24.52.010 Required conditions.
24.52.020 Principal uses permitted outright—Generally.
24.52.030 Principal uses permitted outright—Designated.
24.52.040 Princpal uses permitted in enclosed building.
24.52.050 Principal uses permitted fifty feet from R Zone.
24.52.060 Principal uses permitted one hundred feet from R Zone.
24.52.070 Principal uses permitted one hundred feet from R Zone with dust control.
24.52.080 Principal uses permitted two hundred feet from R Zone.
24.52.090 Principal uses permitted three hundred feet from R Zone.
24.52.100 Principal conditional uses permitted by Council.
24.52.110 Principal conditional uses permitted by Hearing Examiner or Board.
24.52.120 Accessory uses permitted outright.
24.52.130 Accessory conditional uses.
24.52.140 Building height.
24.52.150 Lot area.
24.52.160 Required yards.
24.52.170 Lot coverage.
24.52.180 Prohibited uses.

24.52.010 Required conditions.
All uses permitted in this chapter shall be subject to the following conditions:
A. Machines employed in permitted fabrication or manufacturing establishments and automobile repair garages shall be limited to a total of one hundred horsepower.
B. Advertising signs shall not be located upon and supported by a roof or parapet of a building or structure, and shall be located fifty feet or more from any lot in an R Zone and one hundred feet or more from any public schoolgrounds or park. Except for advertising signs and transient amusement enterprises, any outdoor principal or accessory use which abuts upon, or faces across a street, alley or place, any lot in an R Zone, shall provide screening six feet in height. Such screening shall be maintained in good condition.
C. Processes and equipment employed and goods stored, processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste.
D. Other required conditions specified in this chapter and Section 24.66.140A.
E. Off-street parking spaces in the "downtown area" shall be subject to Section 24.64.130.
(Ord. 105876 § 12, 1976: Ord. 104971 § 6, 1975: Ord. 104660 § 6, 1975: Ord. 86300 § 18.1, 1957.)

24.52.020 Principal uses permitted outright—Generally.
Principal uses permitted outright shall be as set forth in Sections 24.52.030 through 24.52.090.

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(Ord. 107109 § 7(part), 1978: Ord. 86300 § 18.20, 1957.)

24.52.030 Principal uses permitted outright—Designated.

Uses permitted outright are:

A. CMT principal uses permitted outright as specified and regulated in Chapter 24.50, unless modified in this chapter;

B. Uncovered and covered moorage for commercial boats;

C. Uses set forth in Section 24.16.030, except as modified in this chapter;

D. Artist's studio/dwelling.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1(part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2 (part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.21, 1957.)

24.52.040 Principal uses permitted in enclosed building.

Uses permitted provided, however, that they shall be in a completely enclosed building, or completely enclosed portion of building when within fifty feet of any lot in an R Zone are:

A. Any of the commercial and manufacturing uses named in Section 24.54.040.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1(part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2 (part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.22, 1957.)

24.52.050 Principal uses permitted fifty feet from R Zone.

Uses permitted when fifty feet or more from any lot in an R Zone and with required screening except between two similar uses are:

A. Storage or sales yard for building material, contractor's equipment, delivery vehicles, retail lumber, feed and/or fuel, provided that dust is effectively controlled;

B. Utility service yards;

C. Storage of used machinery in operable condition;

D. Storage of stone and concrete products for cemetery purposes;

E. Recycling center, subject to the following provisions:

1. Processing of materials shall be limited to the hours between seven a.m. and six p.m.,

2. A six-foot high view-obscuring fence or wall shall be erected and maintained on all sides which abut upon or face across a street or alley any lot in any zone other than an M or I Zone. Such fence or wall shall be set back five feet or more from any lot in an R Zone and the required setback area shall be landscaped with trees or hardy shrubs maintained in good condition;

F. Towing business.

(Ord. 108137 § 6, 1979: Ord. 107109 § 7(part), 1978: Ord. 103106 § 1(part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2(part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.23, 1957.)

24.52.060 Principal uses permitted one hundred feet from R Zone.

Uses permitted when one hundred feet or more from any lot in an R Zone are:

A. Any of the M uses named in Section 24.54.050;

B. Animal hospital;

C. Commercial kennel, including pens and exercise runways;

D. Building of boats up to forty-eight feet overall length at the waterline, including sales, service and repair;

E. Bulk station, provided that all storage tanks are under ground;

F. Creamery or bottling plant;

G. Acetylene manufacture under fifteen pounds per square inch pressure.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1(part), 1974: Ord.100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2 (part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.24, 1957.)

24.52.070 Principal uses permitted one hundred feet from R Zone with dust control.

Uses permitted when one hundred feet or more from any lot in an R Zone and with adequate dust control are:

A. Bag cleaning and/or conditioning;

B. Felt manufacturing;

C. Sand blasting or cutting.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1 (part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2(part),

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1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.25, 1957.)

24.52.080 Principal uses permitted two hundred feet from R Zone.

Uses permitted when two hundred feet or more from any lot in an R Zone are:

A. Freight terminal for motor trucks.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1 (part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2(part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.26, 1957.)

24.52.090 Principal uses permitted three hundred feet from R Zone.

Uses permitted when three hundred feet or more from any lot in an R Zone are: Baseball or football stadium or drive-in theater and other open-air amusement enterprises.

(Ord. 107109 § 7(part), 1978: Ord. 103106 § 1(part), 1974: Ord. 100890 § 7(part), 1972: Ord. 94036 § 24(part), 1965: Ord. 92492 § 2 (part), 1963: Ord. 89229 § 6(part), 1960: Ord. 88920 § 3(part), 1960: Ord. 87225 § 16(part), 1958: Ord. 86300 § 18.27, 1957.)

24.52.100 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter 24.72:

A. Dwelling units, except when located on lots within one thousand eight hundred feet of a CM or CMT Zone, and houseboats, not including the replacement of individual houseboat units, subject to the following additional conditions:

1. When nearby or associated uses and other conditions in the immediate environs are not of the type to create a nuisance or adversely affect the desirability of the area for living purposes,

2. When residential development will not usurp land which is needed for and better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development,

3. When structural bulk incident to residential use will not adversely affect surrounding development; provided that in no event may RM 800 Zone bulk regulations be exceeded;

B. Trailer park; provided that any portion thereof not permanently maintained in landscaped condition shall be graded, drained and surfaced as provided in Section 24.64.150C;

C. Work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility,

2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 107537 § 8(part), 1978: Ord. 106832 § 3(part), 1977: Ord. 103106 § 2(part), 1974: Ord. 102686 § 1(part), 1973: Ord. 98839 § 1 (part), 1970: Ord. 86300 § 18.31, 1957.)

24.52.110 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in a less intensive zone unless modified in this chapter;

B. Circus, rodeo, or similar amusement enterprise when two hundred feet or more from any lot in an R Zone, except that such enterprise as a temporary use of less than one week duration may be authorized by the Superintendent and as a temporary use of not more than six months duration as provided in Section 24.70.050B subject, however, to location as provided in this section;

C. Animal control shelter.

(Ord. 107537 § 8(part), 1978: Ord. 106832 § 3 (part), 1977: Ord. 103106 § 2(part), 1974: Ord. 102686 § 1(part), 1973: Ord. 98839 § 1(part), 1970: Ord. 92492 § 3(part), 1963: Ord. 91700 § 15, 1962: Ord. 86300 § 18.32, 1957.)

24.52.120 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter, except of a type prohibited in Section 24.52.180;

B. Concrete mixing subject to the following conditions:

1. Mixing drum shall be one-half cubic yard or less in capacity,

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2. Power source shall be electrical,

3. Mixing machinery and equipment shall be located one hundred feet or more from any lot in an R Zone;

C. Watchman or caretaker quarters.

(Ord. 103517 § 2, 1974: Ord. 94034 § 1, 1965: Ord. 86300 § 18.41, 1957.)

24.52.130 Accessory conditional uses.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Sections 24.52.100 and 24.52.110 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.54, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter.

(Ord. 86300 § 18.52, 1957.)

24.52.140 Building height.

No building shall exceed the height of sixty feet, except as modified in Sections 24.62.030 and 24.62.040 and except for structures located on lots within one thousand eight hundred feet of a CM or CMT Zone, the gross floor area of which, excluding floor area for accessory parking, shall not exceed four times the lot area; provided, that when such structures occupy less than one hundred percent of the lot, the floor area ratio may be increased proportionately as follows:

Percent of Lot Coverage	Maximum Floor Area Ratio
99 to 90%	4.0 to 4.2
90 to 80	4.2 to 4.4
80 to 70	4.4 to 4.7
70 to 60	4.7 to 5.0
60 to 50	5.0 to 5.5
50 to 40	5.5 to 6.0
40 to 30	6.0 to 6.5
30 or less	6.5

(Ord. 98698 § 1(part), 1970: Ord. 87225 § 17 (part), 1958: Ord. 86300 § 18.61, 1957.)

24.52.150 Lot area.

A. No minimum lot area requirement for nonresidential buildings;

B. Lot area requirements for a residential building or residential parts shall be as provided in Section 24.30.120.

(Ord. 98698 § 1(part), 1970: Ord. 87225 § 17 (part), 1958: Ord. 86300 § 18.62, 1957.)

24.52.160 Required yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160;

A. Front yard: None required except as specified in Section 24.66.140;

B. Side yards: None required for nonresidential buildings. Side yards for residential buildings or residential parts shall be as provided in Section 24.32.120;

C. Rear yard: None required for nonresidential buildings. Rear yards for residential buildings or residential parts shall be as provided in Section 24.32.120.

(Ord. 98698 § 1(part), 1970: Ord. 87225 § 17 (part), 1958: Ord. 86300 § 18.63, 1957.)

24.52.170 Lot coverage.

A. No lot coverage limitations for nonresidential buildings;

B. Residential buildings or residential parts shall not occupy more than forty percent of the lot except as modified in Sections 24.62.170 and 24.62.180.

(Ord. 98698 § 1(part), 1970: Ord. 87225 § 17 (part), 1958: Ord. 86300 § 18.64, 1957.)

24.52.180 Prohibited uses.

A. Any use other than a permitted CG use, which is permitted in a more intensive zone;

B. Adult motion picture theater.

(Ord. 105584 § 1, 1976: Ord. 86300 § 18.7, 1957.)

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Chapter 24.54

M MANUFACTURING ZONE

Sections:

24.54.010 Required conditions.
24.54.020 Principal uses permitted outright—Generally.
24.54.030 Principal uses permitted outright—Designated.
24.54.040 Principal uses permitted in enclosed building.
24.54.050 Principal uses permitted one hundred feet from R Zone.
24.54.060 Principal uses permitted two hundred feet from R Zone.

24.54.070 Principal uses permitted three hundred feet from R Zone.
24.54.080 Principal uses permitted five hundred feet from R Zone.
24.54.090 Principal conditional uses—Generally.
24.54.100 Principal conditional uses permitted by Council.
24.54.110 Principal conditional uses permitted by Hearing Examiner or Board.
24.54.120 Accessory uses permitted outright.
24.54.130 Accessory conditional uses.
24.54.140 Bulk regulations generally.
24.54.150 Building height—Lot coverage.
24.54.160 Lot area.
24.54.170 Required yards.
24.54.180 Prohibited uses.

24.54.010 Required conditions.

All uses permitted in this zone shall be subject to the following conditions:

A. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.

B. Other conditions specified in this chapter.

C. Off-street parking spaces in the "downtown area" shall be subject to Section 24.64.130.

(Ord. 105876 § 13, 1976: Ord. 86300 § 19.11, 1957.)

24.54.020 Principal uses permitted outright—Generally.

Principal uses permitted outright shall be as set forth in Sections 24.54.030 through 24.54.080.

(Ord. 104012 § 1(part), 1974: Ord. 86300 § 19.20, 1957.)

24.54.030 Principal uses permitted outright—Designated.

The following uses are permitted:

A. CG uses permitted outright as specified and regulated in Chapter 24.52, unless modified in this chapter;

B. Trailer park, provided that any portion thereof not permanently maintained in landscaped condition shall be graded, drained and surfaced as required in Section 24.64.150C;

C. Individual houseboats when located within an established houseboat moorage;

D. Fast-food restaurant;

E. Drive-in restaurant.

(Ord. 106848 § 6, 1977: Ord. 104012 § 1 (part), 1974: Ord. 103106 § 3(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1 (part), 1965: Ord. 92492 § 4(part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.21, 1957.)

24.54.040 Principal uses permitted in enclosed building.

Uses permitted provided however that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty feet of any lot in an R Zone are:

A. Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, paints, oils, pharmaceuticals, toiletries and food products, except food products permitted in Sections 24.54.050, 24.54.060 or 24.54.070 or prohibited in Section 24.54.180;

B. Manufacture of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding stampings of metal heavier than fourteen gauge), shell, textiles, tobacco, wax, wire, wood and yarns;

C. Manufacture of pottery and figurines or other similar ceramic products from previously pulverized clay, kilns to be fired by electricity or gas; casting of concrete products for cemetery purposes;

D. Manufacture of musical instruments, toys, novelties, rubber or metal stamps, or other small molded rubber products;

E. Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs;

F. Temporary animal control shelter operated by the city, subject to the following conditions:

1. Such use shall be limited to a period of three years,

2. Standards of the Noise Ordinance (106360)[1] shall be met at the lot lines,

3. View-obscuring screening six feet in height shall be provided adjacent to all lot lines which abut upon or face across a street, alley or place a lot in an R Zone, except where the elevation of such R-Zoned lot is six or more feet above the lot devoted to the temporary animal control shelter use.

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(Ord. 107990 § 1, 1979: Ord. 104012 § 1 (part), 1974: Ord. 103106 § 3(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1 (part), 1965: Ord. 92492 § 4(part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.22, 1957.)

1. Editor's Note: The Noise Ordinance is codified in Chapter 25.08 of this Code.

24.54.050 Principal uses permitted one hundred feet from R Zone.

Uses permitted when one hundred feet or more from any lot in an R Zone are:

A. Machine shop, welding or other metal-working shop, blacksmith shop, excluding punch presses over twenty tons, and noise-producing tools;

B. Electroplating;

C. Foundry casting light weight nonferrous metals or unobnoxious electric foundry;

D. Cold storage plant;

E. Enameling processes utilizing filtered sprays and electricity, oil, natural or manufactured gas and fuel;

F. Rendering of edible fats in closed vessels under steam.

(Ord. 104012 § 1(part), 1974: Ord. 103106 § 3(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1(part), 1965: Ord. 92492 § 4 (part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.23, 1957.)

24.54.060 Principal uses permitted two hundred feet from R Zone.

Uses permitted when two hundred feet or more from any lot in an R Zone are:

Acetylene manufacturing in excess of fifteen pounds pressure per square inch
Assaying gold and silver
Automobile assembly
Babbit metal manufacturing
Bag cleaning
Battery manufacture
Bleaching and dyeing plant
Boat building and repair for craft up to one hundred ten feet in length
Bronze powder manufacturing
Bulk station
Coal, coke or wood yard
Concrete mixing, concrete products manufacturing
Cooperage works
Crematory
Felt manufacturing
Grain elevator
Heliports, subject to the following provisions:

A. Open area and landing pads shall be hard-surfaced,

B. Landing pads shall be enclosed by a solid wall or chain-link or similar fence not less than three feet high and so located as not to obstruct the glide angle of aircraft using the landing pads,

C. At least two approach lanes to each landing pad shall be provided and maintained free of obstruction and shall be located not less than ninety degrees apart. Such approach lanes shall be located within forty-five degrees left or right of the prevailing winds and shall fan out at an angle of ten degrees from the width of the landing pad to a width of one thousand feet, and shall have a glide angle slope of eight to one

Ice maufacturing plant
Manufacture of excelsior, wood fiber or sawdust products not involving chemical treatment
Poultry slaughterhouse including packing and freezing
Refuse transfer station, subject to the following provisions:

1. Adequate control measures for insects, rodents and odors shall be maintained continually,

2. Operations shall be limited to hours between six a.m. and eight p.m.,

3. All transfer operations shall take place within a building,

4. All trailers and trucks, when containing garbage, shall be completely closed and shall be stored or parked no closer than two hundred feet to any lot in an R Zone,

5. A view-obscuring eight-foot-high fence or wall shall be erected and maintained on all sides which abut upon or face across a street or alley any lot in other than an M or I Zone. Such fence or wall shall be located twenty feet or more from any lot line. Areas between fencing and lot lines shall be landscaped with trees and with grass, hardy shrubs or evergreen groundcover and shall be maintained in good condition

Sand blasting or cutting
Stonecutting yard or monument works
Waterfront freight terminal
Wire or rod drawing-nut, screw, or bolt manufacturing
(Ord. 104012 § 1(part), 1974: Ord. 103106 § 3

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(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1(part), 1965: Ord. 92492 § 4(part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.24, 1957.)

24.54.070 Principal uses permitted three hundred feet from R Zone.

Uses permitted when three hundred feet or more from any lot in an R Zone are:

A. Shipbuilding and repair;

B. Planing mill, sawmill, shingle mill or plywood manufacture;

C. Pickle and sauerkraut manufacture;

D. Mushroom plant and cannery;

E. Feed and cereal mill;

F. Steam manufacture.

(Ord. 104012 § 1(part), 1974: Ord. 103106 § 3(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1 (part), 1965: Ord. 92492 § 4 (part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.25, 1957.)

24.54.080 Principal uses permitted five hundred feet from R Zone.

Uses permitted when five hundred feet from any lot in an R Zone are:

Auto-wrecking yard or junkyard when completely enclosed by a view-obscuring fence at least eight feet in height.

(Ord. 104012 § 1(part), 1974: Ord. 103106 § 3(part), 1974: Ord. 98426 § 9(part), 1969: Ord. 94383 § 1(part), 1965: Ord. 92492 § 4 (part), 1963: Ord. 89796 § 4(part), 1960: Ord. 86300 § 19.26, 1957.)

24.54.090 Principal conditional uses—Generally.

Principal conditional uses shall be as set forth in Sections 24.54.100 and 24.54.110.

(Ord. 104012 § 2(part), 1974: Ord. 86300 § 19.30, 1957.)

24.54.100 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter 24.72:

A. Houseboat moorages and multiple dwellings in structures designed primarily for residential uses when located on waterfront lots and subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs are not of the type to create a nuisance or adversely affect the desirability of the area for living purposes,

2. When residential development will not usurp land which is needed for and better suited to manufacturing usage by virtue of special attributes such as railroad access and proximity to established manufacturing development,

3. When the residential development is buffered by distance or screening from adjacent nonresidential uses and vacant lots;

B. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility,

2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 107537 § 9, 1978: Ord. 104012 § 2(part), 1974: Ord. 86300 § 19.31, 1957.)

24.54.110 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.74:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in a less intensive zone unless modified in this chapter.

(Ord. 104012 § 2(part), 1974: Ord. 91700 § 16, 1962: Ord. 86300 § 19.32, 1957.)

24.54.120 Accessory uses permitted outright.

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter except of a type prohibited in Section 24.54.180;

B. A house trailer or mobile home used only as a watchman's or caretaker's quarters subject to the following conditions:

1. Such trailer or mobile home meets applicable state and federal construction standards,

2. Such trailer or mobile home meets applicable city Building Code standards.[1]

(Ord. 106662 § 1, 1977: Ord. 86300 § 19.41, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

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24.54.130 Accessory conditional uses.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.54.110 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.56, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter.

(Ord. 86300 § 19.52, 1957.)

24.54.140 Bulk regulations generally.

Bulk regulations shall be as set forth in Sections 24.54.150 through 24.54.170.

(Ord. 104012 § 3(part), 1974: Ord. 87225 § 18 (part), 1958: Ord. 86300 § 19.60, 1957.)

24.54.150 Building height—Lot coverage.

A. The gross floor area of any nonresidential structure not including floor area used for parking, shall not exceed two and one-half times the area of the lot, except as modified in Sections 24.62.030 and 24.62.040.

B. The height and lot coverage for permitted residential structures shall be provided in Sections 24.30.110 through 24.30.140.

(Ord. 104012 § 3(part), 1974: Ord. 87225 § 18 (part), 1958: Ord. 86300 § 19.61, 1957.)

24.54.160 Lot area.

A. No minimum lot area requirements for nonresidential buildings;

B. Lot area requirements for a residential building or residential parts shall be as provided in Section 24.30.120.

(Ord. 104012 § 3(part), 1974: Ord. 87225 § 18(part), 1958: Ord. 86300 § 19.62, 1957.)

24.54.170 Required yards.

Each lot shall have yards of not less than the depths and widths as follows, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: None required except as specified in Section 24.66.140. Front yards for residential buildings or residential parts shall be as provided in Section 24.30.130A;

B. Side yard: None required for nonresidential buildings. Side yards for residential buildings or residential parts shall be as provided in Section 24.30.130A;

C. Rear yard: None required for nonresidential buildings. Rear yards for residential buildings and residential parts shall be as provided in Section 24.30.130A.

(Ord. 104012 § 3(part), 1974: Ord. 87225 § 18 (part), 1958: Ord. 86300 § 19.63, 1957.)

24.54.180 Prohibited uses.

A. Any use, other than a permitted M use, which is permitted in a more intensive zone;

B. Dwelling units not in existence on the premises at the effective date of the ordinance codified in this subtitle[1] except for watchman or caretaker's quarters and except for houseboat moorages and multiple dwellings permitted on waterfront lots as conditional uses in Section 24.54.100A, and artist's studio/dwellings as special exceptions as provided for in Section 24.74.020G.

(Ord. 107109 § 8, 1978: Ord. 104901 § 1, 1975: Ord. 86300 § 19.7, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

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Chapter 24.56

IG GENERAL INDUSTRIAL ZONE

Sections:

24.56.010 Required conditions.
24.56.020 Principal uses permitted outright.
24.56.030 Principal conditional uses permitted by Council.
24.56.040 Principal conditional uses permitted by Hearing Examiner or Board.
24.56.050 Accessory uses permitted outright.
24.56.060 Accessory conditional uses permitted by Hearing Examiner or Board.
24.56.070 Building height—Lot coverage.
24.56.080 Lot area.
24.56.090 Required yards.
24.56.100 Prohibited uses.

24.56.010 Required conditions.

All uses permitted in this chapter except those permitted in the M Zone shall be three hundred feet or more from any lot in an R zone.

(Ord. 86300 § 20.1, 1957.)

24.56.020 Principal uses permitted outright.

The following uses are permitted:

A. M uses permitted outright as specified and regulated in Chapter 24.54, unless modified in in this chapter;

B. Acid manufacture except those specified in Chapter 24.58

Animal control shelter

Airplane hangar

Airplane manufacture

Ammonia, chlorine or bleaching powder manufacture

Asbestos manufacture

Asphalt manufacture or refining

Assaying

Boiler works

Brewery, distillery, or winery

Brick, tile or terra cotta manufacture

Candle manufacture

Carbon manufacture

Celluloid or similar cellulose material manufacture

Charcoal manufacturing or pulverizing

Chemicals manufacture except those specified in Chapter 24.58

Coke ovens

Cupola or metal reduction furnace for aluminum, gold, silver and platinum

Disinfectants manufacture

Dyestuff manufacture

Electricity production

Emery cloth or sandpaper manufacture

Enameling

Exterminators or insect poisons manufacture

Fertilizer manufacture by cold compounding of nonodorous materials

Flour or grain mill

Foundry, provided that gross floor area of all buildings does not exceed twenty-five thousand square feet in area

Gas (illuminating or heating) manufacturing or storage

Glass or glass products manufacture

Glucose manufacture

Grain drying or feed manufacture

Japanning

Kelp reduction and the extraction of its by-products

Lampblack manufacture

Lime manufacturing from fossils or shells

Lubricating grease manufacturing or oil compounding

Machinery manufacture

Machine shops

Match manufacture

Meat packing

Metal fabrication including extrusion and cold rolling

Motels, subject to the following conditions:

1. The use shall abut upon a major arterial as designated in the comprehensive plan of Seattle,

2. Motels shall be subject to all bulk provisions of this chapter except that the minimum lot area shall be twenty thousand square feet and the minimum lot area per unit shall be eight hundred square feet,

3. Screening six feet in height shall be provided along all property lines except the principal frontage and driveways,

4. Off-street parking shall be provided as required in Sections 24.64.120, 24.64.130 and 24.64.150,

5. The use shall be part of an industrial park which is owned or controlled by one developer and which is planned and advertised as such, with streets, utility easements, and restrictive covenants usual to industrial park development (i.e., setbacks, building lines, off-street parking, types of industries, types of construction, landscaping), and having utilities, such as water, sewer and power installed or planned

Nitrating processes

Oilcloth or linoleum manufacture

Oxygen manufacture

Paint, oil, shellac, varnish or turpentine manufacture

Paper manufacture, not including pulp

Perfume manufacture

Petroleum storage and refining by the continuous process or other processes not using acid or emitting offensive odors

Plaster or wallboard manufacture

Poison manufacture

Printing ink manufacture

Railroad yard or roundhouse

Reducing or refining aluminum, copper, tin or zinc

Refuse transfer station, subject to the following provisions:

a. Adequate control measures for insects, rodents and odors shall be maintained continually,

b. All trailers and trucks, when containing garbage, shall be completely closed and shall be stored or parked no closer than two hundred feet to any lot in an R Zone,

c. A view-obscuring eight-foot high

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fence or wall shall be erected and maintained on all sides which abut upon or face across a street or alley any lot in other than an M or I Zone. Such fence or wall shall be located twenty feet or more from any lot line. Areas between fencing and lot lines shall be landscaped with trees and with grass, hardy shrubs or evergreen groundcover and shall be maintained in good condition,

d. Adequate surfaced off-street areas shall be provided on the site for all trucks and trailers, and for the number of passenger cars determined by the City Engineer

Rock or stone crusher mill
Rope manufacture
Rubber or caoutchouc manufacture from crude materials
Salt works
Shoddy manufacture
Shoeblacking manufacture
Soap manufacture
Soda and compound manufacture
Sperm oil manufacture
Starch, glucose and dextrine manufacture
Stoneware or earthenware manufacturing
Stove polish manufacture
Sugar refining
Tar roofing or tar waterproofing manufacture or similar products of chemical composition
Textile mills
Tobacco (chewing) manufacture
Vegetable oil or other oil manufacture, refining or storage
Vinegar manufacture
Yeast, production of.

(Ord. 106832 § 2, 1977: Ord. 101267 § 1, 1972: Ord. 98426 § 10, 1969: Ord. 94383 § 2, 1965: Ord. 91138 § 4, 1962: Ord. 86300 § 20.21, 1957.)

24.56.030 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter 24.72:

A. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility;

2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 107537 § 10(part), 1978: Ord. 86300 § 20.31, 1957.)

24.56.040 Principal conditional uses permitted by Hearing Examiner or Board.

The following uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Principal conditional uses which the Hearing Examiner or Board may authorize in a less intensive zone unless modified in this chapter.

(Ord. 107537 § 10(part), 1978: Ord. 101985 § 2, 1973: Ord. 86300 § 20.32, 1957.)

24.56.050 Accessory uses permitted outright.

A. Accessory uses customarily incidental to a permitted principal use except uses prohibited in Section 24.56.100;

B. A house trailer or mobile home used only as watchman's or caretaker's quarters subject to the following conditions:

1. Such trailer or mobile home meets applicable state and federal construction standards,

2. Such trailer or mobile home meets applicable city Building Code standards.[1]

(Ord. 106662 § 2, 1977: Ord. 86300 § 20.41, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

24.56.060 Accessory conditional uses permitted by Hearing Examiner or Board.

The following accessory conditional uses are permitted when authorized by the Hearing Examiner or Board in accordance with Chapter 24.70:

A. Accessory uses customarily incidental to principal conditional uses specified in Sections 24.56.030 and 24.56.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.58 but only when necessary as an appurtenant accessory use to a permitted principal use in this chapter.

(Ord. 86300 § 20.5, 1957.)

24.56.070 Building height—Lot coverage.

A. The gross floor area of any structure, not including floor area used for parking, shall not

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exceed two and one-half times the area of the lot except as modified in Sections 24.62.030 and 24.62.040,

B. The height and lot coverage for existing permitted residential structures shall be as provided in Sections 24.32.100 through 24.32.130.
(Ord. 87225 § 19(part), 1958: Ord. 86300 § 20.61, 1957.)

24.56.080 Lot area.

A. No minimum lot area requirements for nonresidential buildings.

B. Lot area requirements for an existing residential building or residential parts or existing hotels shall be as provided in Section 24.30.060 B and D.
(Ord. 87225 § 19(part), 1958: Ord. 86300 § 20.62, 1957.)

24.56.090 Required yards.

Each lot shall have yards of not less than the following depths and widths, except as modified in Sections 24.62.070 through 24.62.160:

A. Front yard: None required for nonresidential buildings. Front yard for existing residential buildings or residential parts shall be ten feet;

B. Side yards: None required for nonresidential buildings. Side yards for residential buildings or residential parts shall be as provided in Section 24.32.120;

C. Rear yard: None required for nonresidential buildings. Rear yards for residential buildings and residential parts shall be as provided in Section 24.32.120.
(Ord. 87225 § 19(part), 1958: Ord. 86300 § 20.63, 1957.)

24.56.100 Prohibited uses.

A. Dwelling units not in existence on the premises at the effective date of the ordinance codified in this subtitle, [1] except for watchman or caretaker quarters, and artist's studio/dwellings as special exceptions as provided for in Section 24.74.020G;

B. Schools, except trade schools;

C. Hospitals and other institutions for human care;

D. Hotels and trailer parks;

E. Any use, other than a permitted IG use, which is permitted in the IH Zone.
(Ord. 107109 § 9, 1978: Ord. 101267 § 2, 1972: Ord. 86300 § 20.7, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

Chapter 24.58

IH HEAVY INDUSTRIAL ZONE

Sections:

24.58.010 Required conditions.
24.58.020 Principal uses permitted outright.
24.58.030 Principal conditional uses permitted by Hearing Examiner or Board.
24.58.040 Accessory uses permitted outright.
24.58.050 Building height—Lot coverage.
24.58.060 Lot area.
24.58.070 Required yards.
24.58.080 Prohibited uses.

24.58.010 Required conditions.

All uses permitted in this chapter, except those permitted in IG zone, shall be five hundred feet or more from any lot in an R Zone.
(Ord. 86300 § 21.1, 1957.)

24.58.020 Principal uses permitted outright.

The following uses are permitted:

A. IG uses permitted conditionally or outright as specified and regulated in Chapter 24.56, unless modified in this chapter;

B. Animal black or bone black manufacture
Blast furnace
Cement or lime manufacture
Chlorine manufacture
Creosote manufacture or treatment
Distillation of wood, coal or bones, or manufacture of their byproducts
Fertilizer manufacture
Forge or foundry
Glue, or size or gelatin manufacture
Hair factory
Petroleum refining or storage
Potash manufacture from kelp
Rolling or blooming mill
Tar distillation or manufacture
Tannery
Wool pulling or scouring
(Ord. 86300 § 21.21, 1957.)

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24.58.030 Principal conditional uses permitted by Hearing Examiner or Board.

Principal conditional uses permitted when authorized by the Hearing Examiner or Board after public hearing in accordance with the provisions of Chapter 24.70 are the following uses:

A. Acid manufacture: hydrochloric, nitric, picric, sulphurous, or sulpheric acid;

B. Explosives, storage as permitted by the Fire and Explosion Ordinance;[1]

C. Extraction of animal or fish fats and oils;

D. Incineration or reduction of garbage, offal, dead animals, or refuse;

E. Hog farm;

F. Pulp manufacture;

G. Rendering of fat, tallow or lard;

H. Slaughterhouse;

I. Smelting of ore;

J. Stockyards;

K. Yeast drying.

(Ord. 91700 § 17, 1962: Ord. 91138 § 5, 1962: Ord. 86300 §§ 21.3 and 21.31, 1957.)

1. Editor's Note: The Fire Code is codified in Title 22 of this Code.

24.58.040 Accessory uses permitted outright.

The following uses are permitted:

A. Customarily incidental to a permitted principal use except uses prohibited in Section 24.58.080;

B. A house trailer or mobile home used only as watchman's or caretaker's quarters subject to the following conditions:

1. Such trailer or mobile home meets applicable state and federal construction standards,

2. Such trailer or mobile home meets applicable city Building Code standards.[1]

(Ord. 106662 § 3, 1977: Ord. 86300 § 21.41, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

24.58.050 Building height—Lot coverage.

The gross floor area of any structure, not including floor area used for parking, shall not exceed two and one-half times the area of the lot, except as modified in Sections 24.62.030 and 24.62.040.

(Ord. 87225 § 20(part), 1958: Ord. 86300 § 21.51, 1957.)

24.58.060 Lot area.

No minimum lot area requirements.

(Ord. 87225 § 20(part), 1958: Ord. 86300 § 21.52, 1957.)

24.58.070 Required yards.

None required.

(Ord. 87225 § 20(part), 1958: Ord. 86300 § 21.53, 1957.)

24.58.080 Prohibited uses.

A. Dwellings, except for watchman and caretaker quarters and artist's studio/dwellings as special exceptions as provided for in Section 24.74.020G;

B. Schools, except for trade schools;

C. Hospitals and other institutions for human care;

D. Motels, hotels and trailer parks;

E. Jails and work-release centers;

F. Any use prohibited by any other law or ordinance.

(Ord. 107537 § 11, 1978: Ord. 107109 § 10, 1978: Ord. 86300 § 21.6, 1957.)

Chapter 24.60

SHORELINE MASTER PROGRAM REGULATIONS

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Subchapter I Purpose and Definitions

24.60.005 Purpose.

It is the purpose of this chapter to implement the policy and provisions of the Shoreline Management Act of 1971 and the goals and policies of Resolution 25173 by regulating development of the shorelines of the city in order to: (A) preserve, enhance and increase views of the water and access to the water, (B) encourage water-dependent uses, and (C) provide for maximum public use and enjoyment of the shorelines of the city.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.01, 1957.)

24.60.010 Definitions generally.

For the purpose of this chapter, certain terms and words are defined. The definitions established in this subchapter are in addition to definitions contained in Chapter 24.08, which are also applicable to this chapter.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.150, 1957.)

24.60.015 Anchorage area.

"Anchorage area" means a designated location where vessels or watercraft may anchor or moor.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.020 Aquaculture.

"Aquaculture" means the culture or growing of food fish, shellfish or other marine foods, aquatic plants, or animals in fresh or salt water.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.025 Building.

"Building" means any structure built for the support, shelter or enclosure of persons, animals, mechanical devices or chattels, or property of any kind. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building. The term "building" shall include signs and fences over six feet high.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.030 Bulk.

"Bulk" means the size and location of buildings and structures in relation to the lot. Bulk regulations include maximum height of building, minimum lot area, minimum front, side and rear yards and maximum lot coverage.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.035 Development.

"Development" means a use consisting of the construction, exterior alteration, or demolition of structures; dredging; drilling; dumping, filling, removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this subtitle at any state of water level.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.040 Development, substantial.

"Development, substantial." See "Substantial development."

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.045 Director.

"Director" means the Director of the Department of Community Development of the city of Seattle.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.050 Extreme low tide.

"Extreme low tide" means the lowest line on land reached by a receding tide.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.151(part), 1957.)

24.60.055 Fairway.

"Fairway" means all navigable waters within the corporate limits or within the jurisdiction and control of the city, except waters over privately owned or privately controlled property, including but not limited to the navigable portions of the following described waters and all submerged street area and waterways therein:

A. All of Elliott Bay, lying easterly of a straight line drawn from Alki Point to West Point;

B. All of the East and West Waterways;

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C. All of the Duwamish River;
D. All of the Duwamish Waterway Project;
E. All of Salmon Bay;
F. All of Portage Bay;
G. All of the Lake Washington Ship Canal, including that portion which shall be under the supervision and control of the United States;
H. All of Lake Union;
I. All of Lake Washington lying or being within the corporate limits of the city or within the jurisdiction and control of the city;
J. All that portion of Shilshole Bay, lying easterly and southerly of a line from West Point to the intersection of the northerly boundary of the city with the outer harbor line;
K. All that portion of Puget Sound, lying easterly and northerly of a line from Alki Point to the intersection of the southerly boundary of the city with the outer harbor line.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.060 Floating home.
"Floating home" means a building constructed on a float used in whole or part for human habitation as a single-family dwelling, which is moored, anchored or otherwise secured in waters within the city limits.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.065 Floating home moorage.
"Floating home moorage" means a waterfront facility for the moorage of one or more floating homes, and the land and water premises on which such facility is located.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.070 Floating home site.
"Floating home site" means that part of a floating home moorage located over water designated to accommodate one floating home.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.075 Groin.
"Groin" means a breakwater or structure constructed across a beach to control or interrupt the movement of sediment along the shore.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.080 Hotel.
"Hotel" means a building in which at least fifty percent of the gross habitable floor area is used for sleeping.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.085 Jetty.
"Jetty" means an artificial barrier used to change the natural littoral drift to protect inlet entrances from clogging by excess sediment, or to improve a harbor area.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.090 Lot.
"Lot" means a platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principal use or building and accessory buildings, together with such yards and open spaces as are required by this subtitle and abutting by not less than twenty feet upon a street sufficiently improved for automotive travel or having an exclusive, unobstructed permanent access easement serving not more than two principal uses and jointly owned by the two property owners served and at least twenty feet wide and not exceeding one hundred fifty feet in length to such street; provided that lots for townhouse dwellings may abut upon a street or unobstructed permanent access easement by not less than twelve feet and the easement may be not less than fifteen feet in width and may serve up to ten townhouse dwellings.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.095 Lot area.
"Lot area" means the total horizontal area within the lot lines of a lot.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.100 Lot coverage.
"Lot coverage" means that portion of a lot occupied by the principal building and its accessory buildings, expressed as a percentage of the total lot area.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.105 Lot, upland.
"Upland lot" means a lot within the shoreline district which is not a waterfront lot.

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(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.110 Lot, waterfront.

"Waterfront lot" means a lot any portion of which is offshore of or abuts upon the line of higher regulated lake level of Lake Washington, Lake Union and connecting fresh waters, or the line of ordinary high tide, or the line of ordinary high water of nonnavigable lakes.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.152(part), 1957.)

24.60.115 Master Program.

"Master Program." See "Shoreline Master Program."
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.120 Moorage, covered.

"Covered moorage" means a pier or system of floating or fixed accessways to which boats may be secured, and which is covered with a roof.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.125 Moorage, open.

"Open moorage" means a pier or system of floating or fixed accessways to which boats may be secured, and which has no roof or other covering.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.130 Motel—Boatel.

"Motel" or "boatel" means a building or group of buildings on a lot, consisting of individual sleeping quarters, detached or connected, not more than fifty percent of which have kitchen facilities, for rental to transients.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.135 Offshore facilities.

"Offshore facilities" means any facilities, seaward of the outer harbor line, floating or supported on a pier or piers, used to transfer or assemble materials or for construction purposes, Texas towers, and mono-buoys, except aquacultural facilities and structures, research and scientific monitoring facilities.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.140 Open space.

"Open space" means any part of a lot unobstructed from the ground upward except as specified in Sections 24.62.070 through 24-.62.160.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.145 Ordinary high water mark.

"Ordinary high water mark" means on all lakes, streams, and tidal water, that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter: Provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.150 Pier.

"Pier" means a structure extending into the water for use as a landing place or promenade or to protect or form a harbor.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.155 Pier, finger or spur.

"Finger or spur pier" means a minor extension from a primary pier.
(Ord. 106200 § 1(part), 1977: Ord. 86300 §21A.153(part), 1957.)

24.60.160 Regulated public access.

"Regulated public access" means provision to the public by an owner, by easement or other legal agreement, of substantial walkways, corridors, plazas, transient moorage, or other areas serving as a means of view and physical approach to public waters, and limited as to hours of availability, types of activity permitted, location and area.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

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24.60.165 Rip-rap.

"Rip-rap" means a foundation or sustaining wall of stones placed in the water or on an embankment to prevent erosion.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.153(part), 1957.)

24.60.170 Screening.

"Screening" means a continuous fence supplemented with landscape planting or a continuous wall, evergreen hedge or combination thereof, that would effectively screen the property which it encloses, is at least four feet high and not more than six feet high and is broken only for access drives and walks.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.175 Shoreline conditional use.

"Shoreline conditional use" means uses identified as such in this chapter which may be authorized by the Director and approved by the Department of Ecology in specific cases where certain stated facts and conditions are found to exist.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.180 Shoreline Master Program.

"Shoreline Master Program" means the comprehensive use plan for the shorelines of the city which consists of the general statement of shoreline goals and policies in Resolution 25173 and the specific regulations of this chapter.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.185 Shoreline protective structures.

"Shoreline protective structures" means a bulkhead, rip-rap, groin, jetty, revetment or other structure designed to prevent destruction of or damage to the existing shoreline by erosion of wave action.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.190 Shorelines.

"Shorelines" means all of the water areas of the city and their associated wetlands, together with the lands underlying them: except (A) shorelines of statewide significance; (B) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (C) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.195 Shorelines of statewide significance.

"Shorelines of statewide significance" means those shorelines described in Section 24.60.305 and in Section 3 of the Shoreline Management Act of 1971.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.200 Shorelines of the city.

"Shorelines of the city" means the total of all "shorelines" and "shorelines of statewide significance" within the city.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.205 Shoreline special use.

"Shoreline special use" means uses identified as such in this chapter which may be authorized by the Director in specific cases where the facts and conditions stated in Section 24.60.525H are found to exist.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.210 Shoreline variance.

"Shoreline variance" means a modification of the regulations of this chapter when authorized by the Director and approved by the Department of Ecology after a finding that the literal interpretation and strict application of the provisions of this chapter would cause undue and unnecessary hardship in view of specific facts and conditions applying to a lot in the Shoreline District.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.215 Sign, advertising.

"Advertising sign" means a structure or portion thereof that is intended for advertising purposes or on which letters, figures, or pictorial matters are, or are intended to be, displayed for advertising purposes other than the name, occupation and/or nature of the enterprise conducted on the premises. This definition shall not be held to include a real estate sign

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advertising for sale or rent the property on which it stands.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.220 Sign, business.
"Business sign" means any sign, structure, or device identifying the premises on which located or the occupant of the premises, or signs relating to goods or services manufactured, produced, or available on the premises.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.225 Substantial development.
"Substantial development" means any development of which the total cost or fair market value exceeds One Thousand Dollars ($1,000.00), or any development which materially interferes with the normal public use of the water or shorelines of the city: except that the following shall not be considered substantial developments for the purpose of this subtitle:

A. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;

B. Construction of the normal protective bulkhead common to single-family residences;

C. Emergency construction necessary to protect property from damage by the elements;

D. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on wetlands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

E. Construction or modification of navigational aids such as channel markers and anchor buoys;

F. Construction on wetlands by an owner, lessee or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the city other than requirements imposed pursuant to this subtitle;

G. Construction of a dock designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single-family residence, the cost of which does not exceed Two Thousand Five Hundred Dollars ($2,500.00);

H. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored groundwater for the irrigation of lands;

I. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

J. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of Chapter 182, Laws of Washington 1975 (1st Ex. Session.) which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;

K. Demolition of structures, except where the Director determines that such demolition will have a major impact upon the character of the shoreline.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.230 Superintendent.
"Superintendent" means the Superintendent of Buildings of The City of Seattle.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.154(part), 1957.)

24.60.235 Use.
"Use" means the purpose for which land or a building is designed, arranged or intended, or for which it is occupied or maintained, let or leased.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.240 Use or building, principal.
"Principal use or building" means the

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principal use conducted on the lot or the building housing the principal use as distinguished from any separate buildings housing accessory uses. The Director shall determine which use is the principal use in the Shoreline District.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.245 Use or structure, accessory.
"Accessory use or structure" means a use or structure incidental to a permitted principal use, provided that such use or structure shall be located on the same lot as the principal use or structure, except when permitted elsewhere as specificially set forth in this subtitle.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.250 Use, water-dependent.
See "Water-dependent use."
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.255 Utilities.
"Utilities" means physical facilities of electric, telephone, telegraph, cable television, water, sewer, solid waste, gas and similar service operation.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.260 View corridor.
"View corridor" means an open-air space on a lot affording a clear view across the lot to the water from the abutting street.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.265 Water-dependent use.
"Water-dependent use" means uses which in order to exist or function require a location on or use of the shoreline. For purposes of this chapter, water-dependent uses are limited to the following:

A. Marine commercial uses:
1. Terminal and transfer facilities for transport of passengers or goods over water,
2. Moorage, fueling and servicing of commercial vessels,
3. Industries which receive or ship goods or materials by water as an essential part of their operation,
4. Marine construction, dismantling and repair;

B. Marine recreation:
1. Pleasure boat moorage and marinas, including fueling and servicing facilities,
2. Boat launch and haul out facilities;

C. Shoreline recreation:
1. Parks,
2. Bicycle and walking trails,
3. Beaches,
4. Viewpoints;

D. Aquaculture;
E. Intakes and outfalls;
F. On-site marine and limnological research and education;
G. Floating home moorages;
H. Shoreline protective structures such as but not limited to bulkheads and fixed or floating breakwaters.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.270 Waterway.
"Waterway" means an access from the land to water platted by the Washington State Harbor Line Commisison.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

24.60.275 Wetlands.
"Wetlands" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; and all marshes, bogs, swamps, floodways, river deltas, and floodplains associated with the streams, lakes and tidal waters which are subject to the provisions of this subtitle; the same to be designated as to location by the Department of Ecology.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.155(part), 1957.)

Subchapter II Methods to Implement Shoreline Master Program

24.60.280 Shoreline District established.
There is established the Shoreline District which shall include all shorelines of the city, the boundaries of which are illustrated on a series of sectional maps, marked Exhibit "E-2," codified with the zoning maps at the end of this subtitle. All property within the Shoreline District shall be developed and used only in accordance with the regulations of this chapter.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.10, 1957.)

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24.60.285 Regulations supplemental.

The Shoreline District shall be superimposed upon and modify the existing zoning classifications in the Shoreline District. The regulations of this chapter are supplemental to regulations of this subtitle otherwise applicable to property in the existing zones, which shall continue to apply; provided that in case of irreconcilable conflict, the provisions of this chapter shall apply.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.11, 1957.)

24.60.290 Inconsistent development prohibited.

No development shall be undertaken in the Shoreline District unless the same is consistent with the policy of the Shoreline Management Act of 1971 and the regulations of this chapter. This restriction applies even though no substantial development permit is required.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.12, 1957.)

24.60.295 Permit required for substantial development.

No substantial development shall be undertaken in the Shoreline District without first obtaining a substantial development permit from the Superintendent in accordance with the procedures established therefor in Section 24.60.425. Such permit shall be in addition to any other permits now or hereafter required by law. No such permit shall be required where the Director determines that a development proposed on the shorelines is not a "substantial development" as defined in this chapter.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.13, 1957.)

24.60.300 Exemptions.

The regulations of this chapter shall not apply to the operation of boats, ships and other vessels designed and used as such; nor to the vacation and closure, removal or demolition of buildings found by the Superintendent to be unfit for human habitation pursuant to the Housing Code (Ordinance 99112); nor to correction of conditions found by the Superintendent to be in violation of the minimum standards of Chapters 27.16, 27.20, 27.24, 27.28, and 27.30 of the Housing Code (Ordinance 99112);[1] nor to the demolition of a building or structure pursuant to an ordinance declaring the same to be a nuisance and providing for summary abatement thereof, and none of such actions shall be regarded as "developments" as defined in this subtitle.
(Ord. 106200 § 1(part),1977: Ord. 86300 § 21A.14, 1957.)

1. Editor's Note: Ord. 99112 has been repealed and replaced by Ord. 106319, which is codified in Subtitle II of Title 22 of this Code.

24.60.305 Shorelines of statewide significance designated.

The following shorelines of the city are identified in RCW 90.58.030(2) (e) as shorelines of statewide significance, as indicated on Exhibit E-1, codified at the end of this chapter, and development of such shorelines shall be regulated in accordance with this chapter:

A. Those areas of Puget Sound and adjacent salt waters lying seaward from the line of extreme low tide;

B. Lake Washington;

C. The Duwamish River;

D. Those wetlands associated with B and C of this section.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.15, 1957.)

24.60.310 Application when development partly out of Shoreline District.

Where a single development is proposed for a site which is partly within and partly without the Shoreline District, the regulations of this chapter shall apply where any part of the development occurs within the Shoreline District.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.16, 1957.)

24.60.315 Application only to new development.

The regulations of this chapter shall apply only to development undertaken in the Shoreline District after adoption of this chapter; provided, the limitations of Sections 24.14.030 through 24.14.070 of this subtitle shall apply to existing nonconforming developments, and provided further, that all signs in the Shoreline District which do not conform to the provisions of this chapter shall be discontinued within a period of from three to seven years from the effective date of this chapter[1] in accordance with an amortization schedule established by the Superintendent pursuant to Section 28 of Ordinance 102929 [2] and based upon the age,

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condition, cost and remaining useful life of the sign.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.17, 1957.)

1. Editor's Note: Ord. 106200 became effective on March 16, 1977.
2. Editor's Note: Ord. 102929 has been repealed by Ord. 106350.

24.60.320 Shoreline Advisory Councils.

A. Shoreline Advisory Councils may be established for specific shoreline areas to advise and consult with the Director with regard to applications for substantial development permits in the specific area. Each Shoreline Advisory Council shall consist of not less than five nor more than nine members who shall be appointed by the Mayor and approved by the Council. Initial terms for one-third of the members shall be for one year, one-third for two years, and the remaining one-third for three years. Thereafter all terms shall be for three years. The Director may adopt rules and procedures to implement this section.

B. Each Shoreline Advisory Council shall elect its own chairman. General rules of procedure shall be developed and adopted by the Director, but each Council may adopt such additional rules of procedure as shall be necessary for the conduct of its business. Staff assistance to each Shoreline Advisory Council may be provided by the Director. A majority of all members of the Shoreline Advisory Council shall constitute a quorum for the purpose of transacting business. All decisions shall be made by majority vote of those members present, and in case of a tie vote, the motion shall be lost. Each Shoreline Advisory Council shall keep minutes of all of its official meetings, which shall be filed with the Director together with a copy of any additional rules of the Shoreline Advisory Council.

C. Each Shoreline Advisory Council shall have an opportunity to review all applications for substantial development permits within the specific area for which it is established, and it shall have twenty-five days to make any recommendations to the Director regarding such application. Copies of all applications and other necessary and pertinent information and data shall be provided to the Shoreline Advisory Council, and the Director or his authorized representative shall meet with the Shoreline Advisory Council to review the application.

D. The Shoreline Advisory Council shall make its recommendation to the Director in writing, and it shall be deemed to have approved an application if no recommendations are made to the Director within twenty-five days after the application is referred to it for its review. Recommendations of the Shoreline Advisory Council shall be made only for the purpose of securing compliance with the provisions of this chapter.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.18, 1957.)

Subchapter III Environments

24.60.325 Environment classifications designated.

For the purpose of this chapter, the Shoreline District is divided into seven environment classifications designated as follows:

Environment	Abbreviated Designation
Conservancy-Natural	CN
Conservancy-Management	CM
Urban Residential	UR
Urban Stable	US
Urban Stable-Lake Union	US/LU
Urban Stable-Central Waterfront	US/CW
Urban Development	UD

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.20, 1957.)

24.60.330 Purpose of Conservancy-Natural (CN) environment.

A. Within a city as highly urbanized as The City of Seattle, natural areas are very few, small, and extremely difficult to preserve; yet if the quality of life for future generations is to be maintained, a significant part of that quality will relate to the existence and use of natural areas.

B. The emphasis in the CN shoreline environment is on preservation and restoration of natural systems and resources; and on prevention or regulation of uses or activities which would degrade the natural environment. Any proposed activity which would change the existing situation would be desirable only if it further enhances, restores or preserves the natural character of the area so classified.

C. The purpose of the CN shoreline environment designation is to preserve, regulate or restore an area to its natural state, as nearly as possible without human influence. Within such areas, only activities which will further, preserve,

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enhance or restore the existing natural geological, biological or hydrological conditions will be permitted such as: feeding, habitat improvement, ecological observation and study or research, or other closely related activites.

D. Access by the public to land area in CN environments will be limited to nature trails, observation points, or special activities in limited locations related to the specific area and its unique qualities. Recreational use of CN designated land areas is intended to be passive and generally noninteractive with the environment. Active recreation, navigation, or landing and take-off of seaplanes may be prohibited in specific water areas in this environment. The CN environment will also be used to designate a particularly biologically or geologically fragile aspect of a geography and will therefore indicate a requirement of any prospective user to provide evidence of minimal impact (including adequate exploration of alternative designs and strategies) to both that area and to the environment in general.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.21, 1957.)

24.60.335 Purpose of Conservancy-Management (CM) environment.

A. The purpose of the CM shoreline environment is to protect areas for environmentally related, usually public, purposes, such as public and private parks and marinas, aquacultural areas, underwater recreational sites, fishing grounds and migratory transition zones. While the natural environment is not maintained in a pure state, the activities to be carried on provide minimal adverse impact. The word "management" is the key to this shoreline environment classification, in which the intent is to use the natural ecological system for production of food, for recreation, or for water-dependent scientific research by recognized agencies, and to provide access by the public for recreational use of the shorelines. Active and passive public recreation facilities in the CM environment shall be water-dependent and designed to maintain the quality of the natural elements of the site.

B. Developments in CM environment will be limited to those uses which are nonconsumptive of the resources identified as being valuable and requiring protection.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.22, 1957.)

24.60.340 Purpose of Urban-Residential (UR) environment.

The UR environment is intended to protect areas which are appropriate primarily for residential uses. The purpose of the UR environmental designation is to maintain the existing residential character of the designated area in terms of bulk, scale, and general types of activities and developments.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.23, 1957.)

24.60.345 Purpose of Urban-Stable (US) environment.

The purpose of the US environment is to provide areas for controlled development and redevelopment, encouraging a variety and mixture of compatible uses while also maintaining the existing character, scale and intensity of use.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.24, 1957.)

24.60.350 Purpose of Urban-Stable/Lake Union (US/LU) environment.

The purpose of the US/LU environment is similar to the purpose of the US environment, but also incorporates additional goals based on the particular characteristics of Lake Union:

A. Enhance the form and appreciation of Lake Union and environs as a major component in Seattle urban structure;

B. Preserve a maximum of open water commensurate with reasonable economic development;

C. Develop a diversity of commercial and residential activities related to the use and enjoyment of the waterfront, the service and maintenance of water-related activities, and public access to the water;

D. Encourage multiple use concepts having a wide range of intensity while preserving views of the water from upland and adjacent properties; and

E. Eliminate physical and visual blight from areas surrounding Lake Union and Portage Bay.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.25, 1957.)

24.60.355 Purpose of Urban-Stable/Central Waterfront (US/CW) environment.

The purpose of the US/CW environment is similar to the purpose of the US environment but also incorporates additional goals based on the

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particular characteristics of the Central Waterfront. In the US/CW environment, new development over water and the recycling and refurbishing of existing piers will be permitted which will:

A. Reinforce the historic marine orientation of Seattle as a major downtown theme;

B. Strengthen water-oriented recreation tourist activity, related retail business, and public areas open to the water;

C. Maintain a full complement of water-dependent uses; and

D. Preserve and enhance views of Elliott Bay and the Olympic Mountains from upland CBD development, street corridor vistas and the street level; provided, no additional coverage of the water by fixed structures shall be permitted.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.26, 1957.)

24.60.360 Purpose of Urban-Development (UD) environment.

The areas included in the UD environment are primarily those which are appropriate for commercial and industrial purposes. The intent of the designation is to provide for efficient utilization of such areas for water-dependent commerce and industry consistent with the Shoreline Management Act of 1971, as amended, and with other applicable regulations.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.27, 1957.)

24.60.365 Environments established.

The foregoing environment classifications and the boundaries of such environments are established as shown on Exhibit E-2, which shall be superimposed upon and modify the Official Zoning Map of The City of Seattle as described in this chapter.[1] Such exhibit and all amendments thereto shall be filed in the office of the City Clerk. Such classifications and boundaries may be amended from time to time in the same manner as for map amendents in Chapter 24.72, subject to such approval by the Department of Ecology as may be provided by law.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.28, 1957.)

1. Editor's Note: The Shoreline Maps are included in this Code along with the zoning maps. They appear following this subtitle.

Subchapter IV General Conditions

24.60.370 General conditions applicable to all Shoreline District environments.

Unless otherwise provided in this chapter, all uses and development in the Shoreline District shall be subject to the general conditions provided in Sections 24.60.375 through 24.60.415.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.30, 1957.)

24.60.375 Use categories.

Four general use categories and four general lot type categories are established for the Shoreline District, and unless otherwise provided in this chapter, principal uses shall be permitted only as indicated in the following Table 1:

TABLE 1

General Use Categories Permitted by Type of Lot or Site in the Shoreline District

	Type of Lot or Site			
	Waterfront Lots			Upland Lot
Category of Principal Use	Over water	On both land and water	On land only	
Water-dependent with or without regulated public access	A	A	A	N
Non-water-dependent with regulated public access	X	X	A	A
Non-water-dependent without regulated public access	X	X	X	A

Legend
A – permitted use
X – prohibited use
N – not applicable

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.31, 1957.)

24.60.380 Principal uses on waterfront lots.

Unless otherwise excepted in this chapter, all principal uses on a waterfront lot shall be water-dependent or shall provide regulated public access.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.32, 1957.)

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24.60.385 Bulk regulations—Height of structures.

No building or structure in the Shoreline District shall exceed the height limits indicated in Table 2, following Section 24.60.395 except:

A. Cranes, gantries, mobile conveyors and similar equipment necessary for the functions of marinas, marine manufacturing, permitted commercial, industrial or port activities and servicing of vessels;

B. Flagpoles or masts, transmission towers, chimneys, smokestacks, aerials or stairwells, when part of a water-dependent use;

C. Belfries, monuments, spires or steeples, transmission towers, provided such structures shall be designed to minimize view obscuration;

D. Penthouses for elevator and other mechanical equipment, and monitors when less than five percent of the lot coverage and extending not more than ten feet above roof level.

Height of structures shall be determined by measuring from the average grade of the lot immediately prior to the proposed development and after any permitted landfill to the highest point of the structure not otherwise excepted from the height limits.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.33, 1957.)

24.60.390 Bulk regulations—Lot coverage.

Buildings or structures in the Shoreline District shall not occupy a greater percentage of a lot than indicated in Table 2 following Section 24.60.395, except that on the land portion of the lot where some portion of a proposed structure will be placed below the grade existing prior to construction, those portions of the structure which do not significantly change the grade and/or are not visible above the level of adjoining properties shall not be included in lot coverage.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.34, 1957.)

24.60.395 Bulk regulations—Yards, view corridors and residential setbacks.

A. Unless otherwise provided in this chapter, front, side and rear yards for uses other than single-family residences are not required in the Shoreline District; provided that a view corridor or corridors of not less than the percentage of the width of the lot indicated in Table 2 are maintained on the lot.

B. The view corridor requirement of this section is not required for:

1. Open moorage of boats;
2. Floating homes;
3. Water-dependent uses in UD environments;
4. Any development on upland lots where there is an intervening street between the property and the shoreline and the development will not obstruct the view of a substantial number of residences, and the yard requirements for the underlying zone are observed.

C. Residential structures shall not be located closer to the shoreline than adjacent structures. If there is no other structure within one hundred feet, residential structures shall be located at least twenty-five feet back from the line of higher regulated lake level of Lake Washington, Lake Union and connecting fresh waters, or the line of ordinary high tide.

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Table 2

BASIC SHORELINE BULK REQUIREMENTS (FOR NON-PUD DEVELOPMENT)

Area	View Corridor (percent) of lot width (10)	Lot Coverage (percent) of area	Maximum Height (1) On Land	Maximum Height (1) Over Water
A. Puget Sound				
1. North city limits to Chittenden Locks	35%	35%	35′	35′
2. Magnolia				
a. Chittenden Locks to West Ruffner St.	35%	35%	35′	35′
b. West Ruffner St. to west boundary (Pier 91)	35%	30%	35′	35′
c. West boundary Pier 91 to Prospect St. extended (Pier 86)	35%	75%	50′	50′
3. Elliott Bay/Duwamish River				
a. North central waterfront Pier 86, (Propect St.) to Pier 72, Bay St.	30%	60%	50′	15′ (2)
b. Central waterfront Bay St. to Wash. St. (5)	30%	50% (9)	50′	50′ (3)
c. South waterfront Pier 48 to Bronson Way S.W.	NA	100%	NA	NA (6)
d. Duwamish River and waterways	NA	100%	NA	NA (6)
4. West Seattle				
a. Bronson Way S.W. to California Ave. S.W.	35%	35%	35′	35′
b. California Ave. S.W. to Alki Pt.	35%(4)	35%(4)	35′(4)	15′(2)
c. Alki Pt. to south city limits	35%	35%	35′	15′(2)
B. Lake Wash. Ship Canal to Aurora Bridge				
1. Chittenden Locks to 3rd Ave. N.W. (north side)	35%	100%	NA(6)	NA(6)
2. 3rd N.W. to Aurora Bridge (north side)	35%	100%	NA(6)	NA
3. Chittenden Locks to Ballard Bridge (south side)	35%	50%	35′	35′
4. Ballard Bridge to 3rd Ave. W. (south side)	35%	100%	NA(6)	NA(6)
5. 3rd Ave. West to Aurora Bridge (south side)	35%	50%	35′	NA
C. Lake Union/Portage Bay				
1. Westlake Ave. Aurora Bridge to Highland Drive	35%	50%	35′(8)	35′
2. Highland Drive to Yale Ave. N.	35%	50%	35′(8)	35′
3. Yale Ave. N. to Waterway 8	35%	50%	35′(8)	35′
4. Waterway 8 to E. Newton Street	35%	50%	35′(8)	25′
5. E. Newton Street to University Bridge	35%	50%	35′	25′
6. North side University Bridge to Montlake Bridge	35%	50%	35′(7)	25′
7. South side University Bridge to Montlake Bridge	35%	50%	35′	25′
8. University Bridge to Aurora Bridge	35%	50%	35′	25′
D. Lake Washington				
1. All except Madison Beach Park	35%	35%	35′	15′(2)
2. Madison Beach Park	35%	40%	35′	15′(2)
E. Green Lake	NA	NA	35′	15′(2)

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FOOTNOTES TO TABLE 2

(1) See exceptions to height limits in Section 24.60.385.
(2) No over water construction of principal structures permitted. Height limits apply to permitted accessory structures.

(3) Gross floor area is limited to 2.0 times the lot area, including accessory parking areas. Height of buildings is measured from centerline of Alaskan Way.
(4) Bulk requirements governed by Chapter 24.32 when upland lot zoned RMH-350.
(5) See Section 24.60.510 for bulk requirements in shoreline PUD.
(6) Gross floor area is limited to 2.5 times the lot area.
(7) Maximum height may be increased to 60 feet by Director for water-dependent facilities when development is consistent with a long-range development plan for uplands approved by the City Council subsequent to adoption of this chapter.[1]
(8) Heights greater than 35 feet are not encouraged and may only be permitted by the Director upon a finding that such height is otherwise consistent with the policies of the Shoreline Management Act of 1971 and this Master Program and that such height will not obstruct the views from a substantial number of residences and in no event will exceed a height of 55 feet.
(9) No additional coverage of the water by fixed structures is permitted. See Section 24.60.355.
(10) See Section 24.60.395B.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.35, 1957.)

1. Editor's Note: Ord. 106200 was passed by the City Council on February 7, 1977.

24.60.400 Regulated public access—Public property.

A. Regulated public access shall be provided to the shorelines of all public property.

B. Unless otherwise provided in this chapter, regulated public access shall be provided for developments on publicly owned and public-controlled waterfront property, whether leased to private lessees or not, except as follows:

1. Harbor areas, other than in the Central Waterfront, leased from the state and completely occupied by water-dependent uses;

2. Street ends and waterways occupied by water-dependent uses under permit or lease.

C. Where a large shoreline development requires a number of substantial development permits, the requirement of regulated public access shall be applied in the context of the entire development.

D. Not less than fifteen percent of the submerged portion of a lot which is covered by structures in the US/CW environment or at least five thousand square feet, whichever is greater, shall be devoted to regulated public access.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.36, 1957.)

24.60.405 Regulated public access—Private property.

A. Unless otherwise provided in this chapter, regulated public access shall be provided for all non-water-dependent uses on waterfront lots which are:

1. Nonresidential; or

2. Developed as a planned unit development; or

3. Exclusively residential developments containing four or more units and having one hundred or more feet of shoreline, provided that no such regulated public access shall be required on salt water shorelines where public access to the shoreline from a street is available within six hundred feet of the proposed development.

B. Lots in the Shoreline District which are rezoned to the RM 1600 or more intensive zone from a less intensive zone shall be rezoned only upon agreement by the property owner that upon development, a minimum setback from the shoreline of twenty feet shall be provided and that regulated public access along the entire length of the shoreline shall also be provided.

C. Not less than fifteen percent of the submerged portion of a lot which is covered by structures in the US/CW environment shall be devoted to regulated public access, or at least five thousand square feet, whichever is greater.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.37, 1957.)

24.60.410 Regulated public access—General conditions.

A. Access to a shoreline may be denied to any person who creates a nuisance or engages in illegal conduct on the property, and the Director may authorize such regulated public access to be temporarily or permanently closed if he finds that such offensive conduct cannot otherwise be reasonably controlled.

B. Regulated public access shall be appropriately indicated by signs, and insofar as possible shall have easy and direct access from street level and shall provide unimpeded views of the water and water activities.

C. Regulated public access shall not be required where:

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1. Unavoidable hazards to the public in gaining access exist;

2. Inherent security requirements of the use cannot be satisfied;

3. Unavoidable interference with the use would occur;

4. The cost of providing public access is unreasonably disproportionate to the total cost of the proposed development; or

5. Public access at the particular location cannot be designed or developed to provide a pleasant view or recreational experience.

D. Regulated public access shall not be required in the US/LU environment on private lots abutting a street end or waterway which provides public access, which have a front lot line less than one hundred feet in length, measured at the upland street frontage generally parallel to the water's edge.

E. The following Table 2A illustrates the requirements of this chapter for regulated public access.

TABLE 2A

Regulated Public Access Requirements

	Type of Property	Regulated Public Access
1.	Public property–use(s)	Required
2.	Public property leased or rented for private, non-water-dependent use(s)	Required
3.	Central Waterfront–public and private property	15% of total water area covered by structure(s), or 5,000 square feet, whichever is greater
4.	Public property leased or rented for private, 100% water dependent use(s)	Not required
5.	Public or private property, 100% water dependent use(s)	Not required
6.	Private property, non-water-dependent use	Required, if four or more residential units and 100 feet or more of waterfrontage, shoreline PUD, or commercial or industrial use, unless exclusively residential development on salt water shoreline and public access to shoreline from street is available within 600 feet
7.	Private residential development on salt water	Required if not within 600 feet of public access to water

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.38, 1957.)

24.60.415 Design review of developments.

The Director may require any public development to be reviewed for visual design quality by appropriate experts selected by mutual agreement between the applicant and the Director prior to approval of such development, and may conduct such review prior to an application for a substantial development permit at the request of the prospective applicant. The actual costs of such review shall be borne by the applicant.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.39, 1957.)

Subchapter V Permitted Uses

24.60.420 Permitted uses in Shoreline District environments.

A. Uses are permitted in the seven Shoreline District environments in accordance with the following table, subject to the provisions of this chapter and the criteria for evaluating applications for substantial development permits in Section 24.60.520 et seq. The symbol "X" opposite a use means the use is prohibited, the symbol "A" means the use is a permitted shoreline use, the symbol "C" means the use may be permitted as a shoreline conditional use in accordance with the procedures for authorizing such uses established in this chapter, and the symbol "S" means the use may be permitted as a shoreline special use if the additional conditions of Section 24.60.525H are satisfied. Cross-references to definitions and to specific text sections are intended to assist in understanding Table 3 and are not intended to exclude the application of other provisions.

B. Shoreline uses are permitted by this chapter only when also permitted by the underlying zoning. Accessory uses customarily incidental to a use permitted in Table 3 and not expressly prohibited are also permitted.

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Table 3

PERMITTED USES

	Defined in § 24.60	Subject to § 24.60	CN	CM	UR	US	US/LU	US/CW	UD
Residential Uses									
Single-family		530	X	X	A	A	A	X	X
Multi-family		530	X	X	A	A	A	X	X
Floating homes	060	535	X	X	S(4)	S(4)	A	X	X
Existing floating homes	060	535; 650	X	X	A(4)	A	A	X	X
Retirement and other group homes			X	X	A	A	A	X	A
Swimming pools		750	X	A	A	A	A	A	A
Business and Commercial Uses		540							
Offices		540	X	X	X	A	X	A(17)	A
Retail shops		540	X	X	X	A	A	A	A
Restaurants		545	X	X	X	A	A	A	A
Hotels, motels, boatels	080	550	X	X	X	X	X	A(1)	X
Commercial Boating, Private Clubs and Public Boating Facilities									
Marine sales			X	X	X	A	A	A	A
Open wet moorage	125	650	X	A	A	A	A	A	A
Covered wet moorage	120	655	X	X	X	A	X	X	A
Stacked moorage		655	X	X(5)	X	A	A	X	A
Launching ramps		660	X	S	S	A	A	X	A
Haul-out facilities		660	X	S	S	A	A	A	A
Marine construction repair and dismantling			X	X	X	A	A	X	A
Marine service stations		665	X	X	X	A	A	A	A
Public marinas		670	X	A(5)	X	A	A	A	A
Private nonprofit yacht clubs		765	X	X	A(16)	A	A	X	A
Transportation Facilities		620							
Accessory parking		615	X	S	A	A	A	A	A
Principal use parking		615	X	X	X	X	X	X	X
Cargo terminal		645	X	X	X	A	A	A	A
Passenger and auto ferry terminal		645	X	A	X	A	A	A	A
Highways, freeways and major arterials		625	X	X	S(7)	S(7)	S(7)	S(7)	S
Railroads, spurs and rail transit		630	X	X	S(8)	S(8)	S(8)	S	S
Bicycle and pedestrian ways		635	X	A	A	A	A	A	A
Streets, scenic roads and auto-oriented viewpoints		625	X	A	A	A	A	A	A
Land-based aircraft facilities		640	X	X	X	X	X	X	X

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	Defined in § 24.60	Subject to § 24.60	CN	CM	UR	US	US/LU	US/CW	UD
Water-based aircraft facilities		640	X	X	X	S	S	S	S
Utilities									
Overhead		580; 585; 590	X(9)	X(9)	X(9)	A	X(9)	X(9)	A
Underwater		595	S	S	S	A	A	A	A
Intakes and outfalls		600	S	S	A	A	A	A	A
Sewer lines (storm, sanitary, combined)		600	X(2)	X(2)	A	A	A	A	A
Sewage treatment facilities		610	X(2)	X(2)	X(2)	X(2)	X(2)	X(2)	X(2)
Industrial and Manufacturing Uses									
Log storage and rafting		735	X	X	X	A	A	A	A
Sand, gravel and concrete mix and cement plants			X	X	X	S	S	X	A
Cargo handling and water-dependent manufacturing	265	565	X	X	X	A	A	X	A
Other industrial or manufacturing uses (including refuse transfer and salvage stations, mills and refineries)			X	X	X	X	X	X	A
Warehousing and wholesaling			X	X	X	A	A	X	A
Shoreline Structures and Alteration									
Sanitary landfill			X	X	X	X	X	X	X
Dredging		715; 720	C	A(10)	A(10)	A(10)	A(10)	X	A(11)
Landfill		725; 730	C	A(12)	A(12)	A(12)	X	X	X(13)
Piling		690	X	S	A	A	A	A	A
Floats		685	X	A	A	A	A	A	A
Single-family, multi-family community recreation piers	150	675; 685	X	A	A	A	A	X	A
Commercial piers	150	680	X	X	X	A	A	A(3)	A
Public recreational piers	150	680	X	A	A	A	A	A(3)	A
Groins	075	700	X	S	A	A	A	A	A
Breakwaters		695	X	S	A	A	A	A	A
Bulkheads and shoreline protective structures		705; 710	X	A	A	A	A	A	A
Offshore facilities	135	745	S	X	X	X	X	X	X
Signs									
Business signs	220	520; 525	X	X	X	A	A	A	A

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	Defined in § 24.60	Subject to § 24.60	CN	CM	UR	US	US/LU	US/CW	UD
Outdoor advertising signs	215	520; 525	X	X	X	X	X	X	A
Miscellaneous									
Aquaculture - structures	020	740	S	S	A	A	A	A	A
Public parks		760	S	A	A	A	A	A	A
Research and educational uses		555	X	A	A	A	A	A	A
Nonprofit fraternal and social clubs, multiple residence recreational facilities other than moorage		750	X	X	A	A	A	A	A
Community facilities		755	X	A	A	A	A	A	A

FOOTNOTES TO TABLE 3

(1) Permitted only as part of a shoreline planned unit development. See Section 24.60.500 (Central Waterfront).
(2) Unless no feasible alternative exists. See Sections 24.60.600, 24.60.610.
(3) Permitted south of Bay Street only. See Section 24.60.680.
(4) Permitted on Portage Bay only. See Section 24.60.535.
(5) Subject to provisions of Sections 24.60.650B and 24.60.655.
(6) (Reserved)
(7) New facilities parallel and adjacent to shoreline are prohibited. See Section 24.60.625.
(8) New facilities parallel and adjacent to shoreline are prohibited. See Section 24.60.630.
(9) Except lines carrying 230 KV or more, which are permitted. See Section 24.60.590.
(10) Dredging of 500 cubic yards or more is special use in particular environment. Permitted only if additional conditions of Section 24.60.525H are satisfied. See Section 24.60.715.
(11) Dredging of 1000 cubic yards or more is special use in particular environment. Permitted only if additional conditions of Section 24.60.525H are satisfied. See Section 24.60.715.
(12) Landfill of 500 cubic yards or more is special use in particular environment. Permitted only if additional conditions of Section 24.60.525H are satisfied. See Section 24.60.725.
(13) Landfill of 1000 cubic yards or more is special use in particular environment. Permitted only if additional conditions of Section 24.60.525H are satisfied. See Section 24.60.725.
(14) Except as permitted in Section 24.60.745.
(15) (Reserved)
(16) Permitted only where underlying zoning is RW. See Section 24.60.765.
(17) Permitted above first floor only and not more than 30% of gross floor area or 100,000 square feet south of Bay Street. See Section 24.60.540.

(Ord. 106589 § 1, 1977: Ord. 106463 § 1, 1977: Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.40, 1957.)

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Subchapter VI Permit Procedures

24.60.425 Procedures for obtaining substantial development permits.

No substantial development shall be undertaken on shorelines of the city without first obtaining a substantial development permit from the Superintendent. Applications for permits shall be made on forms prescribed by the Superintendent, shall be made by or on behalf of the property owner, lessee, contract purchaser, or other person entitled to possession of the property, and shall be accompanied by a receipt of the City Treasurer showing payment of the applicable filing fees. Upon receipt of the application, the Superintendent shall refer the application to the Director for an investigation and determination as to its conformance with the requirements of this chapter, and shall instruct

the applicant to publish notices thereof once a week for two consecutive weeks in a newspaper of general circulation in the area where the development is proposed and once in the city official newspaper. In addition, the Superintendent shall post at least four copies of the notice prominently on the subject property and in conspicuous public places within three hundred feet thereof and shall mail copies of the notice to any business or community group in the area which asks to be notified of permit applications. The notices shall include a statement that any person desiring to present views to the Director with regard to the application or wishing to be notified of the decision may do so in writing within thirty days of the last date of publication of notice. The Director shall refer a copy of the application to any Shoreline Advisory Council established for the area pursuant to Section 24.60.320. The Council and other persons submitting views or requesting notice shall be entitled to receive by mail a copy of the action taken on the application.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.50, 1957.)

24.60.430 Criteria for substantial development permit.

A. Unless otherwise provided in this chapter, a substantial development permit shall be issued only when the development proposed is consistent with the Shoreline Master Program of the city, as defined in Section 24.60.180 which consists of the general statement of shoreline goals and policies in Resolution 25173 and the specific regulations of this chapter, and with the provisions of the Shoreline Management Act of 1971 as expressed in RCW Chapter 90.58. The burden of proving that the proposed substantial development is consistent with the foregoing criteria shall be on the applicant. The Director shall make a decision on the application within sixty days following publication of the second notice required in Section 24.60.425, or within fifteen days after issuance of a final environmental impact statement by the Director, if required. Such time limitation shall not apply where:

1. The Director has requested additional information from the applicant as provided in Section 24.60.435; or

2. The applicant modifies the application as provided in Section 24.60.435; or

3. A public hearing on the application is held pursuant to Section 24.60.440.

The Director may require the Superintendent to attach to the permit such conditions regarding the location, character and other features of the proposed structures or use, including provision of a performance bond for a term not to exceed five years, as are deemed necessary to carry out the spirit and purpose of and assure compliance with this chapter.

B. All permits issued by the Superintendent shall be consistent with the determinations and directions of the Director.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.51, 1957.)

24.60.435 Additional data.

A. The Director may require the applicant to supply additional information or data relating to the proposed development to enable him to evaluate the application or to prepare any necessary environmental assessment or impact statement and to make a determination on the application. An application shall be cancelled by the Superintendent when the Director advises that the applicant has failed without justification to supply required information or data within ninety days of a written request therefor, provided, the Director may extend the period for such submission for not more than one hundred days if he finds that the delay was not the fault of the applicant.

B. The applicant may modify the application at any time prior to the decision so long as the modification does not substantially change the uses or increase the bulk proposed, change the essential features of the development, or otherwise increase the impact of the development upon the shoreline.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.52, 1957.)

24.60.440 Public hearing.

As a part of the process of reviewing an application for a substantial development permit, the Director, at his discretion, may provide for a public hearing on the application, particularly where:

A. The proposed development has broad public significance;

B. Fifty or more interested persons file a written request for such hearing not later than the thirtieth day following the date of final publication of notice of the application;

C. The cost of the proposed development,

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exclusive of land, will exceed Five Hundred Thousand Dollars ($500,000.00); or

D. The proposed development will require a shoreline conditional use or a variance from the provisions of this chapter, or other extraordinary relief from the provisions of this subtitle or state or federal shoreline regulations.

Public hearing shall be conducted by the Director or his designee after not less than twenty days' notice given in the manner provided in Sections 24.64.120 and 24.64.130 for amendments to the Official Zoning Map, and written notice of such hearing shall be mailed to persons requesting the same at least seven days prior to the date of the hearing.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.53, 1957.)

24.60.445 Commencement of construction.

No construction pursuant to a substantial development permit authorized by this chapter shall begin or be authorized and no building, grading or other construction permits shall be issued by the Superintendent until thirty days from the date of final approval and issuance of the substantial development permit by the Superintendent or until all review proceedings are terminated if such proceedings were initiated within thirty days of the date of final approval by the Director.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.54, 1957.)

24.60.450 Rulings to state—Review.

Any ruling on an application under authority of this chapter, whether it be approved or denied, shall, concurrently with the transmittal of the ruling to the applicant, be filed by the Superintendent with the Department of Ecology and the Attorney General. Any person aggrieved by the granting or denying of a substantial development permit on shorelines of the city, or by the rescission of a permit pursuant to this chapter may seek review by the Shorelines Hearings Board by filing a request for the same within thirty days of receipt of the final order, and by concurrently filing copies of the request with the Department of Ecology and the Attorney General as provided in Section 18(1) of the Shorelines Management Act of 1971.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.55, 1957.)

24.60.455 Time limits for permit validity.

The following time requirements shall apply to all substantial development permits:

A. Construction or substantial progress toward construction of a project for which a permit has been granted pursuant to this chapter must be undertaken within two years after final approval of the permit or the permit shall terminate. If such progress has not been made, a new permit shall be necessary.

B. If a project for which a permit has been granted pursuant to this chapter has not been completed within five years after approval of the permit, the Superintendent shall review the permit, and upon a showing of good cause, do either of the following:

1. Extend the permit for one year; or
2. Terminate the permit;

all as provided in WAC 173-14-060.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.56, 1957.)

24.60.460 Revisions to substantial development permits.

When an applicant seeks to revise a substantial development permit, the Superintendent shall request from the applicant detailed plans and text describing the proposed changes in the permit and shall refer same to the Director for a determination.

A. If the Director determines that the proposed changes are within the scope and intent of the original permit, do not substantially change the uses or increase the bulk, change the essential features of the development, or otherwise increase the impact of the development upon the shoreline, he shall so advise the Superintendent, and the Superintendent shall approve the revision. The revised permit shall become effective immediately. The approved revision, along with copies of the revised site plan and text, shall be submitted by certified mail to the appropriate Department of Ecology Regional Office, the Attorney General, and to persons who have previously notified the Director relative to the original application. Appeals shall be in accordance with RCW 90.58.180 and shall be filed within fifteen days from date of certified mailing. The party seeking review shall have the burden of proving the revision was not within the scope and intent of the original permit.

B. If the proposed changes are not within the scope and intent of the original permit, the

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applicant shall apply for a new substantial development permit in a manner provided for in this chapter.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.57, 1957.)

24.60.465 Rescission.

The Superintendent may rescind a substantial development permit if he finds that the permittee has not complied with conditions of the permit.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.58, 1957.)

24.60.470 Fee schedule.

A. Permit Fee. The fee which shall accompany an application for a substantial development permit shall be as follows, and shall be in addition to any charge imposed by ordinance to defray the cost of compliance with the State Environmental Policy Act:

Estimated Development Cost	Fee
Up to $50,000	$ 50
$50,001 to $100,000	100
$100,001 to $ 500,000	500
$500,001 to $1,000,000	1,000
Over $ 1,000,000	1,500

B. Variance Fee. When a shoreline variance is required but not a substantial development permit, the fee for such variance shall be the same as the fee for a zoning variance.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.59, 1957.)

Subchapter VII Conditional Uses, Variances and Planned Unit Developments

24.60.475 Shoreline conditional uses.

A. Uses which are identified in this chapter as shoreline conditional uses, and other uses which, although not expressly mentioned in Table 3,[1] are permitted in the underlying zones and are not prohibited in the Shoreline District, may be authorized by the Director in specific cases upon approval of the Department of Ecology if he finds that:

1. The use will not have a significant adverse effect upon the environment or other adjacent or nearby uses, or that such adverse effects can be mitigated, or that the benefits of permitting such use outweigh such adverse effects;

2. The use will not interfere with public use of public shorelines;

3. Design and appearance of the development will be compatible with the design and appearance of surrounding uses; and

4. The use will not be contrary to the general intent of the Shoreline Master Program of the city.

The burden of proof that all of the foregoing facts and conditions exist shall be on the applicant.

B. In authorizing a shoreline conditional use, the Director may impose requirements and conditions in addition to those expressly set forth in this chapter with respect to location, installation, construction, maintenance and operation and extent of open spaces as may be deemed necessary for the protection of other properties in the shoreline environment or vicinity and the public's interest in the shoreline.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.60, 1957.)

1. Editor's Note: Table 3 is located following Section 24.60.420 of this chapter.

24.60.480 Shoreline variances.

A. In specific cases the Director with approval of the Department of Ecology may authorize variances from specific requirements of this chapter when there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Shoreline Master Program. A shoreline variance will be granted only after the applicant can demonstrate the following:

1. That if he complies with the provisions of the Master Program, he cannot make any reasonable use of his property. The fact that he might make a greater profit by using his property in a manner contrary to the intent of the program is not a sufficient reason for a variance;

2. That the hardship results from the application of the requirements of the Act and Shoreline Master Program, and not, for example, from deed restrictions or the applicant's own actions;

3. That the variance granted will be in harmony with the general purpose and intent of the Shoreline Master Program;

4. That the public welfare and interest will be preserved.

B. In authorizing a shoreline variance, the Director may attach thereto such conditions regarding the location, character or other features of a proposed structure or use as may be deemed necessary to carry out the spirit and purpose of this chapter and in the public interest.

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(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.61, 1957.)

24.60.485 Public hearing—Shoreline conditional uses and shoreline variances.

Prior to authorizing a shoreline conditional use or a shoreline variance, the Director or his designee shall conduct a public hearing on the application after notice and in the manner provided in Section 24.60.440. After taking action on a substantial development application which includes a shoreline conditional use or variance, the permit shall be submitted by the Superintendent to the Department of Ecology for its approval, approval with conditions (with concurrence of the Director) or denial.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.62, 1957.)

24.60.490 Shoreline planned unit developments.

The intent of this provision is to allow, on relatively large tracts, additional permitted uses and flexible bulk requirements which will assure a better development than would otherwise result from the application of shoreline bulk and use regulations and where consistent with the goals and policies of Resolution 25173 and the policy of the Shoreline Management Act of 1971 can be assured. A shoreline planned unit development may be authorized by the Council even though the use, location and bulk of the buildings and open spaces do not conform in all respects with the regulations of the environment in which the tract is located, provided such development meets all applicable requirements of Sections 24.60.495 through 24.60.515.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.63, 1957.)

24.60.495 Shoreline planned unit development—Basic requirements.

A. The site shall be located in the US/CW environment.

B. The tract to be developed shall have a minimum lot area of two acres, of which not less than fifty percent is inside the inner harbor line as of September, 1975.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.64, 1957.)

24.60.500 Shoreline planned unit development—Modification of permitted uses—Central waterfront.

A. Hotels, motels and boatels, are permitted in a shoreline planned unit development in the US/CW environment as principal uses when the gross floor area devoted to such uses does not exceed sixty percent of the overall permitted gross floor area.

B. Office, hotel, motel and boatel uses shall not occupy more than eighty-five percent of the gross floor area devoted to non-water-dependent uses. Offices are a permitted use in the US/CW environment as a principal use, provided that such offices shall be located on the second floor or above and the gross floor area devoted to such use shall not exceed thirty percent of the overall permitted gross floor area or two hundred thousand square feet, whichever is less.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.66, 1957.)

24.60.505 Shoreline planned unit development—Modification of bulk requirements—Central waterfront.

A. No site (including all leased areas) shall be developed over more than sixty percent of its horizontal surface area.

B. Total gross floor area used in computation of the floor area ratio shall include that area used for accessory parking, but shall not include: (1) areas used for mechanical equipment not to exceed fifteen percent of the total gross floor area, or (2) platform area not covered by buildings.

C. As publicly oriented usable open space is required by subsection E, gross floor area may be increased to a maximum FAR of 2.5.

D. View Corridors. No side yards as such as required. However view corridors equal in width to at least thirty percent of the street frontage and generally at right angles to Alaskan Way shall be provided.

E. Usable Open Space. Publicly oriented usable open space equal to at least twenty-five percent of the covered portions of the site or five thousand square feet, whichever is greatest, shall be provided.

F. Structure Parts above Base Structure.

1. That part of a structure above a base structure shall not exceed a total gross floor area of two hundred thousand square feet.

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2. No part of a structure above a base structure shall be located more than one hundred fifty feet seaward from the street lot line, measured horizontally at a right angle from the street lot line to the farthest point on the tower.

3. All parts of structures above a base structure must be set back at least thirty feet from any street lot line or required view corridor.

4. No part of a structure above a base structure shall exceed a maximum horizontal width of one-hundred seventy feet measured between its two farthest points.

5. No structure shall exceed a maximum vertical height of one hundred fifty feet, and the gross floor area of that part of such structures exceeding a height of eighty-five feet shall not exceed 22.5 percent of the gross floor area of the entire development or one hundred eighty thousand square feet, whichever is less. Maximum height will be determined by the City Council after urban design relationships are explored.

6. Maximum height may be increased up to twenty feet when seventy percent or more of its lobby or street level is open and accessible to the public and at least fifteen feet in height, so as to open up substantial amounts of water or water-dependent activities to view.

G. The maximum height of base structures may be increased from fifty feet to eighty-five feet when the horizontal bulk of such structures is reduced to improve upland views of the water. In general, the permitted increase in area of the face of the base structures over fifty feet in height should be equal to the area reduced below fifty feet.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.67, 1957.)

24.60.510 Development guidelines—Shoreline planned unit developments—Central waterfront.

A. Public-oriented Improvements.

1. All publicly oriented improvements shall be readily accessible to the public during regular daylight hours. Periodic closures shall be permitted for normal maintenance and repairs.

2. All publicly oriented improvements shall be justified as to location and need.

3. Usable exterior open space should generally be located on the southern or western portions of a development to optimize solar exposure and provide wind protection.

4. Enclosed viewing areas shall be sited so as to optimize views. In addition, at least fifty percent of the enclosing surfaces of such a space (excluding floors) shall be of a transparent material such as glass or acrylic plastic and treated in such a manner so as to remain transparent (air-conditioned, insulated, insulated membrane, etc.)

5. All required usable open spaces shall be treated in such a manner as to be inviting and used by the public. Seating at a minimum ratio of one seat for each two hundred square feet of improvement area provided and landscaping are suggested.

6. All publicly oriented improvements should be connected to Alaskan Way with a corridor having a minimum average width of ten feet and at no point less than five feet. All publicly oriented improvements and connecting areas should also be clearly designated as such with appropriate graphics stating the type of improvement and hours open to the public.

B. Structures.

1. All structures shall be sited in such a manner so as to maximize views to the water and points west. Orientation should take into consideration not only upland views, especially those along predominantly east-west street right-of-ways, but also pedestrian-oriented street level views from along Alaskan Way and views from the water.

2. The maximum height of any part of a structure above a base structure should be visually compatible with its immediate surroundings, taking into consideration the existing scale as well as the probable scale of new development permitted in the area. Particular attention should be given to adjacent developments and proposals for the area east of the Alaskan Way Viaduct.

3. Any base structure with a vertical height in excess of thirty feet should be designed so as to make a smooth rather than abrupt transition to the water or the platform upon which it sits.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.68, 1957.)

24.60.515 Procedure for securing approval of shoreline planned unit development.

A. Predevelopment Conference. At least four months prior to the issuance of a building permit the applicant shall attend a conference with

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representatives of the Building, Engineering and Community Development Departments to consider Building Code, Zoning Ordinance, traffic and environmental requirements,[1] and the impact of the proposed development on other nearby structures, including proposed structures for which a reasonable degree of planning has been undertaken, as well as in the immediate area as a whole, particularly as to:

1. The effect on pedestrian and vehicular circulation;

2. The impact upon upland, east-west street, and pedestrian views, as well as efforts taken to enhance these views;

3. Whether adequate consideration has been given to the provisions of public amenities such as usable open space, enclosed viewing areas, and public moorage;

4. Whether adequate consideration has been given to the overall design and siting of overwater development as it relates to other waterfront development, the waterscape, the streetscape and development east of the Alaskan Way Viaduct.

B. Preapplication Conference. At least sixty days prior to application for substantial development permit, the developer shall submit schematic drawings, including plans, sections and elevations showing the relationship of the proposed development to the site and to adjoining sites and including the information required for a permit, to the Director for review. The Director may seek the advice of the Design Commission with respect to such preliminary plans after preparing a report on the proposal for their consideration.

C. Application. The developer shall submit with the application for substantial development permit a narrative description of the project, with appropriate explanatory drawings, stating the purpose of the development, and including financial information, phasing, proposed ideas and other data sufficient for reasonable understanding of the magnitude and environmental impacts of the proposed project. In preparing its report and recommendations, the Department shall utilize reviews by all appropriate city and other agencies as to the impacts of the proposed development.

D. Approval of a shoreline planned unit development shall be incidental to approval of a substantial development permit. In addition to the procedures provided in Section 24.60.520 et seq. of this chapter for approval of a substantial development permit, the Director shall prepare a written report concerning the application in the manner provided in Section 24.66.080, provided such report when completed shall be transmitted to the Council rather than the Commission. The Council shall consider the application in accordance with the provisions of Section 24.66.100. If the application is approved the Director shall proceed with the application for substantial development permit as in other cases, and the provisions of Sections 24.66.110 (Final Plans) and 24.66.120 (Appeal to Hearing Examiner) shall not apply.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.69, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code; the Traffic Code is in Title 11; regulations on environmental protection are in Chapter 25.04.

Subchapter VIII Criteria for Evaluating Shoreline Developments

24.60.520 Criteria for evaluating shoreline developments.

Unless otherwise provided in this chapter, all development on the shorelines of the city shall be consistent with the general criteria provided in Section 24.60.525 and the specific criteria of Section 24.60.530 et seq.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.70, 1957.)

24.60.525 General.

A. All proposed developments shall be consistent with the requirements of the Shoreline Master Program and the provisions of the Shoreline Management Act of 1971, as amended, expressed in RCW 90.58.

B. All proposed developments must conform to permit requirements of all other agencies having shoreline jurisdiction or responsibility, and authority to proceed under a substantial development permit may be conditioned upon the applicant's obtaining such other permits.

C. All proposed developments must conform with applicable federal, state and local regulations relating to air and water quality and noise pollution.

D. The proposed development must satisfy any substantive requirements of the State Environmental Policy Act.

E. Uses shall be preferred in the following order:

1. Water-dependent;

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2. Non-water-dependent with regulated public access;

3. Non-water-dependent without regulated public access.

F. Applications for substantial development permits on shorelines of statewide significance shall be evaluated in accordance with the principals outlined below in order of preference, and in accordance with the development guidelines for shorelines of statewide significance in WAC 173-16-040(5):

1. Recognize and protect the statewide interest over local interest;

2. Preserve the natural character of the shoreline;

3. Result in long-term over short-term benefit;

4. Protect the resources and ecology of shorelines;

5. Increase public access to publicly owned areas of the shorelines;

6. Increase recreational opportunities for the public on the shorelines.

G. Uses which cause or result in significant concentrations of harmful pollutants and materials subject to blowing which may enter runoff waters shall provide means to insure that such pollutants will not enter the water or air. Uses not connected to a storm drain shall provide means acceptable to the Director capable of containing and providing for the slow release of surface runoff, provided such requirement shall not apply to sites where the applicant can clearly demonstrate that surface runoff from shoreline uses will not create or significantly contribute to a flood, erosion or pollution hazard.

H. Uses which are identified in Table 3, Section 24.60.420 as special uses in a particular environment may be authorized by the Director when the following additional conditions are satisfied:

1. The use will not have a significant adverse effect upon the environment or other adjacent or nearby uses, or such adverse effects can be mitigated, or the benefits of permitting such use outweigh such adverse effects;

2. The use will not interfere with public use of public shorelines;

3. Design and appearance of the development will be compatible with the design and appearance of surrounding uses; and

4. The use will not be contrary to the general intent of the Shoreline Master Program of the city.

The burden of proof that all of the foregoing facts and conditions exist shall be on the applicant.

In authorizing a shoreline special use, the Director may impose requirements and conditions in addition to those expressly set forth in this chapter with respect to location, installation, construction, maintenance and operation and extent of open spaces as may be deemed necessary for the protection of other properties in the shoreline environment or vicinity and the public's interest in the shoreline.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.71, 1957.)

24.60.530 Residential uses.

A. Except for floating homes, new residential structures constructed over water are prohibited. Residential uses over water accessory to a principal use are also prohibited, except for caretaker quarters.

B. New apartment houses (four units or more) will be permitted on land only and then only with regulated public access to and along the water's edge as provided in Section 24.60.405.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.72, 1957.)

24.60.535 Floating homes.

A. General.

1. Floating homes and floating home moorages are water-dependent uses and as such are preferred uses to occupy the surface of the water. Such uses shall comply with the Floating Homes Ordinance (No. 96821)[1] and the requirements of this chapter.

2. Floating homes and floating home moorages are a permitted use only in the US/LU and UR environments as provided in Table 3,[2] and only on Lake Union and Portage Bay.

3. Floating homes shall not exceed twenty-one feet at the highest point measured from the surface of the water.

4. Floating homes shall not cover in excess of one thousand two hundred square feet of water area, inclusive of float, decks, and roof overhang.

5. Floating homes shall not be located or relocated in such a manner as to block the view

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corridor from the end of the dock or walkway. In the location and the design of new or remodeled floating homes, views of the water for moorage tenants and the public shall be opened up and enhanced.

6. Floating homes shall not be located between the combined pierhead/harbor line and the Seattle Construction Limit Line in Lake Union.[3]

B. Replacement and Remodeling. The replacement, remodeling or new construction of a floating home at an existing moorage not meeting the lot coverage, open water, site area, yard, or location provisions of this chapter shall be permitted if it results in no increase in the total float area as of the effective date of the adoption of this chapter,[4] and the height of the floating home does not exceed sixteen feet.

C. New Floating Homes and Floating Home Moorages.

1. Minimum site area for an individual floating home shall be two thousand square feet.

2. Total water coverage of all floating homes and all moorage walkways (fixed or floating) shall not exceed forty-five percent of the submerged portion of the moorage lot area.

3. Yards.

a. The minimum distance between adjacent floating home floats or walls shall be ten feet of open water.

b. The minimum distance between floating homes on opposite sides of a moorage walkway shall be ten feet, wall-to-wall.

c. The minimum distance between any floating home float or wall and any floating home moorage lot line shall be five feet except when adjacent to a public street right-of-way, a waterway or the fairway. A moorage walkway (fixed or floating) may abut upon the lot line.

d. Each floating home shall have direct access to a moorage walkway of not less than five feet of unobstructed width leading to a street.

e. Each floating home in a floating home moorage shall abut upon open water at least twenty feet wide and open continuously to navigable waters.

4. Public Access. Usable open space shall be provided on the upland portion of the site for regulated public access and shall be located so as to provide substantial visual access to the water.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.73, 1957.)

1. Editor's Note: Ord. 96821 has been repealed by Ord. 106350.
2. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.
3. Editor's Note: Regulations on the Lake Union Construction Limit Line are codified in Chapter 24.82 of this Code.
4. Editor's Note: Ord. 106200 was passed by the Council on February 7, 1977 and became effective on March 16, 1977.

24.60.540 Business and commercial uses.

A. Generally. Business and commercial uses which are not water-dependent or not clearly accessory to a water-dependent use shall provide regulated public access and unless expressly authorized in this chapter shall not be constructed over water. Unless otherwise provided in this chapter, business and commercial uses which are accessory to a water-dependent use shall not occupy more than forty percent of the floor area of any structure constructed over water.

B. US/CW Environment. Recreational and tourist-oriented business and commercial uses such as restaurants, fast-food service, seafood and vegetable and fruit markets, retail shops including gift, import and souvenir shops, bars, taverns, cabarets, theaters, marine and fishing supply, fish processing, water-oriented scientific, educational or historic centers such as aquariums or museums, water-oriented recreational facilities open to the public, and offices within existing structures not exceeding thirty percent of the gross floor area, or one hundred thousand square feet, whichever is less shall be permitted over water in the US/CW environment.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.74, 1957.)

24.60.545 Restaurants.

Restaurants shall be permitted only when a traffic generation study and a parking plan consistent with the requirements of this chapter are provided. While restaurants are not dependent upon a shoreline location, waterfront restaurants do provide members of the public with an opportunity to view and at times gain access to the water. Except as otherwise provided in this chapter, restaurants in the Shoreline District shall provide regulated public access and shall not be constructed over water.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.75, 1957.)

24.60.550 Hotels, motels and boatels.

Unless otherwise provided in this chapter, hotels, motels, and boatels are prohibited in the Shoreline District.

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(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.76, 1957.)

24.60.555 Research and educational uses.

A. As indicated in Table 3,[1] research and educational uses or facilities are permitted in all environments of the Shoreline District other than CN. All such uses must be water-dependent.

B. Educational and research uses or facilities which have a significant adverse impact upon the surrounding neighborhood by reason of the bulk or type of materials, heavy equipment or machinery, noise, odor, traffic, or other such characteristics are prohibited in the CM and UR environments.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.77, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.560 Wholesaling and/or warehousing.

Wholesaling and/or warehousing are permitted only as an accessory use serving a water-dependent principal use.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.78, 1957.)

24.60.565 Cargo handling and manufacturing.

A. Loading and unloading facilities shall be designed to reduce to the extent reasonably practical the accidental or incidental discharge into the air or water of particles or particulates related to industrial processes (e.g., dust, sawdust, grain or other fine granular materials). Applicants must show evidence that adequate means are available to treat or clean up spilled materials.

B. Cargo handling facilities shall be designed and used to avoid view obstruction from a substantial number of residences.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.79, 1957.)

24.60.570 Signs in CN and CM environments.

Signs are prohibited in CN and CM environments, except informational or interpretive signs and signs necessary to protect health and safety, or to explain a natural phenomenon, historical event or other special aspect of the environment.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.80, 1957.)

24.60.575 Signs in all environments other than CN and CM.

A. Advertising signs are prohibited in all shoreline environments except the UD environment.

B. All signs permitted in the Shoreline District shall conform to the requirements of Ordinance 90138[1] (relating to signs along scenic view and/or landscaped sections of the City's freeways, expressways, etc.) and to Ordinance 102929 (Comprehensive Sign Ordinance),[2] and in addition:

1. Views of the water from vistas and viewpoints shall not be impaired by the placement of business and advertising signs.

2. Advertising signs shall be located only on the upland side of public transportation routes which parallel and are adjacent to shorelines, unless views will not be substantially obstructed.

3. Signs shall be constructed against buildings to minimize visual obstruction of the shoreline.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.81, 1957.)

1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.
2. Editor's Note: Ord. 102929 has been repealed by Ord. 106350.

24.60.580 Utilities—General requirements.

A. To the extent practicable, all new utility installations and equipment shall be located or constructed within existing utility corridors.

B. To the extent practicable and commensurate with public safety, regulated public access shall be provided to utility owned or controlled property within the Shoreline District and such access on new public and private utility developments shall be required.

C. Screening of completed abovegrade utilities shall be required where compatible with view preservation and protection of the public.

D. Utility exchanges, substations and similar facilities are prohibited in the Shoreline District unless no feasible alternative exists.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.82, 1957.)

24.60.585 Installation and restoration of utilities.

Utility installation and construction shall be conducted in such a manner as to:

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A. Restore the shoreline areas affected as nearly as practicable to their preexisting condition;

B. Prevent degradation, contamination or pollution of the air or water; and

C. Prevent adverse impacts from the construction or installation upon the adjacent properties, water quality, vegetation, and resident or migratory aquatic life and/or wildlife.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.83, 1957.)

24.60.590 Underground and overhead location of utilities.

A. The installation of new electrical, telephone, other utility lines in areas where no such lines exist, or the substantial expansion of existing electrical, telephone or other utility lines in CN, CM and UR, US, US/LU and US/CW environments shall be accomplished underground, or under water, except for lines carrying 230 KV or more. Location of utilities in CN areas at existing designated cable crossing areas shall be preferred.

B. Overhead installation of utility lines shall be permitted in UD environments, where there are no significant impacts on upland views or scenic values. Placing, location and design shall minimize visibility of overhead utilities and preserve and enhance views.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.84, 1957.)

24.60.595 Underwater location of utilities.

A. Underwater pipelines carrying materials intrinsically harmful or potentially injurious to aquatic life and/or water quality shall be provided with shut-off facilities at each end of the underwater segments.

B. All development work shall be timed to avoid interference with major migratory fish runs.

C. All dredging shall conform to the requirements of this chapter.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.85, 1957.)

24.60.600 Intakes, outfalls and sewer lines.

A. Intakes, outfalls and sewer lines are permitted in UD, US, US/LU, US/CW, and UR environments, as provided in Table 3.[1]

B. Intakes, outfalls, and sewer lines shall not be located in CM and CN environments unless no feasible alternative exists. If permitted, permits for such installations shall be conditioned upon adequate measures to mitigate adverse impacts.

C. All intakes and outfalls shall be located at least one foot below mean lower low water or equipped with a flap valve or best available technology.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.86, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.605 Water use.

Discharge of waters used for cooling purposes into waters within the Shoreline District is prohibited unless:

A. Such use or discharge will not deplete or have a substantial adverse effect upon water quality, aquatic life and/or wildlife; and,

B. No reasonable alternative exists.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.87, 1957.)

24.60.610 Sewage treatment plants.

A. Expansion of existing sewage treatment plants or installation of new sewage treatment plants is prohibited in the Shoreline District unless no feasible alternative to such location exists. The determination as to feasibility shall be based upon the goals and policies of Resolution 25173, the Shoreline Management Act of 1971, as amended, and a full consideration of the environmental, social and economic impacts on the community.

B. The application and supporting documentation and the Director's recommendation regarding any proposed sewage treatment plant shall be submitted to the Hearing Examiner who shall conduct a public hearing and render a decision on such application. Such decision may be appealed to the City Council by any interested person in the manner provided in Sections 24.74.080 through 24.74.130 for appeals to the Board of Adjustment, and the City Council shall make a final decision on such application on the record.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.88, 1957.)

24.60.615 Off-street parking—Principal and accessory.

A. General Parking Policies.

1. Required parking spaces and loading

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berths as accessory uses shall be provided for principal uses in the Shoreline District as required by Chapter 24.64, except that such requirements may be waived or modified at the discretion of the Director if alternative means of transportation will adequately serve the proposed development in lieu of such off-street parking and loading requirements. Accessory parking requirements shall be waived in the US/CW environment where off-street parking to serve the proposed uses is available within eight hundred feet of the proposed development.

2. If the number of parking spaces for a proposed substantial development which are required by Chapter 24.64 or proposed by the applicant will adversely affect the quality of the shoreline environment, the Director shall direct that the plans for the development be modified to eliminate or ameliorate such adverse effect.

B. Prohibited Parking.

1. As indicated in Table 3,[1] parking facilities are prohibited in CN environments, and also prohibited in CM environments except as a shoreline conditional use accessory to a water-dependent principal use. Off-street parking as a principal use is prohibited in all environments.

2. Except as provided in this chapter, parking over water is prohibited in all environments except as an accessory use to a water-dependent principal use and then only if enclosed within a structure and screened from public view.

C. Existing Parking Lots. Existing nonaccessory parking lots shall be provided with screening substantially as is required for accessory parking areas in R Zones by Section 24.64-.160A, within three years of the effective date of adoption of this chapter.[2]

D. Parking Design Requirements. Except as otherwise provided in this chapter, new off-street parking uses shall comply with the following:

1. Such parking shall be provided only as an accessory use to a shoreline principal use.

2. Open parking shall be screened substantially as is required for accessory parking areas in R Zones by Section 24.64.160A.

3. Open parking lots shall be set back five feet from the property line adjacent to the street.

4. Open parking lots with a lot area exceeding twenty thousand square feet shall be provided with interior landscaping.

5. A satisfactory landscaping and maintenance plan shall be submitted as a condition for issuance of the permit.

6. Parking lots for boat launching facilities and marinas shall be located away from the water's edge, where feasible.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.89, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.
2. Editor's Note: Ord. 106200 was passed by the Council on February 7, 1977, and became effective on March 16, 1977.

24.60.620 Transportation facilities.

A. New transportation facility proposals must make provision for all modes of transportation when appropriate, give consideration and priority to low energy consumptive modes, and shall be available to and meet specific needs of the public, as determined by the authorizing agency.

B. New transportation facilities which will adversely impact the Shoreline District are prohibited, unless no other feasible alternative exists.

C. Transportation facilities will be encouraged which provide access to the shoreline with the least environmental cost. Facilities shall be located and designed appropriately for the function intended, and interruption of passive areas by active facilities should be avoided.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.90, 1957.)

24.60.625 Highways, freeways, major arterials, streets, scenic roads and drives and auto-oriented viewpoints.

A. New highways, freeways and major arterials, which are parallel and adjacent to the shoreline, shall not be permitted in the Shoreline District, except in US and UD environments.

B. New streets, scenic roads and drives and auto-oriented viewpoints on the shoreline are permitted if designed to improve public visual and physical access to the shoreline, to serve uses on the shoreline, and to conform to the topography and other natural features with minimum of cut, fill, and structural elements.

C. When permitted in the Shoreline District, new or expanded highways, freeways, and major

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arterials shall provide means for the public to overcome the physical barrier of the facility and gain access to the shoreline.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.91, 1957.)

24.60.630 Railroads, spurs and rail transit.

A. New railroad tracks which are parallel and adjacent to the shoreline shall not be permitted in the Shoreline District, except in US/CW and UD environments.

B. Expansion of existing railroad trackage shall not be permitted, except in UD environments.

C. New rail transit facilities in the Shoreline District shall use existing highway or rail corridors and shall serve shoreline uses.

D. When permitted in the Shoreline District, new or expanded railroads, spurs, and rail transit facilities shall provide means for the public to overcome the physical barrier of the facility and gain access to the shoreline.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.92, 1957.)

24.60.635 Bicycle and pedestrian ways.

A. Pedestrian ways designed so as to minimize environmental impact are permitted in all environments, as indicated in Table 3.[1]

B. Bicycle ways designed so as to minimize any environmental impact and to serve viewpoints, parks, other recreational purposes, and other acitvity centers, are permitted in all environments except the CN environment, as indicated in Table 3.[1]
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.93, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.640 Aircraft facilities.

A. As indicated in Table 3,[1] land-based aircraft facilities are prohibited in all shoreline environments.

B. Float or seaplane facilities, are authorized only in US, US/LU, US/CW and UD environments and then only if the impact of the operation will be compatible with surrounding uses.
(Od. 106200 § 1(part), 1977: Ord. 86300 § 21A.94, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.645 Passenger and auto ferry terminals.

Passenger and auto ferry terminals and support facilities are authorized when:

A. The impact of such use and associated service uses on the adjacent area is not adverse; and

B. The location increases intermodal transportation efficiency.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.95, 1957.)

24.60.650 Open wet moorage.

A. Service and minor accessory buildings may be permitted on piers providing open wet moorage, but such buildings must be for water-dependent uses and must be minimal in size and number.

B. Moorage in the CM enivronment shall comply with the following provisions:

1. Open wet moorage only shall be permitted;

2. Long-term parking facilities shall not be located within the Shoreline District;

3. Facilities employing the best available technology for disposal of sewage and other wastes shall be provided, located so as to be conveniently available to all boats, and discharge of untreated sewage into the water shall not be allowed;

4. At least one water closet and lavatory connected to a sanitary sewer shall be provided; and

5. Usual haul out maintenance and parking facilities are permitted accessory to the moorage.

C. The only uses permitted between the pierhead line and the Construction Limit Line in Lake Union[1] shall be open wet moorage and existing houseboats.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.96, 1957.)

1. Editor's Note: Regulations on the Lake Union Construction Limit Line are codified in Chapter 24.82 of this Code.

24.60.655 Covered moorage—Floating or nonfloating.

A. As indicated in Table 3,[1] covered moorage, including stacked moorage, is permitted as a principal use only in US and UD environments when any one of the following conditions exist:

1. View corridors of not less than thirty-five percent of the width of the lot shall be

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provided; except that one-half of such requirement may be satisfied by an abutting street or waterway; or

2. When underneath an over-water structure built on submerged land and in conformance with lot coverage standards.

B. The following bulk requirements shall apply to covered moorage:

1. Height limit, thirty-five feet above mean higher high water;

2. Lot coverage, sixty percent.

C. Covered moorage shall be designed to minimize adverse impacts upon views from the uplands and from the water.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.97, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.660 Boat launching ramps, haul out facilities and minor buildings accessory to moorages.

A. Boat launching ramps may be located only where access streets are adequate to handle the traffic load generated by the facility.

B. Shared or joint use accessory parking will be preferred. Loading will be permitted only at ramps. Parking areas must be screened and located at least fifty feet from the water's edge.

C. The impact of the accessory parking must not adversely affect the environmental quality of the site or the surrounding neighborhood.

D. Boat launching ramps and minor accessory buildings and haul out facilities must be in character and scale with the surrounding neighborhood.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.98, 1957.)

24.60.665 Marine service facility.

A. The operator of a marine service facility shall provide for immediate access to necessary skills and equipment for prevention, clean-up and mitigation of accidental spills of contaminants or flammable liquids.

B. Provisions shall be made to prevent contaminants or flammable liquids from entering the water.

C. All tanks and connections for fuel and other products shall comply with local, state and federal health and safety regulations.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.99, 1957.)

24.60.670 Public marinas.

A. As indicated in Table 3,[1] marinas open to the public are permitted as a shoreline special use in the CM environment, and as a permitted shoreline use in the US, US/LU, US/CW and UD environments.

B. General Requirements.

1. Lavatory facilities adequate to serve the marina shall be provided.

2. Sewage pumpout facilities or the best available method of disposing of wastes shall be provided, located so as to be conveniently available to all boats.

3. Discharge of untreated sewage into the water shall not be allowed.

4. Off-street parking areas shall be provided in accordance with Section 24.60.615. Short-term loading areas may be located near berthing areas, and long-term parking areas shall be located away from berthing areas.

5. Views from upland lots shall be preserved, and viewing areas for the nonboating public shall be provided.

C. When located in the CM environment, public marinas shall be subject to the following additional conditions:

1. Lot coverage over water may be one hundred percent, but no more than sixty percent over the upland portion of the lot.

2. Maximum height of any buildings or structures shall be thirty-five feet.

3. Space for transient moorage shall be provided.

4. Covered moorage shall be prohibited.

5. Accessory uses customarily incidental to public marinas, including restaurants, fueling stations and stacked moorage may be permitted by the Director when consistent in scale and intensity with the marina and surrounding uses.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.100, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.675 Single-family, multi-family community recreation piers.

A. Preference will be given to shared piers or moorage facilities. Such facilities may be located adjacent to or on both sides of a property line upon agreement of two or more adjacent shoreline property owners. An appropriate legal agreement shall be furnished with a joint application.

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B. Size and Location.

1. Piers shall be located generally parallel to side lot lines, and no pier shall be located within fifteen feet of a side lot line unless the pier is shared with the owner of the adjacent lot or unless a pier is already in existence on the adjacent lot and located less than five feet from the common side lot line, in which case the minimum distance between a pier and the side lot line may be reduced to not less than five feet.

2. Piers are permitted only when the lot width at the water's edge is not less than forty-five feet, except where the pier is shared with the owner of an adjacent lot, in which case the width of the combined lots shall be not less than sixty feet.

3. No pier shall exceed six feet in width.

4. Maximum extension of a pier from the water's edge shall be as follows, whichever is greater:

a. A line subtended by the ends of adjacent existing piers (if within two hundred yards of the proposed pier); or

b. To a point where the depth of the water at the end of the pier reaches eight feet; provided, no pier shall extend beyond the outer harbor or pierhead line except in Lake Union where piers shall not extend beyond the Construction Limit Line established by Ordinance 92887.[1]

5. No pier shall exceed five feet in height above mean high water.

C. Permanent structures on piers, such as covered moorage (either fixed or floating) are prohibited.

D. Over water projections from single-family and shared piers are limited to one finger or spur pier, angled extension, float or platform, not to exceed one hundred square feet in area.

E. A shared pier may have one extension, finger pier or float for each single-family residence.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.101, 1957.)

1. Editor's Note: Regulations on the Lake Union Construction Limit Line are codified in Chapter 24.82 of this Code.

24.60.680 Commercial, public and other nonresidential piers.

A. Commercial and other nonresidential piers are permitted only to serve water-dependent uses.

B. Permanent structures except dolphins and piling necessary for moorage, existing houseboats and other existing uses, are prohibited between the combined U.S. pierhead/bulkhead line and the Seattle Construction Limit Line in the US/LU environment. Open moorage may be authorized in such area. Piers are permitted in the US/CW environment south of Bay Street only.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.102, 1957.)

24.60.685 Floats.

Floats are permitted for water-dependent recreational uses, provided that:

A. Floats serving single- or two-family residential uses shall not exceed one hundred square feet in area, provided that floats used in lieu of a pier shall be subject to the requirements for piers in Section 24.60.675.

B. Multi-family and community recreation floats shall not exceed five hundred square feet. Floats in public parks shall not exceed two thousand five hundred square feet.

C. All floats shall be constructed of non-toxic materials.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.103, 1957.)

24.60.690 Piling.

A. Piling may be permitted in CN environments only for ecological protective purposes, the protection or enhancement of natural features, and for underwater support of utility lines.

B. Piling will be authorized in other environments to enable a water-dependent use to extend over water as its functions require, and to support underwater utility lines.

C. Piling structures may be restricted when substantial littoral drift occurs or historic or significant scenic values exist. In such cases either open piling or floating structures may be required.

D. All piling shall conform to the Standard Plans and Specifications of the city (9th Ed.).

E. Before any installation of piling, the Superintendent shall approve the design and inspect piling and enforce strict quality control. Treated materials shall be:

1. Without structurally significant defect or damage;

2. Without toxic effects;

3. Adequately protected and installed so

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as to realize the maximum service life.

F. All pile driving operations must be carried out so as to minimize noise levels by using the best available noise reduction technology to the greatest extent possible, such as noise screens and cushioning of driving hammers, and construction must be scheduled as required by ordinance.

G. All individual piles must have chemical or mechanical protection necessary to prevent leaching of pollutants into water.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.104, 1957.)

24.60.695 Breakwaters.

A. Breakwaters may be authorized for protection of water-dependent uses. Permanent breakwaters shall be constructed of natural materials, and contaminated dredge spoil, refuse or debris shall not be used.

B. Floating breakwaters are preferred over permanent or fixed breakwaters.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.105, 1957.)

24.60.700 Groins.

A. Groins shall be permitted only when the applicant can conclusively demonstrate that there is no other feasible means to protect property, and then only upon a showing that no damage will occur to adjacent or nearby properties.

B. Groins proposed for the purpose of gaining access across tidal areas to deep water are prohibited.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.106, 1957.)

24.60.705 Bulkheads and shoreline protective structures.

A. Bulkheading will be authorized when:

1. Adjacent to a navigable channel; or

2. Where necessary for a water-dependent use; or

3. When necessary to check extraordinary erosion; and

4. When the construction material will be of adequate quality to meet specifications for piling in Section 24.60.685; and

5. When such bulkheading would not detrimentally redirect littoral drift, tide, waves, currents to other shorelines.

B. Rip-rap will be preferred over bulkheading except in the UD environment. Sheet piling is permitted and will be authorized only when necessary to stabilize a shoreline which, because of extraordinary erosion, cannot otherwise be retained or protected by plantings or similar organic means.

C. Rip-rap faces must be constructed to a stable slope and be of a material of sufficient size to be stable.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.107, 1957.)

24.60.710 Shoreline protective structures—Natural means.

A. Applicants will be encouraged to use plantings or similar appropriate natural means to stabilize banks which are subject to erosion by wave/tidal action.

B. The design or selection of any such alternative must recognize the nature of the problem and distinguish between wave and tidal action, fresh and salt water. Such alternatives may include:

1. Beach nourishment, where appropriate;

2. Floating breakwater structures in selected areas;

3. Vegetation growth stabilization with mechanical assistance.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.108, 1957.)

24.60.715 Dredging—General requirements.

A. Dredging for the purpose of obtaining fill or construction material, or otherwise mining submerged land is prohibited except where the applicant can show that:

1. The existing benthos is sterile or largely degraded and shows no sign of regeneration; and

2. The dredging will have mitigable impact on water quality and aquatic life.

B. Dredge spoil shall be deposited in an approved submerged site only if the spoils meet applicable federal criteria for deposit in navigable waters.

C. Dry land deposit of dredge spoil will be authorized only on shoreline sites which contain no unique, fragile or ecologically valuable resources.

D. Dredging shall be timed so that it does not interfere with migrating aquatic life, and meets state and federal requirements therefor.

E. Stockpiling of dredged material in or under water is prohibited.

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F. Dredging is a permitted use if:

1. In CM, UR or US environments, if it involves removal of less than five hundred cubic yards;

2. In the UD environment, if it involves removal of less than one thousand cubic yards.

G. Dredging in excess of the limits of subsection F is a special use and shall be permitted only if the additional conditions of Section 24.60.525 H are satisfied.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.109, 1957.)

24.60.720 Dredging in CN environment.

Dredging is prohibited in CN environments except by the United States Corps of Engineers and except in those limited instances where necessary for the maintenance, improvement of navigational channels, or for the protection of natural environment, as a conditional use.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.110, 1957.)

24.60.725 Landfill.

A. Landfill is permitted on wetlands or in submerged areas only under the following conditions:

1. The area of the water's surface shall not be reduced unless the applicant can demonstrate a clear public benefit for doing so.

2. Landfill may be permitted for water-dependent uses when no feasible alternative exists and the applicant can demonstrate a clear public benefit.

3. Landfill may be permitted to correct an otherwise adverse environmental condition or to enhance a site damaged by previous action.

B. Backfill behind a bulkhead or rip-rap may be permitted and will not be considered "landfill" if it is incidental to, and required for, the bulkhead or rip-rap.

C. Landfill is a permitted use if:

1. In CM, UR or US environments, less than five hundred cubic yards is placed;

2. In UD environments, less than one thousand cubic yards is placed;

3. Conditions relating to type of quality of fill materials, method of placement, and stabilization imposed by the Director are observed.

D. Landfill in excess of the limits of subsection C is a special use and shall be permitted only if the additional conditions of Section 24-.60.525 H are satisfied.

E. Landfill is prohibited in the US/CW environment.

F. Sanitary landfill and garbage dumps are prohibited.

G. Solid waste such as broken concrete, building debris, appliances, car bodies, vegetation, flammable material, or water soluble and/or toxic waste are prohibited as fill material.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.111, 1957.)

24.60.730 Landfill in CN environment.

Landfill in CN enivronment is prohibited except in those limited instances where necessary for the maintenance, improvement or protection of the natural environment, and at designated and approved dredge spoil sites, as a conditional use.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.112, 1957.)

24.60.735 Log storage and rafting.

The storage of log rafts is prohibited in CN, CM and UR environments, except at existing sites, and permitted in all other environments.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.113, 1957.)

24.60.740 Aquaculture—Structures.

Aquaculture structures may be permitted as a shoreline conditional use if they do not significantly restrict navigation, and if the water body is capable of absorbing the wastes generated by the proposed aquaculture activities.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.114, 1957.)

24.60.745 Offshore facilities.

Offshore facilities located outside the outer harbor line (including floating docks, artificial islands or mono-buoys) are prohibited.

(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.115, 1957.)

24.60.750 Nonprofit fraternal and social club and multiple residence recreational facilities other than moorage.

Recreational and fraternal uses are permitted in the US, US/LU and US/CW environments as indicated in Table 3.[1] Recreational facilities such as swimming pools and tennis courts are permitted accessory uses to a multiple residence. All such uses shall provide regulated public access, and shall conform to the bulk requirements of Table 2.[2]

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(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.116, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.
2. Editor's Note: Table 2 follows Section 24.60.395 of this chapter.

24.60.755 Community facilities other than moorage.

Community facilities such as churches, schools, community clubs and existing nonprofit recreational clubs are permitted outright in all environments except CN, CM and UD, as indicated in Table 3.[1] Such uses shall provide regulated public access and shall conform to the bulk requirements of Table 2.[2]
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.117, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.
2. Editor's Note: Table 2 follows Section 24.60.395 of this chapter.

24.60.760 Public parks and park activities.

Parks are permitted uses in all environments as indicated in Table 3,[1] but nonwater oriented facilities and activities such as playgrounds and playfields for active sports are not permitted in Shoreline District. Swimming pools are permitted in the Shoreline District when designed and constructed so as not to disturb existing conditions near the water's edge.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.118, 1957.)

1. Editor's Note: Table 3 follows Section 24.60.420 of this chapter.

24.60.765 Private, nonprofit yacht or boat clubs.

A. Buildings and facilities for yacht or boat clubs which are incorporated, nonprofit, fraternal organizations limited to pleasure boat and pleasure yachting activities and not selling accholic beverages to the public, together with covered and noncovered moorage and other accessory uses customarily incidental thereto, as permitted in the UR environment only where the underlying zone is RW, subject to the conditions and restrictions set forth in Section 24.22.010 B.

B. In all environments where private, nonprofit yacht or boat clubs are permitted, moorages and other accessory uses are subject to the requirements of Section 24.60.650 (Open wet moorage), 24.60.655 (Commercial covered moorage), 24.60.660 (Boat launching ramps, haul out facilities and minor accessory buildings accessory to moorages) and other appropriate sections of this subtitle.
(Ord. 106200 § 1(part), 1977: Ord. 86300 § 21A.119, 1957.)

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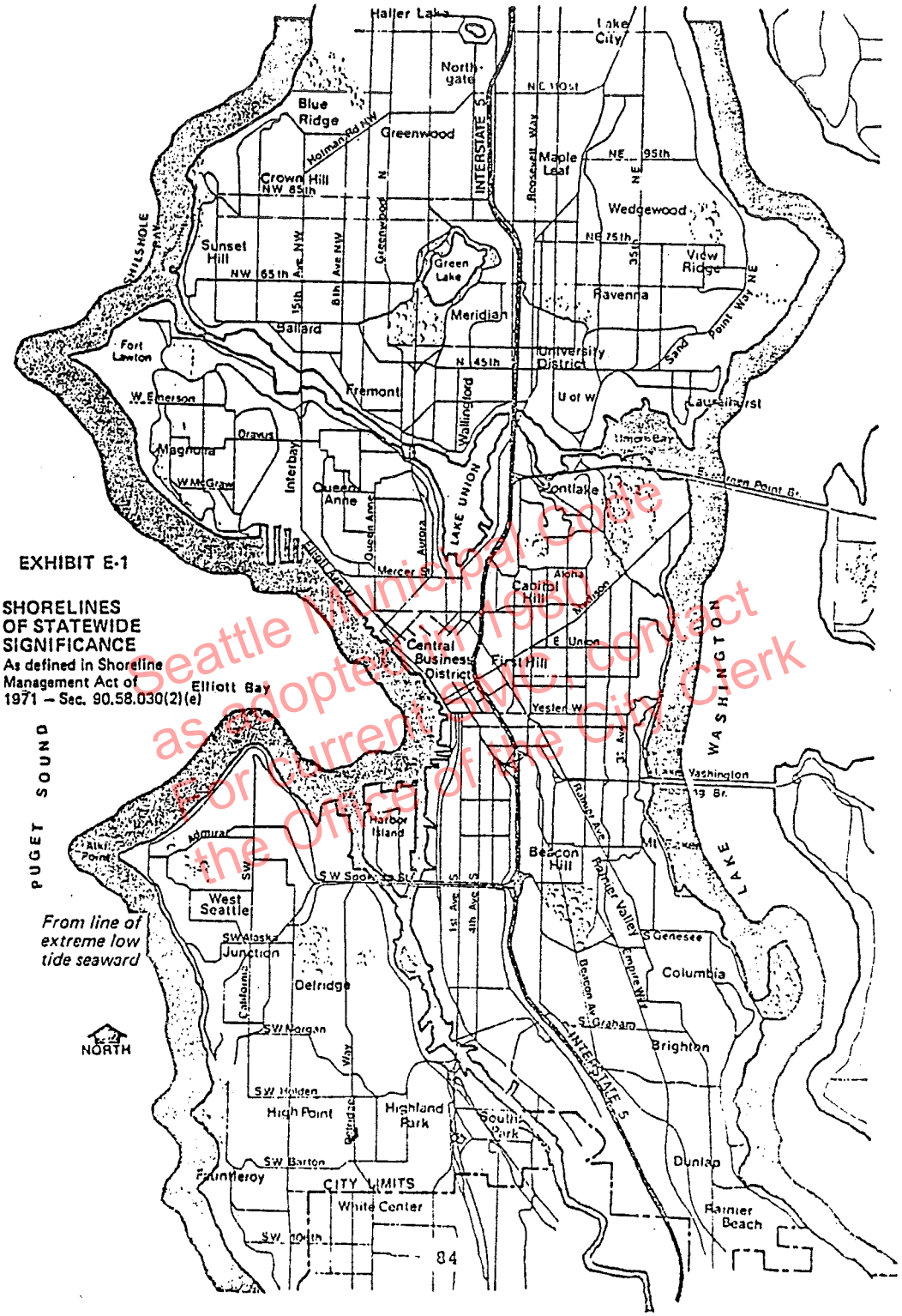


EXHIBIT E-1

SHORELINES OF STATEWIDE SIGNIFICANCE

As defined in Shoreline Management Act of 1971 – Sec. 90.58.030(2)(e)

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Chapter 24.62

BULK REGULATION MODIFICATIONS

Sections:

24.62.010 Application.
24.62.020 Lease of submerged land from state.
24.62.030 Height regulations around major airports.
24.62.040 Exceptions to height limits.
24.62.050 Lot area modifications.
24.62.060 Lot area exceptions for lots of single ownership.
24.62.070 Exceptions and requirements for yard modifications—Generally.
24.62.080 Exceptions permitting accessory buildings in certain required yards in R Zones.
24.62.090 Yard exceptions for certain architectural features.
24.62.100 Front yard requirements for special conditions.
24.62.110 Exceptions to front yard requirements.
24.62.120 Side yard requirements for special conditions.
24.62.130 Exceptions to side yard requirements.
24.62.140 Rear yard requirements for special conditions.
24.62.150 Exceptions to rear yard requirements.
24.62.160 Exceptions to yard requirements for mixed occupancies.
24.62.170 Lot coverage—Exceptions for corner lots.
24.62.180 Lot coverage—Exceptions for accessory buildings.

24.62.010 Application.

Bulk regulations as provided in Chapters 24.16 through 24.62 inclusive shall be subject to the special requirements and exceptions set forth in this chapter, and the Building Code.[1] (Ord. 98838 § 2(part), 1970: Ord. 97998 § 2(part), 1969: Ord. 86300 § 22.11, 1957.)

1. Editor's Note: The Building Code is codified in Title 22 of this Code.

24.62.020 Lease of submerged land from state.

Submerged land leased from the state of Washington shall not be used for the purpose of computing the floor area ratio, minimum lot area per dwelling unit, required yards or maximum lot coverage for waterfront lots on salt water in any R Zone or for waterfront lots on fresh water in any R, B, CG or M Zone. (Ord. 98838 § 2(part), 1970: Ord. 97998 § 2(part), 1969: Ord. 86300 § 22.12, 1957.)

24.62.030 Height regulations around major airports.

A. For the purpose of this section, land in the vicinity of major airports is divided into approach areas, transition areas and turning areas, all as designated and shown on the map entitled "Airport Height Map," which map is marked Exhibit "B" and codified at the end of this chapter.

B. No structure shall be erected, altered or maintained, nor shall any tree be allowed to grow, in any areas created by this section to a height in excess of the height limit herein established for such areas; provided, however, that this provision shall not prohibit the construction or the alteration of a building to a height of thirty-five feet above the average finished grade of the lot. The datum plane for the measurement of the maximum permitted heights in approach areas shall be the elevation of the base lines indicated on the Airport Height Map. The datum plane for the transition area and the turning area shall be the established elevation of the airport as indicated on the Airport Height Map.

C. The maximum height permitted except as provided in subsection B, and unless otherwise regulated by this subtitle, established for the following areas:

1. In approach areas—to the height of the inclined plane of approach areas, as shown on the Airport Height Map;

2. In transition areas—to the height of the inclined plane of the transition areas, as shown on the Airport Height Map;

3. In the turning area—one hundred fifty feet above the datum plane or sixty feet above the natural lot grade at the building site, whichever is greater, provided that a greater height may be authorized by the Board in the manner prescribed in Section 24.70.050.

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(Ord. 98838 § 2(part), 1970: Ord. 98216 § 4(part), 1969: Ord. 96539 § 5(part), 1968: Ord. 89229 § 7(part), 1960: Ord. 88921 § 4(part), 1960: Ord. 87225 § 21(part), 1958: Ord. 86300 § 22.21, 1957.)

24.62.040 Exceptions to height limits.

The following type of structures or structural parts shall not be subject to a height limitation except in airport areas as specified in Section 24.62.030:

A. Tanks and bunkers, church spires, belfries, domes, monuments, water towers, fire and hose towers, observation towers, stadiums, transmission towers, chimneys, smokestacks, flagpoles, commercial radio towers, masts, aerials, bulkheads, water tanks, monitors, scenery lofts, cooling towers, grain elevators, gravel and cement tanks and bunkers, gas holders, drive-in theater projection screens, provided such structures or parts shall be fifty feet or more from any adjoining lot line; penthouses containing elevator or ventilating machinery or stair penthouses if located twenty feet or more from the side lot line;

B. Structures for cultural, educational, recreational, governmental and/or similar public purposes when on a site of not less than thirty acres in public ownership(s);

C. Structures for nonresidential uses permitted and located in the BC Zone, subject to the following requirements and conditions:

1. The distance between that portion of the structure which exceeds sixty feet and any lot in an R Zone other than the RMH 350, RMV 200 and RMV 150 Zones, measured horizontally, shall be at least three hundred feet,

2. The distance between that portion of the structure which exceeds sixty feet and any lot line not a street lot line, measured horizontally, shall be at least twenty feet, provided where an alley abuts a lot line the distance shall be measured from the centerline of the alley,

3. No advertising signs shall be permitted more than sixty feet above lot grade. No business sign shall be permitted more than sixty feet above lot grade, except as a conditional use authorized by the Council in accordance with provisions of Chapter 24.74, and subject to the following additional conditions:

a. Any such sign shall be stationary and any artificial light for an illuminated or self-illuminated sign shall be nonflashing and shall be constant in intensity and color when lighted,

b. Any such sign shall be architecturally designed as an integral part of the building and the total area of the sign shall not occupy an unreasonable portion of the face of the building upon which it is located and in no case shall its area be more than five percent of the building face,

c. No such sign shall extend above the eave or parapet of the building,

4. The gross floor area of any such structure, not including the floor area used for parking, shall not exceed four times the lot area, provided the ratio may be increased to a maximum of seven and one-half times the lot area, as follows:

a. For each square foot of plaza provided on the lot, the gross floor area may be increased by five square feet. A public pedestrian walkway system shall be considered the same as a street in determining the floor area bonus,

b. For each square foot of arcade provided on the lot, the gross floor area may be increased by two square feet; provided, that if the arcade constitutes a segment of a public pedestrian walkway system, the gross floor area may be increased by three square feet,

c. For each square foot of voluntary building setback area provided on the lot, the gross floor area may be increased by two square feet. Where an arcade bonus is taken, a voluntary building setback area bonus cannot also be taken for the area above the arcade,

d. For each square foot of rooftop which is landscaped and accessible and usable by the public, the gross floor area may be increased by one-half square foot,

e. For each square foot of covered vehicle parking provided on the lot, the gross floor area may be increased by .25 square foot, and for each square foot of covered vehicle parking provided within three hundred feet of the lot, the gross floor area may be increased by .15 square foot.

(Ord. 98838 § 2(part), 1970: Ord 98216 § 4 (part), 1969: Ord. 96539 § 5(part), 1968: Ord. 89229 § 7(part), 1960: Ord. 88921 § 4(part), 1960: Ord. 87225 § 21(part), 1958: Ord. 86300 § 22.22, 1957.)

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24.62.050 Lot area modifications.

In the case of a corner lot, or a lot a side lot line of which abuts upon a street, place, or alley, the width of the lot may be increased by one-half the width of the abutting side street, place, or alley, for the purpose of computing the number of dwelling units permitted in multiple dwellings of more than three units, provided that no lot width used in such computation shall exceed seventy-five feet and that no lot area used in such computation shall exceed by more than twenty-five percent the actual net area of such lot.

(Ord. 106057 § 3(part), 1976: Ord. 105654 § 1(part), 1976: Ord. 105289 § 1(part), 1976: Ord. 98608 § 18(part), 1970: Ord. 90722 § 7 (part), 1961: Ord. 88283 § 4(part), 1959: Ord. 87225 § 22(part), 1958: Ord. 86300 § 22.31, 1957.)

24.62.060 Lot area exceptions for lots of single ownership.

A. In any zone, except an M or I Zone, a single-family dwelling may be established on a lot which cannot satisfy the lot area requirements of the zone, provided that all other bulk regulations shall apply, and provided further that the owner of such lot does not own any adjoining vacant property, and that such lot was of public record or under bona fide contract of purchase prior to the effective date of the ordinance codified in this subtitle.[1] Said exception shall not apply to any lot which was formerly a part of two or more contiguous, vacant lots fronting on the same street and held under common ownership on or after the effective date of Ordinance 105289.

B. In a RM 1600, RM 800, RMH 350, B or C Zone, a duplex dwelling may be established on a lot having less than the required lot area, provided that yard and lot coverage regulations shall apply, and provided further that the owner of such lot does not own any adjoining vacant property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of the ordinance codified in this subtitle.[1]

(Ord. 106057 § 3(part), 1976: Ord. 105654 § 1 (part), 1976: Ord. 105289 § 1(part), 1976: Ord. 98608 § 18(part), 1970: Ord. 90722 § 7(part), 1961: Ord. 88283 § 4(part), 1959: Ord. 87225 § 22(part), 1958: Ord. 86300 § 22.32, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.62.070 Exceptions and requirements for yard modifications—Generally.

Exceptions and requirements for yard modifications shall be as set forth in Sections 24.62-.080 through 24.62.160.

(Ord. 103839 § 1(part), 1974: Ord. 86300 § 22.40, 1957.)

24.62.080 Exceptions permitting accessory buildings in certain required yards in R Zones.

A. A one-story garage, carport or other permitted accessory building, not over twelve feet in height and not over one thousand square feet in area may be erected in a rear yard, provided however, that the accessory building shall be five feet or more from the principal building and shall be twelve feet or more from the centerline of an alley where the alley entrance to the garage or carport is facing the alley. In the case of a through lot, such building shall be located no nearer to either street lot line than the depth of the required front yard on either street. In the case of a reversed corner lot, such building, if in the required rear yard of such lot, shall be located no closer to the side street lot line than the required front yard of the adjoining key lot. Accessory buildings exceeding one thousand square feet in area and/or twelve feet in height shall provide minimum required side yards for principal buildings in the zone.

B. An accessory one-story private garage or carport for not more than three cars may be located in any required yard, provided that the finished grade which shall not be artificially created, on both sides of such garage or carport at and beyond a point ten feet back from the lot line along the street on which such garage or carport faces is not more than two feet below the highest part of such garage or carport.

C. An accessory one-story private garage or carport for not more than three cars the highest part of which garage or carport is not more than ten feet above the street curb elevation at the centerline of such garage or carport, may be located in any required yard, provided that the finished grade slopes downward from the street lot line on which such garage or carport faces in a ratio of at least twenty feet vertically to sixty feet horizontally, and provided that a similar condition exists along the adjacent street for the full block or for two hundred feet or more.

D. Automobiles, trailers, boats and similar equipment shall not be stored in any required

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yard abutting a street for more than three consecutive days, and temporary removal for a period less than twenty-four hours shall not be construed as an interruption of the period of storage.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1 (part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4(part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8 (part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23(part), 1958: Ord. 86300 § 22.41, 1957.)

24.62.090 Yard exceptions for certain architectural features.

A. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features and the like may project not more than one and one-half feet into any required yard; and cornices, eaves, sun shades, gutters may project into a required side yard a distance of not to exceed thirty percent of the required side yard and in no case more than three feet; provided that in no case shall such features be closer than three feet to any side lot line.

B. Attached carports and covered, unenclosed ground-story porches may project into a required rear yard but not within fifteen feet of the centerline of any alley nor within twelve feet of any rear lot line not an alley lot line nor closer than five feet to an accessory building, providing that such carport or open ground-story porch and any other accessory buildings do not occupy more than forty percent of the required rear yard. Uncovered porches or steps may project into a required yard, provided that such porches or steps are no higher than four feet from the finished ground level in the case of a front or side yard; and further that in no case shall such be closer than three feet to any side lot line or project more than six feet into required front yard.

C. Fences and freestanding walls six feet or less in height above high ground level, may be erected in any required yard, provided that open wire mesh or similar fence may be erected in excess of such height on the periphery of playground areas accessory to private and public schools and public parks.

D. Attached, unenclosed, entrance canopies may project into any required yard abutting a street to the street lot line in RM 800, RMH 350, RMV 200 and RMV 150 Zones, provided that such canopies are unenclosed to a height of eight feet, shall not exceed twelve feet in width, and shall not exceed ten feet in height averaged, and are located at the entrance of a structure.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.42, 1957.)

24.62.100 Front yard requirements for special conditions.

A. In any RS Zone when, on lawfully improved lots comprising fifty percent or more of the total frontage in any one block front, the distance from the front lot lines to the principal buildings is more than the depth of the basic front yard, then the required depth of the front yard for any unimproved lot in that block front shall be the average of the distance between the principal buildings and the front lot lines of the first improved lots on either side, provided that the greater depth used in computing such average shall not exceed thirty feet.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1 (part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.43, 1957.)

24.62.110 Exceptions to front yard requirements.

A. In any RS Zone when, on lawfully improved lots comprising fifty percent or more of the total frontage in any one block front, the distance from the front lot lines to the principal buildings is less than the depth of the basic front yard, then the required depth of the front yard for any unimproved lot in that block front shall be the average of the distance between the principal buildings and the front lot lines of the first improved lots on either side, provided that the greater depth used in computing such average shall not exceed twenty-five feet.

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B. On any lot where the natural gradient or slope, as measured from the front lot line along the centerline of the lot for a distance of sixty feet is in excess of thirty-feet percent, then the required front yard may be reduced one foot for each one percent of gradient or slope in excess of thirty-five percent, provided, however, that the provisions of Section 24.62.120 A shall prevail when also applicable.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.44, 1957.)

24.62.120 Side yard requirements for special conditions.

A. When the side lot line of a lot in any zone adjoins the side lot line of a lot in a less intensive zone, then the adjoining side yard for the lot in the more intensive zone shall be not less than the least side yard required in the less intensive zone.

B. Except in the case of a one-story single-family dwelling or a garden crypt, when the length of the side wall of any building in an R Zone, and any residential building in other zones, is more than fifty feet and such wall is along a side yard which abuts upon another lot or an alley, then the width of the required side yard adjacent to such wall shall be determined by the number of stories above grade along such wall as follows:

1. One story: Ten percent of side wall length;

2. Two or more stories: The width of the required side yard (as provided in Section 24.32.120) shall be increased by one-half foot for each five feet, or portion thereof, in side wall length up to and including seventy feet; thereafter the width shall be further increased by one foot for each five feet, or portion thereof, in side wall length exceeding seventy feet. Maximum width required shall be fifty feet.

C. In the case of a reversed corner lot, the key lot of which is in the same zone, the width of the side yard on the street side of such reversed corner lot shall be not less than fifty percent of the required front yard of such key lot, and, in an R Zone, not less than ten feet.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.45, 1957.)

24.62.130 Exceptions to side yard requirements.

A. In any R Zone, the required width of each side yard of an interior lot thirty feet or less in width may be reduced to not less than three feet, provided that such lot was a lot of record held under separate ownership from adjoining property on the effective date of the ordinance codified in this subtitle,[1] and provided further that such lot is used for a single-family dwelling.

B. Where the side wall of a principal building and a side lot line, both abutting the same side yard are not parallel or either is irregular, the average width of such side yard between the principal building and the side lot line shall be not less then the width of the required side yard; and the width of such side yard shall not be narrower at any point than one-half the width of the otherwise required side yard, or narrower than five feet in any case.

C. In the case of a required side yard adjoining an alley, such side yard width may be measured to the centerline of the alley, provided, however, that at no point shall the principal building be closer than three feet to the alley.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3 (part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23(part), 1958: Ord. 86300 § 22.46, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.62.140 Rear yard requirements for special conditions.

When the rear lot line of a lot in a more intensive zone abuts upon a rear or side lot line of a lot in a less intensive zone, and a rear yard is not otherwise required by this subtitle for the

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lot in the more intensive zone, then a rear yard shall be required for the lot in the more intensive zone, and its depth shall be not less than one-half of the required depth of the abutting rear or side yard in the less intensive zone.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4(part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5 (part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23(part), 1958: Ord. 86300 § 22.47, 1957.)

24.62.150 Exceptions to rear yard requirements.

A. In any zone where a rear yard would be required, the rear yard for a lot having a depth of less than one hundred five feet may be reduced to not less than twenty percent of such depth, but in no case to less than ten feet, provided that such lot was a lot of record held under separate ownership from adjoining property in the rear on the effective date of the ordinance codified in this subtitle[1] and provided further, that the building on such lot does not exceed thirty-five feet in height.

B. In any zone, in the case of a required rear yard abutting upon an alley along the rear lot line, such rear yard depth may be measured to the centerline of the alley, provided, however, that at no point shall be principal building be closer than five feet to the alley.

C. In any R Zone a rear yard need not exceed the depth of the required front yard in the case of a lot abutting at the rear lot line upon a public park, playground or open water not less than fifty feet in width.

D. In the case of a through lot in any zone, the required rear yard in a block front need not exceed the average of the front or rear yard provided by properties on either side in the same block front.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.48, 1957.)

1. Editor's Note: Ord. 86300 became effective on July 24, 1957.

24.62.160 Exceptions to yard requirements for mixed occupancies.

A. In any B or C Zone when fifty percent or more of the gross floor area of a building on a lot is occupied or intended to be occupied for nonresidential purposes, the front and the side yard requirements for residential parts are waived provided that the residential part is not more than two rooms deep from the front to the rear of the residential part.

B. On any lot, when a residential part of a building is located above a nonresidential part, then the depth of any yards required for such residential part shall be measured from the lot lines projected vertically to the residential part.
(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4 (part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23 (part), 1958: Ord. 86300 § 22.49, 1957.)

24.62.170 Lot coverage—Exceptions for corner lots.

In the case of a corner lot or a lot, a side lot line of which abuts upon a street, place, or alley, the width of the lot may be increased by one-half the width of the abutting side street, place or alley for the purpose of computing the lot coverage only, provided that no lot area used in such computation shall exceed by more than twenty-five percent the actual net area of such lot.
(Ord. 89983 § 5(part), 1961: Ord. 88283 § 6(part), 1959: Ord. 87225 § 24(part), 1958: Ord. 86300 § 22.51, 1957.)

24.62.180 Lot coverage—Exceptions for accessory buildings.

A. A detached accessory building shall not occupy more than forty percent of the required area of the required rear yard.

B. In any RMH, BC, BM or C Zone an attached accessory parking garage limited in height to twelve feet may occupy all of the required rear yard if the yard is bounded on three sides by streets, places or alleys.

C. In any zone an underground structure

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used for accessory purposes to the principal use on the lot may occupy any part of or the entire lot.

D. In any zone a swimming pool may be placed in any required yard subject to the following conditions:

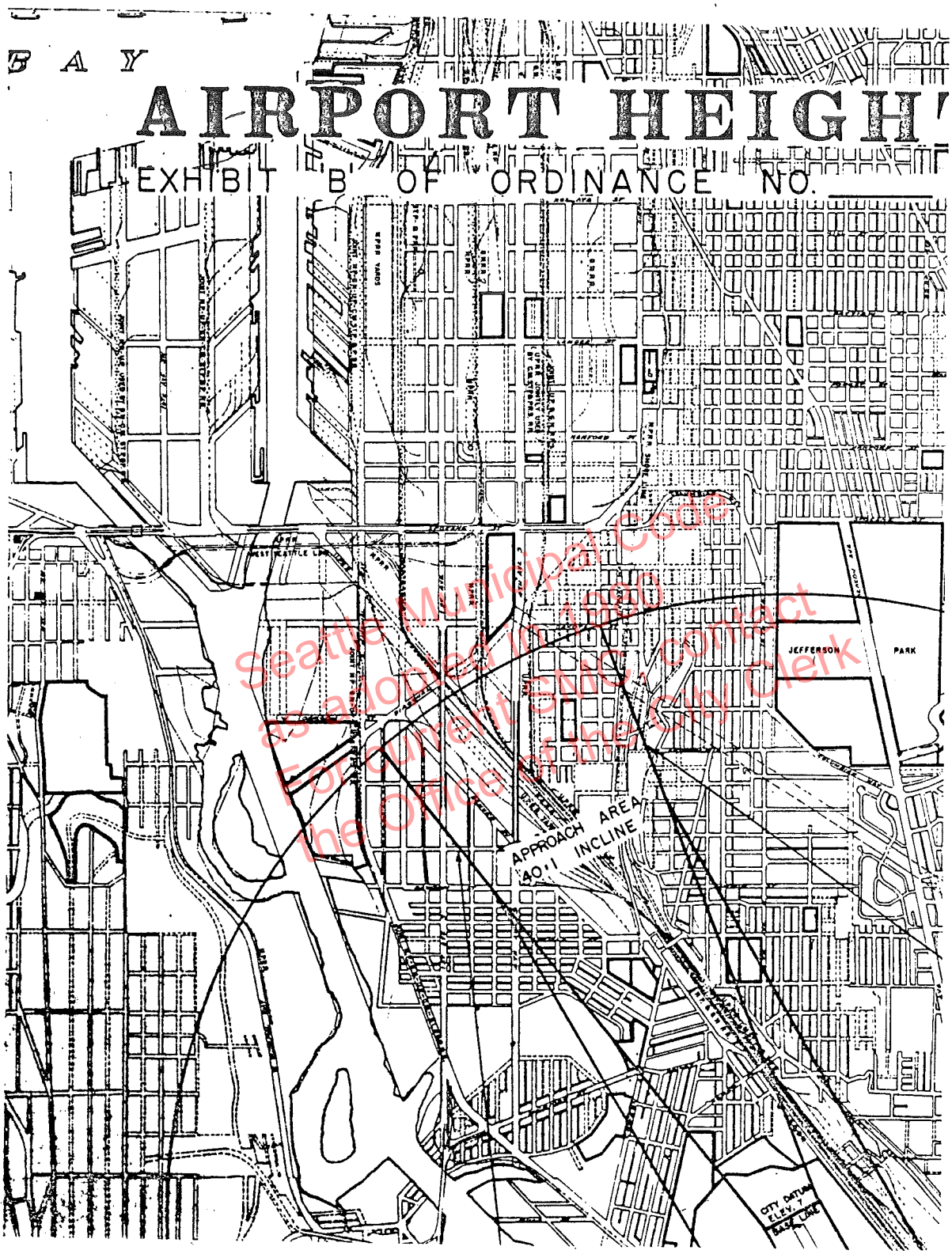
1. No part of such structure shall project more than one foot above the adjoining ground level in a required front or side yard.

2. Such pools shall not be placed closer than five feet to any front or side lot line.

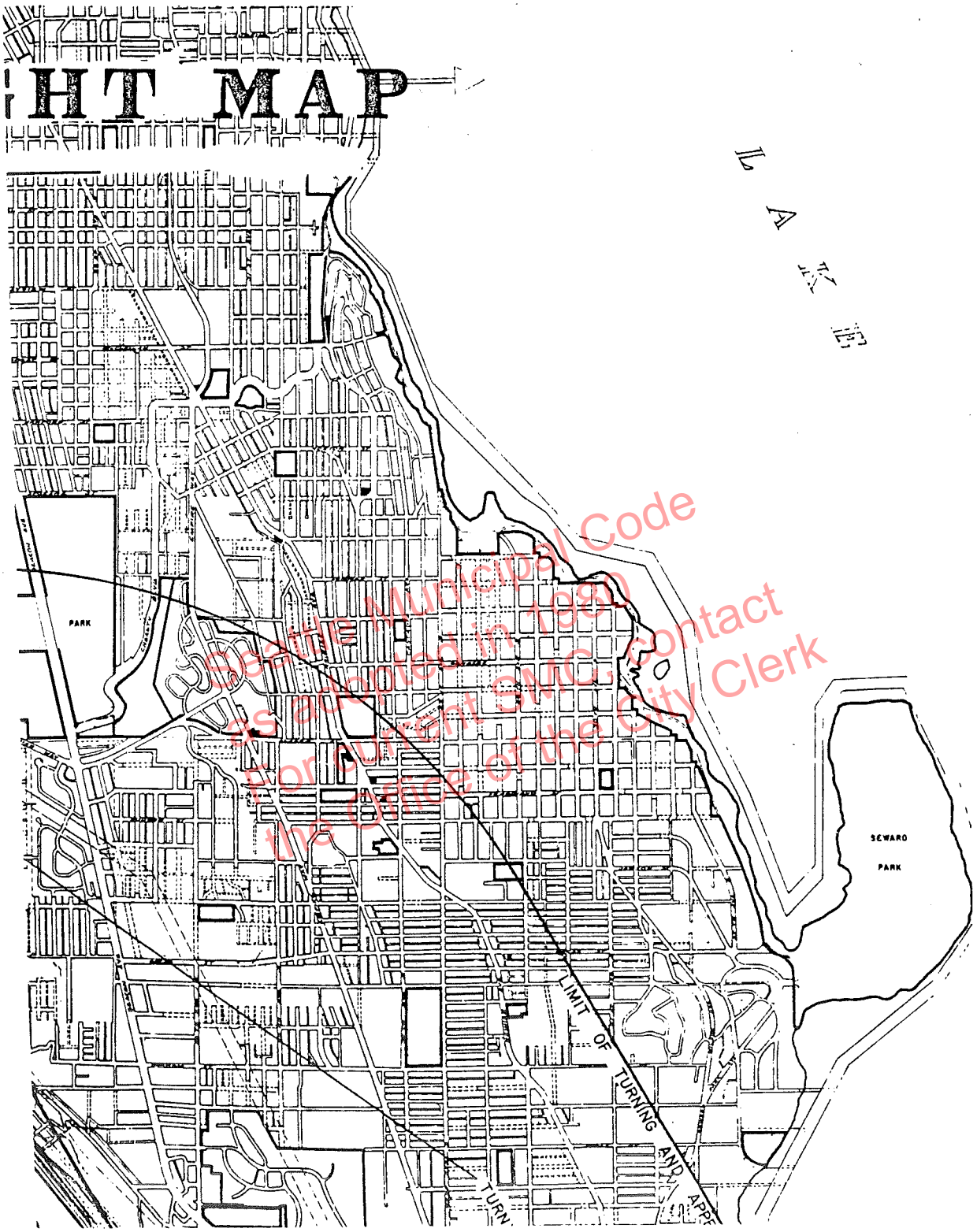
3. Such pools shall be enclosed with a fence of strength and design sufficient to resist the penetration of children. Such fence shall be not less than four feet high except when placed within a yard enclosed by a fence not less than four feet high.

(Ord. 89983 § 5(part), 1961: Ord. 88283 § 6 (part), 1959: Ord. 87225 § 24(part), 1958: Ord. 86300 § 22.52, 1957.)

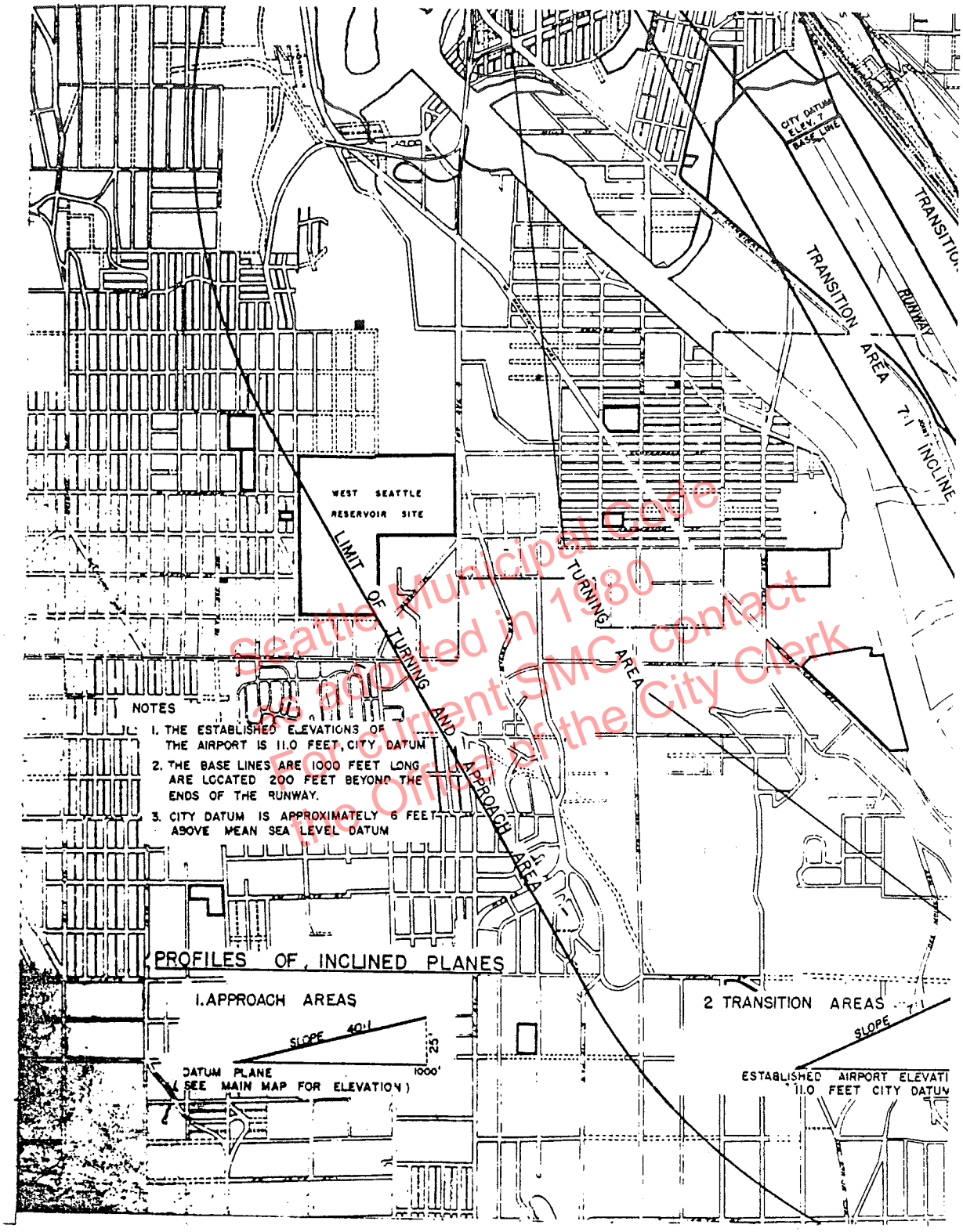
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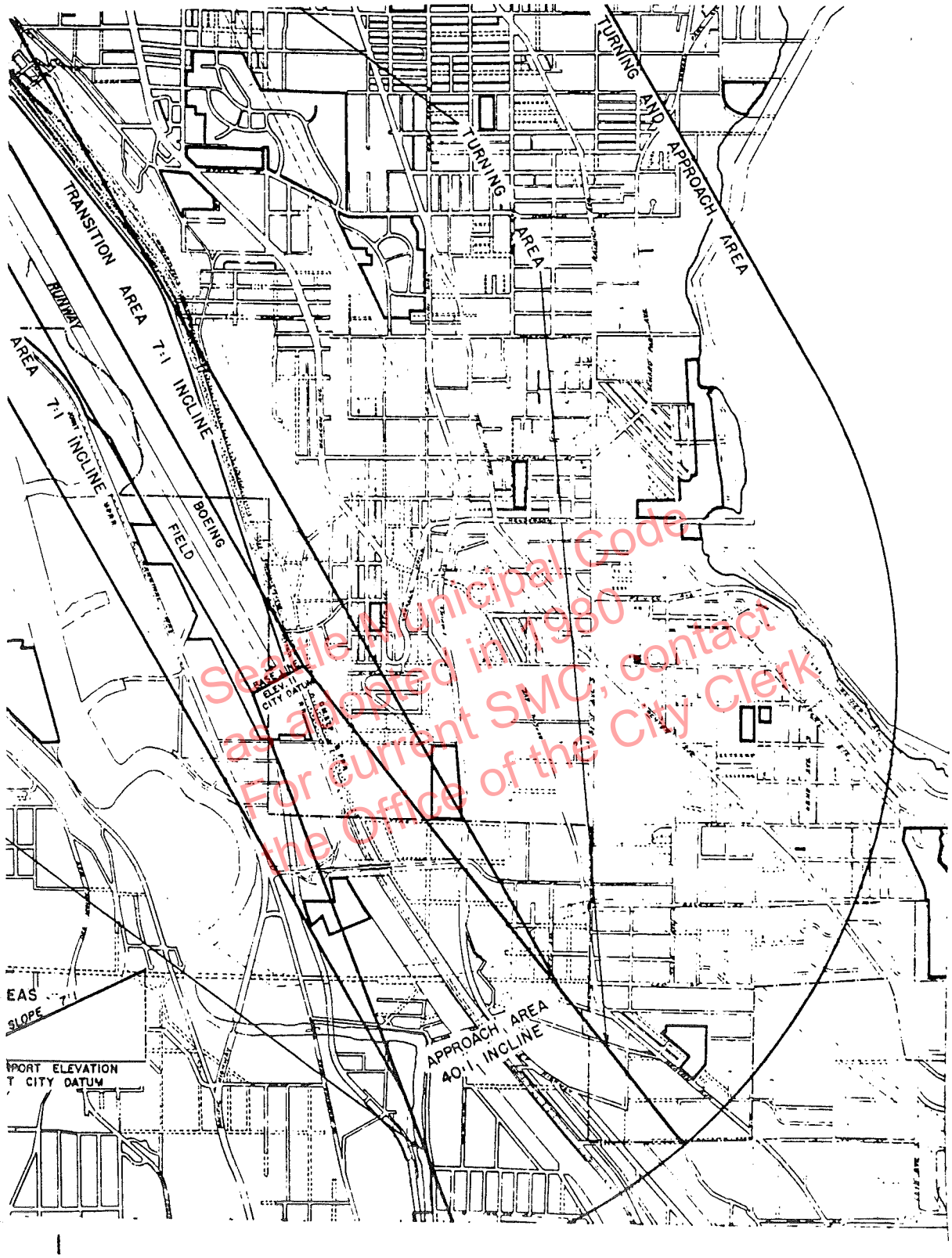
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Chapter 24.64

OFF-STREET PARKING AND LOADING REQUIREMENTS

Sections:

24.64.010 Automobile parking spaces.
24.64.020 General provisions.
24.64.030 Access and minimum dimensions.
24.64.040 Location.
24.64.050 Units of measurement.
24.64.060 Expansions, enlargements, or change in principal use.
24.64.070 Mixed occupancies.
24.64.080 Uses not specified.
24.64.090 Cooperative parking facility.
24.64.100 Joint use.
24.64.110 Use of paved recreation space for parking.
24.64.120 Required parking spaces.
24.64.130 Downtown area—Parking spaces permitted.
24.64.140 General provisions for development and maintenance.
24.64.150 Parking areas in RM-MD, B, C, M and I Zones.
24.64.160 Accessory parking areas in R Zones.
24.64.170 Conditional accessory parking areas in R Zones.
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24.64.190 Filing of plans.
24.64.200 Required off-street loading space.
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24.64.250 Procedure to designate pedestrian-oriented business districts.
24.64.260 Nonconforming parking facilities in pedestrian-oriented business districts.
24.64.270 Conditions for establishment of parking areas in pedestrian-oriented business districts.
24.64.280 Specific pedestrian-oriented business districts.

24.64.010 Automobile parking spaces.

A. Off-street parking spaces for automobiles shall be subject to the requirements of this chapter. Such spaces shall be provided as an accessory use at the time any building or structure is erected in all zones except:

1. When located in the BM, CM, CMT, RM-MD Zones;

2. When located in those pedestrian-oriented business districts designated in Section 24.64.280; or

3. When the parking spaces are accessory to a landmark designated pursuant to the city's Landmark Ordinance[1] and the landmark is located in the "Downtown Area" shown on Plate IV, following this chapter.

B. Off-street parking spaces for automobiles shall be provided as an accessory use in accordance with the requirements of this chapter as modified by Section 24.64.060 A at the time any building or structure is expanded or enlarged and as modified by Section 24.64.060 B at the time there is a change in the principal use in all zones except:

1. When located in the BM, CM, CMT, and RM-MD Zones; or

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2. When located in those pedestrian-oriented business districts designated in Section 24.64.280;

3. When the parking spaces are accessory to a landmark designated pursuant to the city's Landmark Ordinance[1] and the landmark is located in the "Downtown Area" shown in Plate IV, following this chapter.

(Ord. 107074 § 2, 1977: Ord. 105876 § 14, 1976: Ord. 104271 § 2, 1975, Ord. 103864 § 1, 1974: Ord. 94036 § 25, 1965: Ord. 91138 § 7, 1962: Ord. 86300 § 23.1, 1957.)

1. Editor's Note: The Landmark Ordinance is codified in Chapter 25.12 of this Code.

24.64.020 General provisions.

General provisions applicable to off-street parking shall be as set forth in Sections 24.64-.030 through 24.64.110.

(Ord. 106436 § 1, 1977: Ord. 106119 § 1 (part), 1976: Ord. 86300 § 23.20, 1957.)

24.64.030 Access and minimum dimensions.

A. Any required off-street parking facility providing five or less parking spaces shall be developed in accordance with the following:

1. Each parking space shall be at least eight and one-half feet in width and nineteen feet in length, exclusive of access drives or aisles. No wall, post guardrail, or other obstruction which would restrict car door opening shall be permitted within five feet of the centerline of a parking space.

2. Access aisles and driveways shall be not less than eleven feet in width, and shall conform to the minimum turning path width for one-way traffic as shown of Plate III, following this chapter. Adequate ingress to and egress from each parking space shall be provided without moving another vehicle and without backing more than fifty feet.

3. Maximum grade curvature of any area used for automoble travel or storage shall not exceed that specified in Plate II, following this chapter.

B. Any required off-street parking facility which includes more than five parking spaces shall be developed in accordance with the following. For the purposes of this subsection, any driveway or approach to a parking area shall be considered a traffic aisle and shall conform to the aisle width, grade curvature and turning path width requirements of Plates I, II, and III respectively, which follow this chapter.

1. Minimum parking area dimensions shall be provided as shown in Plate I, except that the dimensions indicated therein as for use with compact cars only shall apply only to parking areas containing more than twelve parking spaces and not more than thirty-three percent of such parking spaces. Minimum turning path widths shall be provided as shown in Plate III. Maximum grade curvature of any area used for automobile travel or storage shall not exceed that specified in Plate II.

2. Adequate ingress to and egress from each parking space shall be provided without moving another vehicle and without backing more than fifty feet. All parking spaces shall be so arranged that ingress and egress is possible without backing over a sidewalk or sidewalk area unless specifically approved as to safety by the City Engineer. All parking spaces shall be internally accessible to one another without reentering adjoining public streets.

3. Turning and maneuvering space shall be located entirely on private property except that the usable portion of an alley may be credited as aisle space subject to approval as to safety by the City Engineer.

4. No wall, post, or other obstruction which would restrict car door opening shall be permitted within five feet of the centerline of a parking space.

C. Any required off-street parking facility providing more than five parking spaces where automobiles are parked solely by attendants employed for that purpose shall have parking spaces at least eight feet in width. The grade curvature of any area used for automobile travel or storage shall not exceed that specified in Plate II, and Plates I and III shall not apply.[1] Should attendant operation be discontinued, the provisions of subsection B shall therafter apply to such facility.

D. In cases where the strict application of this subtitle would unreasonably limit full utilization of a site for parking, the Superintendent may authorize a reduction up to three percent of any minimum dimension required in this section, except where such reduction would substantially restrict ease of travel or maneuverability of vehicles using the parking facility.

E. Required bus parking spaces shall be thirteen feet in width and forty-two feet in length. Buses parked en masse shall not be required

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to have ingress and egress from each bus parking space.
(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1(part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19 (part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.21, 1957.)

1. Editor's Note: Plates I, II, and III are located at the end of this chapter.

24.64.040 Location.

A. Off-street parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

1. For single-family and duplex dwellings: on the same lot with the building they are required to serve. For townhouse dwellings: not more than two hundred feet from the townhouse dwelling they are required to serve, with connecting permanent pedestrian access;

2. For multiple dwellings: not more than four hundred fifty feet from the building they are required to serve;

3. For houseboats, hospitals, sanitariums, childrens institutions, homes for the retired, nursing and convalescent homes, dormitories, boarding, rooming and lodging houses, community clubs and club rooms, fraternity, sorority and group student houses: not more than six hundred feet from the building they are required to serve;

4. For uses other than those specified above: not over eight hundred feet from the building they are required to serve;

5. No parking space shall be located in a required front yard or in a required side yard abutting upon a street except as provided in Sections 24.62.070 through 24.62.160;

6. Any parking facility provided in a building and when not on the same lot with the principal use to which it is accessory shall be considered for bulk regulation purposes, a principal use on the lot on which located;

7. When accessory parking space is to be provided on a parcel of land or a lot other than the parcel or lot which is or will be the site of the principal building or use and whether or not contiguous to such site, then evidence shall be provided that a covenant has been filed with the King County Director of Records and Elections, the covenant providing that the area used or to be used for parking accessory to the principal building located elsewhere shall be diverted or converted to no other use as long as the principal building to which the parking is accessory shall continue to exist; provided, that such covenant shall not be required if an agreement for the joint use of such accessory parking space has been filed with the Superintendent in accordance with Section 24.64.100 F 3.
(Ord. 106626 § 1, 1977: Ord. 106436 § 1(part), 1977: Ord. 106119 § 1(part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19(part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25 (part), 1958: Ord. 86300 § 23.22, 1957.)

24.64.050 Units of measurement.

A. In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty inches of width of such seating facilities should be counted as one seat for the purpose of determining requirements for off-street parking facilities under this subtitle.

B. When a unit of measurement determining the number of required parking spaces results in the requirements of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1(part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19 (part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1, 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.23, 1957.)

24.64.060 Expansions, enlargements, or change in principal use.

A. Whenever any structure is enlarged or expanded, then off-street parking spaces shall be provided for the expansion or enlargement in accordance with the requirements of Section 24.64.120; however, no parking spaces need be provided in the case of an enlargement or expansion where the number of parking spaces required for such expansion or enlargement is less than ten percent of the parking spaces

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specified in Section 24.64.120 for a similar structure.

B. Whenever, on a lot, there is a change in principal use and when the off-street parking requirement specified in Section 24.64.120 for the new principal use is greater than the off-street parking requirement specified for the principal use to be replaced, then off-street parking spaces shall be provided in the amount of the difference of such requirements.

(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1 (part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19 (part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.24, 1957.)

24.64.070 Mixed occupancies.

In the case of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified in Section 24.64.110 for joint use.

(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1 (part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19 (part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1 (part), 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.25, 1957.)

24.64.080 Uses not specified.

In the case of a use not specifically mentioned in Section 24.64.120, the requirements for off-street parking facilities shall be determined by the Hearing Examiner. Such determination shall be based upon the requirements for the most comparable use specified in Section 24.64.120.

(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1 (part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19(part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.26, 1957.)

24.64.090 Cooperative parking facility.

Up to fifteen percent reduction in the number of required parking spaces for four or more separate uses; ten percent for three separate uses; and five percent for two separate uses may be authorized by the Superintendent following approval of a plan which complies with the following conditions:

A. The plan shall be for a collective parking facility serving two or more buildings or uses developed through voluntary cooperation or under any parking district which may hereafter be provided by law.

B. Such collective parking facility shall occupy an area of no less than twenty thousand square feet.

(Ord. 106436 § 1(part), 1977: Ord. 106119 § 1 (part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19(part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25(part), 1958: Ord. 86300 § 23.27, 1957.)

24.64.100 Joint use.

The Superintendent may authorize the joint use of parking facilities by the following uses or activities under the following conditions:

A. Up to fifty percent of the parking facilities required by this chapter for a theater, bowling alley, dance hall, bar or restaurant may be supplied by the off-street parking facilities provided by certain other types of buildings or uses specified in subsection D.

B. Up to fifty percent of the off-street parking facilities required by this chapter for any building or use specified under subsection D may be supplied by the parking facilities provided for uses specified in subsection E.

C. Up to one hundred percent of the parking facilities required by this chapter for a church or for an auditorium incidental to a public or private or graded school may be supplied by the off-street parking facilities provided by uses specified in subsection D.

D. For the purposes of this chapter, the following uses are considered as daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and other similar primarily daytime uses when authorized by the Superintendent.

E. For the purpose of this chapter, the following uses are considered as nighttime or Sunday uses: auditoriums incidental to a public or private graded school, churches, bowling alleys,

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dance halls, theaters, bars or restaurants; and other similar primarily nighttime uses when authorized by the Superintendent.

F. Conditions required for joint use:

1. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within eight hundred feet of such parking facilities.

2. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

3. An agreement providing for joint use of such parking facilities and executed by the parties concerned shall, together with the use permit pertaining thereto, be filed with the Superintendent. Joint-use parking privilege shall continue in effect only so long as such agreement, binding on all parties, remains in force. If such agreement becomes legally ineffective, then parking shall be provided as otherwise required by this chapter.

G. Within seven days after issuing a permit involving joint use of off-street parking facilities the Superintendent shall serve notice of such ruling to be published in a community newspaper serving the area and to be mailed to the persons owning property or residing within three hundred feet of the proposed joint use off-street parking facility (addressed to "owner or occupant"), using for this purpose the property ownership records of the County Treasurer and the addresses listed in the latest edition of Polk's Directory, or its successor publication; provided, however, failure to send notice by mail to any property owner, where the address of such owner is not included in the county records shall not invalidate any proceeding. Such notice shall be in addition to the notice required by Section 24.10.050.

(Ord. 106626 § 2, 1977: Ord. 106436 § 1(part), 1977: Ord. 106119 § 1(part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19(part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25 (part), 1958: Ord. 86300 § 23.28, 1957.)

24.64.110 Use of paved recreation space for parking.

The Superintendent may authorize the use of space designed and primarily used for recreation purposes for a portion of the required parking space under the following conditions and others deemed appropriate:

A. Such parking areas shall be subject to all locational and development provisions of this chapter.

B. Such portions of the recreation area to be used for parking shall be paved with a durable, dustless surface.

C. Such parking space may be credited only to space requirements of the principal use which it is intended to serve.

(Ord. 106626 § 3, 1977: Ord. 106436 § 1(part), 1977: Ord. 106119 § 1(part), 1976: Ord. 101413 § 1(part), 1972: Ord. 99368 § 10(part), 1970: Ord. 98608 § 19(part), 1970: Ord. 92059 § 6(part), 1963: Ord. 91138 § 8(part), 1962: Ord. 89712 § 1(part), 1960: Ord. 87225 § 25 (part), 1958: Ord. 86300 § 23.29, 1957.)

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24.64.120 Required parking spaces.

The minimum number of off-street parking spaces required shall be as set forth in this section:

Use	Parking Spaces Required
Single-family, duplex dwelling or houseboats	1 for each dwelling unit
Multiple dwellings, student multiple dwellings	1 for each dwelling unit
Multiple dwellings for low income elderly	1 for each 6 dwelling units
Multiple dwellings for low income handicapped	1 for each 4 dwelling units
Motels	1 for each unit in the motel
Boarding, lodging or rooming houses, fraternity, sorority or group student houses	1 for each 3 sleeping rooms or for each 6 beds, whichever amount is greater
Hotels	1 for each 4 bedrooms
Hospitals, sanitariums, nursing and convalescent homes	1 for each 2 staff doctors plus 1 for each 5 employees plus 1 for each 6 beds
Children's institutions, homes for the retired	1 for each 5 employees plus one for each 6 beds
Day care center or family day care home	1 for each 10 children or 1 for each staff member whichever is greater, and 1 passenger loading and unloading space for each 20 children, except for day care centers located in the BM and CM Zone
Halfway houses	1 for each 2 full-time staff members, plus 1 for each 5 residents unless ownership and/or operation of automobiles by residents is specifically prohibited and such prohibition is documented in writing and filed with the Superintendent, plus 1 for each vehicle permanently located at the halfway house or operated on a daily basis in connection with the halfway house
Jails and work-release center	1 for each 15 beds
Police precinct stations	1 for each 200 sq. ft. of gross floor area
Libraries and museums	1 for each 250 sq. ft. of floor area open to the public
Dance halls	1 for each 75 sq. ft. of floor area used for dancing
Bowling alleys	5 for each bowling alley
Medical and dental clinics	1 for each 200 sq. ft. of gross floor area generally

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	1 for each 300 sq. ft. of gross floor area where part of medical-hospital complex in RMH 350 Zone
	1 for each 400 sq. ft. of gross floor area where part of medical-hospital complex in RMH 150 Zone
Theaters, skating rinks, auditoriums, and other indoor places of public assembly	1 for each 100 sq. ft. floor area of main auditorium or of principal place of assembly not containing fixed seats and for floor area containing fixed seats 1 for each 10 seats
Stadiums, outdoor sports arenas or areas and places of public assembly containing less than 20,000 seats	1 for each 10 permanent seats and 1 for each 100 sq ft. of spectator assembly area not containing seats
Stadiums, outdoor sports arenas or areas and places of public assembly containing 20,000 or more seats	1 for each 10 permanent seats and 1 bus space for each 300 permanent seats. The location requirements of Section 24.64.040 shall not apply to such use. Instead, the applicant shall submit to the City Council prior to the issuance of a building permit, a workable preliminary parking plan describing the location of available off-street parking and the means by which persons will commute between the required parking areas and the principal use. The Council shall not approve such workable preliminary plans until at least one public hearing has been held. No building permit shall issue until the workable preliminary parking plan has been approved by the City Council by resolution. Prior to issuance of an occupancy permit by the Superintendent of Buildings, the applicant shall submit to the Council a final definitive workable parking plan describing the location of the available off-street parking and the means by which persons shall commute between required parking and the principal use. The Director of the Department of Community Development shall advise the Council as to the adequacy and workability of the plan as submitted. The Council shall not approve such plan until at least one public hearing has been held. No certificate of occupancy shall issue until the workable parking plan has been approved by the City Council by resolution. Any workable parking plan approved shall also be implemented prior to issuance of an occupancy permit by the Superintendent of Buildings
Schools, community clubs and community centers	1 for each 80 sq. ft. of floor area of main auditorium or other assembly rooms not containing fixed seats, and for floor area containing fixed seats 1 for each 8 seats

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Private clubs	1 for each 200 square feet gross floor area of club building
Churches	1 for each 80 square feet of floor area in the nave not containing fixed seats and for floor area containing fixed seats, 1 for each 8 seats
Banks, business or professional offices	1 for each 400 sq. ft. of gross floor area
Offices not providing customer services on the premises	1 for each 800 sq. ft. of gross floor area
Mortuaries or funeral homes	1 for each 100 sq. ft. of floor area of assembly rooms used for service
Pleasure craft moorages	1 for each 2 moorage stalls
Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs	None for gross floor area under 2,000 sq. ft.
having not more than 4,000 sq. ft. of gross floor area	1 for each 200 sq. ft. of gross floor area when in excess of 2,000 sq. ft.
having more than 4,000 sq. ft. of gross floor area	20 plus 1 for each 150 sq. ft. of gross floor area in excess of 4,000 sq. ft.
Food markets:	None for gross floor area under 2,500 sq. ft.
having not more than 7,500 sq. ft. of gross floor area	1 for each 300 sq. ft. of gross floor area when in excess of 2,500 sq. ft.
having more than 7,500 sq. ft. of gross floor area	25 plus 1 for each 150 sq. ft. of gross floor area in excess of 7,500 sq. ft.
Retail stores, except as otherwise specified herein:	None for gross floor area under 2,500 sq. ft.
having not more than 4,000 sq. ft. of gross floor area	1 for each 500 sq. ft. of gross floor area when in excess of 2,500 sq. ft.
having more than 4,000 sq. ft. but not more than 20,000 sq. ft. of gross floor area	8 plus 1 for each 300 sq. ft. of gross floor area in excess of 4,000 sq. ft.
having more than 20,000 sq. ft. of gross floor area	61 plus 1 for each 150 sq. ft. of gross floor area in excess of 20,000 sq. ft.
Office and household furniture and appliance sales establishments	None for gross floor area under 2,500 sq. ft.; 1 for each 600 sq. ft. of gross floor area when in excess of 2,500 sq. ft.
Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 2,000 sq. ft. of gross floor area

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Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each 1,000 sq. ft. of gross floor area, except that office space shall provide parking as required for offices
Warehouses and storage buildings	1 for each 2,000 sq. ft. of gross floor area, except that office space shall be provided as required for offices
Freight terminals	1 for each 2,000 sq. ft. of gross floor area except that office space shall be provided as required for offices
Passenger terminals	1 for each 100 sq. ft. of waiting room space
Heliports: helistops with scheduled services	1 for each 5 employees; 5 for each touchdown pad
Branch post offices	1 space for each 500 sq. ft. of gross floor area
Terminal post office	1 space for each 1,000 sq. ft. of gross floor area
Open-air swimming clubs or commercial pools	1 for each 150 square feet of pool area
Golf driving range	1 for each 2 driving stations
Miniature golf course	2 for each 3 holes
Trampolines	1 for each 2 pits
Telephone communication equipment buildings	One space for each 2,000 sq. ft. of gross floor area
Animal clinics	One space for each 300 sq. ft. of gross floor area
Trade or business schools	One space for each two faculty members and full-time employees plus one space for every five students, based on maximum attending at any one time
Health studios	One space for each 300 sq. ft. of gross floor area
Pool and billard halls	One space for each 200 sq. ft. of gross floor area
Marine equipment and boat sales establishments	One space for each 300 ft. of floor area plus one space for each 300 sq. ft. of lot area used for outdoor display
Riding academies	Two spaces plus one space for each stable stall contained in the building

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(Ord. 108358 § 3, 1979: Ord. 107537 § 12, 1978: Ord. 106775 § 3, 1977: Ord. 106090 § 10, 1976: Ord. 103364 § 1, 1974: Ord. 102816 § 2, 1973: Ord. 101413 § 2, 1972: Ord. 101117 § 1, 1972: Ord. 100613 § 1, 1972: Ord. 99368 § 11, 1970: Ord. 96278 § 2, 1967: Ord. 92492 § 5, 1963: Ord. 92030 § 1, 1963: Ord. 91202 § 1, 1962: Ord. 91138 § 9, 1962: Ord. 89796 § 5, 1960: Ord. 86300 § 23.3, 1957.)

24.64.130 Downtown area—Parking spaces permitted.

A. Off-street parking spaces may be established within the downtown area as shown on Plate IV, following this chapter, only in accordance with this section. New accessory parking spaces may be established in the downtown area only for uses in buildings which are erected, enlarged or expanded after October 1, 1976, except as accessory to a rehabilitated building as provided in subsection G or as an accessory conditional use in Area "B" as provided in subsection F.

B. The maximum number of parking spaces permitted as accessory to principal uses shall be the same as the minimum number of parking spaces specified for such uses in Section 24.64-.120, each space being calculated as having a maximum area of three hundred fifty square feet, subject to the following exceptions in Area "A":

Use	Maximum Parking Spaces Permitted
Banks, businesses, or professional offices in buildings where such uses occupy at least 80% of the gross floor area exclusive of the floor area devoted to lobby, parking, and mechanical equipment	One for each 1,000 square feet of gross floor area of the entire building in the CM Zone; one for each 1,500 square feet of gross floor area of the entire building in the BM and M Zones
Banks, businesses, or professional offices where mixed with other uses and constituting less than 80% of the gross floor area of the building exclusive of floor area devoted to lobby, parking, and mechanical equipment	One for each 1,200 square feet of gross floor area of such uses in the CM Zone; one for each 2,000 square feet of gross floor area of such uses in the BM and M Zones, in addition to spaces permitted for other uses in the building
Transient accomodations such as hotels, motels and motor hotels	One for each two units
Restaurants	One for each 200 square feet of gross floor area
Retail stores	One for each 300 square feet of gross floor area
Heliports	One for each helistop pad
Trade or business schools	One for each 1,000 square feet of gross floor area

C. Within the "Retail Core" of Area "A" of the downtown area as shown on Plate IV, following this chapter, bounded by University Street, First Avenue, Stewart Street and Seventh Avenue, accessory parking spaces shall be authorized in excess of the maximum number provided in subsection B if the Director certifies to the Superintendent that the ratio of all parking spaces to gross floor area devoted to retail uses in the Retail Core is less than the ratio of such spaces to such area as of October 1, 1976, and that the proposed spaces do not cause the ratio to exceed the value as of October 1, 1976; and that such proposed spaces will be located in a multilevel garage structure, the ground or street level frontage of which is devoted to retail uses or similar pedestrian-oriented activity.

D. New retail uses, restaurants and places of assembly may aggregate their maximum number of permitted accessory parking spaces in the same parking facility provided the facility is located not more than one thousand two hundred feet from each of the participating uses.

E. New off-street parking facilities in Area "A" of the downtown area as shown on Plate IV, following this chapter, shall be subject to the following additional restrictions and conditions:

1. No new principal use parking facilities shall be established.

2. No new open parking lots shall be established, except as permitted by subsection G.

3. Accessory parking spaces not located on the same site as the principal use shall be authorized only as an accessory conditional use in accordance with Chapter 24.70.

F. New off-street parking facilities may be authorized as a principal or accessory conditional use in accordance with Chapter 24.70 in Area "B" of the downtown area as shown on Plate IV, following this chapter, either on an open lot or in a structure, if the proposed use does not have a significant adverse effect upon

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traffic flow or surface street capacity, particularly at peak hours.

G. New off-street parking facilities may be permitted in any part of the downtown area as shown on Plate IV, following this chapter, when such parking facility is accessory to a building existing prior to October 1, 1976 and at least fifty percent of which is rehabilitated after October 1, 1976, if the Director certifies to the Superintendent that the parking spaces are in fact accessory to the rehabilitated building and the rehabilitation is evidenced by an expenditure in any twelve-month period of at least Twenty Dollars ($20.00) per square foot of gross floor area being rehabilitated.
(Ord. 105876 § 15, 1976: Ord. 86300 § 23.31, 1957.)

24.64.140 General provisions for development and maintenance.

General provisions for development and maintenance of parking areas for more than five vehicles shall be as set forth in Sections 24.64.150 through 24.64.180.
(Ord. 104190 § 1(part), 1975: Ord. 86300 § 23.40, 1957.)

24.64.150 Parking areas in RM-MD, B, C, M and I Zones.

In any RM-MD, B, C, M, or I Zone a parking area for more than five vehicles shall be developed in accordance with the following requirements:

A. Border Barricades. A rail, fence, wall or other continuous barricade of a height sufficient to retain all cars completely within the property shall be provided, except at exit or access driveways, provided however, that screening shall be provided on each side of a parking area which abuts upon or faces across a street, alley, or place any lot in an R Zone, in accordance with the provisions of Section 24.64.160A.

B. Entrances and Exits. The location and design of all entrances and exits shall be subject to the approval of the City Engineer provided that no entrance or exit shall be closer that fifteen feet to any lot located in an RS or RD Zone, and provided that no parking facility shall have vehicular access not existing on October 1, 1976 to any street designated by ordinance as a pedestrian or transit street or boulevard in the downtown area shown on Plate IV, following this chapter.

C. Surface of Parking Area. Off-street parking areas shall be surfaced and maintained with a durable and dustless surface consisting of oiled crushed gravel, asphalt or concrete and shall be so graded and drained as to dispose of all surface water. In no case shall drainage be allowed across sidewalks. In the case of a parking area for more than fifteen cars, all surface water shall be discharged directly into a storm drain or sewer. Surfacing and drainage shall be subject to the approval of the City Engineer. Parking areas surfaced with asphalt or concrete shall have parking stalls marked by painted lines or other durable traffic marking material.

D. Lighting. Any lighting used to illuminate any required off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any R Zone.

E. Signs. No signs of any kind, other than one designating entrances, exits, or conditions of use, shall be maintained on a parking area on that side which abuts upon or faces any premises situated in any R Zone. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for each entrance or exit.

F. Internal Landscaping for Large Parking Spaces. In the case of a proposed parking area which exceeds twenty thousand square feet in area, and which abuts upon any premises in any R Zone, the Hearing Examiner may require the planting and maintenance of trees within and along the borders of such parking area.
(Ord. 105876 § 16, 1976: Ord. 104190 § 1 (part), 1975: Ord. 101296 § 1(part), 1972: Ord. 99368 § 12(part), 1970: Ord. 97085 § 3 (part), 1968: Ord. 91700 § 18(part), 1962: Ord. 88921 § 6(part), 1960: Ord. 86300 § 23.41, 1957.)

24.64.160 Accessory parking areas in R Zones.

In any R Zone, a parking area accessory to a permitted use in that zone, and for more than five vehicles, shall be developed in accordance with the following requirements:

A. Screening. Screening shall be provided on each side of such parking area which abuts upon or faces across a street, alley or place any lot in an R Zone, except that no screening is required on any side of a parking area where the elevation of the lot line is six or more feet higher than the finished elevation of the parking surface. A parking area screening shall meet the following conditions:

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1. It shall be not less than four and not more than six feet in height above the grade of the parking lot surface, but in no case shall be permitted to constitute a traffic hazard. Such screening shall be maintained in good condition.

2. It shall not be located in any required yard which abuts upon a street lot line and it shall be maintained in good condition.

3. Slopes or other areas between the screen or, where such screening is not required, the area devoted to parking and a lot line shall be landscaped with grass, hardy shrubs or evergreen ground cover and shall be maintained in good condition.

4. Authorization shall be subject to the posting by the applicant of a cash deposit or the pledge of an interest-bearing savings account with the City Treasurer in the amount of Three Dollars ($3.00) per linear foot of screening required, not in excess of Six Hundred Dollars ($600.00), guaranteeing compliance. The deposit shall be refunded or the pledge released by the City Treasurer three years from the date of issuance of the covering use permit at the request of the applicant upon presentation of a certificate of compliance from the Superintendent. Except in instances where development of the parking area is abandoned, the deposit or pledged account shall be forfeited to the City if the screening requirements have not been complied with by the end of the three-year period, and the proceeds may be used by the Superintendent to effect compliance; provided such forfeiture shall not relieve the permittee from compliance with the screening requirements.

B. Entrance, Exits, Surface, Lighting, Signs, and Internal Landscaping. The requirements of Section 24.64.150B, C, D, E, and F shall apply.

C. Operation. Except for emergencies, no automobile repair or service of any kind shall be conducted on any such parking area. No charge for use of such parking area shall be made in any R Zone except on a weekly or monthly basis, provided that in an RMH 350 Zone, hourly or daily charges may be made.

D. Review by Hearing Examiner or Board. Plans for any such parking area, when not located on same lot with principal use, shall be subject to the approval of the Hearing Examiner or Board as a conditional use.

(Ord. 104190 § 1(part), 1975: Ord. 101296 § 1(part), 1972: Ord. 99368 § 12(part), 1970: Ord. 97085 § 3(part), 1968: Ord. 91700 § 18 (part), 1962: Ord. 88921 § 6(part), 1960: Ord. 86300 § 23.42, 1957.)

24.64.170 Conditional accessory parking areas in R Zones.

The following conditions shall apply in any R Zone where off-street parking areas are permitted accessory to a use in a more intensive zone:

A. Such parking area shall abut, by at least fifty feet, either directly or across an alley, upon the lot of the principal use to which the parking area is accessory.

B. Such parking area shall be used solely for the parking of private passenger vehicles.

C. Such parking area shall be subject to all the requirements of Section 24.64.160A, B, and C.

D. The plan for such parking area shall be reviewed by the Hearing Examiner, who shall hold a public hearing, giving notice of the time, place and purpose of the hearing in the manner prescribed in Section 24.74.060. After the aforesaid plan has been approved by the Hearing Examiner, and by the City Engineer where his approval is required, the Superintendent may issue a permit in accordance therewith, and subject to any additional requirements that may be stipulated by the Hearing Examiner for the protection of adjacent property and in the public interest.

E. Any permit issued by the Superintendent may be revoked any time that the aforementioned requirements are not complied with, and any permittee who uses or permits the use of premises to which the permit relates in violation of any of the conditions specified by this section or included in such permit, shall be deemed in violation of his subtitle and shall be subject to the penalty prescribed in Section 24.10.110. Such revocation shall not be construed as a release from the requirements of Section 24.64.120.

(Ord. 104190 § 1(part), 1975: Ord. 101296 § 1(part), 1972: Ord. 99368 § 12(part), 1970: Ord. 97085 § 3(part), 1968: Ord. 91700 § 18 (part), 1962: Ord. 88921 § 6(part), 1960: Ord. 86300 § 23.43, 1957.)

24.64.180 Conditional accessory parking garages in RMV 150 Zone.

A. Entrances and Exits. The location and design of all entrances and exits shall be subject to the approval of the City Engineer provided that no entrance or exit shall be closer than fifteen feet to any lot located in an RS or RD Zone.

B. Landscaping. Landscaping with grass,

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hardy shrubs, or evergreen groundcover shall be provided as specified by the Hearing Examiner or Board and shall be maintained in good condition.

C. Signs. No sign of any kind, other than one designating entrances, exits or conditions of use, shall be maintained on a parking garage on that side which abuts upon or faces any premises situated in any R Zone. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for each entrance or exit.

D. Operation. Except for emergencies, no automobile repair or service of any kind shall be conducted in any such parking garage.

(Ord. 104190 § 1(part), 1975: Ord. 101296 § 1(part), 1972: Ord. 99368 § 12(part), 1970: Ord. 97085 § 3(part), 1968: Ord. 91700 § 18 (part), 1962: Ord. 86300 § 23.44, 1957.)

24.64.190 Filing of plans.

The plan of a proposed parking area shall be submitted to the Superintendent at the time of the application for a building permit. The plan shall clearly indicate the proposed development, including the location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking facility and shall be reviewed by the Director of Engineering, Hearing Examiner, or Board, as required in this chapter and the provisions of this subtitle applicable to the zone where the use is proposed.

(Ord. 86300 § 23.5, 1957.)

24.64.200 Required off-street loading space.

In connection with any use specified in Section 24.64.210 or Section 24.64.220 for which a building or structure is to be erected or structurally altered or changed in use, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles there shall be provided off-street loading space on the basis of the minimum requirements specified in Section 24.64.210 and Section 24.64.220.

(Ord. 103840 § 1(part), 1974: Ord. 87225 § 26(part), 1958: Ord. 86300 § 23.60, 1957.)

24.64.210 Requirements for uses having relatively high loading space demands.

Every department store, freight terminal or railroad yard, hospital or sanitarium, industrial or manufacturing establishment, retail or wholesale store or storage warehouse establishment or any similar use, which has, or is intended to have, an aggregate gross floor area of ten thousand square feet or more, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment, shall provide truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 up to and including 16,000	1
16,001 up to and including 40,000	2
40,001 up to and including 64,000	3
64,001 up to and including 96,000	4
96,001 up to and including 128,000	5
128,001 up to and including 160,000	6
160,001 up to and including 196,000	7
For each additional 36,000	1 additional

(Ord. 103840 § 1(part), 1974: Ord. 87225 § 26 (part), 1958: Ord. 86300 § 23.61, 1957.)

24.64.220 Requirements for uses having relatively low loading space demands.

Every auditorium, convention hall, exhibition hall, sports arena, hotel, office building, restaurant, or any similar use, which has or is intended to have an aggregate gross floor area of forty thousand square feet or more, not including the floor area used for accessory parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment, shall provide off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 up to and including 60,000	1
60,001 up to and including 160,000	2
160,001 up to and including 264,000	3
264,001 up to and including 388,000	4
388,001 up to and including 520,000	5
520,001 up to and including 652,000	6
652,001 up to and including 784,000	7
784,001 up to and including 920,000	8
for each additional 140,000	1 additional

(Ord. 103840 § 1(part), 1974: Ord. 87225 § 26 (part), 1958: Ord. 86300 § 23.62, 1957.)

24.64.230 Standards for development of loading spaces.

Each off-street loading or unloading berth

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shall be subject to the following minimum standards:

A. Each berth shall be not less than ten feet in width, twenty-five feet in length.

B. Space for such berth may occupy all, or any part, of any required yard when uncovered.

C. No berth shall be located closer than fifty feet to any other lot in any R Zone unless wholly within a completely enclosed building.

D. Direct access to such berth from a street shall be permitted only when no usable alley or other means of direct access is available.

E. Access to off-street loading berths across street sidewalks, shall be subject to the City Engineer's approval.

(Ord. 103840 § 1(part), 1974: Ord. 87225 § 26(part), 1958: Ord. 86300 § 23.63, 1957.)

24.64.240 Designation of pedestrian-oriented business districts.

In order to preserve, protect and encourage the pedestrian scale and character of certain established business districts of the city, to provide continuous retail frontages uninterrupted by vehicular accessways and parking facilities, and to minimize pedestrian-automobile conflicts in areas of high pedestrian traffic, the Council may from time to time, as warranted, designate such areas as "pedestrian-oriented business districts" by ordinance.

(Ord. 103864 § 2(part), 1974: Ord. 86300 § 23.71, 1957.)

24.64.250 Procedure to designate pedestrian-oriented business districts.

A petition or proposal to establish a pedestrian-oriented business district shall be filed and considered in the same manner as provided in Chapter 24.72 for zoning text amendments, and when designated such districts shall be so indicated on the Official Zoning Map of Seattle.

(Ord. 103864 § 2(part), 1974: Ord. 86300 § 23.72, 1957.)

24.64.260 Nonconforming parking facilities in pedestrian-oriented business districts.

Existing parking facilities in pedestrian-oriented business districts which do not conform to the requirements of Section 24.64.270E, shall be discontinued two years from the effective date of the ordinance designating the pedestrian-oriented business district in which such parking facility is located.

(Ord. 103864 § 2(part), 1974: Ord. 86300 § 23.73, 1957.)

24.64.270 Conditions for establishment of parking areas in pedestrian-oriented business districts.

Parking areas in the pedestrian-oriented business districts designated in Section 24.64.280 shall be permitted only as a conditional use authorized by the Hearing Examiner or Board under Chapter 24.74 and shall be subject to all of the following conditions:

A. The size and location of such parking area shall be necessary to the successful operation of the use or uses served; and the number of parking spaces provided shall not exceed the minimum number of spaces otherwise required for such uses in Section 24.64.120.

B. Driveways to such parking areas shall not be located across a sidewalk on the principal business frontage of such district, except where no other possible access to such parking area exists.

C. The parking area shall not be located on the principal business frontage of the district so as to interrupt such frontage.

D. All opportunities for cooperative and joint use parking facilities as provided in Sections 24.64.090 and 24.64.100 shall be explored and employed.

E. The conditions for conditional accessory parking areas in R Zones as provided in Section 24.64.170 shall apply; provided that the screening requirements shall apply only on street margins and such screening shall be set back a minimum ten feet from the street margin which area shall be landscaped with grass, trees or hardy evergreen shrubs.

The report of the Director required by Section 24.74.050 shall include an inventory of the available parking areas, both on-street and off-street, serving such district and shall include a report of the City Engineer as to the probable effect of such parking area upon traffic movements in the vicinity and any suggestions for mitigating any adverse impacts thereon. The Director's report shall also discuss possible alternatives to establishment of such parking area such as the use of public transportation facilities and cooperative and joint use parking facilities, and shall take into account the nature,

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scale and character of the immediate vicinity and the district as a whole. The Director shall also identify the area served by businesses in the immediate vicinity of the proposed parking facility.
(Ord. 103864 § 2(part), 1974: Ord. 86300 § 23.74, 1957.)

24.64.280 Specific pedestrian-oriented business districts.

The following areas of the city are designated as pedestrian-oriented business districts:

A. The area zoned BC and CG along Broadway and Broadway East between East Pine Street and East Roy Street, and along East Olive Way and East John Street between East Denny Way and 10th Avenue East;

B. The area along 15th Avenue East between East Denny Way and East Mercer Street.
(Ord. 103864 § 3, 1974: Ord. 86300 § 23.81, 1957.)

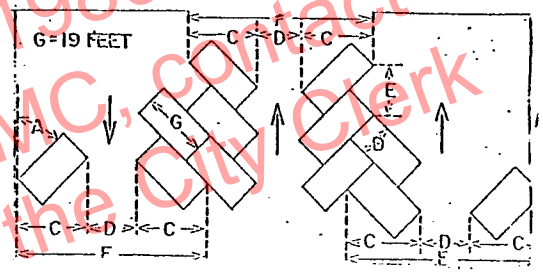
Severability: If any section, paragraph, subdivision, clause, phrase, or provision of Sections 24.64.240 through 24.64.280 shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of said sections as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.
(Ord. 103864 § 4, 1974.)

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PLATE I

PARKING AREA DIMENSIONS

A	B	C	D		E	F(1)	
			AISLE WIDTH			UNIT WIDTH	
PARKING ANGLE	STALL WIDTH	STALL DEPTH	1 WAY TRAFFIC	2 WAY TRAFFIC	CURB LENGTH PER CAR	1 WAY TRAFFIC	2 WAY TRAFFIC
0°	8.0*	8.0*			20.0*	28.0**	36.0**
	8.5	8.5	12.0	20.0	23.0	29.0	37.0
20°	8.0*	13.0*			23.4*	37.0**	46.0**
	8.5	14.5	11.0	20.0	24.9	40.0	49.0
	9.0	15.0	11.0	20.0	26.3	41.0	50.0
	9.5	15.5	11.0	20.0	27.8	42.0	51.0
	10.0	15.9	11.0	20.0	29.2	42.8	51.8
30°	8.0*	14.9*			16.0*	40.9**	49.9**
	8.5	16.9	11.0	20.0	17.0	44.8	53.8
	9.0	17.3	11.0	20.0	18.0	45.6	54.6
	9.5	17.8	11.0	20.0	19.0	46.6	55.6
	10.0	18.2	11.0	20.0	20.0	47.4	56.4
40°	8.0*	16.4*			12.5*	44.8**	52.8**
	8.5	18.7	12.0	20.0	13.2	49.4	57.4
	9.0	19.1	12.0	20.0	14.0	50.2	58.2
	9.5	19.5	12.0	20.0	14.8	51.0	59.0
	10.0	19.9	12.0	20.0	15.6	51.8	59.8
45°	8.0*	17.0*			11.3*	46.4**	53.9**
	8.5	19.4	12.5	20.0	12.0	51.3	58.8
	9.0	19.8	12.0	20.0	12.7	51.6	59.6
	9.5	20.1	12.0	20.0	13.4	52.2	60.2
	10.0	20.5	12.0	20.0	14.1	53.0	61.0
50°	8.0*	17.4*			10.4*	47.3**	54.8**
	8.5	20.0	12.5	20.0	11.1	52.5	60.0
	9.0	20.4	12.0	20.0	11.7	52.8	60.8
	9.5	20.7	12.0	20.0	12.4	53.4	61.4
	10.0	21.0	12.0	20.0	13.1	54.0	62.0
60°	8.0*	17.9*			9.2*	53.2**	55.7**
	8.5	20.7	17.5	20.0	9.8	58.9	61.4
	9.0	21.0	17.0	20.0	10.4	59.0	62.0
	9.5	21.2	16.5	20.0	11.0	58.9	62.4
	10.0	21.5	16.0	20.0	11.5	59.0	63.0
70°	8.0*	17.8*			8.5*	55.0**	55.5**
	8.5	20.8	19.5	20.0	9.0	61.1	61.6
	9.0	21.0	19.0	20.0	9.6	61.0	62.0
	9.5	21.2	18.5	20.0	10.1	60.9	62.4
	10.0	21.2	18.0	20.0	10.6	60.4	62.4
80°	8.0*	17.2*			8.1*	57.3**	58.3**
	8.5	20.2	23.0	24.0	8.6	63.4	64.4
	9.0	20.3	22.0	24.0	9.1	62.6	64.6
	9.5	20.4	21.0	24.0	9.6	61.8	64.8
	10.0	20.5	21.0	24.0	10.2	61.0	65.0
90°	8.0*	16.0*			8.0*	56.0**	57.0**
	8.5	19.0	24.0	25.0	8.5	62.0	63.0
	9.0	19.0	23.0	24.0	9.0	61.0	62.0
	9.5	19.0	22.0	24.0	9.5	60.6	62.0
	10.0	19.0	22.0	24.0	10.0	60.0	62.0

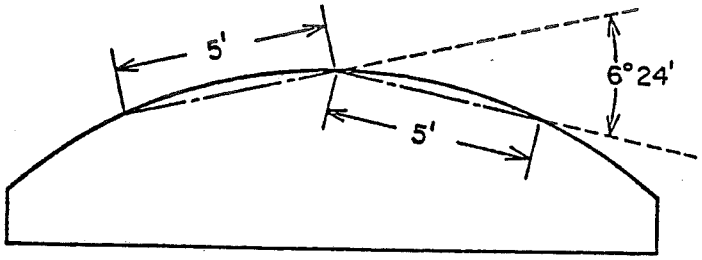


* For use with compact cars only. ** Any bays which contain combined compact and normal spaces shall be designed for normal spaces.

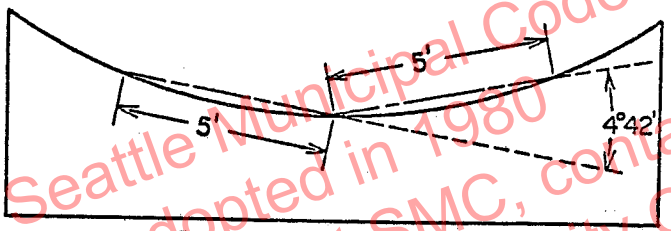
(1) 60 feet may be substituted for required unit width on lots where the available width is in 60 foot whole multiples. 40 feet may be used for single parking bay (row), at 90° and a two-way traffic aisle when only a single 40 foot lot is available. In both cases a minimum 9-½ foot stall-width shall be provided.

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PLATE II MAXIMUM GRADE CURVATURE



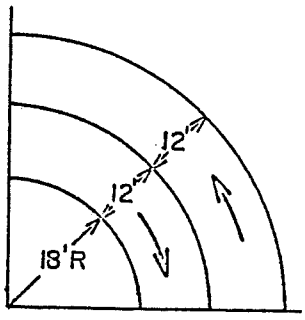
CREST VERTICAL CURVE



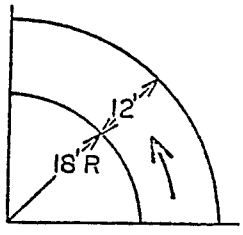
SAG VERTICAL CURVE

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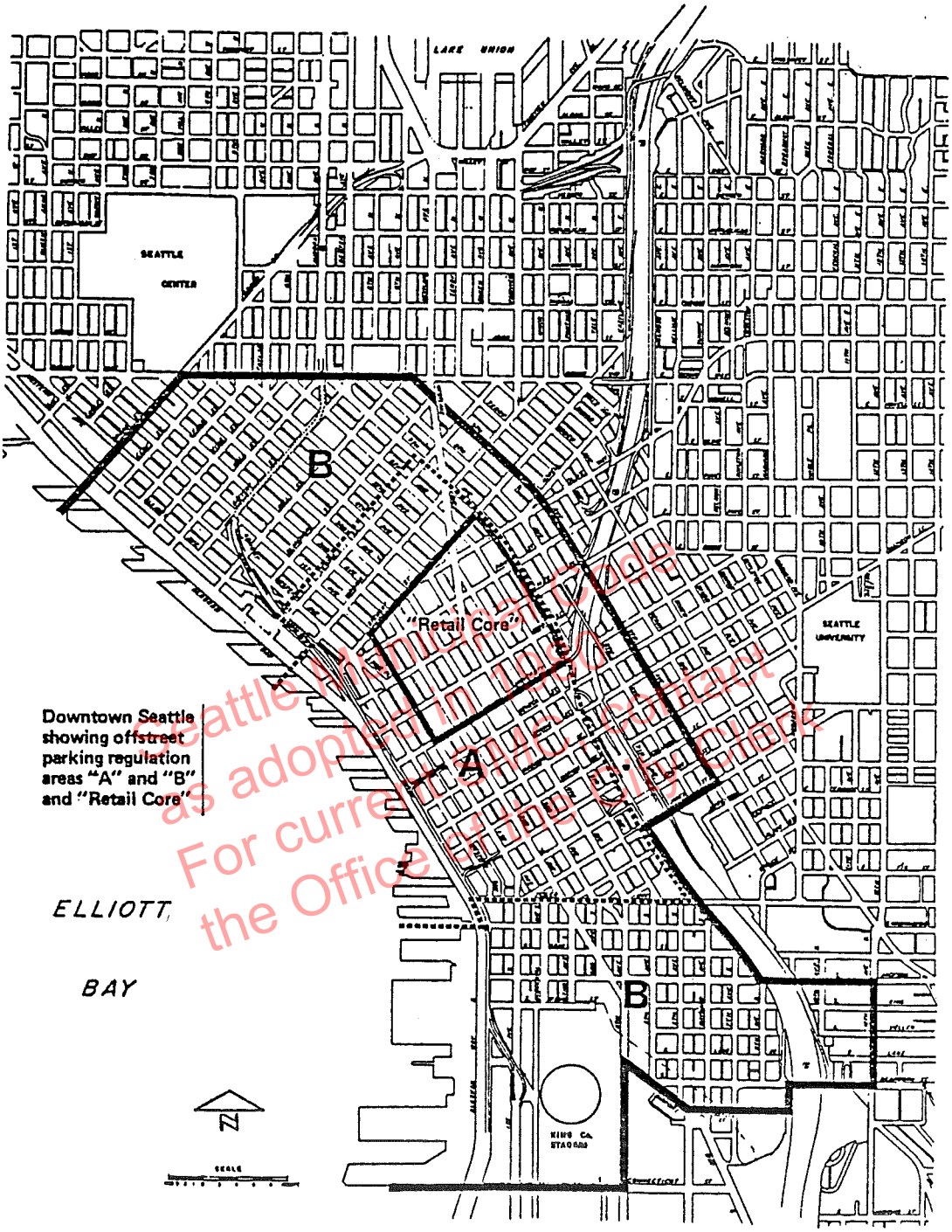
PLATE III MINIMUM TURNING PATH WIDTHS



2-WAY TRAFFIC



1-WAY TRAFFIC



Downtown Seattle showing offstreet parking regulation areas "A" and "B" and "Retail Core".

Seattle Municipal Code
as adopted in 1962 and
For current law see
the Office of the City Clerk

PLATE IV

Chapter 24.66

SPECIAL PROVISIONS

Sections:

24.66.010 Accessory uses and buildings in R Zones.
24.66.020 Transitional uses in R Zones.
24.66.030 Conversion of dwellings.
24.66.040 Planned unit development—Generally.
24.66.050 Planned unit development—Basic requirements.
24.66.060 Residential planned unit development.
24.66.070 Planned unit development—Procedure for filing.
24.66.080 Planned unit development—Review and authorization.
24.66.090 Planned unit development—Commission hearing and recommendation.
24.66.100 Planned unit development—Council hearing and action.
24.66.110 Planned unit development—Final plans.
24.66.120 Planned unit development—Appeal to Hearing Examiner.
24.66.130 Required recreation space for apartment houses.
24.66.140 Special provisions for BN, BI, BC, C, M, or I Zones when opposite R Zones.
24.66.150 Special provisions for certain lots reduced below minimum lot area requirement.

24.66.010 Accessory uses and buildings in R Zones.

Accessory buildings permitted in R Zones shall be regulated as provided in Sections 24-.62.080 and 24.62.180.
(Ord. 86300 § 24.1, 1957.)

24.66.020 Transitional uses in R Zones.

A. In any R Zone, a lot, the side lot line of which adjoins directly a more intensive R Zone or a B, C, M, or I Zone, may be devoted to any of the uses permitted in the next more intensive R Zone provided that:

1. No such use shall extend further than sixty feet from such R, B, C, M, or I Zone;

2. Any structure so used shall be limited to the bulk regulations of the zone in which it is located;

3. The lot to which this provision may apply shall be in a zone, the classification of which is at least two classifications less intensive than the zone which it adjoins;

4. The use is authorized as a conditional use by the Hearing Examiner or Board in accordance with Chapter 24.74.

For the purpose of applying this provision, any RS Zone shall be considered as a RW Zone, and the RD 7200 Zone shall be considered as a RD 5000 Zone.

B. Offices or clinics of physicians, surgeons, dentists, architects, engineers, lawyers, or certified public accountants may be established on any RS- or RD-Zoned lot which adjoins directly a BN, BI, BC, C, M or I Zone and has frontage on the same street upon which such BN, BI, BC, C, M, or I Zone has its principal frontage, provided that:

1. The use shall not extend further than sixty feet from such BN, BI, BC, C, M or I Zone;

2. Such clinic or office building shall be limited to the bulk regulations of the zone in which it is located;

3. Such clinic or office use shall not occupy more than the first two stories of a building or a cellar of a building and the story next above;

4. In the case of a lot adjoining a BN Zone, such clinic or office may be established only when the BN Zone, or BN Zone in combination with a more intensive zone, consists of five hundred feet or more of continuous frontage along the street frontage where such clinic or office use shall be located.

(Ord. 105359 § 1, 1976: Ord. 96395 § 14, 1968: Ord. 94970 § 2, 1960: Ord. 90722 § 9, 1961: Ord. 88283 § 7, 1959: Ord. 86300 § 24.2, 1957.)

24.66.030 Conversion of dwellings.

A. The conversion of any building into a dwelling, or the conversion of a dwelling so as to accomodate an increased number of dwelling units shall be permitted in a zone where a new building of similar occupancy is permitted, provided:

1. No side or rear yard is less than five feet;

2. The conversion will result in lot area per dwelling unit at least twenty percent greater

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than required for a new building in the zone;

3. Any two nonconforming bulk requirements may be modified by the Superintendent by not more than ten percent when the conditions of subsections 1 and 2 above are met;

4. The converted building shall comply in all other respects with the bulk requirements of the zone except as to existing front yards.

B. The conversion of a residence structure into a duplex dwelling in an RD, RM, RMH, B or C Zone or to a triplex in an RM, RMH, B or C Zone shall be permitted provided that:

1. No single side yard is less than three feet nor total side yard less than eight feet and no rear yard is less than fifteen feet;

2. The conversion will comply in all other respects with the bulk and density requirements of the zone in which it is located except as to existing front yards.

(Ord. 103843 § 1, 1974: Ord. 88283 § 8, 1959: Ord. 86300 § 24.3, 1957.)

24.66.040 Planned unit development—Generally.

A. The intent of this provision is to allow, on relatively large tracts, flexibility in grouping, placement, size and use of buildings which will insure a better development than would otherwise result from the application of bulk and use regulations of the zone in which the tract is located.

B. A planned unit development may be authorized even though the use, location, and bulk of the buildings and open space do not conform in all respects with the regulations of the zone in which the tract is located, provided that such development meets all the requirements of Sections 24.66.050 through 24.66.090.

(Ord. 102290 § 39, 1973: Ord. 101608 § 3 (part), 1972: Ord. 98698 § 2(part), 1970: Ord. 98426 § 11(part), 1969: Ord. 96031 § 6(part), 1967: Ord. 92059 § 7(part), 1963: Ord. 86300 § 24.4, 1957.)

24.66.050 Planned unit development—Basic requirements.

A. The site shall consist of at least five acres, including interior street and alley areas, with the following exceptions:

1. In the RM-800, RMH, RMV 200, RMV 150 and RM-MD Zones, the site shall consist of at least forty thousand square feet, one block, or two opposing entire block fronts;

2. In the RMV 200, RMV 150 and BC Zones which lie within one thousand five hundred feet of the campus of a college or university or other accredited institution of higher learning granting degrees normally requiring four or more years of study, the site shall consist of at least thirty thousand square feet.

B. A planned unit development proposal may be initiated by the owner or owners of all the property involved within the proposed project, or by a governmental agency.

C. Adequate guarantee shall be provided to insure permanent retention of all open area resulting from the application of these regulations, either by private reservation or by dedication to the public or a combination thereof, including all common open areas shared by the occupants of the planned unit development.

D. Off-street parking facilities shall be provided as required in Chapter 24.64.

E. The development shall not be in conflict with the comprehensive plan.

F. The total development as authorized shall be completed within two years of the date of authorization, unless another period is stipulated or the time for completion is extended by the Council.

G. Dedicated streets within or contiguous to the development and essential thereto shall be improved in accordance with plans and specifications prepared by the City Engineer at the developer's cost and expense and approved by the Board of Public Works. Such street improvements shall conform to the design standards for streets in subdivisions in Sections 31 through 37 of Ordinance 101027[1] and shall include full street width grading, slope protection, asphalt or concrete roadway surfacing, and adequate drainage. Private streets within the development shall be improved in accordance with plans and specifications approved by the City Engineer at the developer's cost and expense. All surface and underground improvements within private streets shall be inspected by the City Engineer during construction at the developer's cost and expense, and shall conform to standards established therefor by the City Engineer and approved by the Board of Public Works.

H. The following utility improvements shall be installed at the developer's cost and expense in accordance with plans and specifications prepared by the City Engineer and approved by the Board of Public Works, and title thereto shall be conveyed to the city prior to construction of any structure in the development:

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1. Water mains and hydrants;
2. Sanitary sewers, unless the Director of Public Health determines that the new structures may be adequately served by private septic tanks;
3. Storm drains.

Necessary utility easements approved by the Superintendent of Water shall be conveyed to the city and shall be of sufficient width to assure installation and maintenance of the utility facilities located therein.

I. A development located adjacent to a subdivision having underground utility lines shall also provide underground utility lines, including but not limited to those for electricity, telephone, CATV and street lighting.

(Ord. 104271 § 3, 1975: Ord. 103087 § 1, 1974: Ord. 102290 § 40, 1973: Ord. 101608 § 3(part), 1972: Ord. 98698 § 2(part), 1970: Ord. 98426 § 11(part), 1969: Ord. 96031 § 6 (part), 1967: Ord. 92059 § 7(part), 1963: Ord. 86300 § 24.41, 1957.)

1. Editor's Note: Ord. 101027 is not included in this codification. Copies are on file in the office of the City Clerk.

24.66.060 Residential planned unit development.

A residential planned unit development may be permitted in any zone not otherwise prohibiting dwelling units, when restricted to the following uses and conditions:

A. Dwelling units and all principal uses permitted in the zone in which the project is located;

B. Residential uses first allowed in RM-800 and RMH Zones, in an RS or RD Zone only when located at least one hundred feet from any other lot in such residence zone so as to minimize the impact on adjacent residential properties, or when topographic or other natural barriers sufficiently separate the development, or when the uses within that portion of the development which adjoins or faces premises in an RS or RD Zone are the same as those permitted in such RS or RD Zone;

C. Recreational areas, including, but not limited to, tennis courts, swimming pools, and playgrounds and playlots;

D. Those conditional uses which are not otherwise prohibited in the zone in which the development is located;

E. Retail or other nonresidential uses accessory and purely incidental, limited to serve the occupants of the development, integrated into the project by design, and so located as to minimize the impact on adjacent properties. No such uses shall be permitted where similar uses are available in convenient proximity;

F. The lot area per dwelling unit, or per unit of floor area in structures governed by floor area ratio, may be reduced by not more than twenty percent of that otherwise required in the zone, provided, however, that when the planned unit development consists predominantly of uses specified in subsection B, the lot area shall be as otherwise required in the zone; except that for a planned unit development on a site qualifying under Section 24.66.050 A 2, the density measured by dwelling units or by floor area ratio may be up to one hundred twenty-five percent of that otherwise permitted in the RMV Zone and up to one hundred seventy-five percent of that otherwise permitted in the BC Zone;

G. The coverage of the site by buildings shall not exceed the percentage of the lot coverage permitted in the zone in which the project is located;

H. Building or structure height may exceed the height limit of the zone in which the project is located, provided that the view from the surrounding properties is not substantially impaired and that for each additional one foot of height, the required yards, as specified in subsection I, shall be increased one foot;

I. On each side of the development which adjoins or faces across a street, place or alley, a lot in a residential zone, the yards shall be as required for the zone in which such lot is located;

J. Parking spaces in excess of the minimum specified in Chapter 24.64 may be required which shall not be used by other than tenants, owners and guests.

(Ord. 102290 § 41, 1973: Ord. 101608 § 3 (part), 1972: Ord. 98698 § 2(part), 1970: Ord. 98426 § 11(part), 1969: Ord. 96031 § 6 (part), 1967: Ord. 92059 § 7(part), 1963: Ord. 86300 § 24.42, 1957.)

24.66.070 Planned unit development—Procedure for filing.

Official filing of a planned unit development application shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of Two Hundred Dollars ($200.00) to defray the cost of processing such

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application and shall be preceded by preliminary review of the proposal by the Director. Following such review, two copies of the application shall be filed with the Director. The application shall be in letter form and shall include or attach:

A. Preliminary plans, to an appropriate scale, which indicate all uses proposed for the site, the exact boundaries, existing and proposed topographic contours at intervals of five feet or less, proposed location and outside horizontal and vertical dimensions of all buildings and structures, all proposed open spaces, including yards and streets, parks, playgrounds, plazas, malls, landscaped buffer areas, school sites, location and dimensions of off-street parking facilities, points of ingress to and egress from the site, the names, locations and dimensions of all streets, alleys, and other trafficways within, bounding or touching the site, and the exact location, direction and bearing of any major physiographic features such as railroads, drainage canals and shorelines;

B. An explanatory text which shall include a written statement of the general purposes of the development, and explanation of all features pertaining to uses and other pertinent matters not readily identifiable in map form, including proposed provisions to be made for service or maintenance, and guarantees for permanent retention of open area;

C. Additional material in the form of maps or additional text may be required from the applicant by the rules, or by the Director wherever in his judgment such material is required to accurately assess the impact of proposed development under this section.

(Ord. 106140 § 1, 1977: Ord. 106015 § 1, 1976: Ord. 105854 § 1, 1976: Ord. 102290 § 42, 1973: Ord. 101608 § 3(part), 1972: Ord. 98698 § 2(part), 1970: Ord. 98426 § 11(part), 1969: Ord. 96031 § 6(part), 1967: Ord. 92059 § 7(part), 1963: Ord. 86300 § 24.43, 1957.)

24.66.080 Planned unit development—Review and authorization.

The Director shall review the application for conformance with the provisions and intent of this subtitle and shall prepare a written report which shall include but not be limited to:

A. A descriptive summary of the project which details the manner in which the uses and bulk proposed differ from that otherwise permitted in the zone; and

B. An analysis of the proposed development with relation to city goals and policies and the comprehensive plan of Seattle; and

C. An analysis of the impact of the proposed development on environmental and community quality, which shall include but not be limited to the impact of the proposed development on surrounding residential, commercial, and social life, and on existing or proposed public facilities and improvements such as utilities, parks, schools and transportation;

D. The applicability of other laws to the subject application.

The Director's report shall include comments and recommendations from departments and agencies of government having an interest in or affected by the application, and shall recommend approval or denial of or modifications to the application as well as any conditions to be attached to any authorization of the proposed development, and any alternative forms of development or treatment that in the opinion of the Director are necessary or appropriate within the provisions and intent of this subtitle. The Director's report shall be completed within sixty days of the date of filing the application, unless consideration by other agencies of government is required by law, in which case the report shall be completed within thirty days following final action by such agencies. The application and report shall be transmitted to the Commission and shall be made available for public inspection ten days prior to the first public hearing on the application.

(Ord. 102290 § 43, 1973: Ord. 101608 § 3 (part), 1972: Ord. 98698 § 2(part), 1970: Ord. 98426 § 11(part), 1969: Ord. 96031 § 6 (part), 1967: Ord. 92059 § 7(part), 1963: Ord. 86300 § 24.44, 1957.)

24.66.090 Planned unit development—Commission hearing and recommendation.

Upon receipt of an application for planned unit development and the Director's report thereon, the Commission shall set the date for and hold a public hearing on the application in accordance with the procedure for Commission hearings in Section 24.72.060 and give notice of such hearing in accordance with the provisions of Section 24.72.050 pertaining to notice of hearings on proposed amendments of the Official Zoning Map. Within sixty days from the date of filing the Director's report, the

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Commission shall recommend to approve, deny or modify the application or it may refer the application to the Director for further information. The Commission may delay taking action beyond the sixty-day limitation if the Commission clearly states in writing its reasons for so delaying. In any case in which additional hearings are scheduled the Commission shall issue new notices and make available any new information at least fifteen days prior to a new hearing. In making a final recommendation on any application, the Commission may adopt the recommendations of the Director's report, or when reversing or modifying the Director's recommendations shall enter findings and conclusions based on the record which support its action. The final recommendation of the Commission shall be filed with the Council within fourteen days following the final public hearing and mailed to the applicant within seventeen days following the hearing.
(Ord. 104809 § 1, 1975: Ord. 102290 § 44, 1973: Ord. 86300 § 24.45, 1957.)

24.66.100 Planned unit development—Council hearing and action.

After receipt by the Council of the findings, conclusion and recommendation of the Commission on applications for planned unit developments, the Planning and Urban Development Committee or other Committee of the Council shall hold a public hearing on such application and cause notice of such hearing to be given in accordance with the provisions of Section 24-.72.050 pertaining to notice of hearings on proposed amendments of the Official Zoning Map. The Council shall take final action to approve, conditionally approve, or disapprove the application within sixty days after receipt of the Commission's recommendations. Approval or conditional approval of an application for a planned unit development shall be by ordinance which ordinance shall also amend the Official Zoning Map to indicate:

A. The boundaries of such approved planned unit development;

B. The ordinance approving the preliminary plans for such planned unit development; and

C. The number of the Comptroller's File containing the approved preliminary plans.

When the Council's action is contrary to the Commission's recommendations it shall enter findings and conclusions from the record which support its action.

(Ord. 104809 § 2, 1975: Ord. 102290 § 45, 1973: Ord. 86300 § 24.46, 1957.)

24.66.110 Planned unit development—Final plans.

If the Council approves the application for planned unit development it shall authorize the applicant to prepare final plans which, together with any required covenants shall be filed with the Director within one year of the date of Council authorization, unless a longer period is authorized by the Council. If the Director finds that the final plans conform substantially to the Council authorization he shall mail notice to all parties of record or who request such notice stating the location where plans and relevant information may be inspected, and that he intends to issue a certificate of compliance to the applicant within twenty days unless an appeal shall be filed with the Hearing Examiner. If no appeal is filed within such time, the certificate of compliance shall be issued. If in the Director's judgment the final plans do not conform to the Council's authorization, the application shall be subject to the procedure for initial authorization, unless an appeal is filed with the Hearing Examiner within seventeen days of mailing written notice of noncompliance. No building or use permit shall be issued for a planned unit development by the Superintendent prior to issuance of a certificate of compliance by the Director.
(Ord. 102290 § 46, 1973: Ord. 86300 § 24.47, 1957.)

24.66.120 Planned unit development—Appeal to Hearing Examiner.

If an appeal for review by the Hearing Examiner is filed, the Hearing Examiner shall set the time for a public hearing on the appeal and issue notice in accordance with Section 24.72.050. Consideration of the appeal shall be limited to matters of compliance with stipulated conditions and conformance with the approved preliminary plans. The Hearing Examiner may approve the Director's certificate of compliance, or may direct specific changes to the final plans citing specific requirements of the Council authorization, or may find that the plans do not substantially comply with the Council authorization, in which case the application shall be remanded to the Director for processing as a new application. Building or use permits issued by the Superintendent for planned unit devel-

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opments shall be stayed pending the Hearing Examiner's approval of a certificate of compliance. The Hearing Examiner's decision in such connection shall be final.
(Ord. 102290 § 47, 1973: Ord. 86300 § 24.48, 1957.)

24.66.130 Required recreation space for apartment houses.

In the case of an apartment house containing twenty or more dwelling units with two or more bedrooms, a fenced play space for preschool children shall be provided at the rate of forty square feet for each such dwelling unit.
(Ord. 101608 § 4, 1972: Ord. 86300 § 24.5, 1957.)

24.66.140 Special provisions for BN, BI, BC, C, M, or I Zones when opposite R Zones.

When a lot developed for nonresidential purposes in a BN, BI, BC, C, M or I Zone is located across a street from an R Zone, then such lot shall be subject to the following conditions:

A. Screening shall be established across that portion of the lot across the street from the R Zone provided, however, that such screening shall be located no closer to the street than ten feet, and provided further that the area between the screening and the street lot line shall be maintained in good condition with grass, hardy shrubs, or evergreen groundcover and shall not be used for off-street parking purposes. Such screening and ten-foot setback shall not be required across the front of any building or premises when such frontage is an exclusive frontage or across the principal frontage of a through or corner lot, or along the side street lot line within one hundred feet of the principal frontage.

B. Any outdoor refuse storage or incineration shall be effectively screened from premises in the R Zone.
(Ord. 96395 § 15, 1968: Ord. 96252 § 5, 1967: Ord. 94036 § 26, 1965: Ord. 88283 § 9, 1959: Ord. 87225 § 27, 1958: Ord. 86300 § 24.6, 1957.)

24.66.150 Special provisions for certain lots reduced below minimum lot area requirement.

The Council may authorize reduction in lot area below the minimum required by this subtitle when such reduction is the result of the dedication or sale of a portion of the lot to the city or to the state for street or highway purposes, so that the lot may be utilized as a lot meeting minimum lot area requirements, following report and recommendation by the Commission. Before making its recommendation to the Council, the Commission shall consider the matter at public hearing. Notice of this hearing shall be given by mail not less than ten days prior to the date of such hearing to the owners of all property within three hundred feet thereof, using for this purpose the names of property owners as shown upon the records of the County Treasurer. Failure to send notices by mail to any property owner, where the address of such owner is not included in the county records, shall not invalidate any proceedings in connection therewith. In considering requests for such authorization, the Commission and Council shall consider the nature and condition of adjacent uses and structures and no authorization shall be made unless it is found that:

A. The authorization will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located;

B. The lot area remaining after reduction is sufficient to provide a reasonable building site, consistent with the purpose of this subtitle.

Such authorization, if made, shall be permanent and will run with the land to which it applies.
(Ord. 94035 § 1, 1965: Ord. 86300 § 24.7, 1957.)

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Chapter 24.68

SPECIAL REVIEW DISTRICTS

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Subchapter I General Provisions

24.68.010 General purpose of special review districts.

To conserve and enhance the appearance of the city of Seattle, which is unique by virtue of its natural marine and mountain setting and its topographic features; to preserve areas of historical note or architectural merit; to protect and enhance neighborhoods, major public centers, parks, boulevards, waterfront areas; to encourage beneficial economic development; to assist property owners and tenants in maintaining the character of commercial, industrial, manufacturing, warehousing and residential areas; to promote stability of land values and investments; to assist in the redevelopment of declining areas of the city where traditional zoning frequently is inadequate to accomplish such objective; to enhance areas adjacent to major arterials for the enjoyment of residents and tourists alike; to protect major vistas of public buildings, mountains, water and landscape; to promote the general welfare by safeguarding such areas for the future use and enjoyment of all our people; and to encourage community spirit, cooperation and participation, the Council may from time to time, as warranted, establish special review districts by ordinance to provide an additional measure of land use and development incentives and control in such districts.
(Ord. 102455 § 1, 1973: Ord. 86300 § 24.81, 1957.)

24.68.020 Procedure to establish, alter, or abolish special review districts.

A petition or proposal to establish, alter or abolish a special review district shall be filed and considered in the same manner as provided in Chapter 24.72 for zoning map amendments. A petition or proposal to establish a special review district shall include a statement of purpose. The boundaries of a special review district shall be indicated on the Official Zoning Map of the city.
(Ord. 102455 § 2, 1973: Ord. 86300 § 24.82, 1957.)

24.68.030 Development regulations.

A. The Council may include development regulations in the ordinance which establishes a special review district. If development regulations are not included, the Special Review Board may consider and after at least one public hearing, recommend development regulations for the special review district to the Commission, which shall make further recommendations to the Council. If the Special Review Board fails to recommend development regulations within ninety days after having been appointed and organized, the Director shall prepare proposed development regulations and recommend such controls to the Commission, except where the ordinance establishing the special review district includes such development regulations. The Council shall consider proposed development regulations in the same manner as provided in Section 24.72.070 for Zoning Ordinance text

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amendments. Development regulations shall be adopted by ordinance, and may thereafter be amended in the same manner as provided in Chapter 24.72 for Zoning Ordinance text amendments.

B. The development regulations shall identify the unique values of the district, shall include a statement of purpose and intent, and shall be consistent with the purposes of the special review district. The regulations may identify uses, structures and design characteristics which either have a positive or negative effect upon said values and may specifically modify bulk and use regulations and other provisions of the Zoning Ordinance in order to allow and encourage or to limit or exclude such structures, designs, and uses. Unless specifically modified by the development regulations, all provisions of the Zoning Ordinance shall apply in the special review district. If uses, structures or designs are limited, the development regulations must specify the standards by which the uses, structures or designs will be evaluated. If provisions of the Zoning Ordinance are modified, the development regulations shall specify the conditions upon which such modifications are allowed.

C. Development regulations shall be consistent with the purposes stated in establishing the special review district. Development regulations shall not be construed to limit the use of any materials, forms or designs otherwise permitted by law unless such limitations are expressly stated.

(Ord. 105338 § 1, 1976: Ord. 102455 § 3, 1973: Ord. 86300 § 24.83, 1957.)

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24.68.040 Special Review Boards.

A. The ordinance establishing a special review district may or may not provide for a Special Review Board. Where such Special Review Board is provided, unless otherwise specified, the Board shall consist of seven members, five of whom shall be chosen at annual elections called and conducted by the Director for that purpose and at which all residents, persons who operate businesses, their employees, and property owners of the special review district shall be eligible to vote, and two of whom shall then be appointed by the Mayor and approved by the City Council. The Director, in calling the first annual meeting shall provide twenty days' notice of the meeting in the manner provided for hearings on zoning map amendments by the Hearing Examiner in Section 24.72.050, and by publishing notice in all community newspapers which are circulated within the district. Thereafter, in calling annual meetings publication of notice in all community newspapers which are circulated in the district shall suffice. The Mayor shall, in making the appointments, attempt to assure that the Board represents a diversity of legitimate interests in the district. Initial terms for two of the elected and one of the appointed members shall be for one year, and initial terms for the remaining four persons shall be for two years. Thereafter, all terms shall be for two years. No person shall serve for more than two consecutive terms on a Special Review Board. The Director shall adopt rules and procedures to implement this section.

Each Special Review Board shall elect its own chairman and adopt such rules of procedure as shall be necessary in the conduct of its business. Staff assistance to each special review board shall be provided by the Director. A majority of all members of the Special Review Board shall constitute a quorum for the purpose of transacting business. All decisions shall be made by majority vote of those members present, and in case of a tie vote, the motion shall be lost. The Special Review Board shall keep minutes of all of its official meetings, which shall be filed with the Director together with a copy of the rules of the Special Review Board.

B. Each Special Review Board shall develop and recommend development regulations for the district as described in Section 24.68.030, if the City Council has not included such regulations in the ordinance establishing the special review district.

C. The Special Review Board may review all applications which are before the Director for a certificate of approval, and all petitions or applications for amendment of the Official Zoning Map, conditional use, special exception, variance and planned unit development. The failure of the Special Review Board to make a recommendation with respect to any such application or petition shall not affect the validity of any decision thereon.

D. The Special Review Board is also authorized to make such other and further recommendations and to initiate such proposals to the Mayor, Council, Commission and other public and private agencies concerning land use and development in the special review district as it deems appropriate.

(Ord. 105338 § 2, 1976: Ord. 102455 § 4, 1973: Ord. 86300 § 24.84, 1957.)

24.68.050 Certificates of approval.

A. Unless specifically modified by the ordinance establishing a special review district, no person shall alter, demolish, construct, reconstruct, restore, or remodel any existing structure in a special review district where a city permit is required or development regulations govern, or change the principal use of any building, structure or lot, and no permit where required shall be issued by the Superintendent or any city department, except pursuant to a certificate of approval.

B. The Director shall authorize the responsible public official to issue a certificate of approval only after a determination has been made by the Director that the proposed work or changes are consistent with the development regulations for the district.

C. The fee for such certificate of approval shall be according to the Permit Fee Ordinance (106106).[1]

(Ord. 106985 § 5, 1977: Ord. 105338 § 3, 1976: Ord. 102455 § 5, 1973: Ord. 86300 § 24.85, 1957.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

24.68.060 Approval of changes and development within the special review district.

A. The Superintendent or responsible public official shall forward to the Director all applications for building, demolition, grading, street use, or use permits for which a certificate of approval is required. The Director shall in turn refer copies of the application, along with a departmental report as to the compliance of the proposed changes with the regulations, to the special review board for its consideration and recommendations as to whether the proposed changes are consistent with the development regulations of the special review district; provided, that where a Special Review Board has not been established for a special review district, the Director shall make the determination as to whether the proposed changes are consistent with the development regulations of the special review district, upon the basis of such departmental report.

The Special Review Board shall make written recommendations to the Director together with the reasons therefor within thirty days. The Director may extend the period for recommendations once by thirty days with the consent of the applicant. The Special Review Board shall make recommendations only to encourage development and use consistent with the development regulations and to prevent developments or uses which are inconsistent with the development regulations of the special review district.

Within thirty days from the end of the time period for recommendations by the Special Review Board or after receipt of such recommendations, whichever occurs first, the Director shall determine whether the proposed work or changes are consistent with the development regulations for the special review district and shall issue findings and conclusions prescribed in the rules; provided, that where a Special Review Board has not been established for the district, the determination shall be made within thirty days after receipt of the departmental report.

If the determination is in favor of the applicant, the Director shall authorize the issuance of a certificate of approval. The applicant shall be notified in writing of the decision of the Director, and the applicant, or any party affected by the decision of the Director may file an appeal in writing with the Hearing Examiner within fourteen days of the date the decision of the Director is mailed. The Hearing Examiner shall consider and decide the appeal at a public hearing unless all parties of record affected by the Director's decision consent to such review and decision without a public hearing. The Hearing Examiner shall issue findings and conclusions in the form prescribed in the rules and based on the appropriate considerations for the requested authorization. The decision of the Hearing Examiner shall be final and copies of the decision shall be mailed to all parties of record and transmitted to the City Clerk, the Director, and to the Superintendent or other responsible public official within fourteen days after the hearing. The Superintendent and/or other responsible public official shall be bound by and shall incorporate the terms and conditions of any final decision in any permit which is authorized or required to be issued pursuant to the certificate of approval.

B. The Director shall refer copies of petitions for amendments to the Official Zoning Map, applications for planned unit development, and applications for conditional use, special

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exception, and variance, which affect property within the special review district to any Special Review Board for its recommendation. The Special Review Board shall submit any recommendations in writing prior to the hearing thereon or within thirty days.
(Ord. 105338 § 4, 1976: Ord. 102455 § 6, 1973: Ord. 86300 § 24.86, 1957.)

24.68.070 Nonconforming buildings and uses.

Existing buildings and uses which do not conform to the development regulations adopted for the special review district shall be subject to the provisions of Sections 24.14.030 through 24.14.070 with respect to such development regulations.
(Ord. 105338 § 5, 1976: Ord. 102455 § 7, 1973: Ord. 86300 § 24.87, 1957.)

24.68.080 Enforcement and penalties.

Notwithstanding the provisions of Section 24.10.110, anyone violating or failing to comply with any of the provisions of Sections 24.68-.010 through 24.68.070 shall, upon conviction thereof, be fined in a sum not exceeding Five Hundred Dollars ($500.00).
(Ord. 105338 § 6, 1976: Ord. 86300 § 24.88, 1957.)

Subchapter II Pioneer Square Special Review District

24.68.100 Description and purpose—Unique values.

A. To ameliorate the adverse impact which the King County domed stadium is expected to have upon the social, cultural, historic and ethnic values of the Pioneer Square area and the economic well-being of the industrial area south of the Pioneer Square Historic District, and to avoid proliferation of vehicular parking and other vehicular-oriented uses, and to provide regulations for existing on- and off-street parking; to stabilize existing and encourage a variety of new and rehabilitated housing types related to all income groups; to encourage the use of transportation modes other than the private automobile; to protect existing commercial vehicular access; to exercise a reasonable degree of control over and improve visual and urban relationships between existing buildings and structures, between existing and future buildings and/or structures, parking garages or structures, open spaces, and public improvements within the area; to encourage pedestrian uses; and to achieve the purposes stated in Section 24.68-.010, there is established the Pioneer Square Special Review District in the following described area:

Beginning at the intersection of Occidental Avenue South and Railroad Way South, then south along Occidental Avenue South to South Connecticut Street, then west to the Alaskan Freeway, then north to Yesler Way, then east to Western Avenue, then north and northwest to Columbia Street, then northeast to the alley betweeen 1st and 2nd Avenues, then southeast to Cherry Street, then northeast to the alley between 2nd and 3rd Avenues, then southeast to Yesler Way, then east to 4th Avenue South, then south to Dearborn Street, then west and to north of the King County domed stadium site to the point of beginning.

The boundaries are illustrated on a map, designated Exhibit "C" codified at the end of this subchapter, and on the Official Zoning Map.

B. 1. Historic Significance. The Pioneer Square Special Review District is unique because it was the site of the beginning of the city of Seattle. The area also retains much of the original architecture and artifacts of its early history.

2. Architectural Merit. As a collection of late 19th and early 20th century buildings of similar materials, construction techniques and architectural styles, the district is unique, not only to the city, but to the country as well.

3. Social Diversity. The Pioneer Square Special Review District represents an area of unique social diversity where people from all income levels and social strata live, shop, and work. Social services, including missions, low income housing and service agencies exist.

4. Business Climate. The Pioneer Square Special Review District is an area of remarkable diversity of businesses. Predominantly, the area of the district north of King Street and west of Second Avenue South is pedestrian oriented.

5. Geographic Location. The Pioneer Square Special Review District is uniquely situated adjacent to Seattle's waterfront; the International, and its Special Review District; and the King County domed stadium.
(Ord. 107453 § 1, 1978: Ord. 104660 § 7, 1975: Ord. 102455 § 8, 1973: Ord. 86300 § 24.91, 1957.)

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24.68.110 Pioneer Square Special Review Board.

A. The Special Review Board shall be composed of five elected members and two appointed members selected in accordance with election and appointment procedures in Section 24.68.040, and one nonvoting member appointed by the International Special Review Board if established from among its members, who shall serve at that Board's pleasure.

B. The five elected members of the Board shall be composed of one property owner in the district; two persons who are either business owners or employees within the district; one architect in the district; and one resident of the district or person administering or providing social services in the district. The two appointed members shall consist of an architect or planner and an economist or at-large person, both of whom shall have demonstrated interest in conservation.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.911, 1957.)

24.68.120 Development regulations generally.

All property within the Pioneer Square Special Review District shall be developed and used only in accordance with the following development regulations set forth in Sections 24.68-.120 through 24.68.190 established for the district in accordance with Section 24.68.030. Applications for a certificate of approval shall be reviewed by the Special Review Board which shall make written recommendations to the Director indicating the consistency or lack thereof with the following development regulations; provided that applications for changes in the exterior appearance of existing or new structures or public places or rights-of-way in the Pioneer Square Historic Preservation District established by Ordinance 98852[1] shall be considered only by the Pioneer Square Historic Preservation Board and Director as provided in said ordinance as amended.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.912, 1957.)

1. Editor's Note: Ord. 98852 is codified in Chapter 25.28 of this Code.

24.68.130 Prohibited principal uses.

A. Vehicle-oriented Uses. Uses which are by design or function vehicle-oriented, including but not limited to motor hotels, motels, nonaccessory parking lots not in existence at the time of the effective date of the amendatory ordinance codified in this section,[1] vehicle storage and sales, service stations, auto repair, and drive-in businesses are prohibited in that portion of the special review district lying north and west of a line described by the following streets: Railroad Way South, Occidental Avenue South, South King Street and 4th Avenue South.

B. Other Prohibited Principal Uses. Frozen food lockers; retail ice dispensaries; plant nurseries; small animal clinics; retail building supply stores; bowling lanes; skating rinks; pleasure boat sales establishments; automobile rental and sales; dyeing and rug cleaning plants; branch telephone exchanges; microwave or line-of-sight transmission stations; acetylene manufacturing; automobile assembly; babbit metal manufacturing; bag cleaning; battery manufacturing; bleach and dyeing plant; boat building and repair; bronze powder manufacturing; bulk station; coal, coke or wood yard; concrete mixing; concrete products manufacturing; crematory; felt manufacturing; grain elevator; heliport; manufacturing of excelsior, wood fiber or sawdust products not involving chemical treatment; poultry slaughterhouses; refuse transfer stations; sand blasting or cutting; stone-cutting yard or monument works; wire or rod drawing; nut, screw or bolt manufacturing; shipbuilding and repair; planing mill; sawmill, shingle mill or plywood manufacture; mushroom plant and cannery; feed and cereal mill; steam manufacturer; auto wrecking or junk yard and other similar uses typically permitted in a more intensive zone than an M Zone.

C. At Street Level.

1. In order to encourage pedestrian orientation and to encourage economic stability within that area of the district bounded by the alley between Second Avenue South and Second Avenue Extension to the east, the district boundaries to the north, Post Street and the alley between First Avenue South and Alaskan Way to the west, including the block frontage along South Washington Street between First Avenue South and Alaskan Way, and South King Street to the south, the following uses shall be prohibited at street level:

Taxidermy shops; appliance repair shops; upholstery establishments; trade or business schools; art, dance and/or music schools or studios;

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warehouses or wholesale stores; wholesale offices, including wholesale storage of the following merchandise: jewelry, optical and photographic goods, pharmaceuticals and cosmetics, and other similar high-value, low-bulk articles; experimental or testing laboratories; radio and television studios.

2. Uses at street level which are pedestrian-oriented, where the use is highly visible from the street or where merchandise is displayed in a manner that contributes to the character and activity of the area, shall be preferred to other permitted uses.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.913, 1957.)

1. Editor's Note: Ord. 107453 became effective on August 10, 1978.

24.68.140 Prohibited accessory uses.

A. Accessory parking lots at street grade not in existence at the time of the effective date of the amendatory ordinance codified in this section[1] are prohibited in that portion of the district north of South King Street.

B. Accessory parking shall not be required within that portion of the district bounded by South King Street on the north, Fourth Avenue South on the east, Railroad Way and the King County domed stadium on the south and the Alaskan Way Viaduct on the west.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.914, 1957.)

1. Editor's Note: Ord. 107453 became effective on August 10, 1978.

24.68.150 Permitted uses for underground areaways.

Uses permitted for the underground areaways shall be those permitted in the respective zone of the district; the limitations imposed on uses at street level shall not apply to the underground areaways.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.915, 1957.)

24.68.160 Bulk regulations.

A. Floor Area Ratio. In order that the area of the district bounded by South King Street to the north, Occidental Avenue to the east, Railroad Way to the south and the Alaskan Way Viaduct to the west be a transitional buffer area for the Pioneer Square Historic District, floor area ratio shall not exceed seven times the lot area.

B. Yards. In order to retain continuity of streetscape in that portion of the district lying within the Pioneer Square Historic District, a structure shall be located on a site so as to cover the full width of the lot along street property lines, and shall abut upon street property lines, although interior open spaces shall be permitted.

C. Height Limitations. All new structures and additions to existing structures shall in no case exceed the height limitations of this subsection. Height of structure is to be measured from mean street level fronting on the property to the mean roof line of the structure in accordance with Sections 24.62.030 and 24.62.040. Following report and recommendation by the Pioneer Square Special Review Board, the Director may authorize rooftop facilities such as mechanical or electrical equipment and elevator equipment, penthouses, stair enclosures, roof gardens and rooftop greenhouses, when treated in an architectural manner compatible with the surrounding area.

1. Maximum Height Limitations.

a. For the area north of South King Street and west of Second Avenue South Extension, the maximum height of a structure shall be not more than fifteen feet higher than the highest adjacent structure or highest structure within adjacent block fronts, but shall in no case exceed a total height of one hundred feet.

b. For the area east of Second Avenue South Extension, the maximum height of a structure shall not exceed one hundred twenty feet; provided that structures devoting seventy-five percent of the gross floor area to residential use may be authorized in excess of one hundred twenty feet but not more than one hundred fifty feet following report and recommendation of the Special Review Board on siting and design to insure reasonable view preservation from Kobe Terrace Park.

c. For the area south of King Street and north and east of Railroad Way, the maximum height of a structure shall not exceed one hundred feet.

2. Minimum Height Limitations. In order to provide a sense of enclosure along streets, no structure shall be erected or permanent addition be added to an existing structure which would result in the height of the new structure being be less than thirty feet.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.916, 1957.)

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24.68.170 Conditions imposed on permitted uses.

A. The street level of parking garages or structures and other vehicular-oriented uses, where permitted, shall be regulated as to ingress and egress and view-obscuring screening approved by the Special Review Board in order to reduce adverse visual impact on the immediate area. Within two years of the date of the adoption of these regulations[1] the Special Review Board will recommend standards for landscaping existing surface parking lots having more than twelve spaces. These standards will be developed in conjunction with the city's development of city-wide parking lot screening regulations.

B. In that area of the district bounded by the alley between Second Avenue South and Second Avenue South Extension and Second Avenue to the east, the district boundaries to the north, Post Street and the alley between First Avenue South and Alaskan Way to the west and South King Street to the south, new street level uses shall be subject to the following conditions:

1. The street level of parking garages and structures shall be devoted to uses in the area other than parking to a minimum depth of twenty feet along street frontages, and along alleys and malls designated for pedestrian use only.

2. No single establishment consisting of only one use shall occupy over fifty percent of a square block's street frontage. Blocks smaller than twenty thousand square feet are excepted.

3. Personal service establishments and business and professional offices shall not be permitted to occupy more than twenty-five percent of a single street level block frontage.

C. New access to underground areaways must be limited to access from within buildings. However, new access through the sidewalks will be permitted where stair access existed at any time prior to the effective date of the amendatory ordinance codified in this section.[1]

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.917, 1957.)

1. Editor's Note: Ord. 107453 was passed by the City Council on July 3, 1978. It became effective on August 10, 1978.

24.68.180 Signs.

A. Prohibited. Freestanding signs (except those typically associated with uses located outside structures, such as on-grade parking, parks, plazas, etc.), roof signs, billboards, and miscellaneous product advertising of a permanent nature such as those made of wood, metal or plastic, are prohibited in that portion of the district lying outside the Pioneer Square Historic District.

B. Criteria for Approval. In order to insure that signs are of a scale, shape and type consistent with permitted uses, to insure that the message or communication of a sign is not lost through the proliferation and competition of other signs, and to enhance views and sight lines into and down streets, the following criteria will be used in the evaluation of individual sign applications for that area lying outside the Pioneer Square Historic District. Final determinations as to appropriateness will be based on the following considerations:

1. The overall design of a sign including size, shape, texture, method of attachment, color and lighting, shall be compatible with the use to which the sign refers and the architecture of the building where it is to be installed, measured by:

a. Shape: the relationship of the shape of the proposed sign with the architecture and design motifs of the building for which the sign is proposed, and, with the shape of other signs approved for the building;

b. Texture: the relationship of the texture of the proposed sign (such as smooth painted surfaces, rough-cut wood, raised letters, etc.) with the texture of the building for which it is proposed (such as rough-cut granite, textured concrete, finely detailed brickwork, baroque curvilinear terra cotta, etc.), and with the texture of other signs approved for the building;

c. Method of attachment: the possibility of physical damage to the structure, the relationship of the method of attachment with design motifs and other accessory building elements (such as railings, light standards, and other approved signs) and with the design of the proposed sign;

d. Color: the relationship of the proposed colors with the colors of the building for which the sign is proposed and with other signs approved for the building;

e. Lighting: the relationship of lighting standards, light colors and number and type of lights proposed with the design of the proposed sign with the lighting of other approved signs on the building and with the architectural

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and design motifs of the building. The Board will also consider whether the proposed lighting would unnecessarily detract from the character of the building.

2. Painted wall signs, symbolic signs, raised manufactured letters and front-lighted signs mounted parallel to and integrated into the building facade shall be considered generally compatible with the predominant building type found in the district.

3. Projecting signs, neon signs, signs which appear to be in motion, and signs with flashing, running or chaser lights will be recommended only after the Board determines that all other criteria for permitted signs have been met and that historic precedent, locational or visibility concerns of the business for which the signing is proposed warrant such signing.

4. In considering the appropriate size of signs the Board shall take into account the general character of the signs and buildings in the immediate area, the scale of the building for which the sign is proposed, the proposed location of the sign on the building's exterior, the total number of signs proposed or existing on the building, as well as the type of sign proposed (such as informational, theater marquees, building identification, business, identification, address or hours-open signing).

5. No sign shall be placed on a structure so that it would conceal or disfigure desirable architectural features or details of the structure.

6. Size, shape, colors, materials, lighting and location of proposed signs not attached to structures shall be reviewed for compatibility with adjacent structures and with the goals and guidelines for the district.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.918, 1957.)

24.68.190 Exterior building design.

In order to complement and enhance the historic character of the Pioneer Square Historic District and retain quality and continuity of existing buildings, that area of the special review district which lies outside the Pioneer Square Historic District shall be subject to the following requirements for exterior building design:

A. Materials. Exterior building facades shall generally be restricted to brick, concrete when tinted a subdued or earthen color, sandstone or similar stone facing material commonly used in the Pioneer Square Historic District. Aluminum, painted metal, wood and other materials may be permitted for signs, window and door sash and trim and other similar uses when found compatible with adjacent or original uses and so recommended by the Special Review Board.

B. Scale. Exterior building facades shall be of a scale compatible with the surrounding structures. Window proportions, floor height, cornice line, street elevations and other elements of the building facades, shall relate to the scale of the buildings existing in the immediate area.

C. Awnings. Awnings, when used, shall be functional, serving as weather protection for pedestrians at street level or sun shades on upper floors. Awnings at street level over sidewalks shall overhang the sidewalk a minimum of five feet. All awnings shall be of a design compatible with the architecture of the area.

(Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.919, 1957.)

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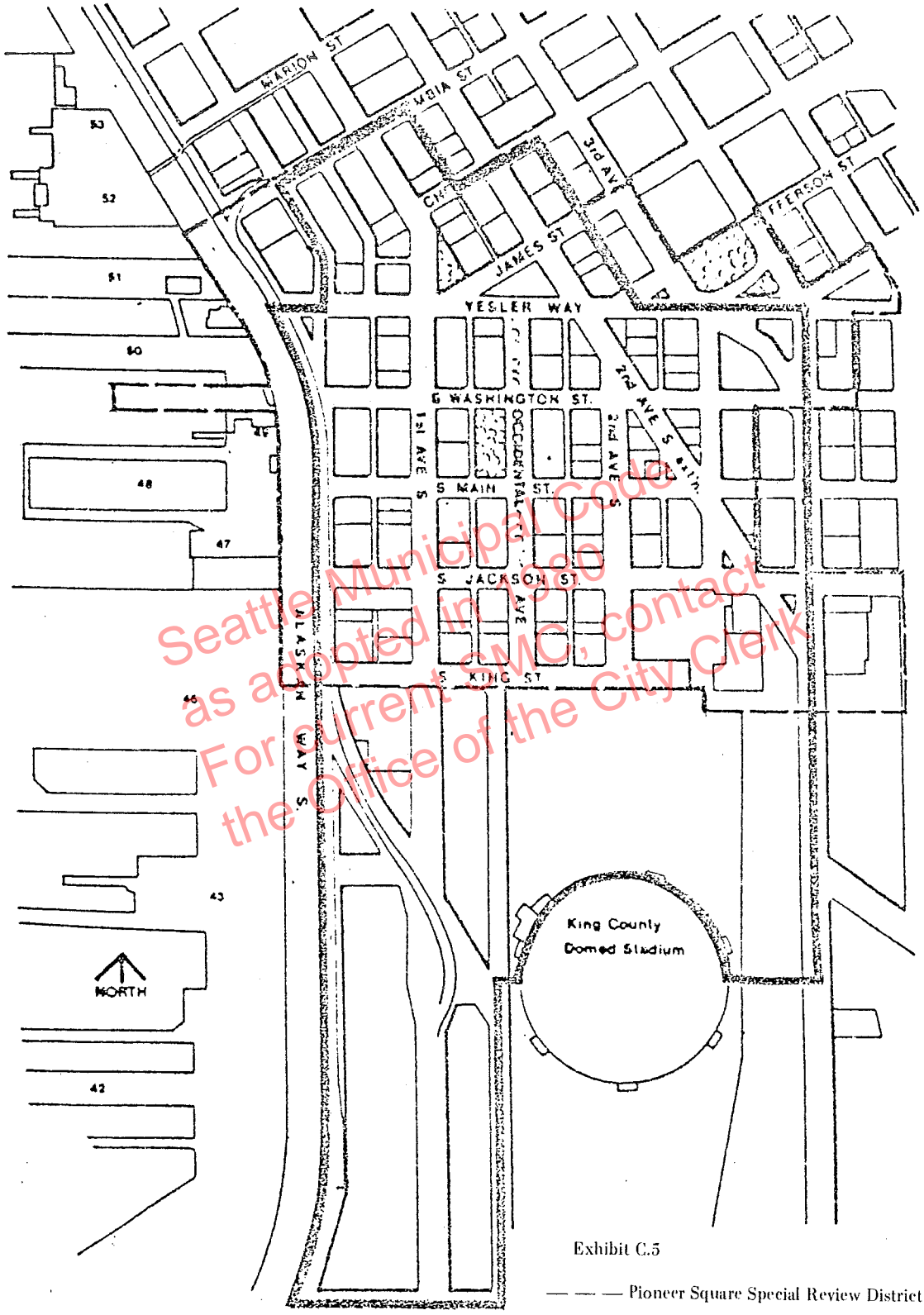


Exhibit C.5

— — — Pioneer Square Special Review District

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Subchapter III International Special Review District

24.68.250 Established—Special Review Board.

A. To ameliorate the adverse impact which the location and operation of the King County domed stadium is expected to have upon the cultural, ethnic and commercial values of the International District, and to protect the area and its periphery from the proliferation of vehicular parking and other automobile-oriented uses at the expense of viable pedestrian uses and structures, displacing people; to encourage the use of transportation modes other than the private automobile; to exercise a reasonable degree of control over site development and the location of off-street parking and other automobile-oriented uses in said areas; to promote, preserve, and perpetuate the cultural, economic, historical and otherwise beneficial qualities of the area, particularly the features derived from its Asian heritage; to encourage the use of street level spaces for pedestrian-oriented retail specialty shops with colorful and interesting displays; to reestablish the International District as a stable residential neighborhood with a variety of housing facilities; to encourage employment for area residents; to improve visual and urban design relationships between existing and future buildings, parking garages, open spaces, and public improvements within the International District; and to achieve the purposes stated in Section 24.68.010, there is established the International Special Review District in the following described area:

Beginning at the intersection of Airport Way and 4th Avenue South, then north to Yesler Way, then east to the Central Freeway, then southeast along the right-of-way of the Central Freeway and its ramps to South Jackson Street, then east to 12th Avenue South, then south to South Dearborn Street, then west to Airport Way, then northwest to 4th Avenue South, the point of beginning;

the boundaries of which are illustrated on the Official Zoning Map and designated Exhibit "A" on amended maps designated Exhibits D.1 through D.9, which amended exhibits are codified at the end of this subchapter, and which supersede the original Exhibits D.1 through D.9 and D.6 as amended by Ordinance 106734.

B. All property within the International Special Review District shall be developed and used only in accordance with development guidelines established for the district in accordance with Section 24.68.030 and shall be subject to the specific development guidelines set forth in Sections 24.68.270 through 24.68.360.

C. The five elected members of the Special Review Board shall be composed of two members who are businessmen, property owners, or their employees; two members who are either residents, which shall include tenants, or persons with a recognized and demonstrated interest in the welfare of the International District Community; and one member at large. One member of the Pioneer Square Special Review Board shall serve as a nonvoting member appointed by the Pioneer Square Special Review Board to serve at that Board's pleasure.

(Ord. 107088 § 1, 1978: Ord. 106734 § 1, 1977: Ord. 105936 § 1, 1976: Ord. 104234 § 1, 1975: Ord. 104068 § 1, 1974: Ord. 102455 § 9, 1973: Ord. 86300 § 24.92, 1957.)

24.68.260 Definitions.

The following words and terms used in Sections 24.68.270 through 24.68.360, unless a different meaning clearly appears from the context, shall mean as follows:

A. "Accessory parking" means parking associated with or necessitated by a use on a regular basis such as for customers and/or employees and provided on the same premises or within eight hundred feet thereof.

B. "Customer parking" means short-term parking for a period of two hours or less.

C. "Message area" means a blocked off area of a sign enclosing letters and/or symbols, a backlit portion of a sign, or a portion of a sign which is of a different color than the facade on which such sign is located.

D. "Pedestrian-oriented use" means a use which is by function or design primarily oriented to serve individuals who arrive on the premises by foot rather than those who arrive on the premises by automobile. Pedestrian-oriented uses are typically sidewalk-oriented, highly visible from the sidewalk and have major entrances abutting the street lot line. Such uses include but are not limited to small neighborhood groceries, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty shops, barbershops, hardware stores, men's and women's apparel shops, banks, and savings institutions.

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E. "Reserved parking" means long-term parking by individuals who contract to park their cars at a specific stall on a weekly or longer basis.

F. "Sign" means any medium which is used or intended to be used to attract attention to the subject matter for advertising, identification or informational purposes.

G. "Vehicular-oriented use" means a nonresidential use which functions to serve users, customers, or patrons eighty percent or more of whom arrive at the premises by automobile and park on the premises or in an accessory parking lot. Vehicular-oriented uses include but are not limited to motels, motor hotels, gas stations, car washes, commercial garages, automobile supply centers, short-order type restaurants, drive-in restaurants, drive-in banks and drive-in cleaners.

(Ord. 105936 § 2(part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.921, 1957.)

24.68.270 Prohibited principal uses.

A. Vehicular-oriented Uses.

1. Uses which are by design or function vehicular-oriented, including but not limited to motor hotels, motels, nonaccessory parking lots, automobile storage and sales, and drive-in businesses, shall be prohibited in that portion of the special review district lying east of 5th Avenue South, north of South Lane, south of Yesler Way and west of the Central Freeway. Nonaccessory parking lots shall be permitted as specified in subsection A3.

2. All of the uses listed in subsection A1, except motor hotels and motels, shall also be prohibited in that portion of the special review district which is bounded by 5th Avenue South, South Lane Street, the Central Freeway, and South Dearborn Street.

3. Nonaccessory parking lots in existence when the special review district was established shall comply with the provisions of this section and all other development guidelines for the special review district within three years from the date the district was established or applicable development guidelines were adopted, whichever is later, except that the following guidelines shall be applicable three months after the effective date of the amendatory ordinance codified in this section:[1]

a. Reserved nonaccessory parking shall be permitted only in accordance with the regulations set forth in Section 24.68.280 until January 1, 1981 on the blocks north of South Washington Street, the northern half of the block between 4th Avenue South and 5th Avenue South and South Washington Street and South Main Street, and the eastern half of the Central Freeway right-of-way between South Jackson Street and South King Street.

b. Short-term, joint-use customer parking shall be permitted only in accordance with the regulations set forth in Section 24-.68.280 until January 1, 1981 north of a line midblock between South Main Street and South Jackson Street between the alley east of Sixth Avenue South and the Central Freeway; on the western half of that portion of the Central Freeway lying between South Jackson Street on the north and South King Street on the south; on the half block between South Weller Street and South Lane Street between the alley east of 6th Avenue South on the west and Maynard Avenue South on the east; and on the block between South Weller Street on the north and South Lane Street on the south between 7th Avenue South on the west and 8th Avenue South on the east.

4. The street level of parking garages or structures shall be devoted to pedestrian-oriented uses permitted in the zone other than parking. However, in areas where abutting streets exceed a slope of eight percent this requirement may be waived by the Director with the advice of the Special Review Board. In addition, parking garages or structures shall also be regulated as to ingress and egress and view-obscuring screening by the Director with the advice of the Special Review Board, subject to appeal to the Hearing Examiner as provided in Section 24.68.060.

5. Accessory parking shall not be required within that portion of the district bounded on the west by 4th Avenue South between Yesler Way and South Jackson Street and 5th Avenue South between South Jackson Street and South Lane Street, Yesler Way on the north, the Central Freeway on the east, and South Lane Street on the south.

6. No new advertising signs shall be erected within the International Review District.

B. Other Prohibited Principal Uses.

1. Community Business Zone (BC). Experimental or testing laboratories, taxidermy shops, frozen food lockers, retail ice dispensaries, and mortuaries shall be prohibited in the BC Zone. In addition, nonvisible,

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non-pedestrian-oriented uses such as private clubs, associations, lounges, dwellings, and warehouses shall not be permitted in the BC Zone when at street level unless the use is approved in accord with the criteria of Section 24.68.320 (Criteria for approval of permitted uses) and Section 24.68.330 (Exterior building finishes), or the use is set back at least fifty feet from the street lot line; provided, that a five-foot corridor shall be permitted connecting such use to the street lot line.

2. Metropolitan Commercial Zone (CM).

a. Frozen food lockers, retail ice dispensaries, plant nurseries, taxidermy shops, and upholstery establishments shall be prohibited in all parts of the CM Zone. In addition, non-visible, non-pedestrian-oriented uses such as private clubs, associations, lounges, dwellings, and warehouses shall not be permitted in the CM Zone when at street level unless the use is approved in accord with the criteria of Section 24.68.320 (Criteria for approval of permitted uses) and Section 24.68.330 (Exterior building finishes), or the use is set back at least fifty feet from the street lot line; provided, that a five-foot corridor shall be permitted connecting such use to the street lot line.

b. Dyeing plants or rug cleaning plants, warehouse or wholesale stores, wholesale storage and manufacturing uses above any street level floor space shall be prohibited within that portion of the CM Zone lying east of a line midway between 5th Avenue South and 6th Avenue South.

3. General Commercial Zone (CG). Trailer parks, contractor's yards, fuel yards and drive-in theaters and uses prohibited in the BC Zone under subsection B1 shall be prohibited within the CG Zone.

4. Manufacturing Zone (M). Contractor's yards, fuel yards, drive-in theaters, trailer parks, automobile assembly plants, metal manufacturing plants, bleaching and dyeing plants, coal, coke or wood yards, concrete products manufacture, crematories, grain elevators, poultry slaughterhouses, refuse transfer stations, stonecutting yards, wire or rod drawing, nut, screw or bolt manufacturing, auto-wrecking or junk yards, and other similar uses, and uses prohibited in the BC and CG Zones under subsections B1 and B3 shall be prohibited within that portion of the M Zone west of the Central Freeway.

(Ord. 105936 § 2(part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.922, 1957.)

1. Editor's Note: Ord. 105936 became effective on November 28, 1976.

24.68.280 Special restrictions.

A. Off-street Parking. To protect the International District from the anticipated disruptive impact of stadium patrons arriving by private vehicles and to reserve accessory off-street parking for the use of customers and/or employees of businesses within the district, the following regulations shall be applicable three months after the effective date of the amendatory ordinance codified in this section:[1]

1. When a parking lot abuts any street or alley right-of-way used for purposes of entrance or exit, such entrances and exits shall be improved with finishes of a hard-surface permanent or semi-permanent nature suitable for pedestrian and vehicular use, and no entrance or exit shall be permitted except from or to a street or alley improved in a like manner.

2. The collection of parking fees paid in cash shall not be permitted on or adjacent to a parking lot; provided that subject to review and approval by the Board, collection of such fees may be permitted in connection with customer parking which is determined by the Board to be consistent with an areawide plan and non-stadium-oriented.

3. A sign complying with Section 24.68.340 (Business identification signs) shall be required at each entrance.

4. All nonaccessory reserved parking permitted by Section 24.68.270A3a shall comply with Section 24.64.150A through E. Screening consisting of shrubs, trees or fencing and which is not less than ninety percent efficient to a height of three feet shall be provided so as to obscure parked vehicles from view from any abutting public right-of-way, and a landscaped strip of grass, hardy shrubs or evergreen groundcover not less than three feet in width shall be provided between such screening and the street lot line.

B. Accessory Uses.

1. In order to retain and enhance a pedestrian character in the International Special Review District, to encourage a well-defined street edge with visual activity abutting the street, and to reduce the visual impact of the automobile on major streets, accessory parking at street grade shall be prohibited within forty

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feet of the following public rights-of-way:

a. North-south Avenues. Along the west side of 5th Avenue South between a line midway between South Washington Street and South Main Street and South Jackson Street and along the east side of 5th Avenue South between South Washington Street and South Lane Street; along the west side of 6th Avenue South between South Main Street and South Weller Street and along the east side of 6th Avenue South between South Main Street and South Lane Street; along the west side of Maynard Avenue South between a line midblock between South Main Street and South Jackson Street and South Weller Street and along the east side of Maynard Avenue South between a line midblock between South Main Street and South Jackson Street and South Lane Street; along the west side of 7th Avenue South between a line midblock between South Main Street and South Jackson Street and South Lane Street and along the east side of 7th Avenue South between a line midblock between South Main Street and South Jackson Street and South Weller Street; along the west side of 8th Avenue South between South Jackson Street and South Weller Street and along the east side of 8th Avenue South between South Jackson Street and South Lane Street.

b. East-west Streets. Along the north side of South Main Street between 4th Avenue South and 6th Avenue South and along the south side of South Main Street between 5th Avenue South and the alley east of 6th Avenue South; along the north and south sides of South Jackson Street between 5th Avenue South and the Central Freeway; along the north and south sides of South King Street between 5th Avenue South and the Central Freeway; and along the south side of South Weller Street between 5th Avenue South and 7th Avenue South excluding, however, the area between the alley east of 6th Avenue South and Maynard Avenue South.

C. Screening of Certain Accessory Uses and Outdoor Uses. All trash and garbage receptacles, parking lots, and mechanical equipment such as air conditioners and power transformers shall be screened in such a way as to not be highly visible from any street or pedestrian right-of-way. A minimum performance deposit or pledge in the amount of Three Dollars ($3.00) per linear foot of screening up to a maximum amount of One Thousand Dollars ($1,000.00) shall be deposited with the City Treasurer for a period of five years or the life of the use whichever is shorter to insure compliance with this provision. The pledge or deposit shall be forfeited if the requirements have not been complied with within three months after notice of noncompliance and the proceeds shall be used by the Superintendent to effect compliance as needed.

(Ord. 105936 § 2(part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.923, 1957.)

1. Editor's Note: Ord. 105936 became effective on November 28, 1976.

24.68.290 Bulk requirements—Permitted building heights.

In order to ensure that the heights of new buildings are consistent with those of structures designated for retention in the King Street business core area, to help preserve the views from Kobe Terrace Park, and to ensure a minimum sense of physical enclosure along the streets of the district, the following maximum and minimum building heights shall be adhered to:

A. Within that portion of the district lying between Fourth Avenue South and Fifth Avenue South and between South Main Street and South Jackson Street, buildings shall not exceed one hundred twenty feet in height or be less than twenty-four feet in height.

B. Within that portion of the district lying between Fourth Avenue South and Fifth Avenue South and between South Washington Street and South Jackson Street, buildings shall not exceed one hundred ten feet in height or be less than twenty-four feet in height.

C. Within that portion of the district lying west of Fifth Avenue South and north of South Washington Street, buildings shall not exceed one hundred feet in height or be less than twenty-four feet in height.

D. Within that portion of the district lying between Fifth Avenue South on the west and and the Central Freeway on the east and between South Lane Street on the north and South Dearborn Street on the south, and that portion lying between Fourth Avenue South and Fifth Avenue South south of South King Street, buildings shall not exceed eighty-five feet in height or be less than thirty-six feet in height.

E. Within that portion of the district lying between 5th Avenue South on the west, the Central Freeway on the east, Yesler Way on

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the north and South Main Street on the south, and within that portion of the district lying between Mayard Avenue South on the west, the Central Freeway on the east, South Main Street on the north, and a line one hundred twenty feet south of South Main Street on the south, building height and lot coverage shall be controlled by the following criteria:

1. Structures shall be constructed, designed and sited so as to minimize view blockage from Kobe Terrace Park and from other similarly scaled structures which are used primarily for residential purposes.

2. Structures shall be designed, sited and constructed so as to ensure reasonable sun exposure and air circulation to adjacent properties.

3. Structures shall be designed and sited in a manner aesthetically compatible with the area's steep topography and/or nearby public open spaces.

Exceptions to these criteria may be permitted for residential or mixed residential/nonresidential developments in which seventy percent or more of the gross floor area is used for residential area, and in which density does not exceed one dwelling unit per two hundred fifty square square feet of lot area for regular dwelling units, and one hundred fifty square feet of lot area for low income elderly dwelling units having a net area of less than five hundred square feet.

F. Within the remaining portion of the district buildings shall not exceed sixty-five feet in height or be less than twenty-four feet in height, except, a thirty percent increase in height will be permitted for residential projects designed for the low income elderly which include sixty percent of the street level building area and frontage as commercial use.

(Ord. 106503 § 1(part), 1977: Ord. 105936 § 2(part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.924(a), 1957.)

24.68.300 Bulk requirements—Permitted lot coverage.

In order to ensure adequate open space in areas of higher density, within or near pedestrian frequented areas and/or residential living areas of the district, the following lot coverage restrictions shall be adhered to:

A. Within the M Zone and CG Zone one hundred percent lot coverage shall be permitted.

B. Within the BC Zone a maximum of seventy-five percent lot coverage shall be permitted.

C. Within that portion of the district lying between 5th Avenue South on the west, the Central Freeway on the east, Yesler Way on the north, and South Main Street on the south, and within that portion of the district lying between Maynard Avenue South on the west, the Central Freeway on the east, South Main Street on the north and a line one hundred twenty feet south of South Main Street on the south, lot coverage shall be controlled as provided in Section 24.68.290E.

D. Within the remaining portion of the district a maximum of seventy-five percent lot coverage shall be permitted.

(Ord. 106503 § 1(part), 1977: Ord. 105936 § 2(part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.924(b), 1957.)

24.68.310 Bulk requirements—Yards.

In order to retain the continuity of the streetscape in the King Street - Jackson Street business core (hereby defined as that portion of the district bounded by a line midway between South Weller Street and South King Street on the south, the Central Freeway on the east, and 4th Avenue South on the west, and that portion of the district bounded by a line midway between South King Street and South Weller Street on the north, a line midway between South Weller Street and South Lane Street on the south, a line midblock between Seventh Avenue South and Eighth Avenue South on the east, and a line midway between Sixth Avenue South and Maynard Avenue South on the west) all structures in that area shall be located on a site so as to cover the full width of the site between abutting side properties and/or in the case of a corner lot, so as to cover the greatest width of the site between the two abutting side property lines perpendicular to each other. Open spaces abutting street property lines shall only be permitted if visually compatible with the surrounding streetscape.

(Ord. 106503 § 1(part), 1977: Ord. 105936 § 2(part), 1976: Ord, 104068 § 2(part), 1974: Ord. 86300 § 24.924(c), 1957.)

24.68.320 Criteria for approval of permitted uses.

A. Uses at Street Level. In order to retain and strengthen the King Street business core as a pedestrian-oriented retail shopping district, new street-level uses along the streets described in subsection A2 shall be approved in accordance

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with the following criteria:

1. Type. Preference shall be given to pedestrian-oriented retail shopping and service business uses which are highly visible or where merchandise is prominently displayed in a manner that contributes color and activity to the streetscape, including but not limited to floral shops, barbecue shops, Oriental crafts shops, groceries, bakeries, coffee shops, sidewalk cafes, restaurants, travel agencies, bookstores, apparel shops and variety stores. Non-pedestrian-oriented businesses and other uses which are not typically visible from the sidewalk, such as non-profit community service organizations, associations, clinics, drop-in centers and museums open to the public may be permitted if the uses occupy less than twenty-five feet of street frontage per use or one hundred forty-five feet or less of street frontage per use if a corner use, comply with the requirements of Section 24.68.330 (Exterior building finishes), and are consistent with the purpose of this section.

2. Size and Location.

a. New street-level uses along the following streets, shall not exceed fifty feet of street frontage per use when located within the interior portion of a block or one hundred forty-five feet of street frontage per use when located on a corner: the north side of South King Street between the alley east of 5th Avenue South and the Central Freeway and the south side of South King Street between 6th Avenue South and the Central Freeway; along the east and west sides of Maynard Avenue South between South Jackson Street and South Weller Street; along the east side of 8th Avenue South between South Jackson Street and South King street; and along the north and south sides of South Main Street between the alley east of 5th Avenue South and the alley east of 6th Avenue South.

b. New street-level uses along the following streets shall not exceed seven thousand two hundred square feet of gross floor area: the north and south sides of South Jackson Street between 5th Avenue South and 7th Avenue South (excluding the area covered in subsection A2a of this section on the south side of South Jackson Street between the alleys east and west of Maynard Avenue South); the north side of South King Street between 5th Avenue South and the alley east of 5th Avenue South and the south side of South King Street between 5th Avenue South and 6th Avenue South; the west and east sides of 6th Avenue South between South Main Street and South Weller Street (excluding areas covered in subsection A2a of this section); and the west and east sides of 7th Avenue South between South Jackson Street and South Weller Street (excluding areas near the intersection of 7th Avenue South with South King Street covered in subsection A2a of this section).

B. Residential and Other Types of Uses Above Street Level. In order to encourage and facilitate the rehabilitation and renovation of existing structures for housing or other uses not permitted at street level, uses along the following streets:

the north and south sides of South King Street between Fifth Avenue South and the Central Freeway; along the north and south sides of South Jackson Street between Fifth Avenue South and Central Freeway; along the east and west sides of Sixth Avenue South between South Main Street and South Weller Street; along the east side of Maynard Avenue South between South Lane Street and a line midway between South Main Street and South Jackson Street, and along the west side of Maynard Avenue South between a line midway between South Lane Street and South Weller Street and a line midway between South Main Street and South Jackson Street; along the east and west sides of Seventh Avenue South between South Weller Street and a line midway between South Main Street and South Jackson Street; and along the east and west sides of Eighth Avenue South between South Jackson Street and South Weller Street

shall be permitted, in accordance with the following criteria:

1. Type. Preference shall be given to residential uses and then to non-vehicular-oriented commercial uses that primarily serve the district community and are in operation throughout the day, including but not limited to social service clubs, and professional offices for architects, interior designers, doctors, dentists, lawyers, and engineers. Other uses may be permitted dependent upon alternatives available, the impact of the proposed use and the compatibility of the proposed use with surrounding uses and properties.

2. Density. Residential uses above street level within existing structures shall have a density of no greater than one dwelling per two hundred fifty square feet of lot area while

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residential uses within new structures shall have a density of not greater than one dwelling unit per three hundred square feet of lot area and twenty-five percent of the lot area shall be devoted to usable open space; provided that structures for the low income elderly, having a net area per unit of less than five hundred square feet, shall be permitted to have a greater density but no more than one dwelling unit per one hundred fifty square feet of lot area.
(Ord. 106503 § 2, 1977: Ord. 105936 § 2 (part), 1976: Ord. 104068 § 2(part), 1974: Ord. 86300 § 24.925, 1957.)

24.68.330 Exterior building finishes.

A. General Requirements. In order to retain and enhance the visual order established throughout much of the district by existing older buildings which provide unique character and form to the district through their subtle detailing and quarter and half block coverage, new development, including exterior remodeling, should:

1. Respect the architectural and structural integrity of a building within which work is undertaken, through sympathetic use of colors, material and style;

2. Respect the appearance of the street facade as a whole by generally treating the design and appearance of individual street-level bays and the facades of individual businesses as secondary to the overall design and appearance of a structure. (Individual identity should be expressed without sacrificing the visual integrity of a structure as a whole.)

B. Asian Design Character District. In order to strengthen and preserve the existing Asian architectural character within the district, tiled awnings, recessed balconies, heavy timber construction, and specified materials and colors, are encouraged. Business uses along the following north-south avenues and east-west streets shall comply with paragraphs 1, 2, 3 and 4 of this subsection B:

North-south Avenues

Along the west side of 5th Avenue South between a line midblock between South Washington Street and South Main Street on the north and South Jackson Street on the south, and along the east side of 5th Avenue South between a line midblock between South Washington Street and South Main Street on the north and a line midblock between South Weller Street and South Lane Street on the south; along the west and east sides of 6th Avenue South between a line midblock between South Washington and South Main Street on the north and a line midblock between South Weller and South Lane Street on the south; along the west and east sides of Maynard Avenue South between a line midblock between South Main Street and South Jackson on the north and Dearborn Street on the South, along the west and east sides of 7th Avenue South between a line midblock between South Main Street and South Jackson Street on the north and a line midblock between South Weller and South Lane Street on the south; along the west side of 8th Avenue South between South Jackson on the north and a line midblock between South Weller Street and South Lane Street on the south; along the east side of 8th Avenue South between South Jackson Street on the north and South Weller Street on the south.

East-west Streets

Along the north and south sides of South Main Street between a line midblock between 4th Avenue South and 5th Avenue South on the west and a line midblock between 6th Avenue South and Maynard Avenue South on the east; along the north side of South Jackson between a line midway between 4th and 5th Avenues South on the west and the Central Freeway on the east, and along the south side of South Jackson between 5th Avenue South on the west and the Central Freeway on the east; along the north and south sides of South King Street between 5th Avenue South on the west and the Central Freeway on the east; along the north side of South Weller Street between 5th Avenue South on the west and the Central Freeway on the east; and along the south side of South Weller Street between 5th Avenue South on the west and 8th Avenue South on the east; along the north and south sides of South Lane Street between a line midblock between 6th Avenue South and Maynard Avenue South on the west and a line midblock between Maynard Avenue South and 7th Avenue South on the east.

1. Materials. Exterior building facades shall generally be restricted to earthen materials such as brick, concrete, and stucco, as well as wood. Anodized aluminum and other materials may be permitted when approved. Brick and concrete should not be painted unless approved for compatibility with the surrounding area. Stucco when used, should be in conjunction

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with another contrasting material such as darkly stained wood. Decorative ceramic glazed roof tiles are encouraged, as are tiled awnings and marquees when approriately integrated into the overall design.

2. Colors. White, yellow, orange, red, green and blue colors shall be preferred, with pastel shades generally not being permitted unless specifically recommended by the Special Review Board.

3. Surfaces. Textured concrete, brick, and wood surfaces are encouraged over nontextured surfaces as a means of breaking up vertical surfaces. Recesses and voids which effectively break up monotonous surface areas and create visual relief are also encouraged. The design and location of mechanical elements such as electric conduit, plumbing or air plenums visible from the street shall be treated in an architectural manner.

In order that permitted street level uses retain high visible linkage to the street, transparent surfaces shall generally be provided equal to at least fifty percent of the exposed street facade measured between the sidewalk level and a height of ten feet or the second floor level, whichever is less. The average height of window sills shall be no greater than three feet above the sidewalk. Exceptions allowing a reasonable decrease of the percentage of required transparency may be permitted when:

a. A design constraint, such as existing wainscoting of a permanent nature exists and its removal or alteration would detract from the structural or architectural integrity of the building; or

b. A hardship exists due to existing layout or other physical constraint such as the placement of load bearing walls or columns.

Whenever transparency requirements are reduced a high degree of visual interest shall be achieved by wall murals, landscaping, colored awnings, display cases, or other approved means appropriate to the setting;

4. Awnings. Continuous awnings of at least fifty feet in length are encouraged on buildings abutting the east side of Maynard Avenue South between South Jackson Street and South King Street, and on the south side of South King Street between 6th Avenue South and 7th Avenue South in order to create a strong edge opposite Hing Hay Park and to focus attention on this area as the heart of the King Street retail district. Individual businesses are encouraged to share awnings as a means of increasing the visual continuity of such businesses.

C. Exterior Building Finishes Outside the Asian Design Character District. Outside the area described in Section 24.68.290, earthen colors and masonry construction with nonmetallic surfaces are preferred. Concrete construction will also be permitted when treated in a manner or incorporated into a design that is visually interesting (without large monotonous surface areas).

(Ord. 105936 § 2(part), 1976: Ord. 86300 § 24.926, 1957.)

24.68.340 Business identification signs.

In order to ensure that the scale, shape and type of signs within the district are consistent with the uses, permitted and encouraged in the International Special Review District and in keeping with the Asian character of much of the district, the following sign controls shall govern and nonconforming signs, with the exception of those which are shown to be necessary to existing nonconforming uses shall be removed within three years after the effective date of the amendatory ordinance codified in this section;[1] provided that such period may be extended upon a showing that a longer period is required for amortization of the cost of such sign; and provided further that in no case shall a nonconforming on-premises sign be allowed to remain for more than five years from the date of the amendatory ordinance codified in this section.[1]

A. Pedestrian-oriented On-premises Signs. Business uses along the following avenues and streets:

North-south Avenues

Along the east and west sides of 6th Avenue South between Yesler Way on the north and Dearborn Street on the south; along the east and west sides of Maynard Avenue South between South Main Street on the north and Dearborn Street on the south; along the east and west sides of 7th Avenue South between South Main Street on the north and Dearborn Street on the south; and along the east and west sides of 8th Avenue South between South Jackson Street on the north and Dearborn Street on the south;

East-west Streets

Along the south side of Yesler Way between 4th Avenue South on the west and the Central Freeway on the east; along the north and south

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sides of South Washington Street between 4th Avenue South on the west and the Central Freeway on the east; along the north and south sides of South Main Street between 4th Avenue South on the west and the Central Freeway on the east; and along the north and south sides of South King Street, South Weller Street, and South Lane Street between 5th Avenue South on the west and the Central Freeway on the east; shall comply with the following specific guidelines:

1. Message. Permitted signs shall be restricted to those signs which identify the name of the establishment and/or the primary business or service provided within it. Advertising related to businesses or services not provided on the premises or specific brands of products not manufactured on the site shall be prohibited; provided that an exception may be granted for product name signs which are incidental to other signs on the premises and the establishment or use on the premises is the sole distributor of the product in the district.

2. Permitted Types. Nonprojecting rectilinear signs integrated into the facade shall be preferred over other types of signs. Projecting, marquee, awning and window signs shall be permitted when appropriate and compatible with the immediate area. Flashing signs or signs that otherwise appear to be in motion shall generally be prohibited unless of a public service nature, such as those signs indicating temperature or time of day. Banners and/or flags bearing emblems, symbols or messages shall be permitted on an interim basis and annually reviewed to ensure their sightly appearance.

3. Materials. Painted metal signs, wood signs, neon-lit signs and front-lit signs shall be preferable to bright back-lit signs.

4. Prohibited Types. Freestanding signs (except where permitted for parking lots), roof signs, off-premises advertising signs, and product advertising signs of a permanent nature, such as those made of metal or plastic, shall be prohibited.

5. Exposed Surface Area. The total exposed surface area, visible from the building exterior, of all the signs of a street level establishment or use, shall generally not exceed one square foot for each lineal foot of an establishment's building frontage along the street lot line up to a maximum of sixty square feet per establishment; provided that in the case of encouraged bilingual or multilingual business identification signs of which forty percent or more of the printed message area is in a non-English language and/or written medium, or in the case of a sign having an approved recognizable international symbol equal to at least forty percent of the total message area, the above ratio may be increased to two square feet for each lineal foot of an establishment's building frontage along the street lot line not to exceed a maximum of one hundred square feet per establishment.

Each business, located on the second floor or above, shall be permitted to have non-back-lit business identification signs with a total message area of twelve square feet and in addition shall be permitted to have one half square foot of additional message area for each foot of street frontage in excess of twenty-four feet up to a maximum of twenty-four total square feet of sign message area per establishment. Signs shall not be placed at a height greater than the mean second story ceiling level.

The total message area of signs at each accessory parking lot area shall not exceed one square foot for each parking space within the lot and at each nonaccessory parking lot the total message area shall not exceed one-half square foot per parking space within the lot, provided that the total message area of all the signs at any one parking lot shall not exceed the maximum message area allowed other types of street level businesses.

The maximum message area permitted all signs on a business premises, including those on an accessory parking lot, shall not be increased.

The maximum size for any one message area shall be less than twenty-four square feet for a single-faced sign and less than forty-eight feet for a double-faced sign unless the limits are increased for such reasons as the utilization of less total message area than permitted or hardship by reason of location or topography (e.g., location of business in such an area as the area north of South Main Street on the area bounded by Sixth Avenue South and the Central Freeway).

In calculating the size of a sign, the following criteria shall govern:

a. Nonilluminated signs having the same or similar background color or material as the facade upon which they are attached will be measured only as to the actual area in letters or symbols. The area in letters or symbols will be calculated by squaring off the individual

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words, letters, or symbols.

b. The illuminated portion of any sign, and/or signs having a background of a substantially different color than the facade upon which they are attached will be measured as to the whole exposed surface area of the sign.

c. Projecting signs when permitted will be measured in the manner set forth above but with both faces being counted. Such signs shall not project more than four feet from the building facade or have a height of less than eight feet above the sidewalk.

6. Exceptions for Miscellaneous Signs.

a. Signs which are hand-painted, goldleafed or decaled onto the glass area of a building facade will be permitted outright when not exceeding an area of four square feet per establishment. Such signs in excess of four square feet shall be reviewed with consideration as to their visual interest and compatibility, and visual impact on the surrounding area and shall be calculated against the total permitted signable area. In addition nonilluminated non-English character symbolic signs painted on wood or other exterior surface may be permitted outright when not exceeding four square feet per establishment.

b. Small directional signs such as those designating the entrance to or exit from permitted accessory parking areas will be permitted when not exceeding a total area of three square feet and located at a height not greater than four feet above grade at such points of egress or ingress.

c. Parking lots shall be required to display a sign not exceeding six square feet in area and preferably integrated with directional signs at each entrance with the following appropriate message:

1. Customer Parking Lots. The sign shall read as follows: "Customer Parking for (Principal User or Users) Only. Other cars will be impounded (location)." With the optional addition of the name and address of the principal user or users with letters not to exceed one inch in height and mention of validation of parking if applicable;

2. Long-term Reserved Parking Lots. The sign shall read as follows: "Reserved Parking Under Contract. Other cars will be impounded (location)." With the optional addition of the name and telephone number of the owner with letters not to exceed one inch in height.

d. Theatrical playbills for theaters or playhouses which attract their patrons on the basis of transient or changing subject matter shown or performed on the premises shall be permitted a total illuminated area of eighty square feet where it can be shown that the subject matter changes an average of at least a dozen times a year. Display cases will be permitted when restricted to changing subject matter shown on the premises.

e. Graphic type paintings may be permitted on the building walls when not abutting a street lot line nor used primarily for business or product identification purposes, in compliance with the building facade provisions of Section 24.68.330 and found to be visually compatible with the surrounding area.

B. Vehicular-oriented On-premises Signs. Business uses along the following streets:

Along the east and west sides of 4th Avenue South and 5th Avenue South between Yesler Way on the north and South Airport Way on the south; along the north and south sides of Yesler Way and South Jackson Street between 4th Avenue South on the west and the Central Freeway on the east; and along the north and south sides of Dearborn Street, and along both sides of South Airport Way,

shall comply with the following guidelines:

1. Message. The message requirements of subsection A1 of this section shall apply.

2. Permitted Types. Nonprojecting rectilinear signs integrated into the facade shall be preferred over other types of signs. Projecting, freestanding, marquee, awning and window signs shall only be permitted when appropriate and compatible with the immediate area. In no case shall freestanding signs be permitted to exceed a maximum height of twenty-five feet above grade. Flashing signs or signs that otherwise appear to be in motion shall generally be prohibited unless of a public service nature such as those indicating temperature or time of day. Banners and/or flags bearing emblems, symbols or messages, will be permitted on an interim basis and annually reviewed to ensure their sightly appearance.

3. Prohibited Types. Roof signs, off-premises advertising signs, wall signs, as well as miscellaneous product advertising signs of a permanent nature such as those made out of metal or plastic, shall be prohibited.

4. Area. The total exposed surface area (visible from the building exterior) of permitted

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signs of a street level establishment, shall generally not exceed one and one-half square feet for each lineal foot of an establishment's building frontage along the street lot line up to a maximum of ninety square feet per establishment; provided that in the case of encouraged bilingual or mutilingual signs of which forty percent or more of the printed message area is in a non-English language and/or written medium, or in the case of a sign having an approved recognizable international symbol equal to at least forty percent of the total message area, the above ratio may be increased to two square feet for each linear foot of an establishment's building frontage along the street lot line up to maximum of one hundred fifty square feet per establishment.

Each business located on the second floor or above shall be permitted to have non-back-lit business identification signs with a total message area of eighteen square feet and in addition shall be permitted to have one and one-half square feet of additional message area for each foot of street frontage in excess of thirty-six feet up to a maximum of thirty-six total square feet of message area per business. Signs shall not be placed at a height greater than the mean second story ceiling level.

The total message area of signs at each accessory and nonaccessory parking lot shall be controlled by the message area requirements for parking lot signs in subsection A5 of this section.

The maximum area for any one message area shall be less than thirty-six square feet for a single-faced sign and less than seventy-two square feet for a double-faced sign unless otherwise approved, but in no case shall the maximum message area earned by street facade or parking spaces be exceeded.

In calculating the size of a sign the following criteria shall govern:

a. Nonilluminated signs having the same background color or material as the facade upon which they are attached will be measured only as to the actual area in letters or symbols. The area in letters or symbols will be calculated by squaring off the individual words, letters, or symbols.

b. Illuminated signs or signs having a background of a different material or color than the facade upon which they are attached will be calculated as to the whole exposed surface area of the sign.

c. Projecting signs will be measured in the manner set forth above but with both faces being counted. Such signs shall not project more than six feet from the building facade or have a height of less than eight feet above the sidewalk.

5. Exceptions for Miscellaneous Signs.

a. Signs such as those which are hand-painted, goldleafed or decaled onto the glass area of a building facade will be permitted outright without Board approval when not exceeding an area of four square feet per business. Such signs in excess of four square feet shall be reviewed with consideration given as to visual interest, and compatibility and visual impact on the surrounding area and shall be calculated against the total permitted signable area. In addition, nonilluminated symbolic signs painted on wood or other exterior surface may be permitted outright when not exceeding four square feet.

b. Small directional signs such as those designating the entrance to or exit from permitted accessory parking areas will be permitted when not exceeding a total area of three square feet and located at a height not greater than four feet above grade at such points of egress of ingress.

c. Parking lots shall be required to display a sign not exceeding six square feet in area and preferably integrated with directional signs at each entrance with the following appropriate message:

i. Customer Parking Lots. The sign shall read as follows: "Customer Parking for (Principal User or Users) Only. Other cars will be impounded (location)." With the optional addition of the principal user or users with letters not to exceed one inch in height and mention of validation of parking if applicable;

ii. Long-term Reserved Parking Lots. The sign shall read as follows: "Reserved Parking Under Contract. Other cars will be impounded (location)." With the optional addition of the name and telephone number of the owner with letters not to exceed one inch in height.

d. Theatrical playbills for theaters or playhouses which attract their patrons solely on the basis of transient or changing subject matter shown or performed on the premises will be permitted a total illuminated display area of eighty square feet where it can be shown that the subject matter changes an average of at least

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a dozen times a year. Playbill display cases will be permitted when restricted to changing subject matter shown on the premises.

e. Graphics type wall paintings may be permitted on building walls when not abutting a street lot line nor used primarily for business or product identification purposes, in compliance with the building facade provisions of Section 24.68.330 and found to be visually compatible with the surrounding area.

C. Advertising Signs. Advertising signs, which include off-premises business identification signs, shall be prohibited throughout the district.
(Ord. 105936 § 2(part), 1976: Ord. 86300 § 24.927, 1957.)

1. Editor's Note: Ord. 105936 became effective on November 28, 1976.

24.68.350 Restricted building demolition.

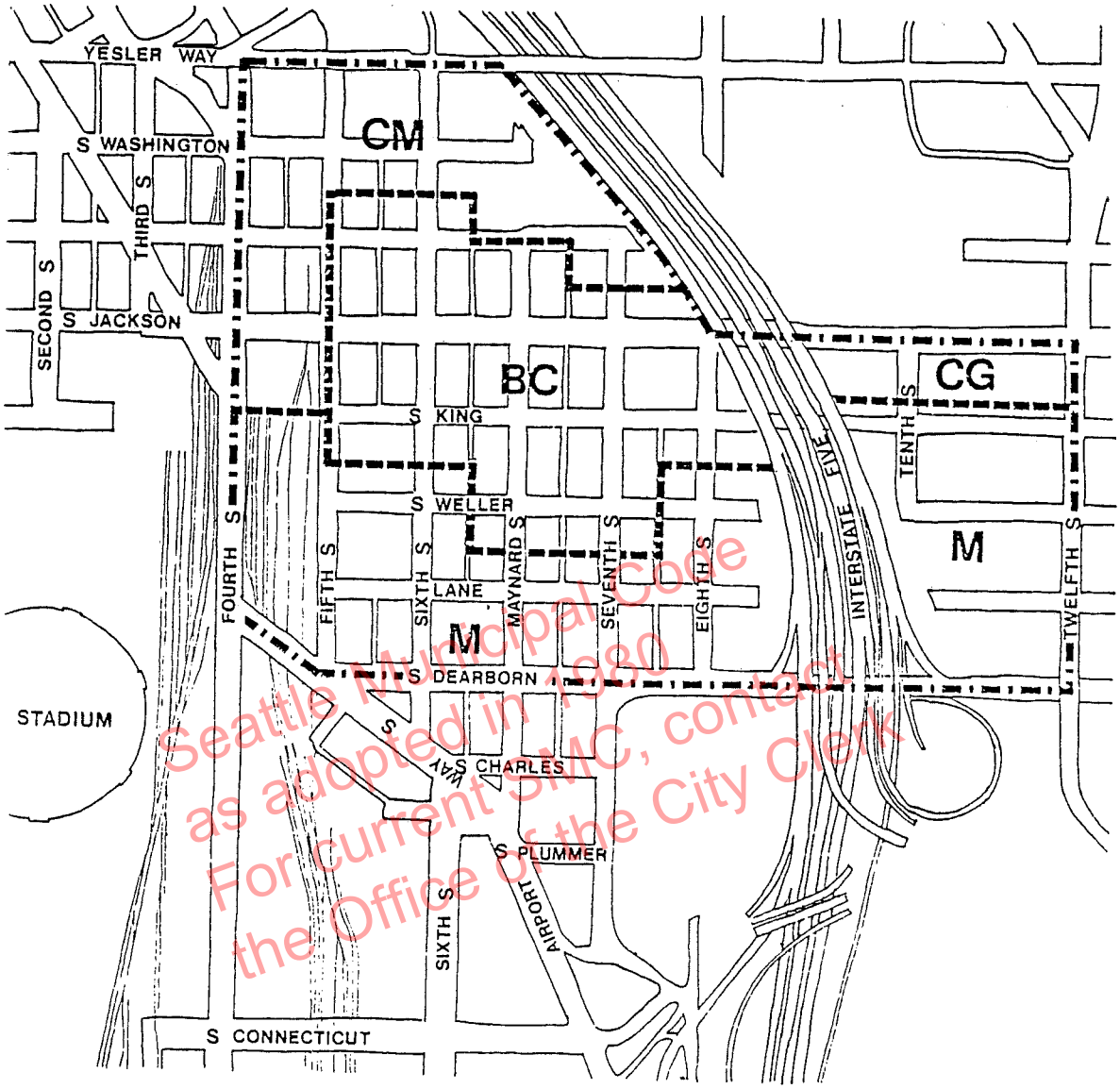
A. To discourage the unwarranted demolition of existing structures which contribute to the district's cultural and social image and which have some economic utility for uses other than those proposed after demolition, an environmental assessment shall be prepared and circulated prior to consideration of a certificate of approval. Among other factors, the economic, social and physical consequences and benefits of the requested demolition and any alternatives to demolition shall be assessed. Where the requested demolition would cause an adverse effect upon the district and reasonable alternatives to demolition exist, a certificate of approval should not generally be authorized.

B. Structures illustrated on Exhibit D.9, codified at the end of this subchapter, are designated as having a special potential for rehabilitation and/or architectural and/or urban design significance to the streetscape, and except where an imminent danger to human life exists, no certificate of approval shall be granted to demolish any of such structures until a certificate of approval has been issued for the proposed reuse of the property.
(Ord. 105936 § 2(part), 1976: Ord. 86300 § 24.928, 1957.)

24.68.360 Minimum maintenance.

In order to accomplish the purposes of the International Special Review District all buildings within the district should be preserved against decay and deterioration caused by neglect or defective or inadequate weather protection.
(Ord. 105936 § 2(part), 1976: Ord. 86300 § 24.929, 1957.)

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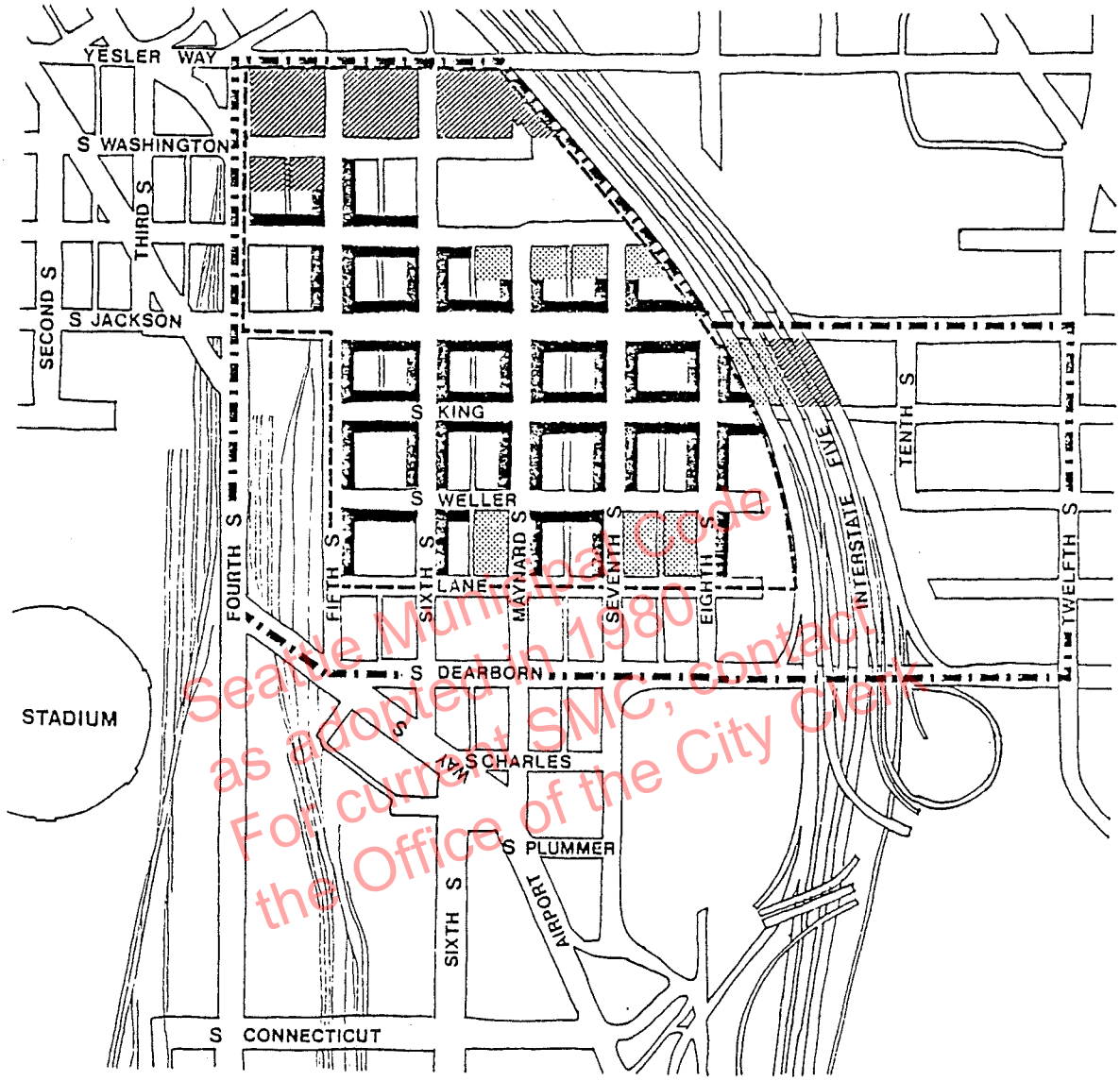
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Exhibit A



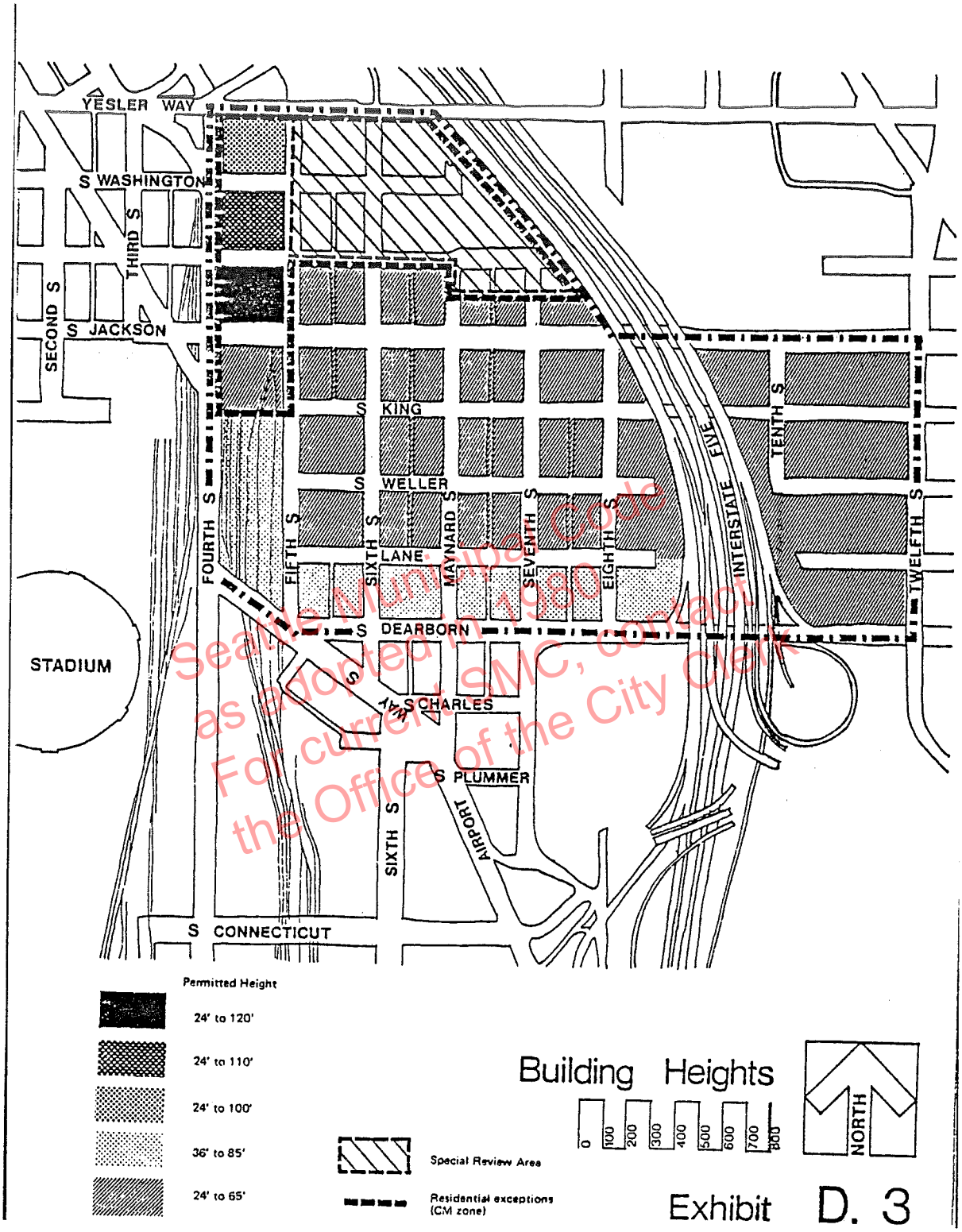
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Exhibit D.1



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Exhibit D.2



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Exhibit D.4

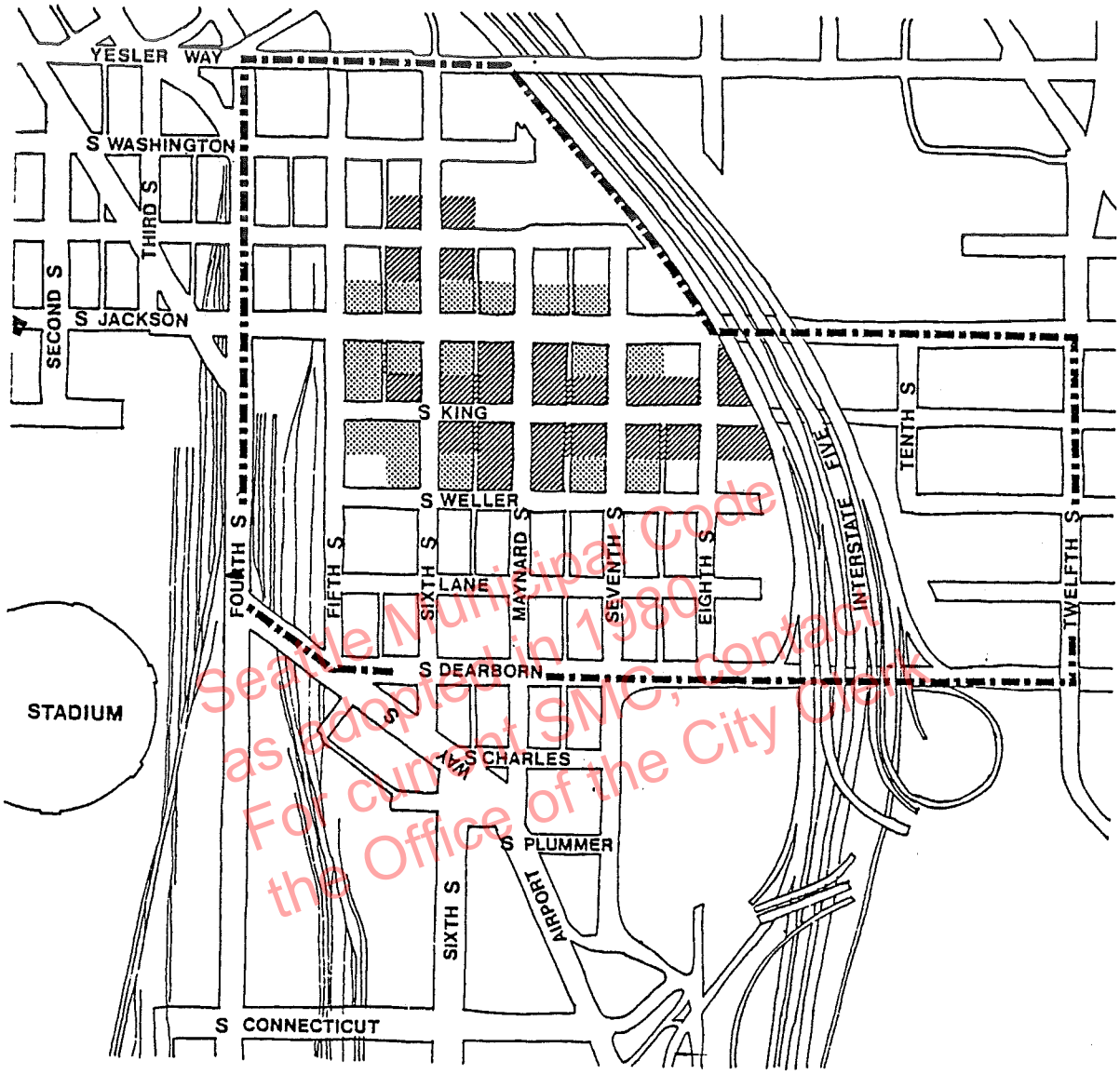
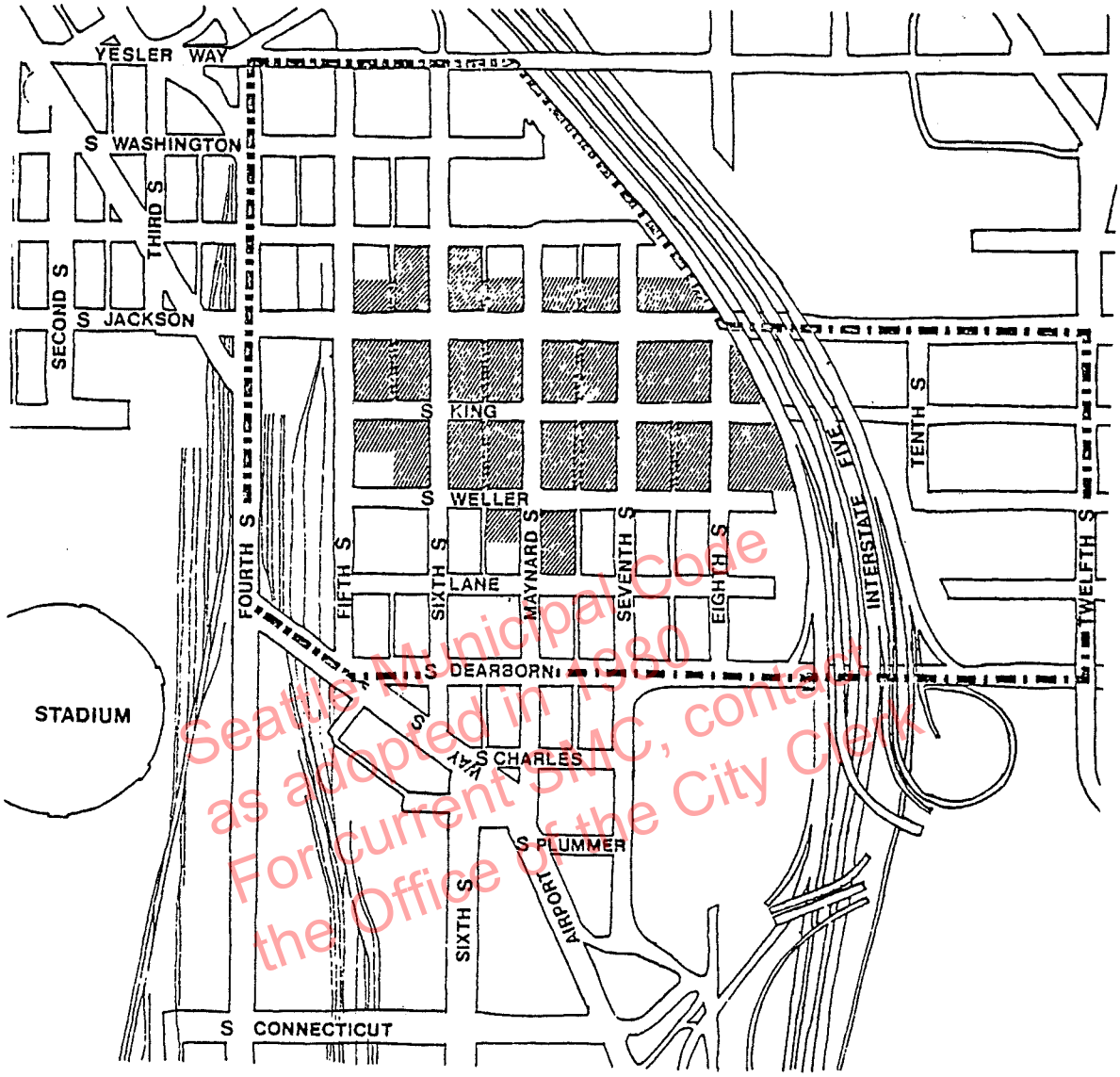


Exhibit D. 5

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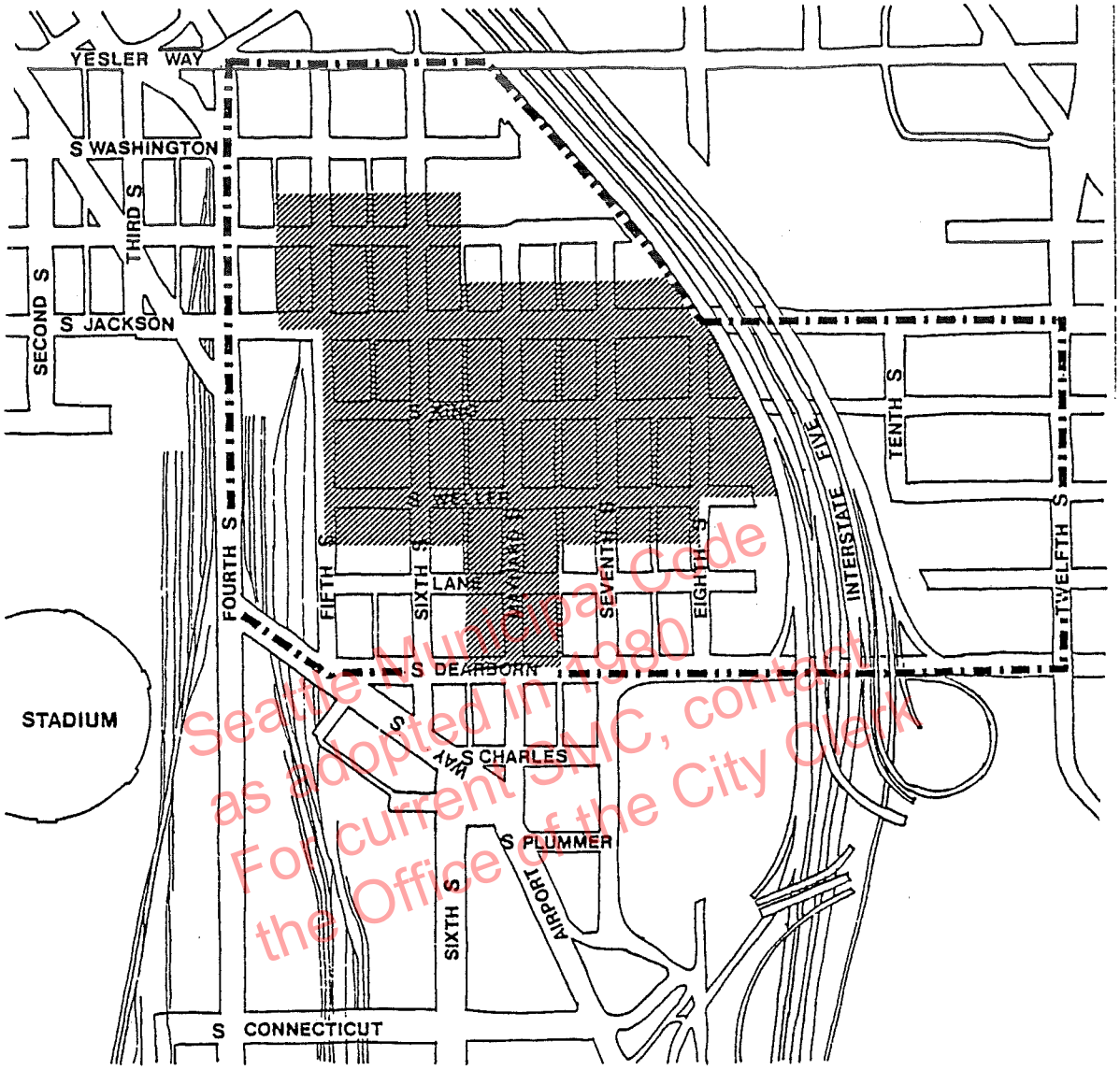
Preferred
Second Level Uses

Preferred Second Level Use Area

0 100 200 300 400 500 600 700 800

NORTH

Exhibit D. 6



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Asian Design Character

Asian Design Character District

0 100 200 300 400 500 600 700 800

NORTH

Exhibit D.7



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Business
Identification Signs

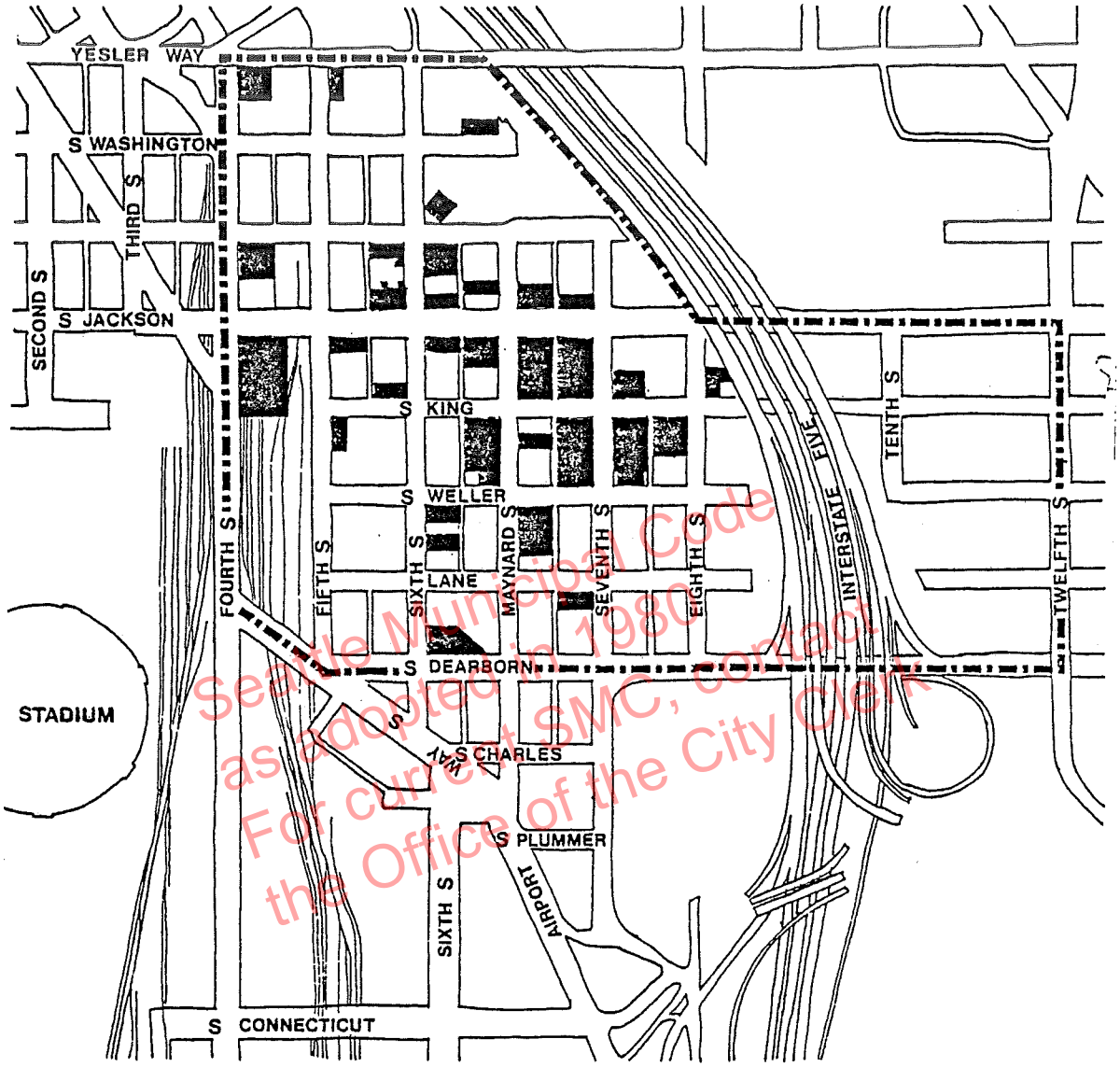
Streets requiring pedestrian-oriented signs

Streets permitting vehicular-oriented signs

0 100 200 300 400 500 600 700 800

NORTH

Exhibit D. 8



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Exhibit D. 9

Chapter 24.70

HEARING EXAMINER AND BOARD OF ADJUSTMENT

Sections:

24.70.010 Duties and powers of Hearing Examiner.
24.70.020 Creation of Board of Adjustment.
24.70.030 Board duties and powers.
24.70.040 Board procedure.
24.70.050 Board meetings.
24.70.060 Land use and zoning rules.
24.70.070 Noninterference.

24.70.010 Duties and powers of Hearing Examiner.

The Hearing Examiner shall hold hearings and make recommendations to the Council on petitions for map amendments to this subtitle as provided in Section 24.72.080 and on applications for conditonal uses as provided in Section 24.72.150. The Hearing Examiner shall hear and decide applications for conditional uses, special exceptions and variances as provided in Chapter 24.74, and shall hear and decide applications for sign variances, petitions to revoke sign variances and applications for extensions for nonconforming signs under Ordinance 90138.[1] The Hearing Examiner shall prepare all notices, findings, conclusions and decisions, and decisions of the Hearing Examiner on applications for conditional uses, special exceptions, variances, and decisions relating to signs under Ordinance 90138[1] shall be final, provided that if written notice of appeal from the Hearing Examiner's decision is filed with the Secretary of the Board of Adjustment within a period extending to five p.m. of the seventeenth day following the date of the decision, the Board shall, within sixty days of such filing conduct a public hearing and render a decision on such appeal.

(Ord. 103333 § 1, 1974: Ord. 102290 § 3, 1973: Ord. 97384 § 1, 1969: Ord. 86300 § 26.1, 1957.)

1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.

24.70.020 Creation of Board of Adjustment.

There is created a Board of Adjustment of the city, which Board shall consist of seven members, each to be appointed by the Mayor and approved by the Council to serve without compensation for a term of three years, subject to removal for cause by the Mayor and approved by the Council. Original appointees to the Board shall serve staggered terms of two for one year, two for two years, and three for three years respectively. The Board shall utilize the staff of the Department of Community Development in the performance of its duties and the Director shall designate one member of his staff to serve as Secretary of the Board, and such additional positions as may be necessary shall be created from time to time by ordinance to supplement the staff of the Department in connection with the performance of the duties of the Board.

(Ord. 102290 § 4, 1973: Ord. 99051 § 2, 1970: Ord. 97384 § 2, 1969: Ord. 96668 § 6, 1968: Ord. 91700 § 19, 1962: Ord. 89712 § 2, 1960: Ord. 89229 § 9, 1960: Ord. 87225 § 28, 1958: Ord. 86300 § 26.2, 1957.)

24.70.030 Board duties and powers.

The Board shall have the duty and power to hear and decide appeals from decisions of the Hearing Examiner on applications for conditional uses, except conditional uses to be approved by the Council, special exceptions and variances in accordance with the provisions of Chapter 24.74, and from decisions of the Hearing Examiner on applications for sign variances, petitions to revoke sign variances and applications for time extensions for nonconforming signs in accordance with conditions set forth in Ordinance 90138.[1]

(Ord. 102290 § 5, 1973: Ord. 89860 § 1(part), 1960: Ord. 86300 § 26.21, 1957.)

1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.

24.70.040 Board procedure.

The Board shall adopt rules and regulations for its own government consistent with the rules and the provisions of this subtitle and any other ordinance of the city.

(Ord. 102290 § 6, 1973: Ord. 89860 § 1(part), 1960: Ord. 86300 § 26.22, 1957.)

24.70.050 Board meetings.

All official meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the action of the

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Board upon each question, and shall keep records of its examination and other official actions taken by it, all of which shall be immediately filed in the office of the Board and shall be a public record.
(Ord. 102290 § 7, 1973: Ord. 89860 § 1(part), 1960: Ord. 86300 § 26.23, 1957.)

24.70.060 Land use and zoning rules.

A. Within six months after the effective date of this amendatory ordinance,[1] the Hearing Examiner, with the advice of the Director, Commission and Board shall present to the City Council written rules and procedures (in this subtitle called the "rules") governing land use and zoning proceedings which shall govern all such proceedings by the Council, Commission, Board and Hearing Examiner.

B. Rules shall be adopted and thereafter amended, revised or abolished by the Hearing Examiner pursuant to Ordinance 102228[2] after first obtaining the written approval of the Board of Adjustment, Department of Buildings, Department of Community Development, City Planning Commission and City Council as to those rules applicable to each such agency. After adoption the rules shall be printed and bound and along with the comprehensive plan of Seattle and this subtitle, shall be made available for public distribution in the offices of the Department of Community Development, the Hearing Examiner, the City Council, all public libraries in the city and at other convenient places. The rules shall include but need not be limited to, provisions for the following matters:

1. The form and content of applications for text amendments, map amendments, planned unit developments, conditional uses, special exceptions, variances and applications relating to sign control, and the requirements for maps and exhibits to be filed by the applicant;

2. The form and content of the Director's reports, which reports shall include a study indicating the impact of the application or petition on the surrounding community and whether or not the proposal is consistent with this subtitle and the comprehensive plan. Reports of the Director shall be mailed to the applicant and filed with the appropriate body;

3. Provisions for determining the circumstances under which community and other groups shall receive notice of proceedings, and for developing and maintaining current lists of such groups;

4. Provisions for posting copies of applications, staff reports, and other relevant materials in the Seattle Municipal Building and other places, as defined by the rules;

5. The form and content of findings, conclusions, recommendations and decisions of the Commission, Board, Hearing Examiner and Council;

6. The content of the record prepared in each matter, including in each case the application, the Director's report, all exhibits and other materials filed at any hearing on the application, findings and conclusions, and recordings made on electronic recording equipment of all hearings on the application;

7. The format for hearings, the frequency of hearings, and the rules of evidence and procedure applicable to hearings; provisions for interested persons to testify, and for parties, when appropriate, to conduct reasonable cross-examination at public hearings;

8. Provisions governing ex parte contacts or discussions by or with any member of the Council, Board or Commission or the Hearing Examiner and persons interested in pending matters;

9. Requirements for recording all hearings on land use and zoning;

10. Provisions for an attorney employed by the city to be available upon request for hearings before the Council, Hearing Examiner, Board or Commission to advise on matters of law and procedure.
(Ord. 105728 § 1, 1976: Ord. 102290 § 8, 1973: Ord. 97499 § 4, 1969: Ord. 89860 § 2, 1960: Ord. 89712 § 3, 1960: Ord. 89229 § 10, 1960: Ord. 88283 § 10, 1959: Ord. 86300 § 26.3, 1957.)

1. Editor's Note: Ord. 105728 became effective on September 2, 1976.
2. Editor's Note: Ord. 102228, the Administrative Code, is codified in Chapter 3.02 of this Code.

24.70.070 Noninterference.

No person shall interfere with or attempt to influence the Hearing Examiner or any member of the Board of Commission in the performance of their designated duties except at a public hearing, nor shall the Hearing Examiner discuss the merits of pending cases with any other person except at a public hearing.
(Ord. 102290 § 9, 1973: Ord. 86300 § 26.4, 1957.)

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Chapter 24.72

ZONING AMENDMENTS

Sections:

24.72.010 Filing amendments to Zoning Ordinance or Zoning Map.
24.72.020 Changes initiated by Council.
24.72.030 Changes initiated by Commission and other departments.
24.72.040 Report of Director.
24.72.050 Notice.
24.72.060 Commission hearing on text amendments.
24.72.070 Council consideration of Commission recommendation.
24.72.080 Hearing Examiner's hearing on map amendments.
24.72.090 Council consideration of Hearing Examiner's recommendation.
24.72.100 Final action by Council.
24.72.110 Petitioning limited.
24.72.120 Conditional uses authorized by Council—Application.
24.72.130 Report by Director.
24.72.140 Notice.
24.72.150 Hearing Examiner's hearing on conditional use.
24.72.160 Council consideration.

24.72.010 Filing amendments to Zoning Ordinance or Zoning Map.

A. A petition to amend the text of the Zoning Ordinance or Official Zoning Map may be filed with the City Clerk by property owners, their authorized agents or other interested persons, and shall be transmitted to the Council. The form and content of the petition shall be established by the rules.

B. A petition for an amendment to the Official Zoning Map shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of One Hundred Fifty Dollars ($150.00) plus Ten Dollars ($10.00) for each acre or fraction thereof in excess of one acre up to a maximum fee of Five Hundred Dollars ($500.00) to defray the cost of processing such petition. The Hearing Examiner may authorize a refund of such fee or a portion thereof when the amendment is required to correct an error or omission of the city or when the petition is withdrawn.

(Ord. 107448 § 1, 1978: Ord. 106015 § 2, 1976: Ord. 105433 § 1, 1976: Ord. 102290 § 10, 1973: Ord. 97499 § 5, 1969: Ord. 96252 § 6, 1967: Ord. 92998 § 1, 1964: Ord. 91138 § 11, 1962: Ord. 86300 § 27.1, 1957.)

24.72.020 Changes initiated by Council.

The City Council shall refer its proposals for amendments to the Zoning Ordinance to the Director for a report. Thereafter the Director and Council shall follow the procedures set forth in Sections 24.72.040 et seq. of this subtitle.
(Ord. 102290 § 11, 1973: Ord. 88921 § 7(part), 1960: Ord. 86300 § 27.11, 1957.)

24.72.030 Changes initiated by Commission and other departments.

Amendments initiated by the Commission, the Department of Community Development, the Building Department, or other city departments shall be subject to the provisions of Sections 24.72.040 et seq. of this subtitle.
(Ord. 102290 § 12, 1973: Ord. 88921 § 7 (part), 1960: Ord. 86300 § 27.12, 1957.)

24.72.040 Report of Director.

The Council shall refer each petition for an amendment to the official text of the Zoning Ordinance or Official Zoning Map to the Director for a recommendation. The Director shall prepare a written report which shall include the recommendations or comments of departments of the city and of other governmental agencies having an interest in the application. The form of the report shall be prescribed by the rules. The report shall be made available to the Commission and to the public on request not less than seven days prior to the scheduled public hearing.
(Ord. 102290 § 13, 1973: Ord. 86300 § 27.2, 1957.)

24.72.050 Notice.

A. The form and content of all notices of land use or zoning public hearings shall be set out in the rules. Notice shall be published in the city official newspaper and also mailed to all news media, including community newspapers, and to interested civic groups as provided by the rules in accordance with Section 24.70.060B3, at least thirty days prior to the hearings and where the hearing is on a proposed amendment of the Official Zoning Map involving thirty acres or more, a second such notice shall be so

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published and mailed at least fourteen days prior to the hearing. In the case of an amendment to the Official Zoning Map, the Director shall post not less than four placards in conspicuous public places and at each street intersection within the area to be reclassified and within three hundred feet of that area at least thirty days prior to a public hearing. The placards shall be at least eleven inches by fourteen inches. They shall be highly visible with headings which can be read from a distance of seventy-five feet by persons of normal visual acuity. The purpose of the notice shall be clearly stated in the heading. Where the proposed amendment of the Official Zoning Map involves an area of less than thirty acres, the Director shall, in addition to the notice provided for above, mail notice to the applicant and to all property owners and all residents of the area, using for this purpose the real property tax roll as issued annually on microfiche by the County Comptroller and the addresses listed in the latest edition of Polk's Directory or its successor publication.

B. Failure to send notice by mail to any property owner where the addresses of such owner are not included in the county records indicated in subsection A shall not invalidate any proceedings in connection with applications under this chapter.

(Ord. 108453 § 2, 1979: Ord. 105176 § 1, 1975: Ord. 102290 § 14, 1973: Ord. 86300 § 27.3, 1957.)

24.72.060 Commission hearing on text amendments.

The Commission shall conduct a public hearing on all amendments to the text of the Zoning Ordinance. The Council or its Planning and Urban Development Committee may request that the public hearing be a joint Council Committee-Commission hearing. Based on the information gained at the hearing and from the report of the Director, the Commission shall submit recommendations based on written findings and conclusions to the Council within fourteen days of the hearing. Within seventeen days after any hearing required by this section, copies of the recommendations, findings and conclusions shall be mailed to the petitioner and to all parties testifying or submitting information at the hearing.

(Ord. 102290 § 15, 1973: Ord. 86300 § 27.4, 1957.)

24.72.070 Council consideration of Commission recommendation.

After receipt by the Council of the findings, conclusions and recommendations of the Commission on proposed amendments to the text of the Zoning Ordinance the Planning and Urban Development Committee or other committee of the Council shall hold a public hearing to consider such findings, conclusions and recommendations. Notice of such Council hearing shall be given either at the Commission's hearing, or by the Director in the manner prescribed in Section 24.72.050 except that such notice need be given only fourteen days or more prior to the hearing and shall be mailed also to persons who testify or submit information at the Commission hearing.

(Ord. 104809 § 3, 1975: Ord. 102290 § 16, 1973: Ord. 88283 § 11, 1959: Ord. 86300 § 27.41, 1957.)

24.72.080 Hearing Examiner's hearing on map amendments.

The Hearing Examiner shall conduct a public hearing on all petitions for amendments to the Official Zoning Map. Based on the information gained at the hearing and from the report of the Director, the Hearing Examiner shall submit recommendations based on written findings and conclusions to the Council within fourteen days after the hearing. Within seventeen days after any hearing required by this section, copies of the recommendation, findings and conclusions shall be mailed to the petitioner and to all persons testifying or submitting information at the hearing.

(Ord. 102290 § 17, 1973: Ord. 86300 § 27.5, 1957.)

24.72.090 Council consideration of Hearing Examiner's recommendation.

The hearing by the Hearing Examiner shall constitute a hearing by the Council; however, any party affected by a recommendation of the Hearing Examiner under this chapter may submit a petition in writing to the Council requesting further consideration within fourteen days after the date of mailing the decision of the Hearing Examiner. If after examination of the written petition and the record the Council determines that (A) an error in fact may exist in the record, it may remand the proceeding to the Hearing Examiner for reconsideration or it may enter new findings of fact; or if the Council

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determines that (B) the recommendations of the Hearing Examiner are based on an error in judgment or conclusion, it may take action contrary to the recommendations of the Hearing Examiner. The Council's consideration shall be based upon the record only, but the Council may allow oral or written agruments based on the record at a public meeting.
(Ord. 102290 § 18, 1973: Ord. 86300 § 27.51, 1957.)

24.72.100 Final action by Council.
The Council shall take final action on a text or map amendment by ordinance when required, and shall include findings of fact from the record and conclusions therefrom whenever its action is contrary to the recommendations of the Hearing Examiner or Commission. The findings and conclusions shall set forth and demonstrate the manner in which the action carries out or tends to implement the goals and objectives of the comprehensive plan of Seattle, the Zoning Ordinance and other official policies and objectives of the city.
(Ord. 102290 § 19, 1973: Ord. 86300 § 27.6, 1957.)

24.72.110 Petitioning limited.
No petition for a text amendment or amendment to the Official Zoning Map shall be again considered by the Commission, Hearing Examiner, or Council where substantially the same amendment has been denied after public hearing and an opportunity to petition the Council for further consideration within the twelve-month period immediately preceding the filing of such petition.
(Ord. 102290 § 20, 1973: Ord. 86300 § 27.7, 1957.)

24.72.120 Conditional uses authorized by Council—Application.
An application for conditional uses and variances incidental thereto to be authorized by the Council may be filed with the Director by the property owner, tenant, authorized agent, or any government officer, department, board or bureau affected. Such application, together with all plans, specifications and other papers pertaining to the application shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of One Hundred Dollars ($100.00). The form and content of the application shall be established by the rules. The Hearing Examiner may authorize a refund of such fee or a portion thereof when the application is occasioned by error or omission on the part of the city or when the application is withdrawn.
(Ord. 107448 § 2, 1978: Ord. 106015 § 3, 1976: Ord. 105433 § 2, 1976: Ord. 102290 § 21, 1973: Ord. 86300 § 27.8, 1957.)

24.72.130 Report by Director.
A report from the Director shall be required as specified for conditional uses in Section 24.74.050.
(Ord. 102290 § 22, 1973: Ord. 86300 § 27.81, 1957.)

24.72.140 Notice.
Notice of the hearing on an application for a conditional use authorized by the Council shall be given in the manner specified for conditional uses in Section 24.74.060.
(Ord. 102290 § 23, 1973: Ord. 86300 § 27.82, 1957.)

24.72.150 Hearing Examiner's hearing on conditional use.
The Hearing Examiner shall conduct a public hearing on the application and submit recommendations to the Council in the manner provided for map amendments in Section 24.72.080.
(Ord. 102290 § 24, 1973: Ord. 86300 § 27.83, 1957.)

24.72.160 Council consideration.
The Council shall consider the recommendations of the Hearing Examiner in the same manner as for amendments in Section 24.72.090. A copy of the decision shall be mailed to all parties of record, and transmitted to the City Clerk, the Director and the Superintendent within fourteen days after the hearing. The Superintendent shall be bound by and incorporate the terms and conditions of any final decision in the permit to the applicant when a permit is authorized. No conditional use or variance shall be recommended by the Hearing Examiner or authorized by the Council unless the applicable facts and conditions set forth in Section 24-.74.010 for conditional uses or Section 24.74-.030 for variances, are found to exist.
(Ord. 102290 § 25, 1973: Ord. 86300 § 27.84, 1957.)

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Chapter 24.74

ADMINISTRATIVE DETERMINATIONS

Sections:

24.74.010 Conditional uses.
24.74.020 Special exceptions.
24.74.030 Variances.
24.74.040 Applications.
24.74.050 Report of Director.
24.74.060 Notice of Hearing Examiner's hearing.
24.74.070 Hearing before Hearing Examiner.
24.74.080 Appeal to the Board of Adjustment.
24.74.090 Notice of Board hearing.
24.74.100 Board appeal limited.
24.74.110 Board consideration.
24.74.120 Board decisions.
24.74.130 Applications limited.

24.74.010 Conditional uses.

In specific cases the Hearing Examiner or Board upon appeal may authorize a conditional use if it is found that the authorizing of such conditional use will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located, and that the authorization of such conditional use will be consistent with the spirit and purpose of this subtitle. In considering applications for conditional uses, the Hearing Examiner or Board shall consider the nature and condition of all adjacent uses and structures. In authorizing a conditional use, the Hearing Examiner or Board may impose requirements and conditions, in addition to those expressly set forth in this subtitle with respect to location, installation, construction, maintenance and operation and extent of open spaces as may be deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

(Ord. 102290 § 26, 1973: Ord. 97499 § 6, 1969: Ord. 96372 § 2, 1968: Ord. 96252 § 7, 1967: Ord. 94970 § 3, 1960: Ord. 92998 § 2, 1964: Ord. 88920 § 4, 1960: Ord. 86300 § 28.1, 1957.)

24.74.020 Special exceptions.

In specific cases and subject to the considerations stipulated in Section 24.74.010, the Hearing Examiner, or the Board upon appeal, may authorize the following special exceptions:

A. Exceptions to height limits:

1. Industrial Structures. An industrial structure which by reason of its intended use requires exceptional height; provided however, that all such structures or portions of structures above the otherwise applicable height limit shall not occupy more than twenty-five percent of the lot area and shall be distant forty feet or more from every lot line not a street lot line, and, when within airport areas, shall not be inconsistent with the intent and purpose of Section 24.62.030;

2. Vertical Extension of Existing Buildings. Vertical extension of a building to the height shown by the original plans, provided such building was actually designed and constructed to carry the additional stories and provided further that the building existed upon the effective date of the ordinance codified in this subtitle;

3. Base Structures. Base structures in the RMV 200 Zone in excess of four feet but not to exceed twenty feet above lot grade where topography and/or nature of surrounding improvements justify a greater height, subject to review and report by the Commission.

B. Temporary uses:

1. A temporary use of premises in any zone not involving the erection of any permanent structure may be authorized by the Hearing Examiner or Board by a revocable permit for a period of not more than six months, except that temporary uses to be of less than three weeks' duration may be authorized by the Superintendent.

2. A temporary use of premises in any zone not involving the erection of any permanent structure for the express purpose of sheltering the construction of boat-building projects by noncommercial home hobbyists may be authorized by the Hearing Examiner or Board by a revocable permit for a period of not more than one year except that annual reviews by the Superintendent can extend the permit annually for a period not to exceed four years. Such structures, though temporary, shall be sturdy enough to withstand inclement weather conditions and shall not detract from the general appearance of the neighborhood. Conditions for allowing such a permit, and the annual review of same, will be set at the discretion of the Hearing Examiner.

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C. Stone quarry, sand, gravel or clay pits: The use of premises in any zone for the excavation of stone, sand, gravel, clay or other natural deposits may be authorized by the Hearing Examiner for a period of one year, subject to the following provisions: Plans for such excavations shall consist of two copies of a topographic map, with cross-sections as are necessary to show adequately the topography of the property in question and its relation to streets, alleys, and surrounding property, together with two copies of a similar map showing the extent of the proposed excavation and the contours of the ground after the removal of the material. A copy of each map shall be submitted to the City Engineer who shall report his findings to the Hearing Examiner. Before authorizing such use, the Hearing Examiner shall request a report from the Commission in order to determine whether the proposed excavation will interfere with logical future development of the tract for building or other purposes, and whether it will depreciate the value of nearby property. Authorization of such shall be subject to the posting by the applicant with the city of a performance bond of not less than Five Thousand Dollars ($5,000.00) guaranteeing conformance with finished grades indicated by the approved plan.

D. Platted lots separated by alley: Platted lots within the same block and same zone, but separated by a public alley, may be authorized by the Hearing Examiner or Board as a single building site for purposes of calculating the number of dwelling units permitted in a structure to be erected on one side of the alley, subject to the following requirements:

1. Each portion of the property shall abut a minimum one hundred feet upon the alley.

2. The two portions of the property shall be directly opposite for a distance representing at least fifty percent of the width of the portion of the property not be be occupied by the proposed building.

3. The portion of the property not occupied by the building shall not be sold, segregated or used for building purposes so long as the building remains on the portion of property on the opposite side of the alley.

E. Off-street parking requirements for designated "landmarks" or "landmark districts": Upon receipt of a written report from the Director pertaining thereto, the Hearing Examiner may reduce or waive the minimum accessory off-street parking requirements of Chapter 24.64 with respect to a landmark or landmark district designated as such pursuant to the Landmarks Preservation Ordinance (106348);[2] provided, that in making any such reduction or waiver, the Hearing Examiner shall be guided by parking needs and policies in the surrounding area as set forth in such written report.

F. Uses permitted within buildings designated as "landmarks": The Hearing Examiner may authorize a use not otherwise permitted in the zone within a building designated as a landmark, pursuant to the Landmark Preservation Ordinance (106348),[2] after the Director's written report and recommendation on the proposal, and subject to the following requirements:

1. Such use shall be compatible with the existing design and/or construction of the building without significant alteration; and

2. Such use shall be allowed only when it is demonstrated that uses permitted by the zone are impractical because of the building design and/or that no such permitted use can provide adequate financial support necessary to sustain the landmark in a reasonably good physical condition; and

3. Such use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

G. Artist's studio/dwelling: In any M or I Zone, notwithstanding the prohibition of new dwelling units other than for a watchman or caretaker, a combination working studio and living quarters for an artist may be authorized by revocable permit for a period of not more than two years, renewable by the Superintendent upon the showing to his satisfaction that the occupant continues to be a bona fide working artist, and subject to the following conditions:

1. The nature of the artist's work shall be such that there is a genuine need for the space involved.

2. The nature of the artist's work shall be similar to the types of uses permitted in the zone.

(Ord. 107109 § 11, 1978: Ord. 106952 § 1, 1977: Ord. 106595 § 1, 1977: Ord. 105513 § 1, 1976: Ord. 102290 § 27, 1973: Ord. 86300 § 28.2, 1957.)

1. Editor's Note: Ord. 102290 became effective on July 21, 1973.

2. Editor's Note: The Landmarks Preservation Ordinance is codified in Chapter 25.12 of this Code.

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24.74.030 Variances.

A. In specific cases the Hearing Examiner or the Board upon appeal may authorize variances from the provisions or requirements of this subtitle which will not be contrary to the public interest; but only where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict application of the provisions or requirements of this subtitle would cause undue and unnecessary hardship. No variance shall be granted to permit the establishment of a use otherwise prohibited in the zone in which the property concerned is located, and applications for such variance shall not be accepted for filing. No variance from the provisions or requirements of this subtitle shall be authorized by the Hearing Examiner or the Board of Appeal unless all of the following facts and conditions are found to exist:

1. Because of unique conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this subtitle will deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and

2. The contemplated grant of variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and

3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and

4. The authorization of such variance will not adversely affect the comprehensive plan of Seattle.

B. In authorizing a variance, the Hearing Examiner or Board may attach thereto such conditions regarding the location, character and other features of a proposed structure or use as may be deemed necessary to carry out the spirit and purposes of this subtitle and in the public interest. A variance so authorized shall become void after the expiration of one year, or longer period if specified at the time of action by the Hearing Examiner or Board, if no building permit has been issued in accordance with the plans for which such variance was authorized, except that the Hearing Examiner may extend the period of variance authorization without public hearing upon a finding that there has been no basic change in pertinent conditions surrounding the property at the time of original approval.
(Ord. 102290 § 28, 1973: Ord. 86300 § 28.3, 1957.)

Cases: Expansion of an existing nonconforming use by variance does not "establish a use otherwise prohibited." **Coughlin v. Seattle,** 18 Wn. App. 285 (1977).

24.74.040 Applications.

Applications for conditional uses, variances, and special exceptions under this subtitle, and sign variances, petitions to revoke sign variances, and time extensions for nonconforming signs under Ordinance 90138[1] shall be filed with the Director and may be made by any property owner, tenant, authorized agent or any government officer, department, board or bureau affected and shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of Seventy-five Dollars ($75.00) to defray the cost of processing such application. The Hearing Examiner may authorize a refund of such fee or a portion thereof when the application is occasioned by an error or omission on the part of the city or when the application is withdrawn.
(Ord. 107448 § 3, 1978: Ord. 106015 § 4, 1976: Ord. 105433 § 3, 1976: Ord. 103294 § 1, 1974: Ord. 102290 § 29, 1973: Ord. 86300 § 28.4, 1957.)

1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.

24.74.050 Report of Director.

The Director shall prepare a written report on applications referred to in Section 24.74.040 which shall include the recommendations or comments of any affected departments of the city and of other governmental agencies having an interest in the application. The form of the report shall be prescribed by the rules. The application and report shall be transmitted to the Hearing Examiner and be made available to the public on request not less than seven days prior to the hearing.
(Ord. 102290 § 30, 1973: Ord. 86300 § 28.41, 1957.)

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24.74.060 Notice of Hearing Examiner's hearing.

A. At least thirty days prior to a public hearing, the Director shall post not less than four placards in conspicuous public places and at each street intersection within three hundred feet of the boundaries of the subject property. The placards shall be at least eleven inches by fourteen inches. They shall be highly visible with headings which can be read from a distance of seventy-five feet by persons of normal visual acuity. The purpose of the notice shall be clearly stated in the heading. In addition, the Director shall mail notice of the date, time, place and purpose of a hearing on the application referred to in Section 24.74.040 to the applicant and to all property owners and all residents of the area and within three hundred feet of the boundaries of the property, using for this purpose the real property tax roll as issued annually on microfiche by the County Comptroller, and the addresses listed in the latest edition of Polk's Directory or its successor publication. Notice shall also be published in the city offical newspaper and mailed to other daily and community newspapers serving the area. Interested civic groups shall be notified as provided by the rules.

B. Failure to send notice by mail to any property owner where the address of such owner is not included in the county records indicated in this section shall not invalidate any proceedings in connection with applications under Section 24.74.040.

(Ord. 108453 § 2, 1979: Ord. 102290 § 31, 1973: Ord. 86300 § 28.42, 1957.)

24.74.070 Hearing before Hearing Examiner.

A. The Hearing Examiner shall conduct a public hearing on the application referred to in Section 24.74.040. He shall issue findings and conclusions in the form prescribed in the rules and based on the appropriate considerations for the requested authorization.

B. Copies of the decision of the Hearing Examiner shall be mailed to all parties of record and transmitted to the City Clerk, the Director and Superintendent within fourteen days after the hearing and shall be final unless appealed to the Board of Adjustment in accordance with Section 24.74.080.

C. The Superintendent shall be bound by and incorporate the terms and conditions of any final decision in the permit to the applicant whenever a permit is authorized.

(Ord. 102290 § 32, 1973: Ord. 86300 § 28.43, 1957.)

24.74.080 Appeal to the Board of Adjustment.

The Director or any party affected by a decision of the Hearing Examiner on applications referred to in Section 24.74.040 may file an appeal in writing with the Board of Adjustment within a period extending to five p.m. of the seventeenth day following the date of the decision, stating explicit exceptions and objections to the Hearing Examiner's decision. If after examination of the written appeal and the record at a public hearing the Board determines that: (A) an error in fact may exist in the record, it may remand the proceeding to the Hearing Examiner for reconsideration; or if the Board determines that (B) the decision of the Hearing Examiner is based on an error in judgment or conclusion, it may modify or reverse the decision of the Hearing Examiner.

(Ord. 103381 § 1, 1974: Ord. 102290 § 33, 1973: Ord. 86300 § 28.5, 1957.)

24.74.090 Notice of Board hearing.

Notice of the time, place and purpose of a public hearing shall be posted and mailed not less than fourteen days prior to the date set by the Board for a hearing to all parties of record and to owners and residents in the area in the form and manner specified for the Hearing Examiner's hearing in Section 24.74.070.

(Ord. 102290 § 34, 1973: Ord. 86300 § 28.51, 1957.)

24.74.100 Board appeal limited.

An appeal to the Board shall be limited to exceptions or objections to the findings and conclusions of the Hearing Examiner.

(Ord. 102290 § 35, 1973: Ord. 86300 § 28.52, 1957.)

24.74.110 Board consideration.

The Board shall consider only the exceptions and objections to the findings and conclusions of the Hearing Examiner. The Board may publicly request and consider additional information of the appellant, other interested persons, or the Hearing Examiner in its discretion. All actions of the Board shall be by resolution, which shall include the reasons for each decision. A majority of Board members present, but in no

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case less than three members of the Board, shall be necessary to affirm, remand, modify or reverse a decision of the Hearing Examiner. In modifying or reversing a decision of the Hearing Examiner the Board shall support its action by entering new or contrary findings of fact and conclusions.
(Ord. 106213 § 1, 1977: Ord. 102290 § 36, 1973: Ord. 86300 § 28.53, 1957.)

24.74.120 Board decisions.

The Board shall consider the appeal and render a decision thereon within sixty days after filing the appeal. A certified copy of the final decision shall be mailed to all parties of record, and transmitted to the City Clerk, the Director and the Superintendent within seven days after the hearing. The Superintendent shall be bound by and incorporate the terms and conditions of any final decision in the permit to the applicant when a permit is authorized.
(Ord. 103381 § 2, 1974: Ord. 102290 § 37, 1973: Ord. 86300 § 28.54, 1957.)

24.74.130 Applications limited.

The decision of the Board shall be final. No application for a conditional use, variance, special exception or relating to signs under Ordinance 90138[1] shall again be considered by the Hearing Examiner or Board where substantially the same application has been denied by the Hearing Examiner or Board after a public hearing within the twelve-month period immediately preceding the filing of the new application.
(Ord. 102290 § 38, 1973: Ord. 86300 § 28.55, 1957.)

1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.

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Zoning Cross-Reference Table

This table provides the user with the disposition of the sections of Zoning Ordinance 86300. Thus, Section 2.1 of Ordinance 86300 appears in this Code as Section 24.06.020. The information was derived from Ordinance 86300, as published on June 24, 1957, and its amendments.

Ord. 86300 Section	Herein
1	24.06.010
2.1	24.06.020
2.21	24.06.030
2.22	24.06.040
2.23	24.06.050
2.24	24.06.060
2.3	24.06.070
2.4	24.06.080
2.5	24.06.090
3.01	24.08.010
3.02	24.08.020
3.03	24.08.030
3.04	24.08.040
3.05	24.08.050
3.06	24.08.060
3.07	24.08.070
3.08	24.08.080
3.09	24.08.090
3.10	24.08.100
3.11	24.08.110
3.12	24.08.120
3.13	24.08.130
3.14	24.08.140
3.15	24.08.150
3.16	24.08.160
3.17	24.08.170
3.18	24.08.180
3.19	24.08.190
3.20	24.08.200
3.21	24.08.210
3.22	24.08.220
3.23	24.08.230
3.24	24.08.240
3.25	24.08.250
3.26	24.08.260
3.27	24.08.270
4.10	24.12.010
4.11	24.12.020
4.12	24.12.030
4.13	24.12.040
4.21	24.12.050
4.22	24.12.060
5.1	24.14.010
5.2	24.14.020
5.31	24.14.030
5.32	24.14.040
5.33	24.14.050
5.34	24.14.060
5.35	24.14.070
6.11	24.16.010
6.20	24.16.020
6.21	24.16.030
6.22	24.16.040
6.31	24.16.050
6.41	24.16.060
6.42	24.16.070
6.51	24.16.080
6.52	24.16.090
6.53	24.16.100
6.54	24.16.110
6.6	24.16.120
7.11	24.18.010
7.21	24.18.020
7.22	24.18.030
7.31	24.18.040
7.41	24.18.050
7.42	24.18.060
7.51	24.18.070
7.52	24.18.080
7.53	24.18.090
7.54	24.18.100
7.6	24.18.110
8.11	24.20.010
8.21	24.20.020
8.22	24.20.030
8.31	24.20.040
8.41	24.20.050
8.42	24.20.060
8.51	24.20.070
8.52	24.20.080
8.53	24.20.090
8.54	24.20.100
8.6	24.20.110
9.11	24.22.010
9.21	24.22.020
9.22	24.22.030
9.31	24.22.040
9.41	24.22.050
9.42	24.22.060
9.51	24.22.070
9.52	24.22.080
9.53	24.22.090
9.54	24.22.100
9.6	24.22.110

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Ord. 86300 Section	Herein
10.11	24.24.010
10.12	24.24.020
10.21	24.24.030
10.22	24.24.040
10.31	24.24.050
10.41	24.24.060
10.42	24.24.070
10.51	24.24.080
10.52	24.24.090
10.53	24.24.100
10.54	24.24.110
10.6	24.24.120
11.11	24.26.010
11.21	24.26.020
11.22	24.26.030
11.31	24.26.040
11.41	24.26.050
11.42	24.26.060
11.51	24.26.070
11.52	24.26.080
11.53	24.26.090
11.54	24.26.100
11.6	24.26.110
11A.1	24.28.010
11A.21	24.28.020
11A.22	24.28.030
11A.31	24.28.040
11A.41	24.28.050
11A.42	24.28.060
11A.51	24.28.070
11A.52	24.28.080
11A.53	24.28.090
11A.54	24.28.100
11A.6	24.28.110
12.10	24.30.010
12.11	24.30.020
12.12	24.30.030
12.13	24.30.040
12.21	24.30.050
12.22	24.30.060
12.23	24.30.070
12.31	24.30.080
12.41	24.30.090
12.42	24.30.100
12.51	24.30.110
12.52	24.30.120
12.53	24.30.130
12.54	24.30.140
12.6	24.30.150
13.0	24.32.010
13.11	24.32.020
13.12	24.32.030
13.13	24.32.040
13.21	24.32.050
13.22	24.32.060
13.31	24.32.070
13.41	24.32.080
13.42	24.32.090
13.51	24.32.100
13.52	24.32.110
13.53	24.32.120
13.54	24.32.130
13.6	24.32.140
13A.0	24.34.010
13A.11	24.34.020
13A.21	24.34.030
13A.22	24.34.040
13A.31	24.34.050
13A.41	24.34.060
13A.42	24.34.070
13A.51	24.34.080
13A.52	24.34.090
13A.53	24.34.100
13A.54	24.34.110
13A.55	24.34.120
13A.56	24.34.130
13A.6	24.34.140
13B.0	24.36.010
13B.11	24.36.020
13B.21	24.36.030
13B.22	24.36.040
13B.31	24.36.050
13B.41	24.36.060
13B.42	24.36.070
13B.51	24.36.080
13B.52	24.36.090
13B.53	24.36.100
13B.54	24.36.110
13B.55	24.36.120
13B.56	24.36.130
13B.6	24.36.140
13C.11	24.38.010
13C.12	24.38.020
13C.21	24.38.030
13C.22	24.38.040
13C.31	24.38.050
13C.4	24.38.060
13C.51	24.38.070
13C.52	24.38.080
13C.53	24.38.090
13C.54	24.38.100
13C.55	24.38.110
13C.56	24.38.120
13C.6	24.38.130

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Ord. 86300 Section	Herein
13C.61	24.38.140
13C.62	24.38.150
13C.63	24.38.160
13C.7	24.38.170
13C.71	24.38.180
13C.72	24.38.190
13C.8	24.38.200
13C.9	24.38.210
14.1	24.40.010
14.21	24.40.020
14.31	24.40.030
14.32	24.40.040
14.41	24.40.050
14.51	24.40.060
14.52	24.40.070
14.61	24.40.080
14.62	24.40.090
14.63	24.40.100
14.64	24.40.110
14.7	24.40.120
14A.1	24.42.010
14A.21	24.42.020
14A.31	24.42.030
14A.32	24.42.040
14A.41	24.42.050
14A.51	24.42.060
14A.52	24.42.070
14A.61	24.42.080
14A.62	24.42.090
14A.63	24.42.100
14A.64	24.42.110
14A.7	24.42.120
15.1	24.44.010
15.20	24.44.020
15.21	24.44.030
15.22	24.44.040
15.23	24.44.050
15.24	24.44.060
15.31	24.44.070
15.32	24.44.080
15.41	24.44.090
15.51	24.44.100
15.52	24.44.110
15.61	24.44.120
15.62	24.44.130
15.63	24.44.140
15.64	24.44.150
15.7	24.44.160
16.1	24.46.010
16.20	24.46.020
16.21	24.46.030
16.22	24.46.040

Ord. 86300 Section	Herein
16.23	24.46.050
16.31	24.46.060
16.32	24.46.070
16.41	24.46.080
16.51	24.46.090
16.52	24.46.100
16.61	24.46.110
16.62	24.46.120
16.63	24.46.130
16.7	24.46.140
17.1	24.48.010
17.20	24.48.020
17.21	24.48.030
17.22	24.48.040
17.31	24.48.050
17.32	24.48.060
17.41	24.48.070
17.52	24.48.080
17.60	24.48.090
17.61	24.48.100
17.62	24.48.110
17.63	24.48.120
17.7	24.48.130
17A.1	24.50.010
17A.20	24.50.020
17A.21	24.50.030
17A.22	24.50.040
17A.23	24.50.050
17A.24	24.50.060
17A.32	24.50.070
17A.41	24.50.080
17A.52	24.50.090
17A.61	24.50.100
17A.62	24.50.110
17A.63	24.50.120
17A.7	24.50.130
18.1	24.52.010
18.20	24.52.020
18.21	24.52.030
18.22	24.52.040
18.23	24.52.050
18.24	24.52.060
18.25	24.52.070
18.26	24.52.080
18.27	24.52.090
18.31	24.52.100
18.32	24.52.110
18.41	24.52.120
18.52	24.52.130
18.61	24.52.140
18.62	24.52.150
18.63	24.52.160

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Ord. 86300 Section	Herein
18.64	24.52.170
18.7	24.52.180
19.11	24.54.010
19.20	24.54.020
19.21	24.54.030
19.22	24.54.040
19.23	24.54.050
19.24	24.54.060
19.25	24.54.070
19.26	24.54.080
19.30	24.54.090
19.31	24.54.100
19.32	24.54.110
19.41	24.54.120
19.52	24.54.130
19.60	24.54.140
19.61	24.54.150
19.62	24.54.160
19.63	24.54.170
19.7	24.54.180
20.1	24.56.010
20.21	24.56.020
20.31	24.56.030
20.32	24.56.040
20.41	24.56.050
20.5	24.56.060
20.61	24.56.070
20.62	24.56.080
20.63	24.56.090
20.7	24.56.100
21.1	24.58.010
21.21	24.58.020
21.3	24.58.030
21.31	24.58.030
21.41	24.58.040
21.51	24.58.050
21.52	24.58.060
21.53	24.58.070
21.6	24.58.080
21A.01	24.60.005
21A.10	24.60.280
21A.11	24.60.285
21A.12	24.60.290
21A.13	24.60.295
21A.14	24.60.300
21A.15	24.60.305
21A.16	24.60.310
21A.17	24.60.315
21A.18	24.60.320
21A.20	24.60.325
21A.21	24.60.330
21.22	24.60.335

Ord. 86300 Section	Herein
21A.23	24.60.340
21A.24	24.60.345
21A.25	24.60.350
21A.26	24.60.355
21A.27	24.60.360
21A.28	24.60.365
21A.30	24.60.370
21A.31	24.60.375
21A.32	24.60.380
21A.33	24.60.385
21A.34	24.60.390
21A.35	24.60.395
21A.36	24.60.400
21A.37	24.60.405
21A.38	24.60.410
21A.39	24.60.415
21A.40	24.60.420
21A.50	24.60.425
21A.51	24.60.430
21A.52	24.60.435
21A.53	24.60.440
21A.54	24.60.445
21A.55	24.60.450
21A.56	24.60.455
21A.57	24.60.460
21A.58	24.60.465
21A.59	24.60.470
21A.60	24.60.475
21A.61	24.60.480
21A.62	24.60.485
21A.63	24.60.490
21A.64	24.60.495
21A.66	24.60.500
21A.67	24.60.505
21A.68	24.60.510
21A.69	24.60.515
21A.70	24.60.520
21A.71	24.60.525
21A.72	24.60.530
21A.73	24.60.535
21A.74	24.60.540
21A.75	24.60.545
21A.76	24.60.550
21A.77	24.60.555
21A.78	24.60.560
21A.79	24.60.565
21A.80	24.60.570
21A.81	24.60.575
21A.82	24.60.580
21A.83	24.60.585
21A.84	24.60.590
21A.85	24.60.595

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Ord. 86300 Section	Herein
21A.86	24.60.600
21A.87	24.60.605
21A.88	24.60.610
21A.89	24.60.615
21A.90	24.60.620
21A.91	24.60.625
21A.92	24.60.630
21A.93	24.60.635
21A.94	24.60.640
21A.95	24.60.645
21A.96	24.60.650
21A.97	24.60.655
21A.98	24.60.660
21A.99	24.60.665
21A.100	24.60.670
21A.101	24.60.675
21A.102	24.60.680
21A.103	24.60.685
21A.104	24.60.690
21A.105	24.60.695
21A.106	24.60.700
21A.107	24.60.705
21A.108	24.60.710
21A.109	24.60.715
21A.110	24.60.720
21A.111	24.60.725
21A.112	24.60.730
21A.113	24.60.735
21A.114	24.60.740
21A.115	24.60.745
21A.116	24.60.750
21A.117	24.60.755
21A.118	24.60.760
21A.119	24.60.765
21A.150	24.60.010
21A.151	24.60.015,
	24.60.020,
	24.60.025,
	24.60.030,
	24.60.035,
	24.60.040,
	24.60.045,
	24.60.050
21A.152	24.60.055,
	24.60.060,
	24.60.065,
	24.60.070,
	24.60.075,
	24.60.080,
	24.60.085,
	24.60.090,
	24.60.095,

Ord. 86300 Section	Herein
	24.60.100,
	24.60.105,
	24.60.110
21A.153	24.60.115,
	24.60.120,
	24.60.125,
	24.60.130,
	24.60.135,
	24.60.140,
	24.60.145,
	24.60.150,
	24.60.155,
	24.60.160,
	24.60.165
21A.154	24.60.170
	24.60.175,
	24.60.180,
	24.60.185,
	24.60.190,
	24.60.195,
	24.60.200,
	24.60.205,
	24.60.210,
	24.60.215,
	24.60.220,
	24.60.225,
	24.60.230
21A.155	24.60.235,
	24.60.240,
	24.60.245,
	24.60.250,
	24.60.255,
	24.60.260,
	24.60.265,
	24.60.270,
	24.60.275
22.11	24.62.010
22.12	24.62.020
22.21	24.62.030
22.22	24.62.040
22.31	24.62.050
22.32	24.62.060
22.40	24.62.070
22.41	24.62.080
22.42	24.62.090
22.43	24.62.100
22.44	24.62.110
22.45	24.62.120
22.46	24.62.130
22.47	24.62.140
22.48	24.62.150
22.49	24.62.160

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Ord. 86300 Section	Herein
22.51	24.62.170
22.52	24.62.180
23.1	24.64.010
23.20	24.64.020
23.21	24.64.030
23.22	24.64.040
23.23	24.64.050
23.24	24.64.060
23.25	24.64.070
23.26	24.64.080
23.27	24.64.090
23.28	24.64.100
23.29	24.64.110
23.3	24.64.120
23.31	24.64.130
23.40	24.64.140
23.41	24.64.150
23.42	24.64.160
23.43	24.64.170
23.44	24.64.180
23.5	24.64.190
23.60	24.64.200
23.61	24.64.210
23.62	24.64.220
23.63	24.64.230
23.71	24.64.240
23.72	24.64.250
23.73	24.64.260
23.74	24.64.270
23.81	24.64.280
24.1	24.66.010
24.2	24.66.020
24.3	24.66.030
24.4	24.66.040
24.41	24.66.050
24.42	24.66.060
24.43	24.66.070
24.44	24.66.080
24.45	24.66.090
24.46	24.66.100
24.47	24.66.110
24.48	24.66.120
24.5	24.66.130
24.6	24.66.140
24.7	24.66.150
24.81	24.68.010
24.82	24.68.020
24.83	24.68.030
24.84	24.68.040
24.85	24.68.050
24.86	24.68.060
24.87	24.68.070

Ord. 86300 Section	Herein
24.88	24.68.080
24.91	24.68.100
24.911	24.68.110
24.912	24.68.120
24.913	24.68.130
24.914	24.68.140
24.915	24.68.150
24.916	24.68.160
24.917	24.68.170
24.918	24.68.180
24.919	24.68.190
24.92	24.68.250
24.921	24.68.260
24.922	24.68.270
24.923	24.68.280
24.924(a)	24.68.290
24.924(b)	24.68.300
24.924(c)	24.68.310
24.925	24.68.320
24.926	24.68.330
24.927	24.68.340
24.928	24.68.350
24.929	24.68.360
25.1	24.10.010
25.2	24.10.020
25.3	Not codified
25.40	24.10.030
25.41	24.10.040
25.42	24.10.050
25.43	24.10.060
25.44	24.10.070
25.45	24.10.080
25.46	24.10.090
26.1	24.70.010
26.2	24.70.020
26.21	24.70.030
26.22	24.70.040
26.23	24.70.050
26.3	24.70.060
26.4	24.70.070
27.1	24.72.010
27.11	24.72.020
27.12	24.72.030
27.2	24.72.040
27.3	24.72.050
27.4	24.72.060
27.41	24.72.070
27.5	24.72.080
27.51	24.72.090
27.6	24.72.100
27.7	24.72.110
27.8	24.72.120

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Ord. 86300 Section	Herein
27.81	24.72.130
27.82	24.72.140
27.83	24.72.150
27.84	24.72.160
28.1	24.74.010
28.2	24.74.020
28.3	24.74.030
28.4	24.74.040
28.41	24.74.050
28.42	24.74.060
28.43	24.74.070
28.5	24.74.080
28.51	24.74.090
28.52	24.74.100
28.53	24.74.110
28.54	24.74.120
28.55	24.74.130
29	Severability headnote
30	24.10.100
30.1	24.10.110

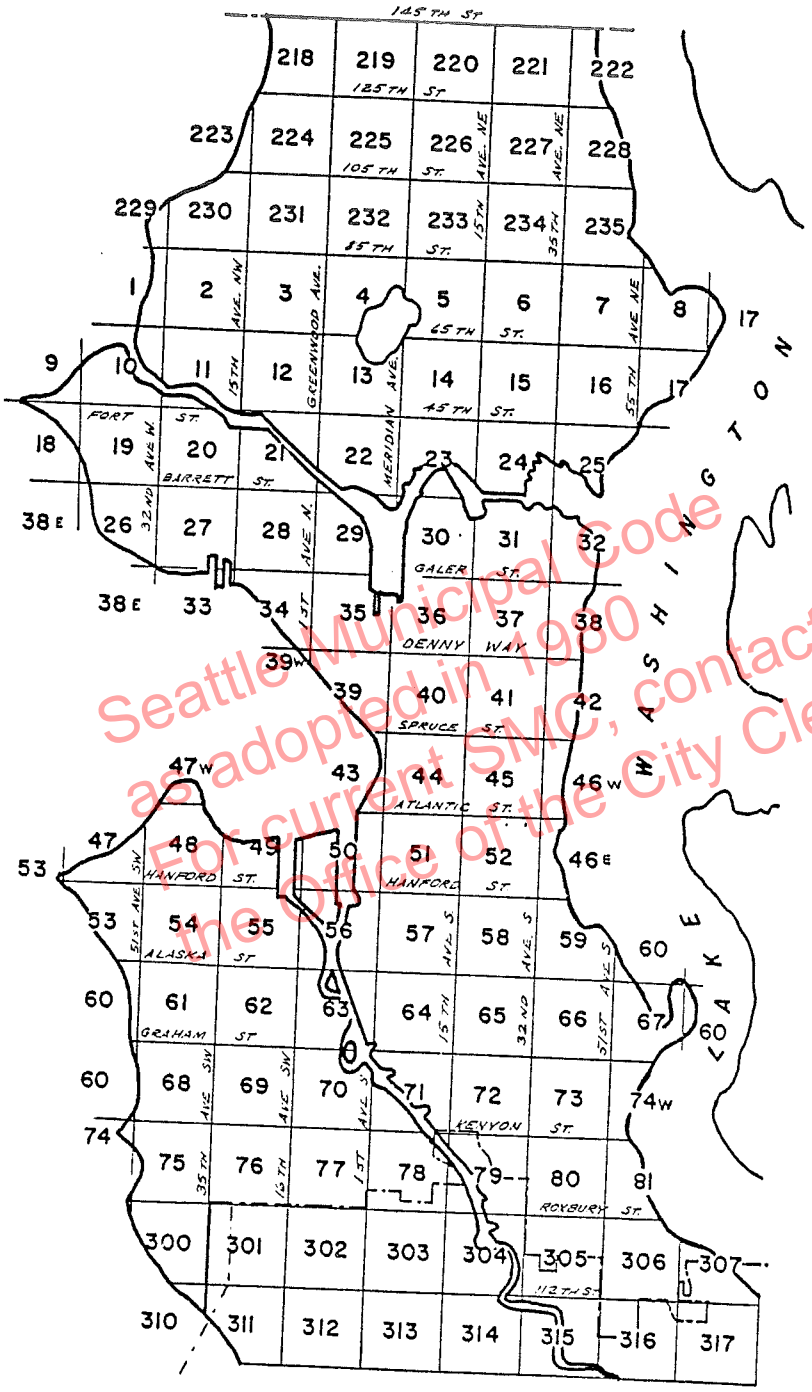
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SEATTLE ZONING MAPS

Including Changes Made by Ordinances through
Ordinance No. 109397, passed July 6, 1980

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Also Including Shoreline District Boundaries,
Landmarks, Historic Districts, Environmentally Sensitive Areas,
and Pedestrian-Oriented Streets



Seattle Municipal Code as adopted in 1950. For current SMC, contact the Office of the City Clerk

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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk

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76E.	24-403
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224E.	24-229
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Seattle Municipal Code
as adopted in 1980
For current SMC, contact
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Editor's Note: The applicable Shoreline District Boundaries, from Exhibit E-2 of Ordinance 106200 (see Section 24.60.280 of this Code), have been superimposed on the Zoning Maps which follow. Landmarks, environmentally sensitive areas, historic districts, and pedestrian-oriented streets are also designated. See the Legend below. For information regarding Historic Districts and City Landmarks, see Title 25 of this Code.

Landmarks & Environmentally Sensitive Areas Overlay

Legend



National Register of Historic Places

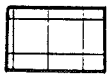
Nominated/Designated City Landmark

Eligible to become City Landmark

Designation denied



Environmentally Sensitive Area



Historic District

Pedestrian-Oriented Street

Seattle Municipal Code as adopted in 1980 For current SMC, contact the Office of the City Clerk

LEGEND

RS 9600–
Single Family Residence Low Density Zone.

RS 7200–
Single Family Residence Medium Density Zone.

RS 5000–
Single Family Residence High Density Zone.

RW–
Residence Waterfront Zone.

RD 7200–
Duplex Residence Medium Density Zone.

RD 5000–
Duplex Residence High Density Zone.

RM 1600–
Multiple Residence Lowest Density Zone.

RM–
Multiple Residence Low Density Zone.

RMH 350–
Multiple Residence High Density Zone.

RMV 200–
Multiple Residence High Density Variable Height Zone.

RMV 150–
Multiple Residence Highest Density Variable Height Zone.

RM-MD–
Multiple Residence-Mixed Density Zone.

BN–
Neighborhood Business Zone.

BI–
Intermediate Business Zone.

BC–
Community Business Zone.

BM–
Metropolitan Business Zone.

CM–
Metropolitan Commercial Zone.

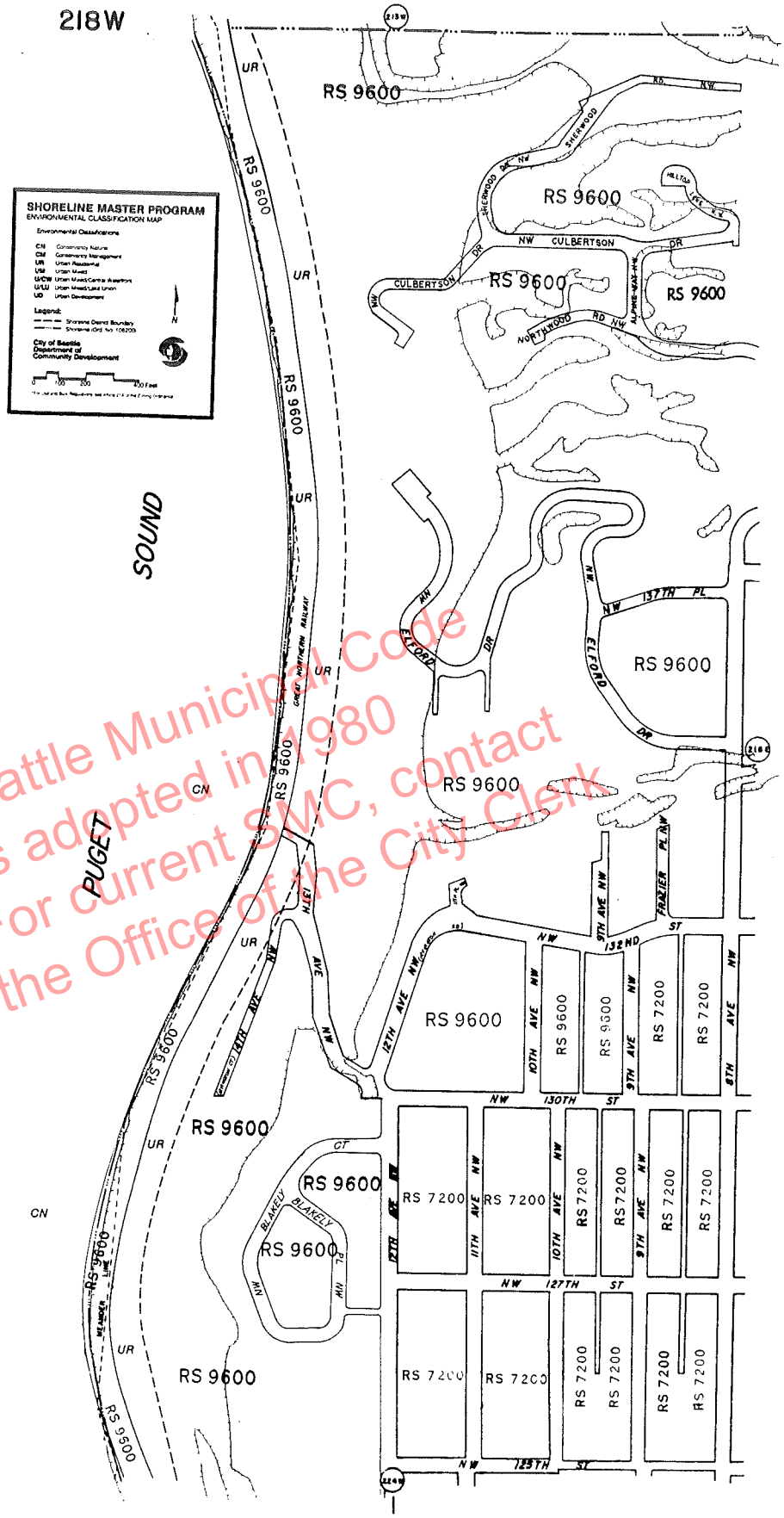
CMT–
Metropolitan Commercial Zone Temporary.

CG–
General Commercial Zone.

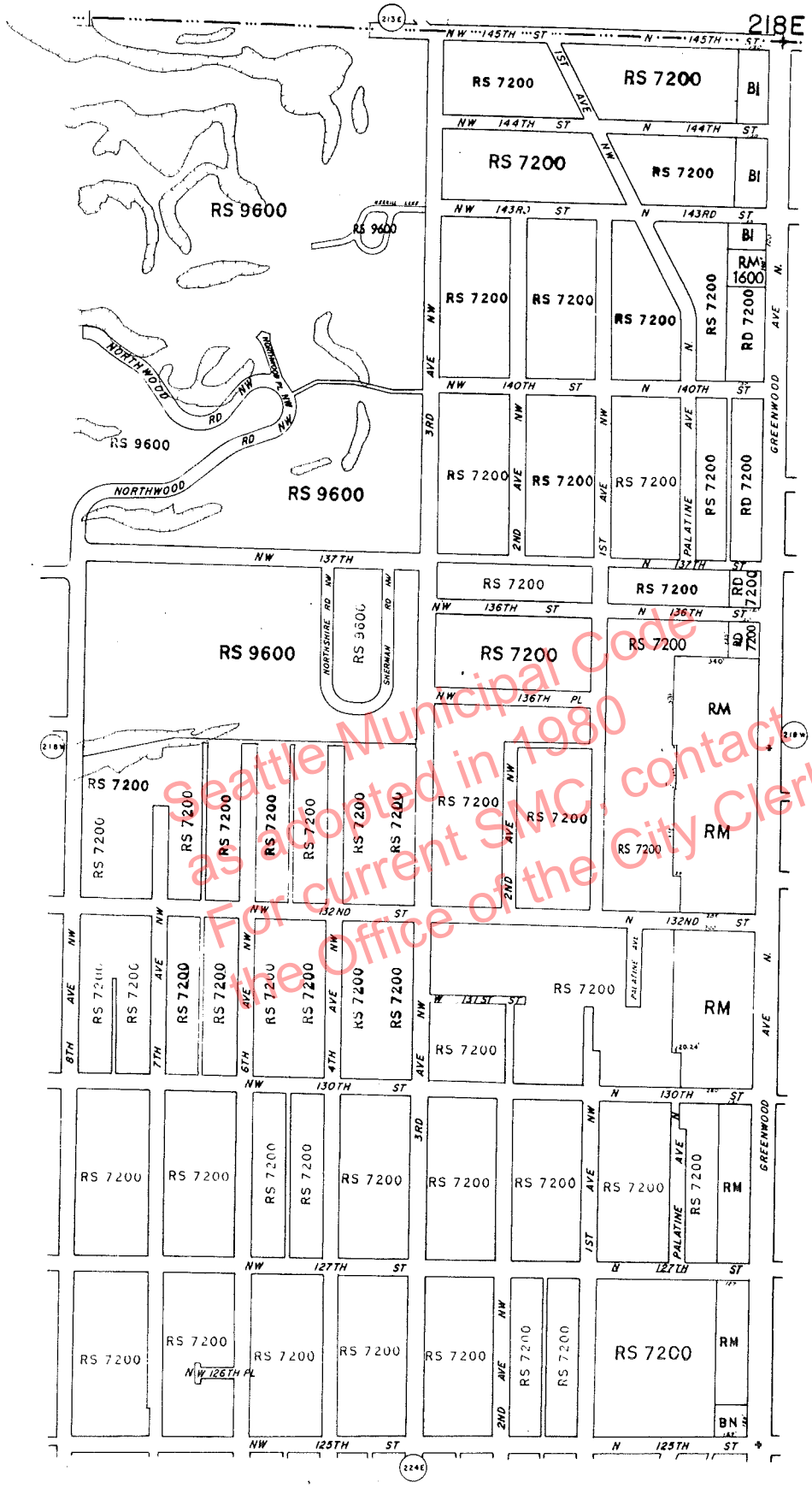
M–
Manufacturing Zone.

IG–
General Industrial Zone.

IH–
Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1980 For current SMC, contact the Office of the City Clerk



Seattle Municipal Code as adopted in 1980 For current SMC, contact the Office of the City Clerk

LEGEND

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CM– Metropolitan Commercial Zone.

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IG– General Industrial Zone.

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LEGEND

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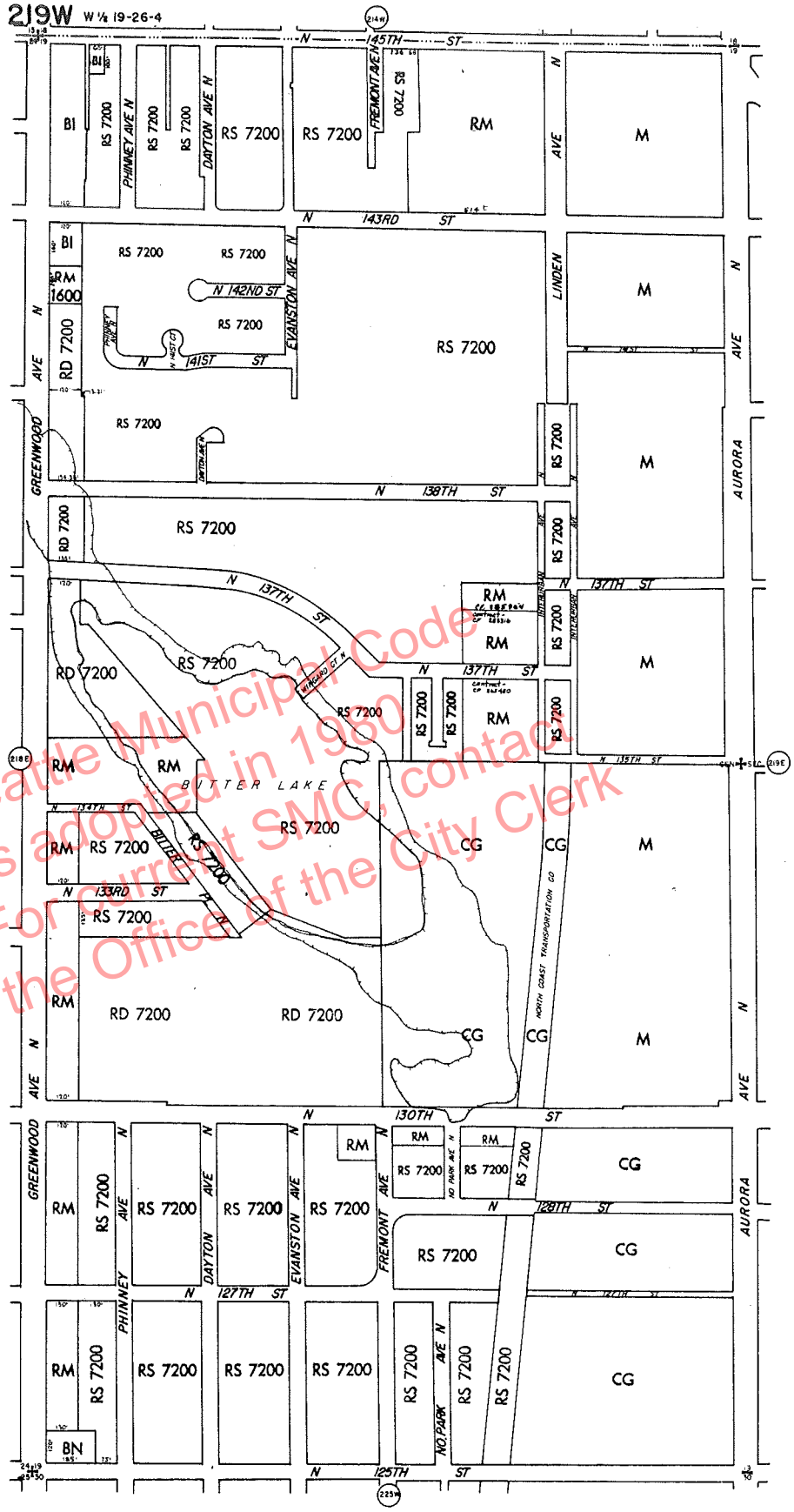
CMT–
Metropolitan Commercial Zone Temporary.

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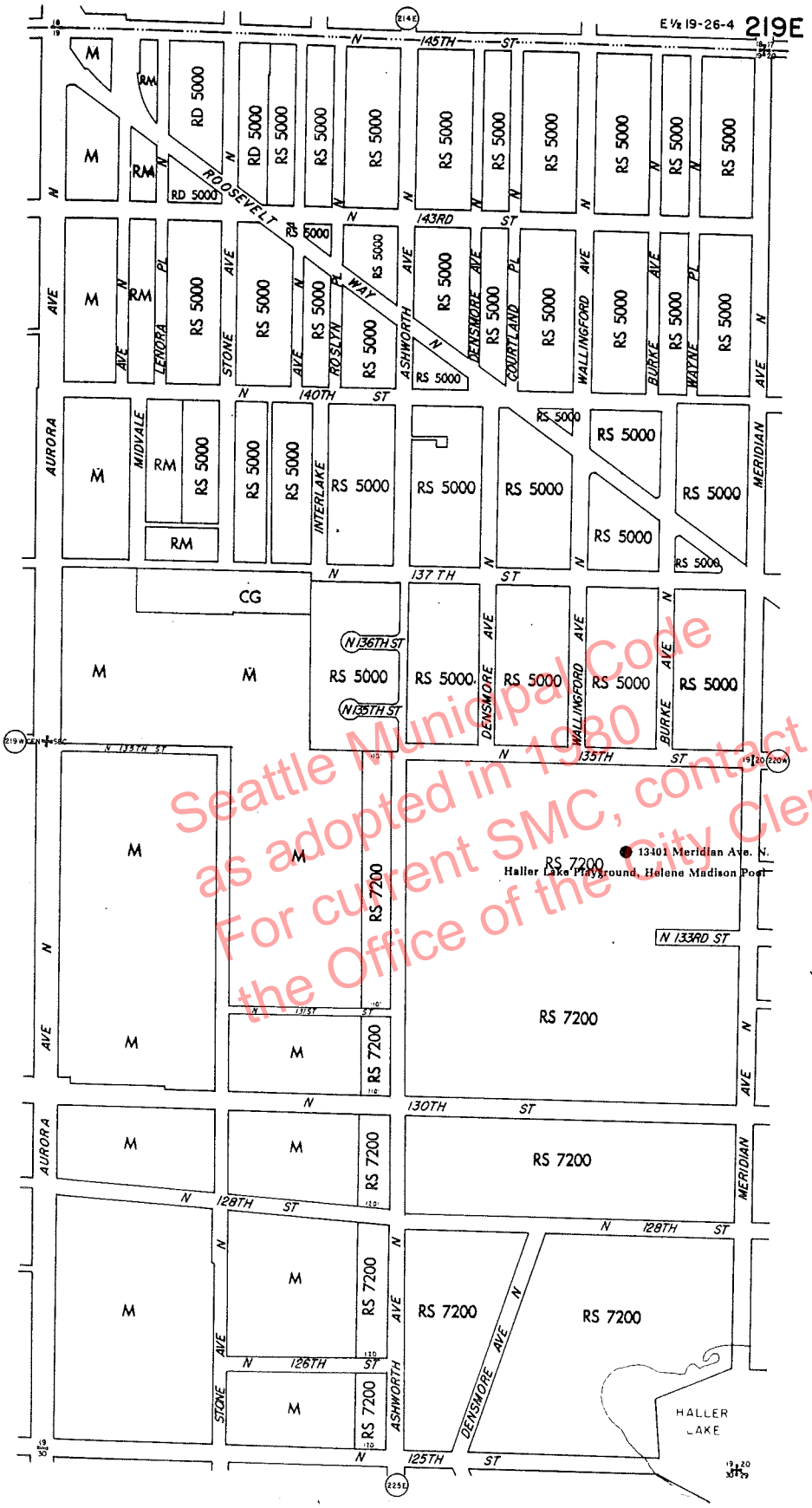
M–
Manufacturing Zone.

IG–
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Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1960. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code
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For current SMC, contact
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General Commercial Zone.

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IG–
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Heavy Industrial Zone.

LEGEND

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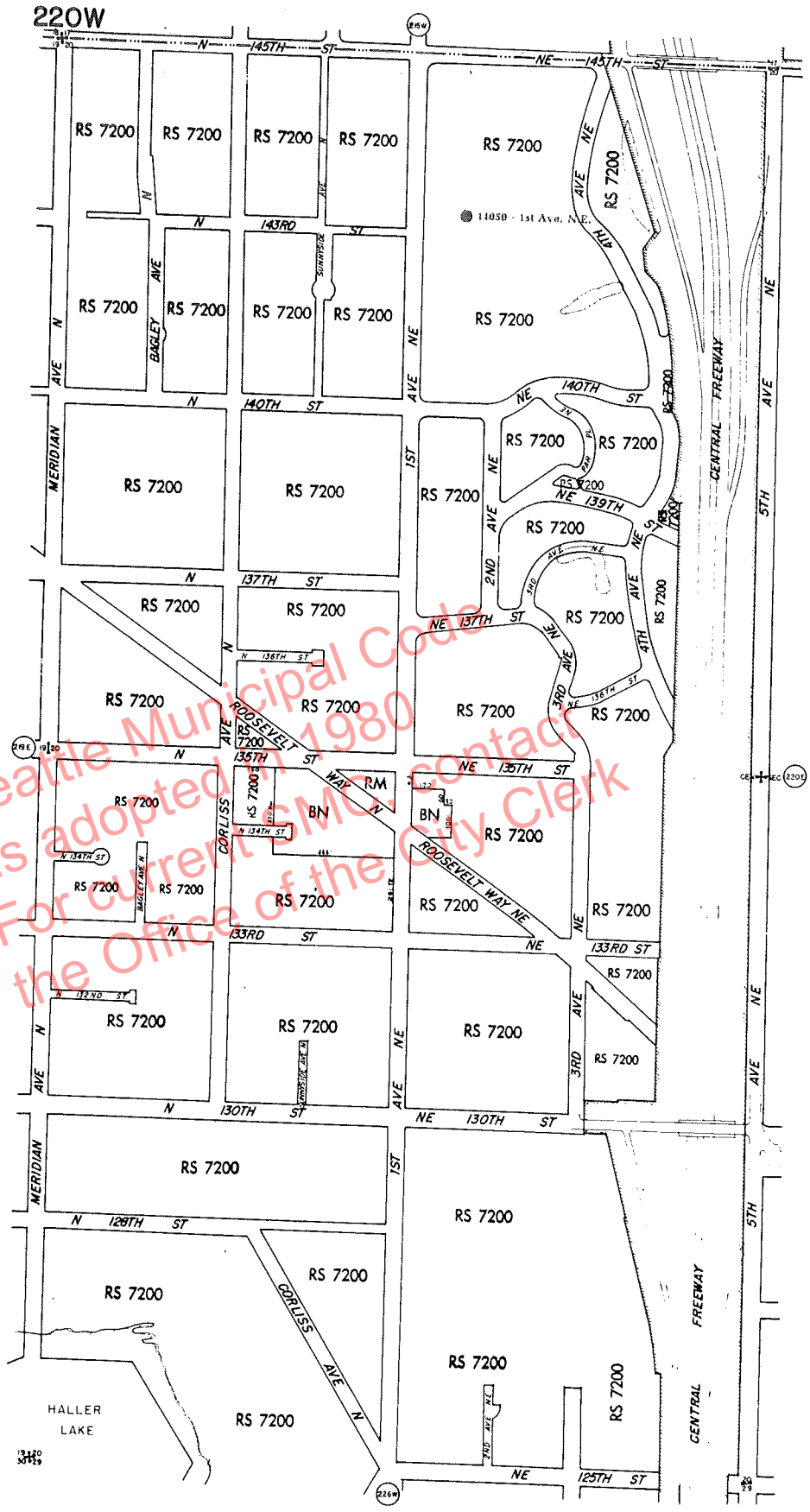
CMT–
Metropolitan Commercial Zone Temporary.

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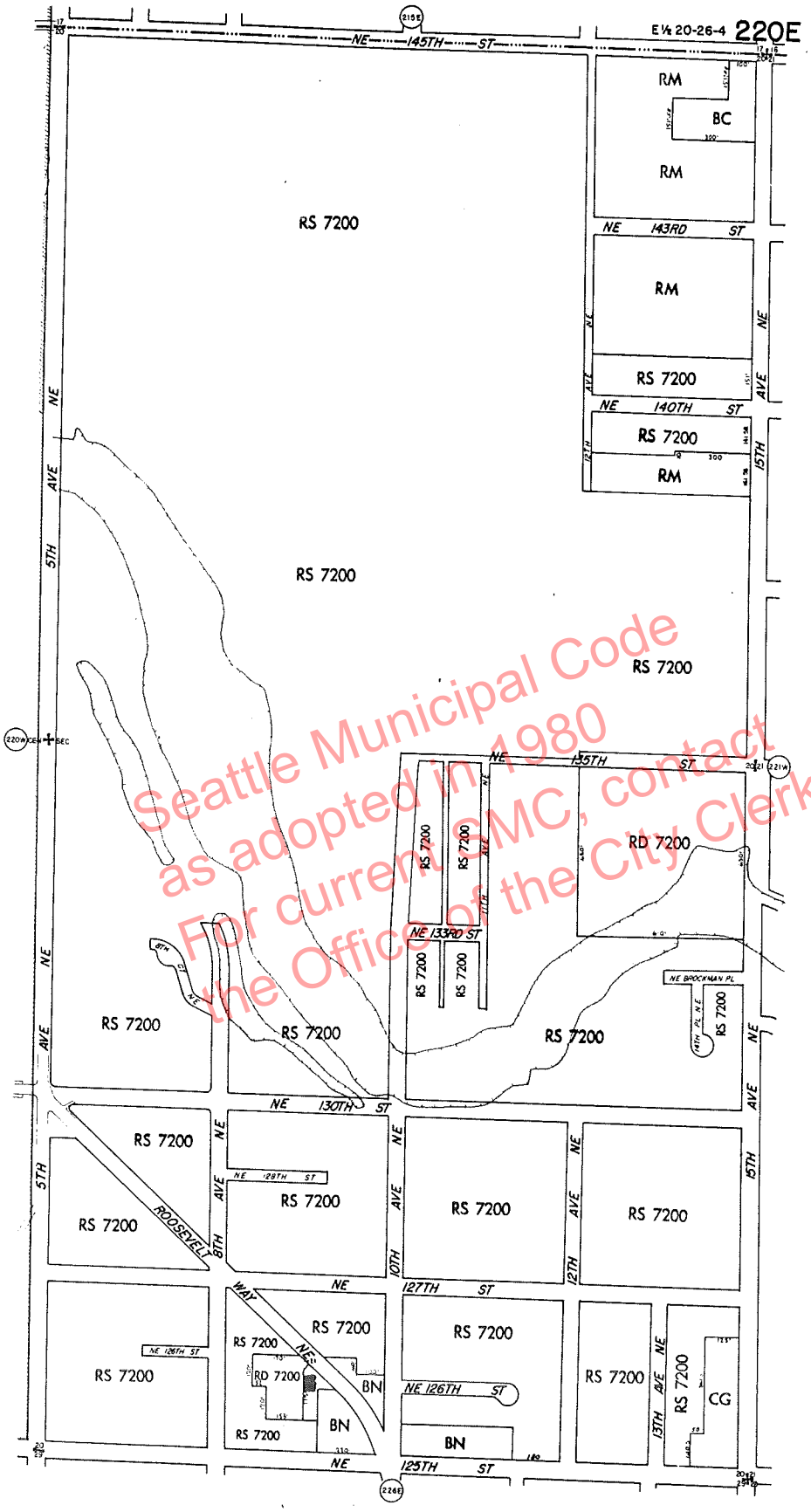
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IG–
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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code as adopted in 1980
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LEGEND

RS 9600– Single Family Residence Low Density Zone.

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CM– Metropolitan Commercial Zone.

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LEGEND

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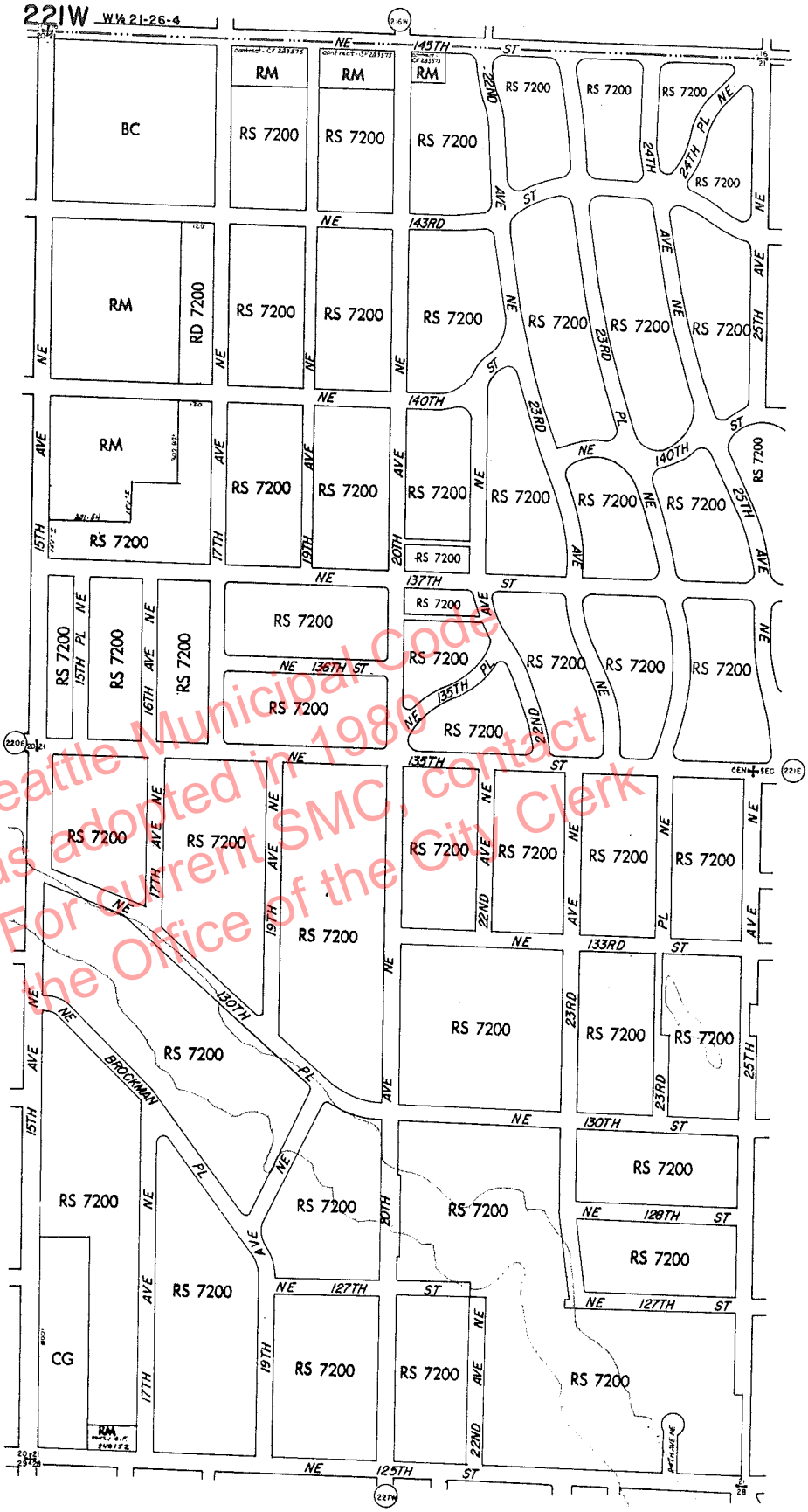
CMT–
Metropolitan Commercial Zone Temporary.

CG–
General Commercial Zone.

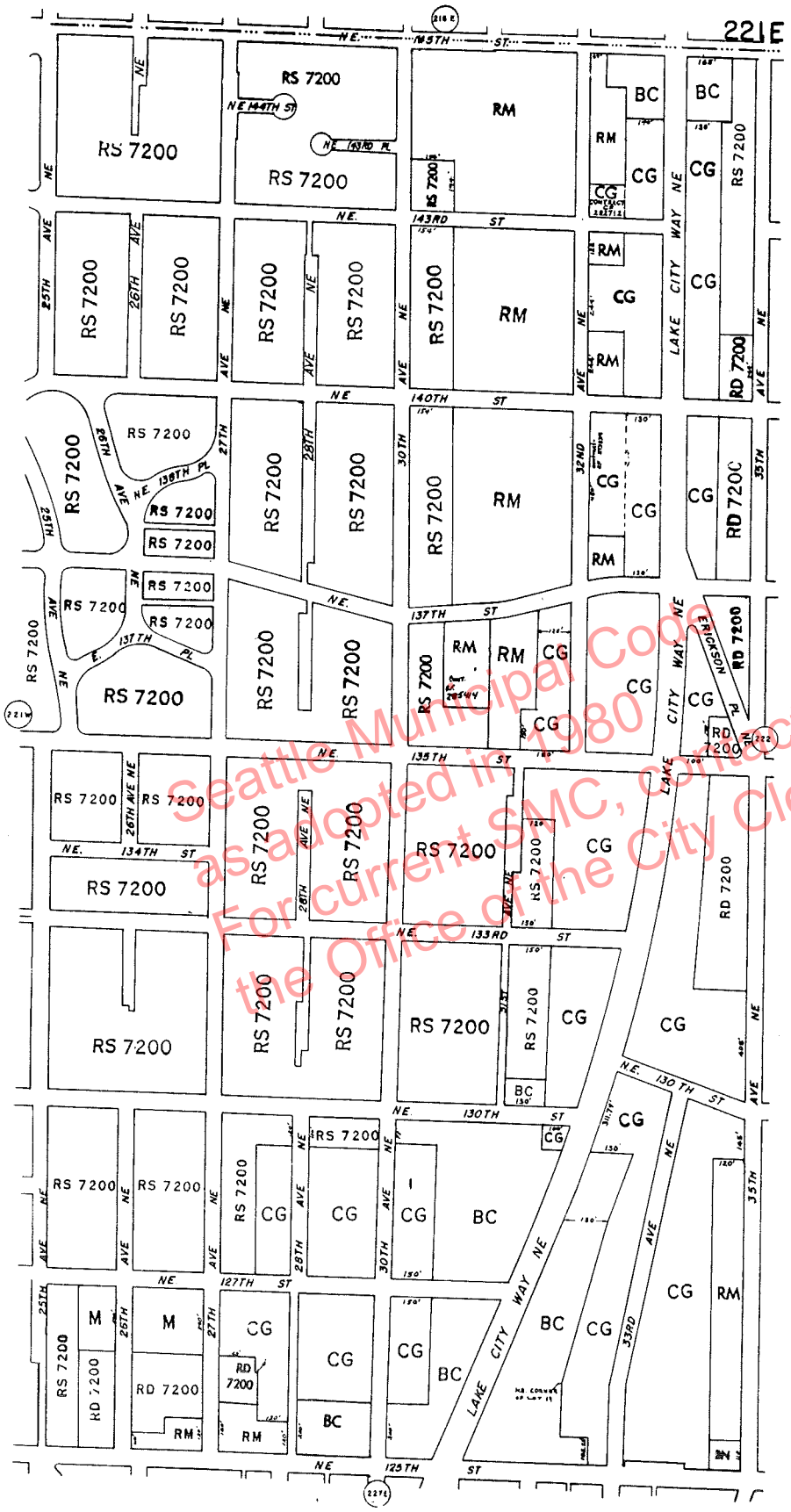
M–
Manufacturing Zone.

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Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1986. For current SMC, contact the Office of the City Clerk



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CM–
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Metropolitan Commercial Zone Temporary.

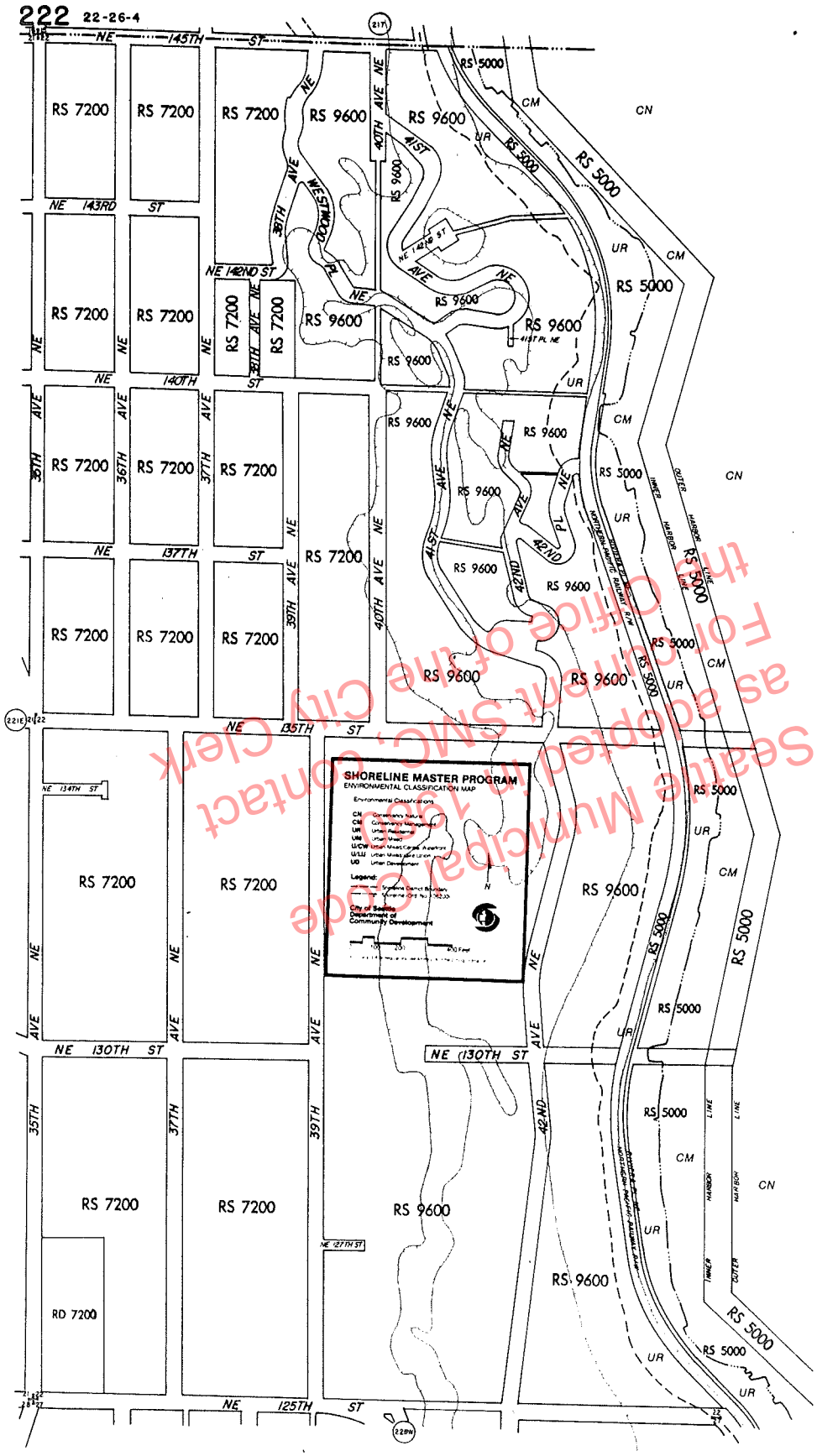
CG–
General Commercial Zone.

M–
Manufacturing Zone.

IG–
General Industrial Zone.

IH–
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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code
as adopted in 1965. Contact
For current SMC, contact
the Office of the City Clerk

LEGEND

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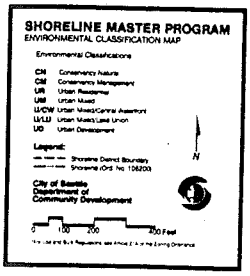
CMT–
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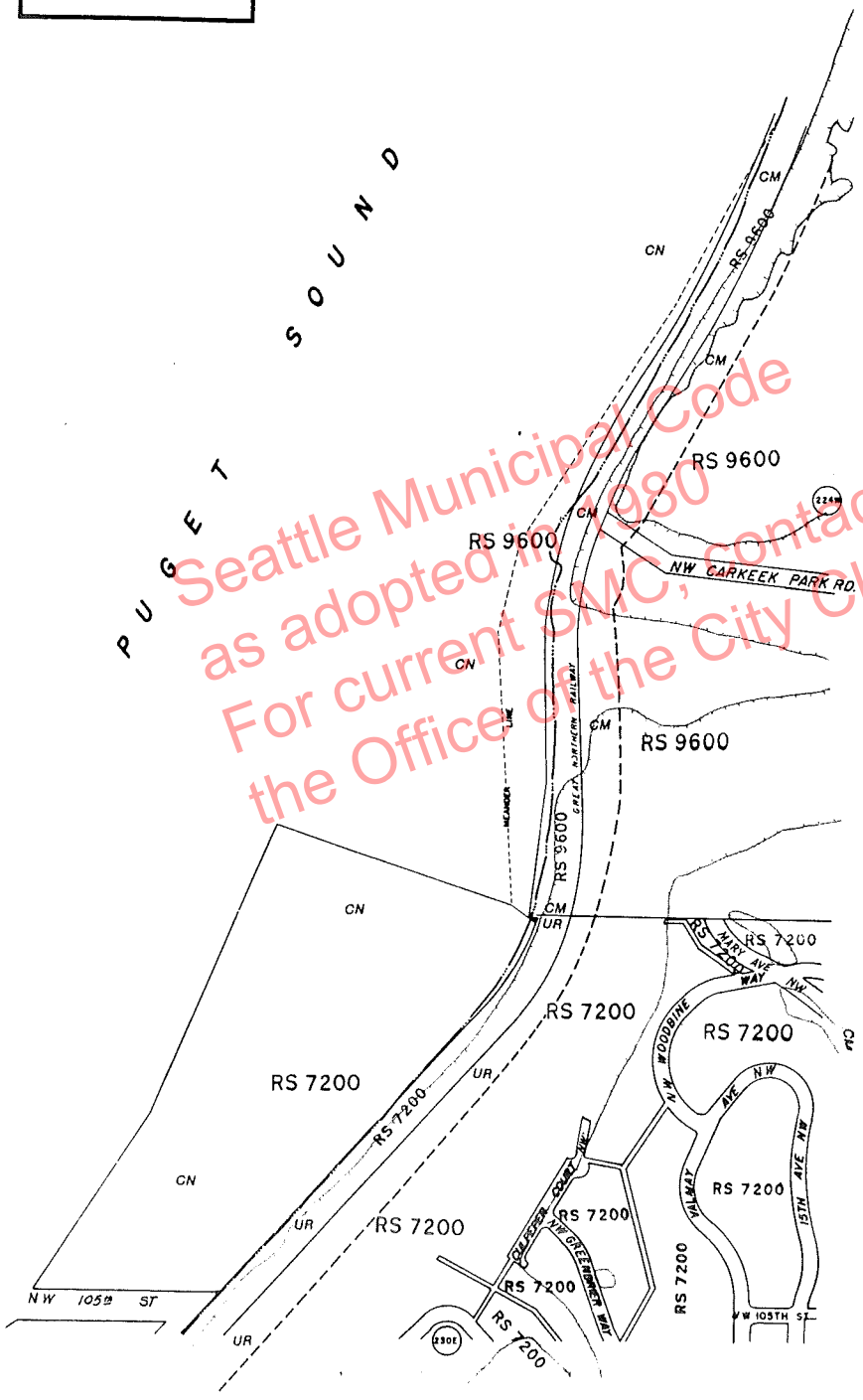
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Seattle Municipal Code
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For current SMC, contact
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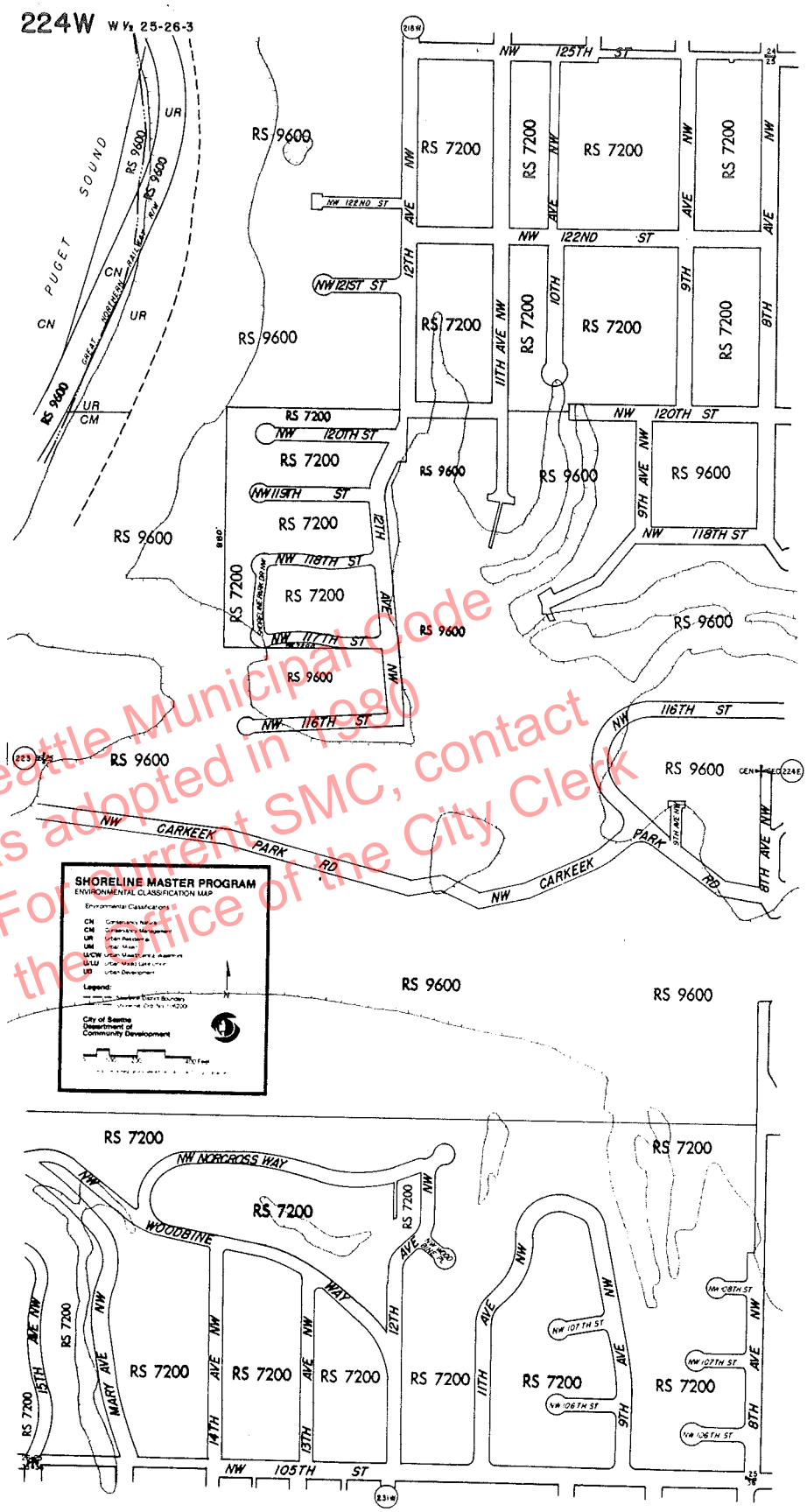
CMT–
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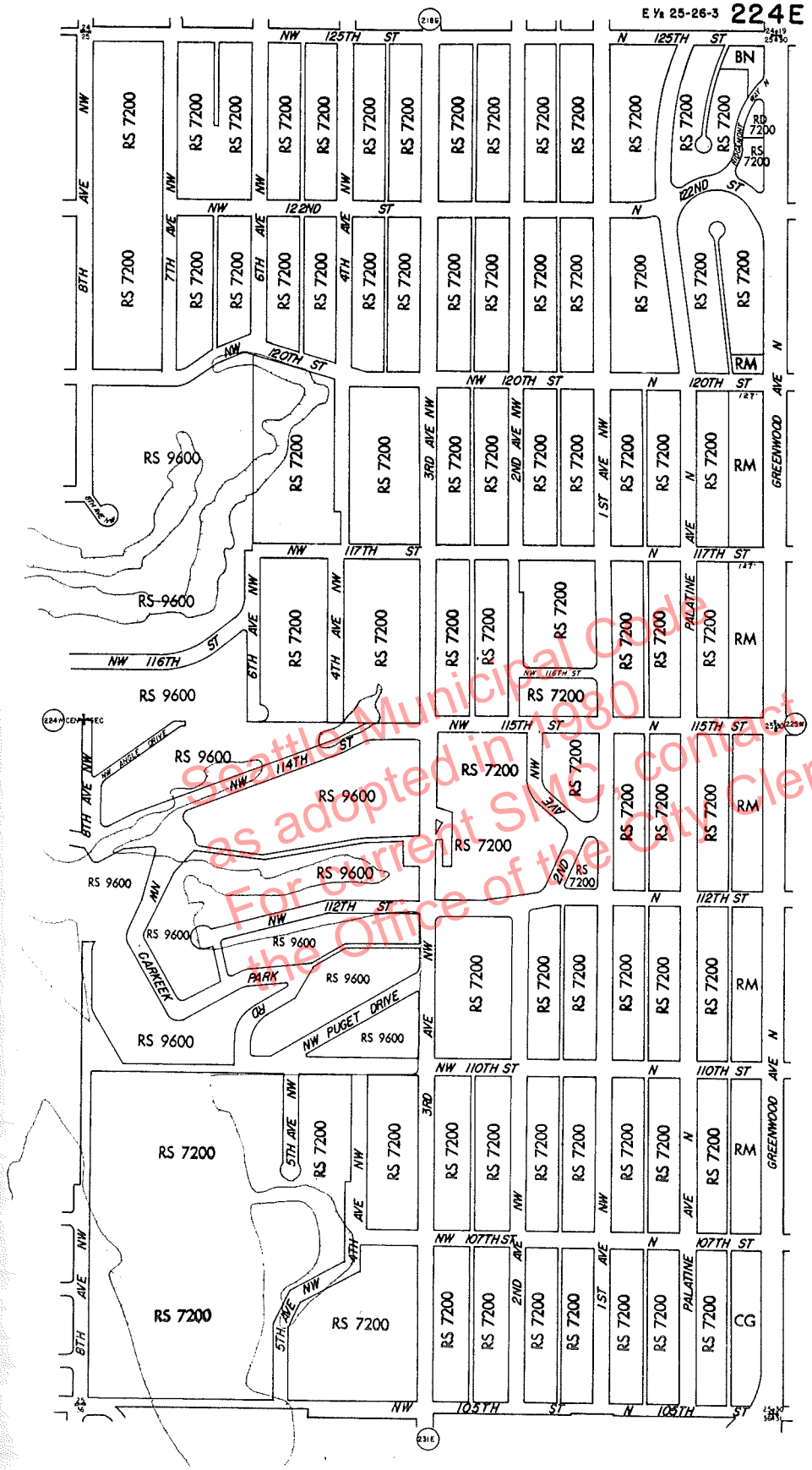
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Seattle Municipal Code as adopted in 1980 For current SMC, contact the Office of the City Clerk



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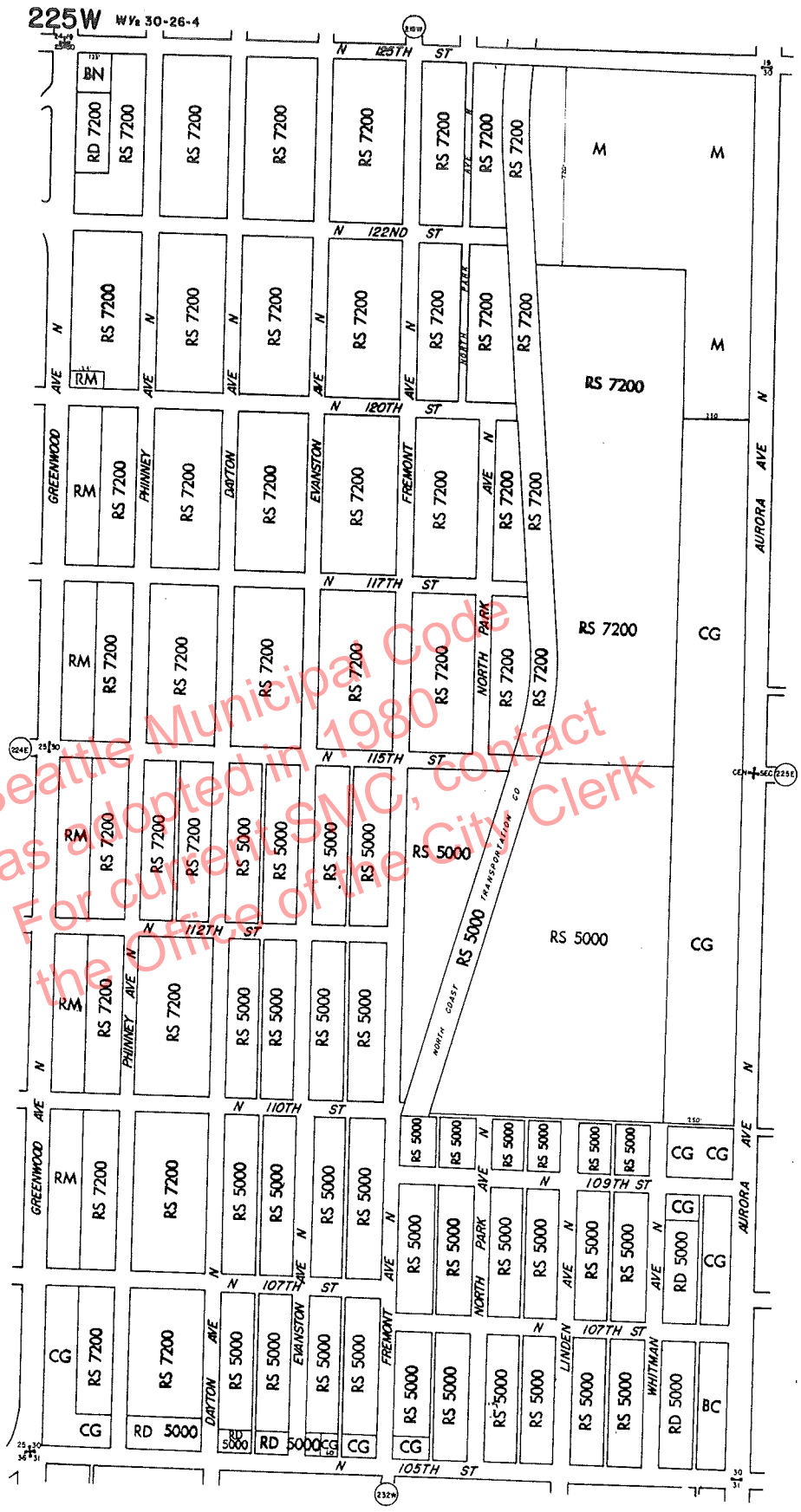
CMT–
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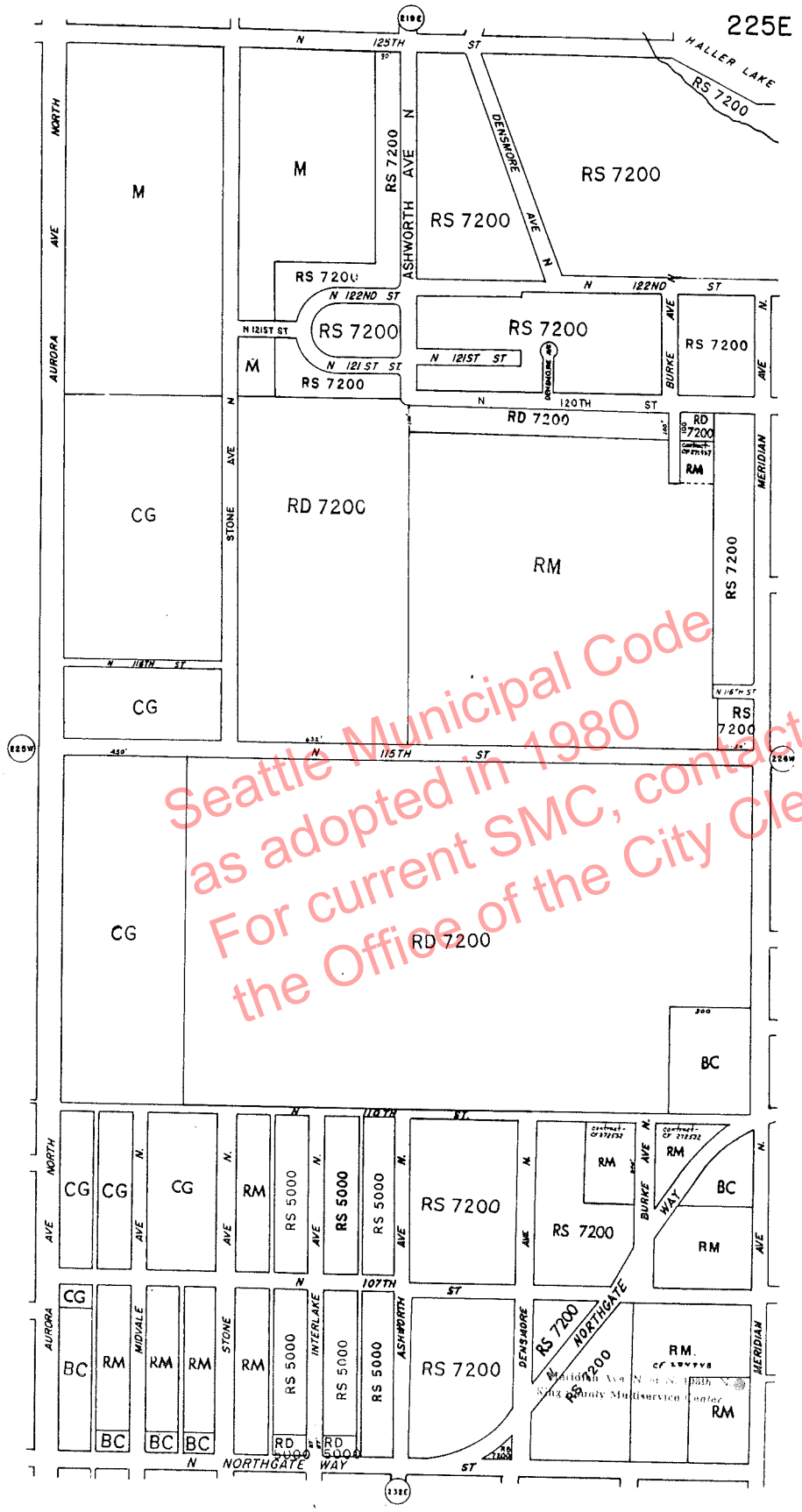
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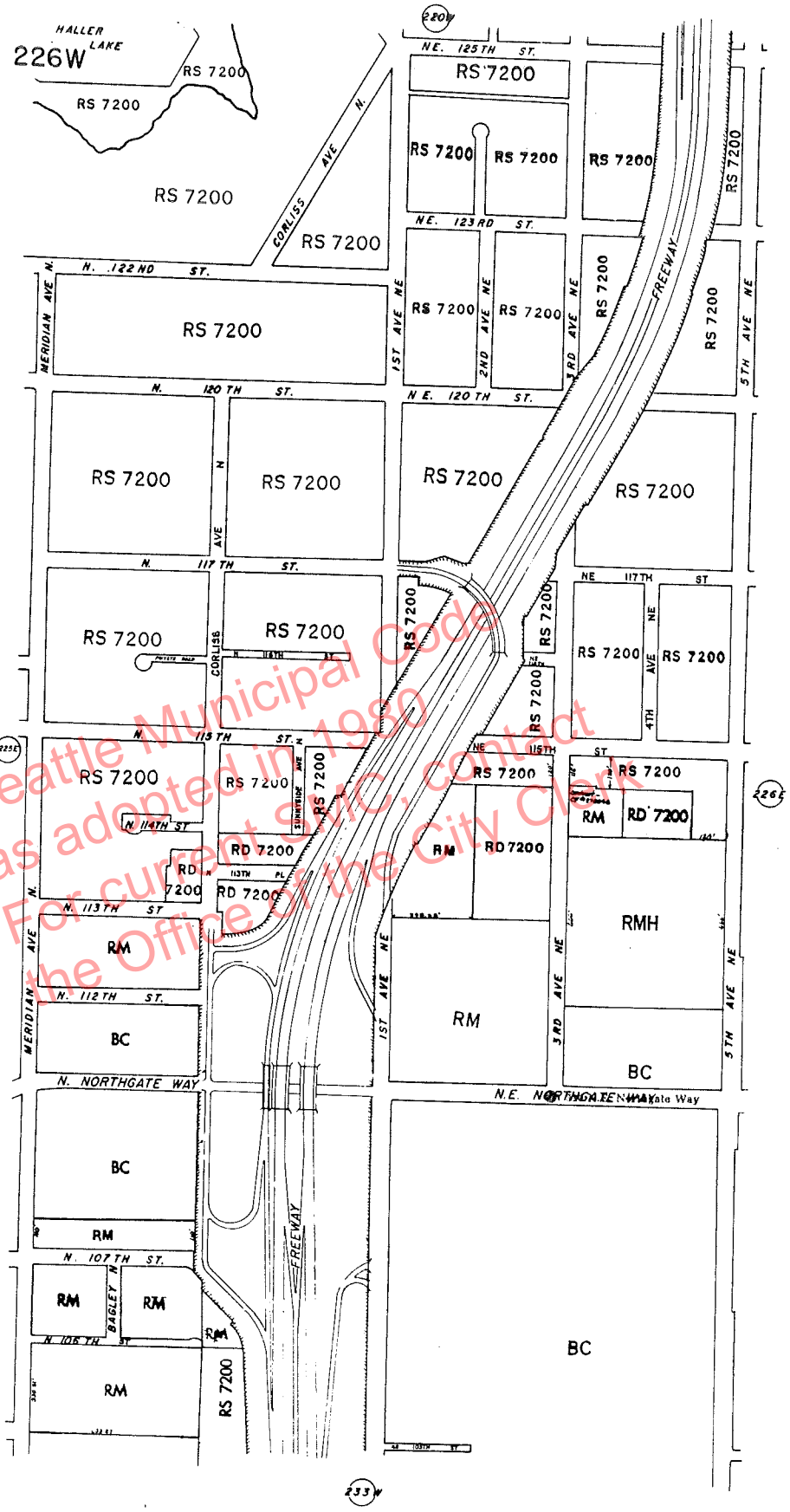
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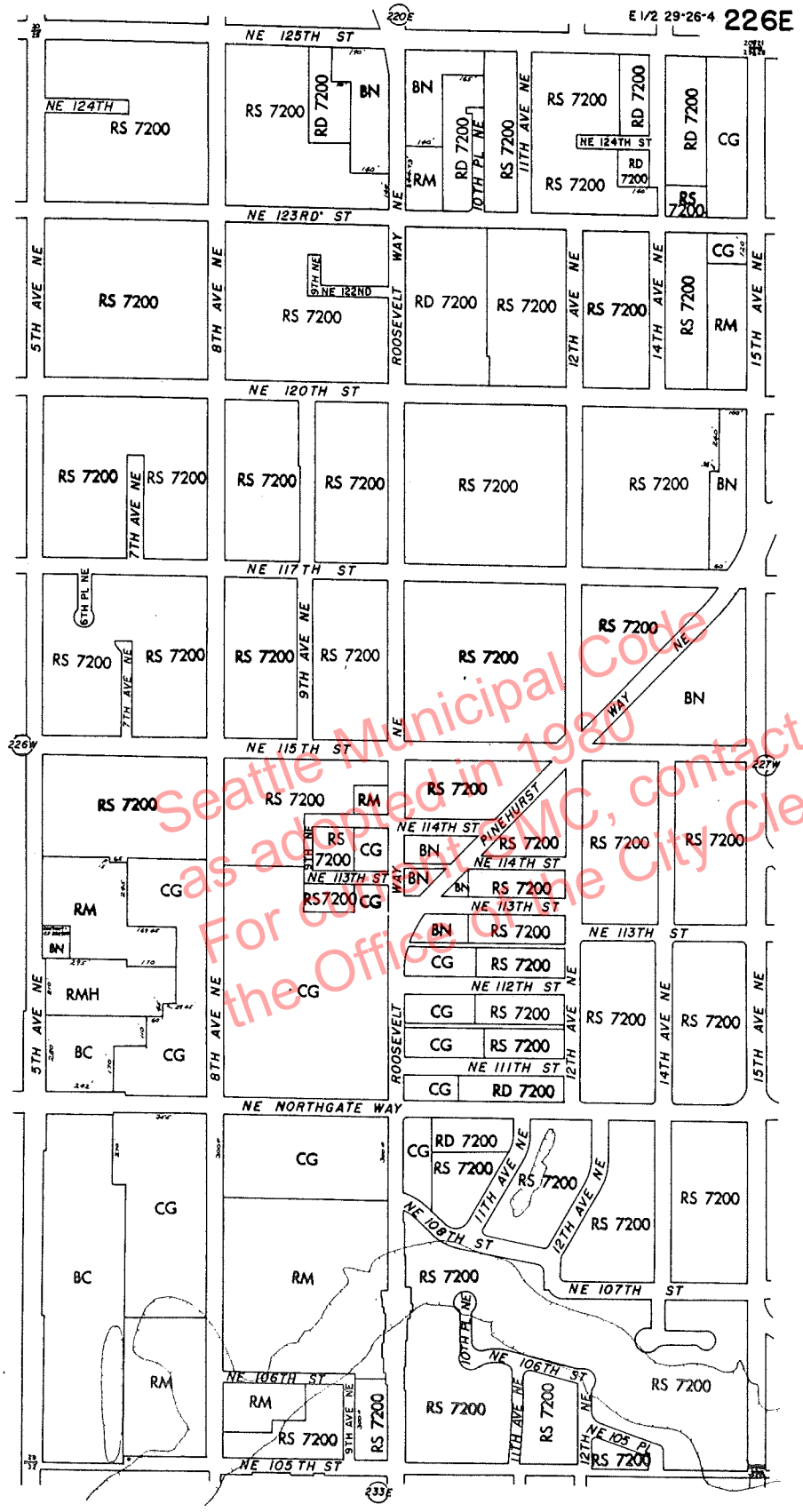
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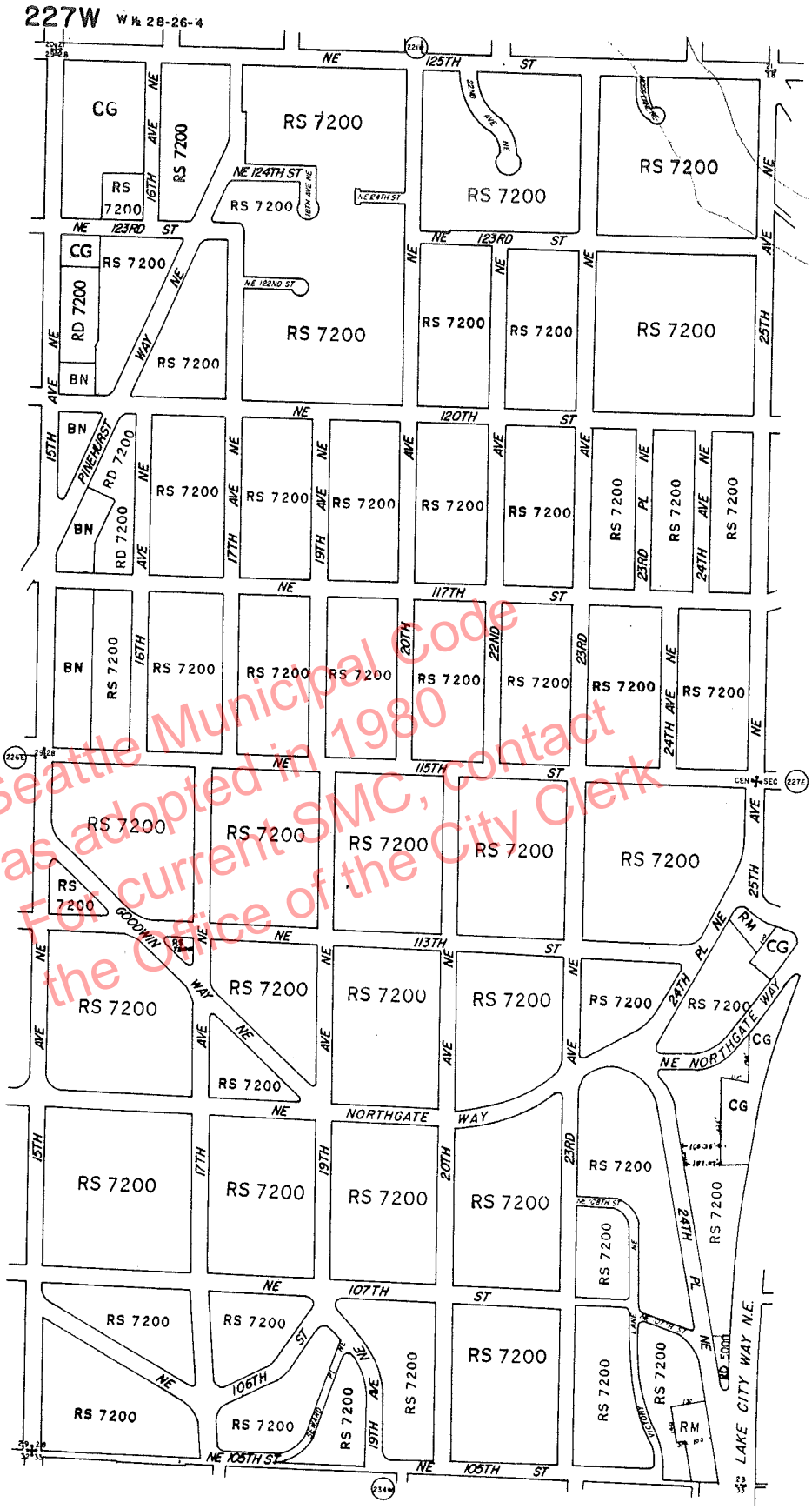
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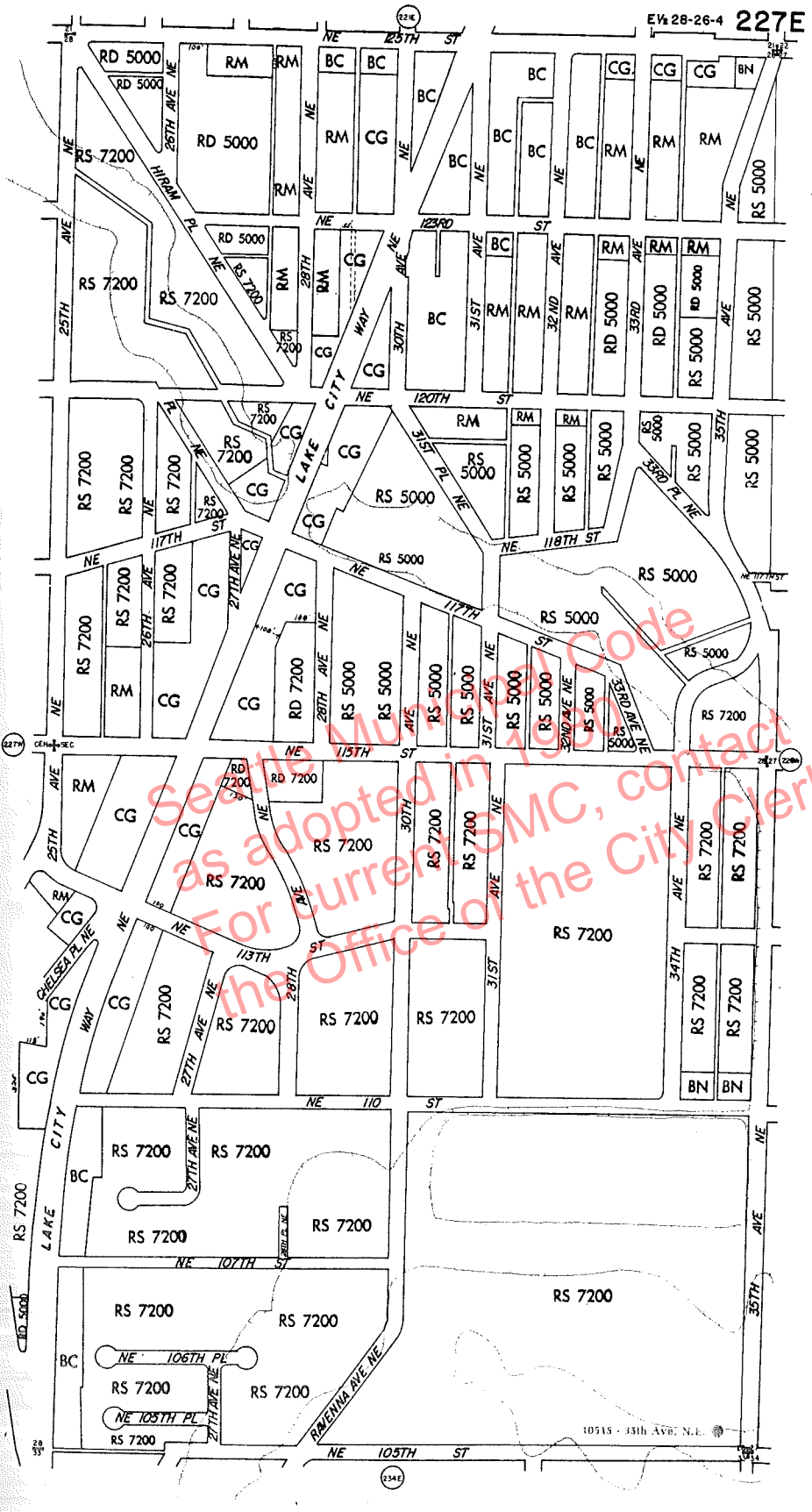
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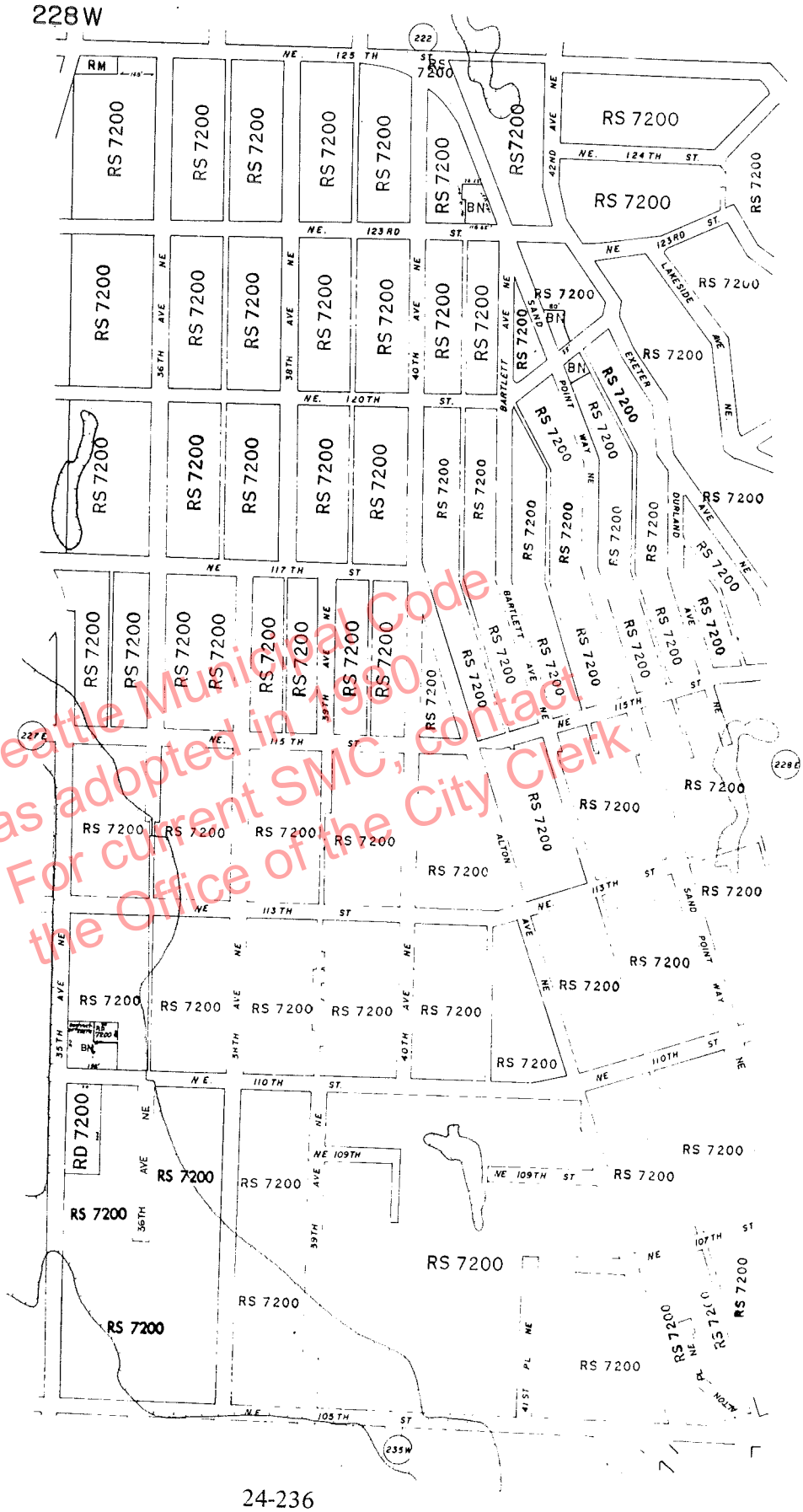
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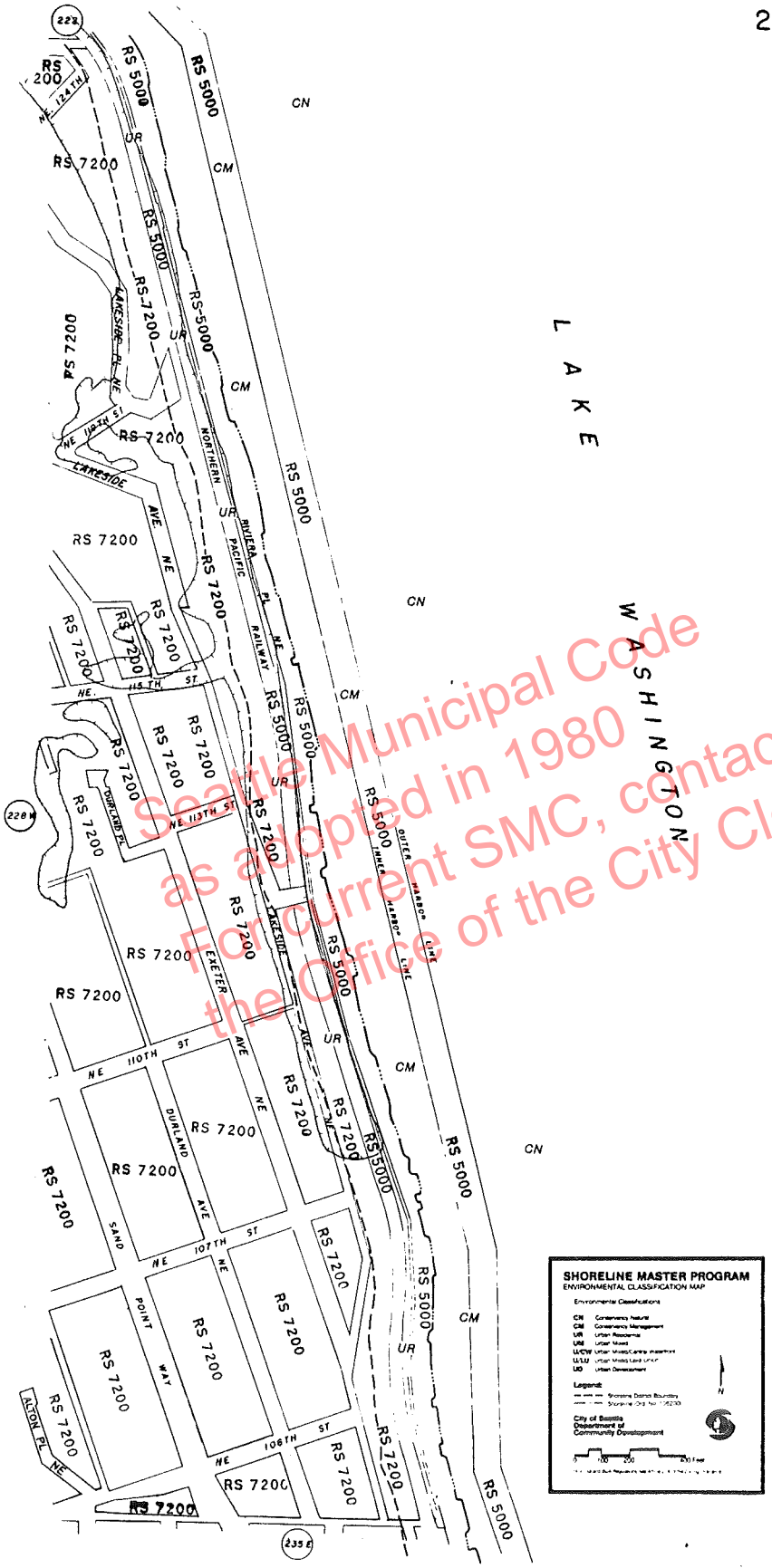
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228E



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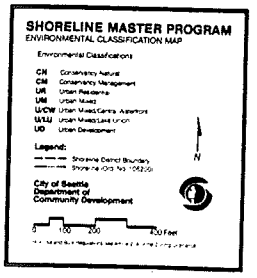
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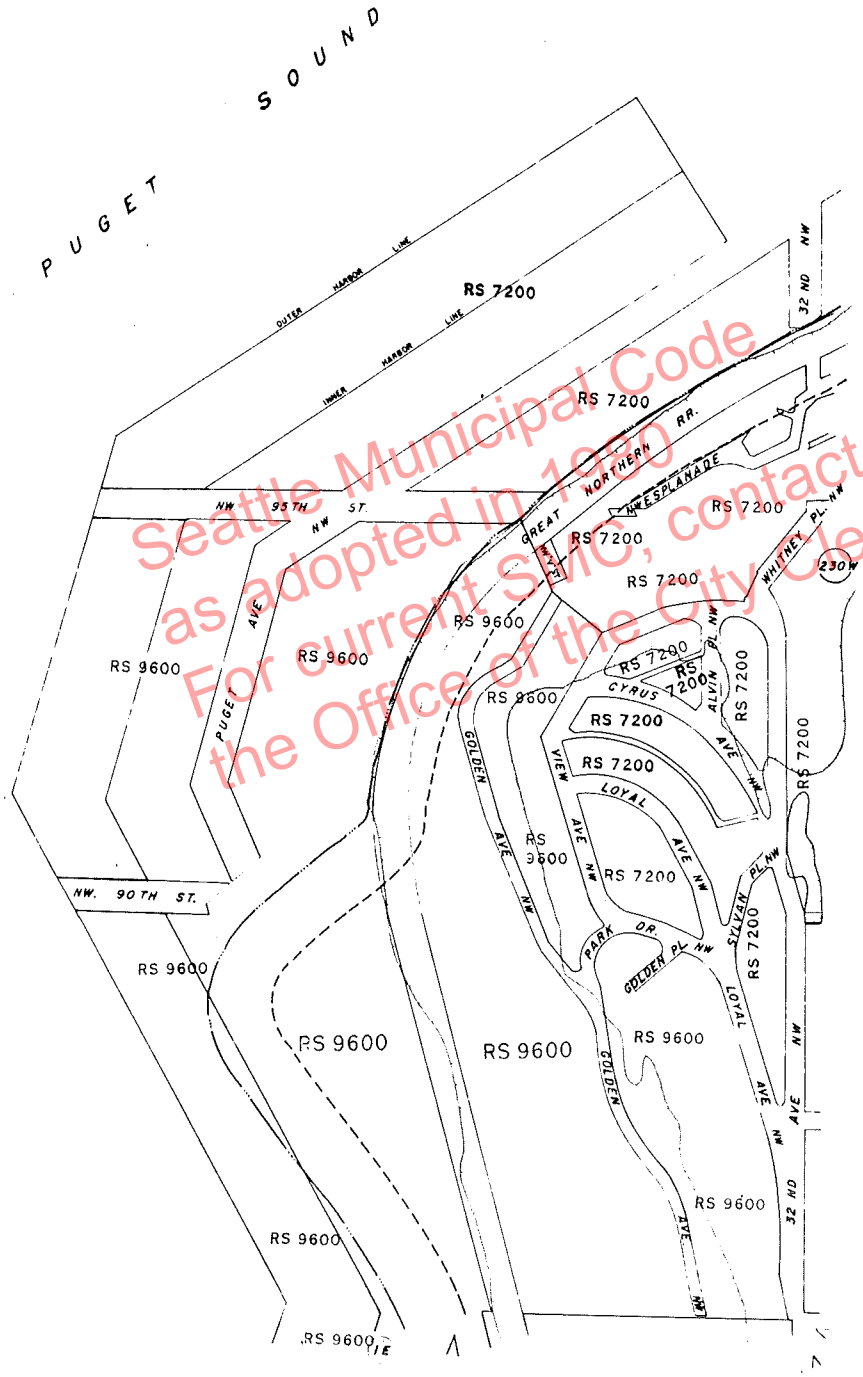
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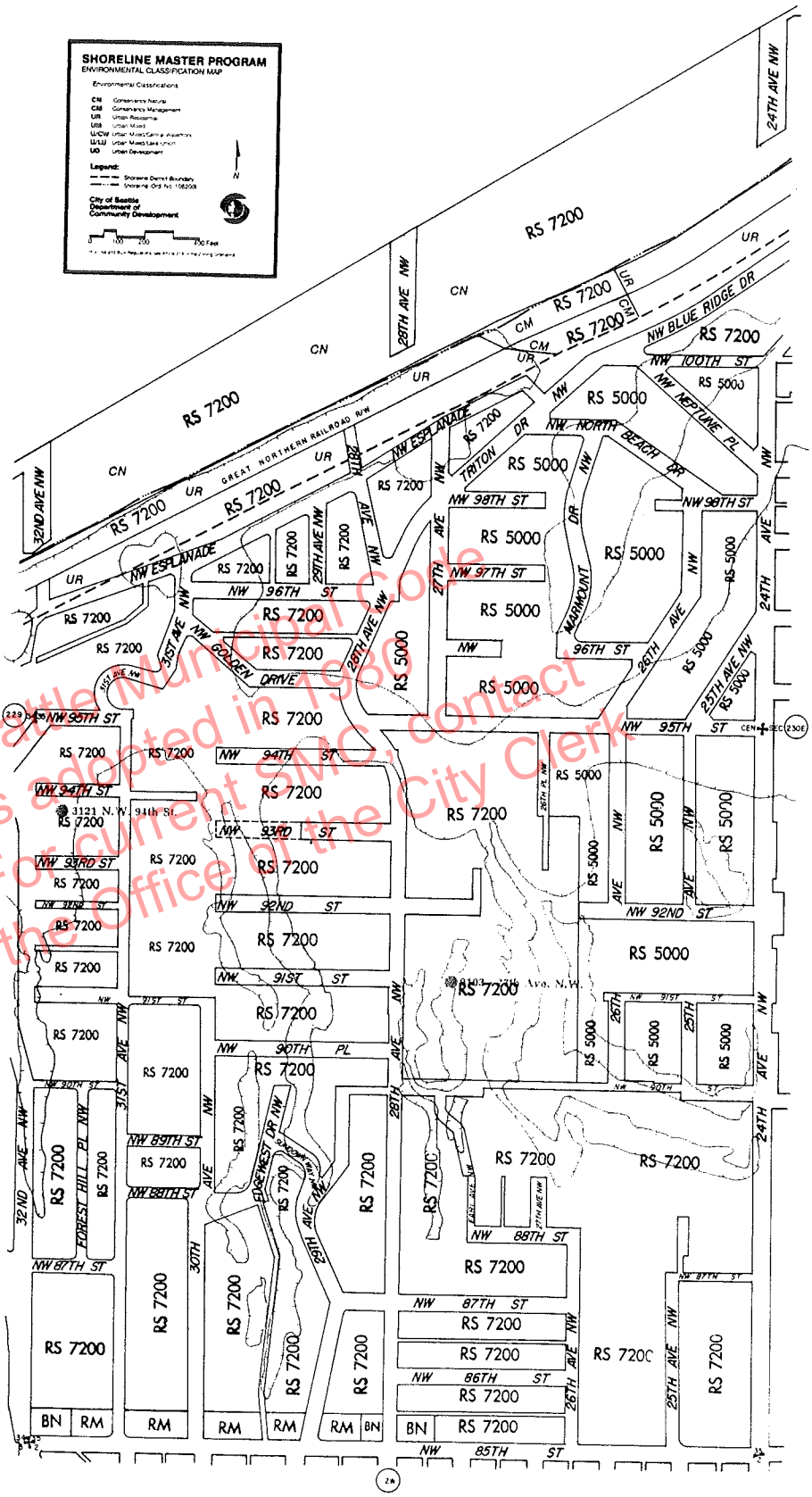
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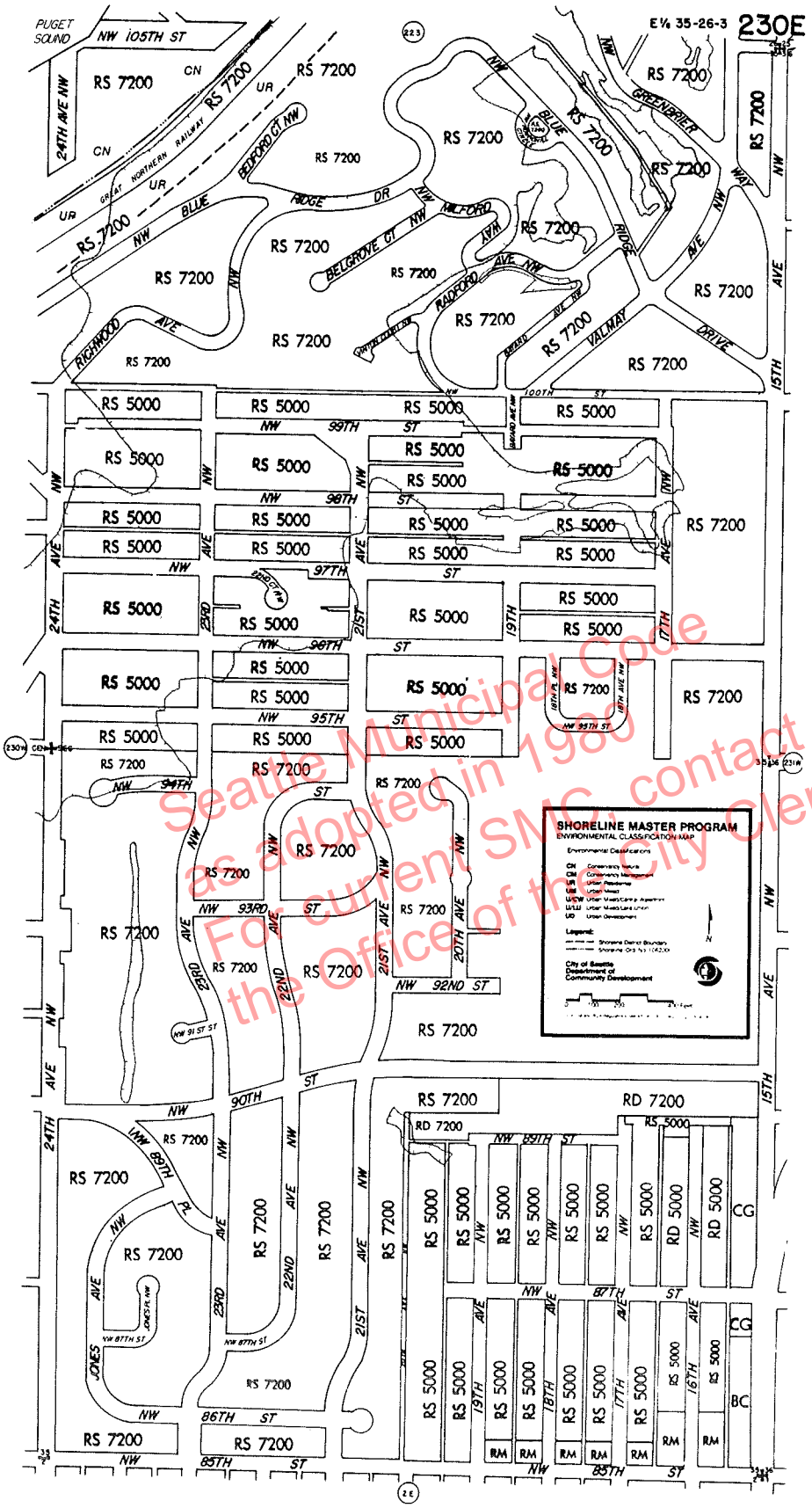
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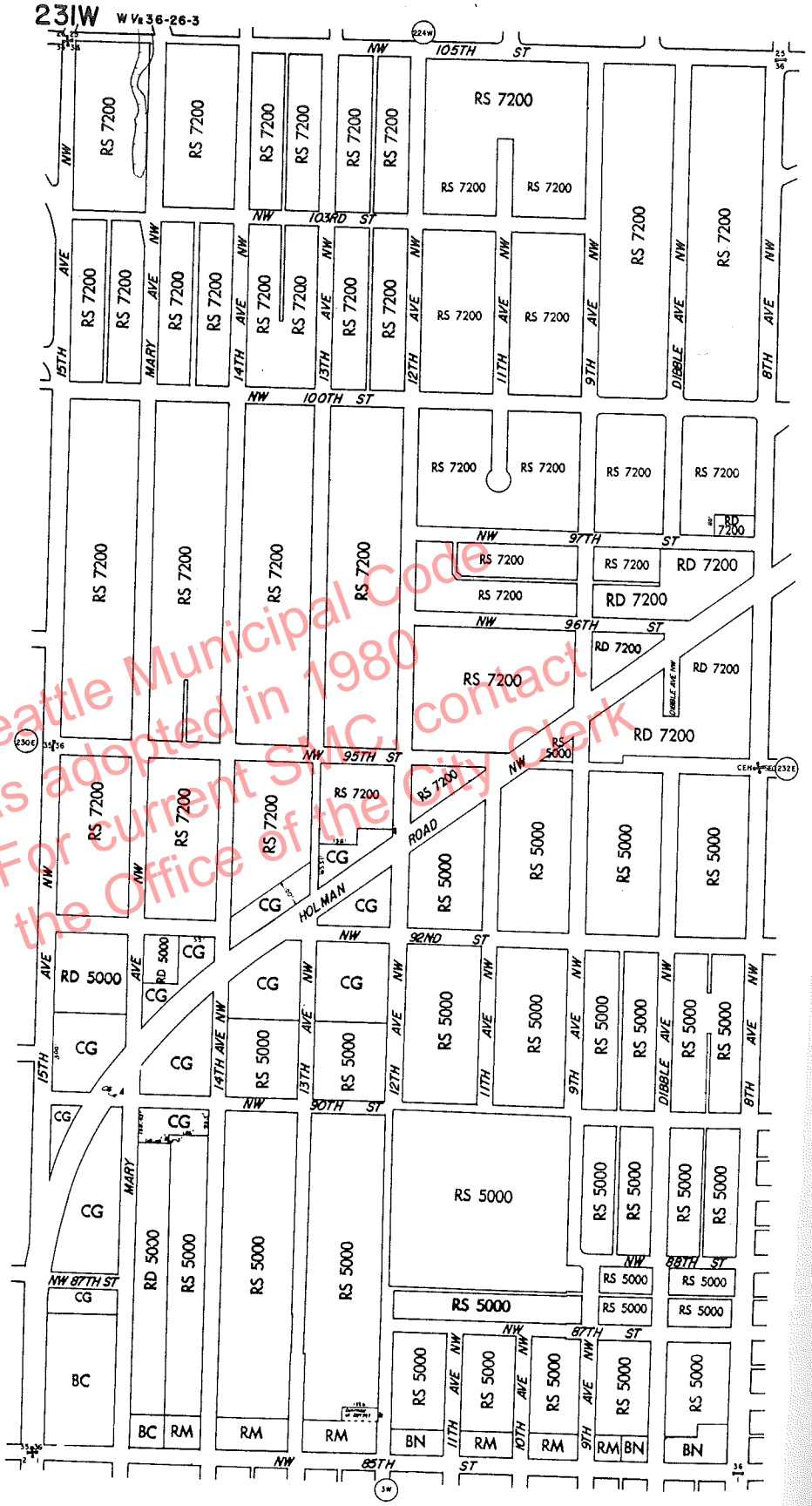
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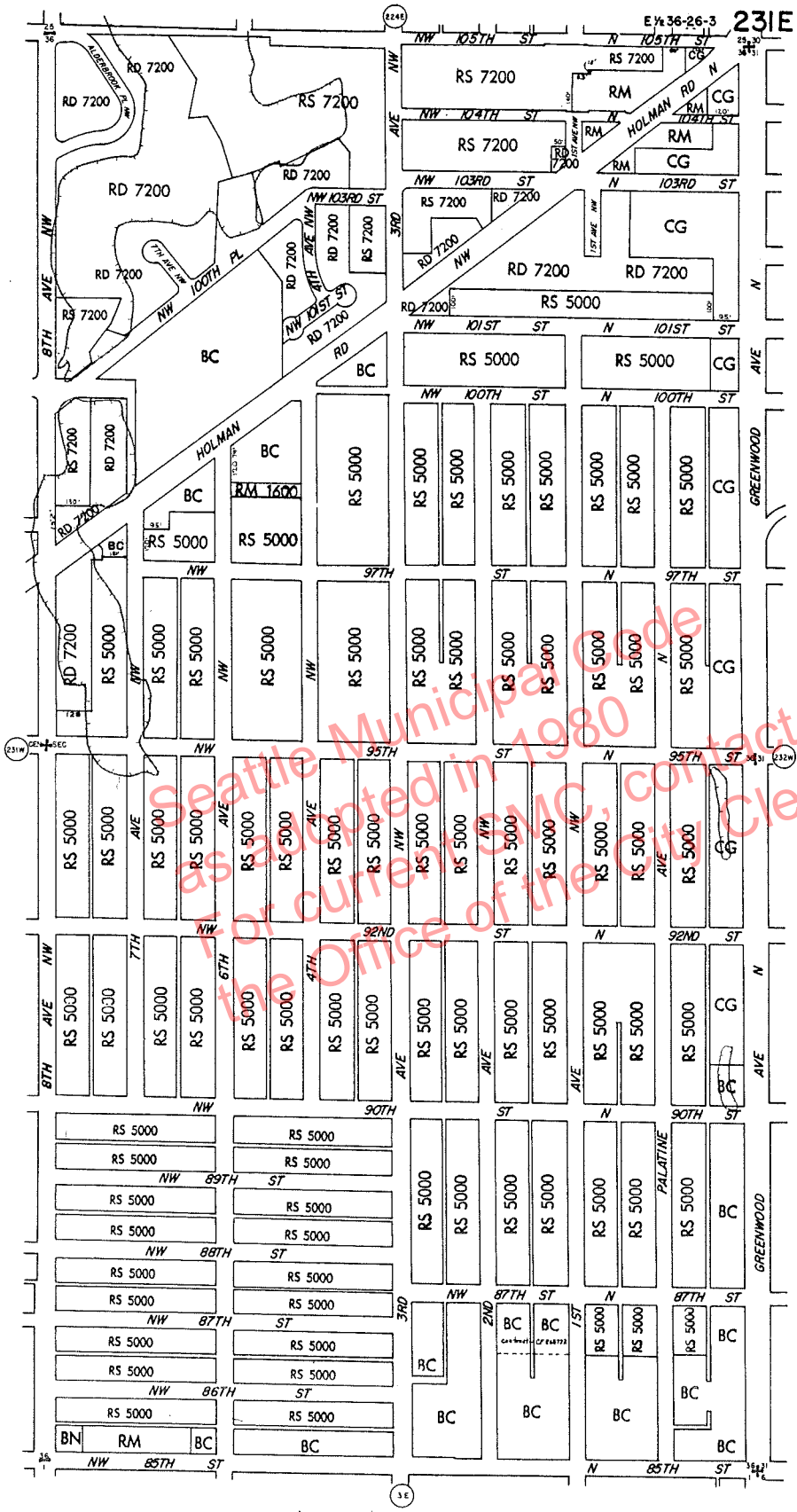
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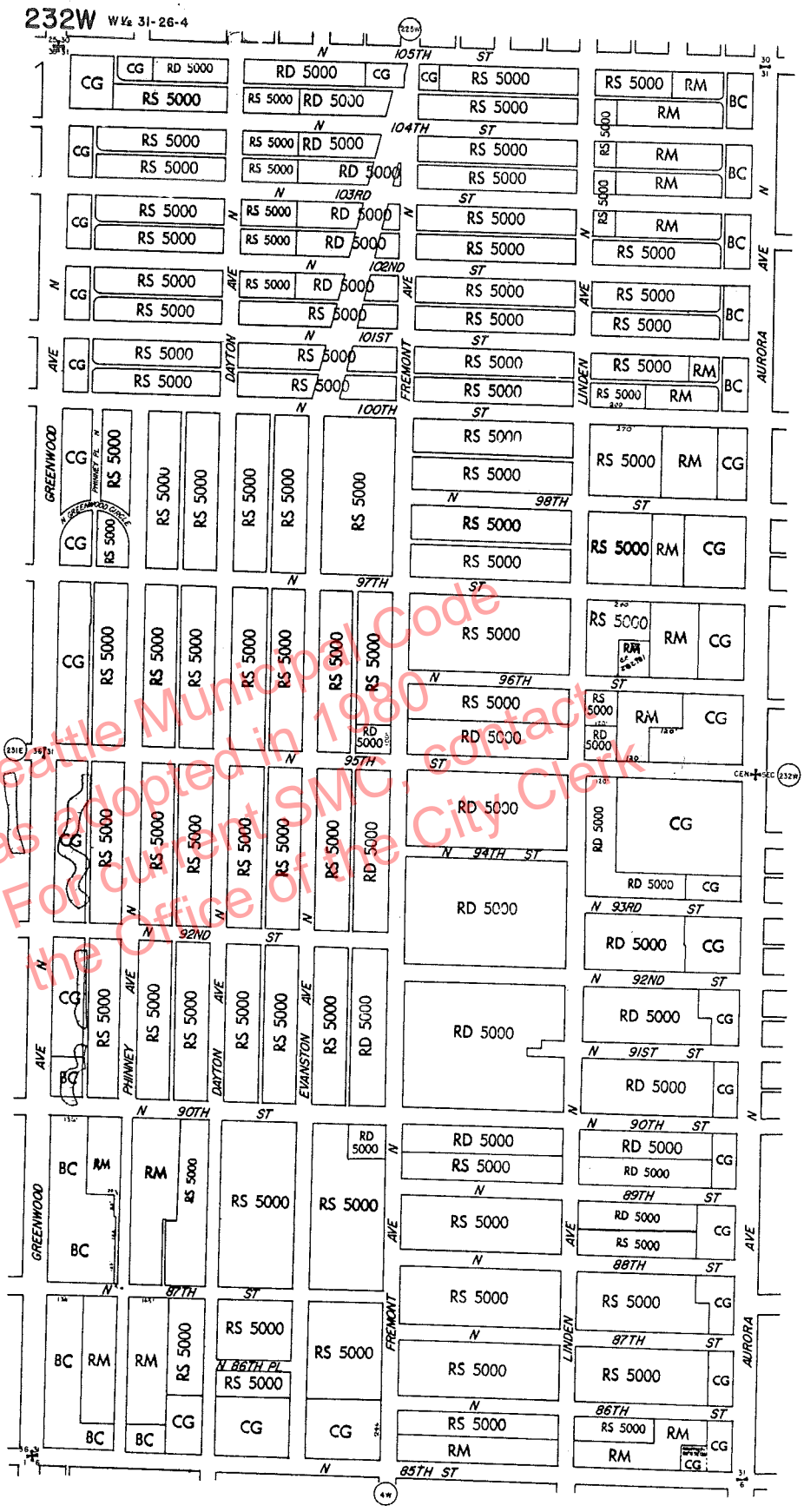
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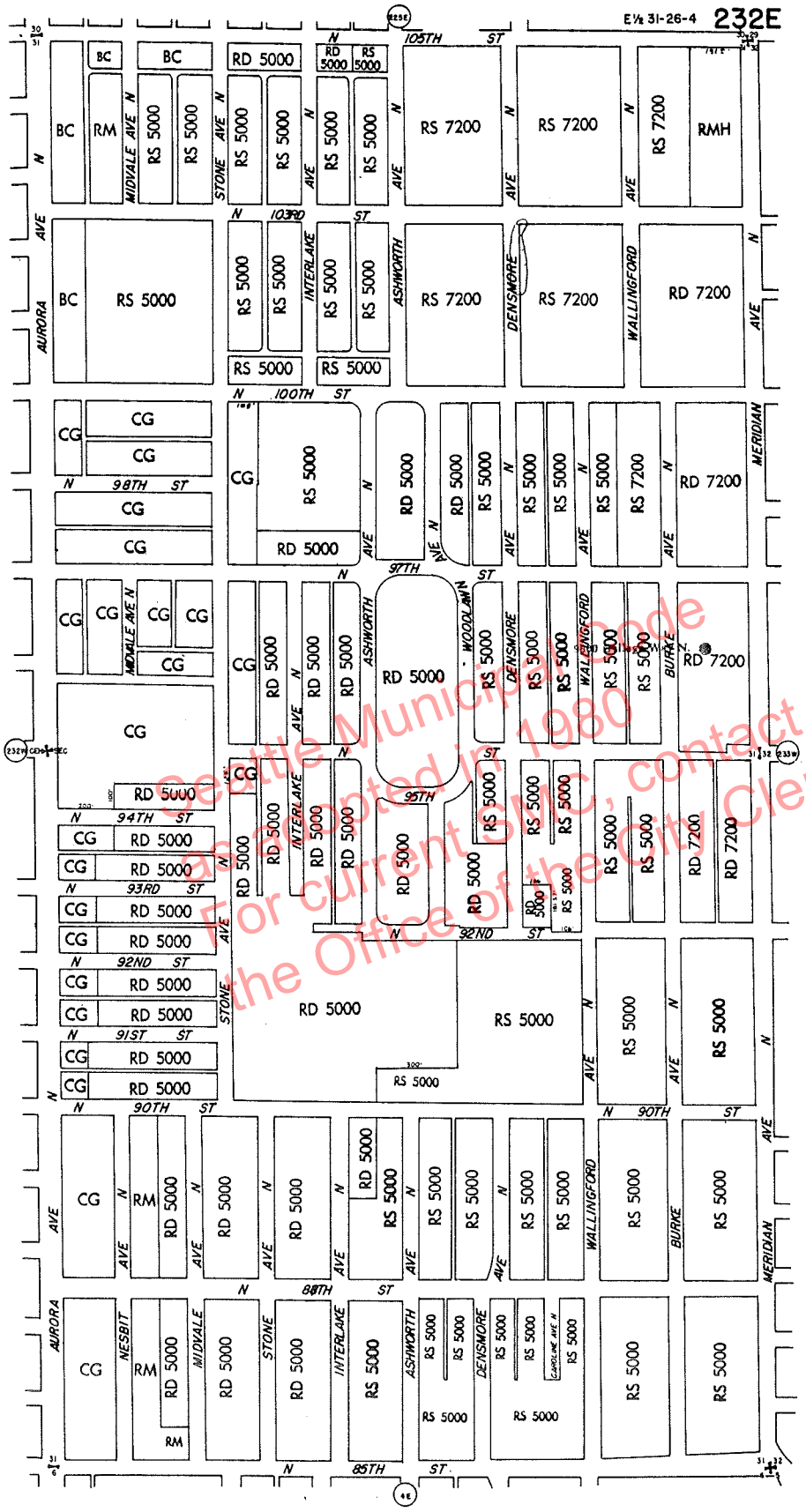
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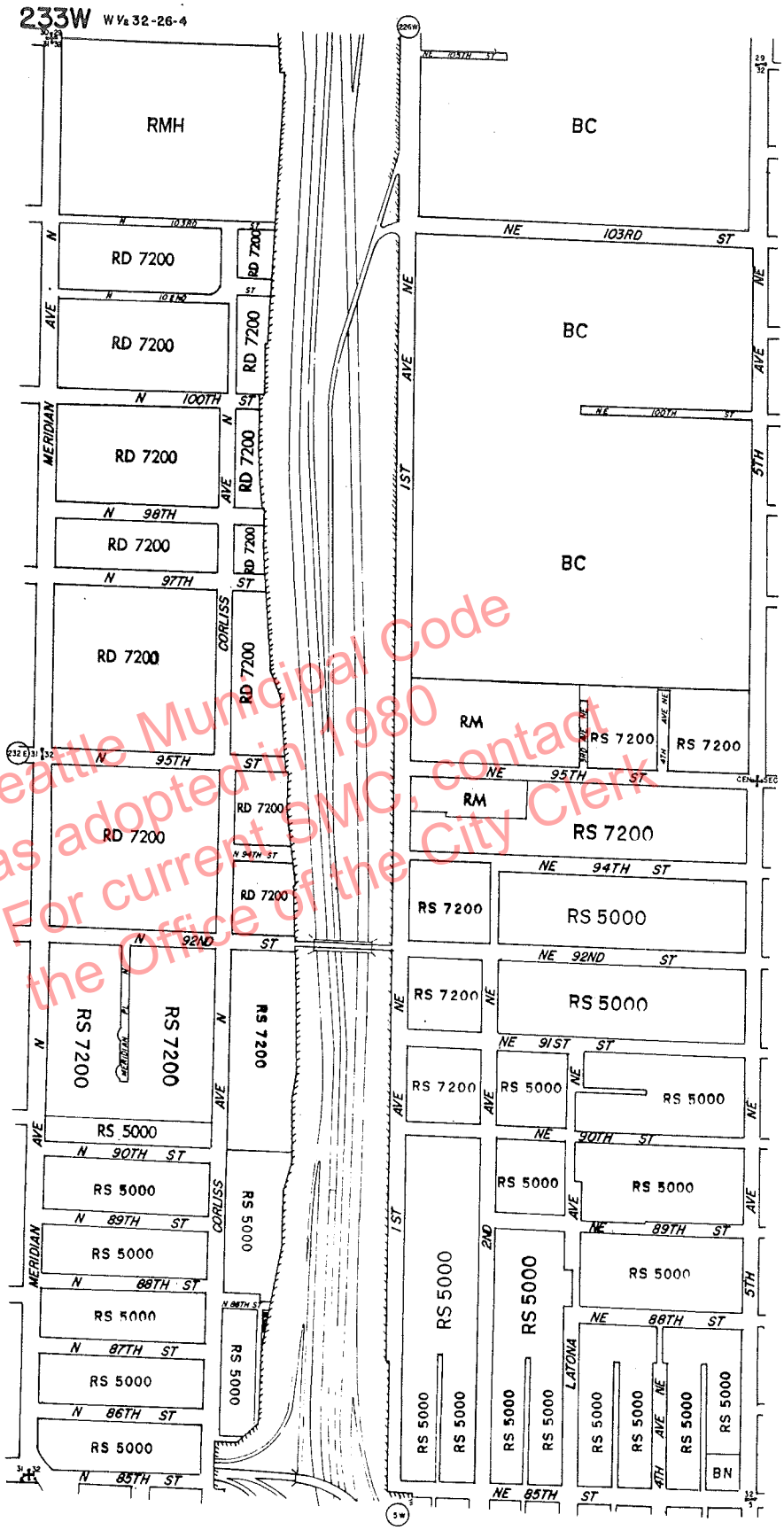
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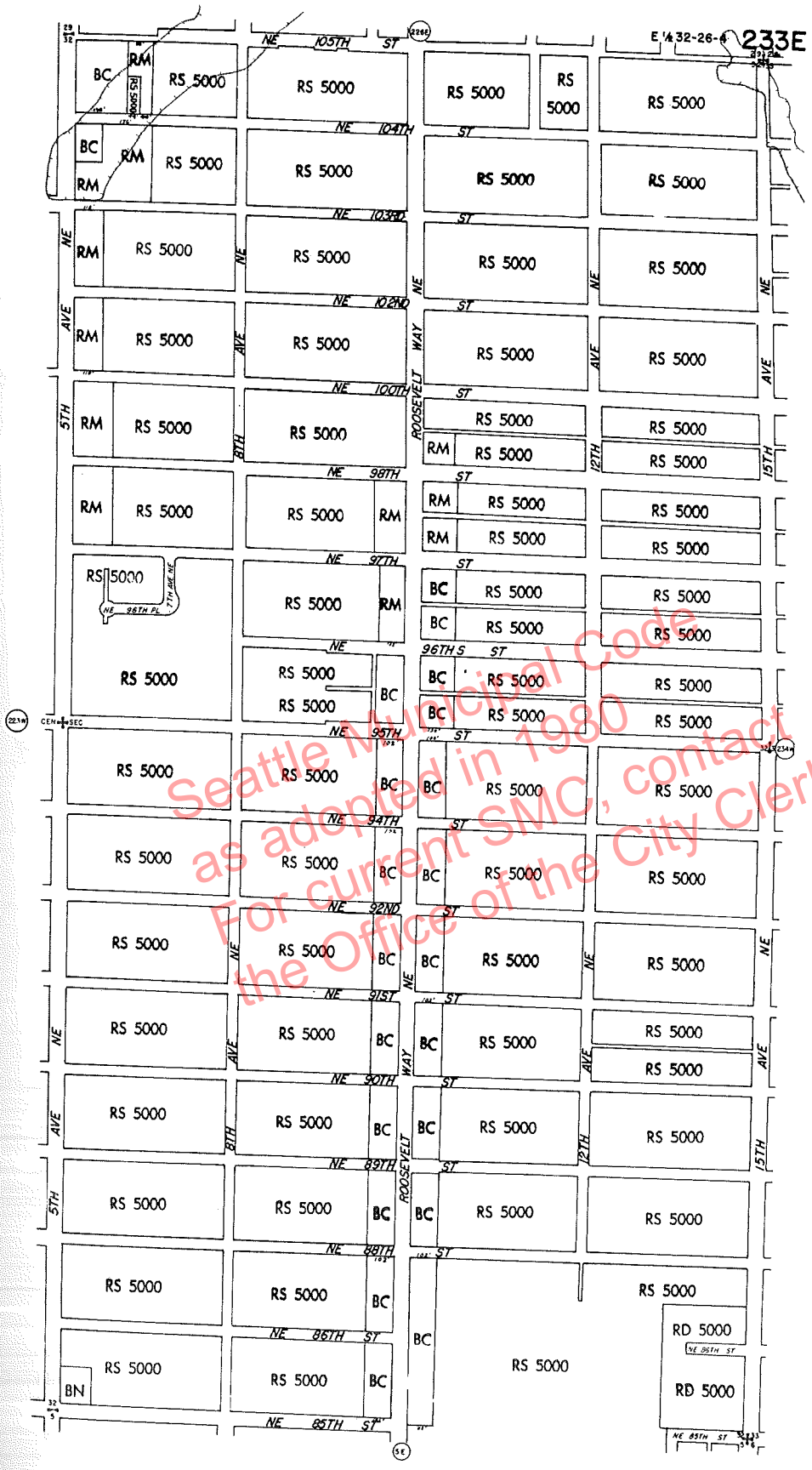
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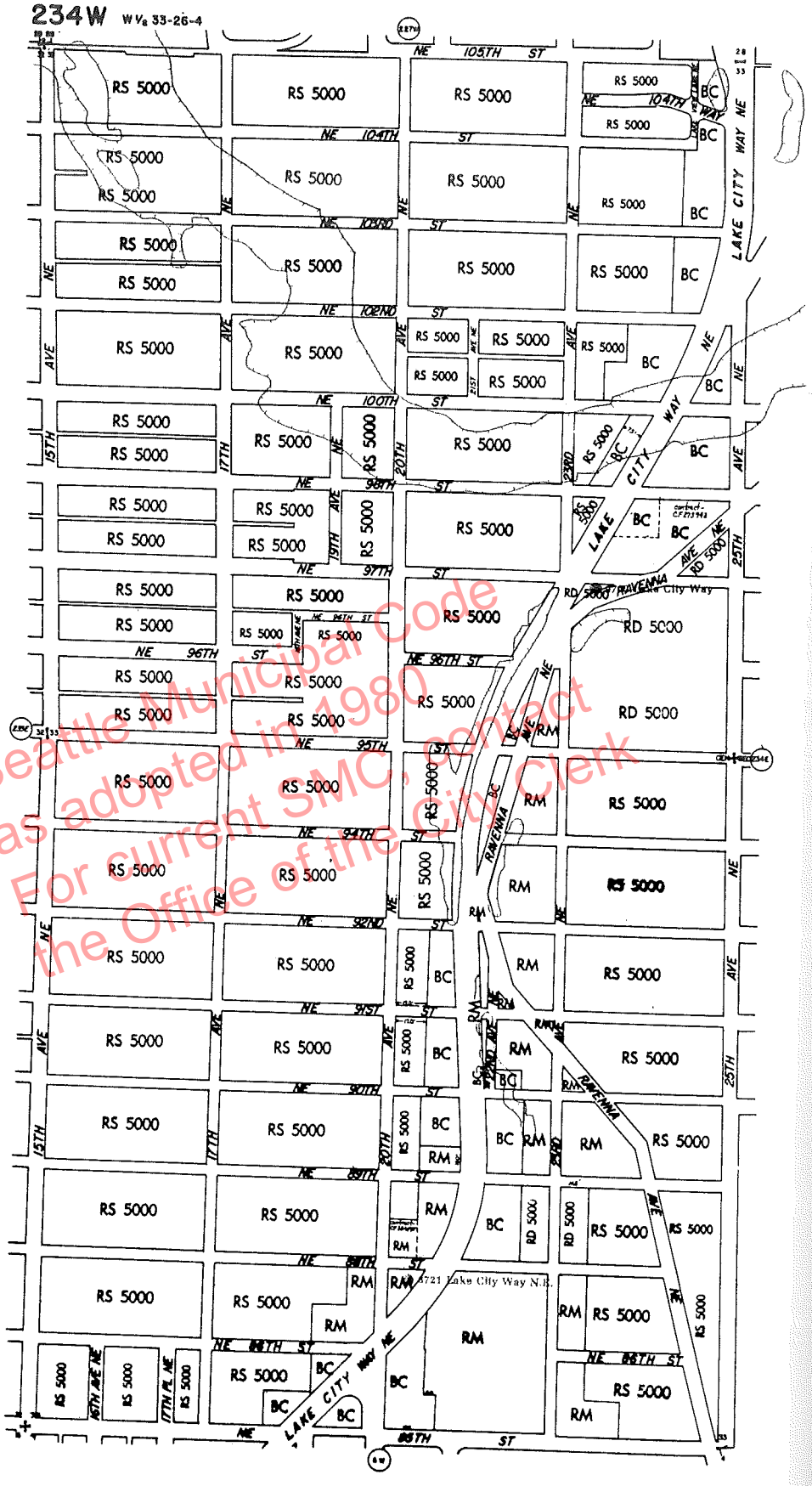
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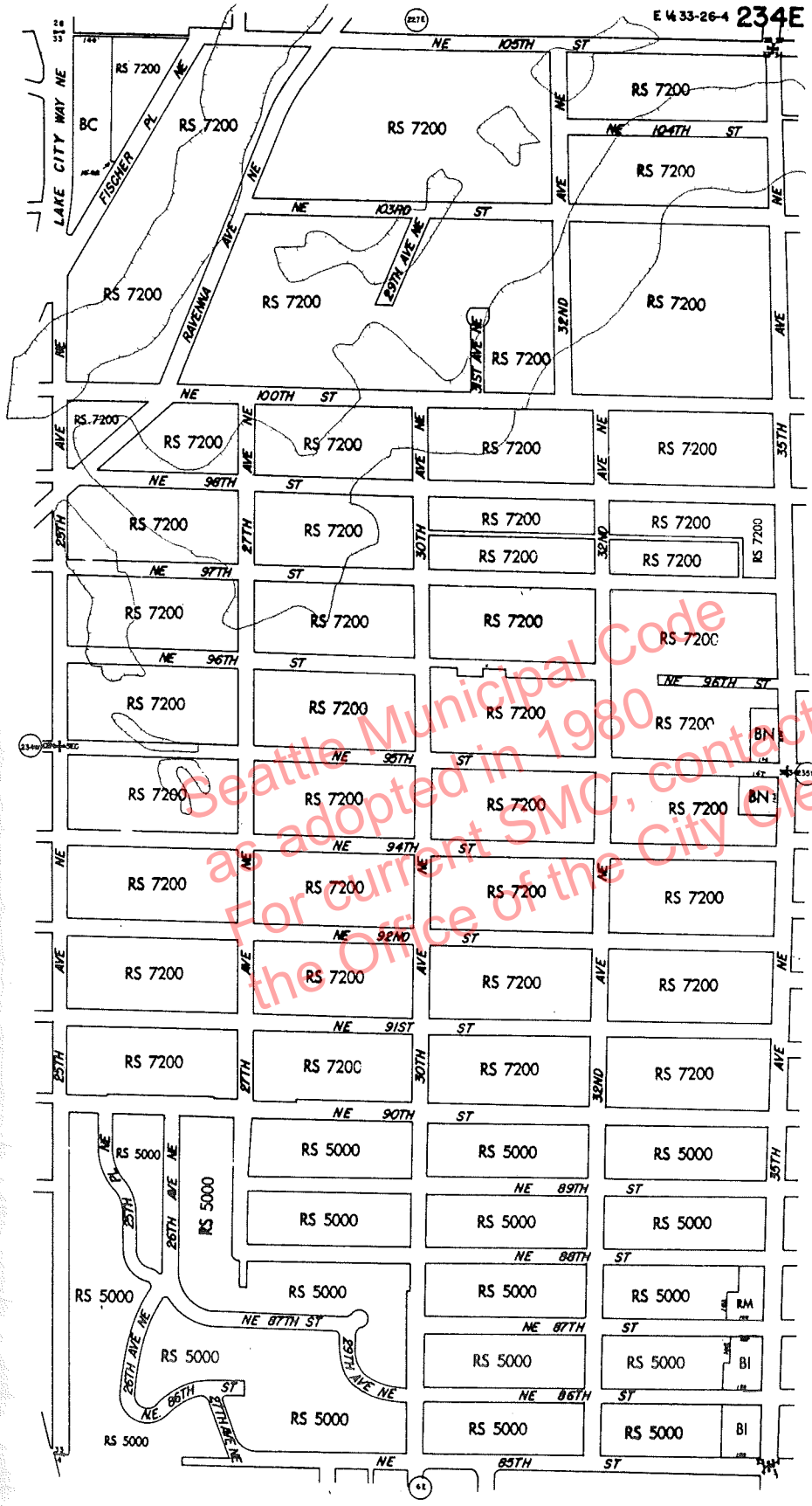
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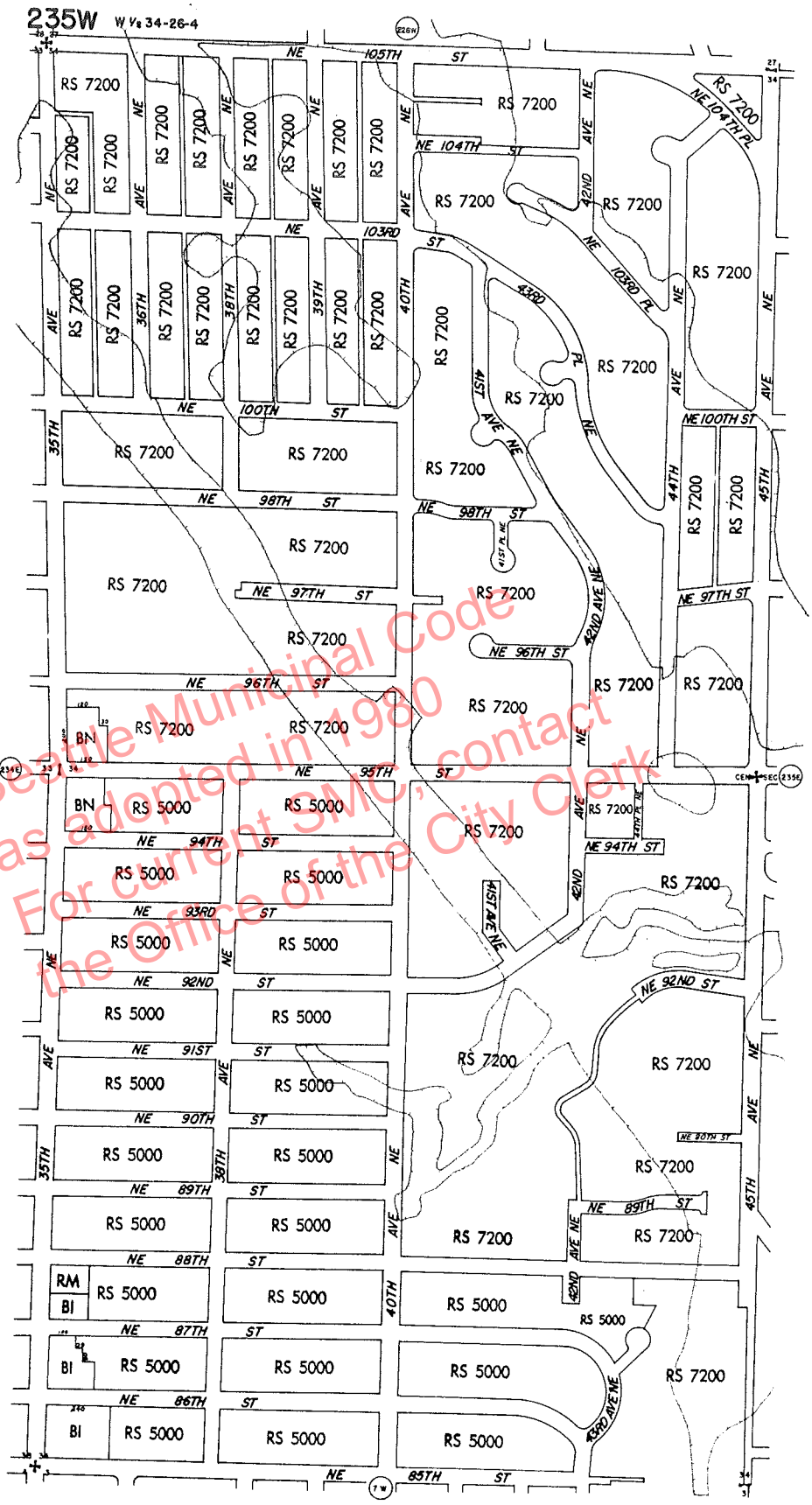
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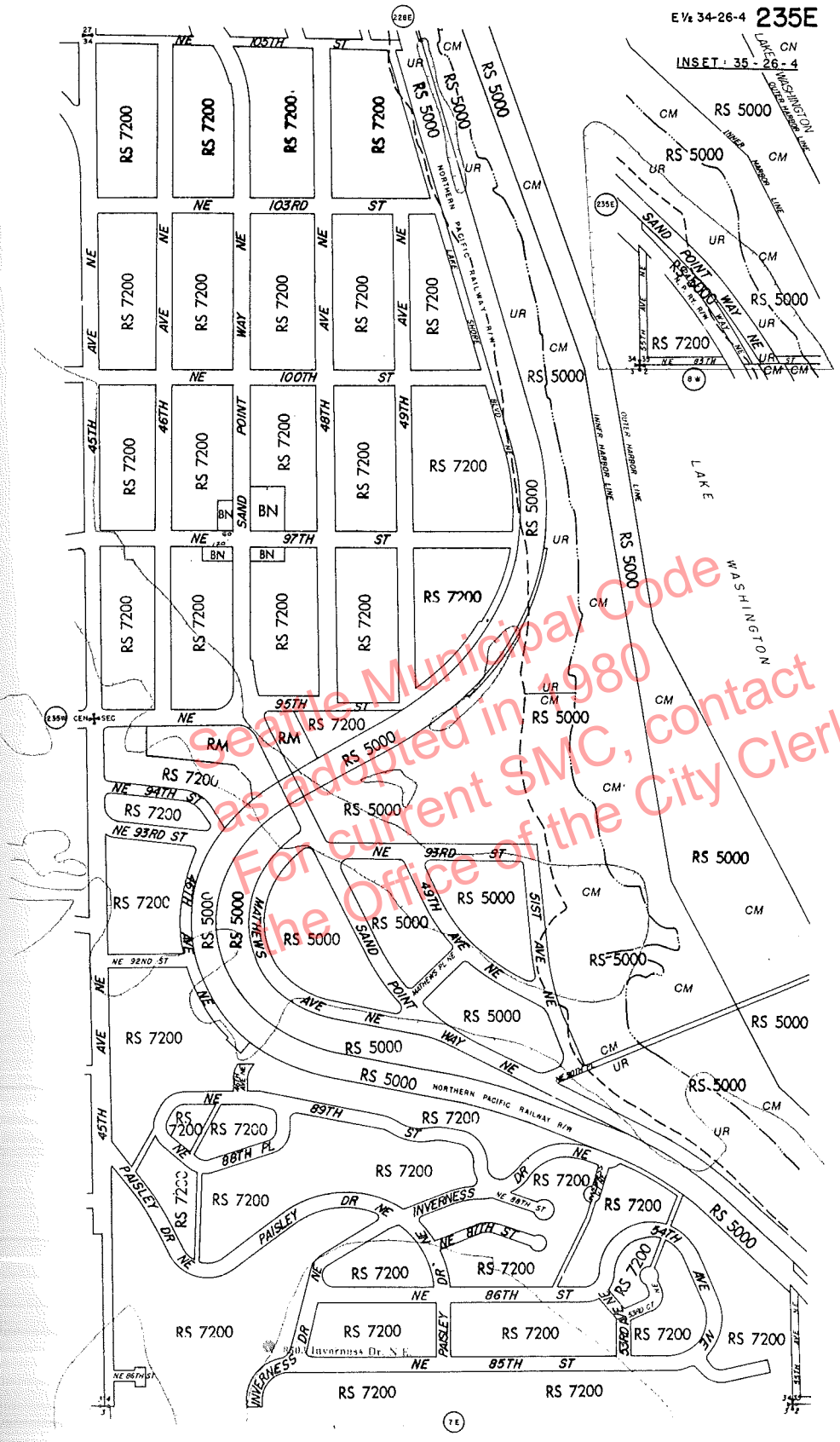
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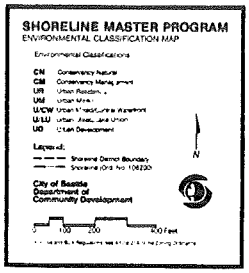
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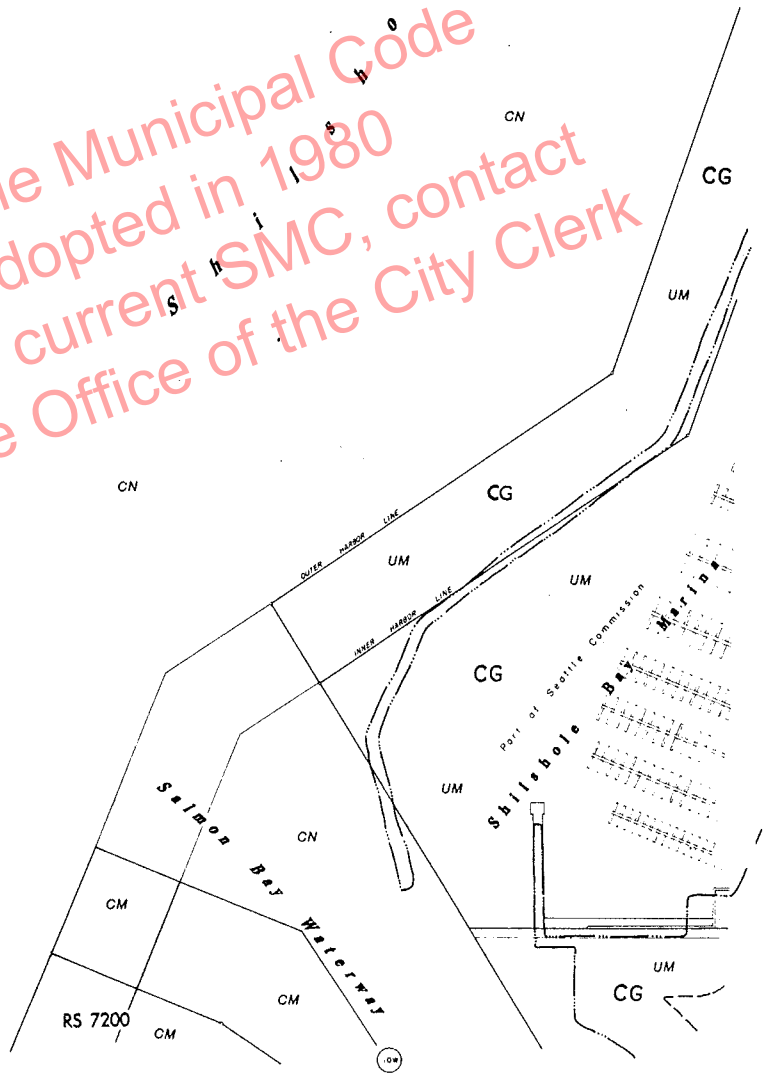
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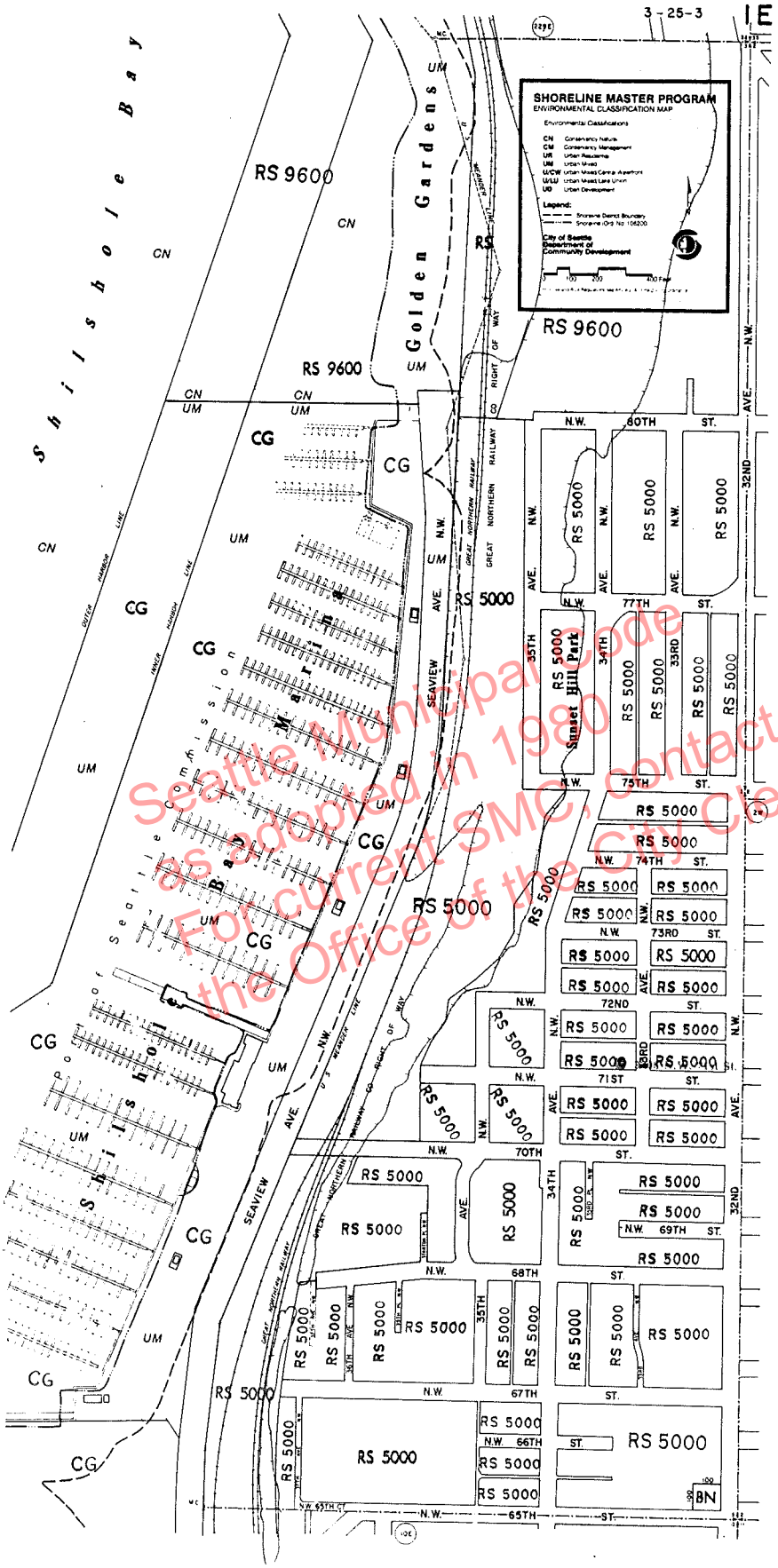
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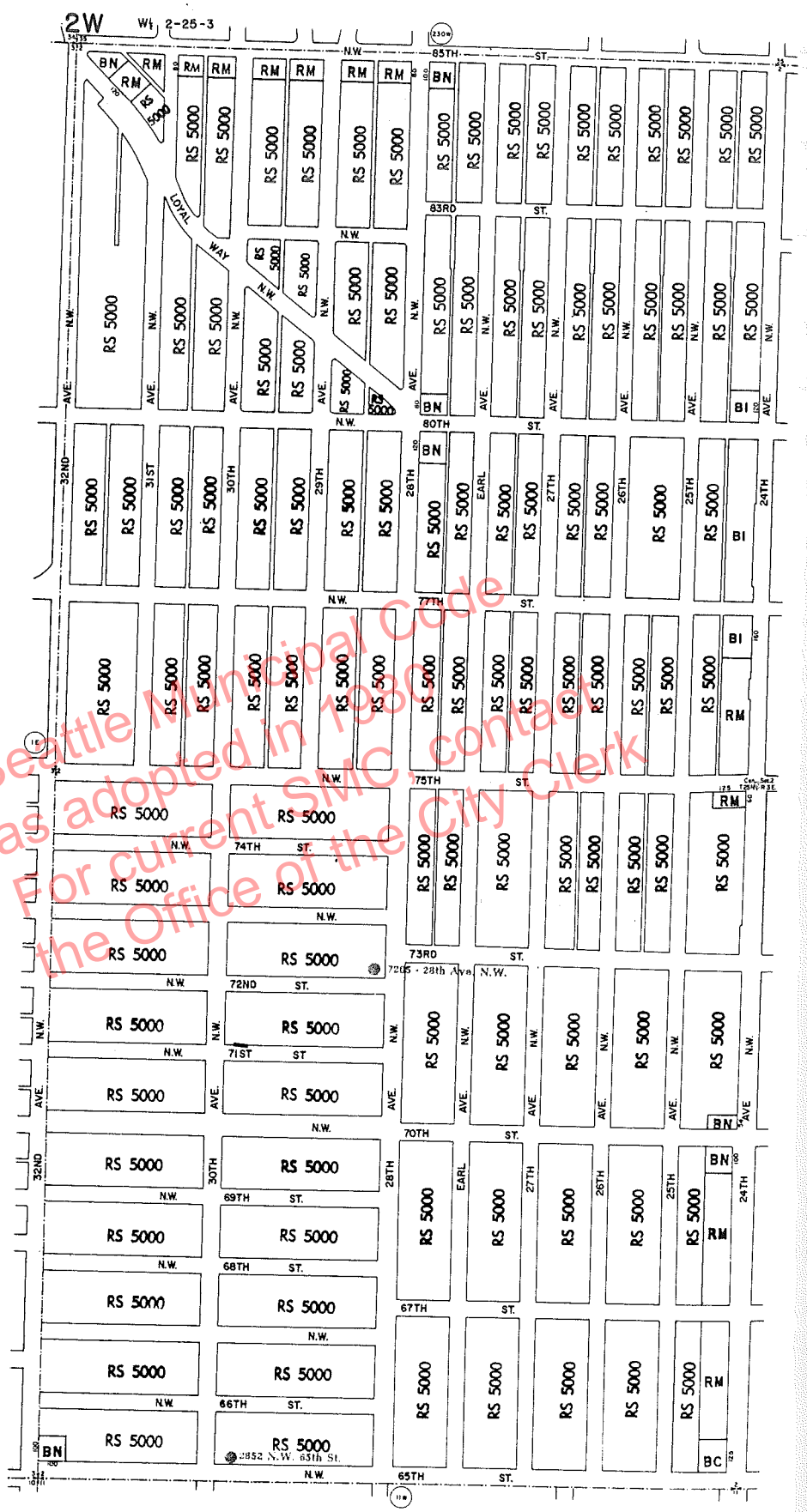
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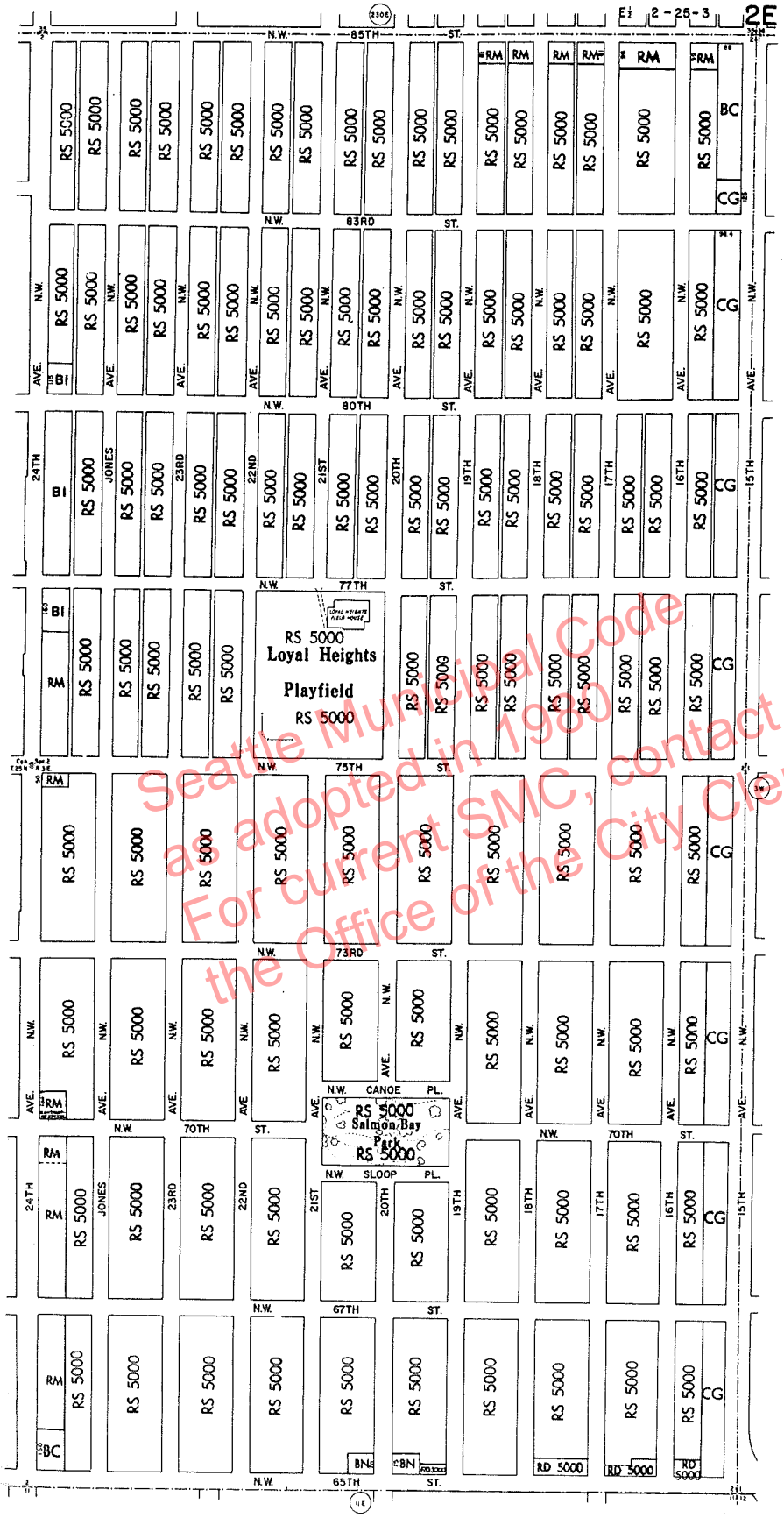
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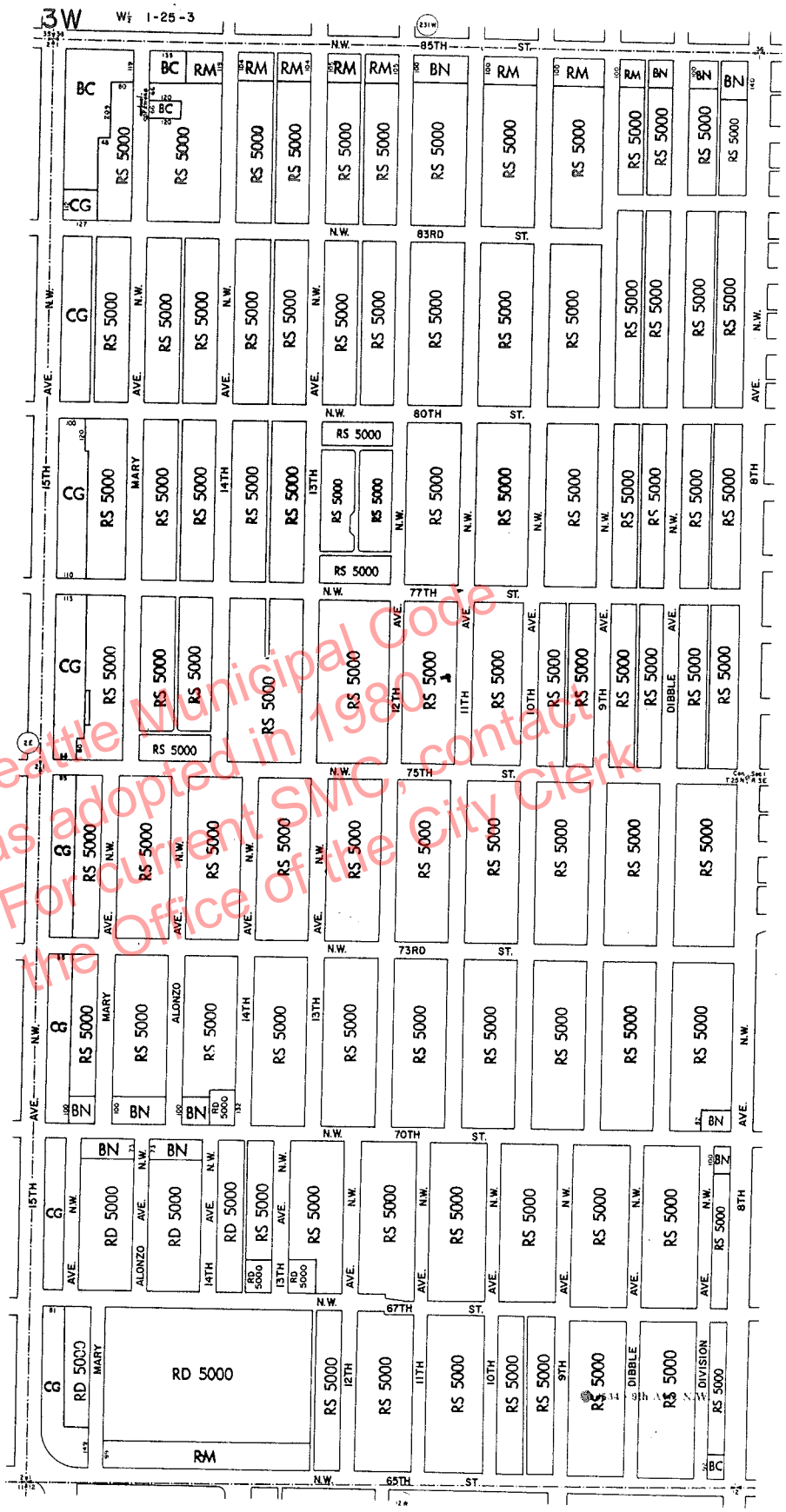
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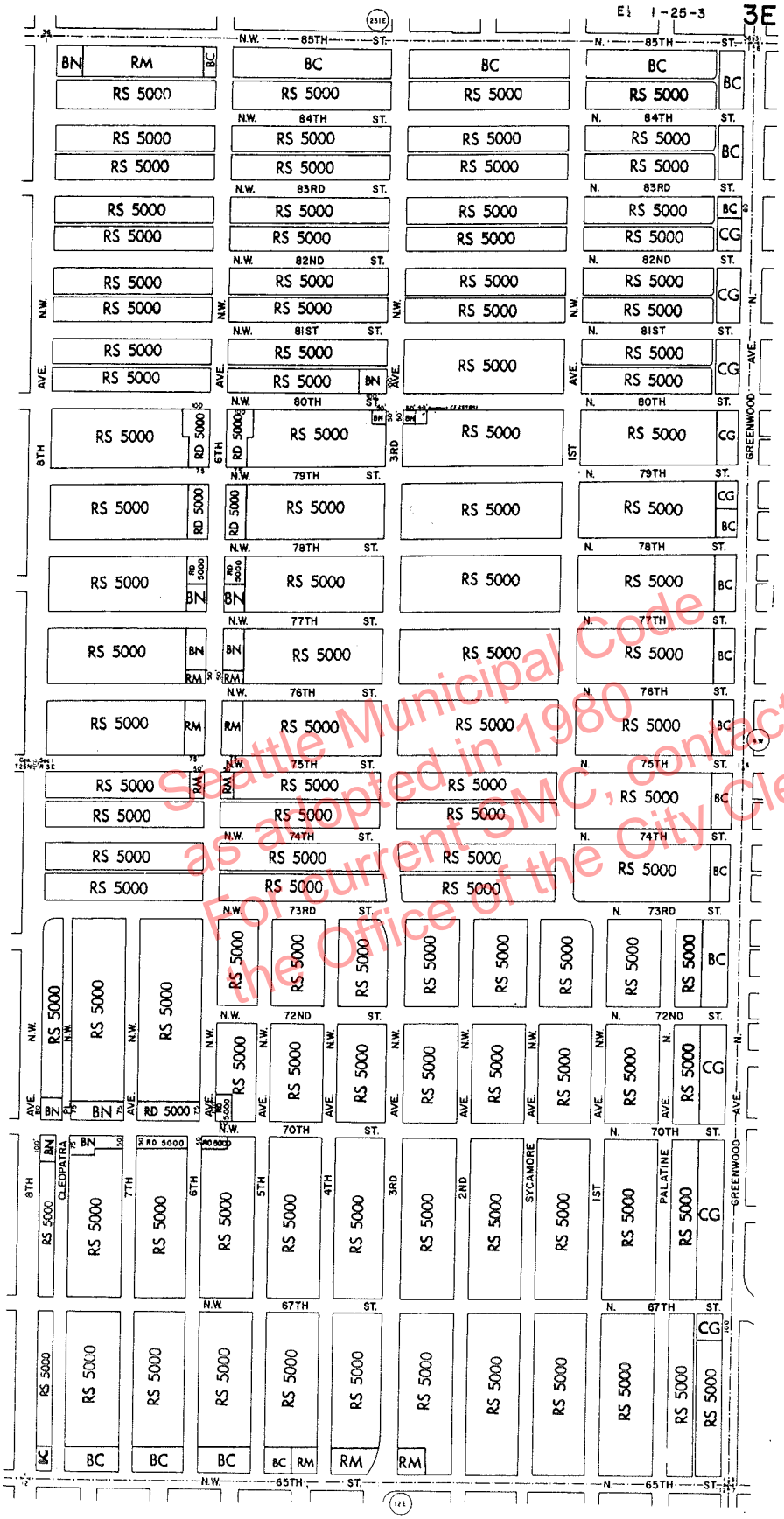
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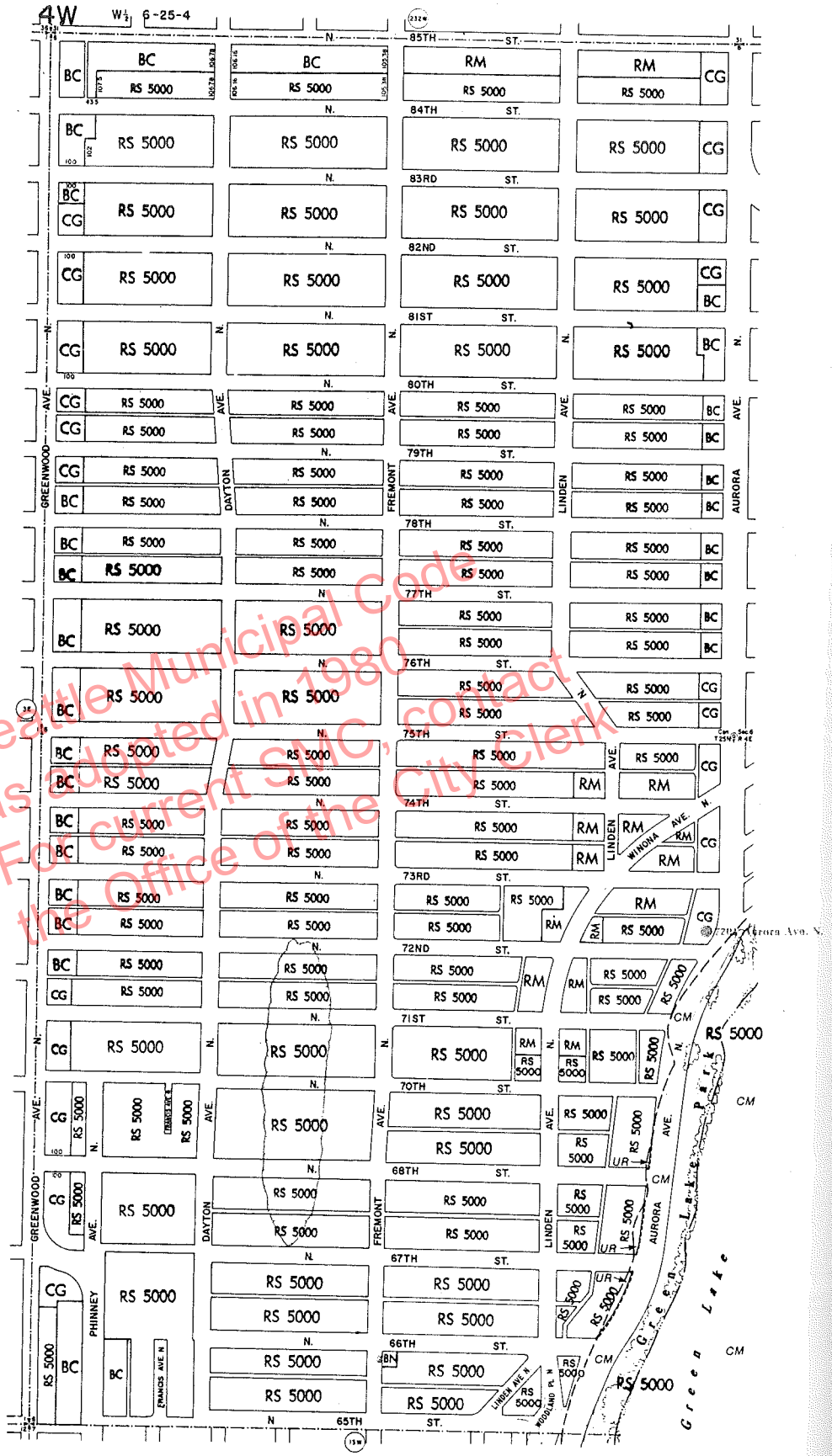
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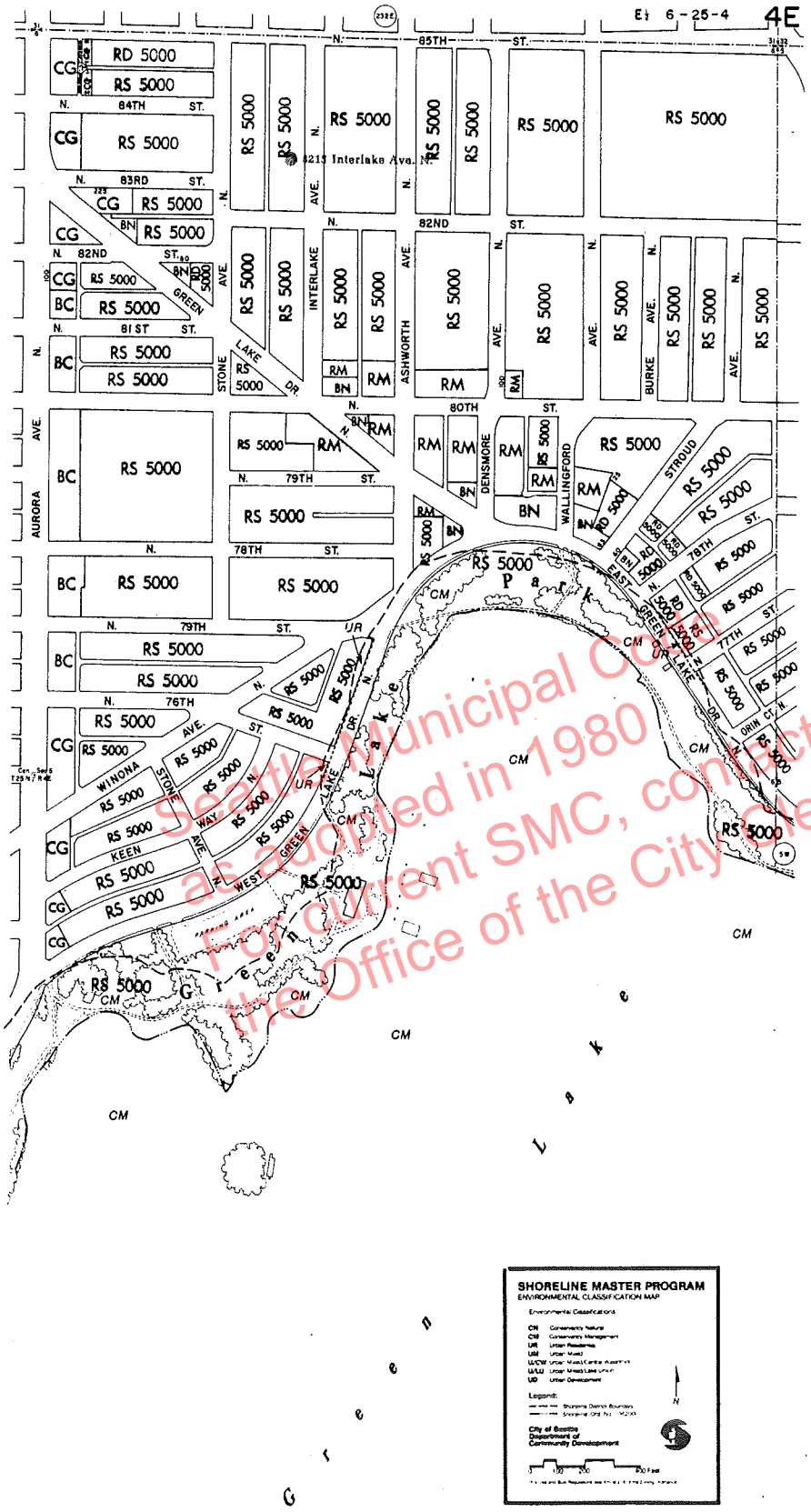
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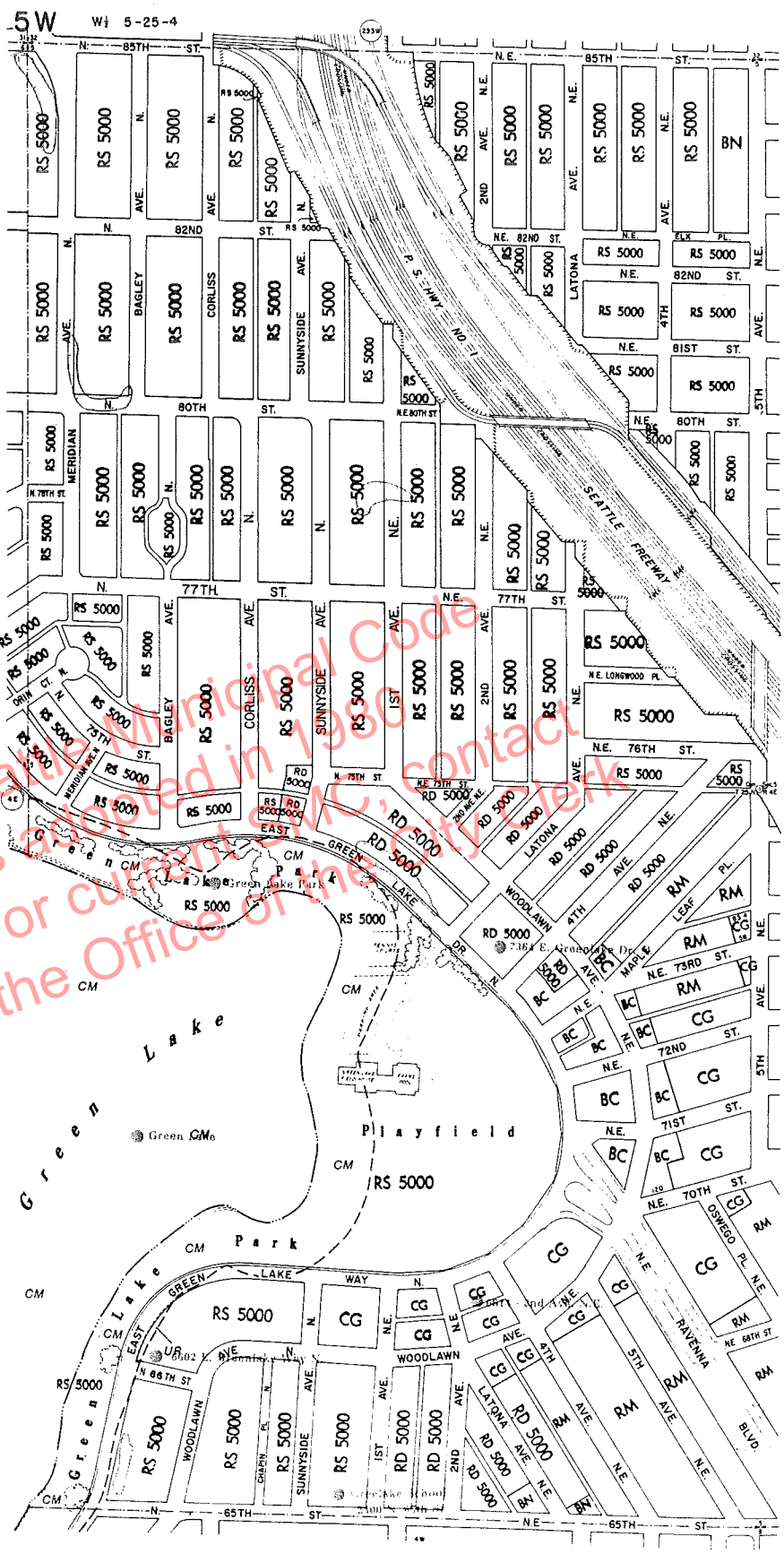
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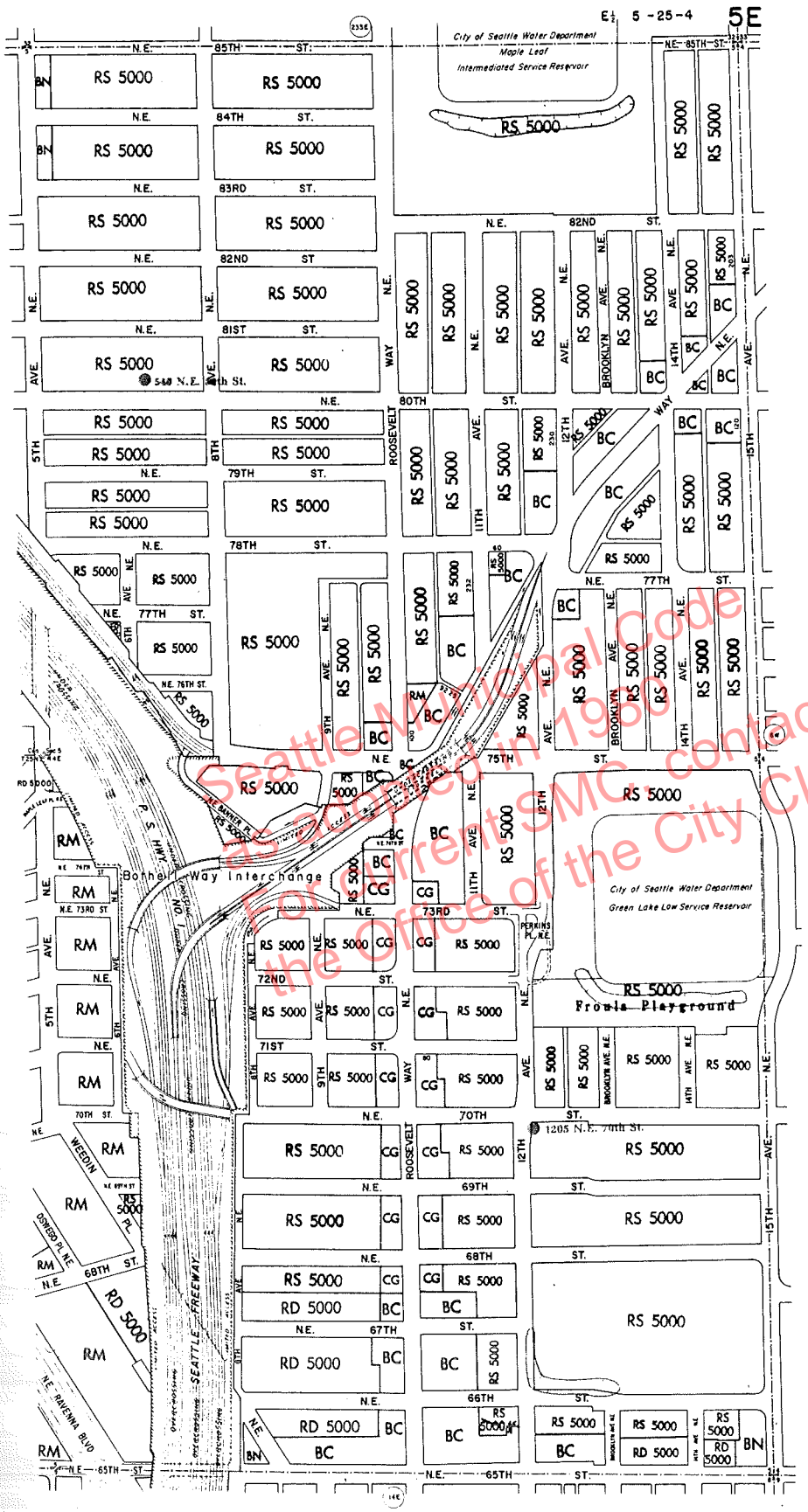
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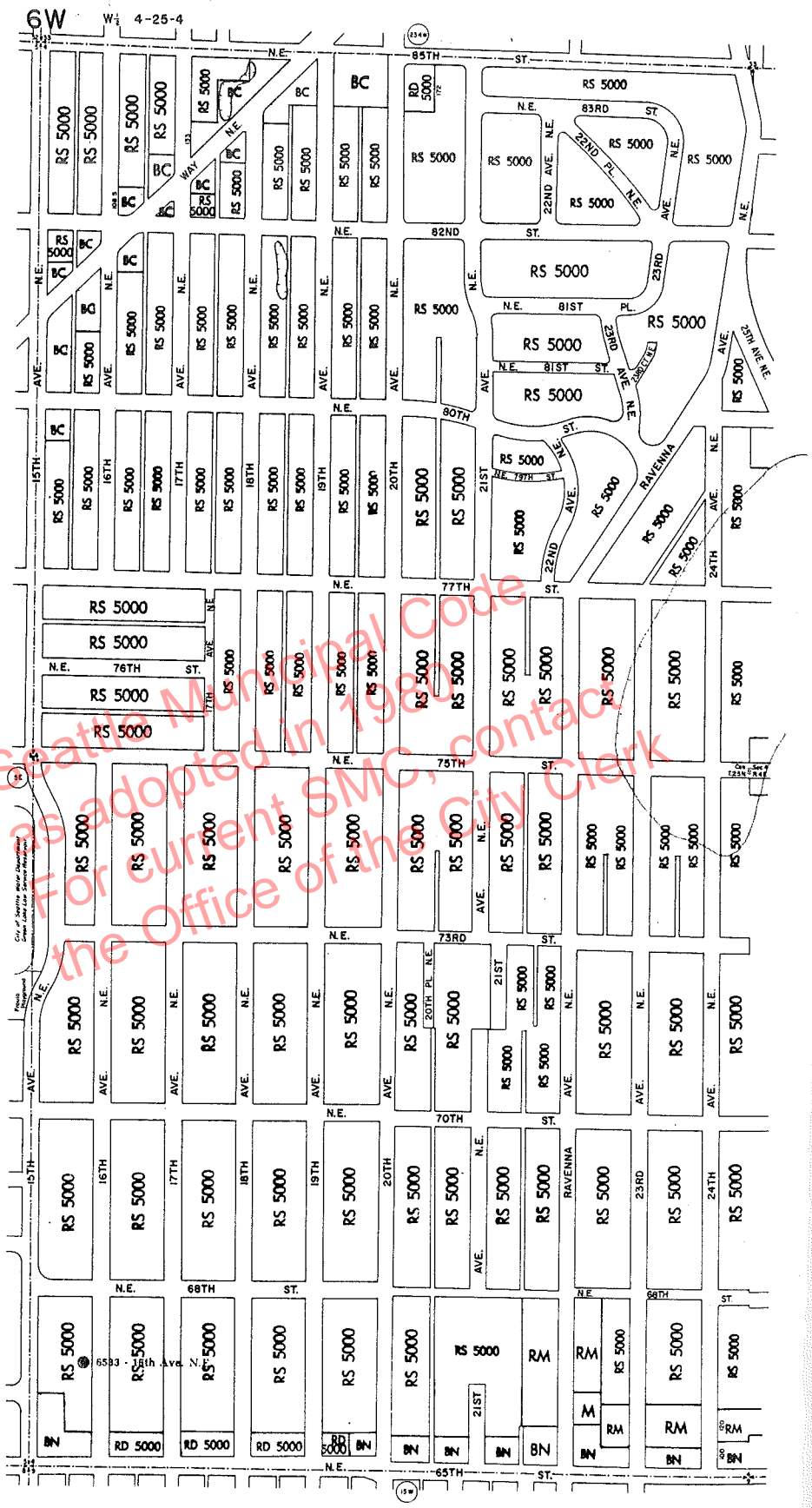
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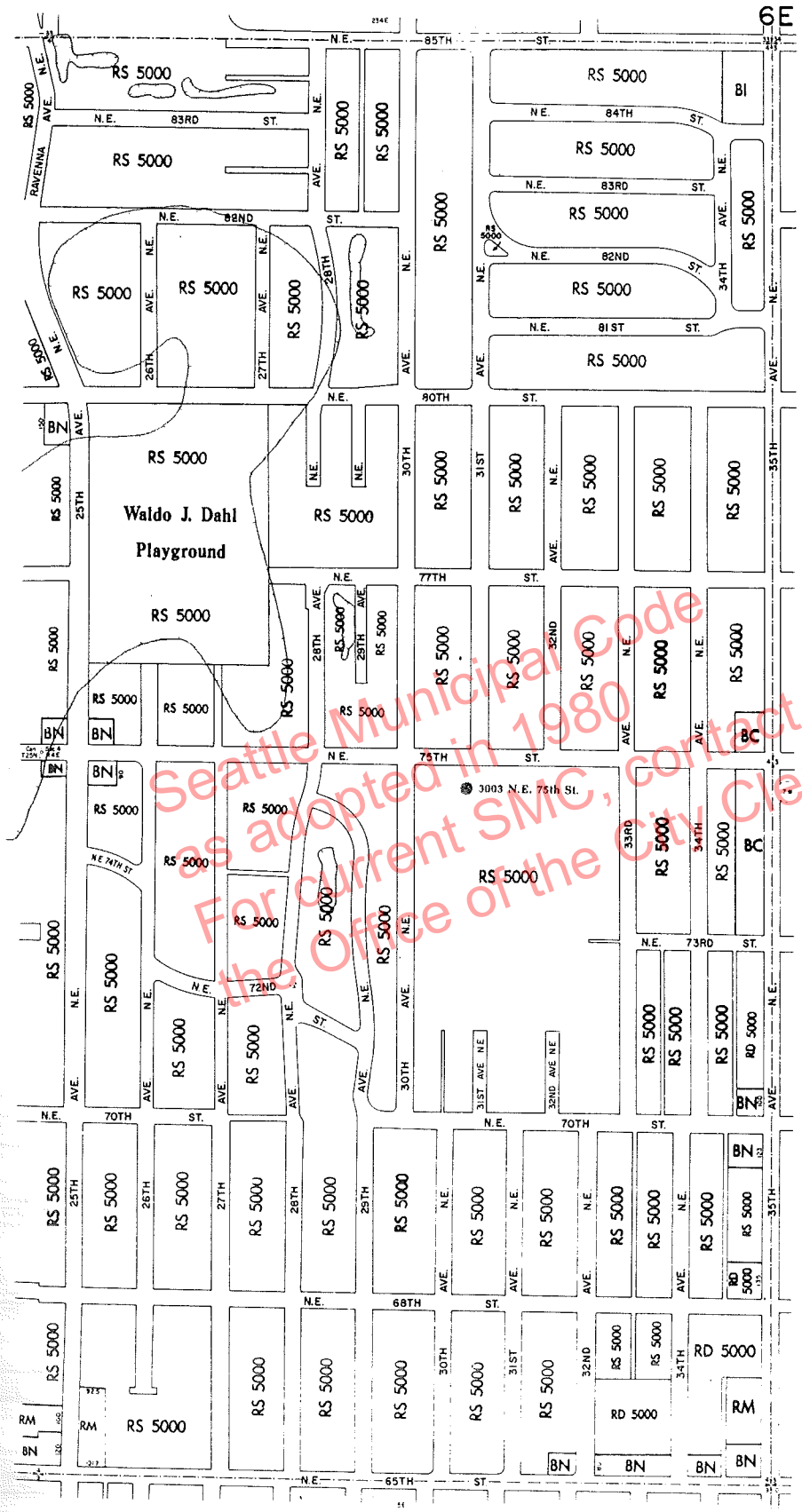
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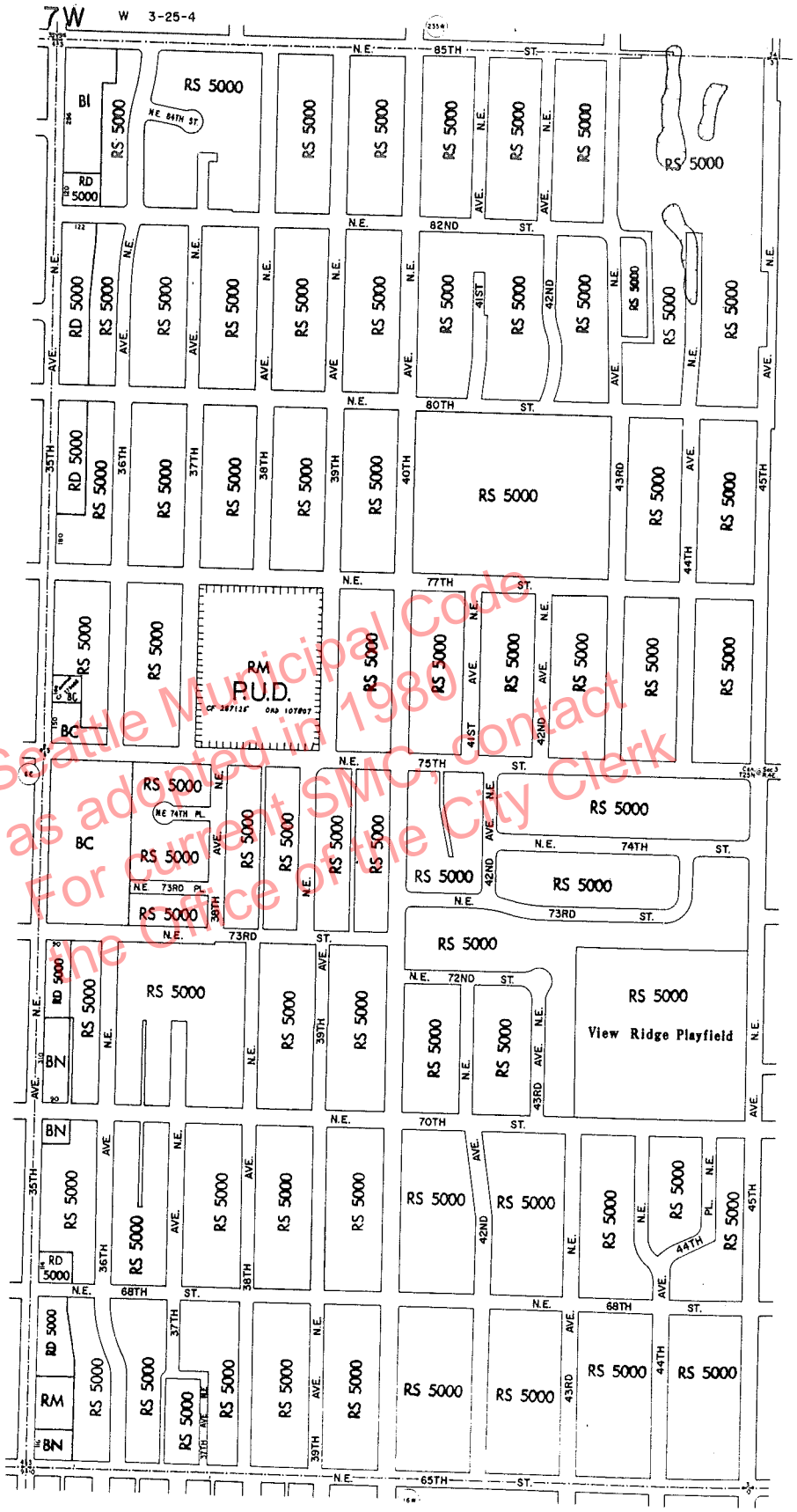
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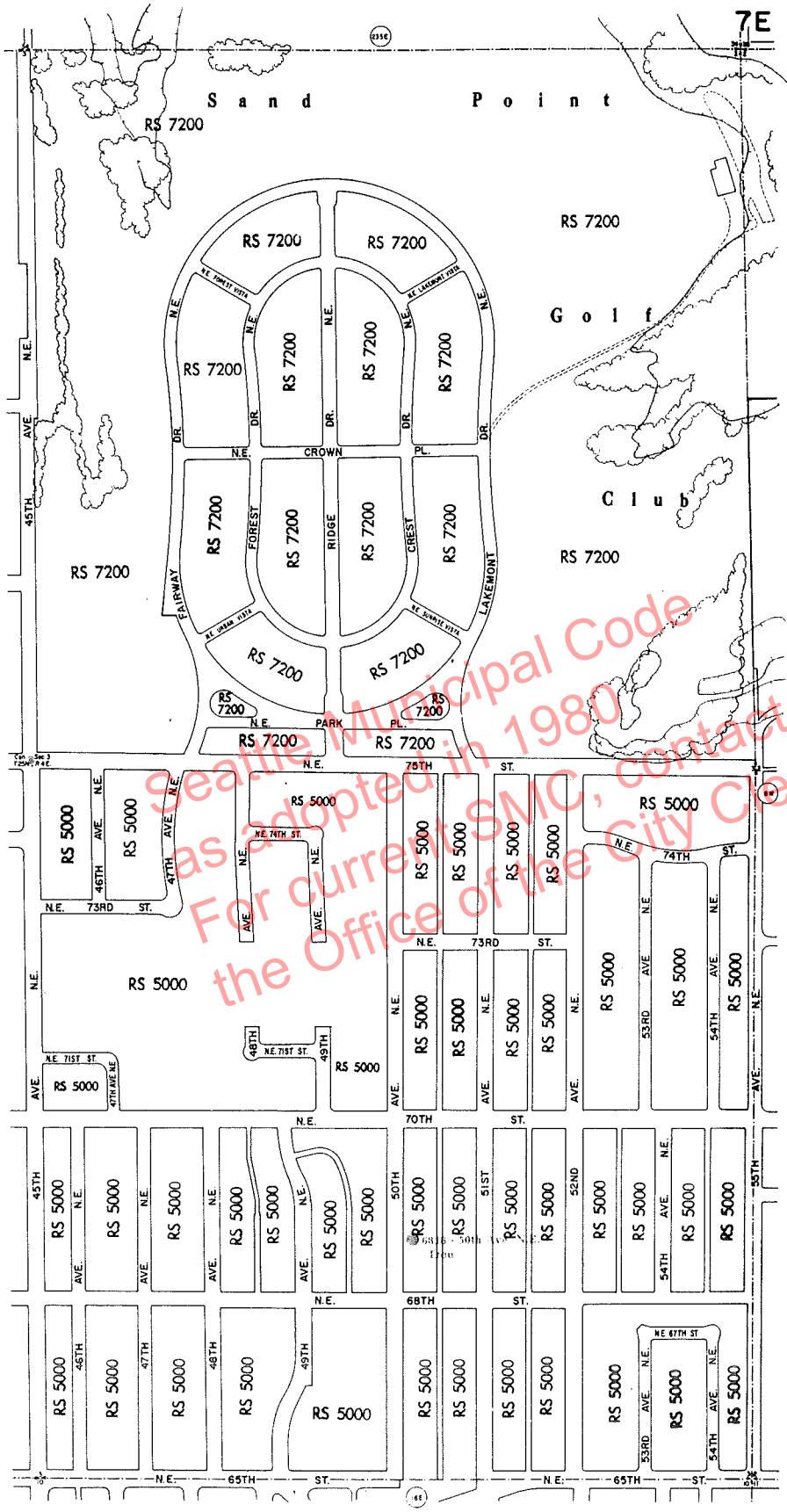
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Manufacturing Zone.

IG–
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IH–
Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1986. For current SMC, contact the Office of the City Clerk



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LEGEND

RS 9600–
Single Family Residence Low Density Zone.

RS 7200–
Single Family Residence Medium Density Zone.

RS 5000–
Single Family Residence High Density Zone.

RW–
Residence Waterfront Zone.

RD 7200–
Duplex Residence Medium Density Zone.

RD 5000–
Duplex Residence High Density Zone.

RM 1600–
Multiple Residence Lowest Density Zone.

RM–
Multiple Residence Low Density Zone.

RMH 350–
Multiple Residence High Density Zone.

RMV 200–
Multiple Residence High Density Variable Height Zone.

RMV 150–
Multiple Residence Highest Density Variable Height Zone.

RM-MD–
Multiple Residence-Mixed Density Zone.

BN–
Neighborhood Business Zone.

BI–
Intermediate Business Zone.

BC–
Community Business Zone.

BM–
Metropolitan Business Zone.

CM–
Metropolitan Commercial Zone.

CMT–
Metropolitan Commercial Zone Temporary.

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General Commercial Zone.

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Manufacturing Zone.

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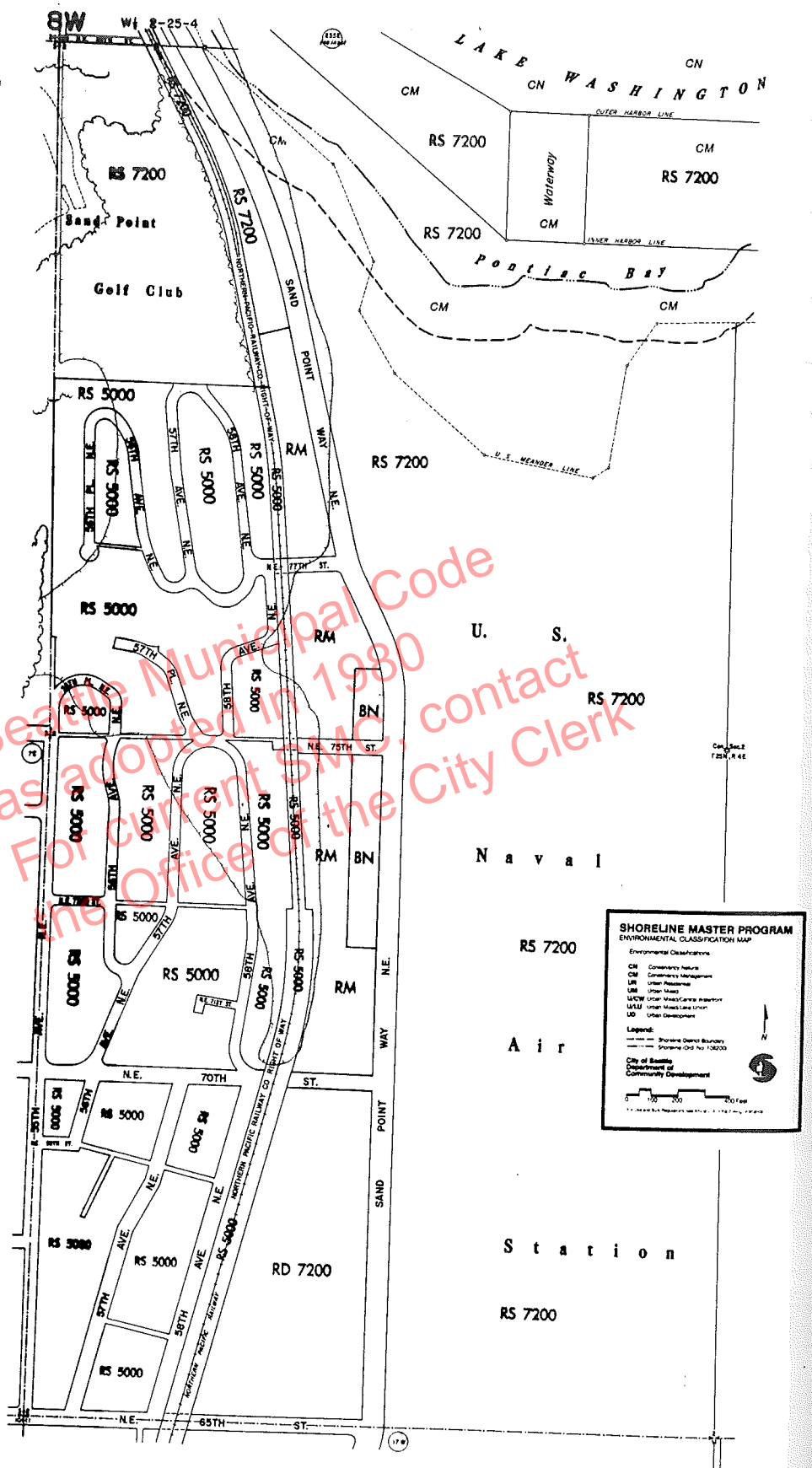
CMT–
Metropolitan Commercial Zone Temporary.

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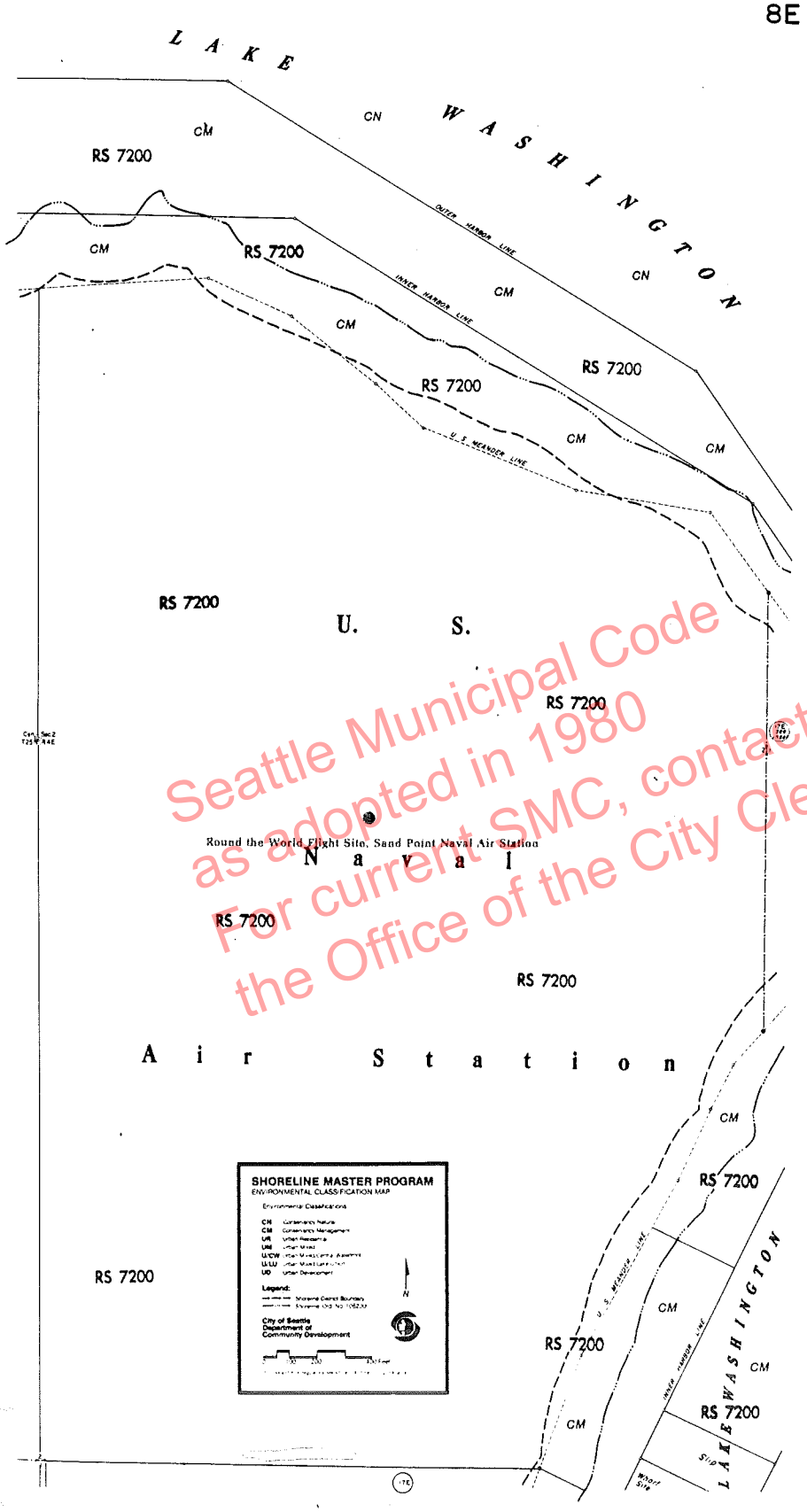
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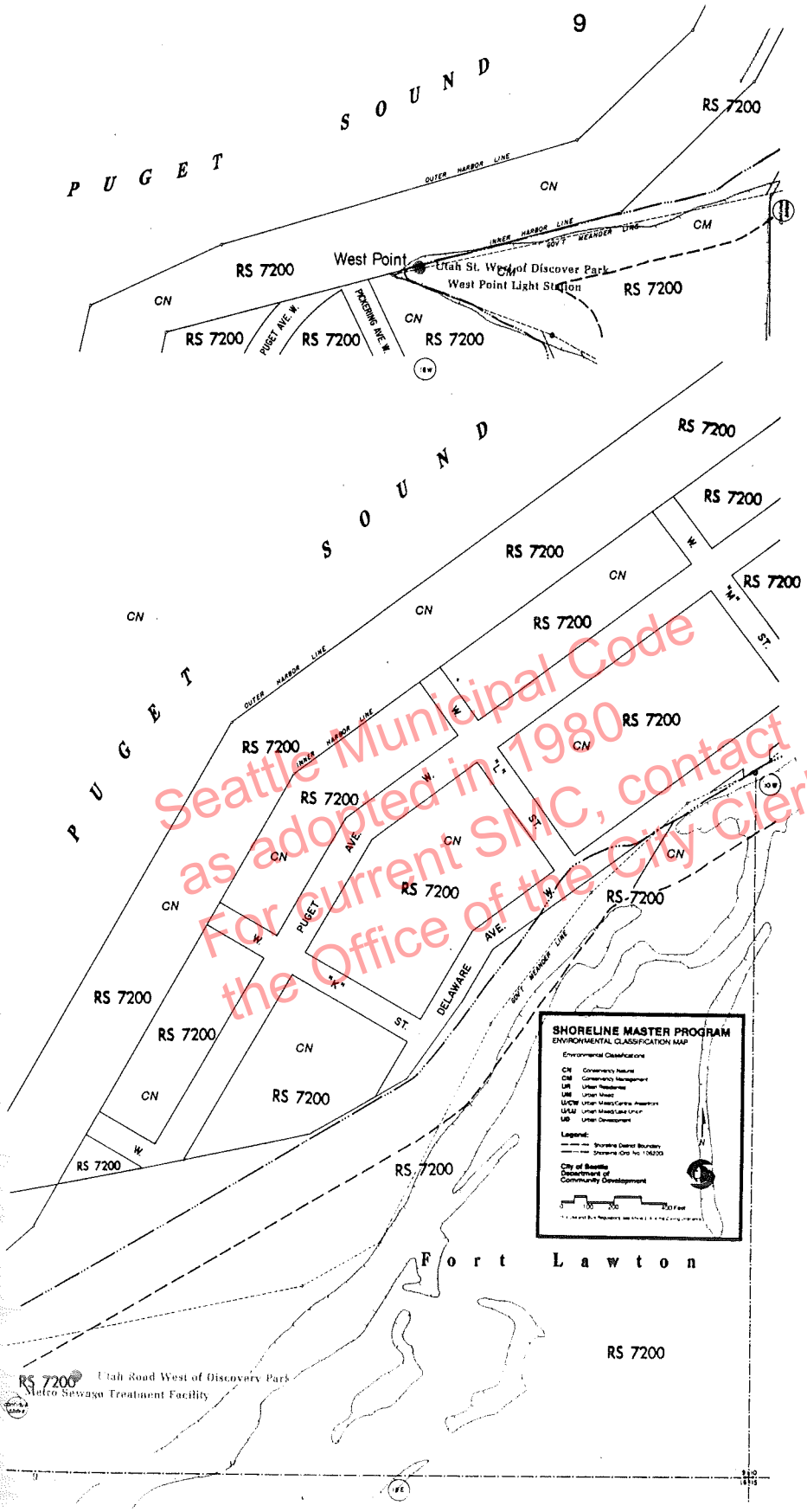
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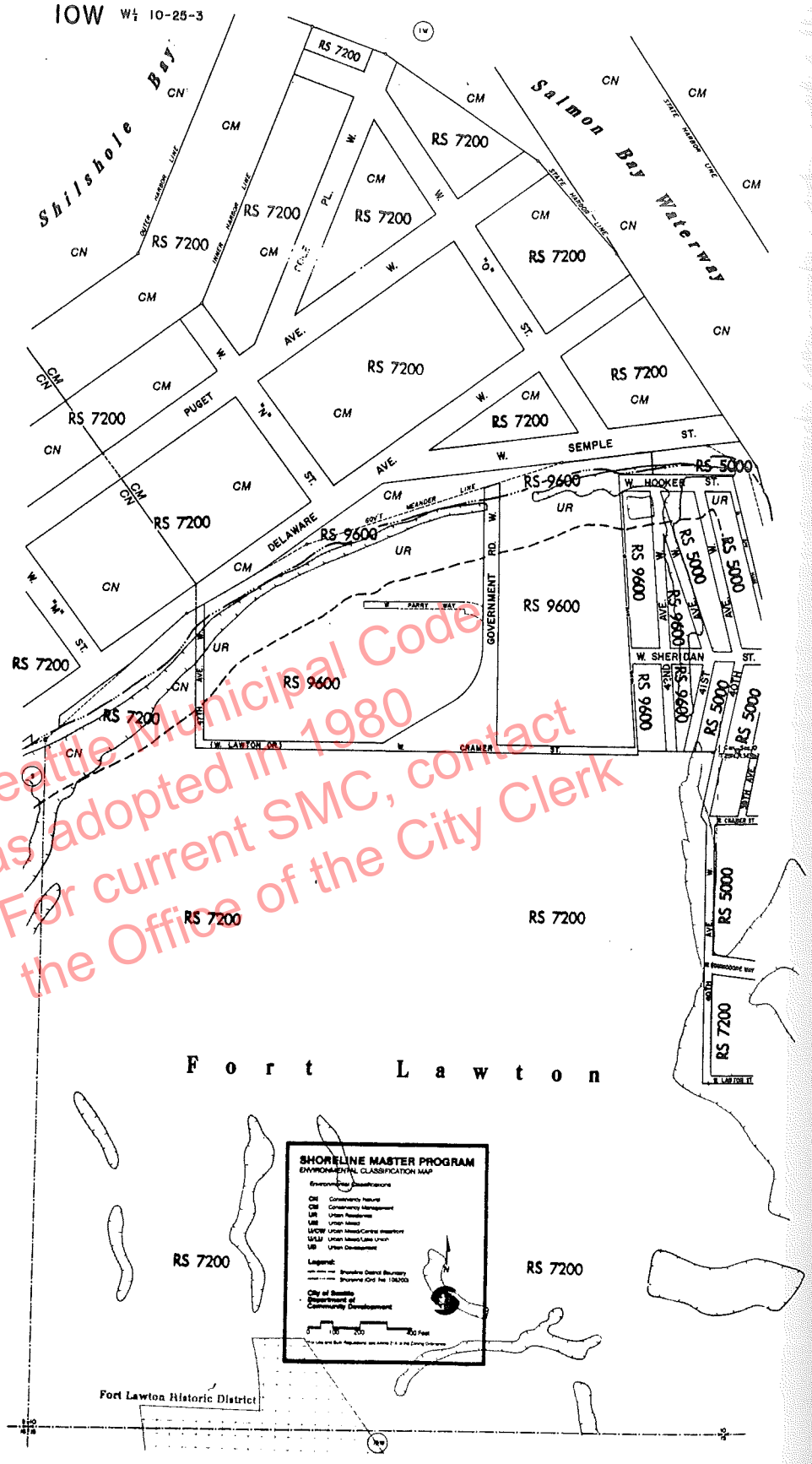
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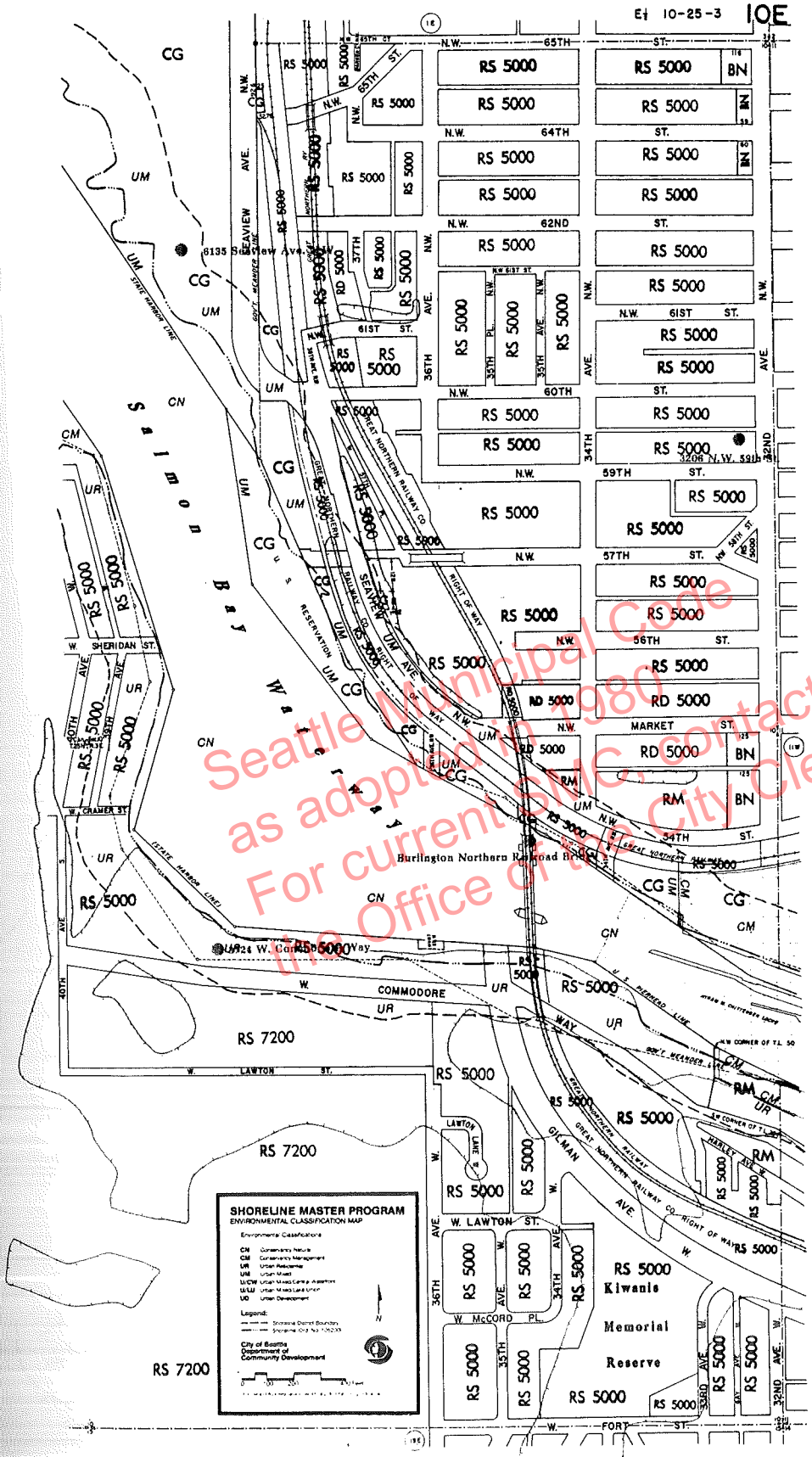
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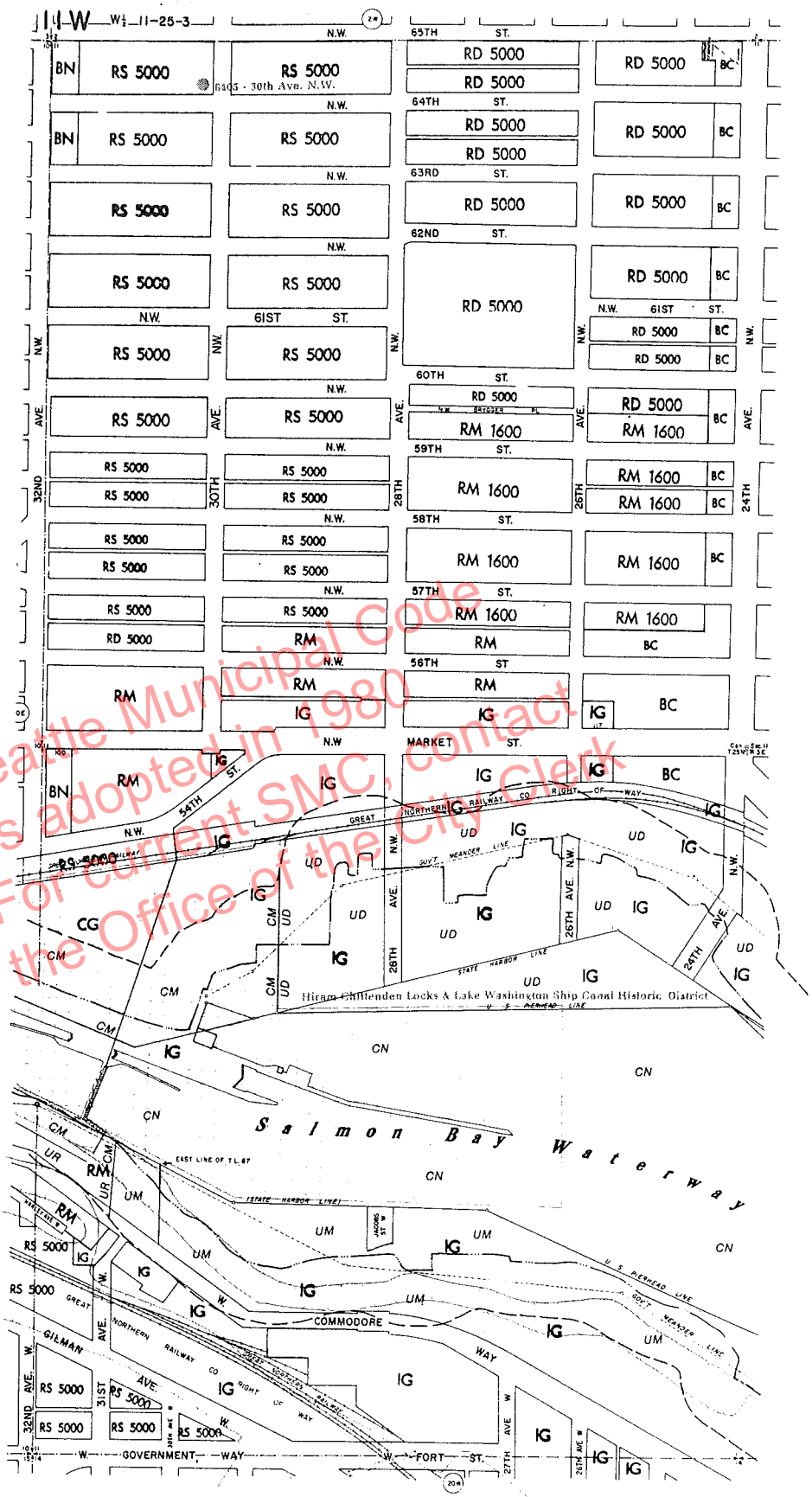
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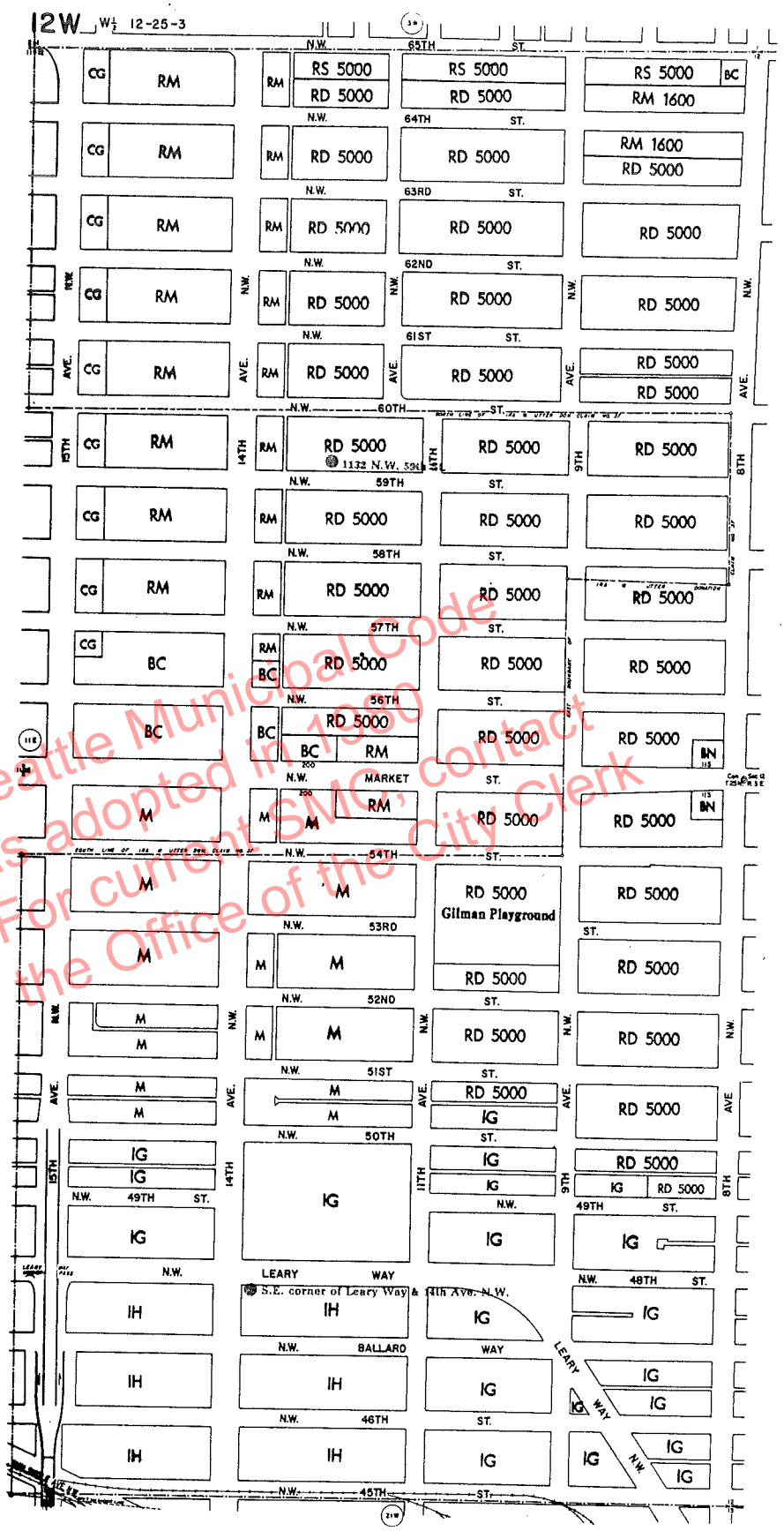
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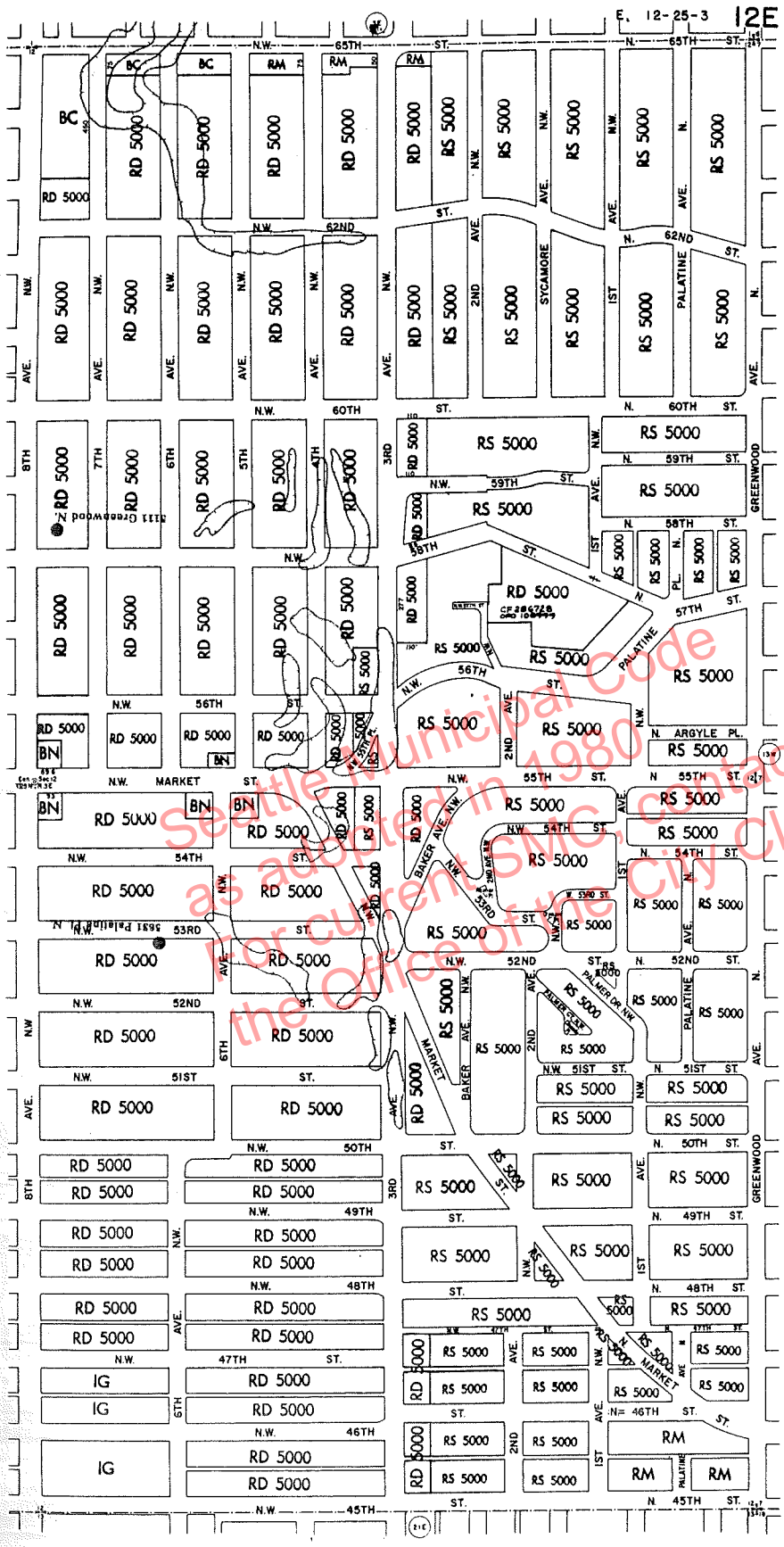
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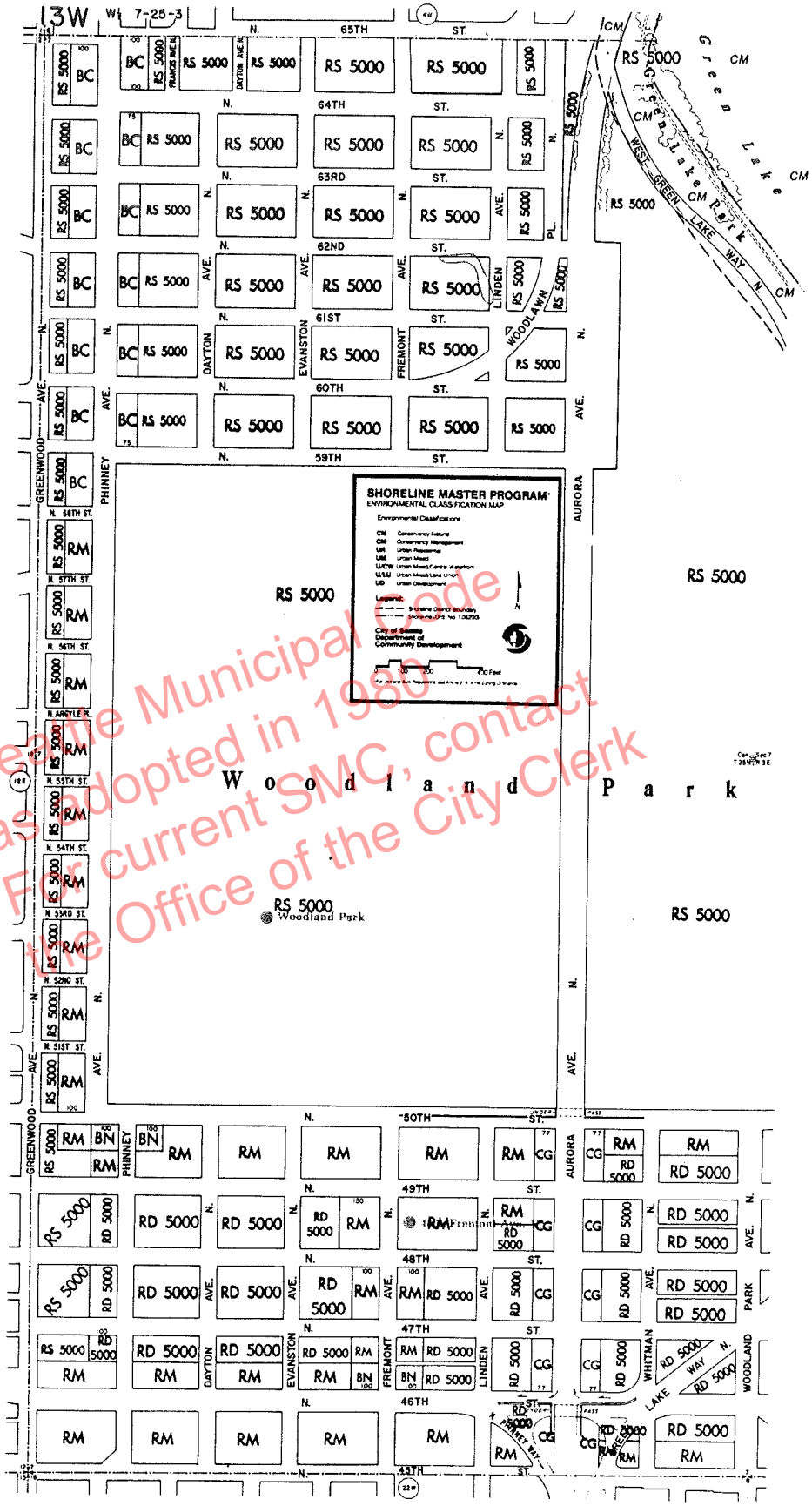
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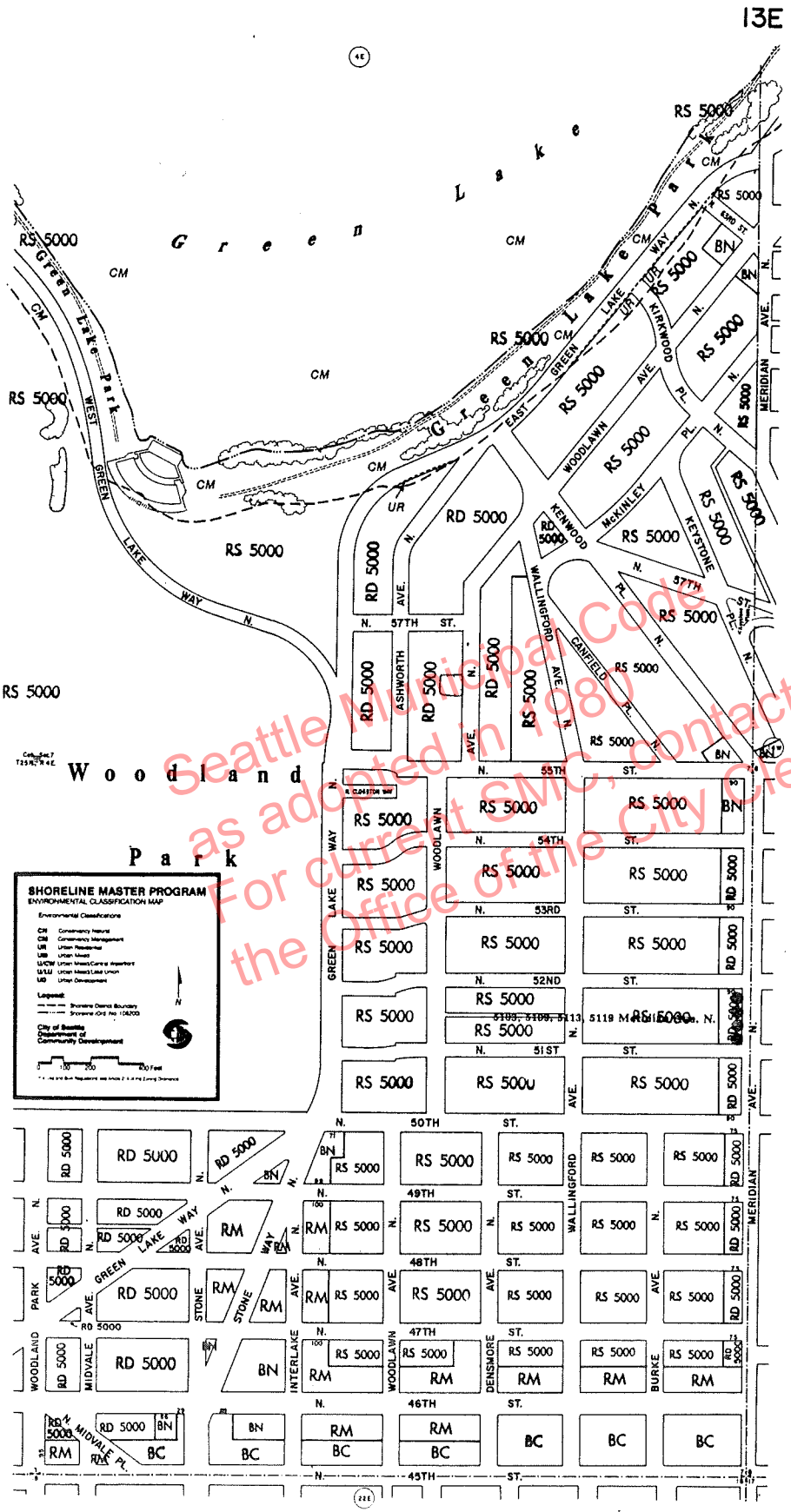
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Seattle Municipal Code
as adopted in 1959
For current SMC, contact
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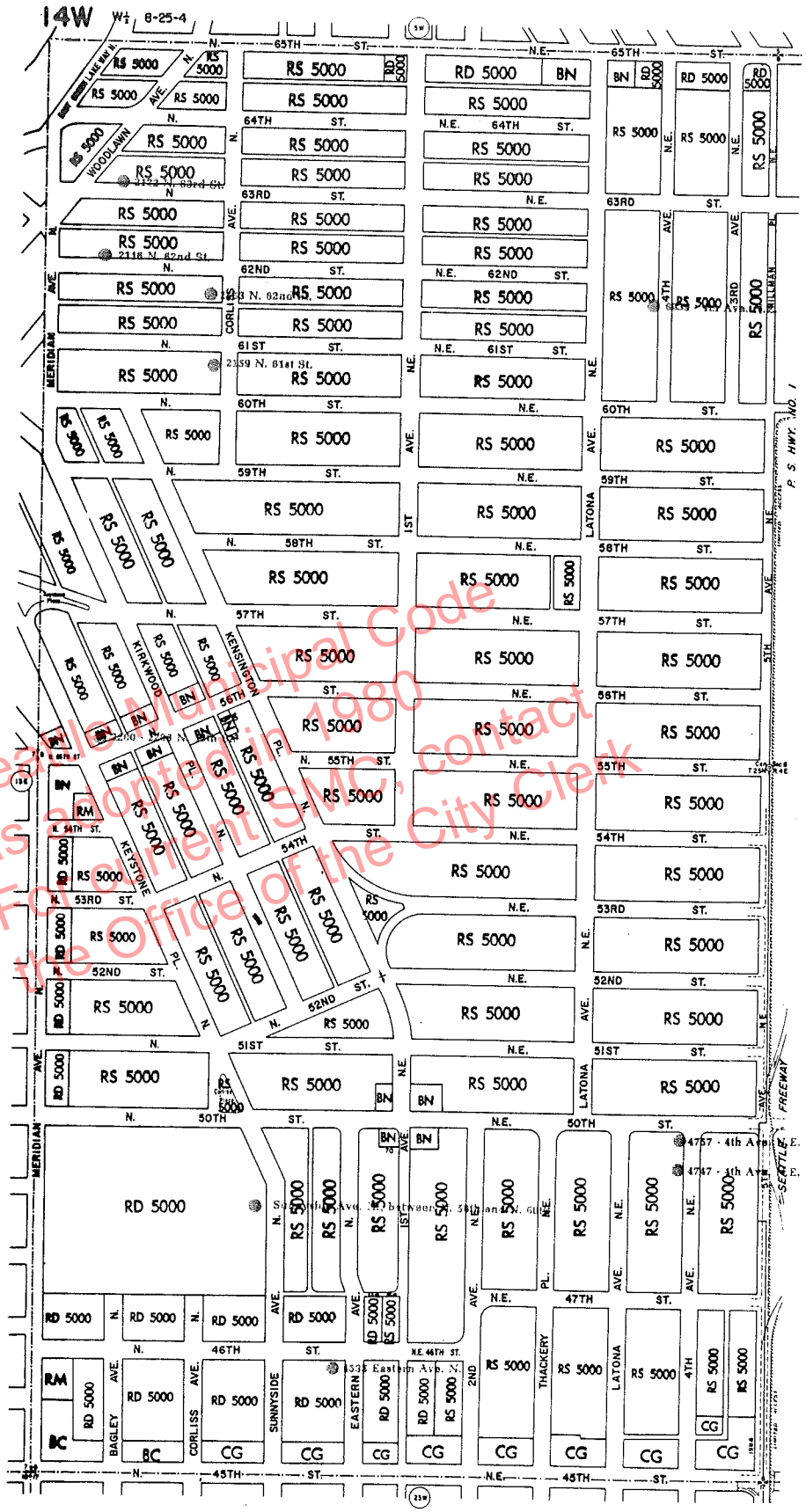
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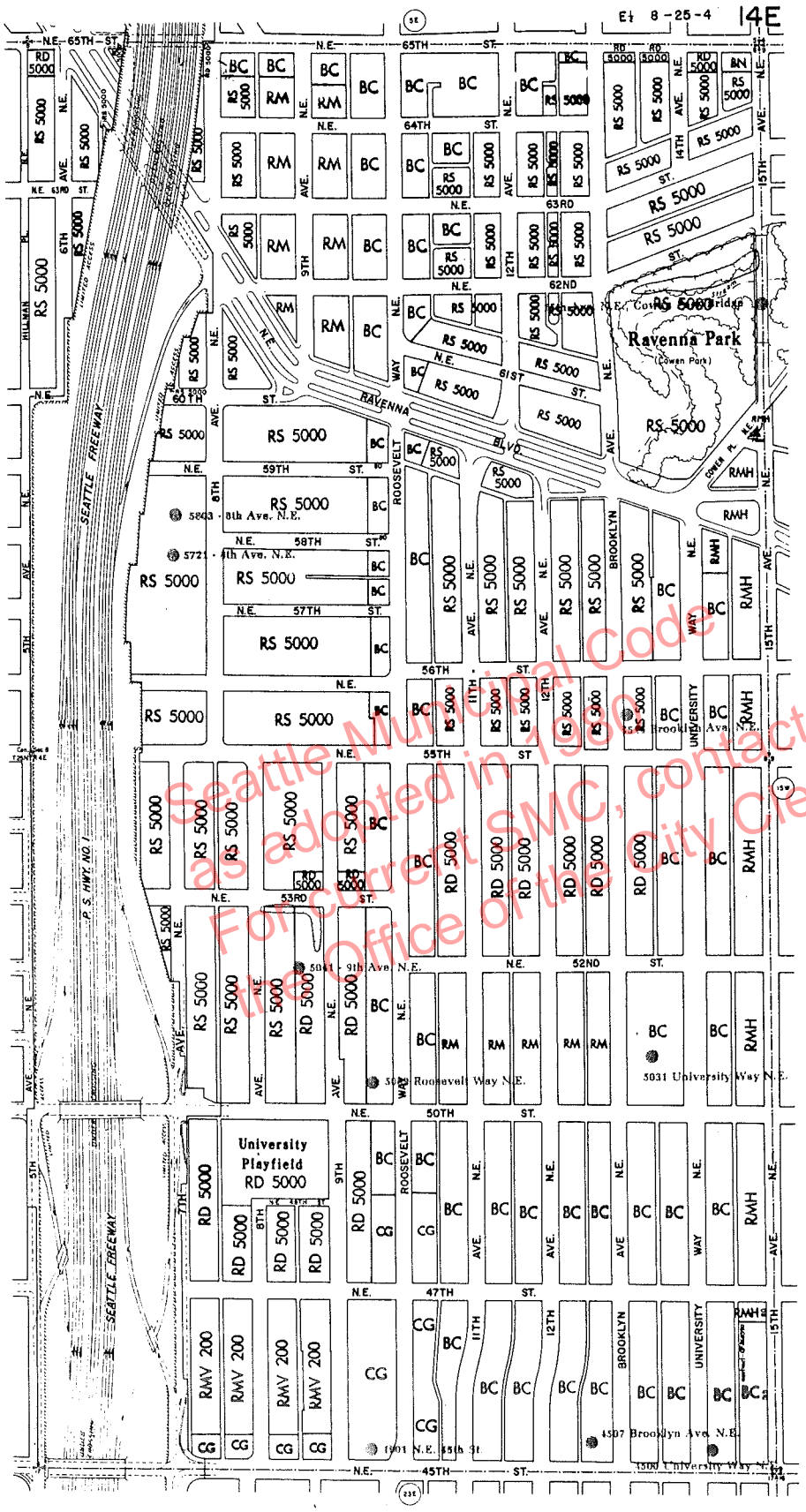
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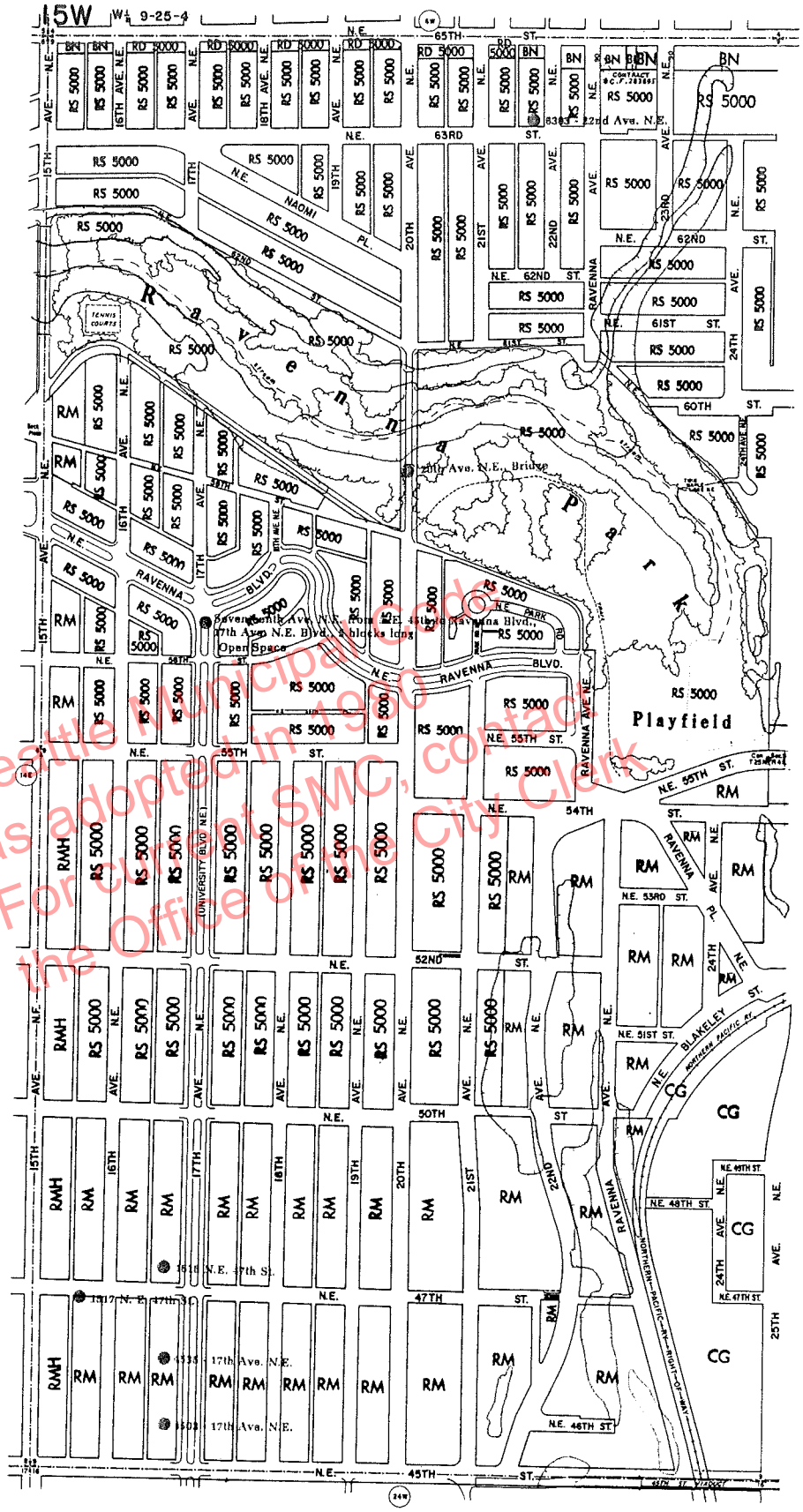
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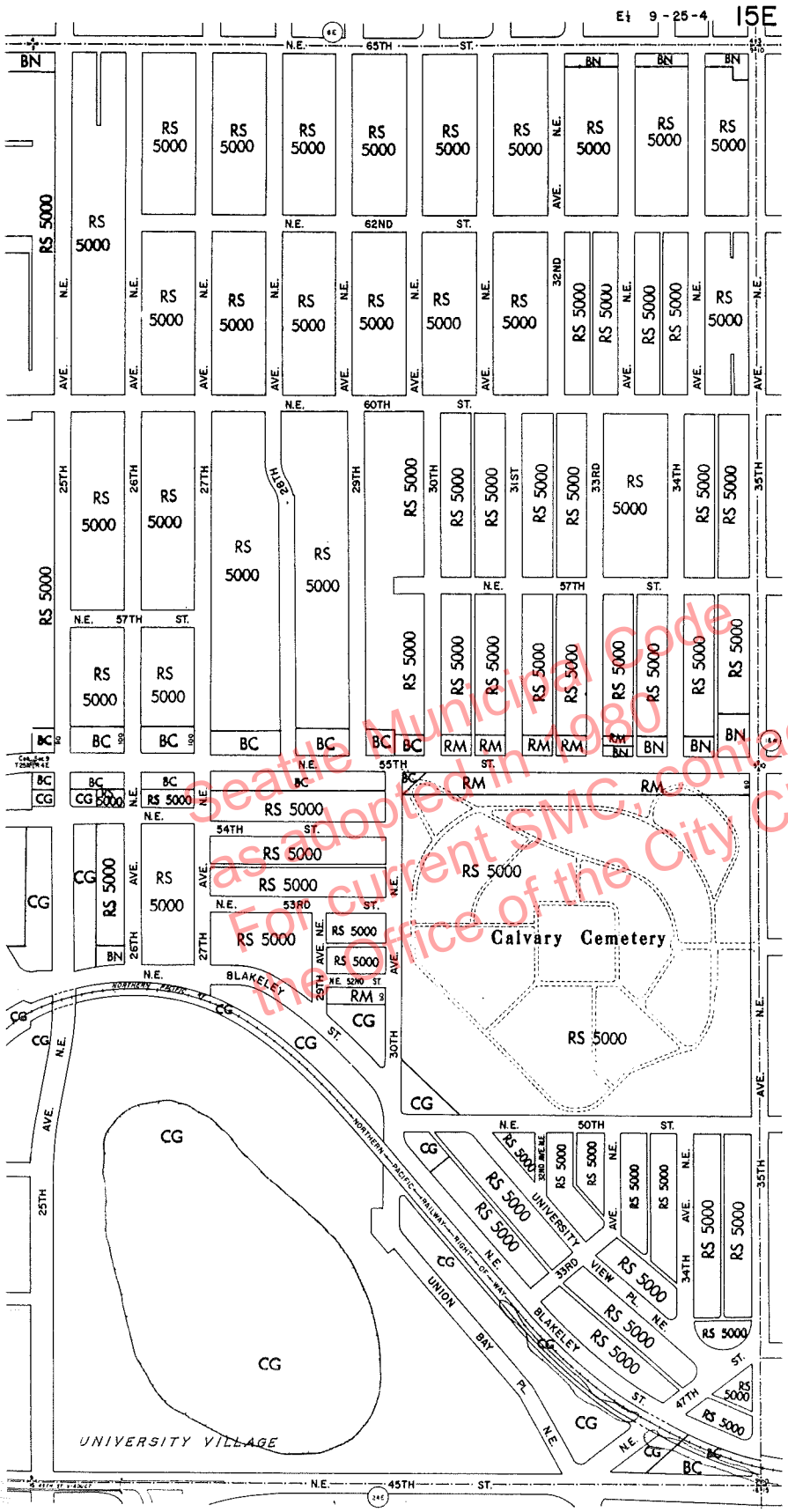
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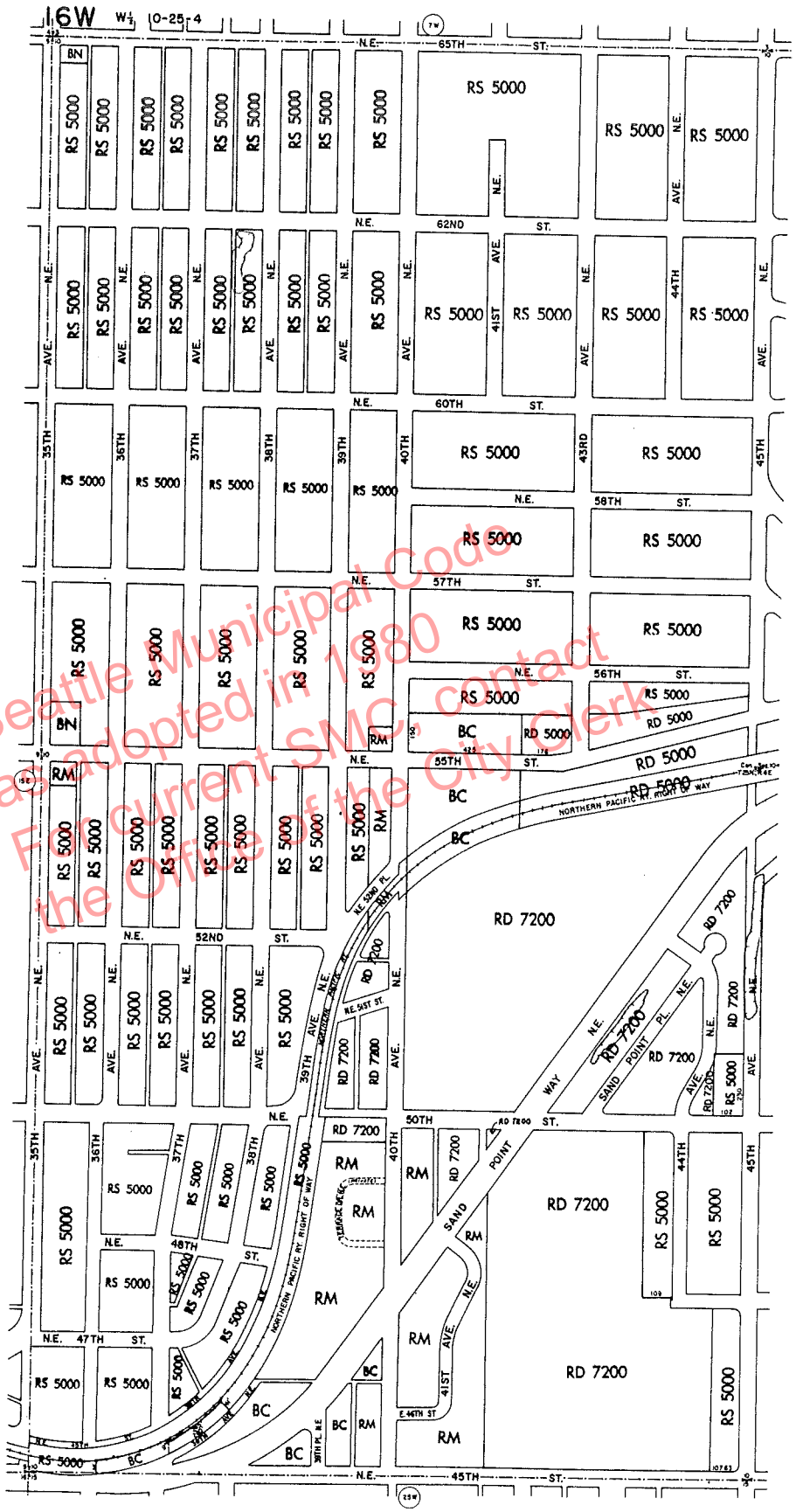
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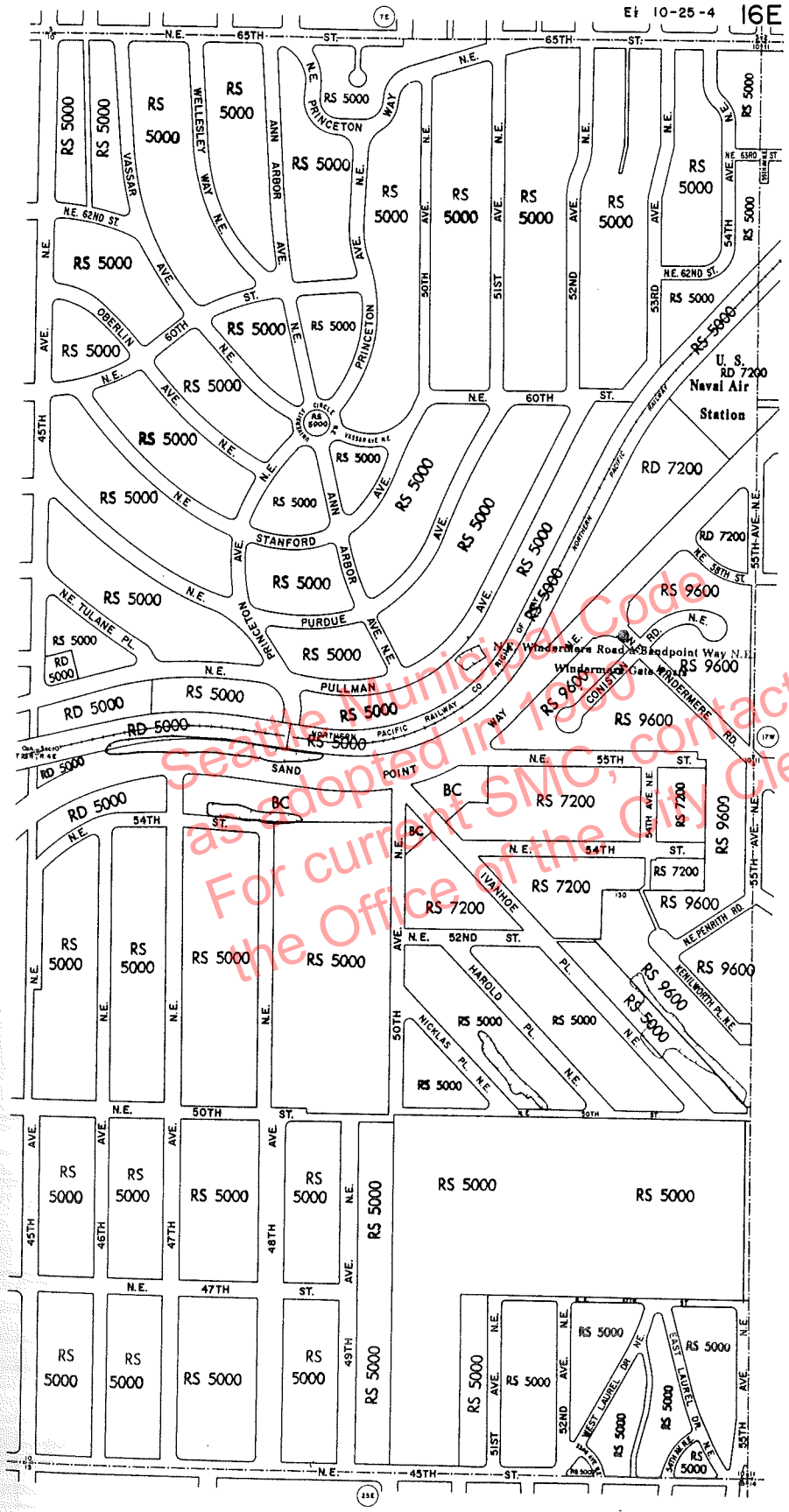
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E† 10-25-4 16E
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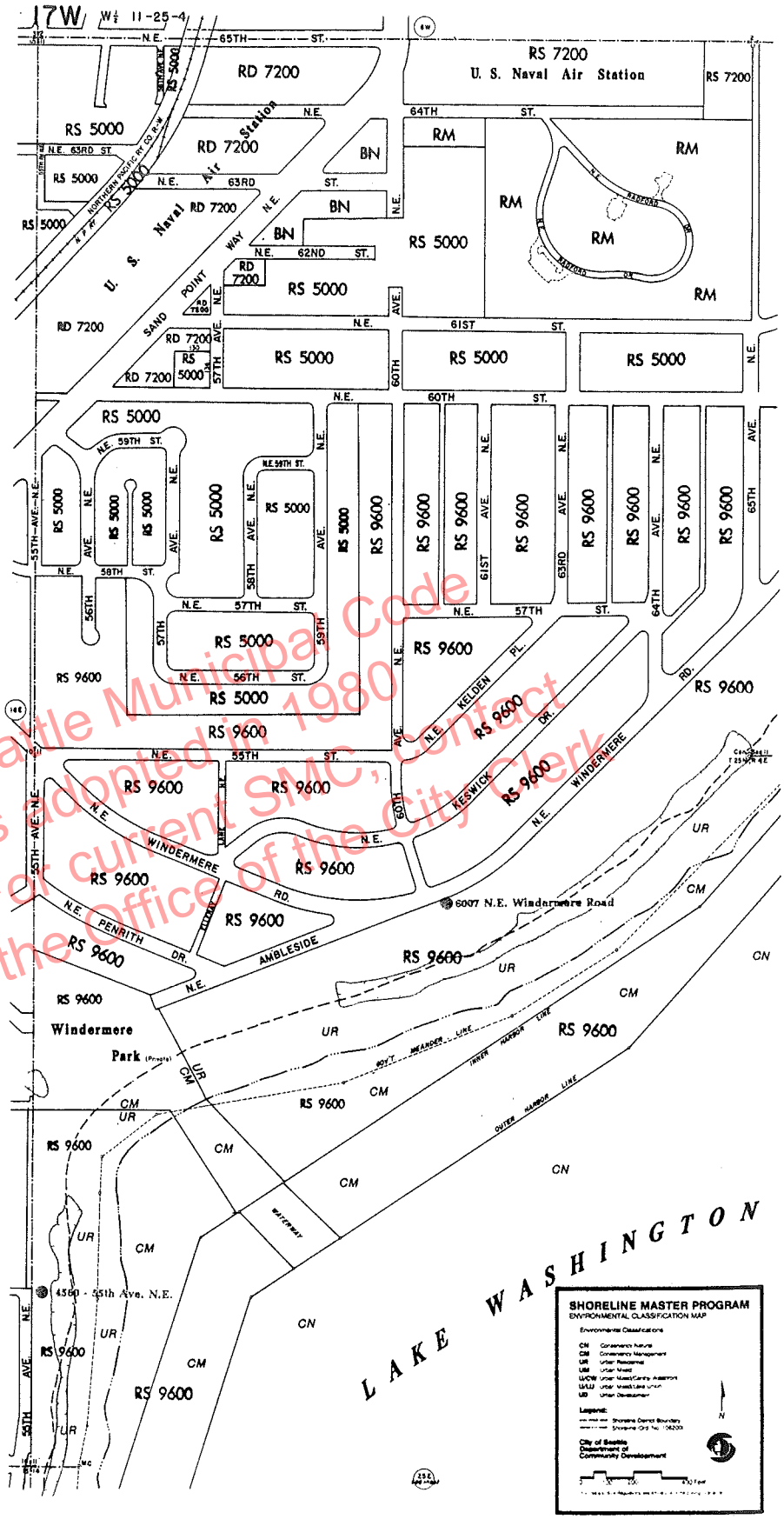
CMT—
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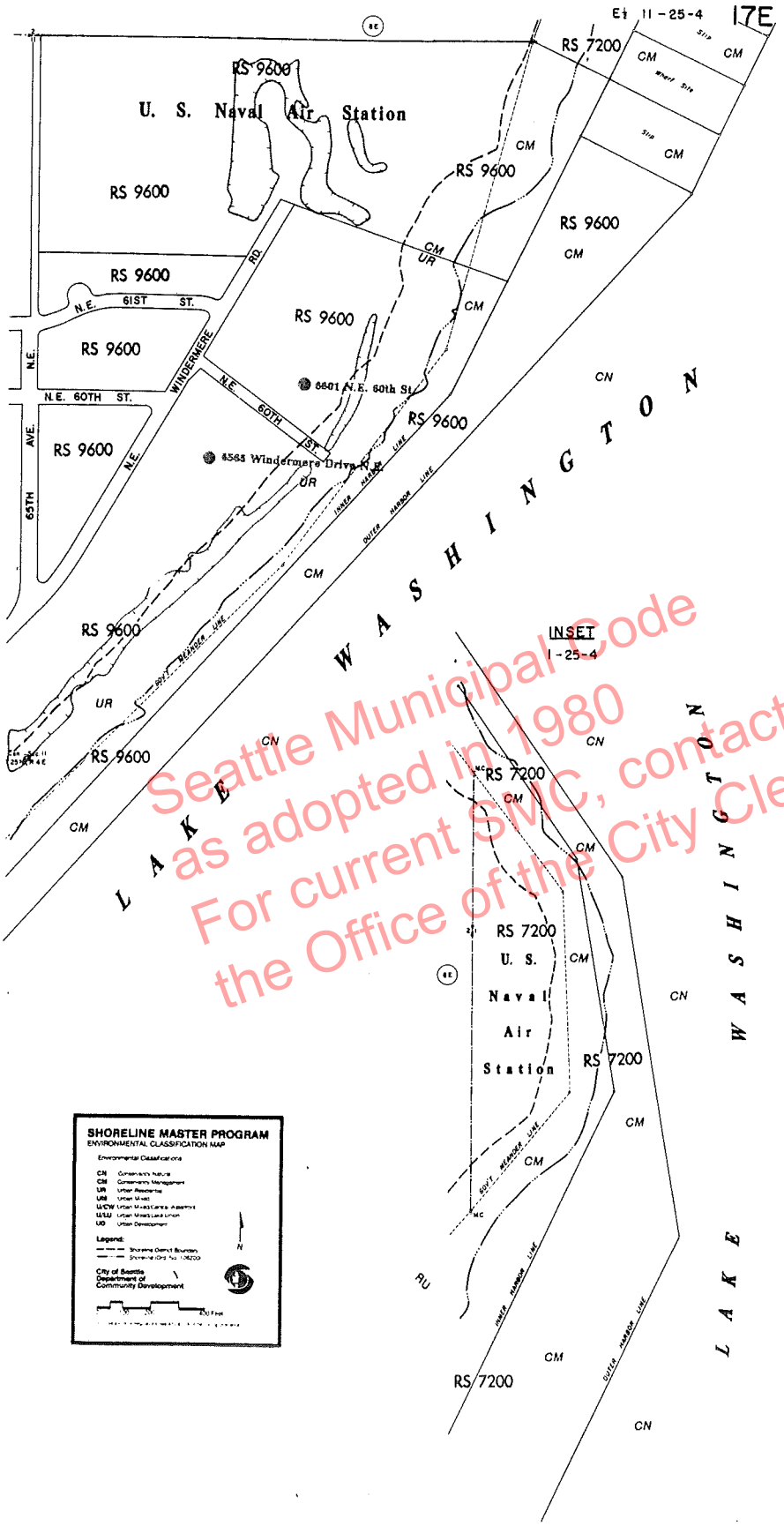
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Seattle Municipal Code
as adopted © 1980
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Et 11-25-4
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U. S. Naval Air Station
RS 7200
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RS 9600
RS 9600
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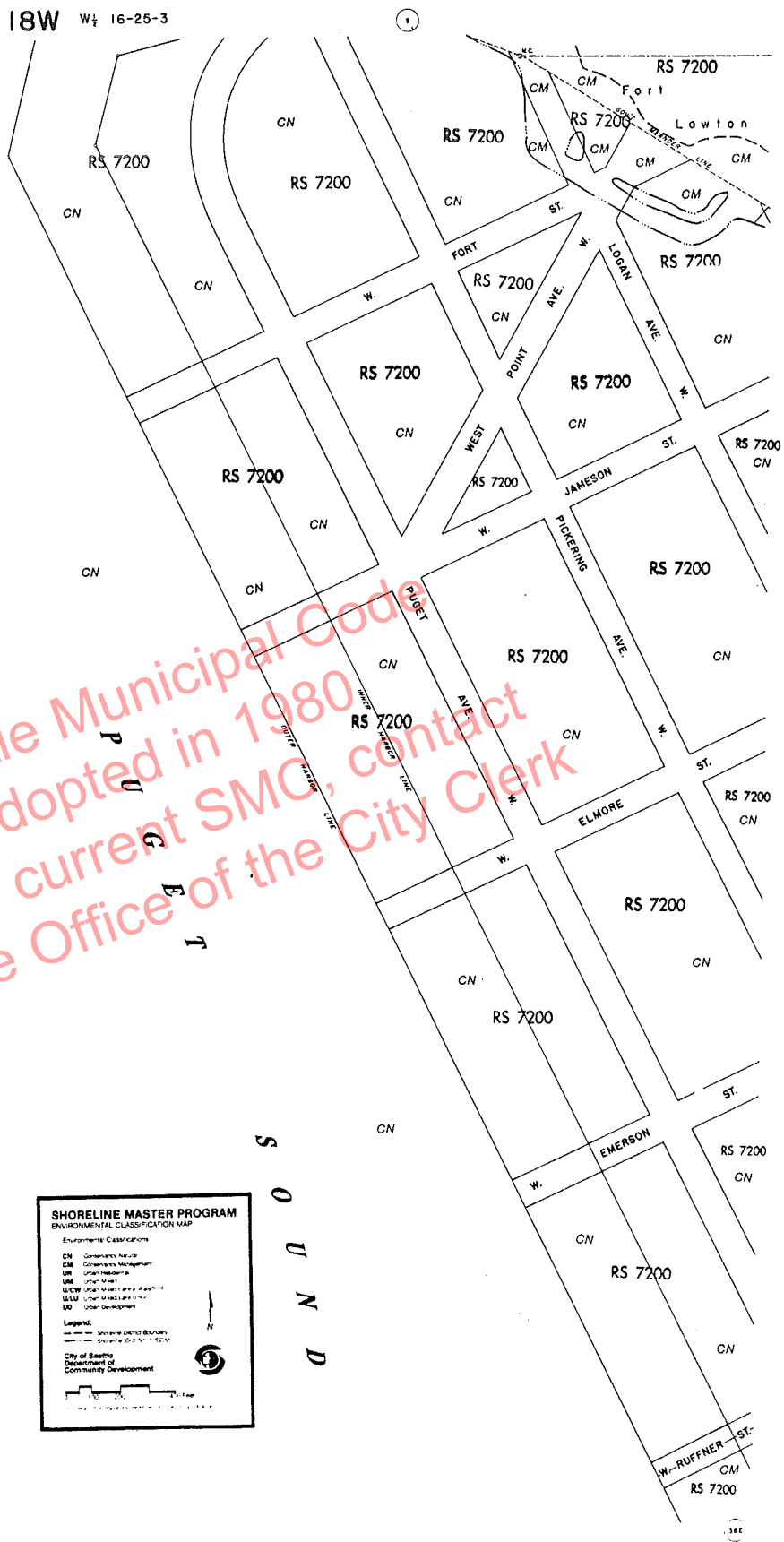
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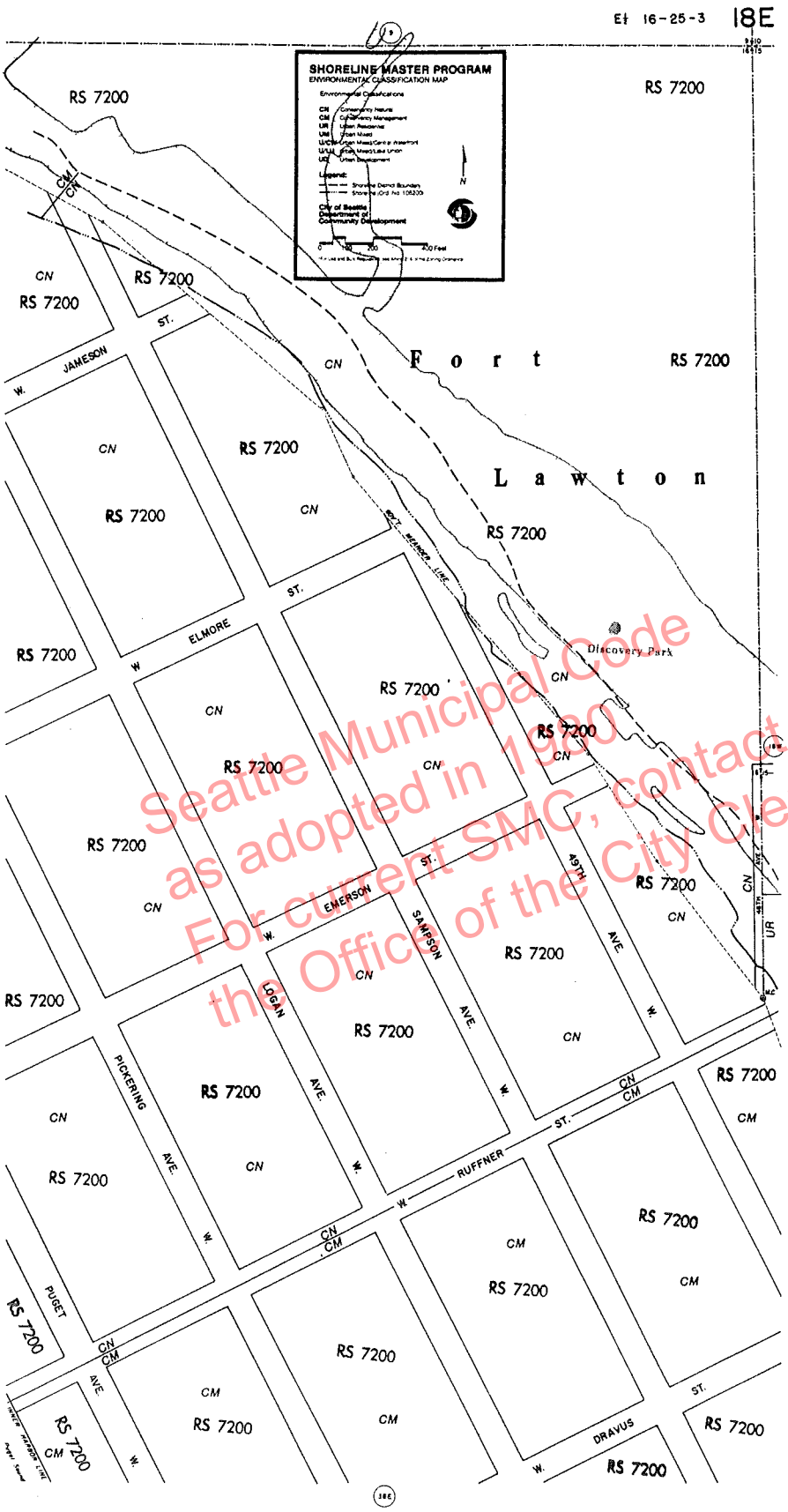
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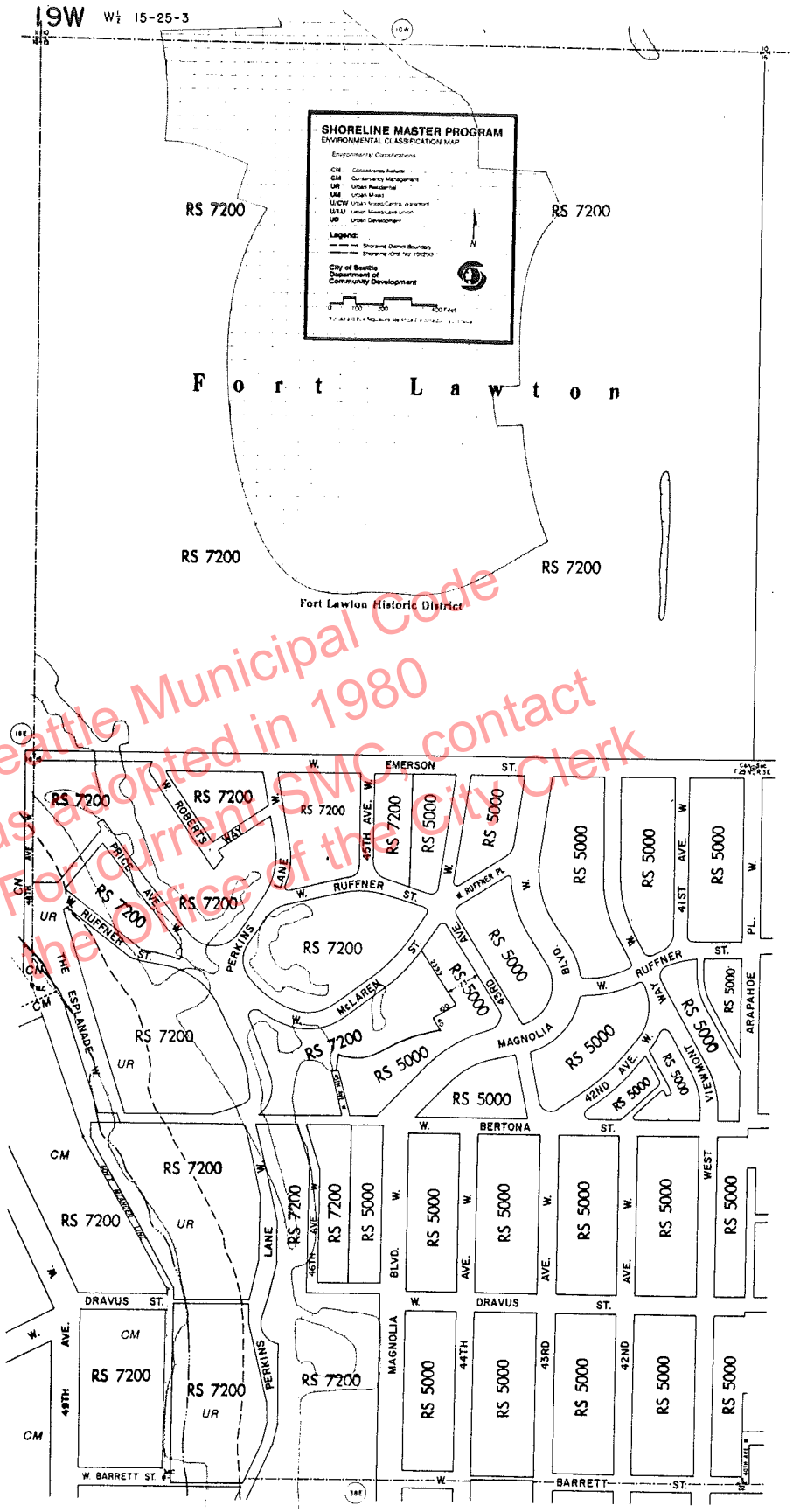
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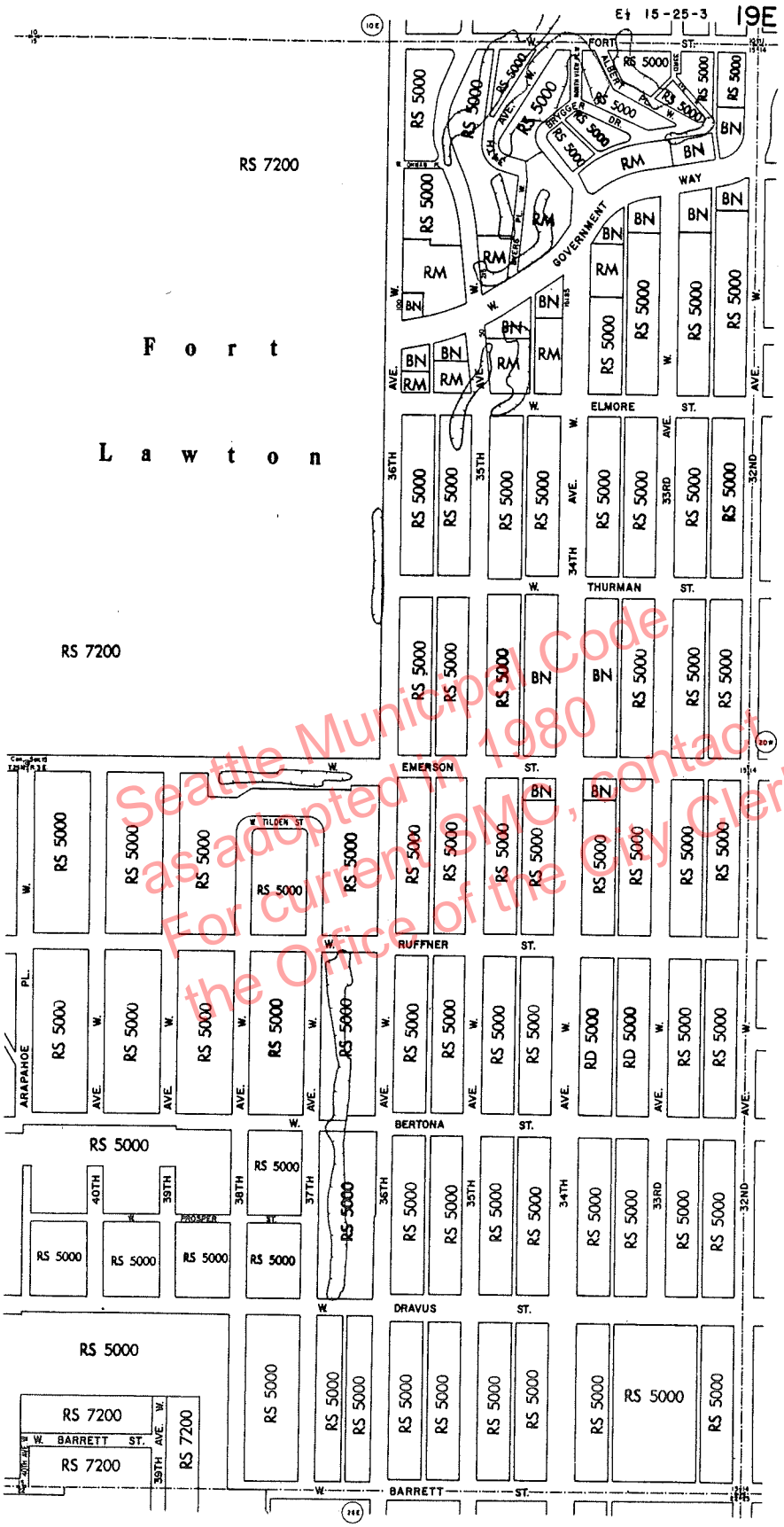
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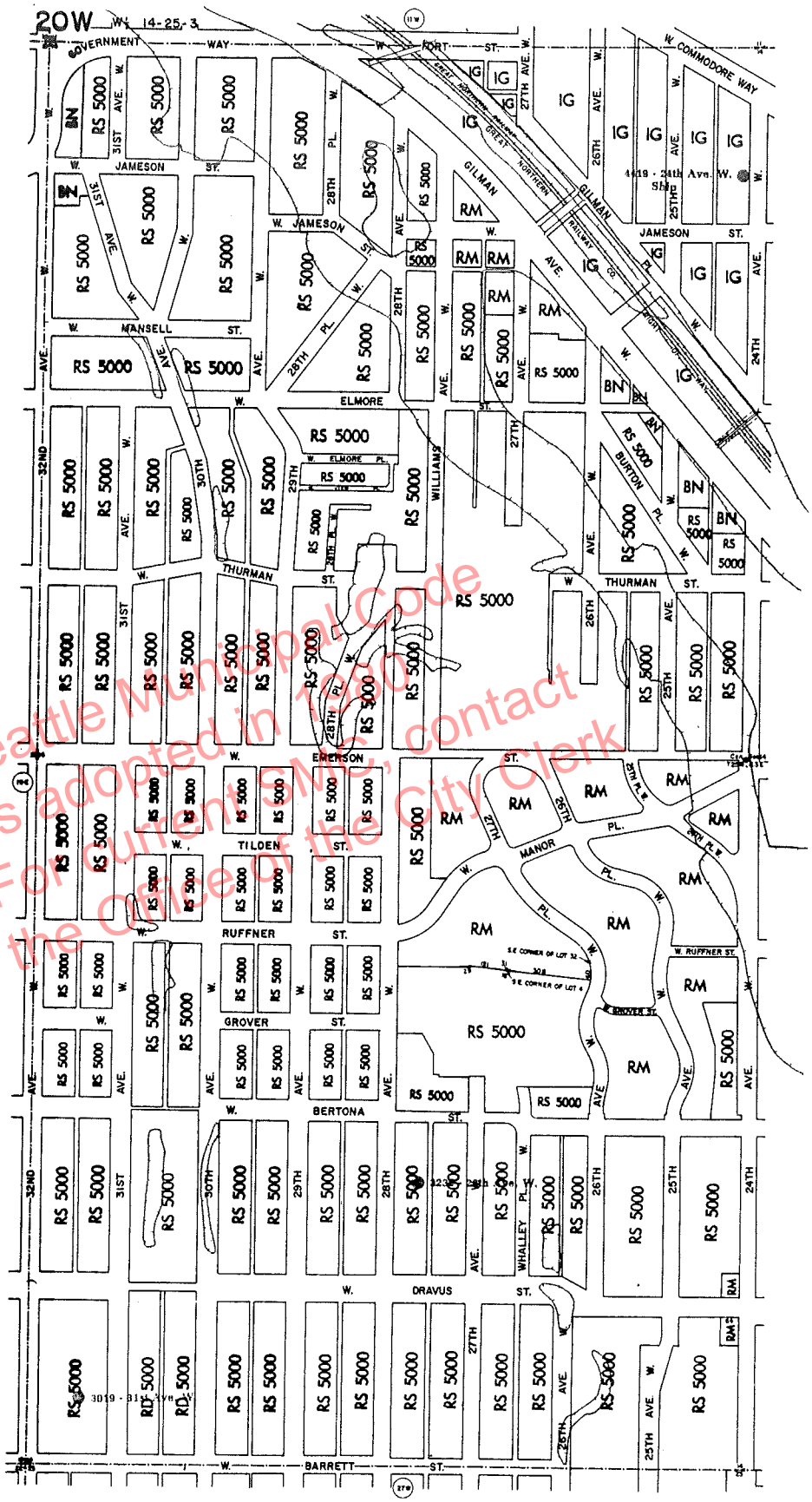
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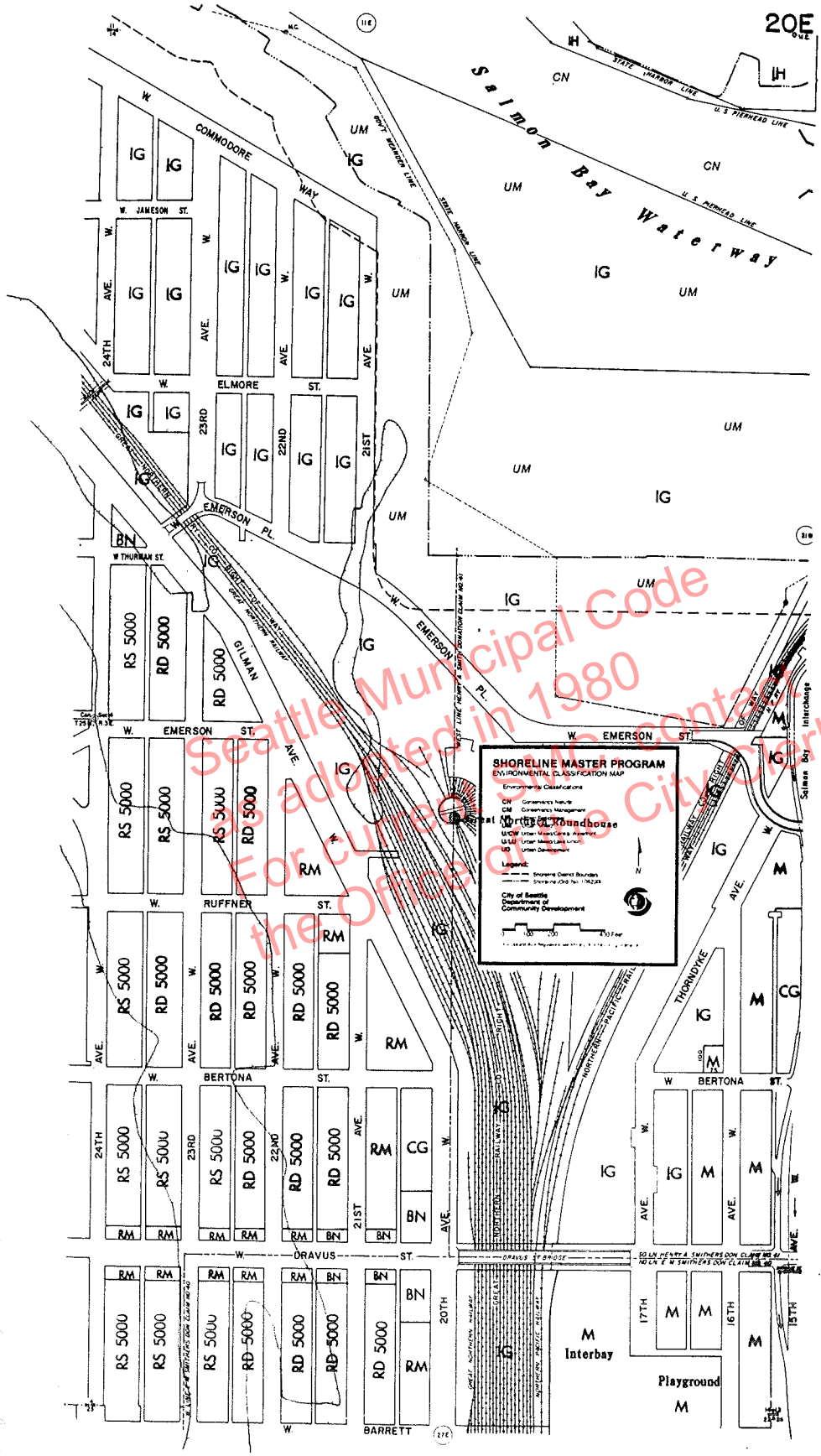
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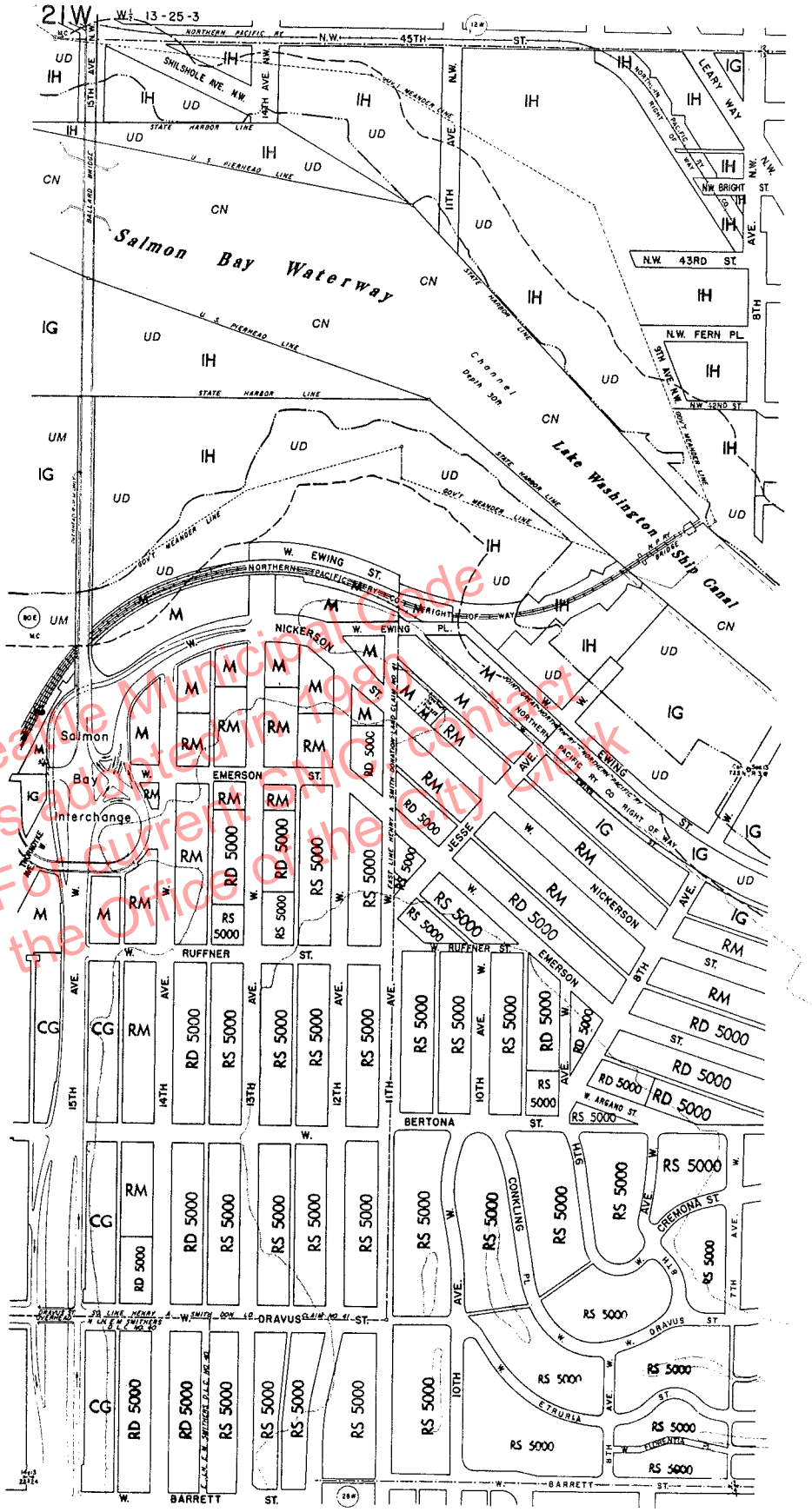
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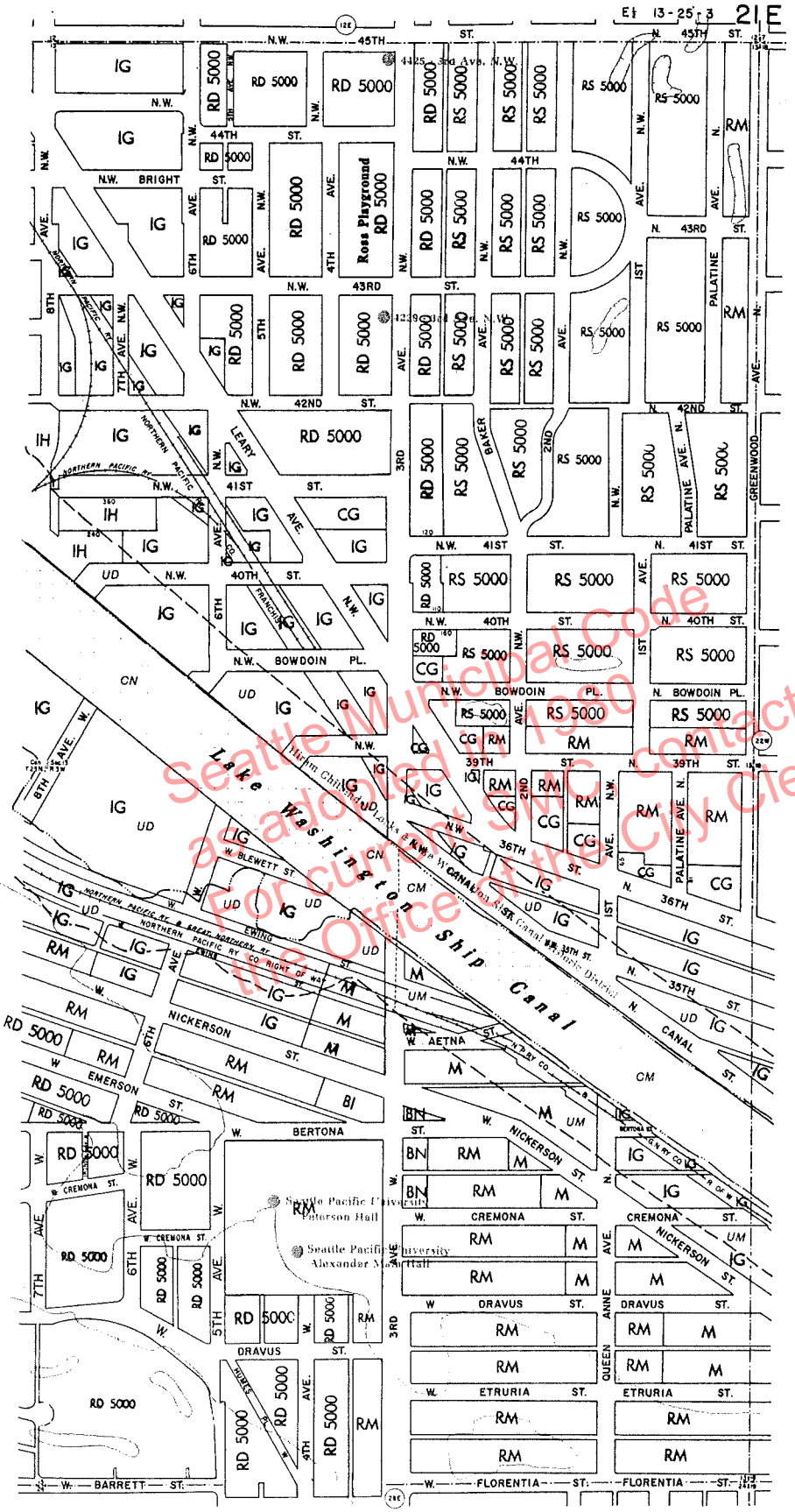
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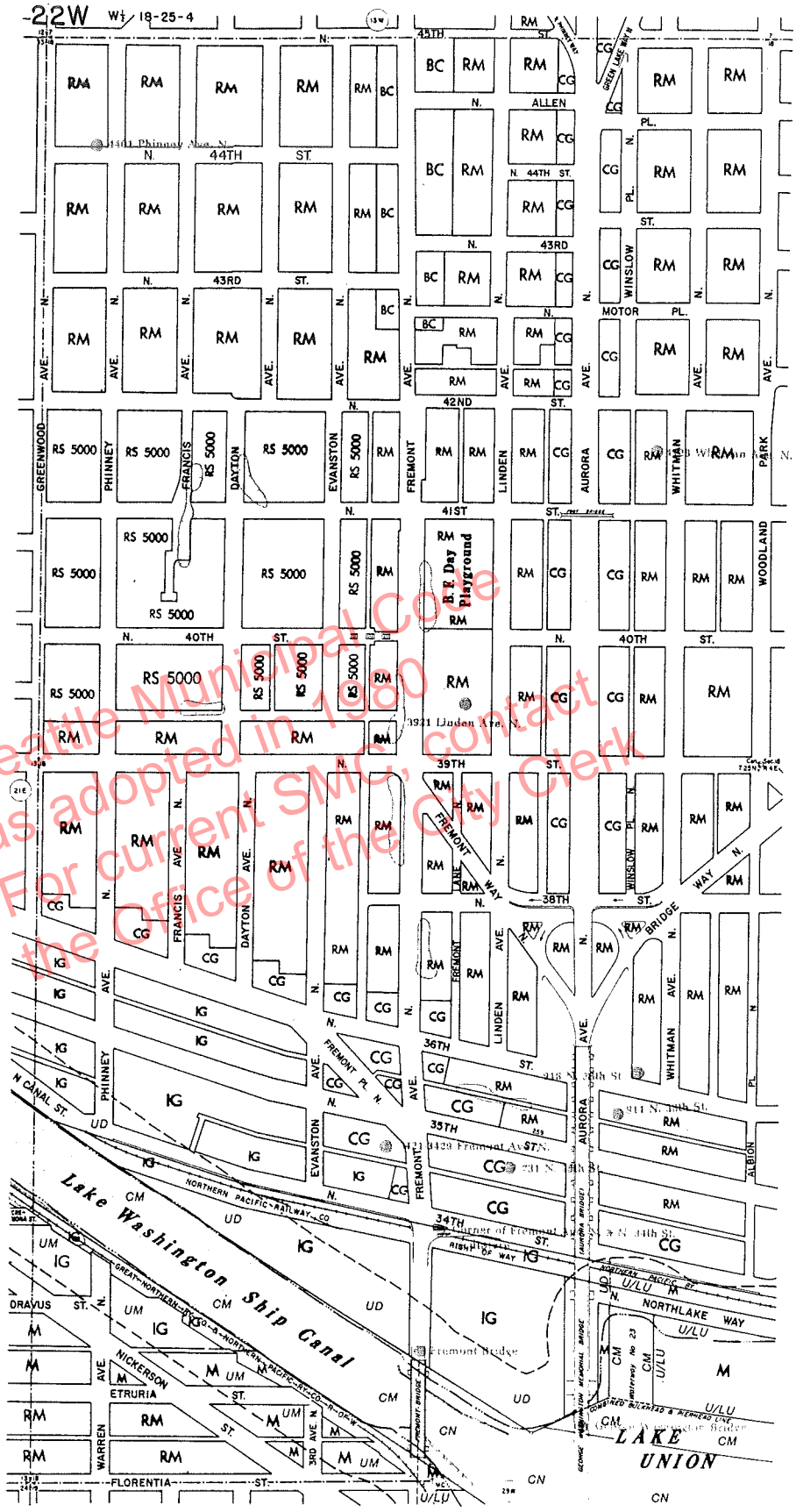
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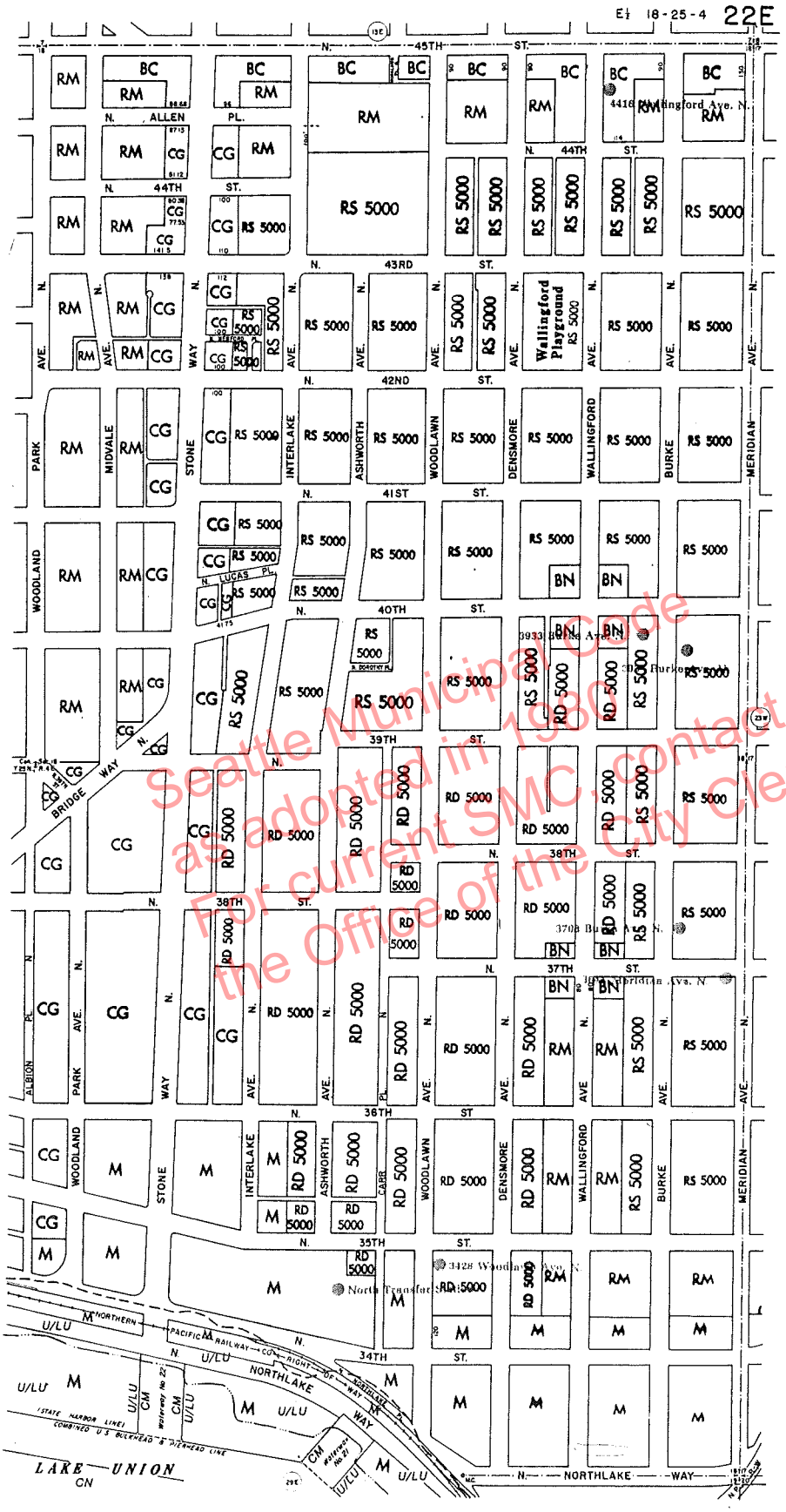
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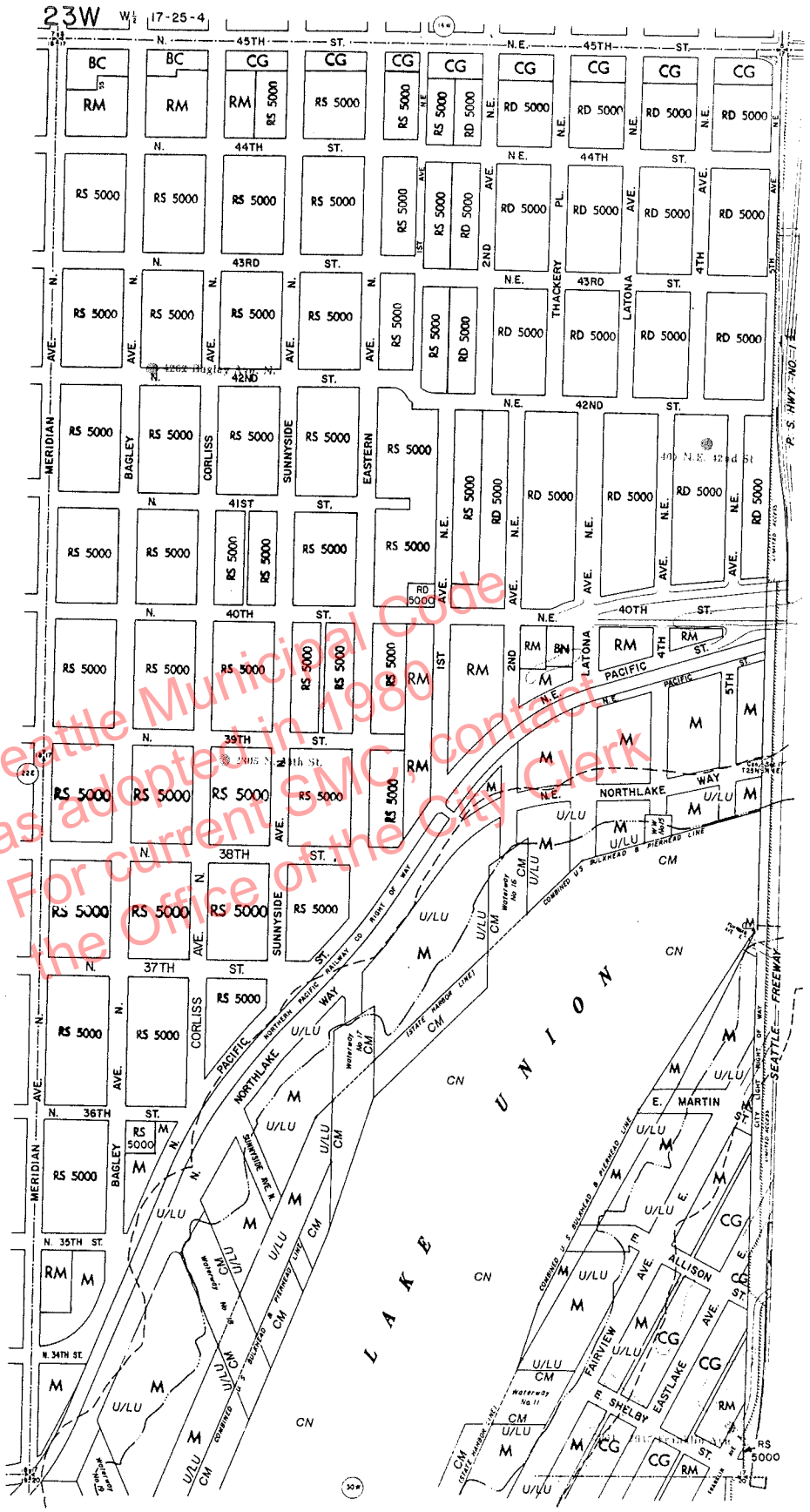
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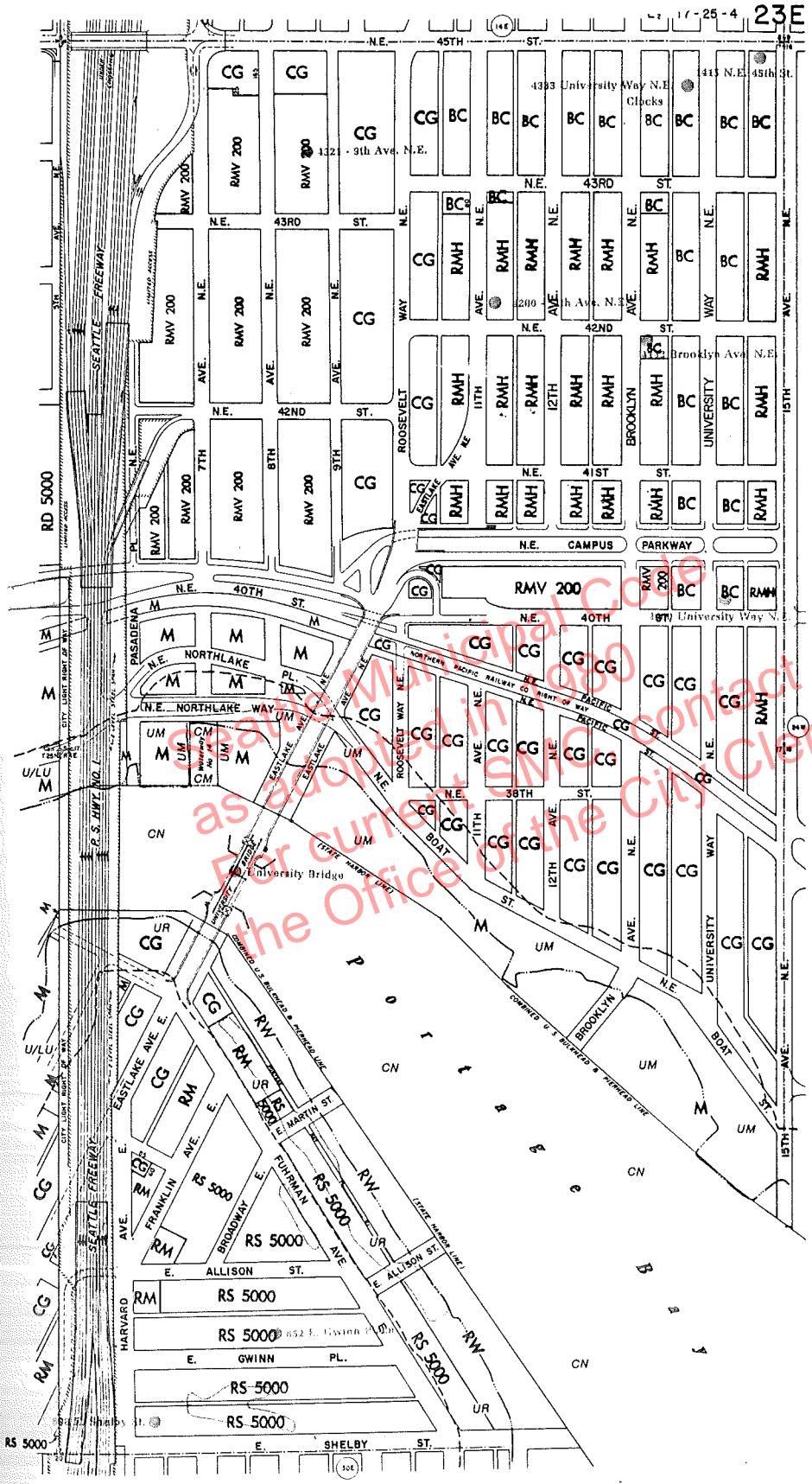
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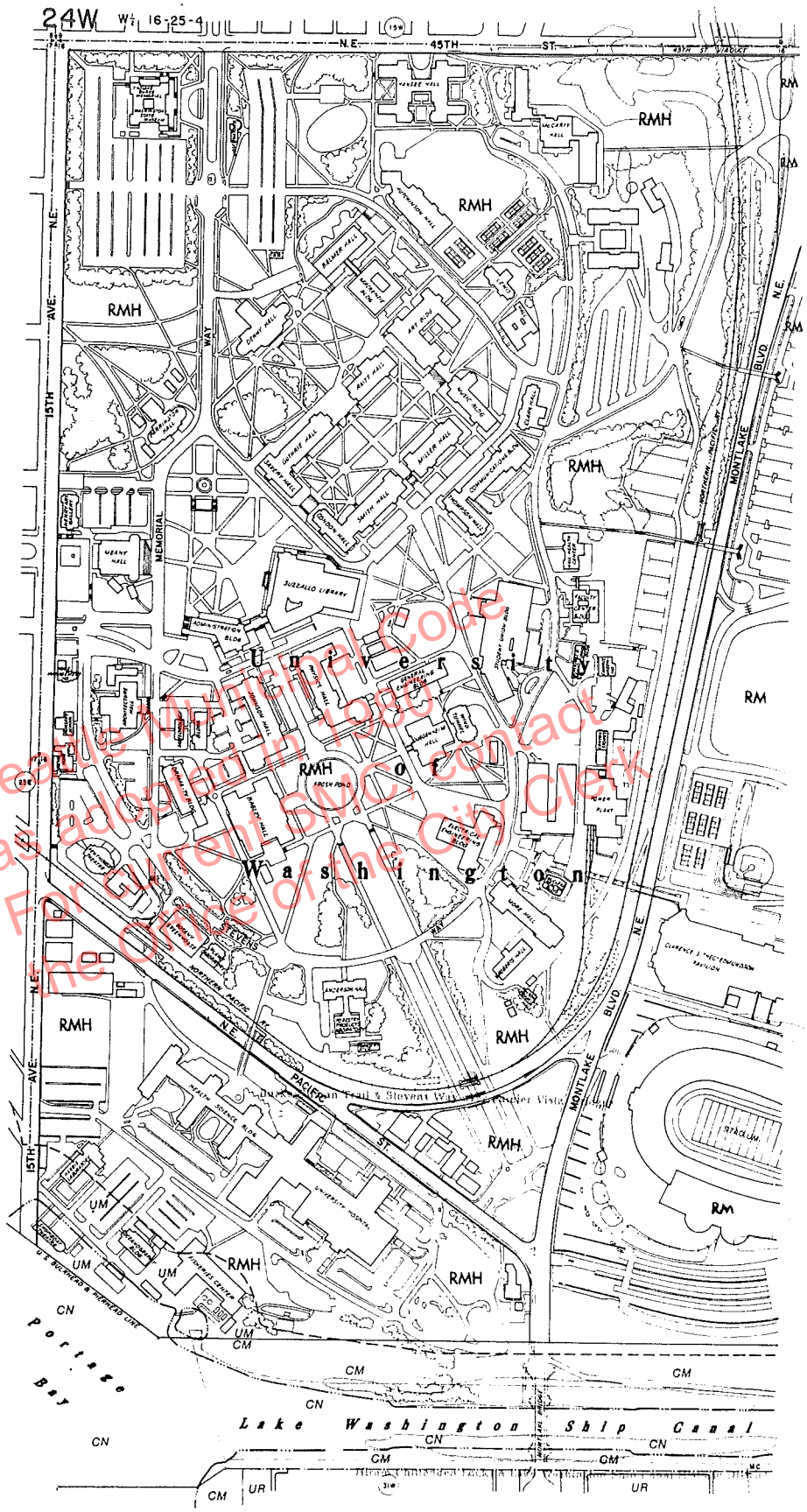
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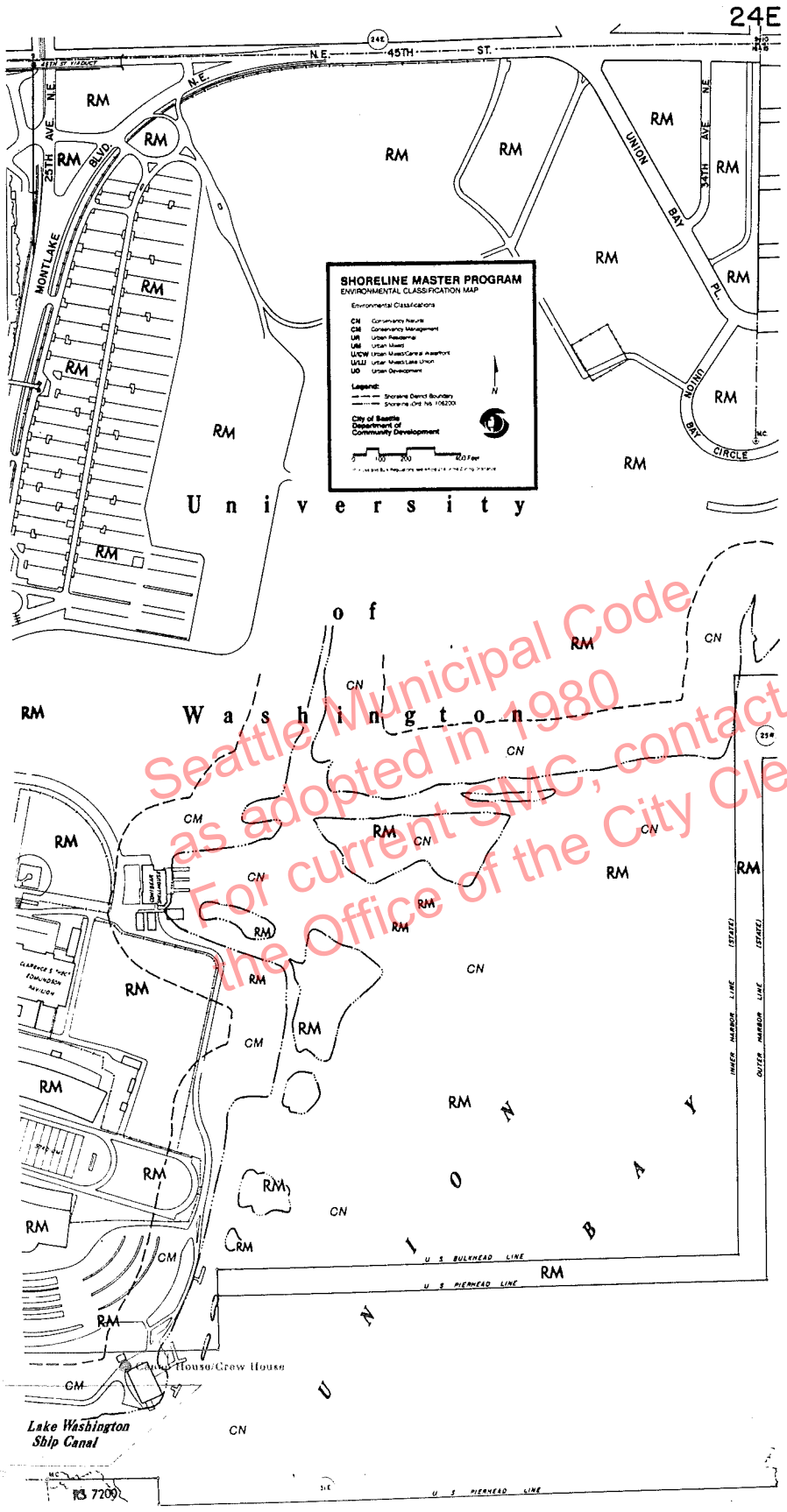
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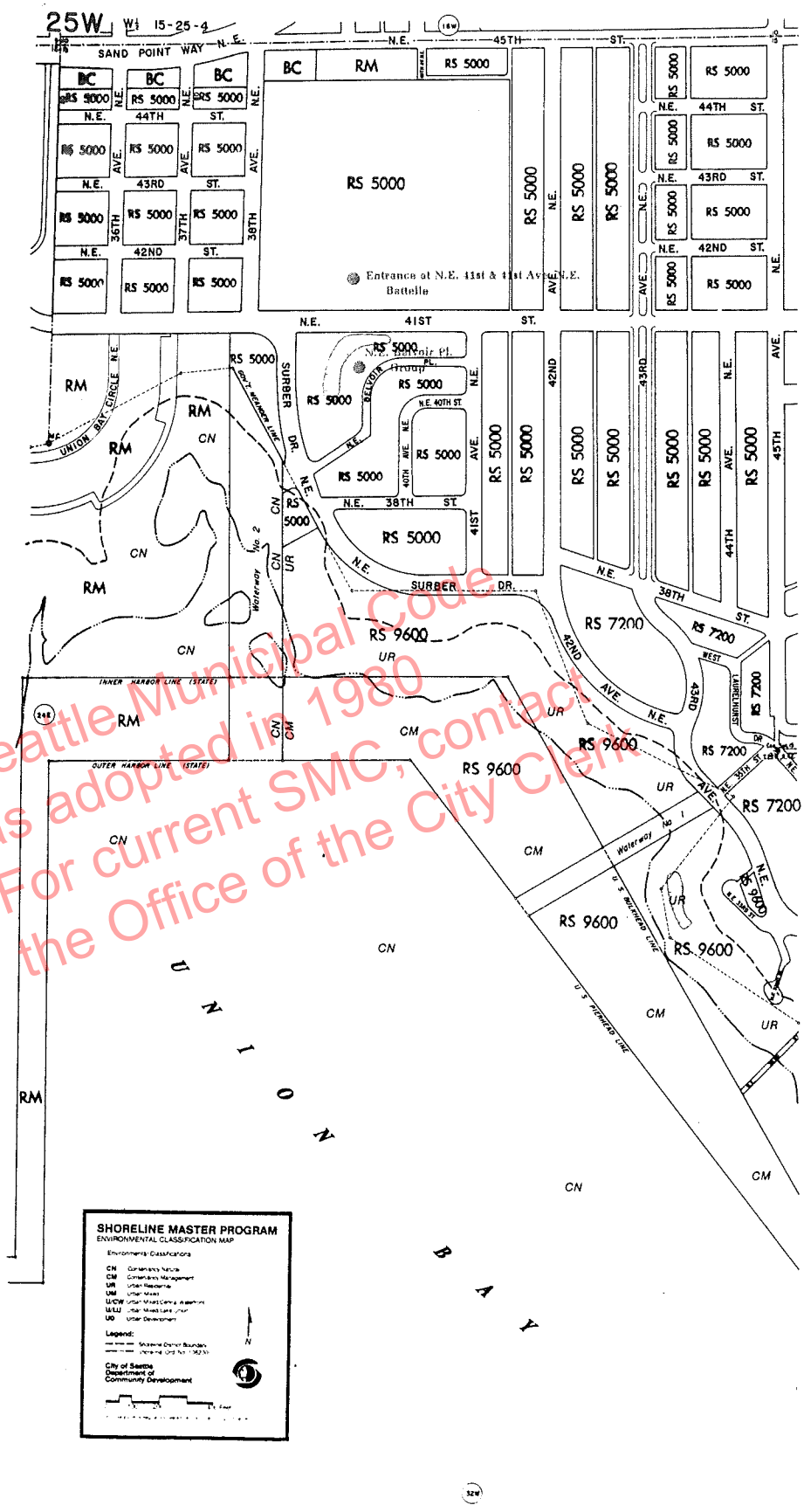
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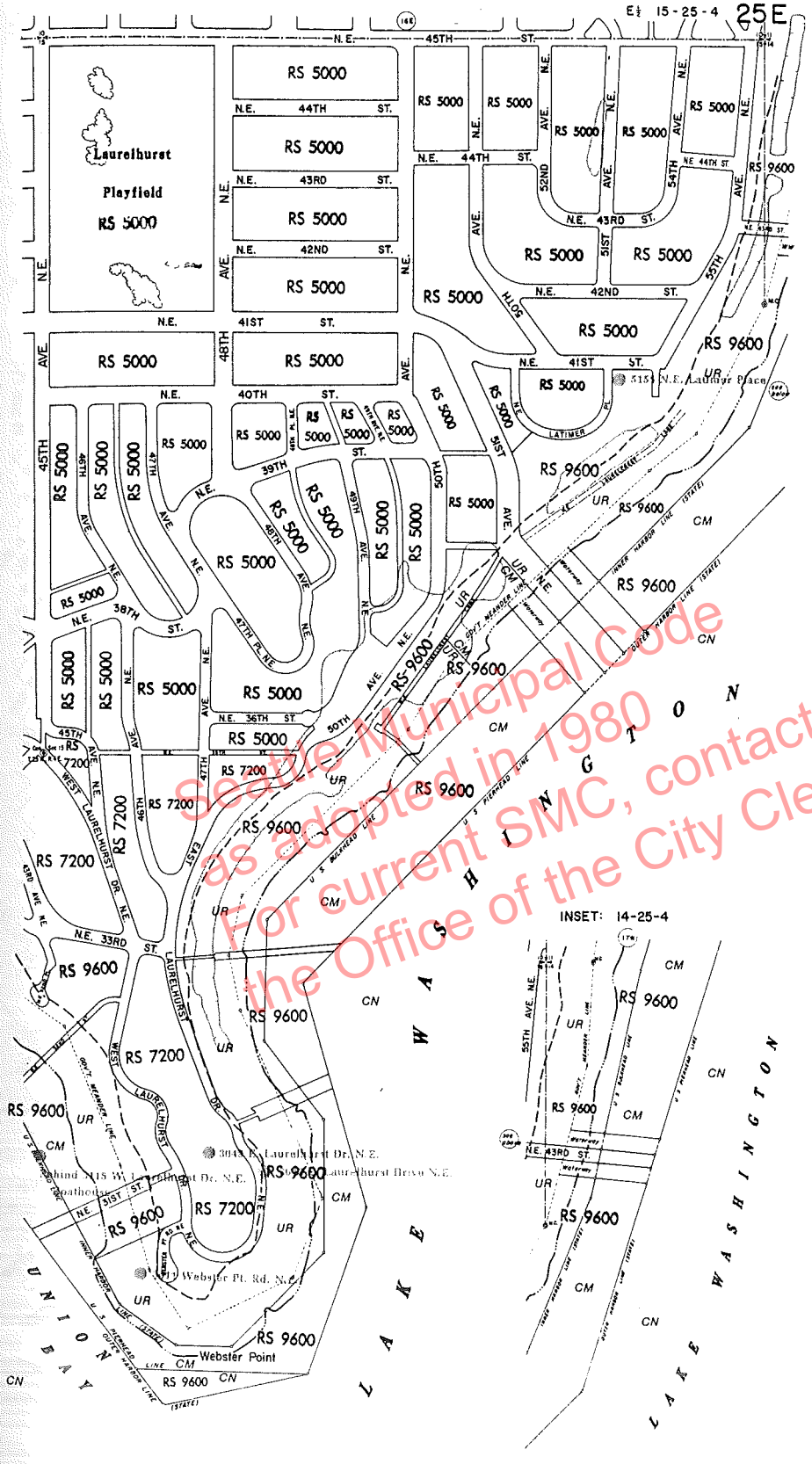
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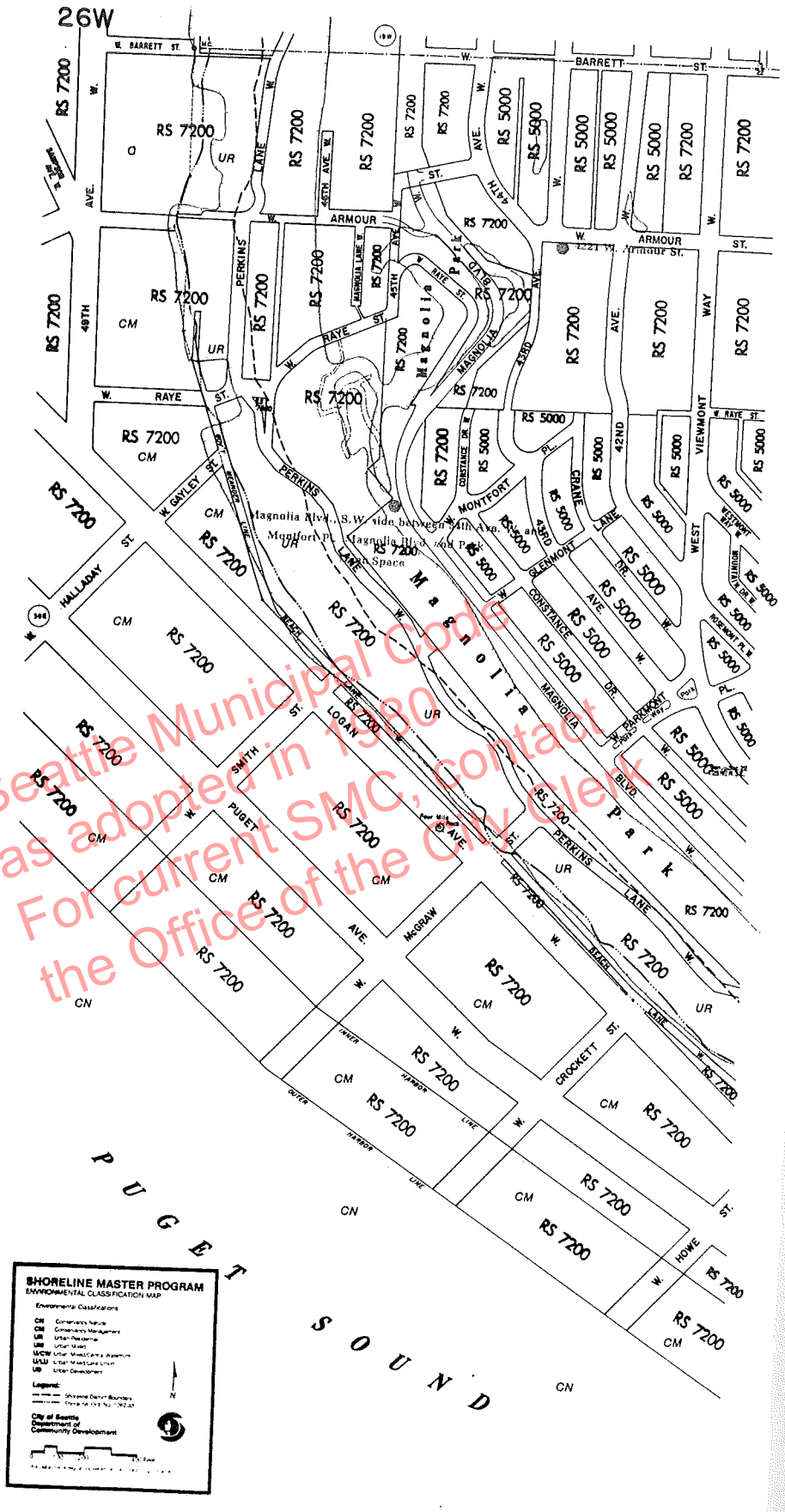
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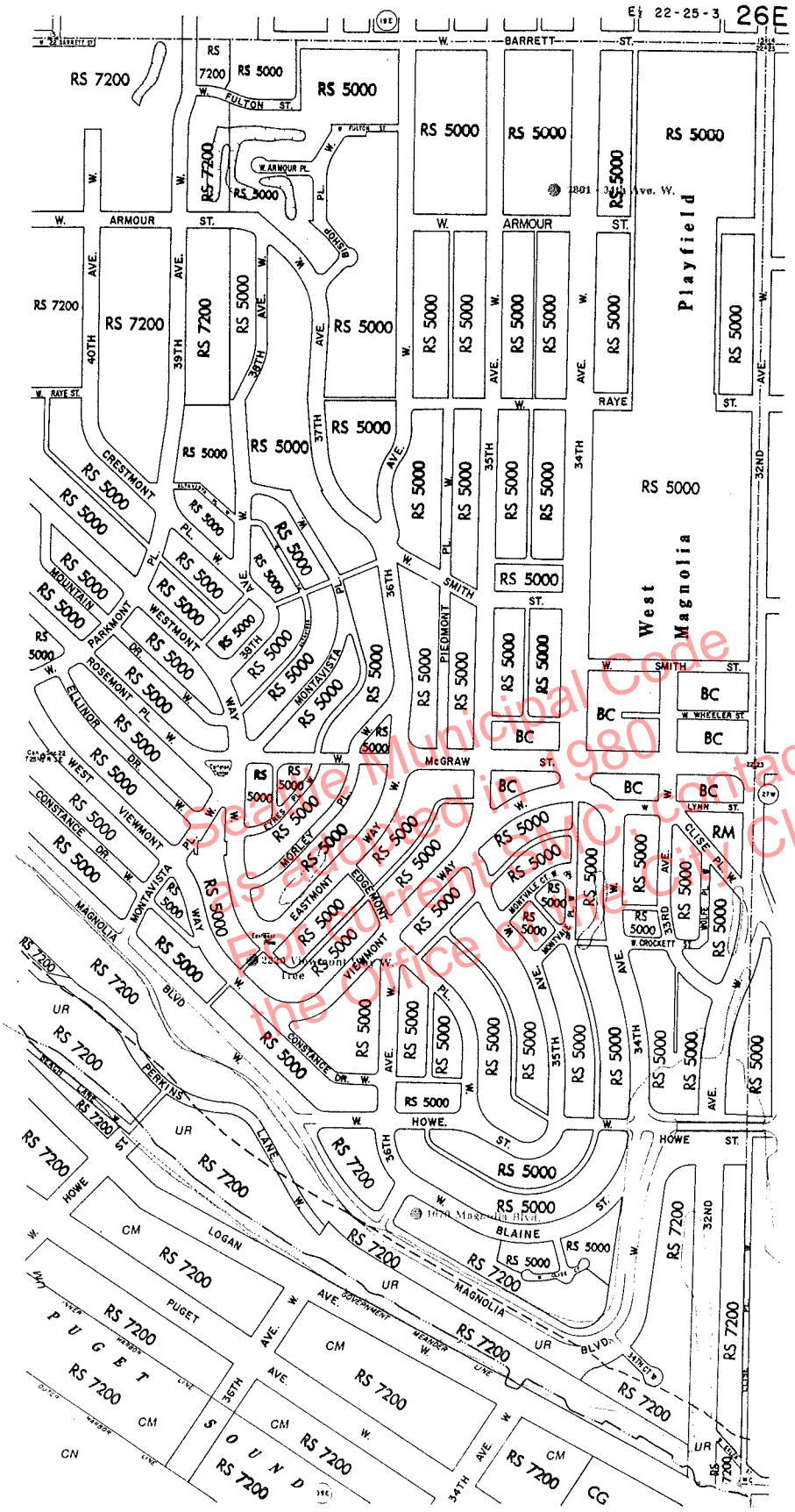
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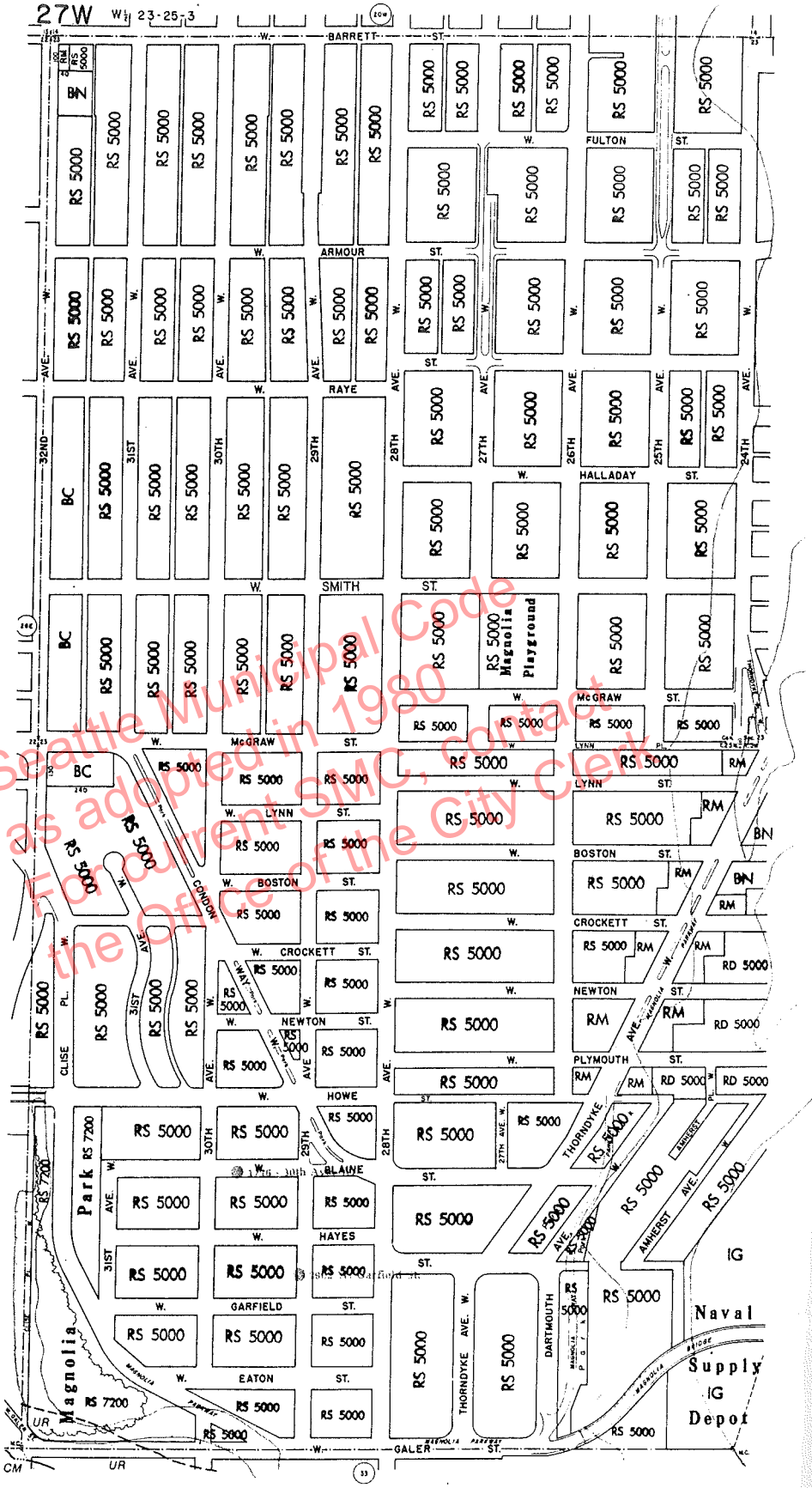
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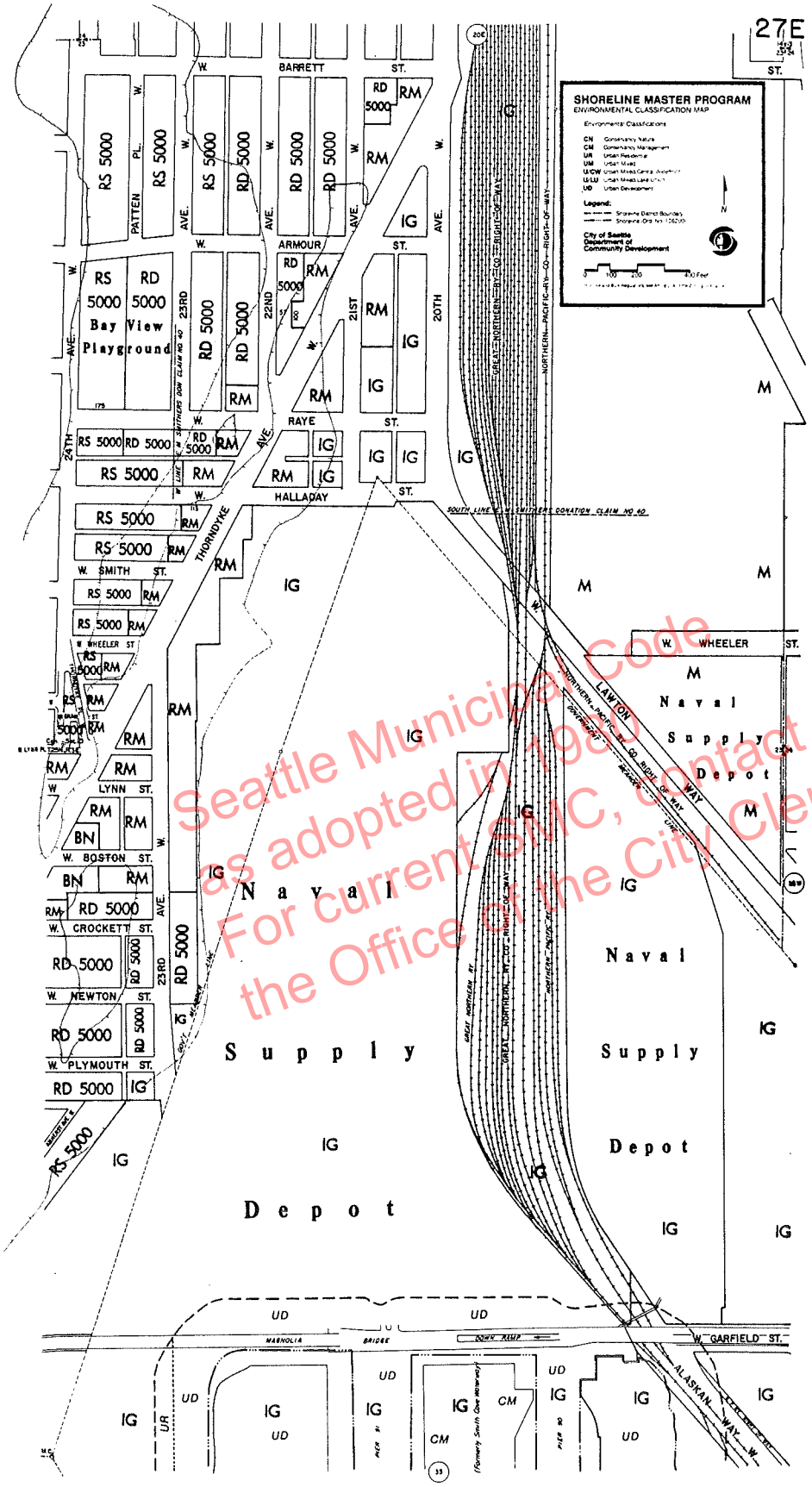
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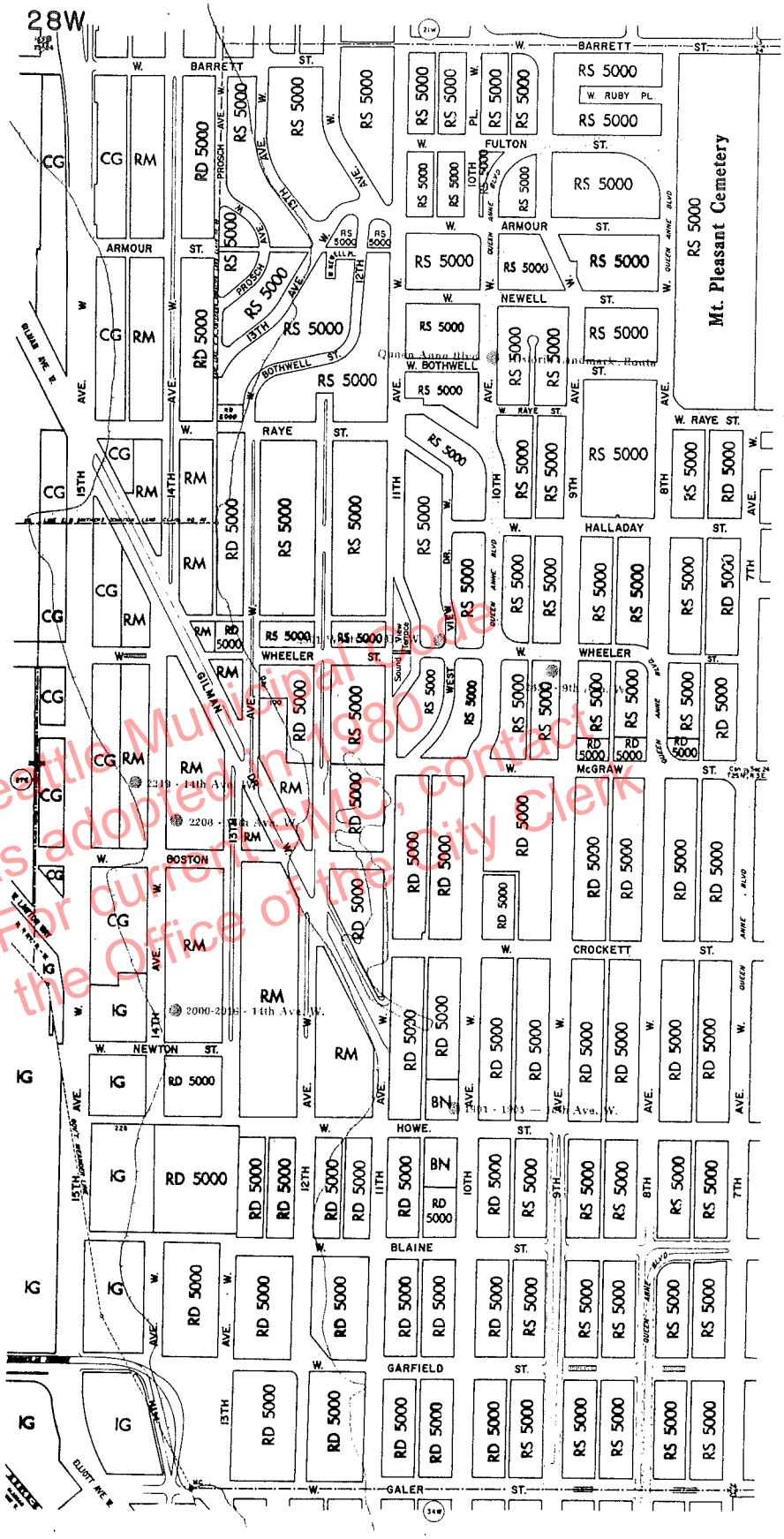
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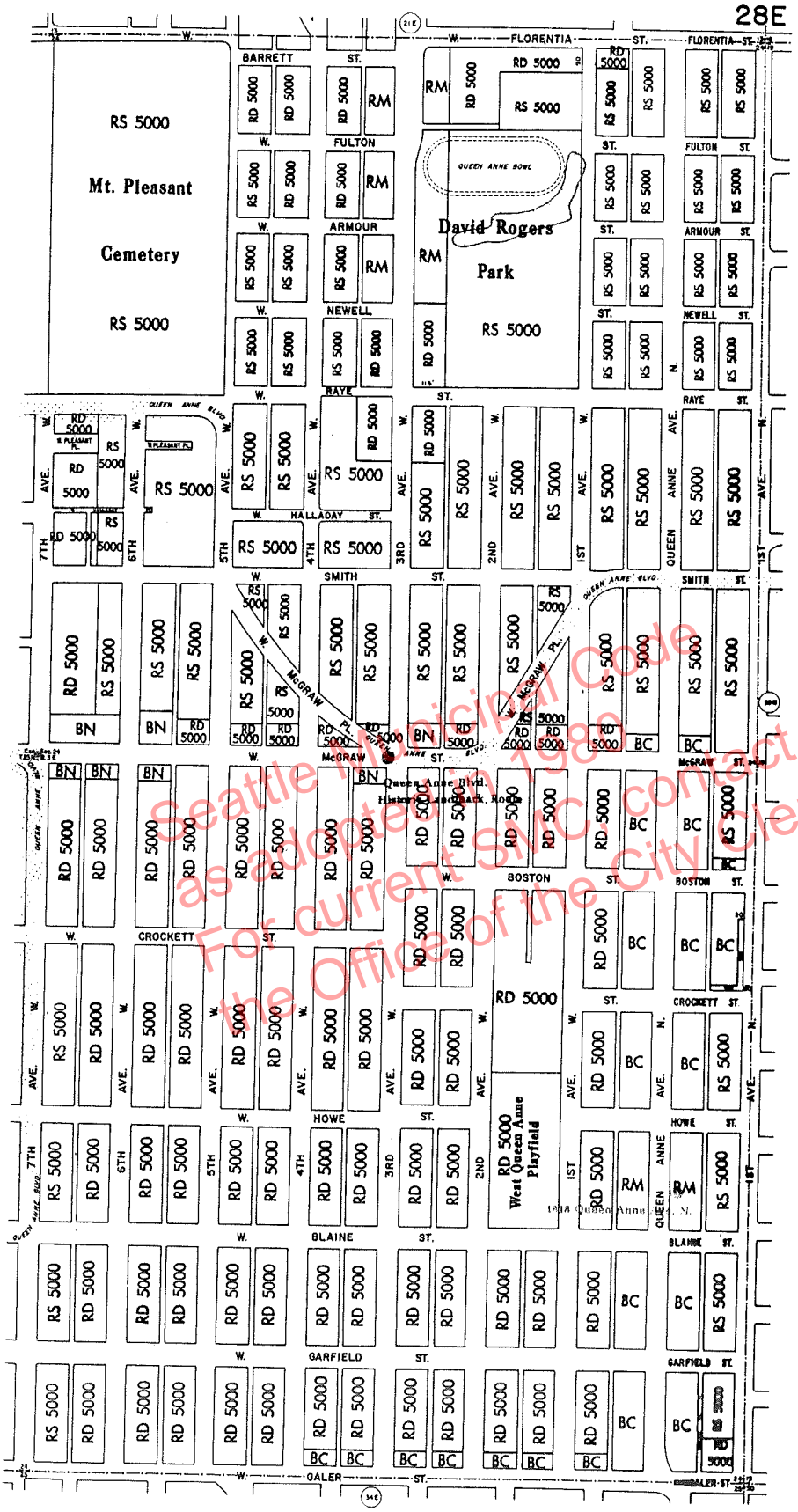
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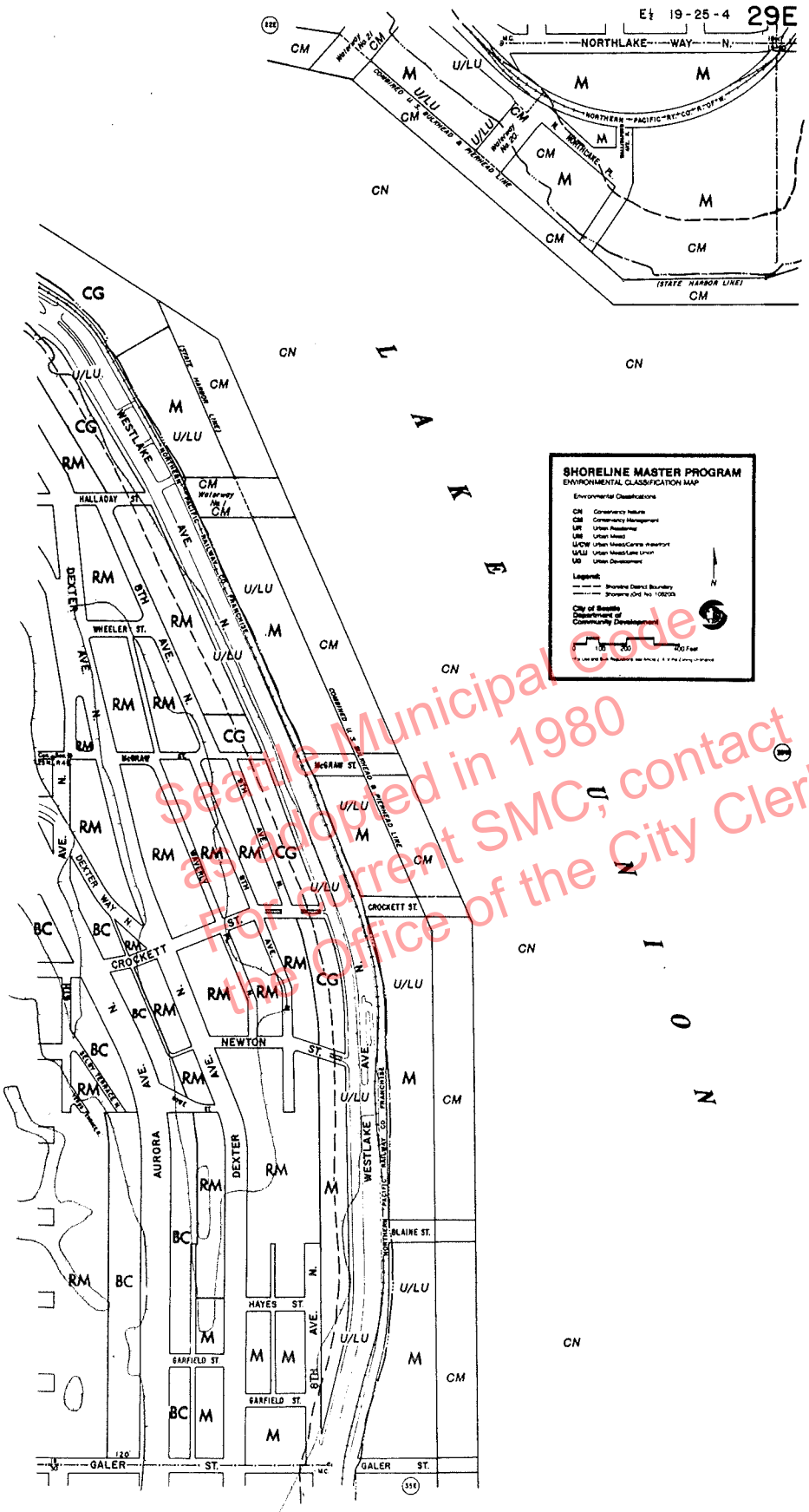
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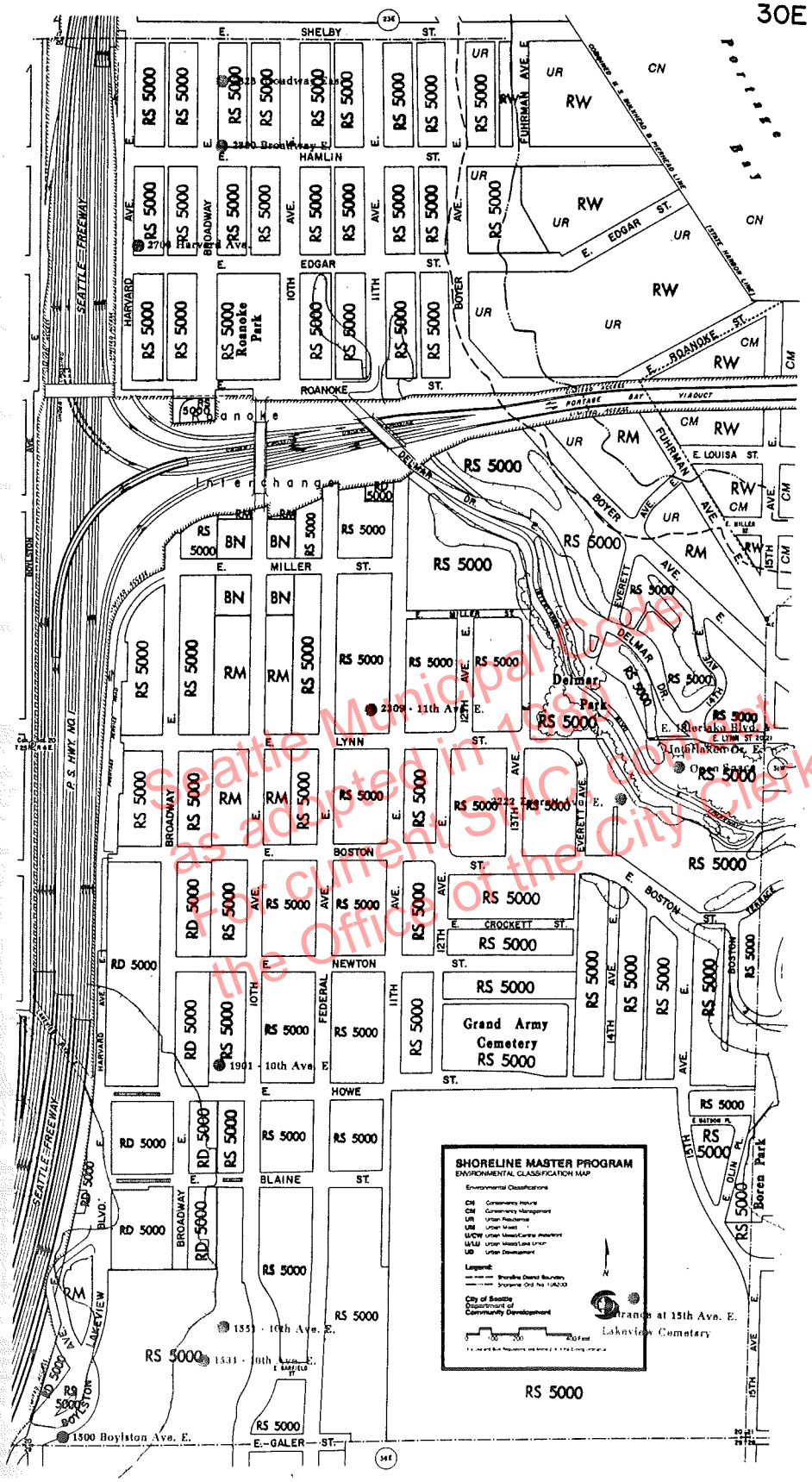
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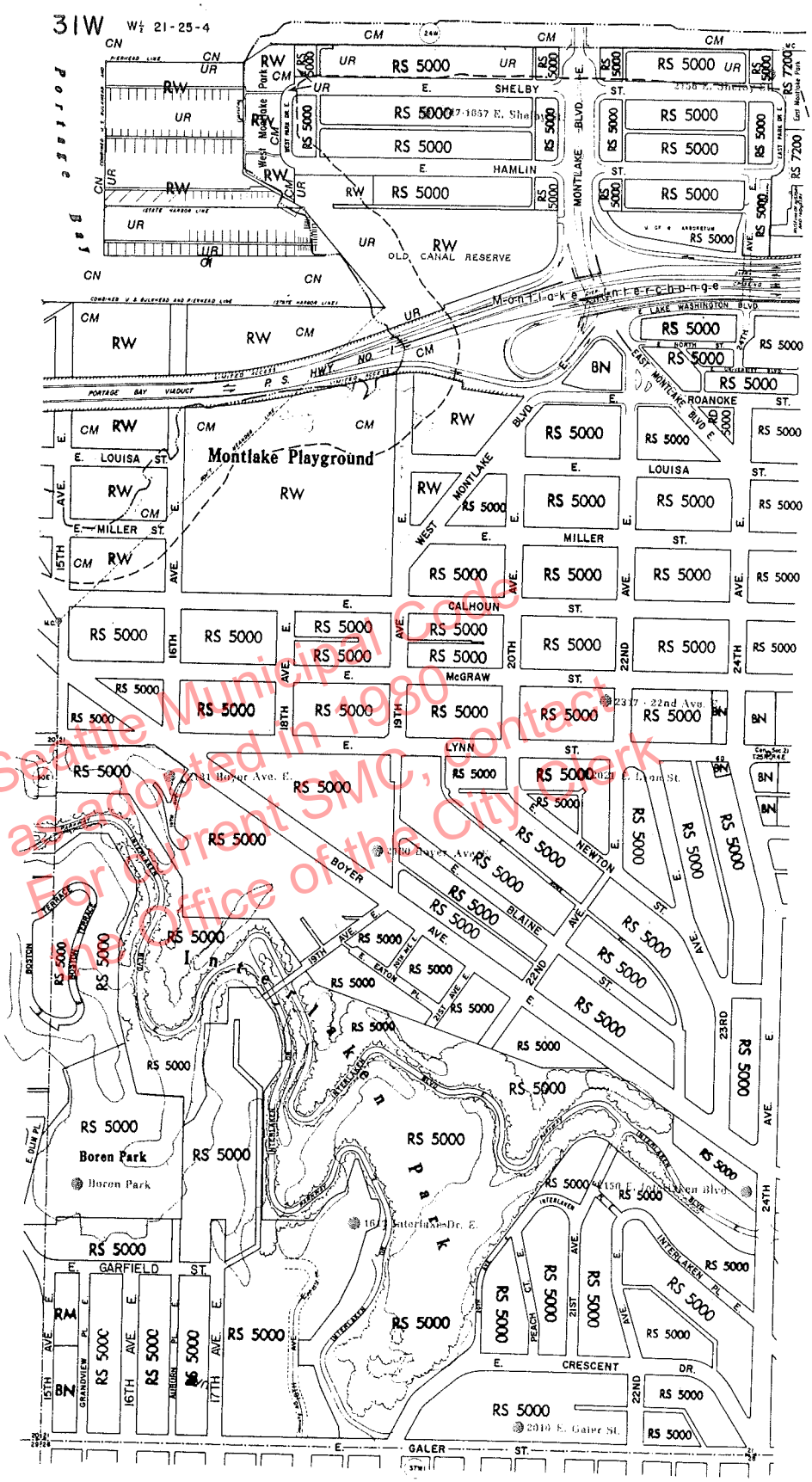
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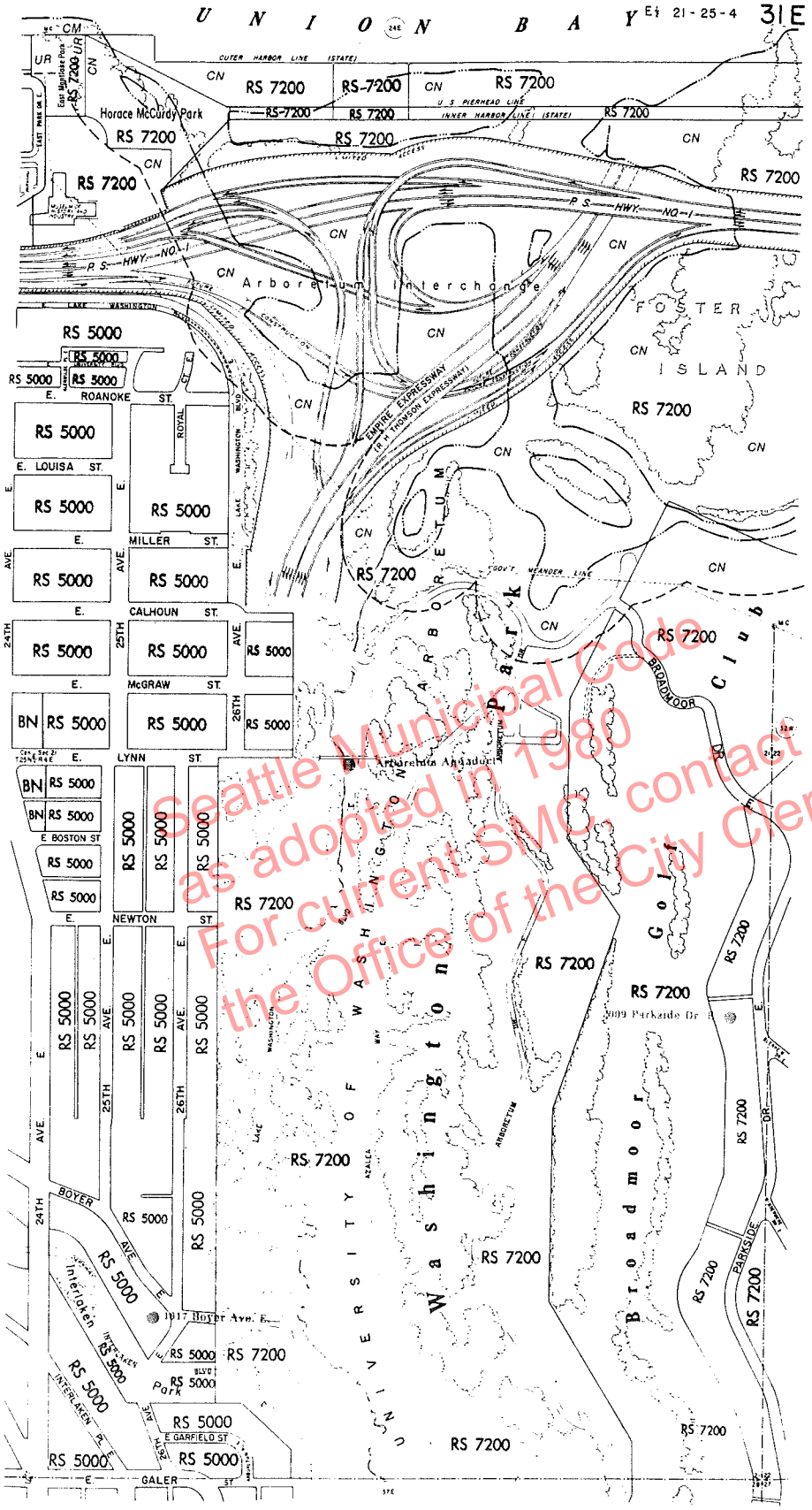
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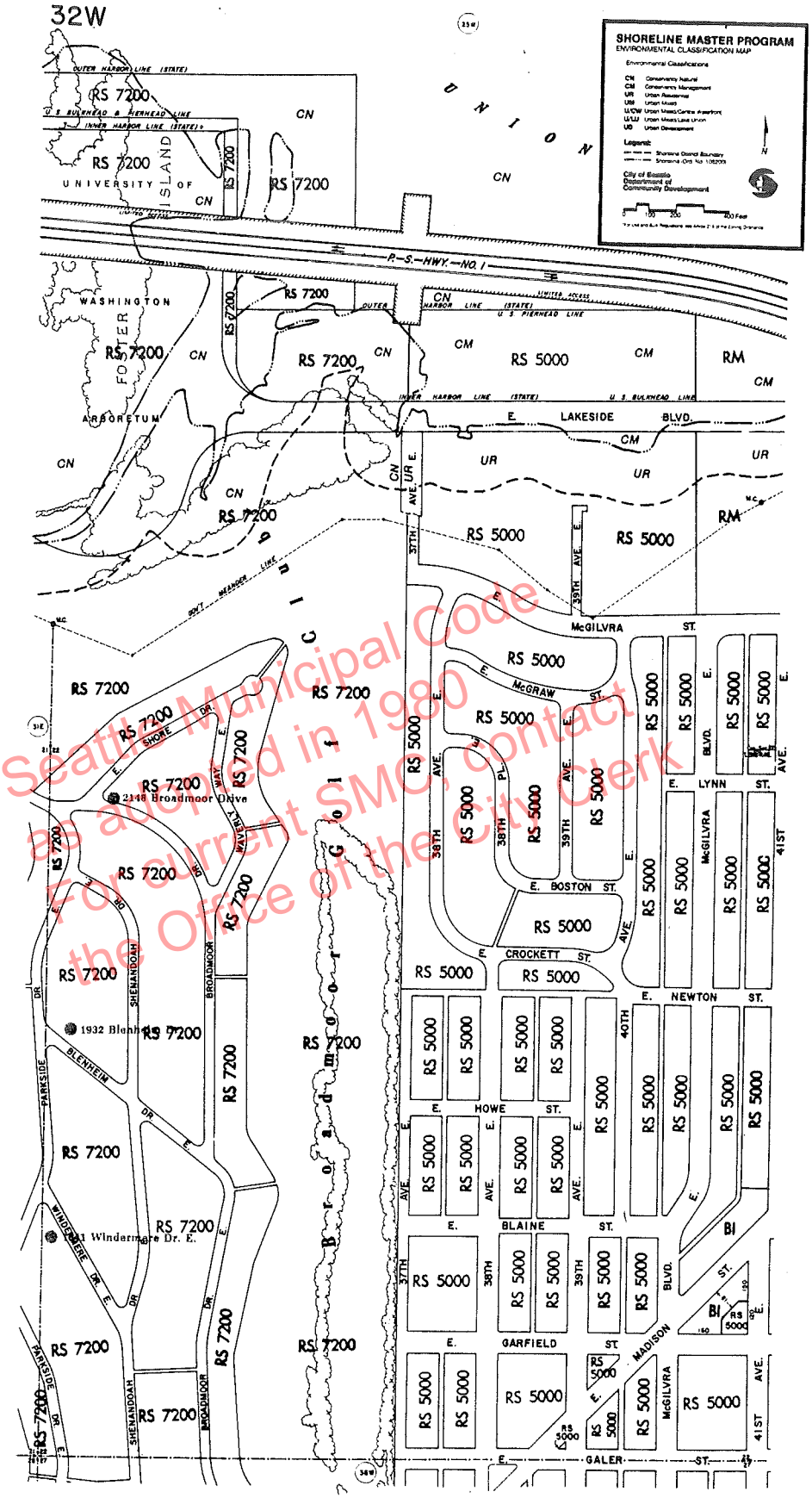
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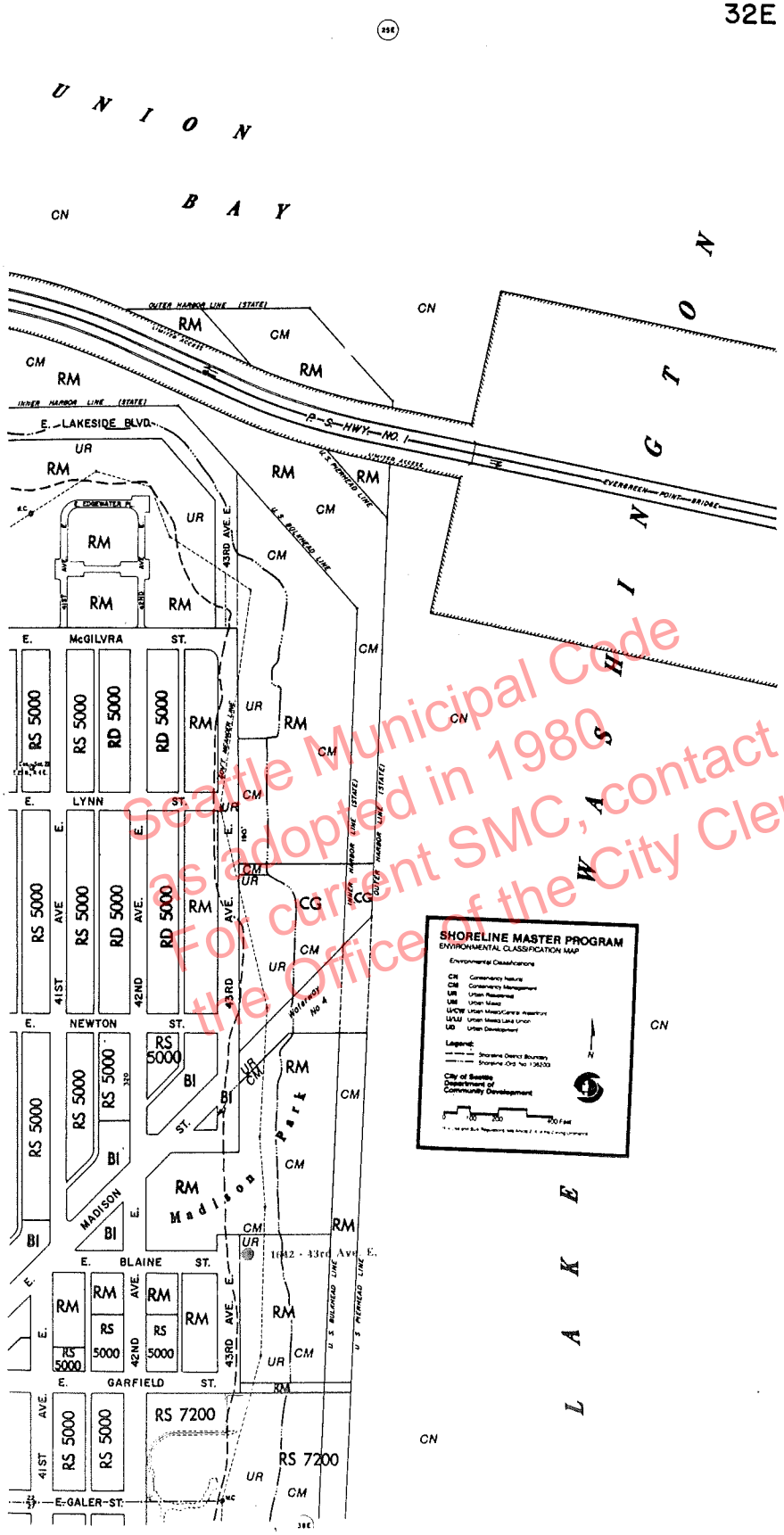
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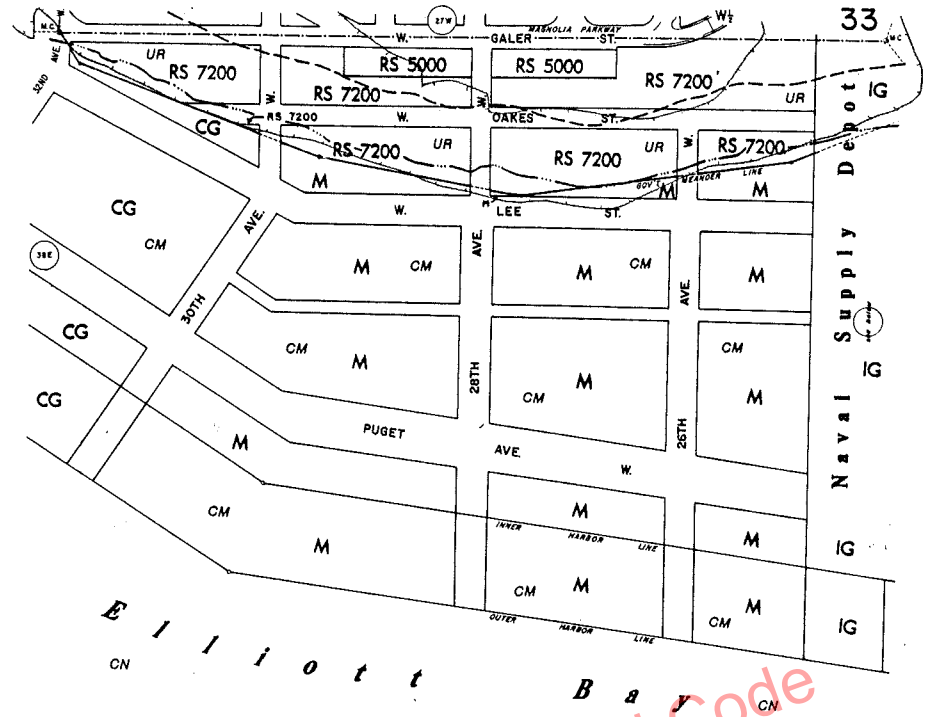
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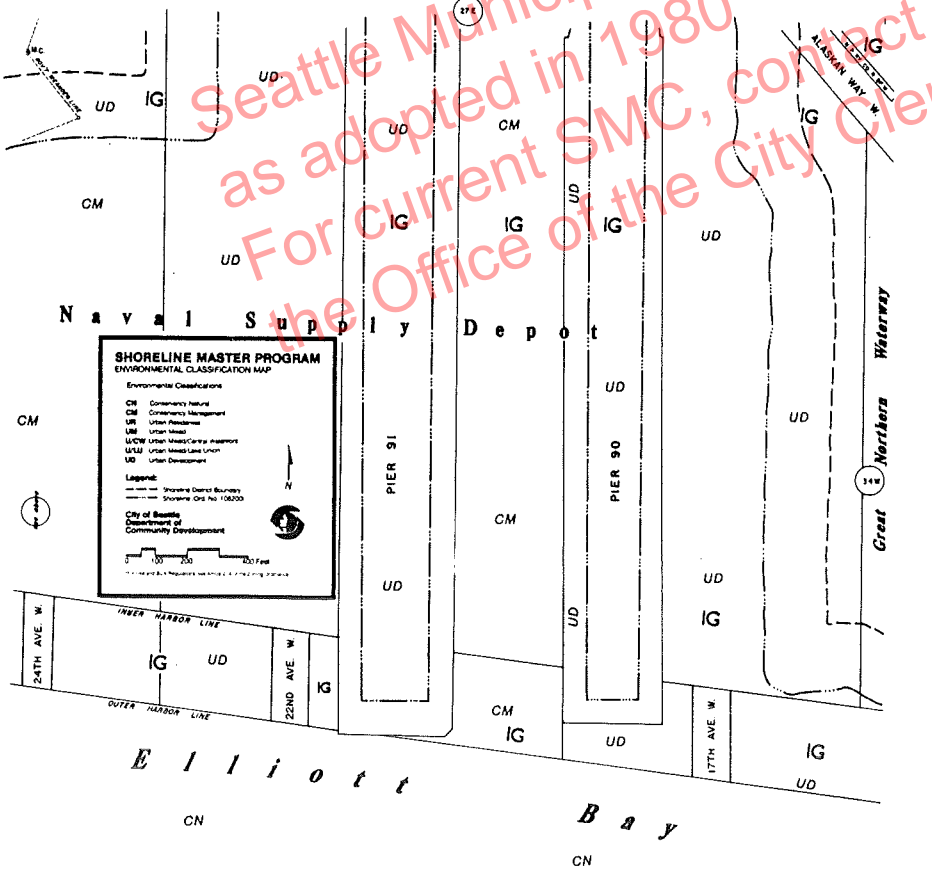
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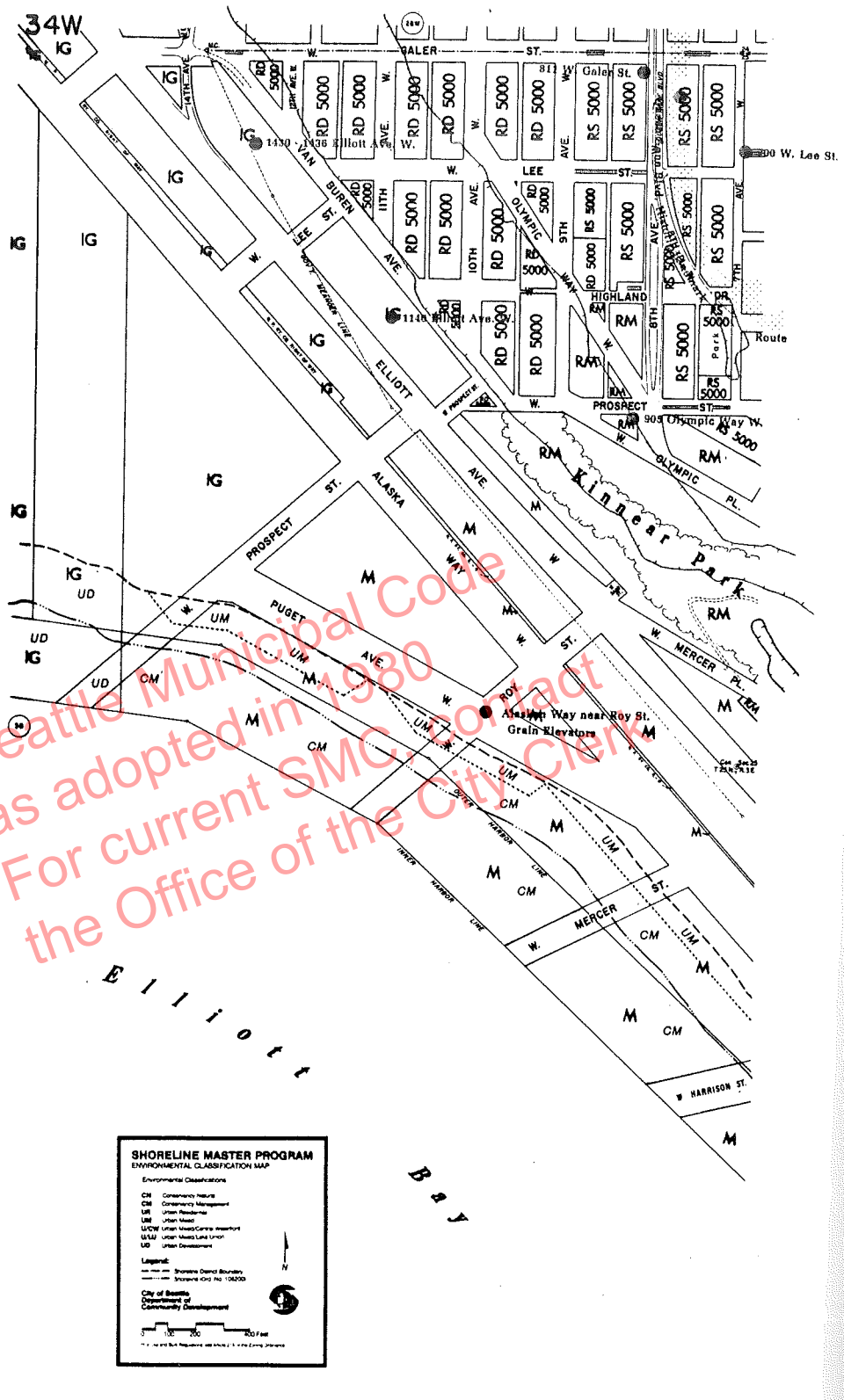
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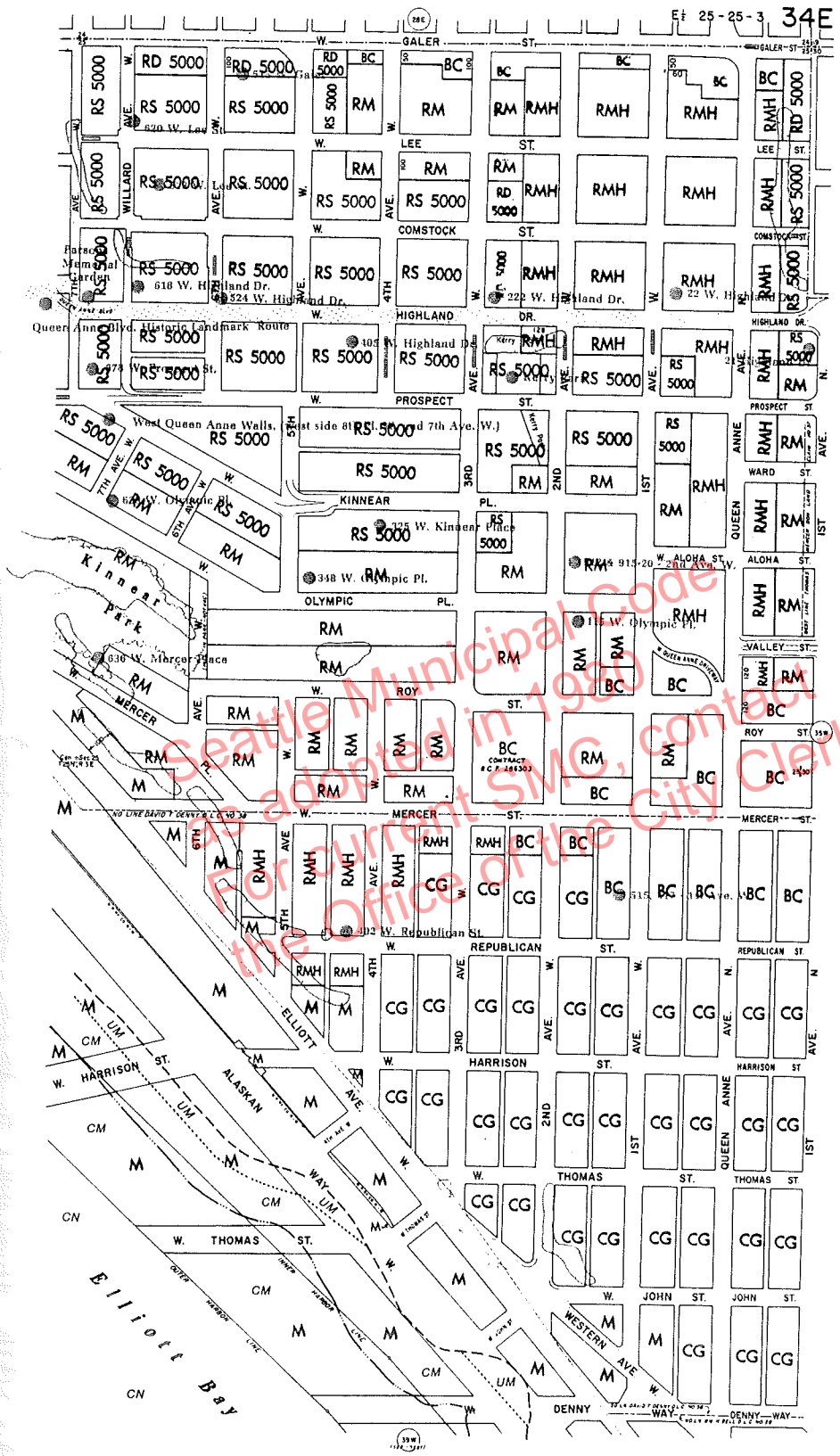
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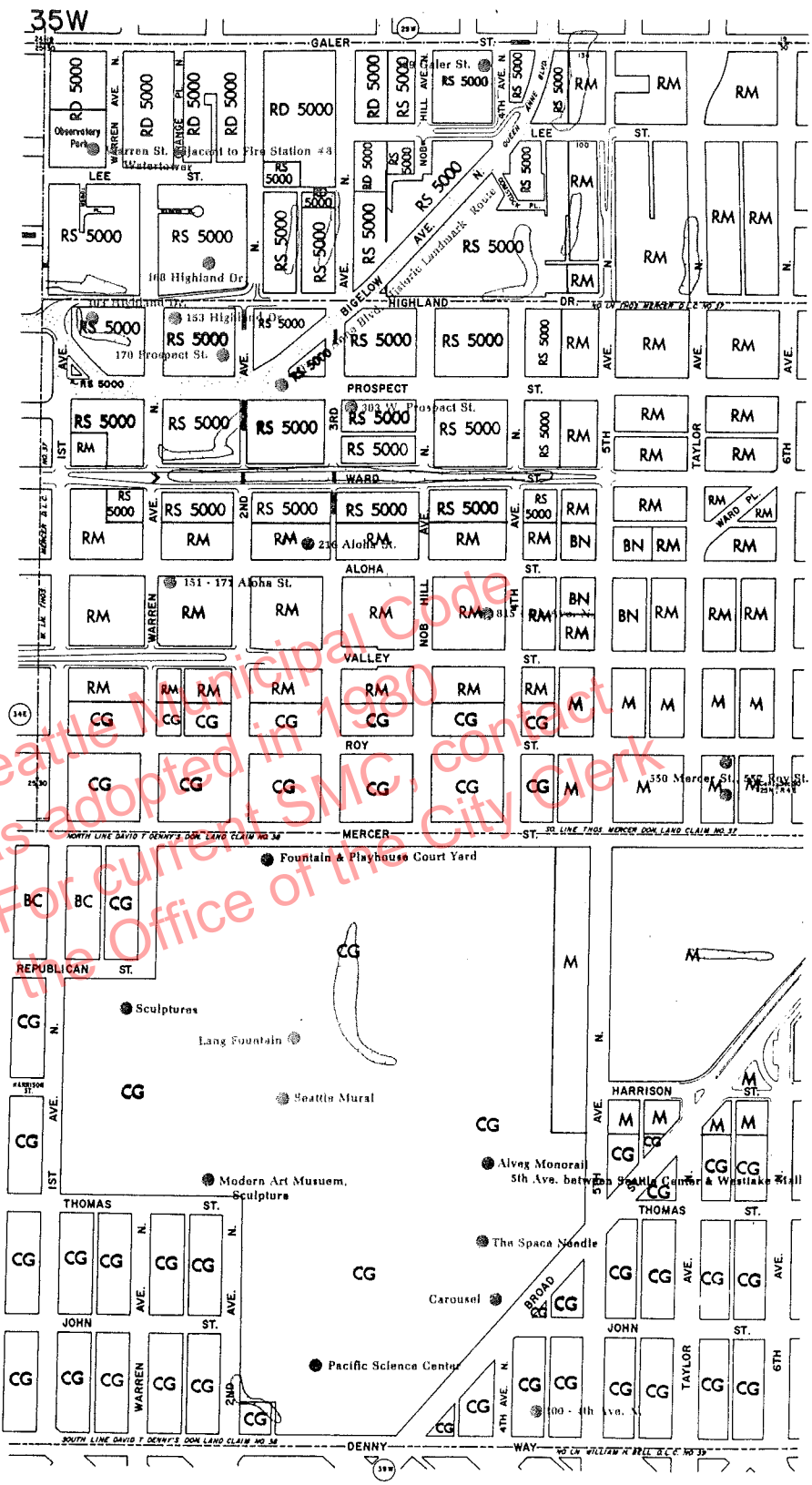
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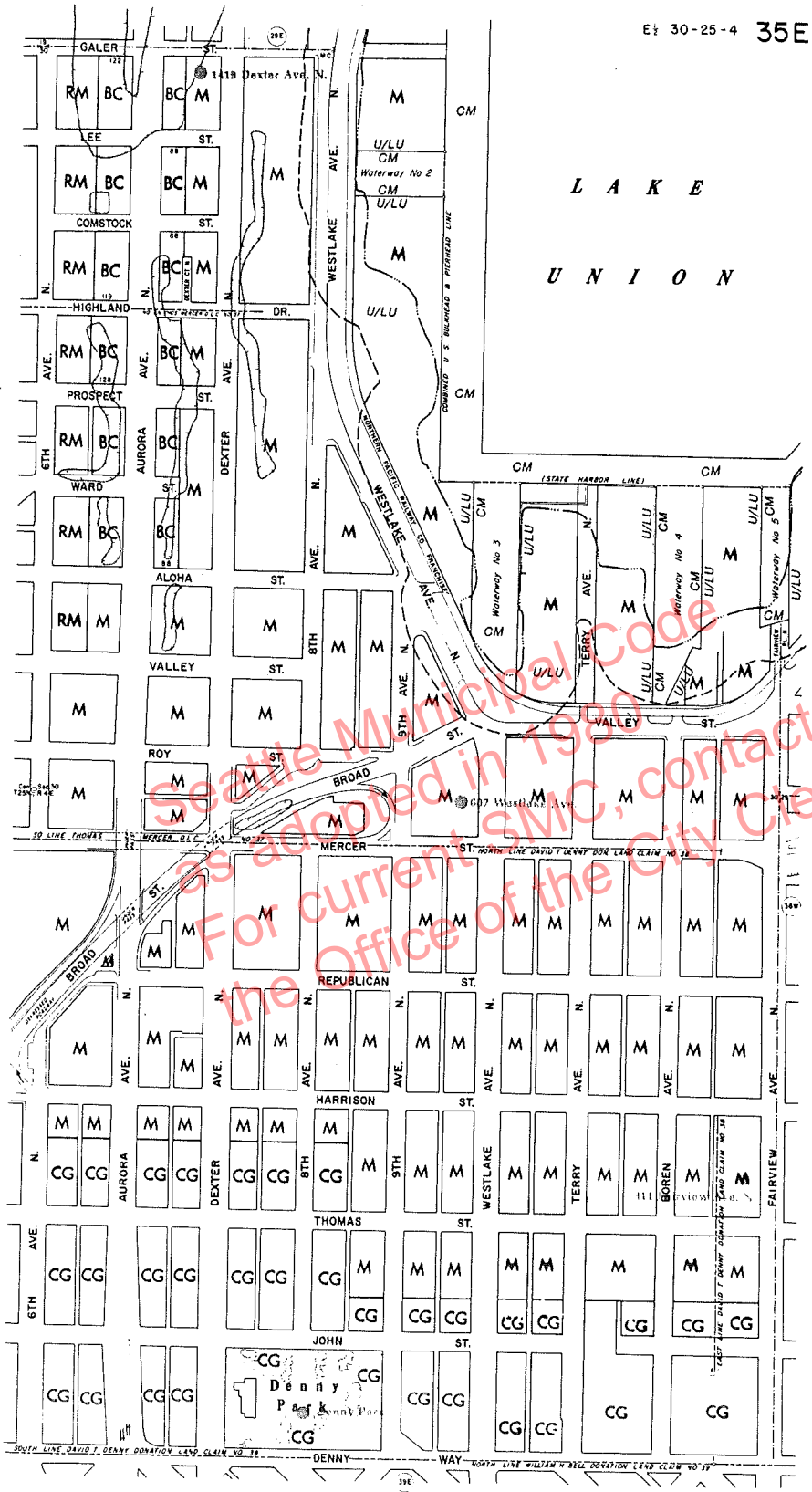
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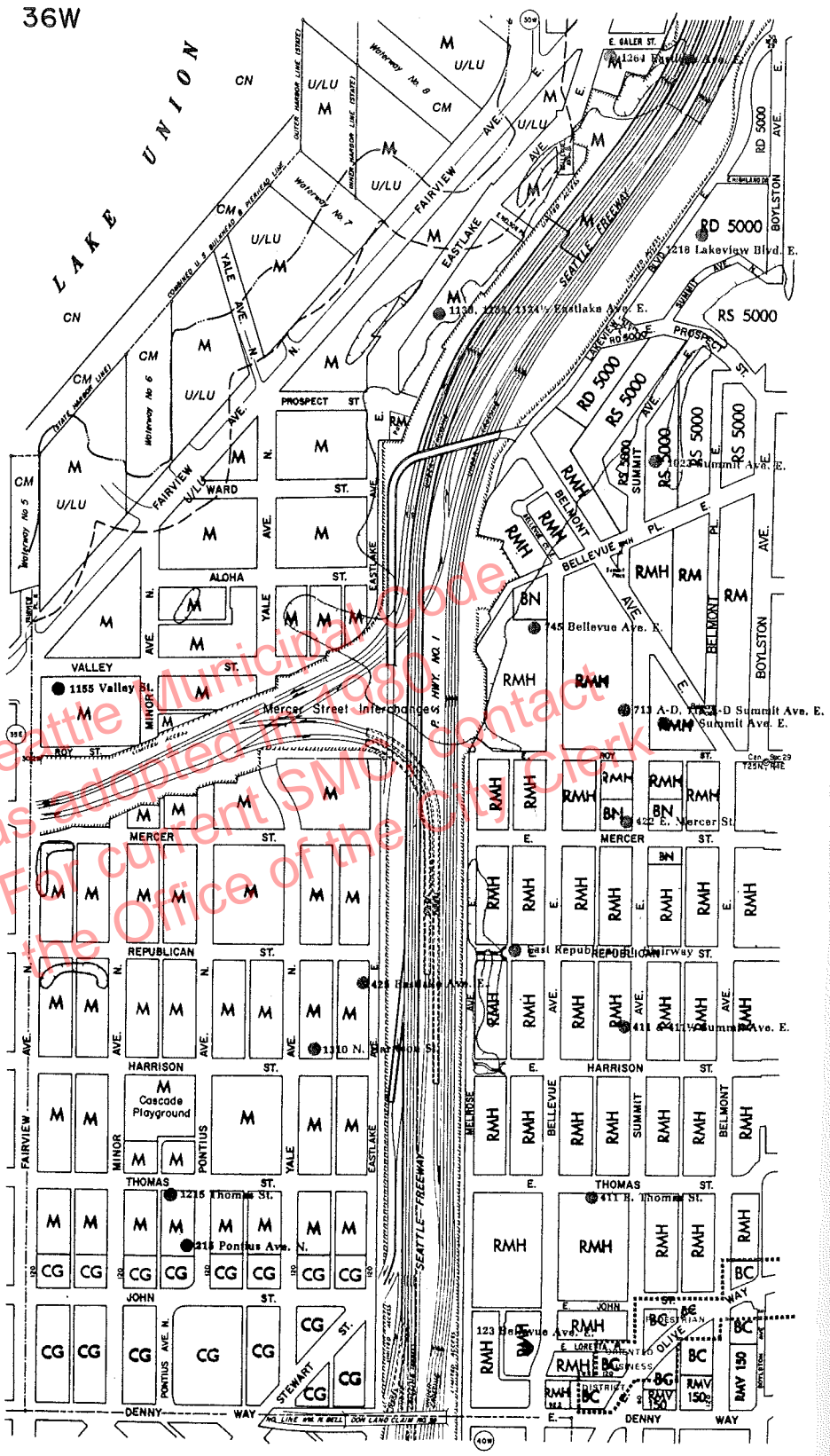
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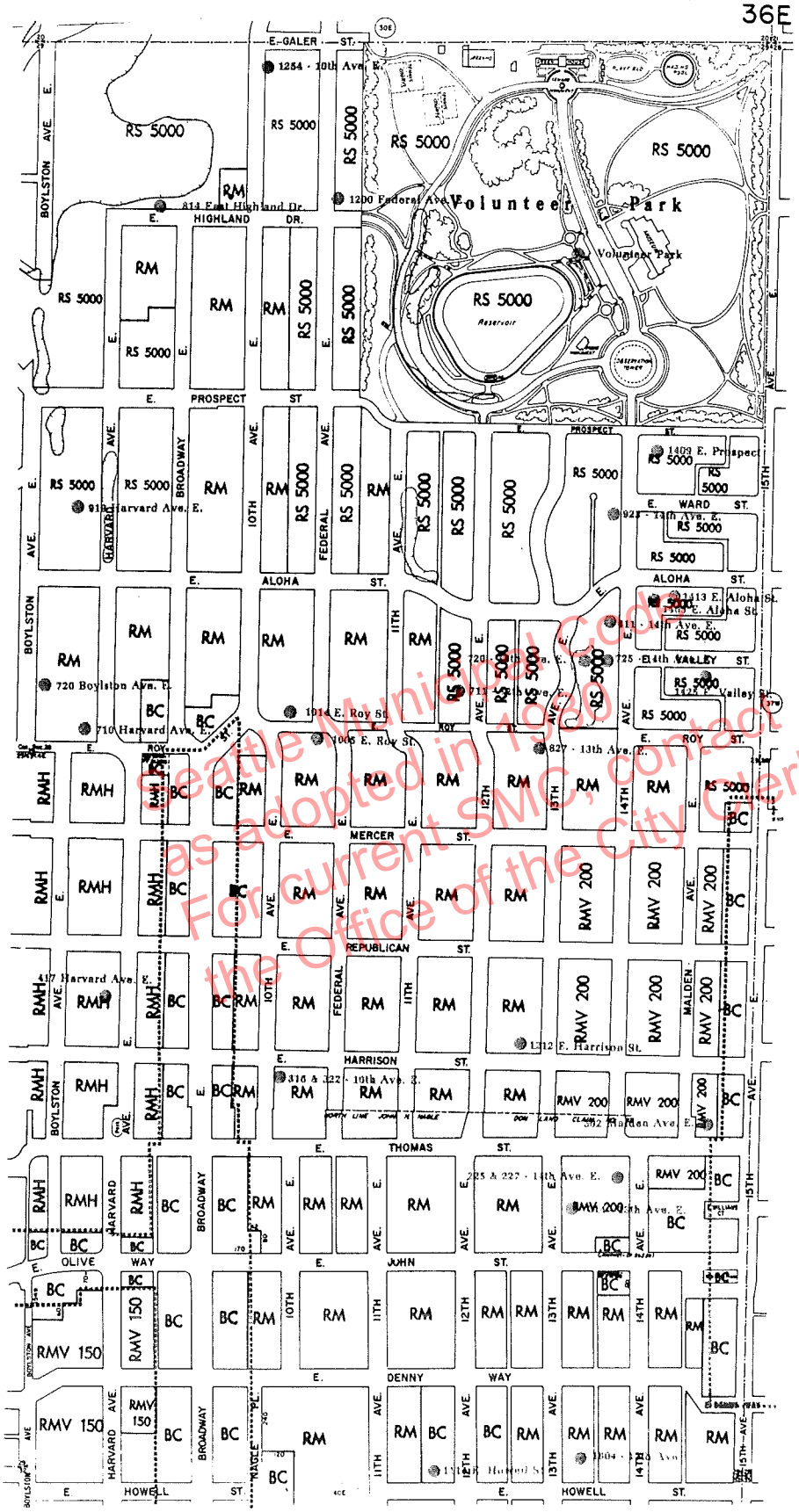
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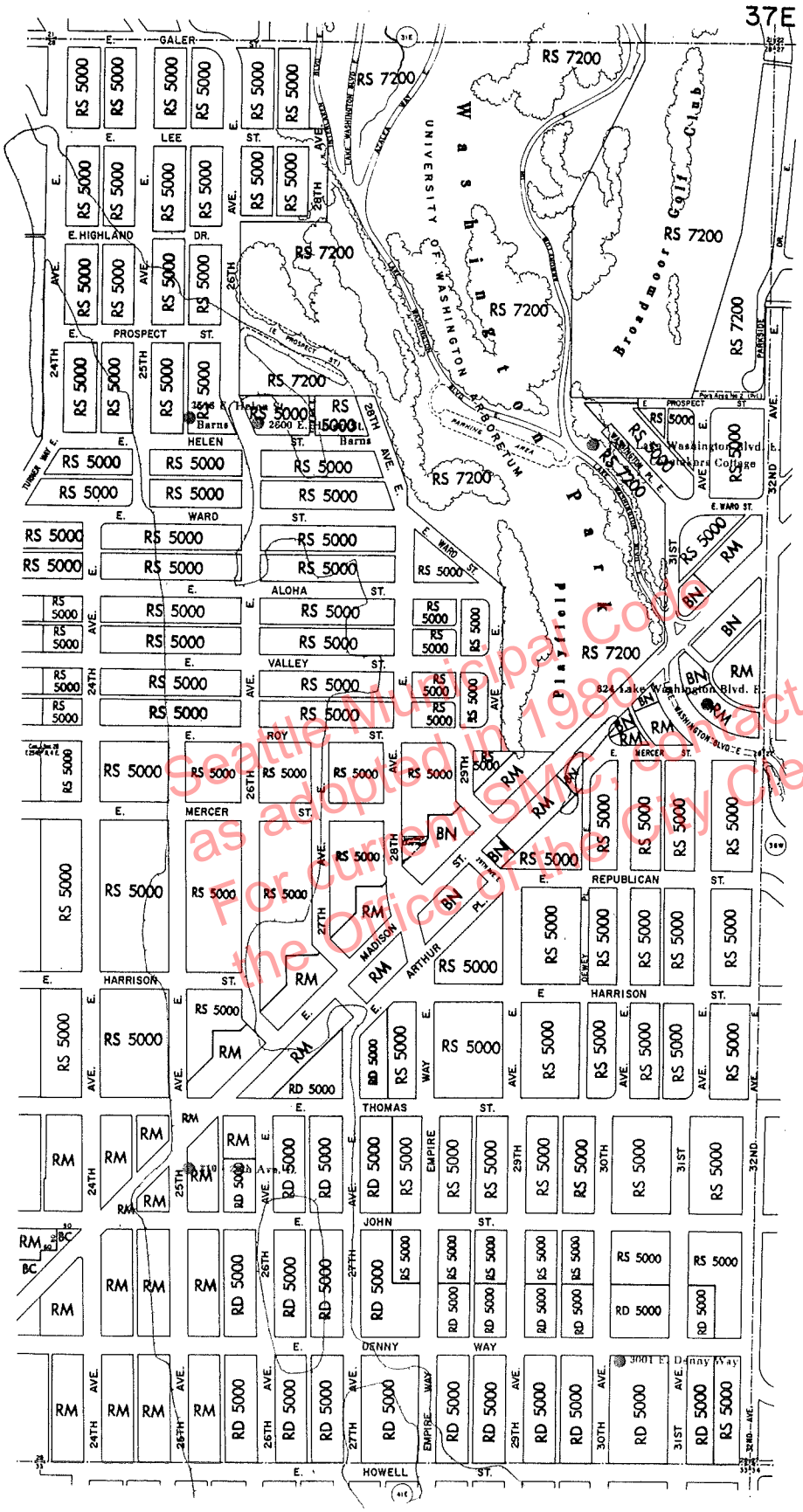
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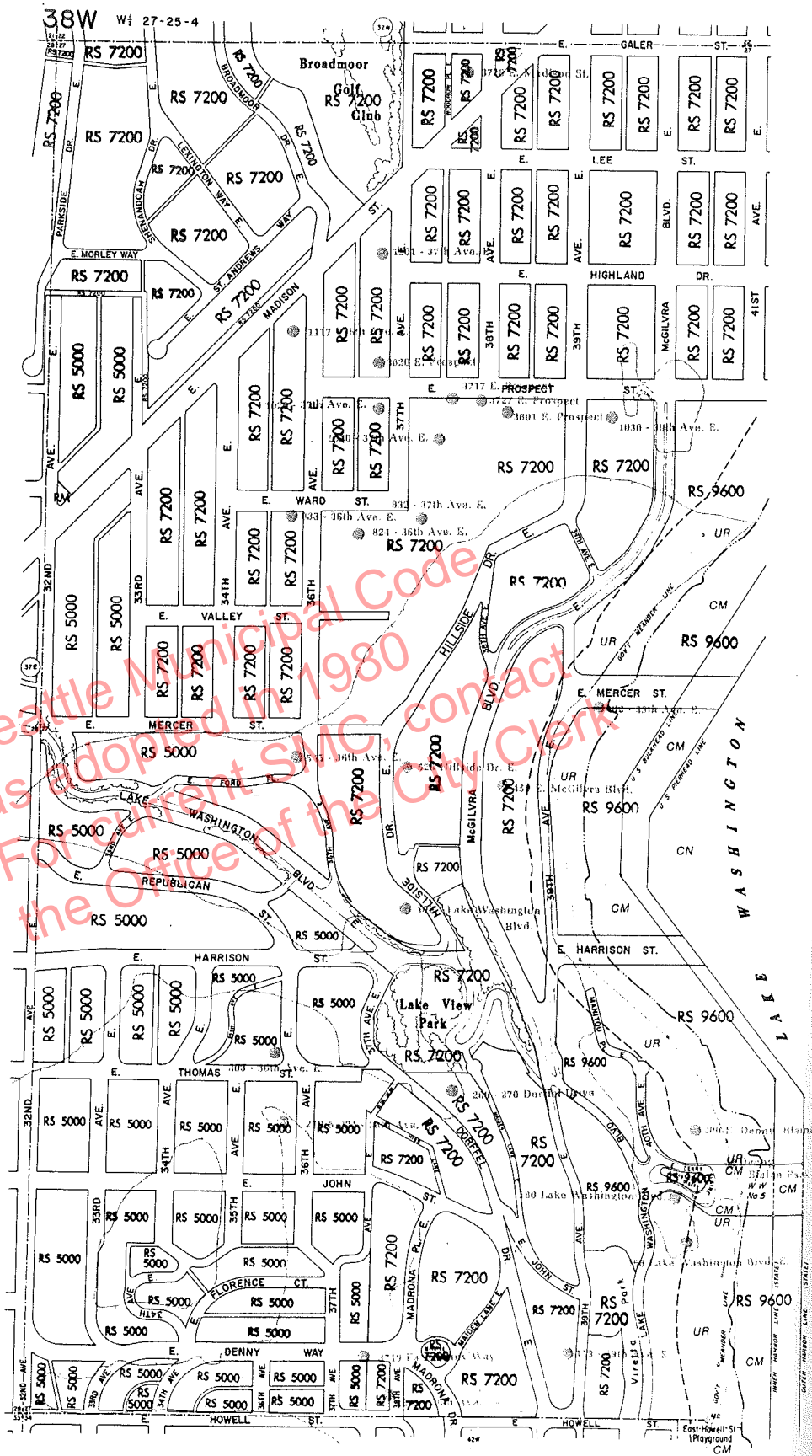
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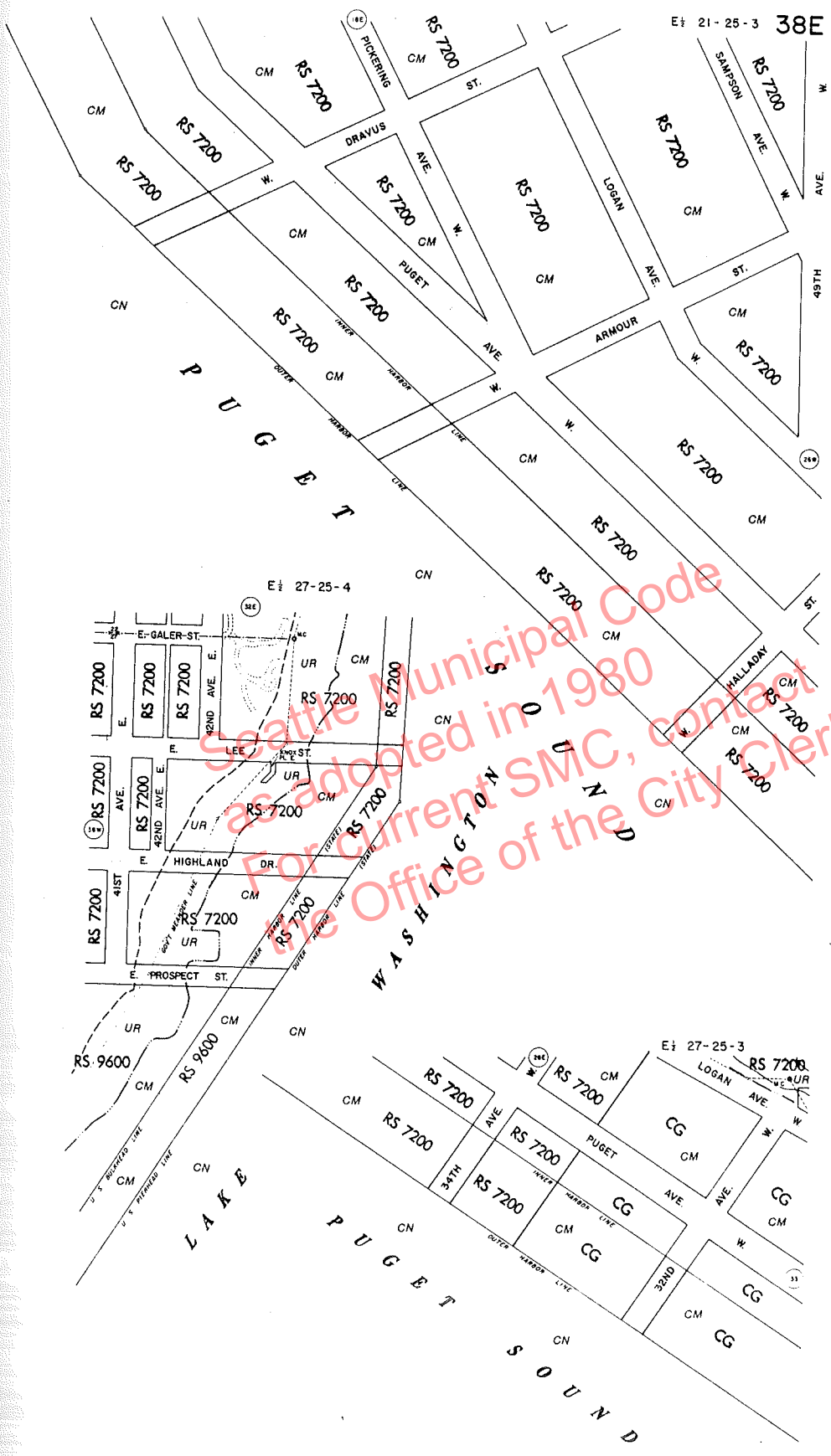
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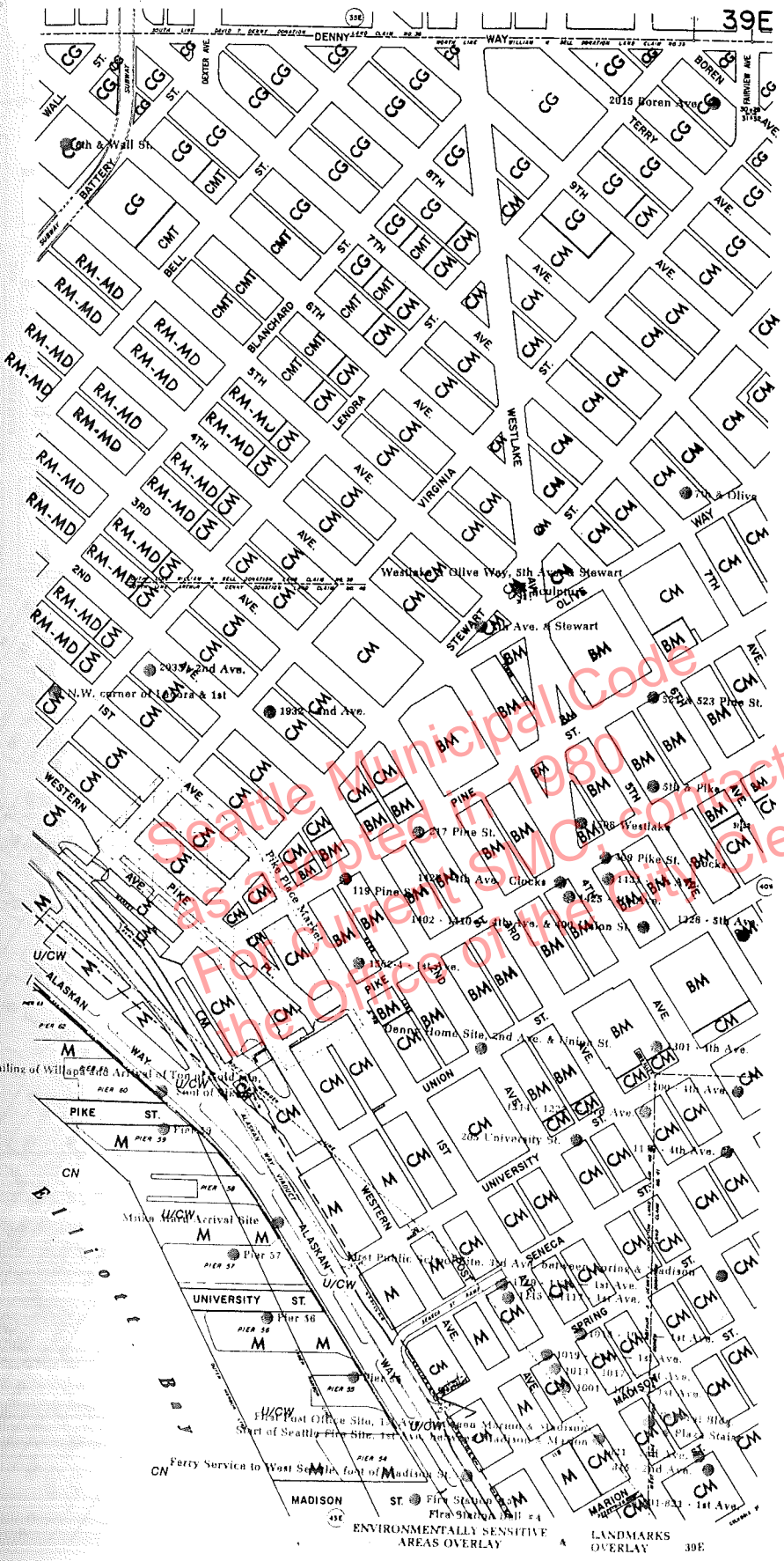
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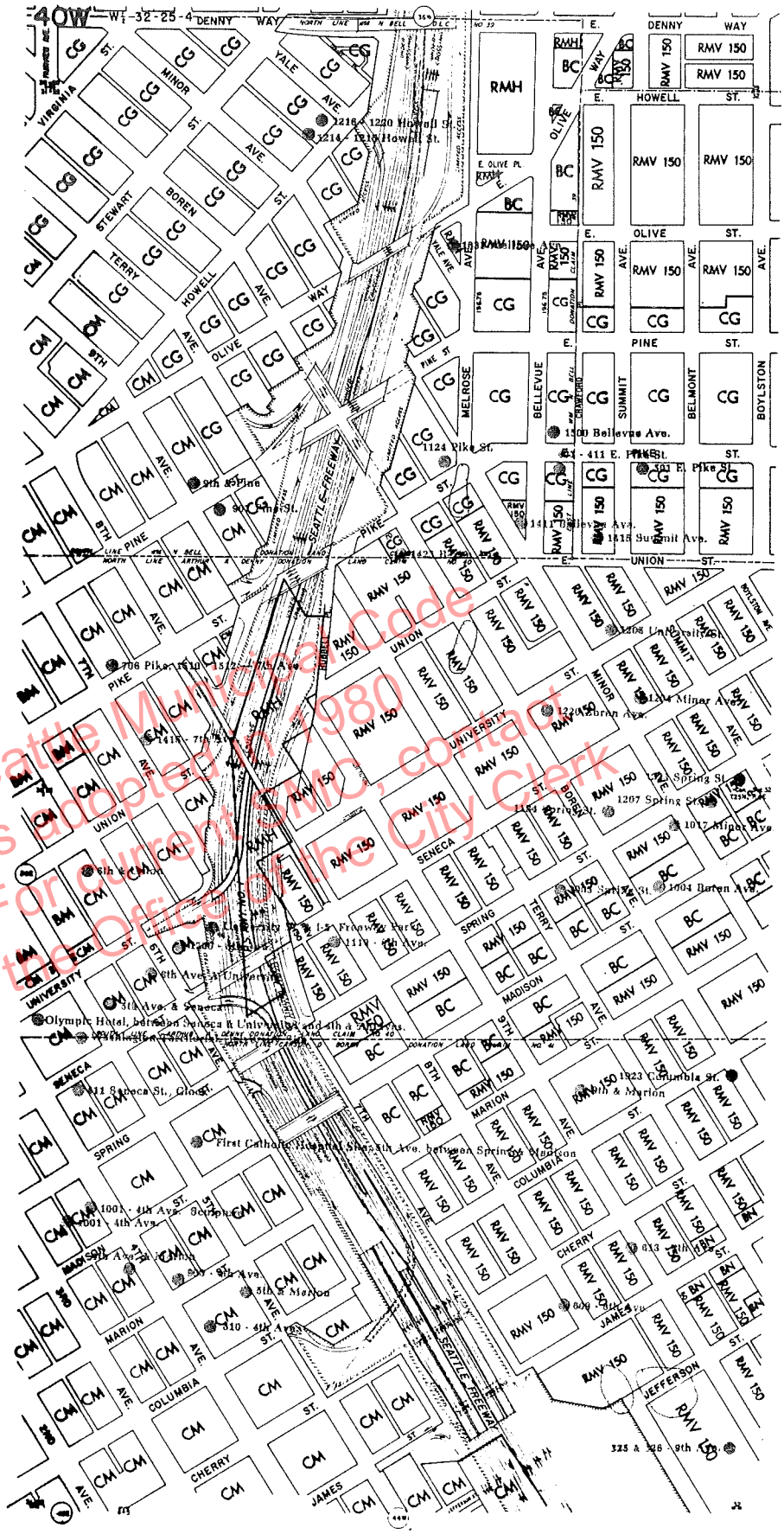
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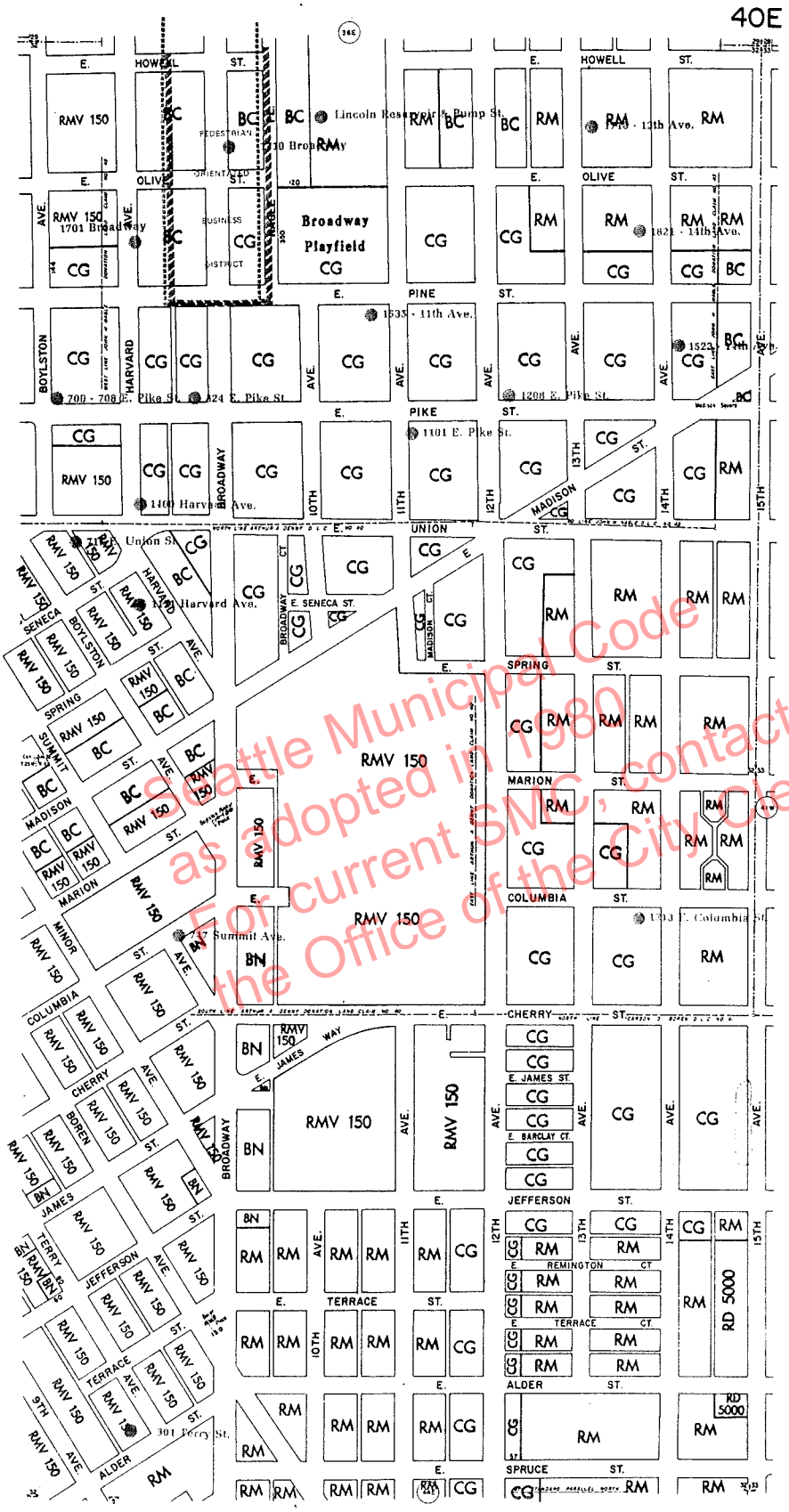
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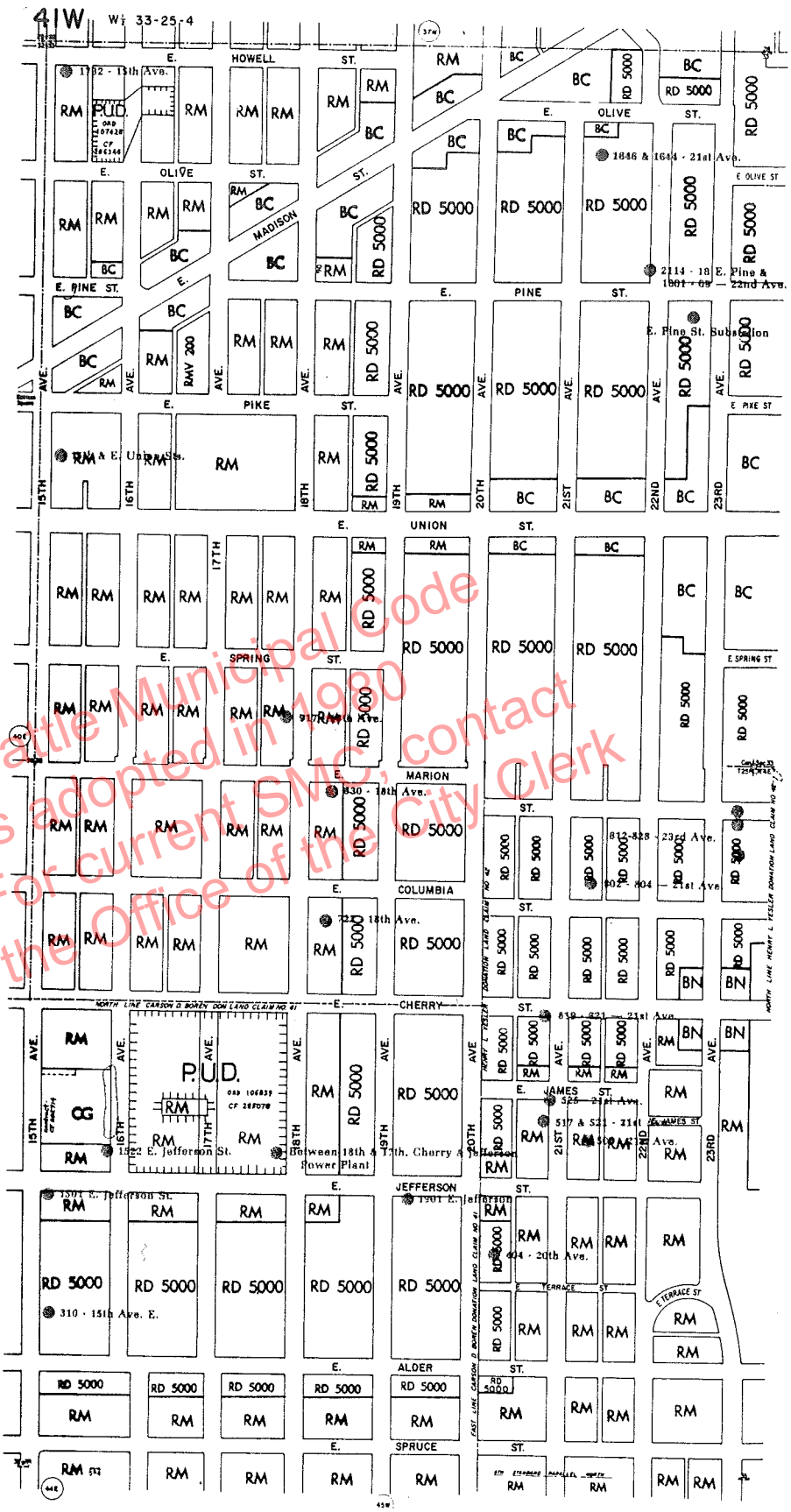
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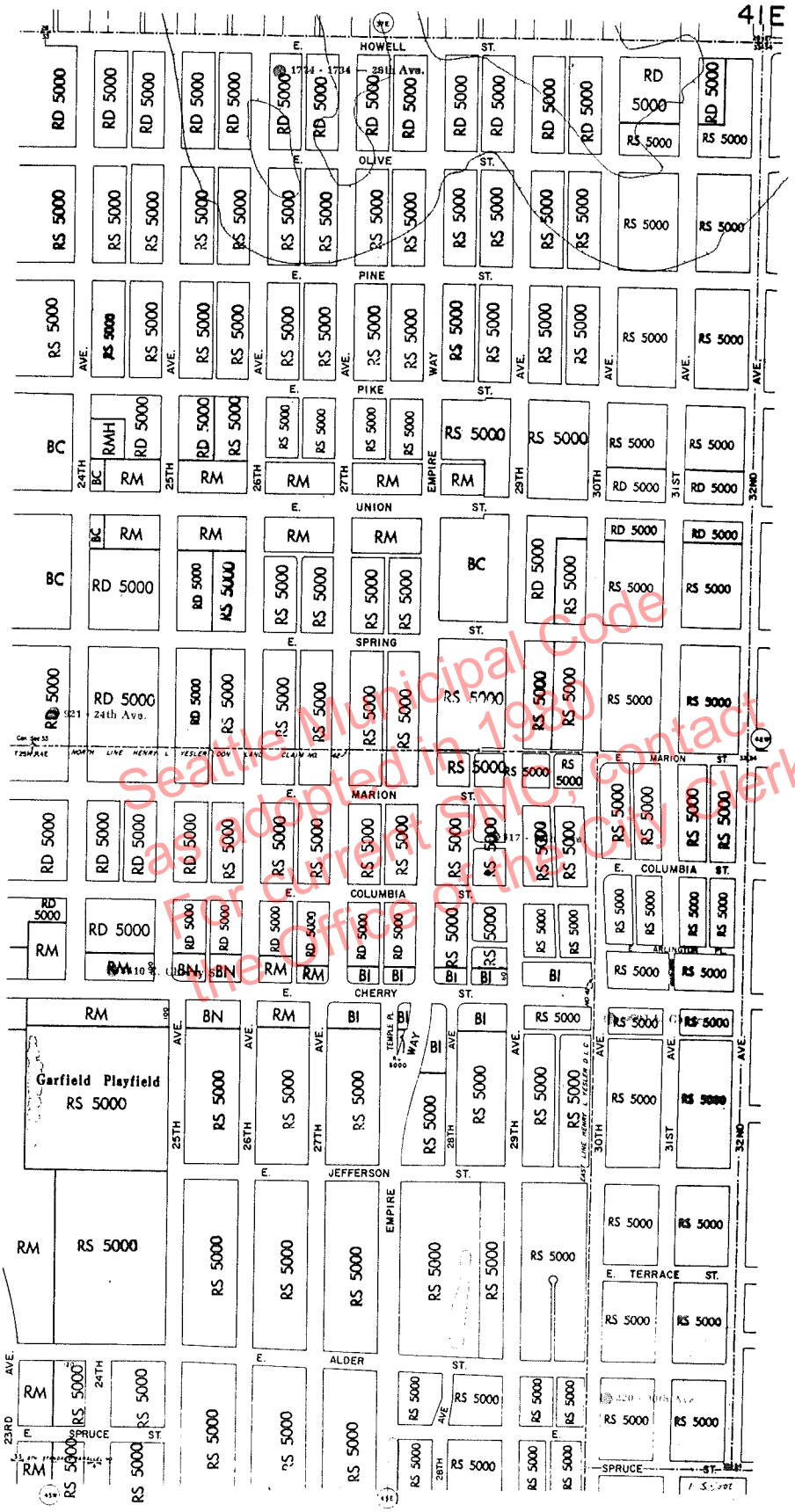
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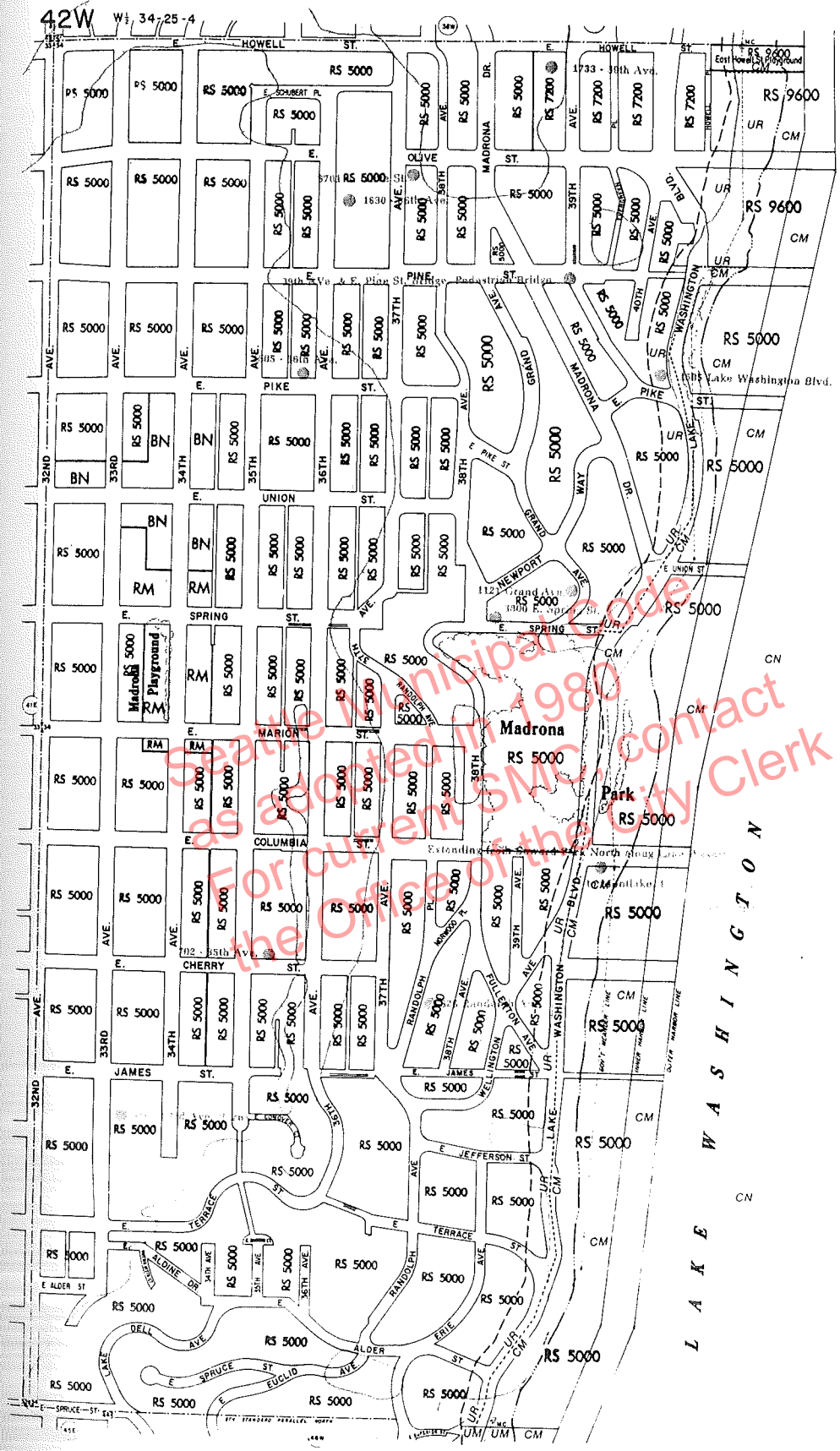
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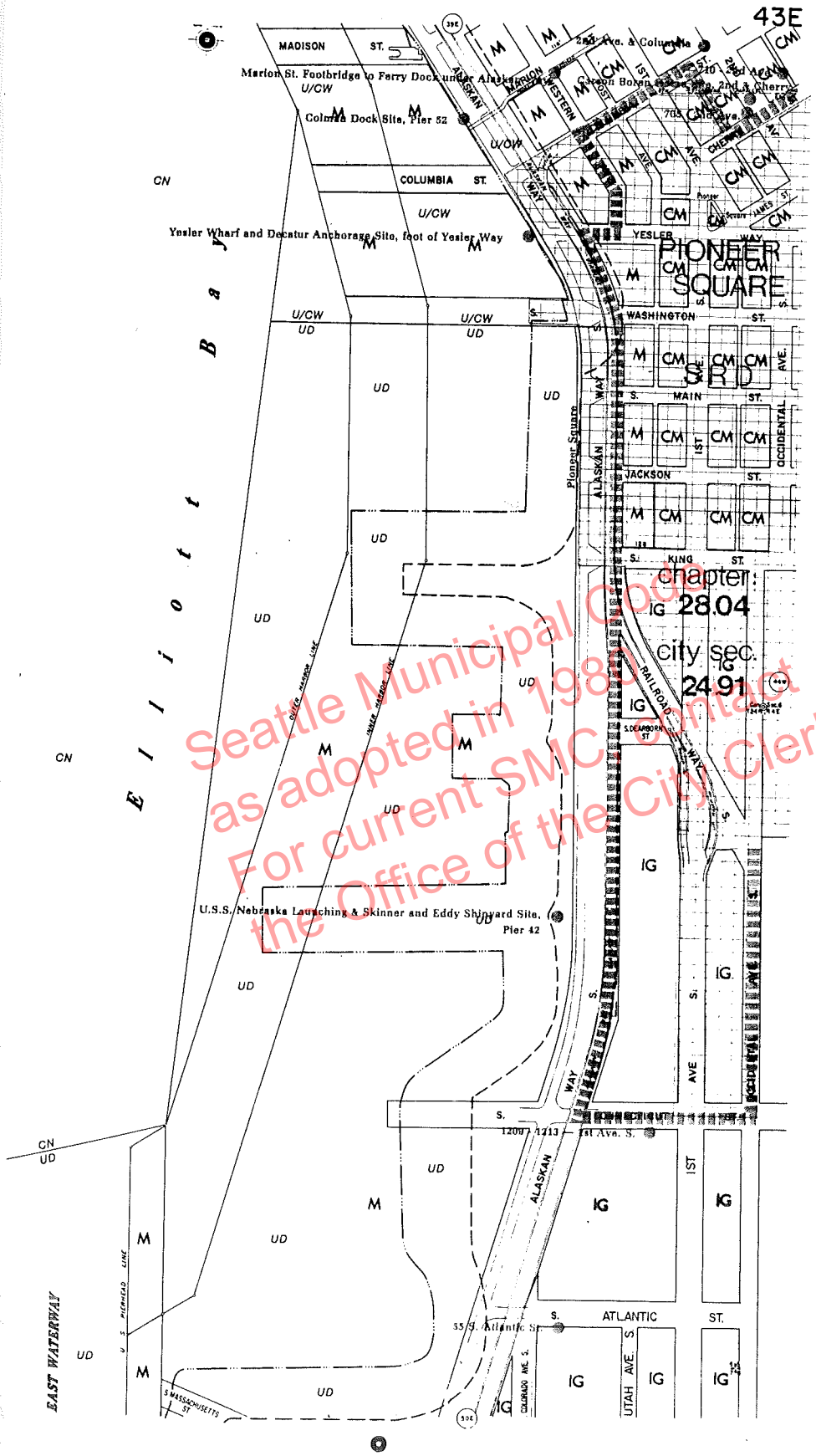
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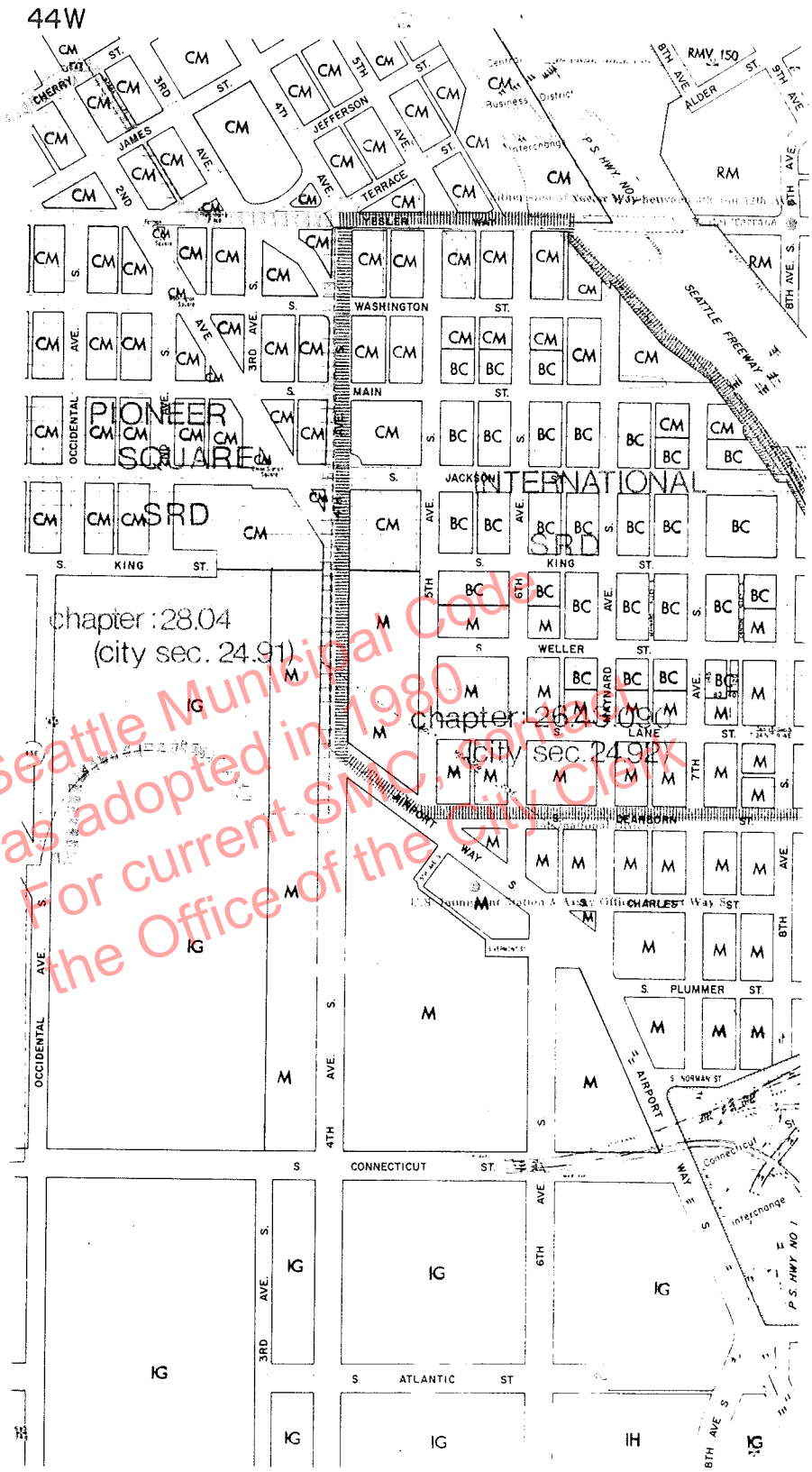
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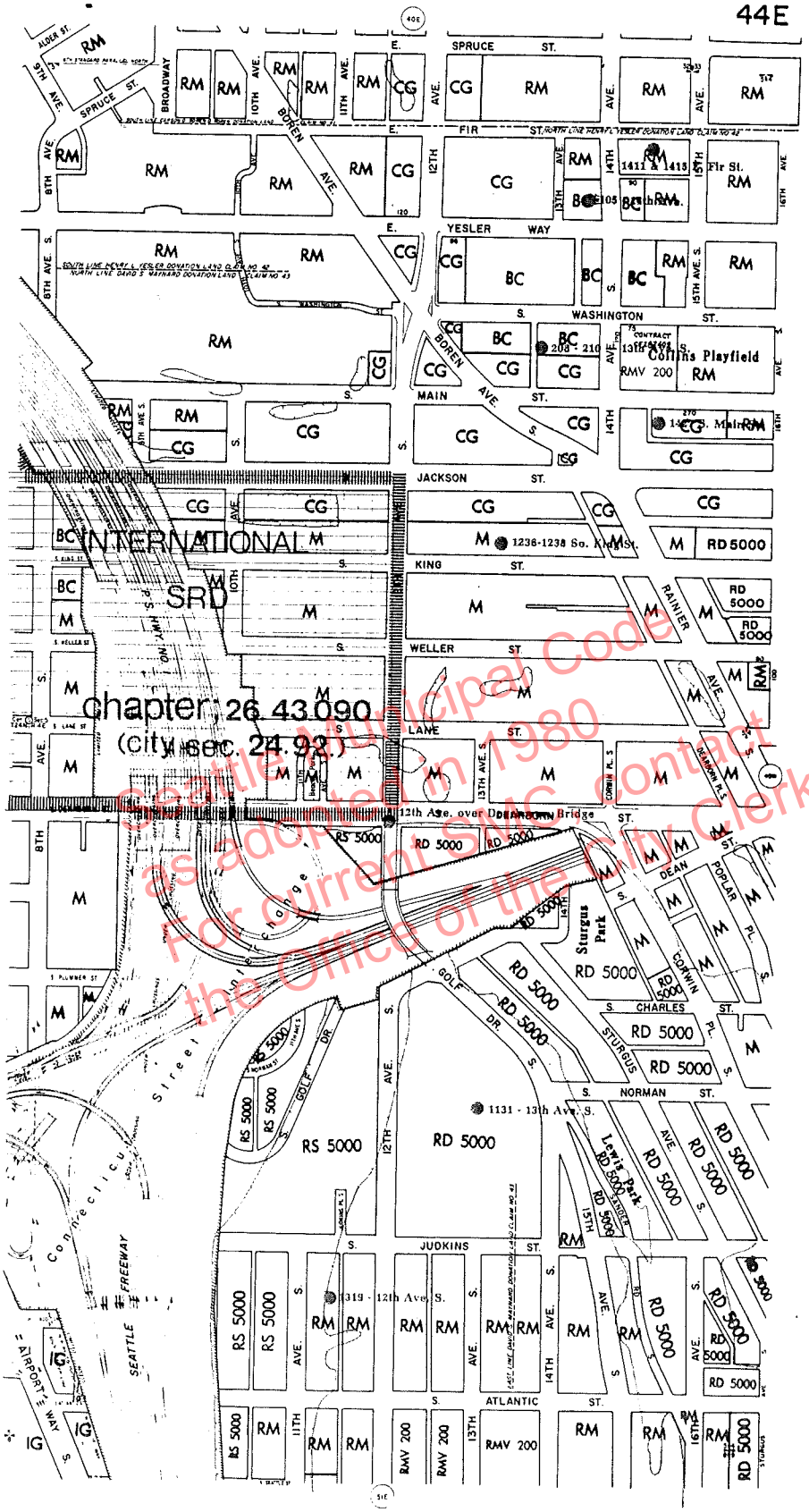
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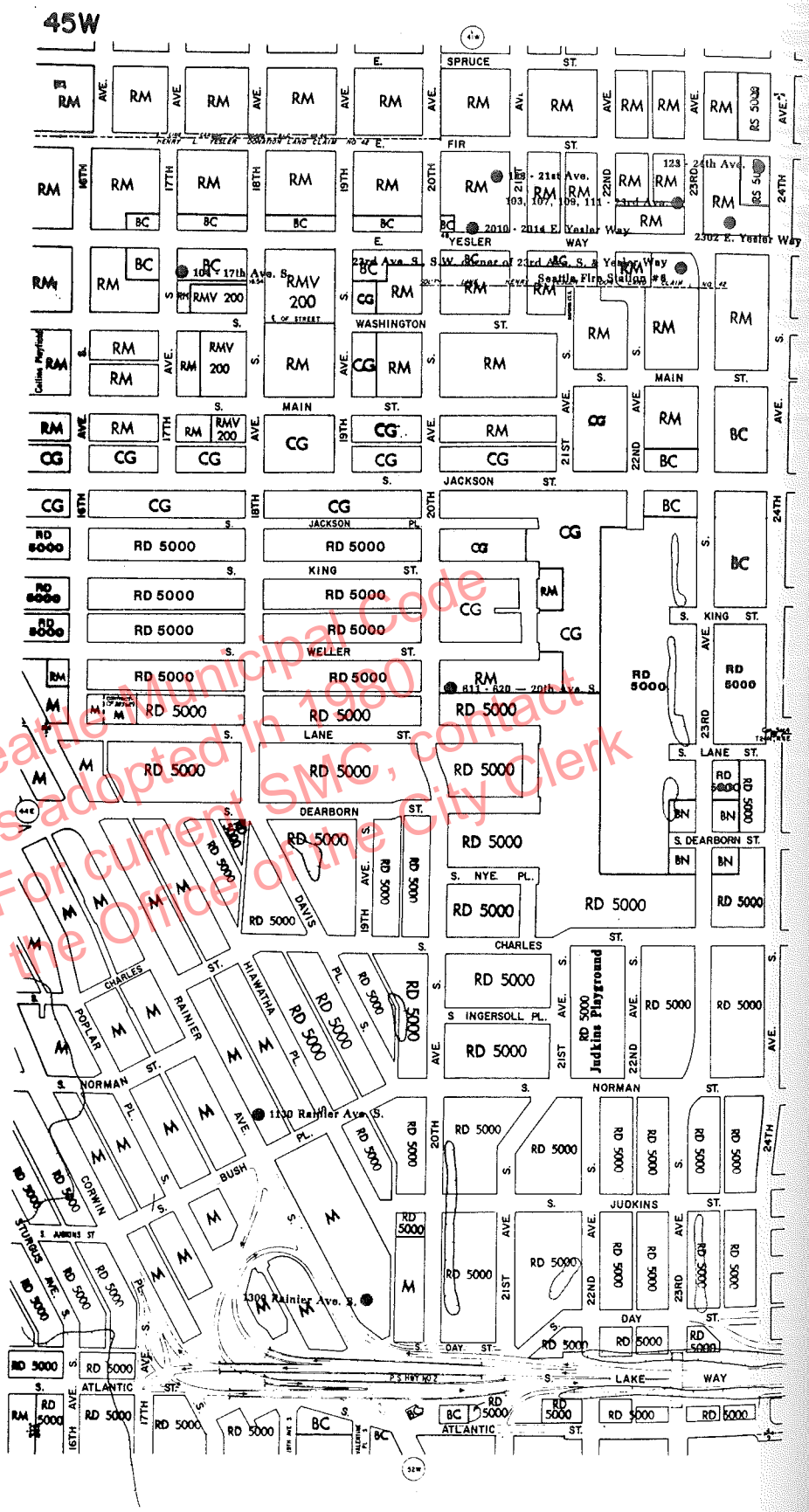
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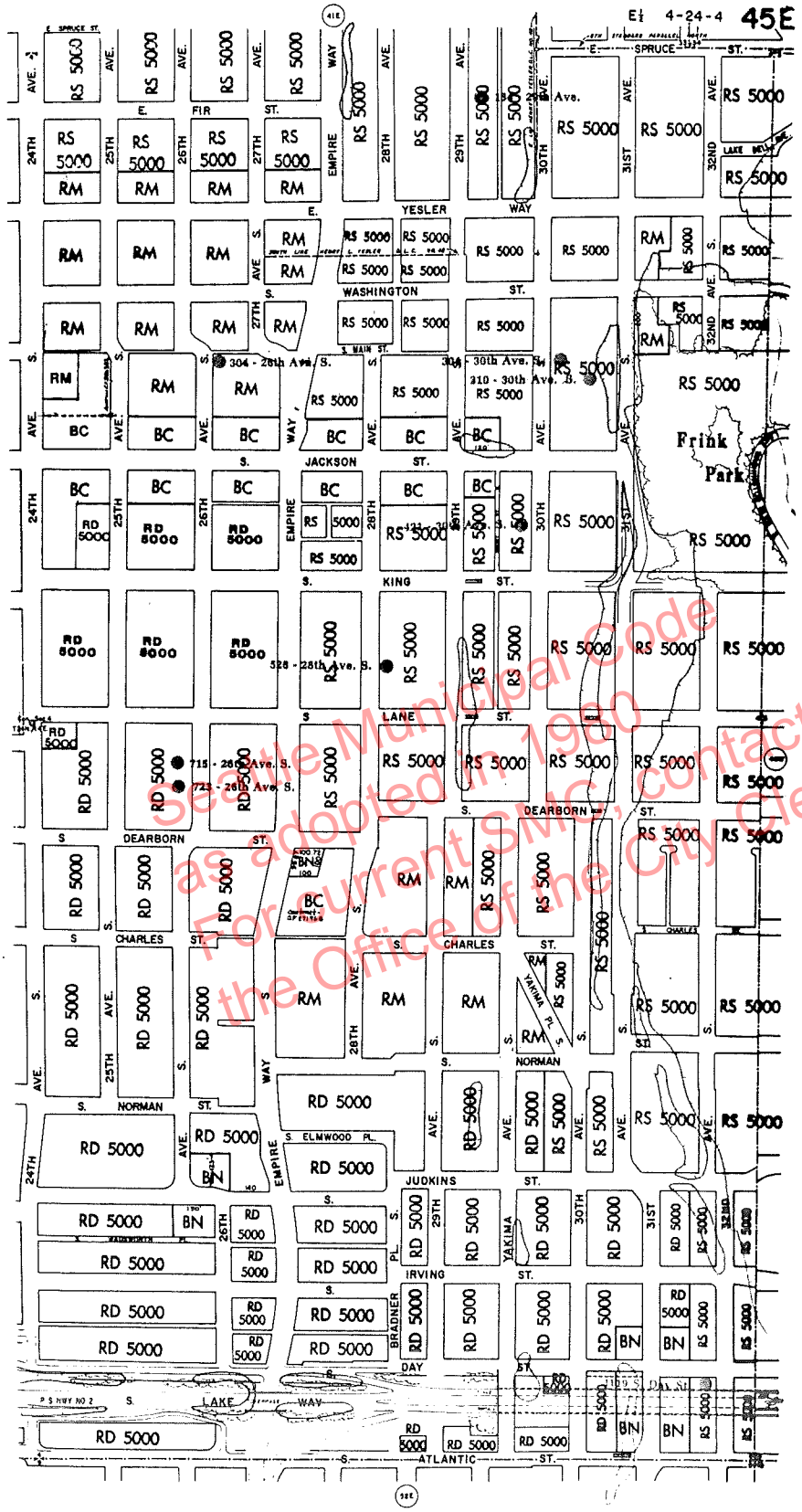
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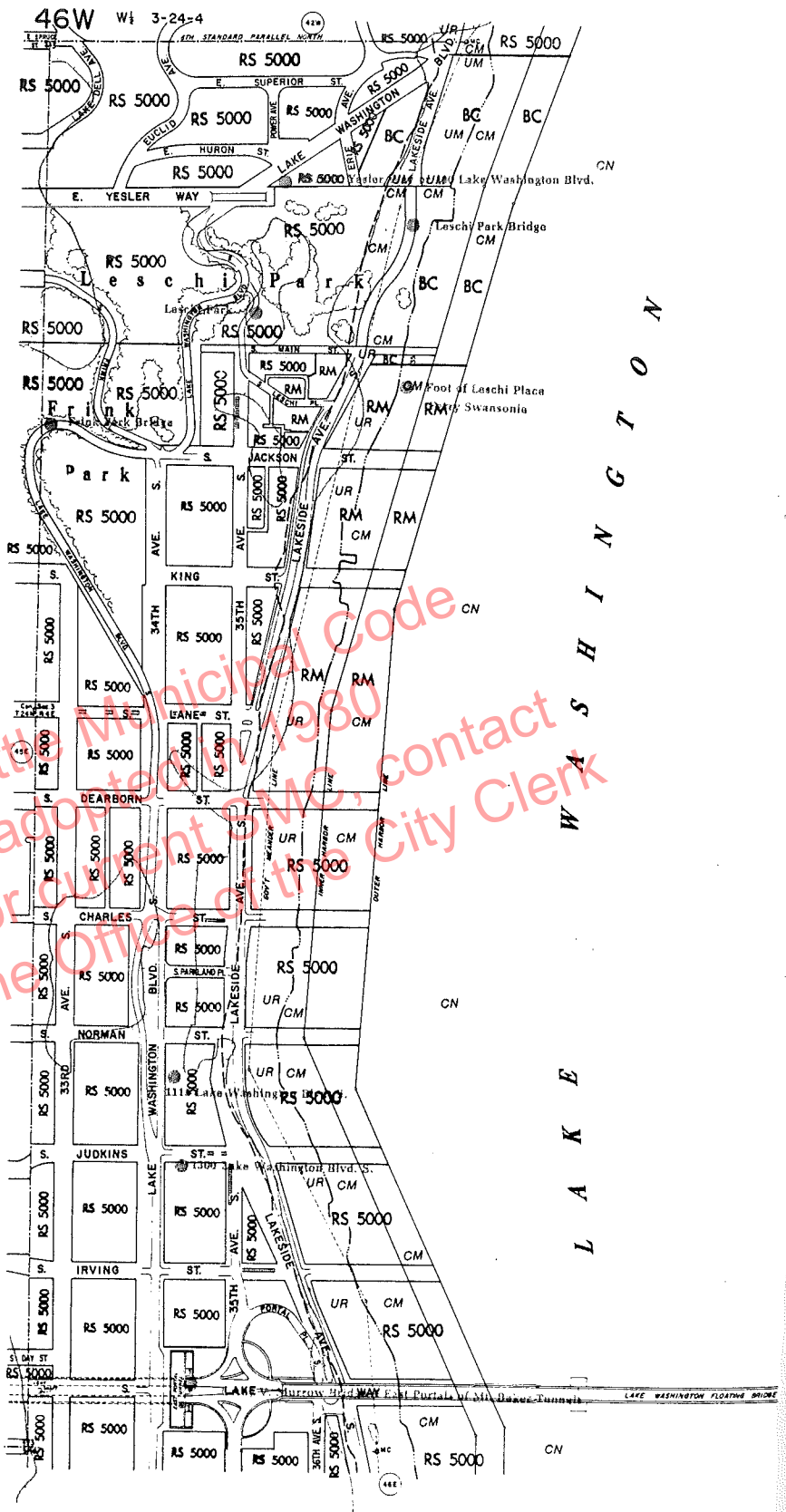
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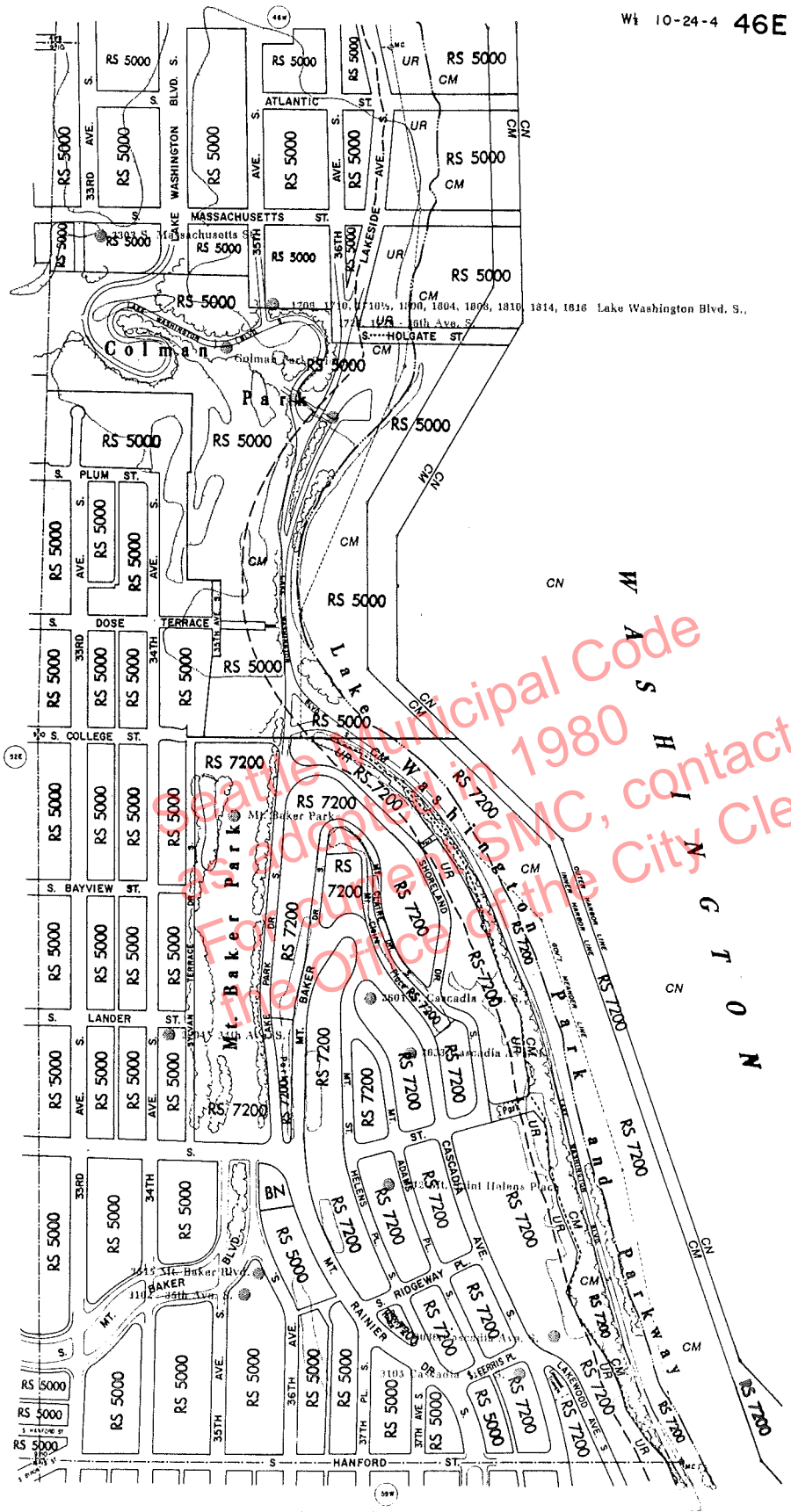
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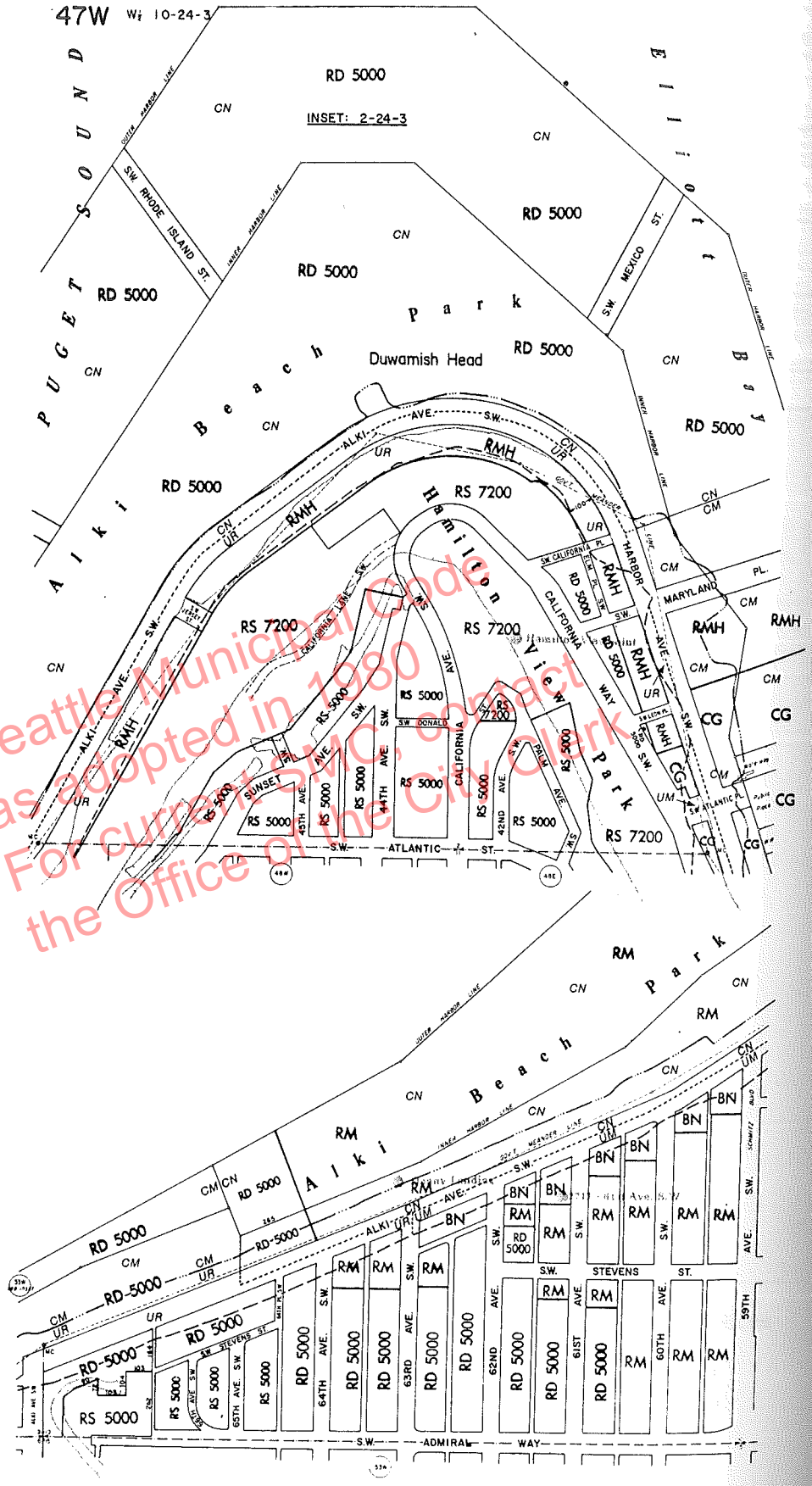
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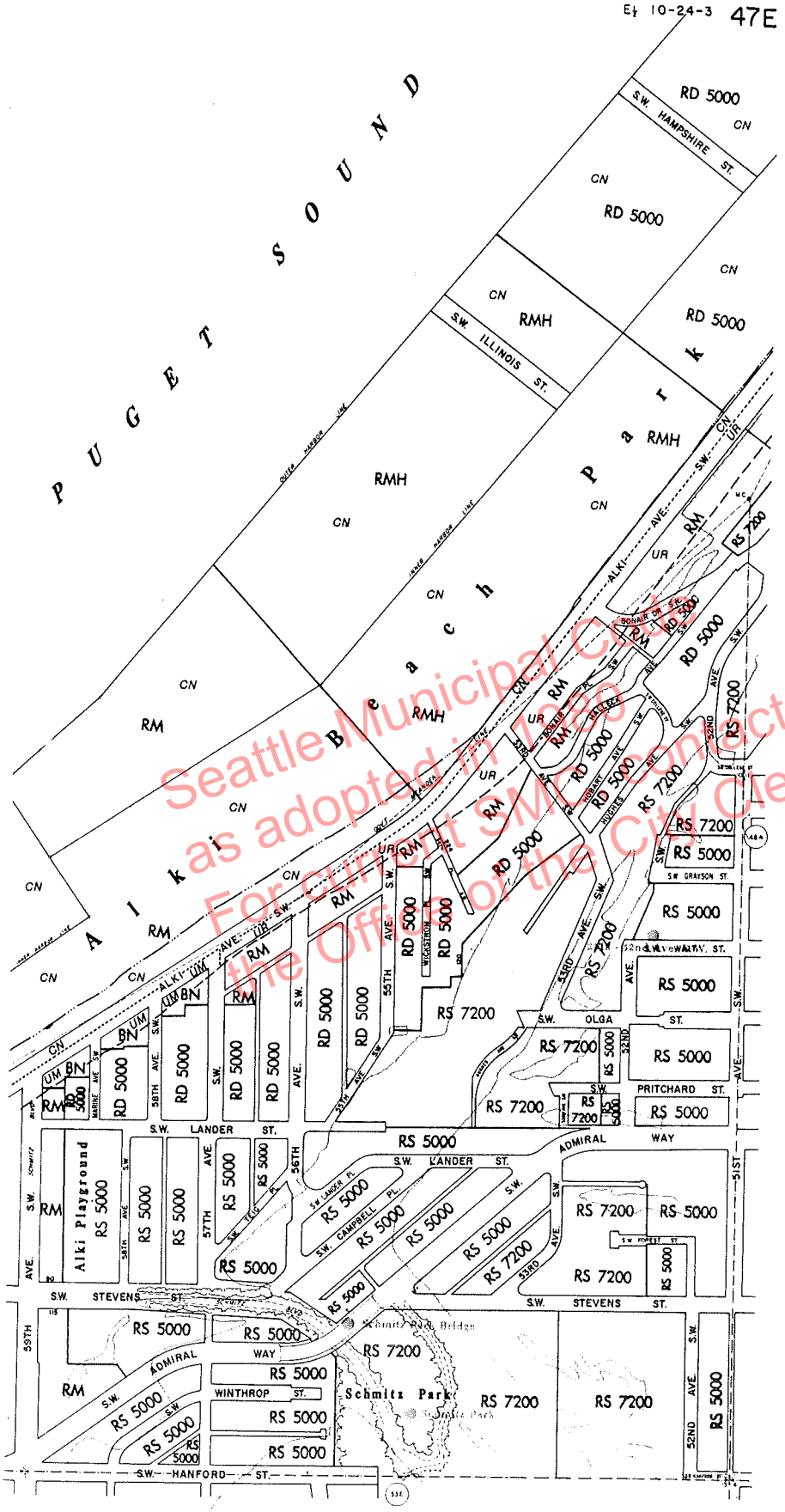
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47W
W¡ 10-24-3
INSET: 2-24-3
PUGET SOUND
Elliott Bay
Alki Beach Park
Duwamish Head
Hamilton Viewpoint Park
RD 5000
RS 7200
RS 5000
RM
RMH
CN
CM
CG
UR
SW RHODE ISLAND ST.
S.W. MEXICO ST.
ALKI AVE. S.W.
HARBOR AVE. S.W.
CALIFORNIA AVE. S.W.
S.W. ATLANTIC ST.
S.W. ADMIRAL WAY
S.W. STEVENS ST.
SUNSET AVE. S.W.
45TH AVE. S.W.
44TH AVE. S.W.
42ND AVE. S.W.
64TH AVE. S.W.
63RD AVE. S.W.
62ND AVE. S.W.
61ST AVE. S.W.
60TH AVE. S.W.
59TH AVE. S.W.
65TH AVE. S.W.
MARYLAND PL.
SW CALIFORNIA PL.
S.W. DONALD
S.W. ATLANTIC PL.
S.W. LEON PL.
S.W. ALKI PL.
S.W. ALKI AVE.
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E↓ 10-24-3 47E



Seattle Municipal Code
as adopted in 1942
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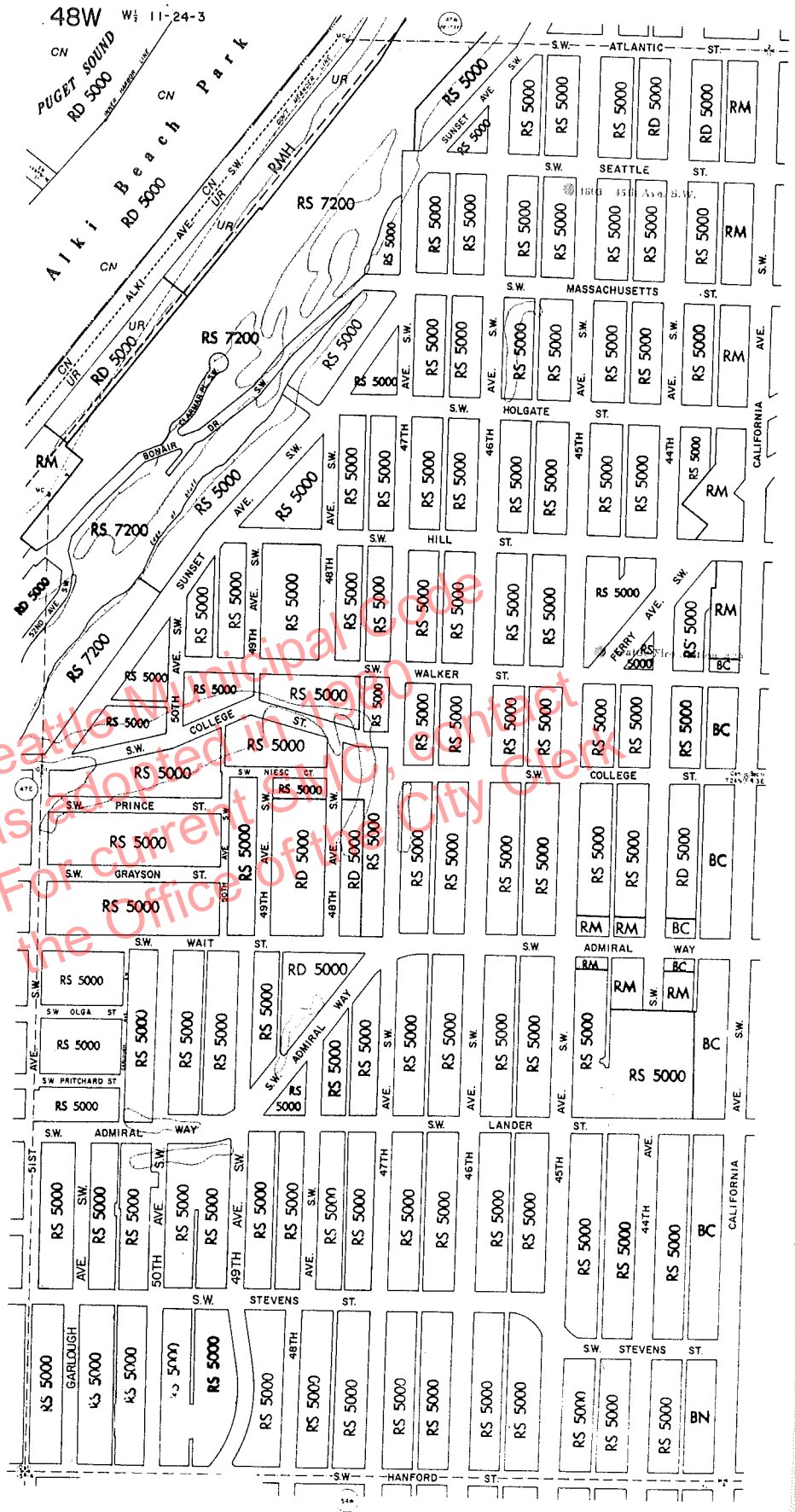
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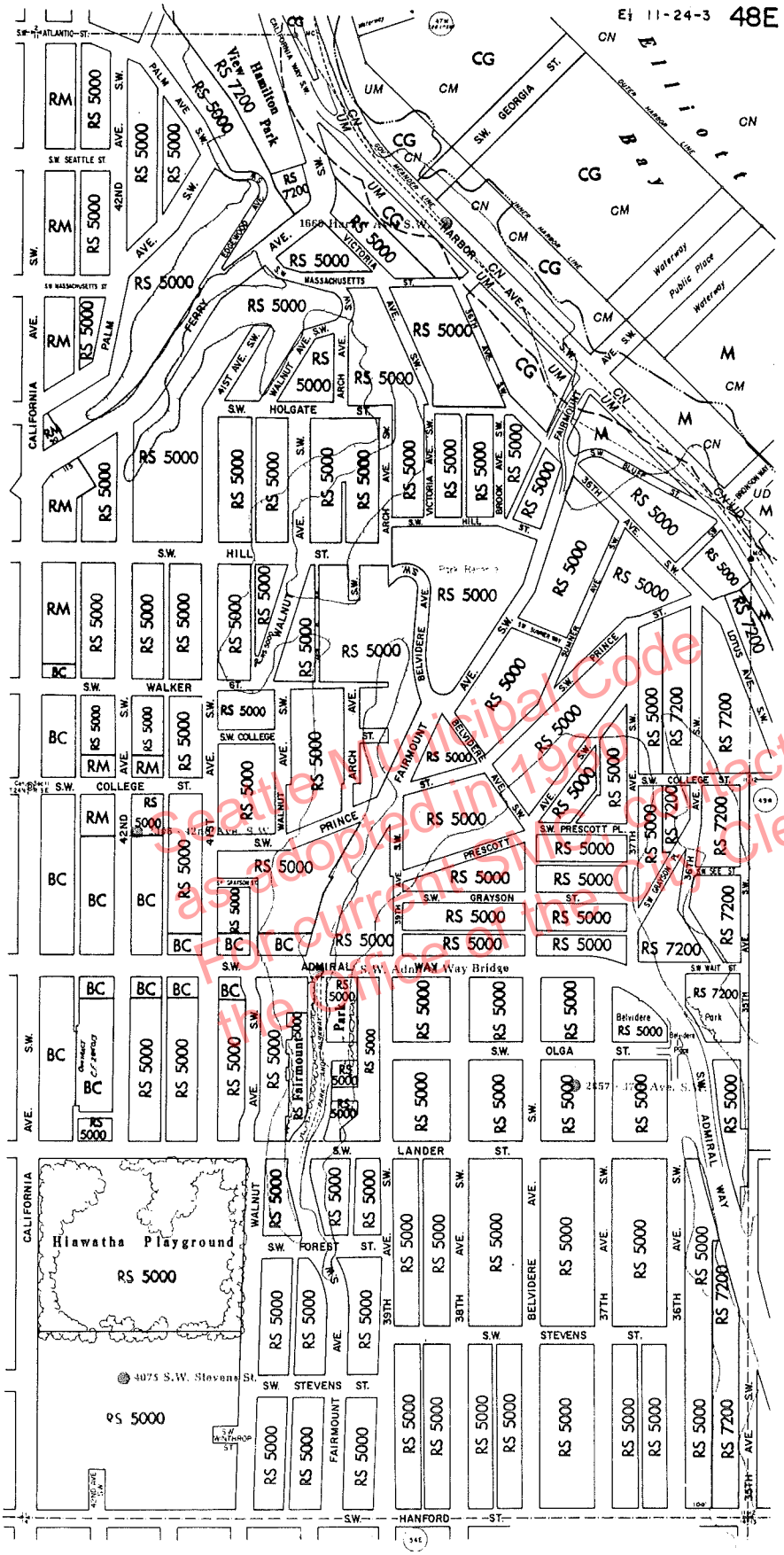
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49W W½ 12-24-3

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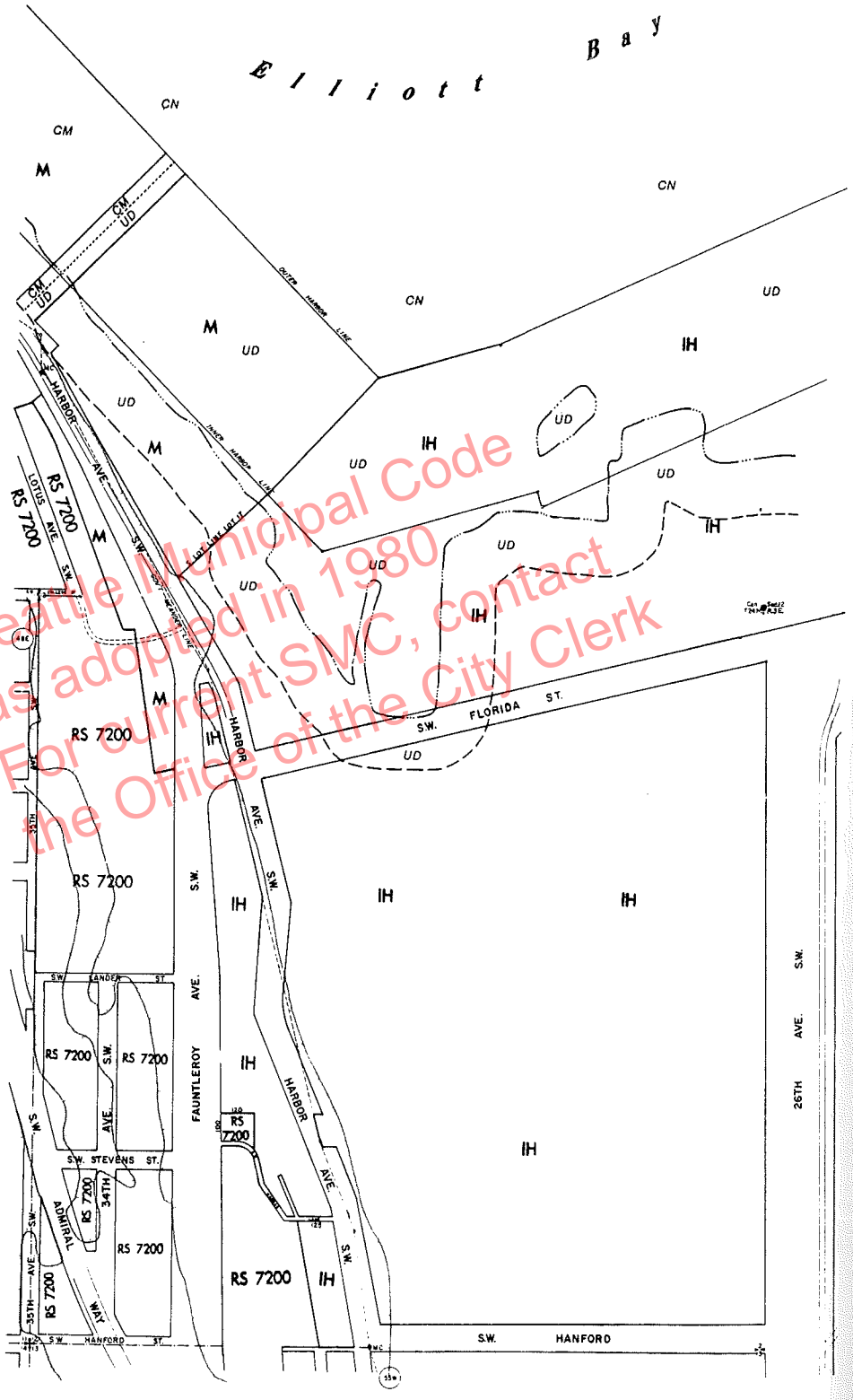
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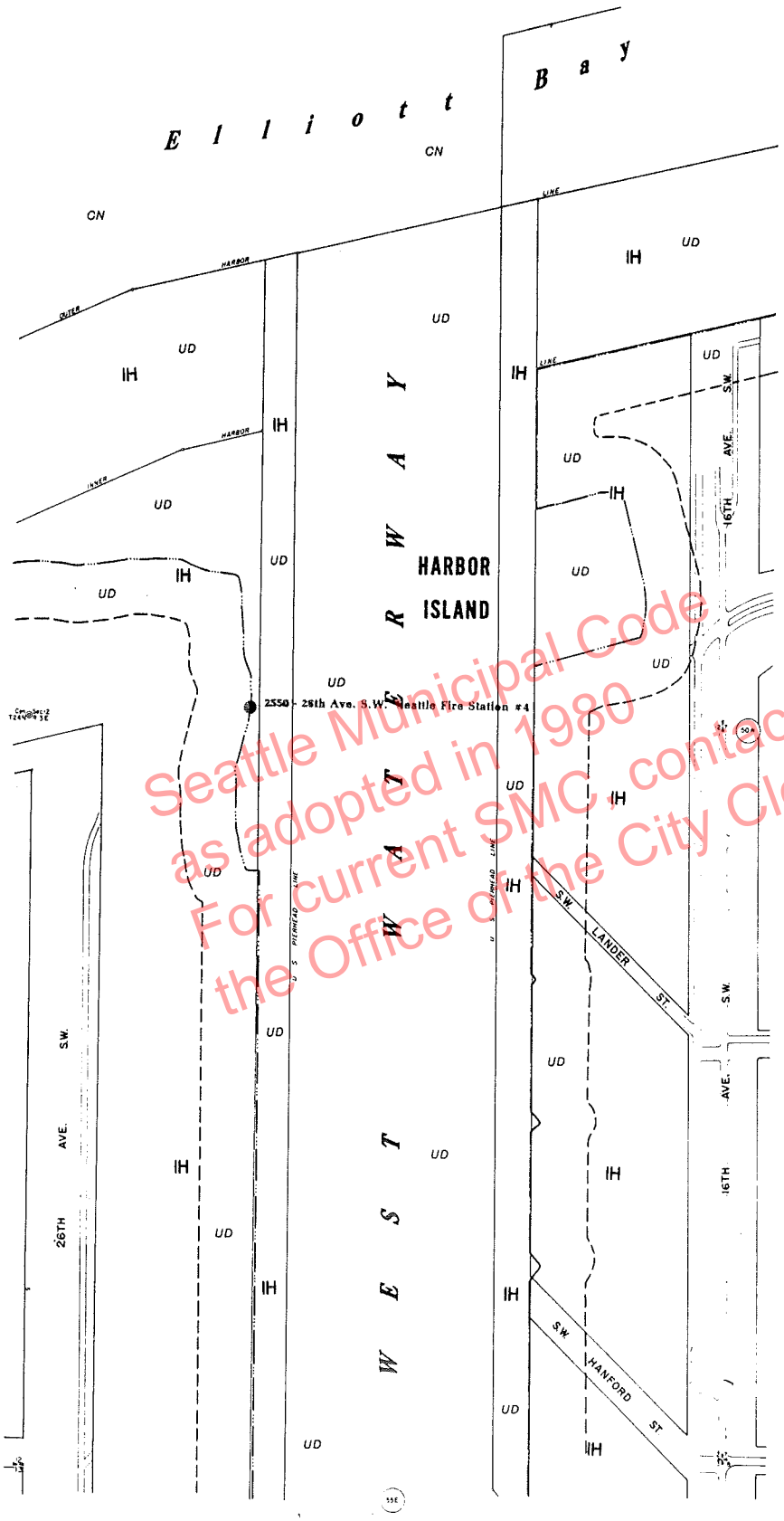
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E½ 12-24-3 49E



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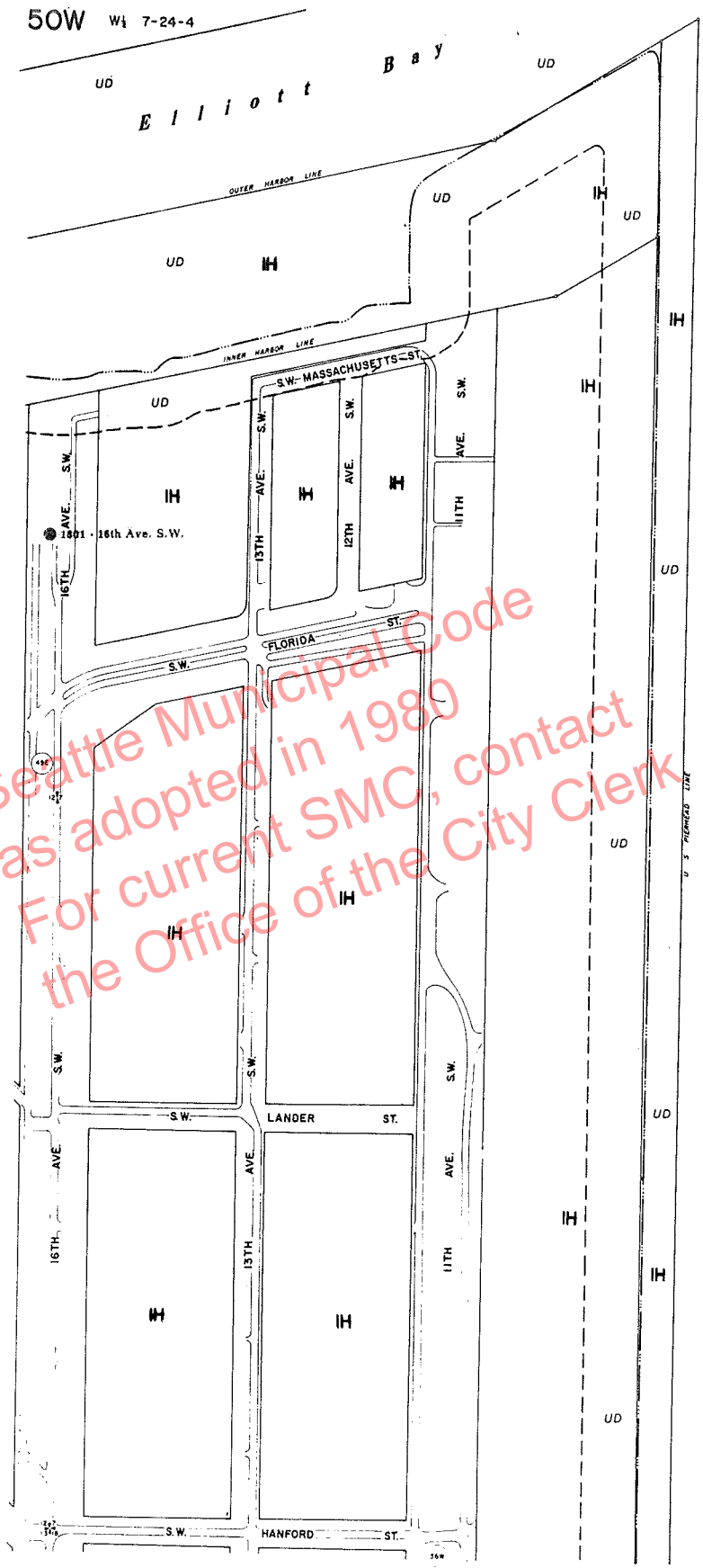
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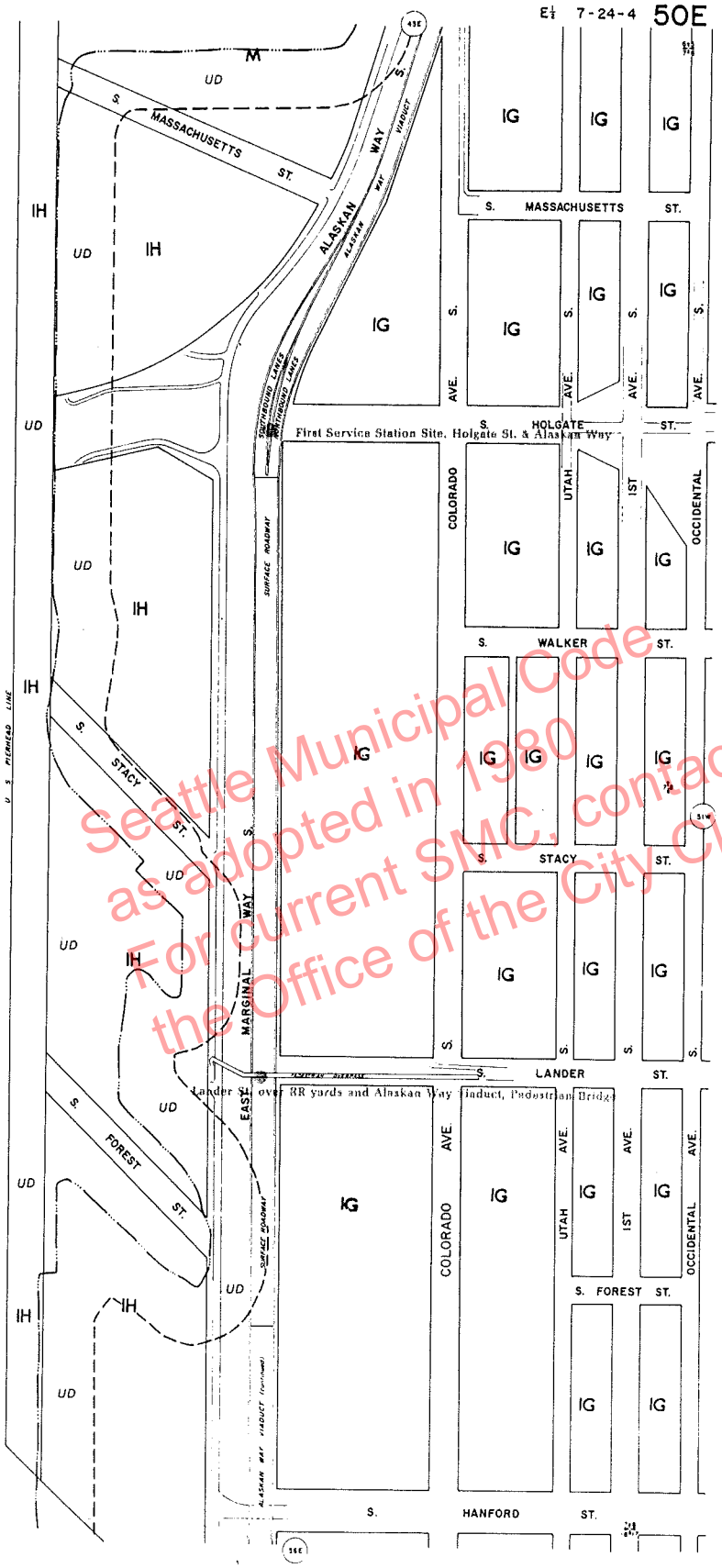
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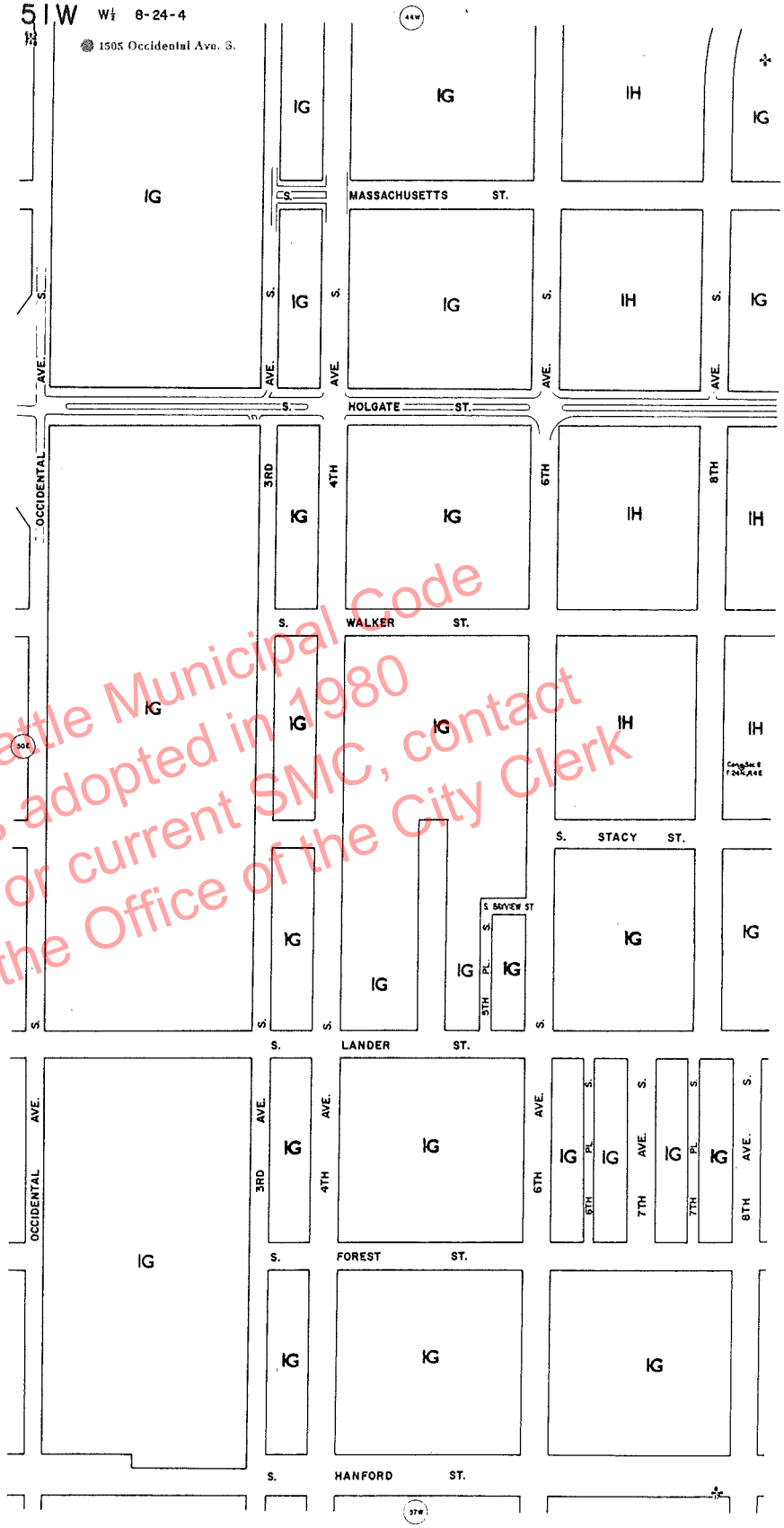
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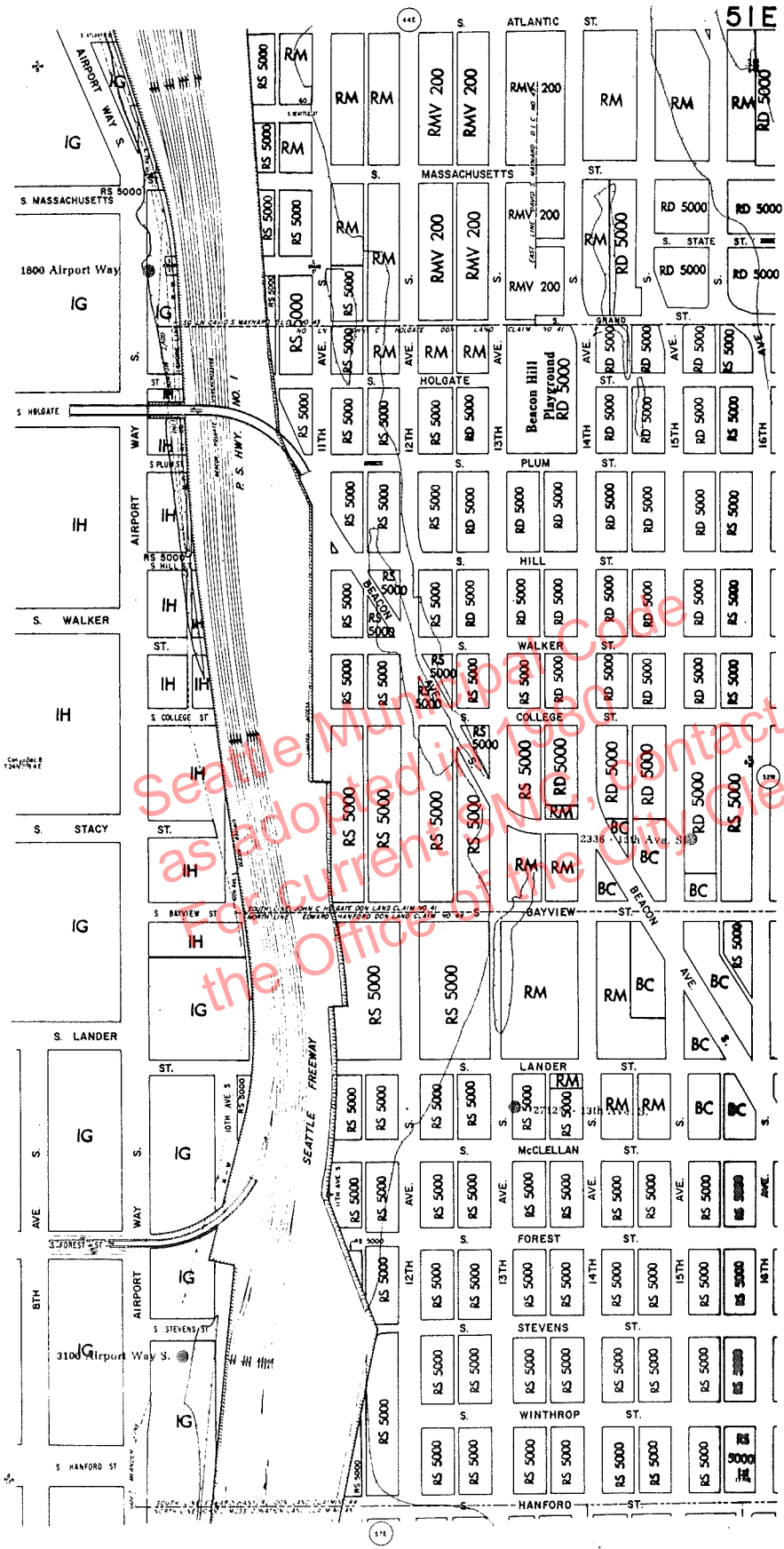
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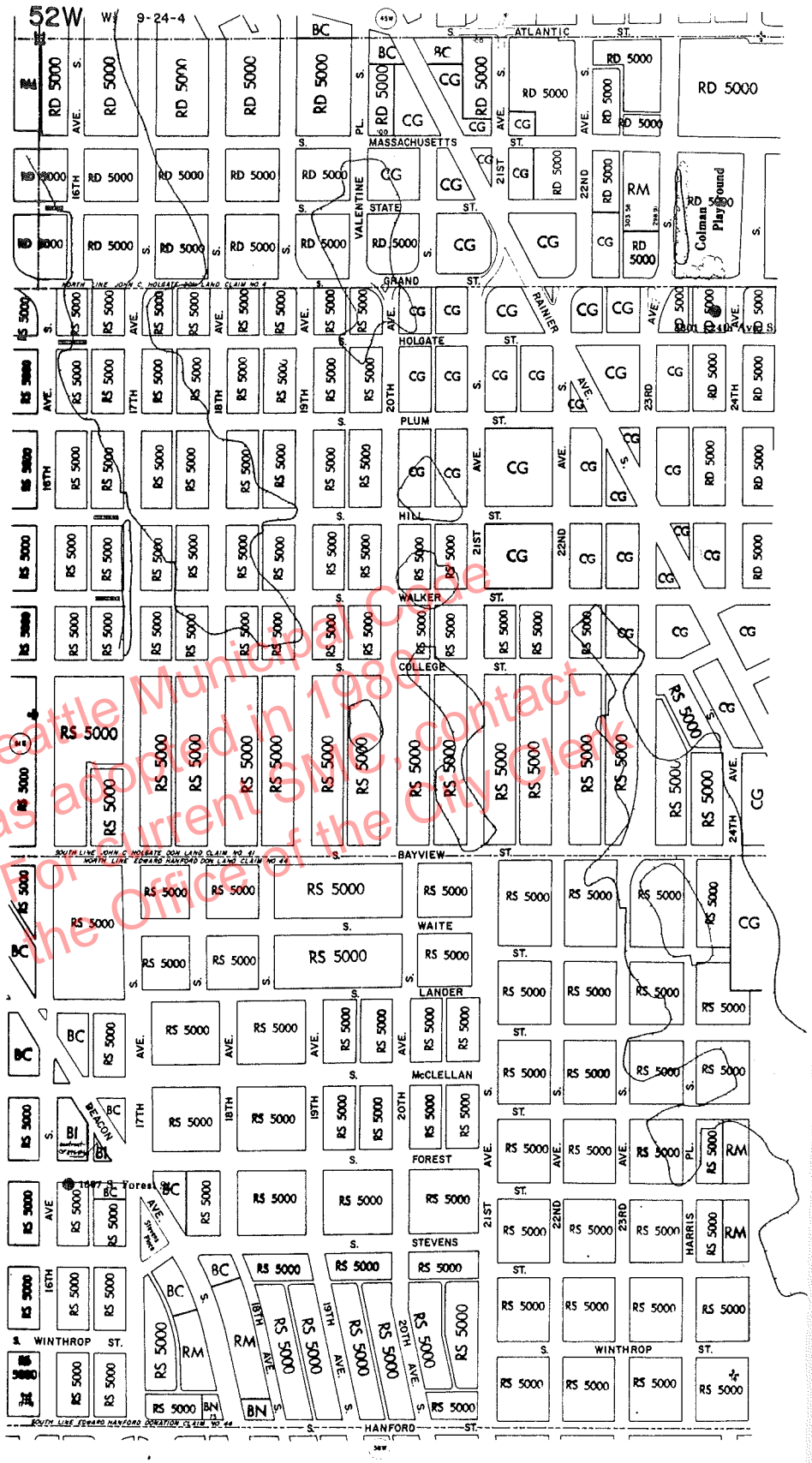
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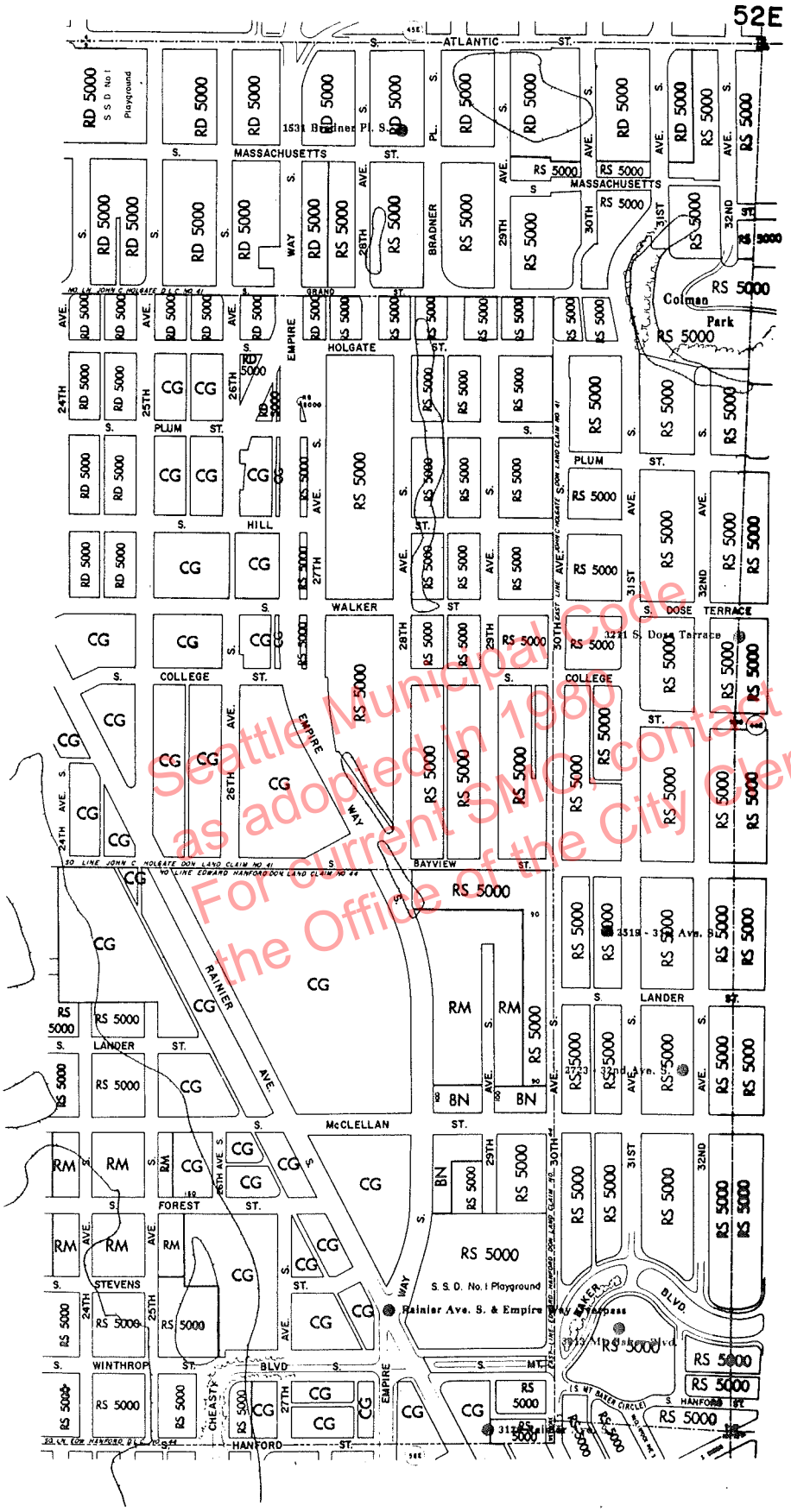
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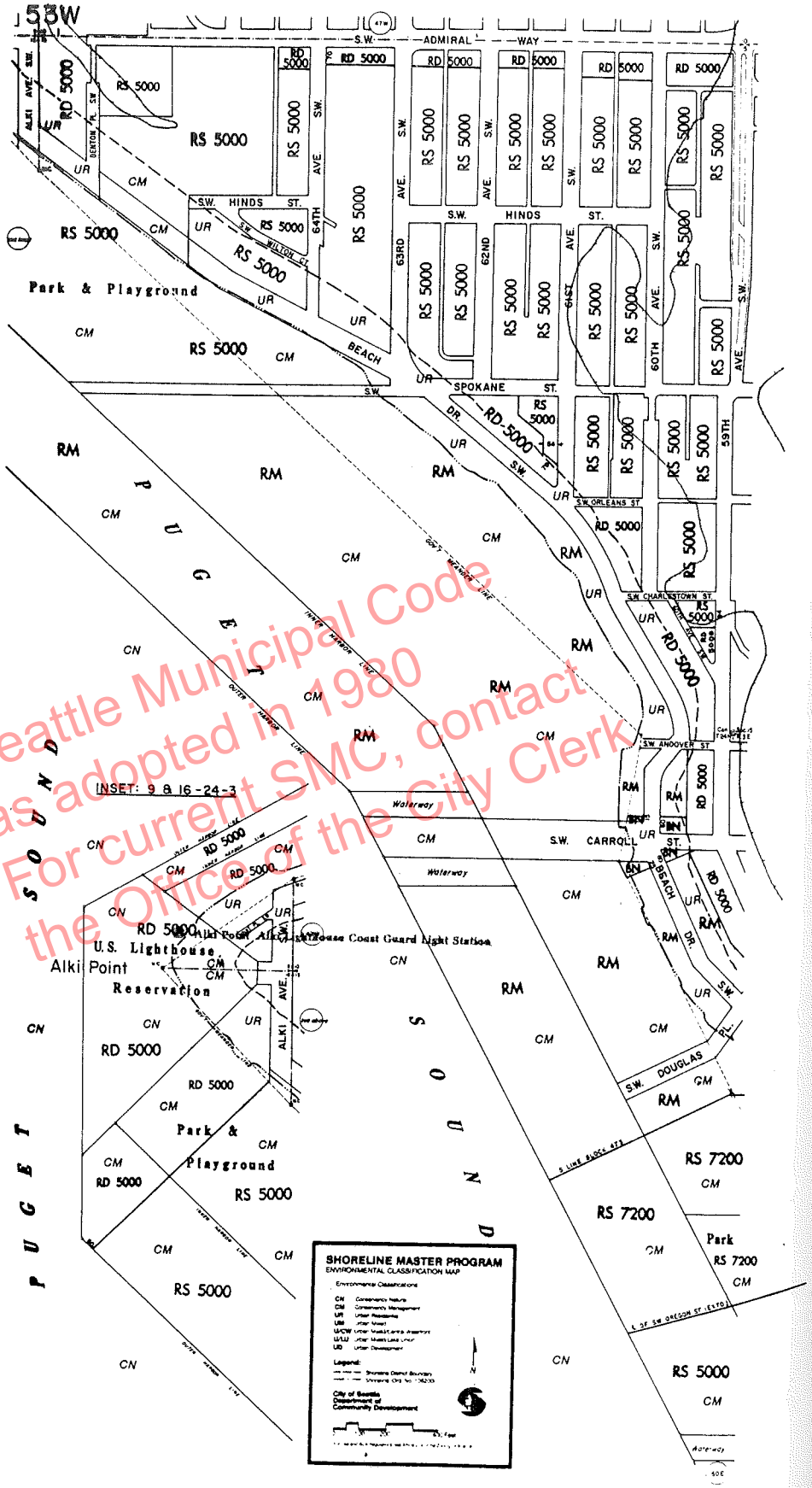
CMT–
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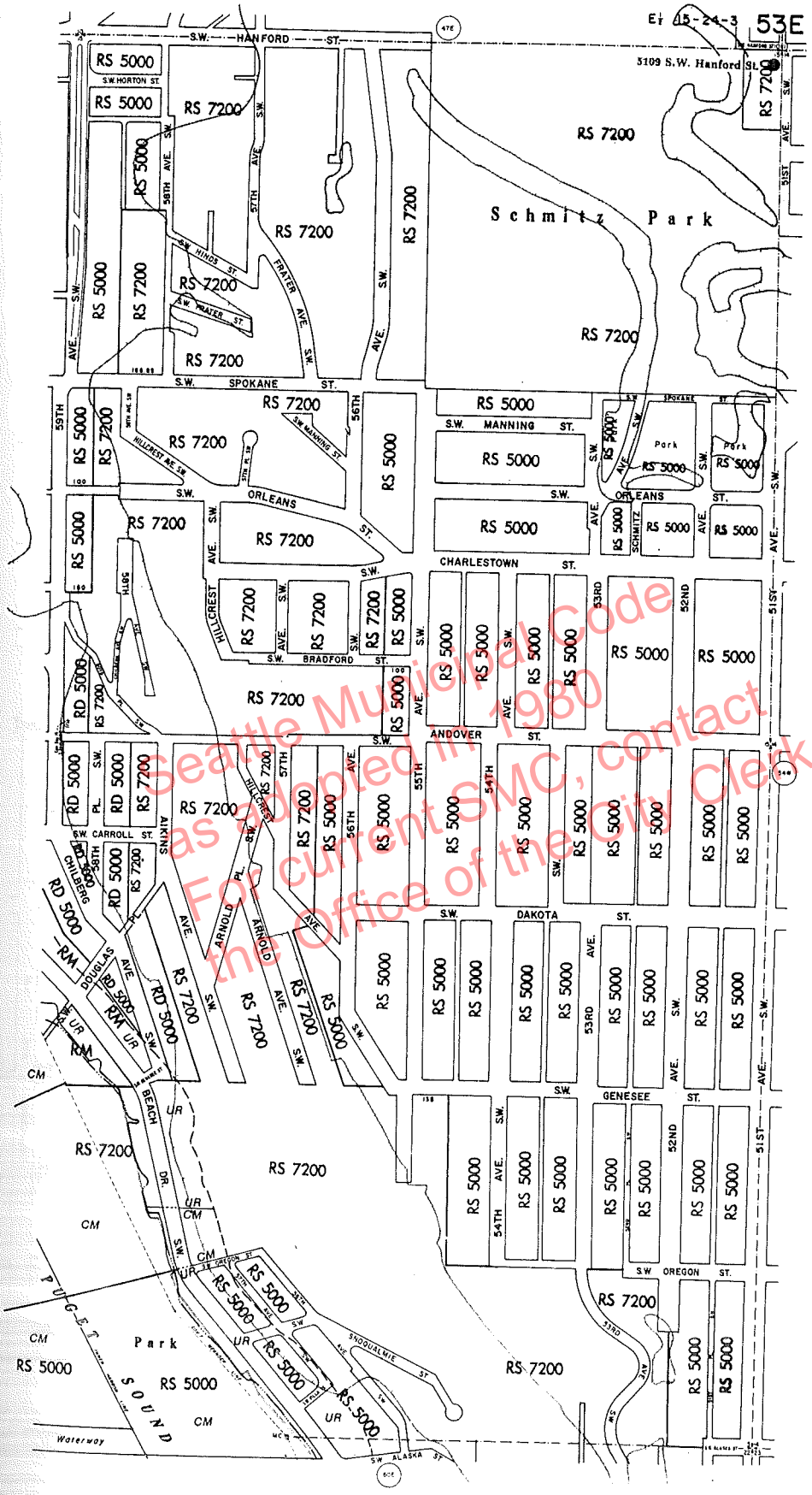
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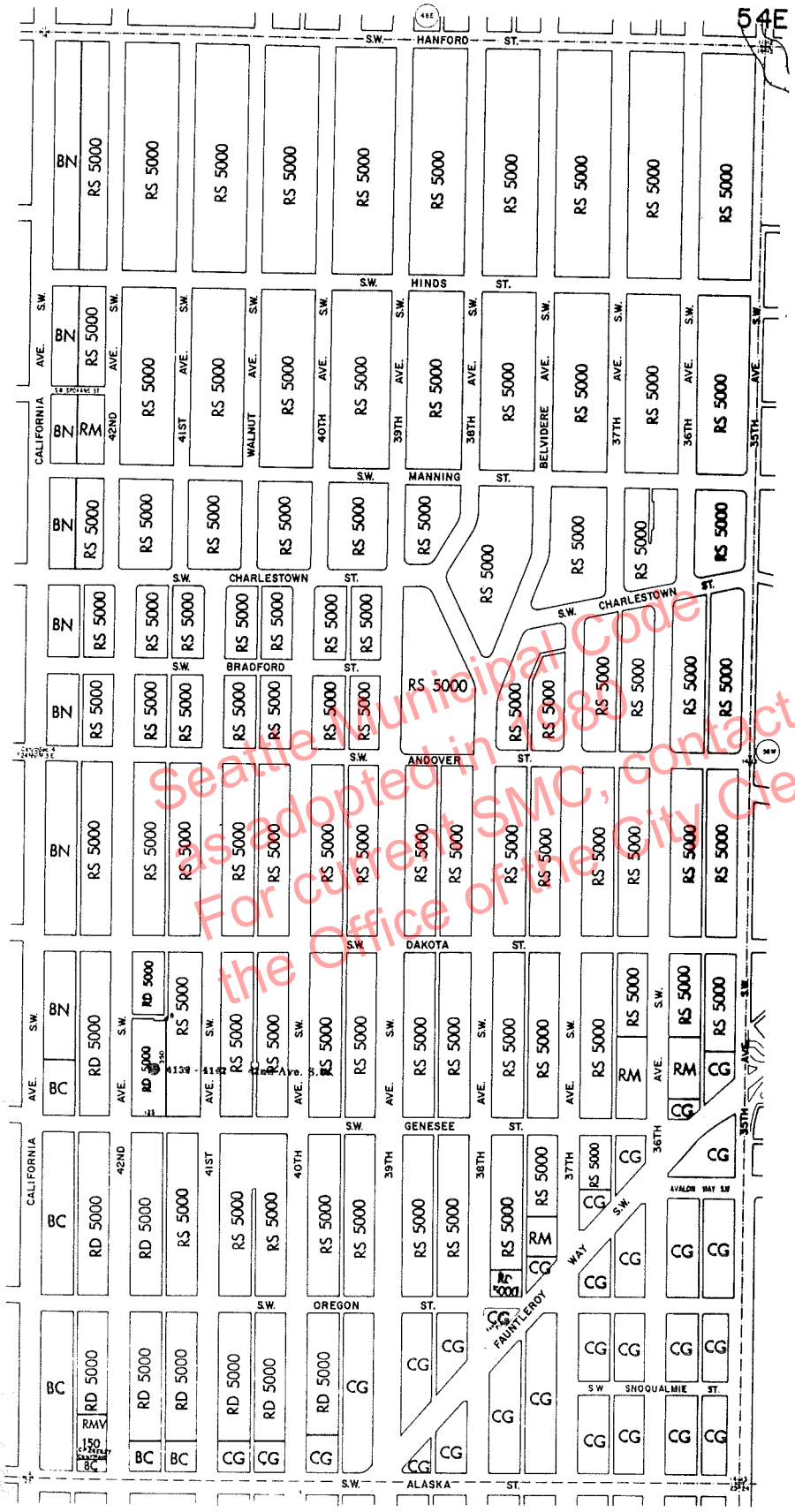
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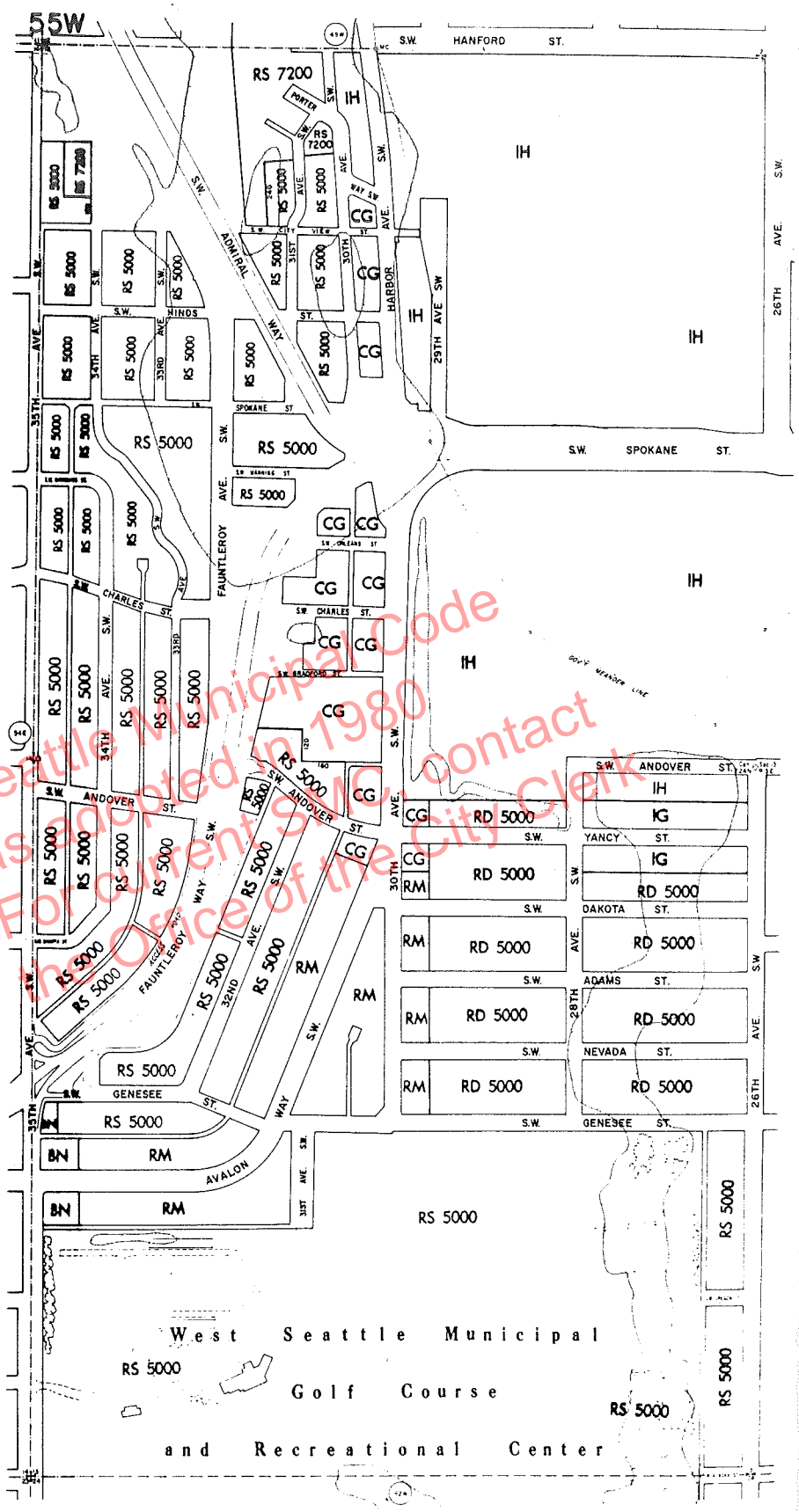
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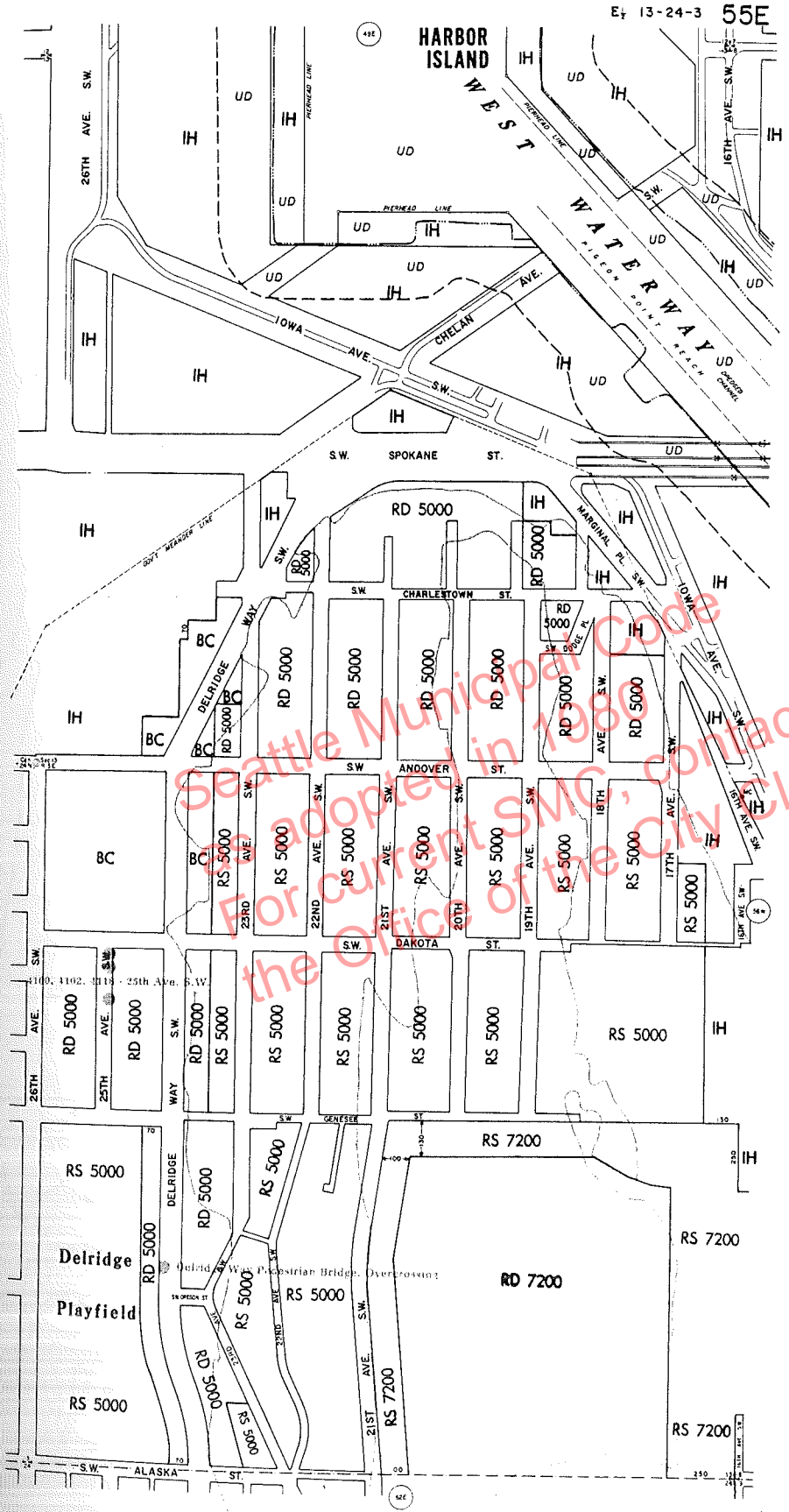
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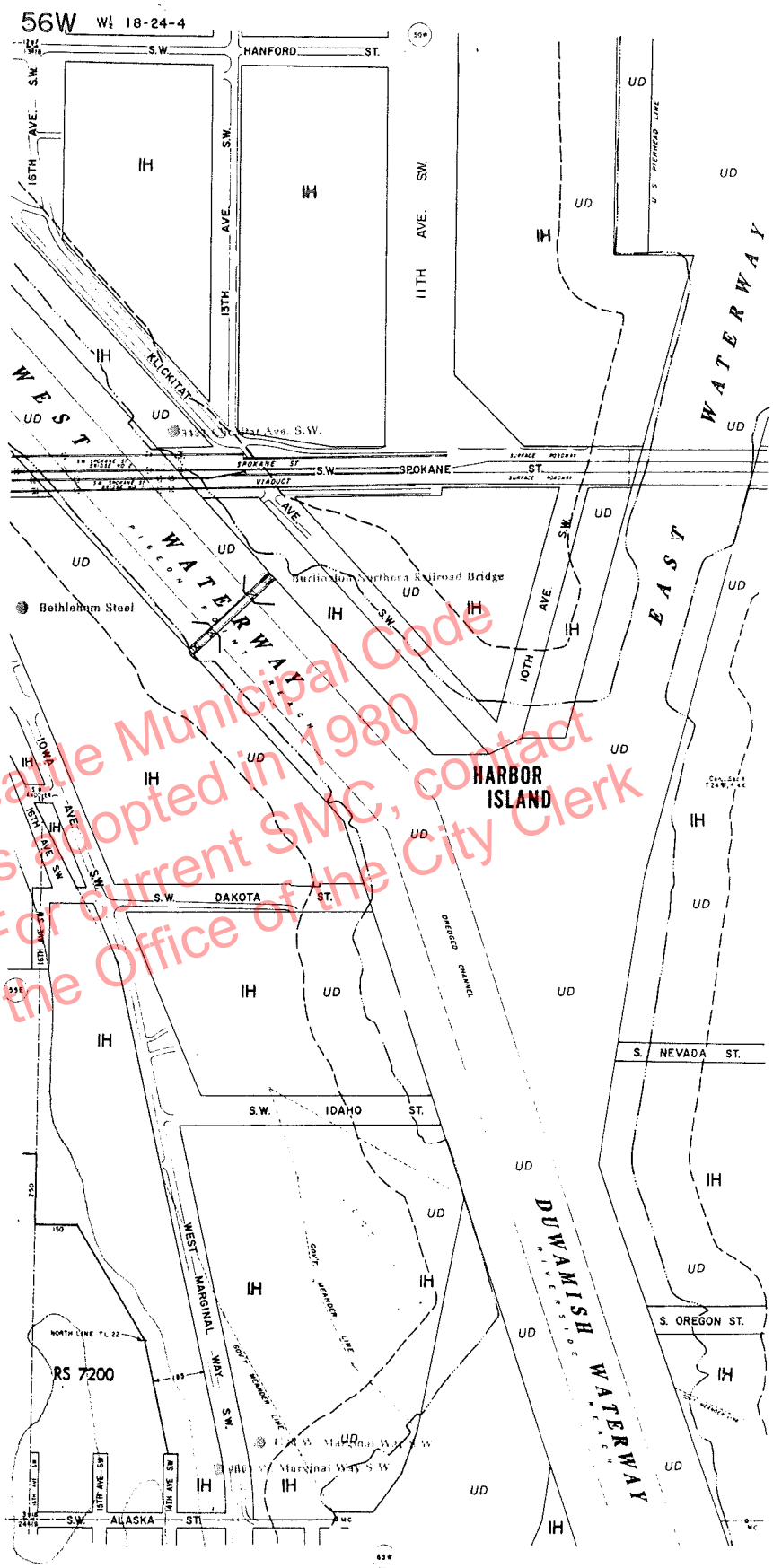
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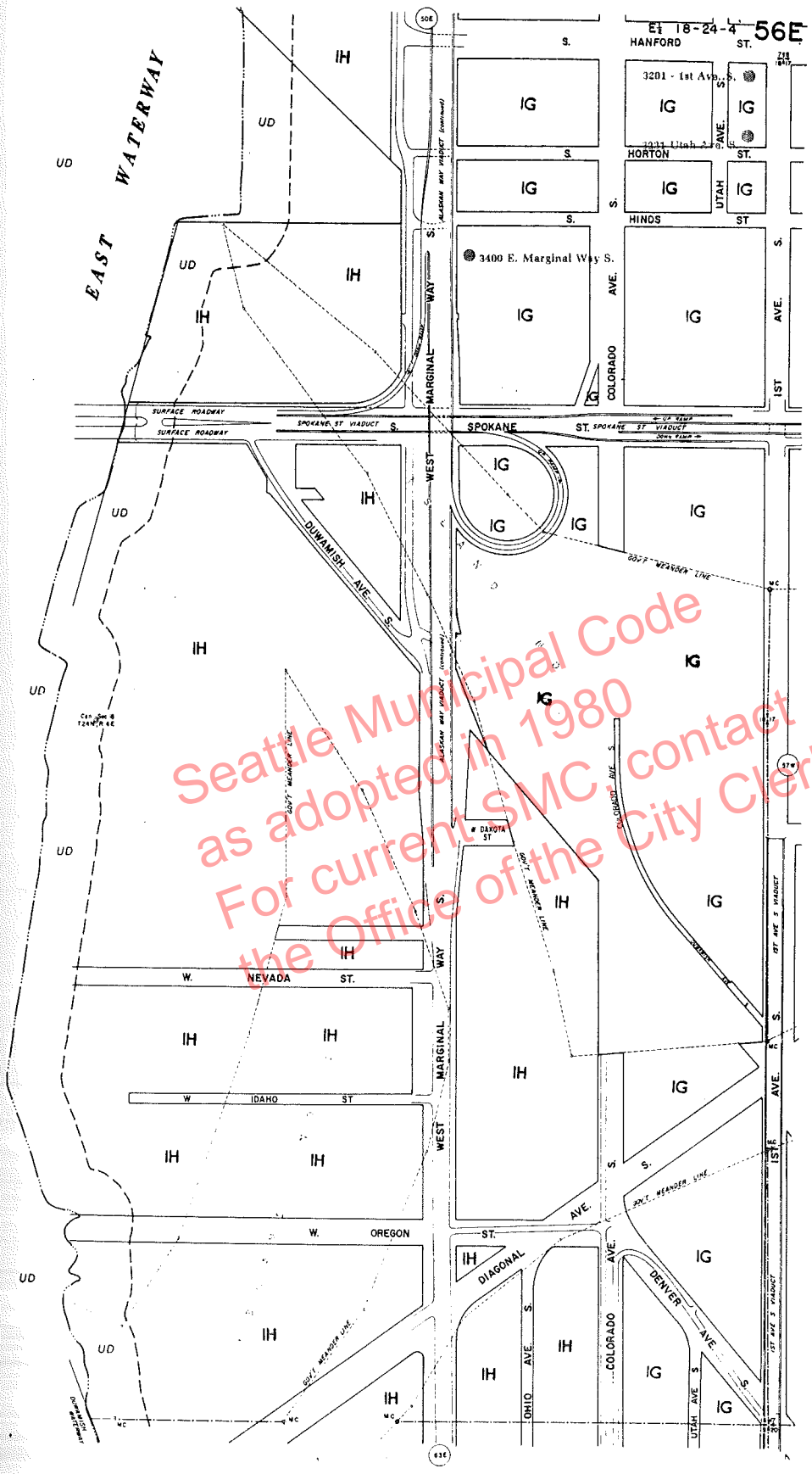
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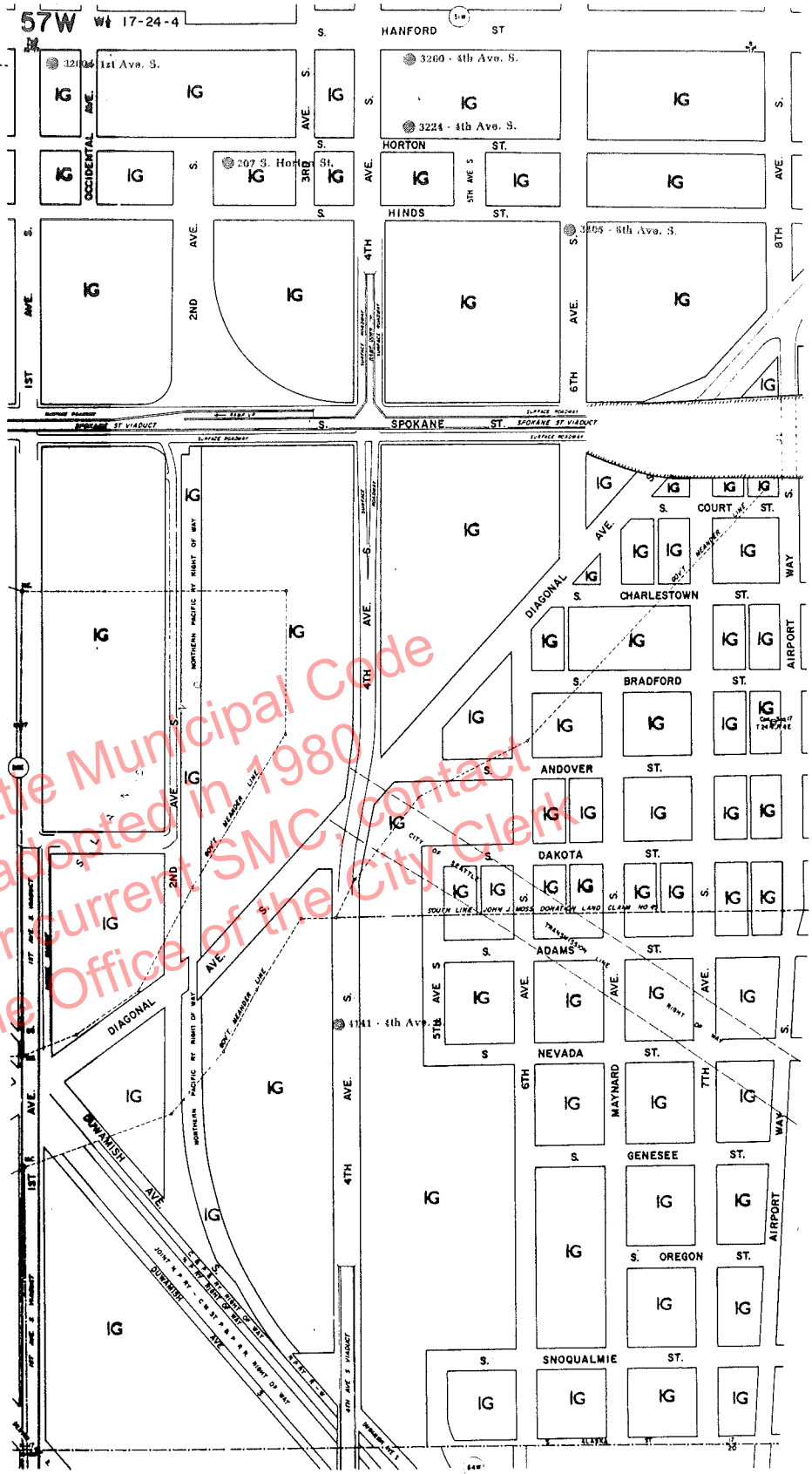
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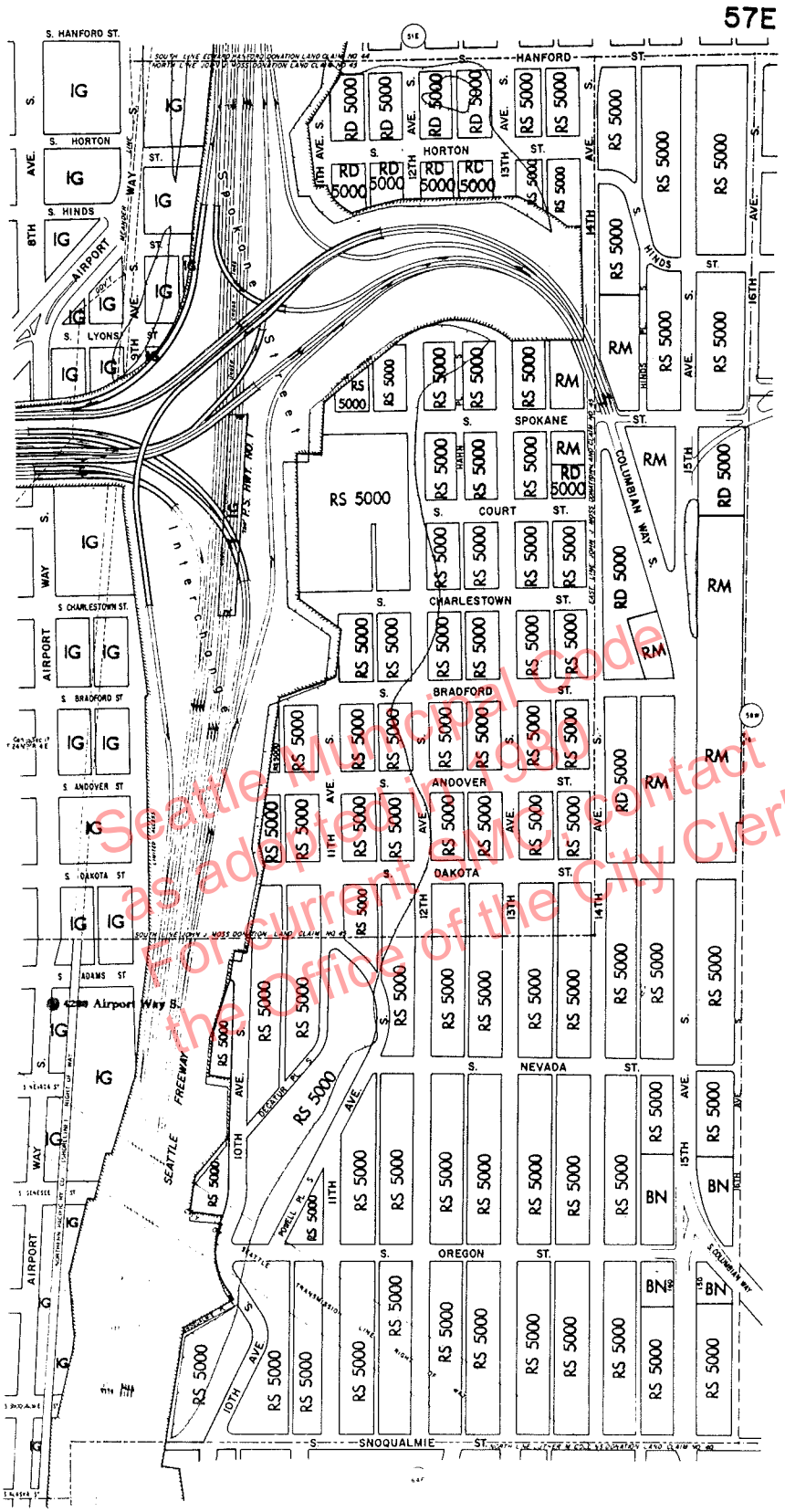
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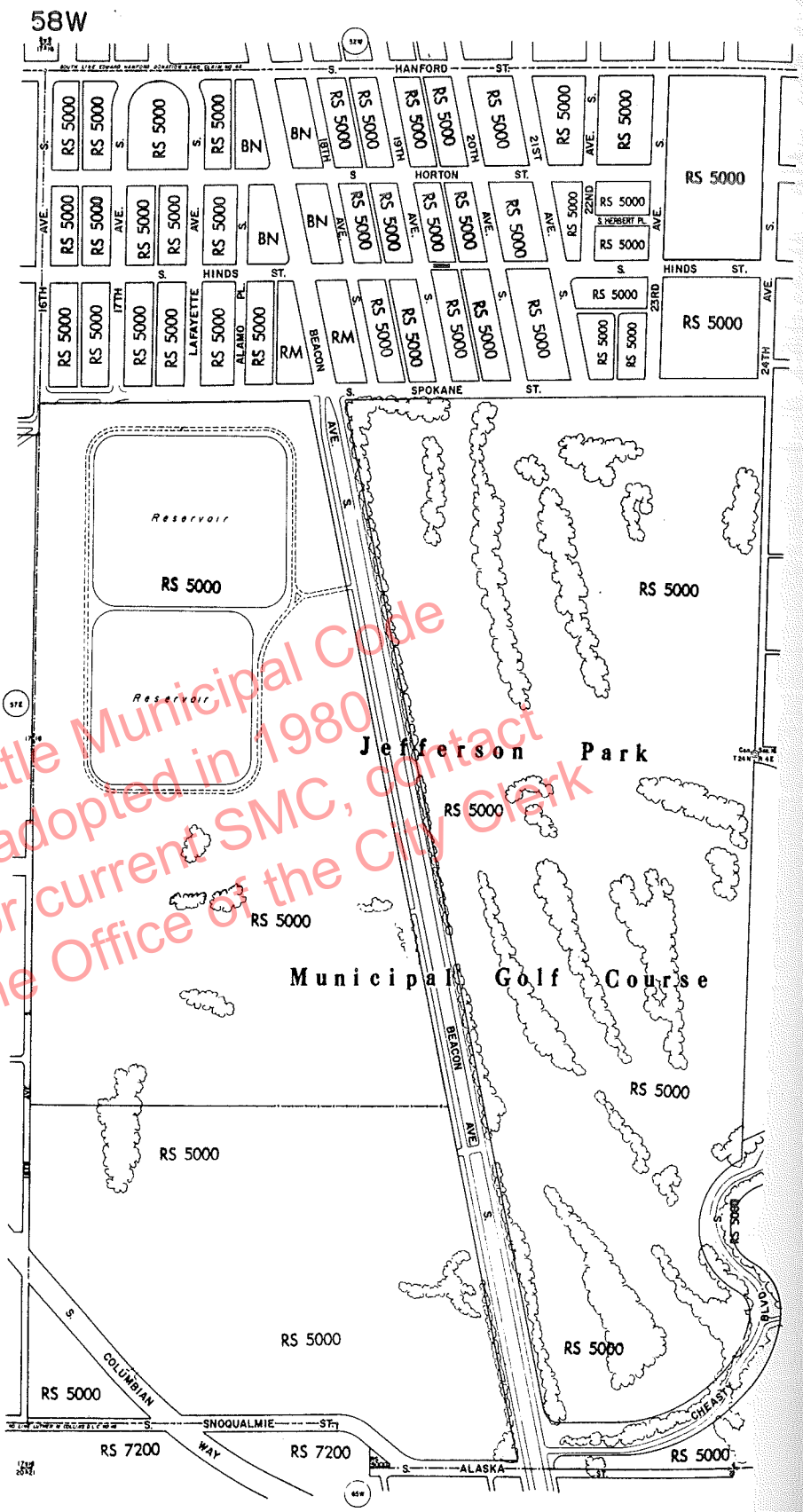
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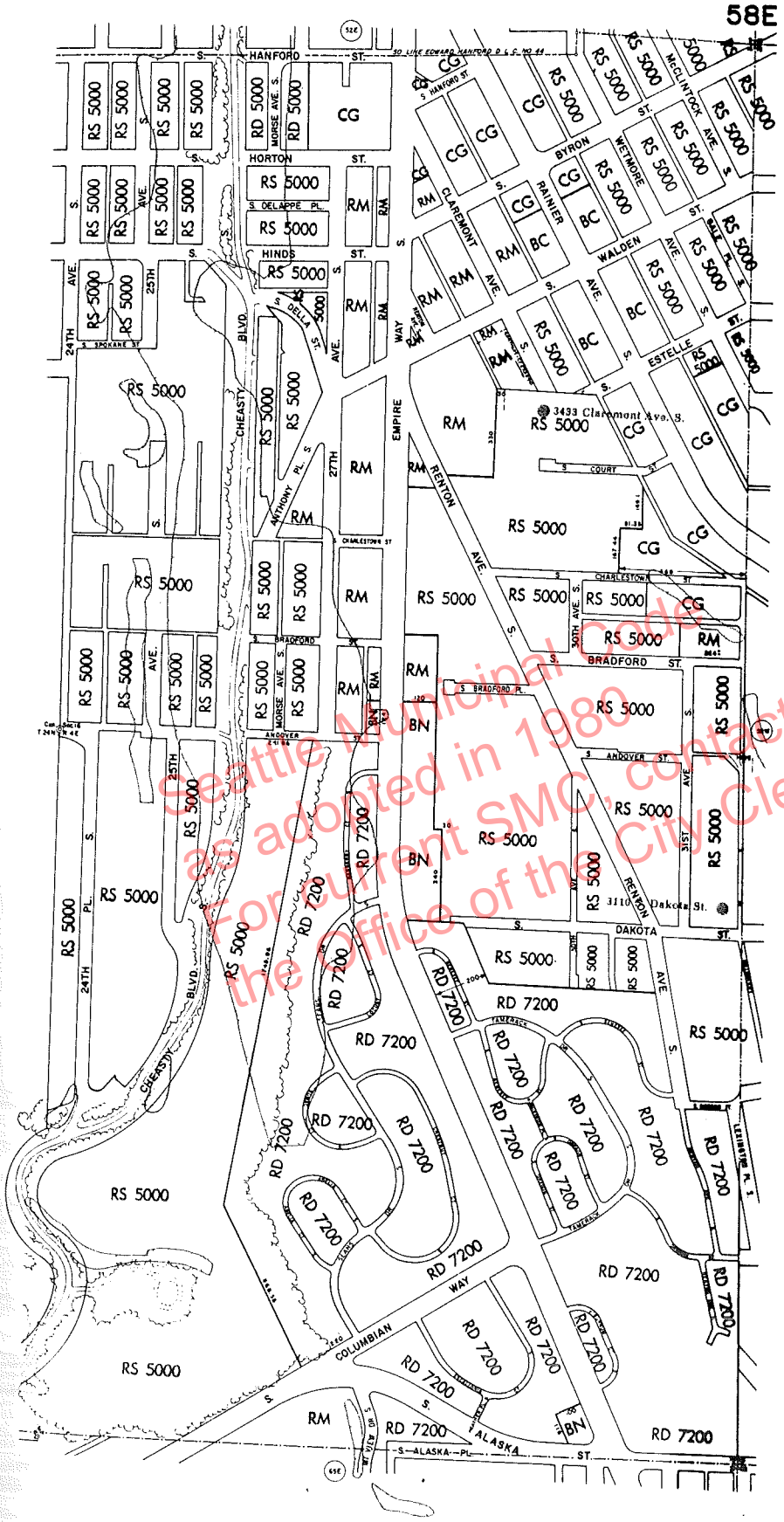
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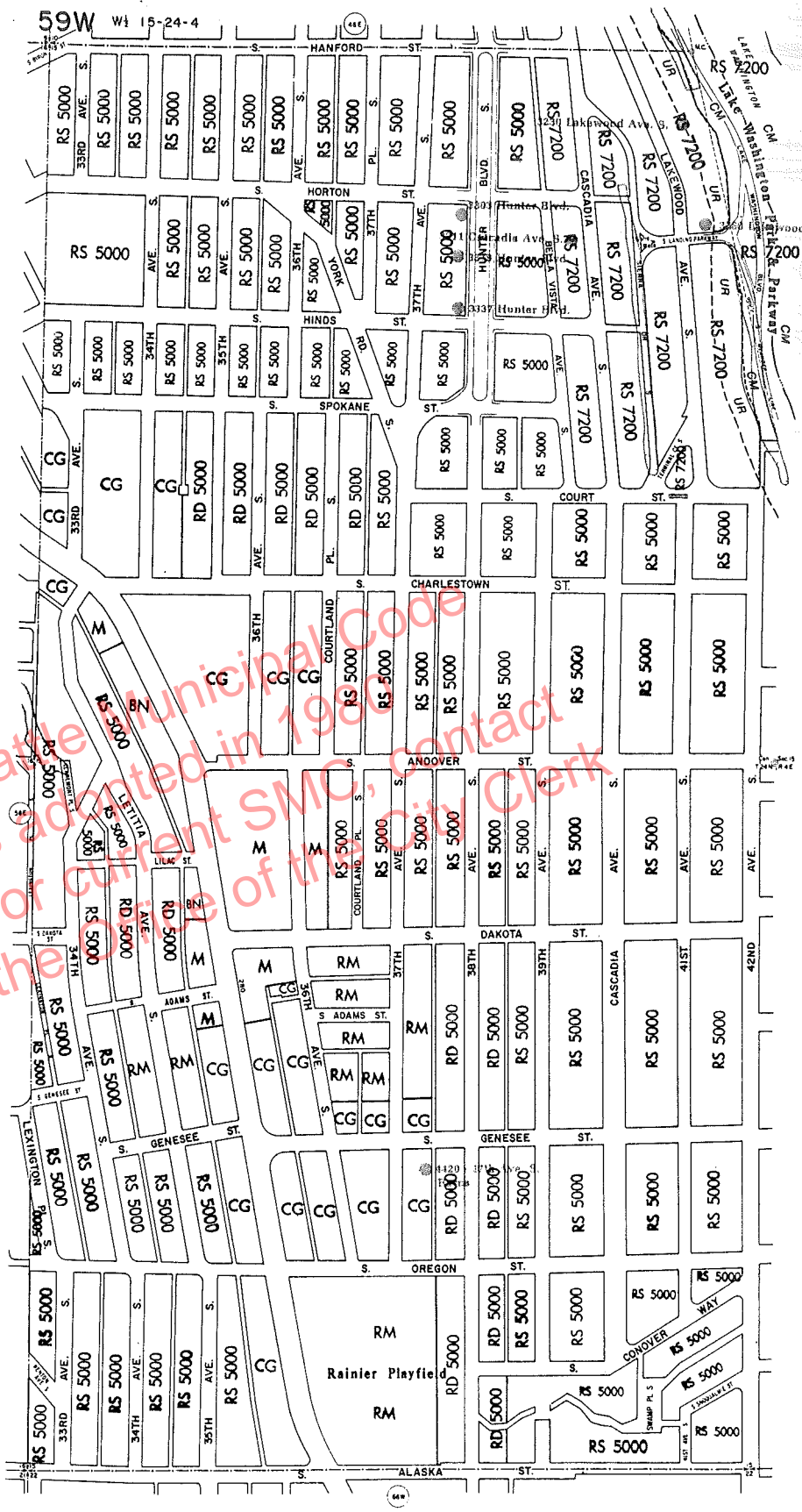
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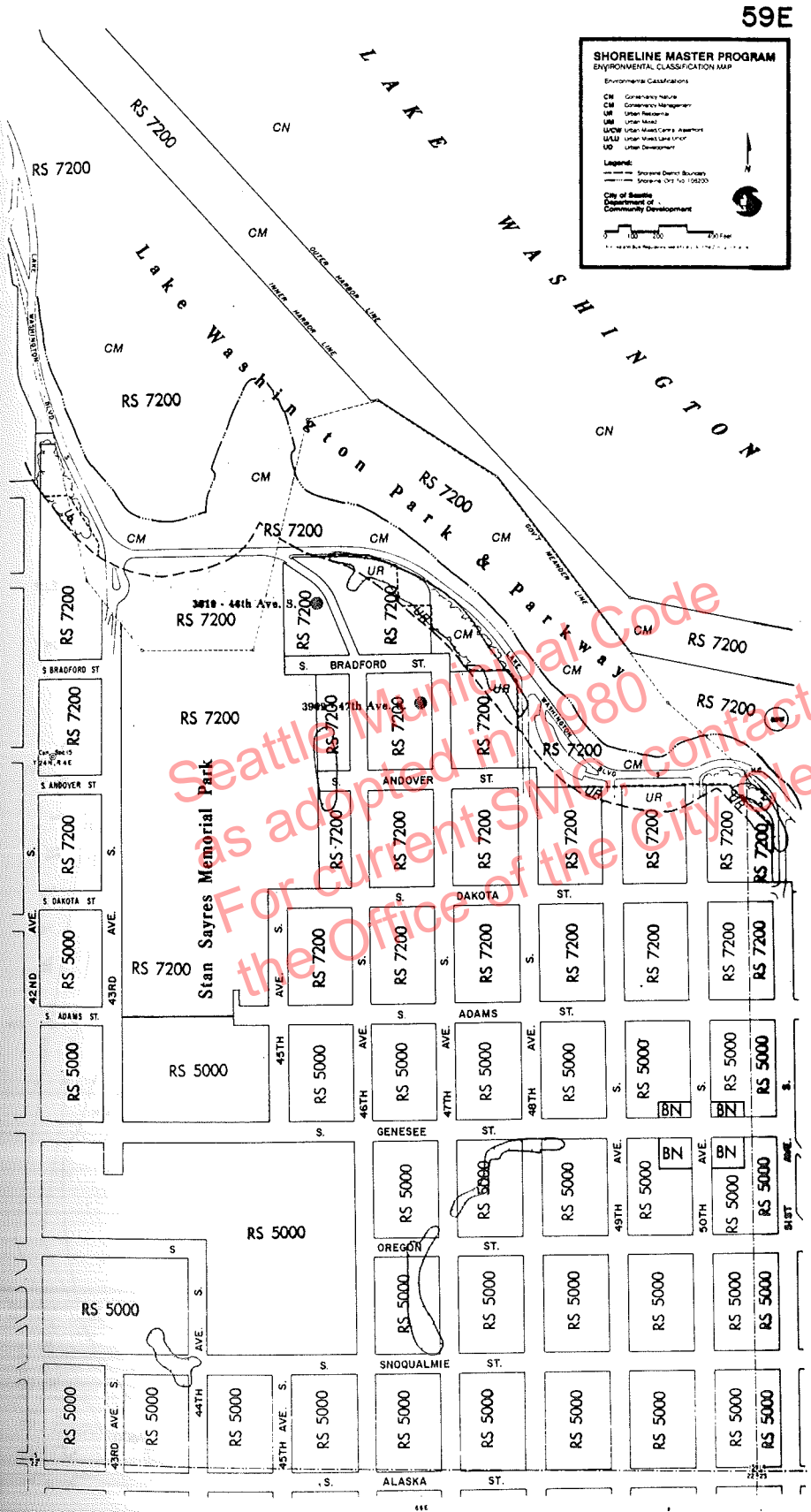
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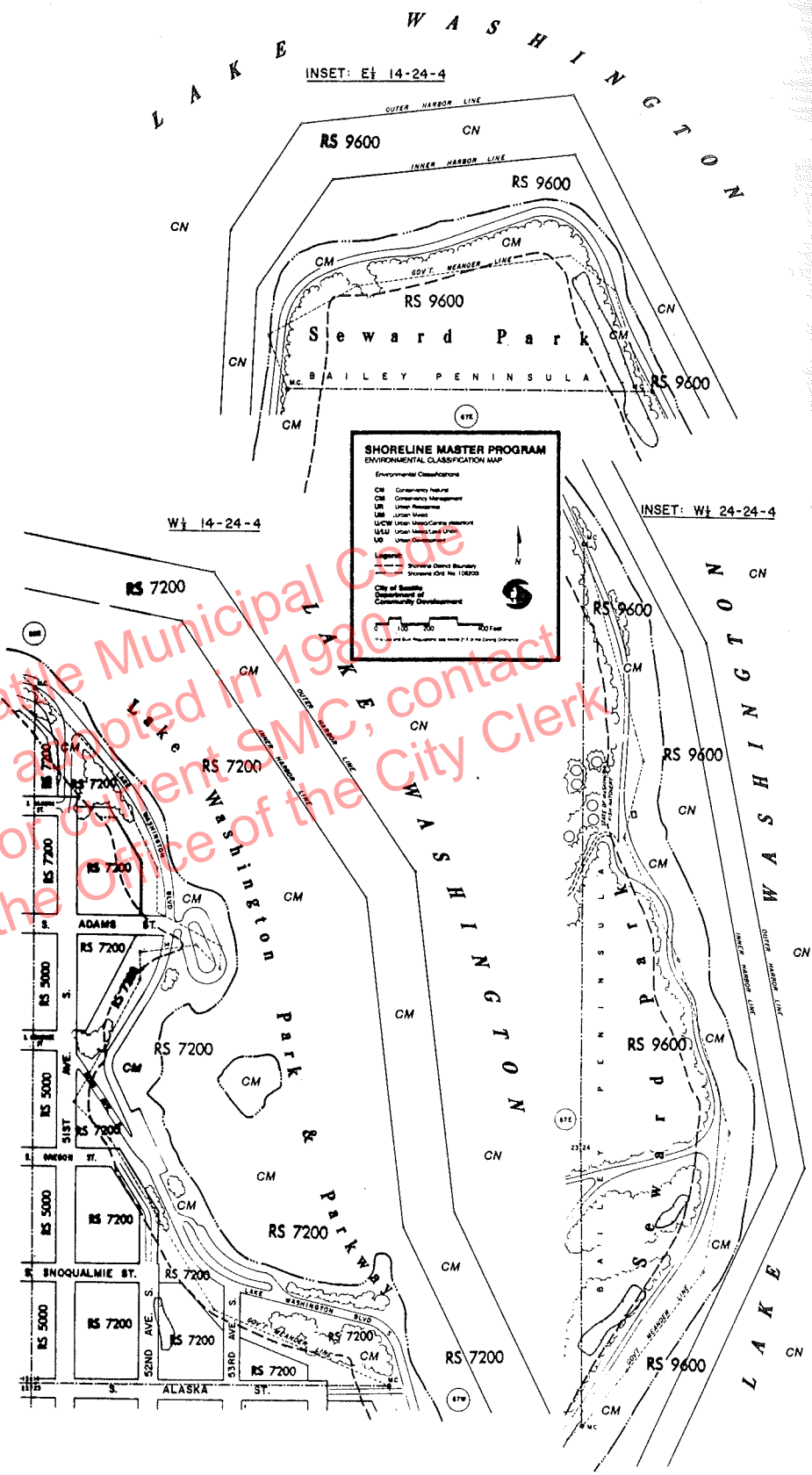
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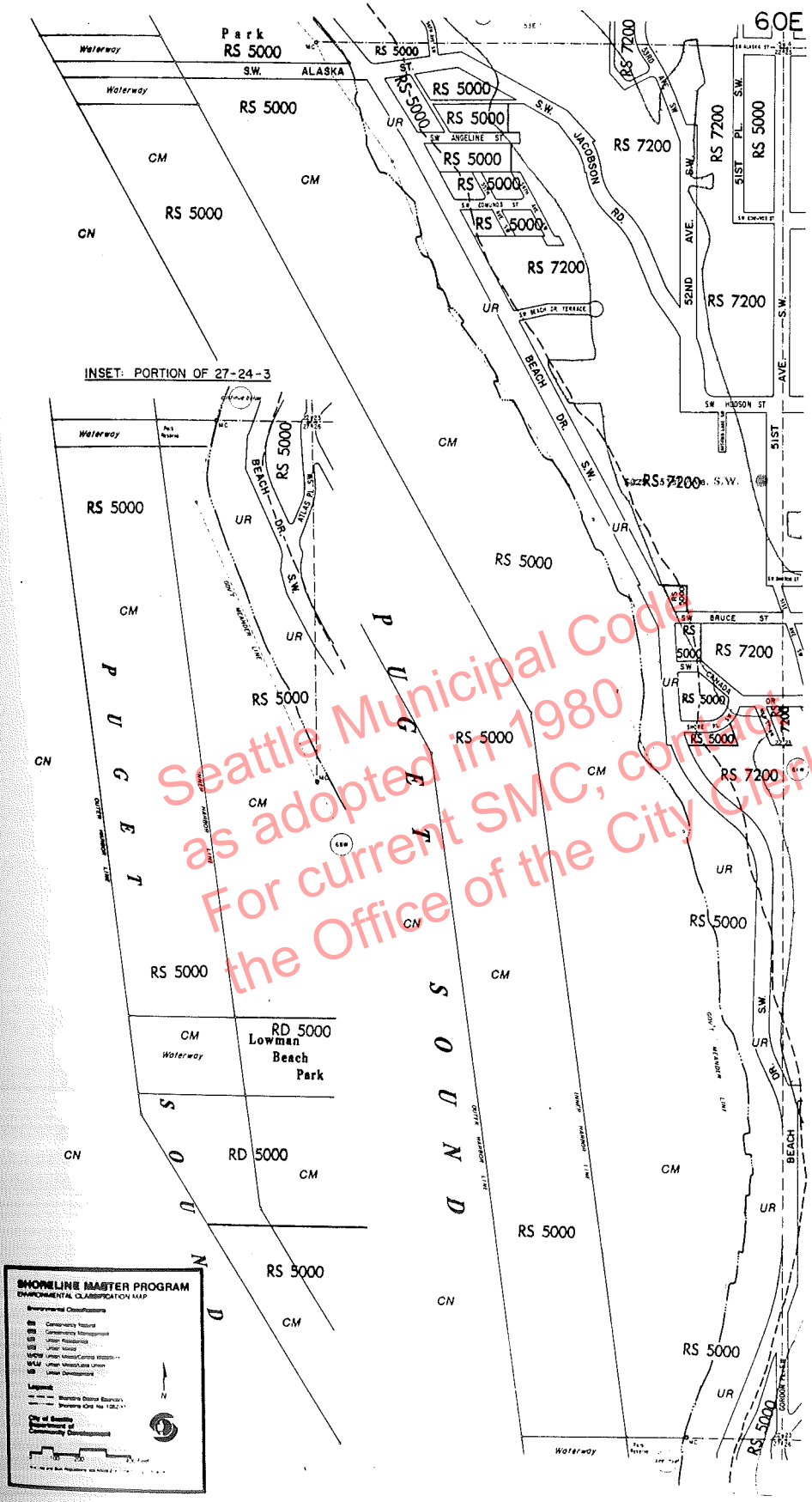
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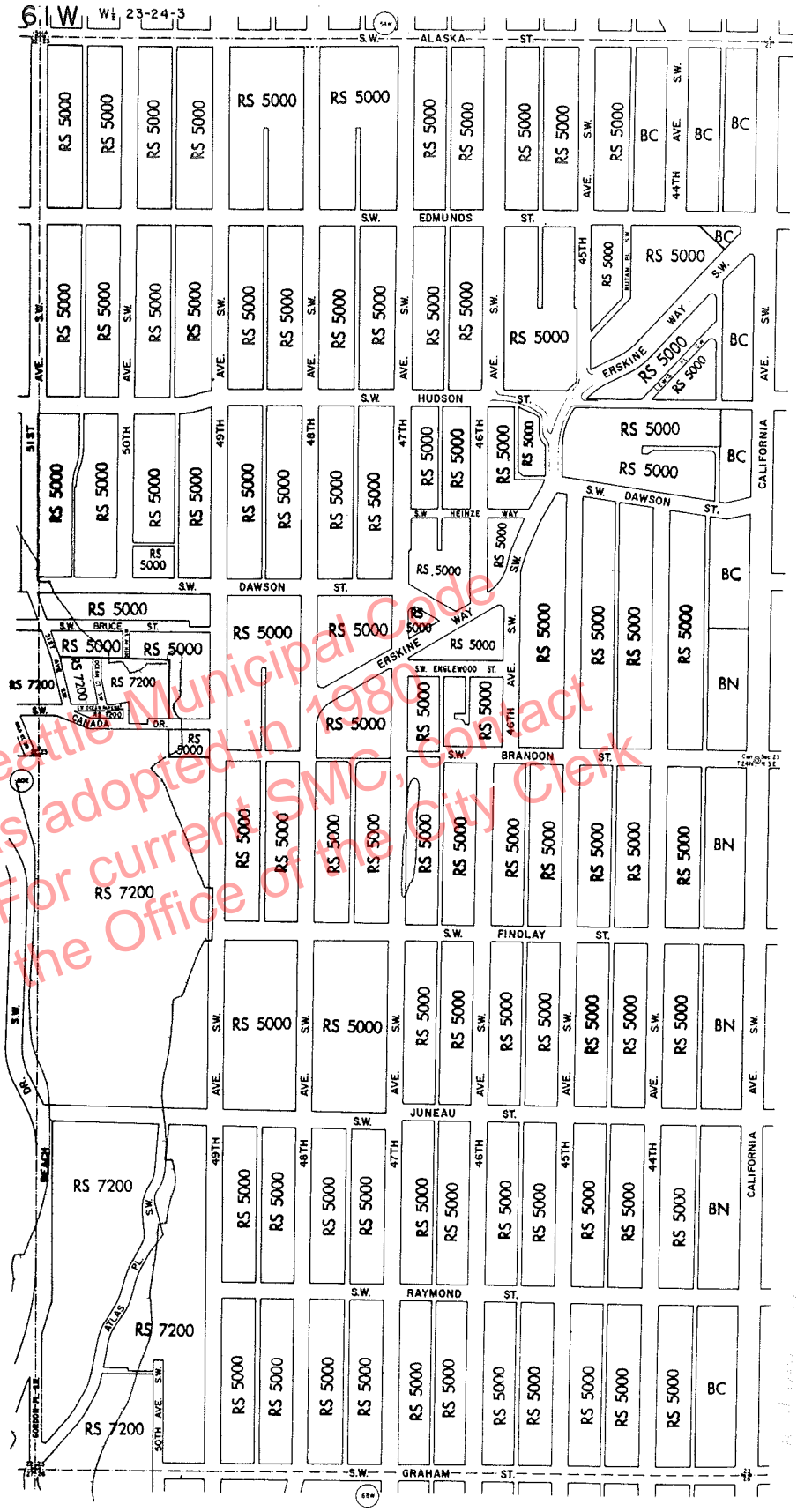
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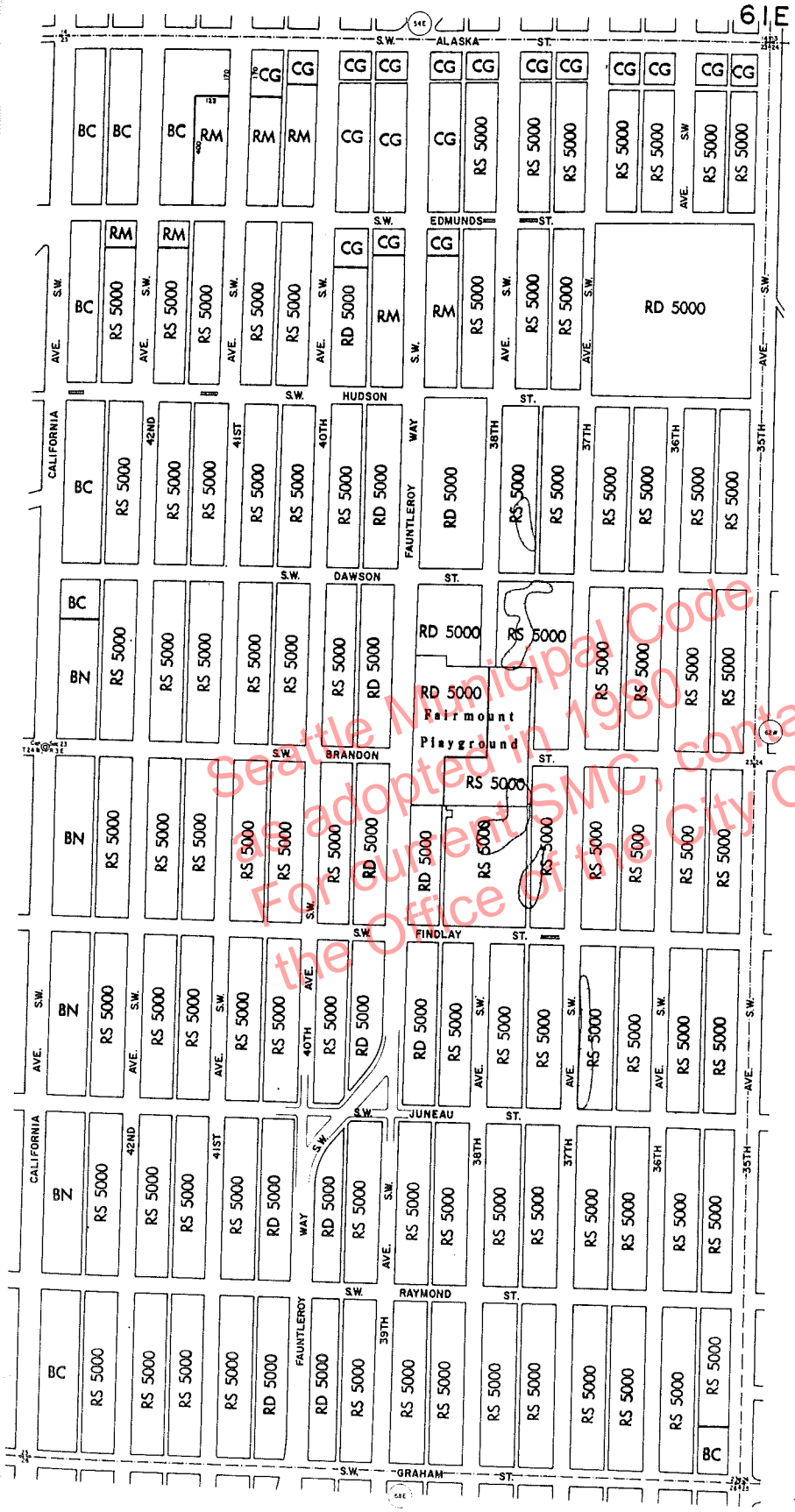
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Single Family Residence High Density Zone.

RW–
Residence Waterfront Zone.

RD 7200–
Duplex Residence Medium Density Zone.

RD 5000–
Duplex Residence High Density Zone.

RM 1600–
Multiple Residence Lowest Density Zone.

RM–
Multiple Residence Low Density Zone.

RMH 350–
Multiple Residence High Density Zone.

RMV 200–
Multiple Residence High Density Variable Height Zone.

RMV 150–
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RM-MD–
Multiple Residence-Mixed Density Zone.

BN–
Neighborhood Business Zone.

BI–
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BC–
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BM–
Metropolitan Business Zone.

CM–
Metropolitan Commercial Zone.

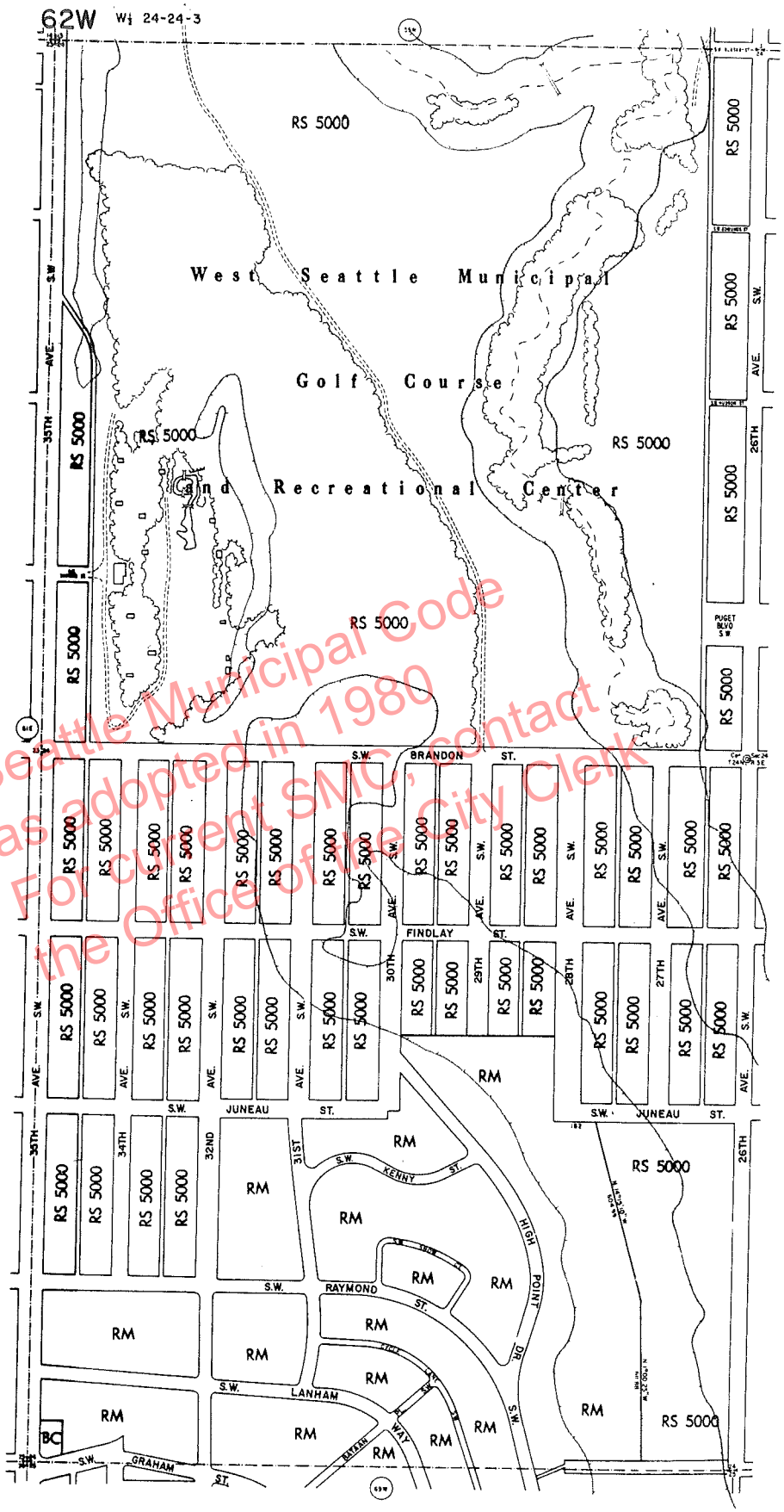
CMT–
Metropolitan Commercial Zone Temporary.

CG–
General Commercial Zone.

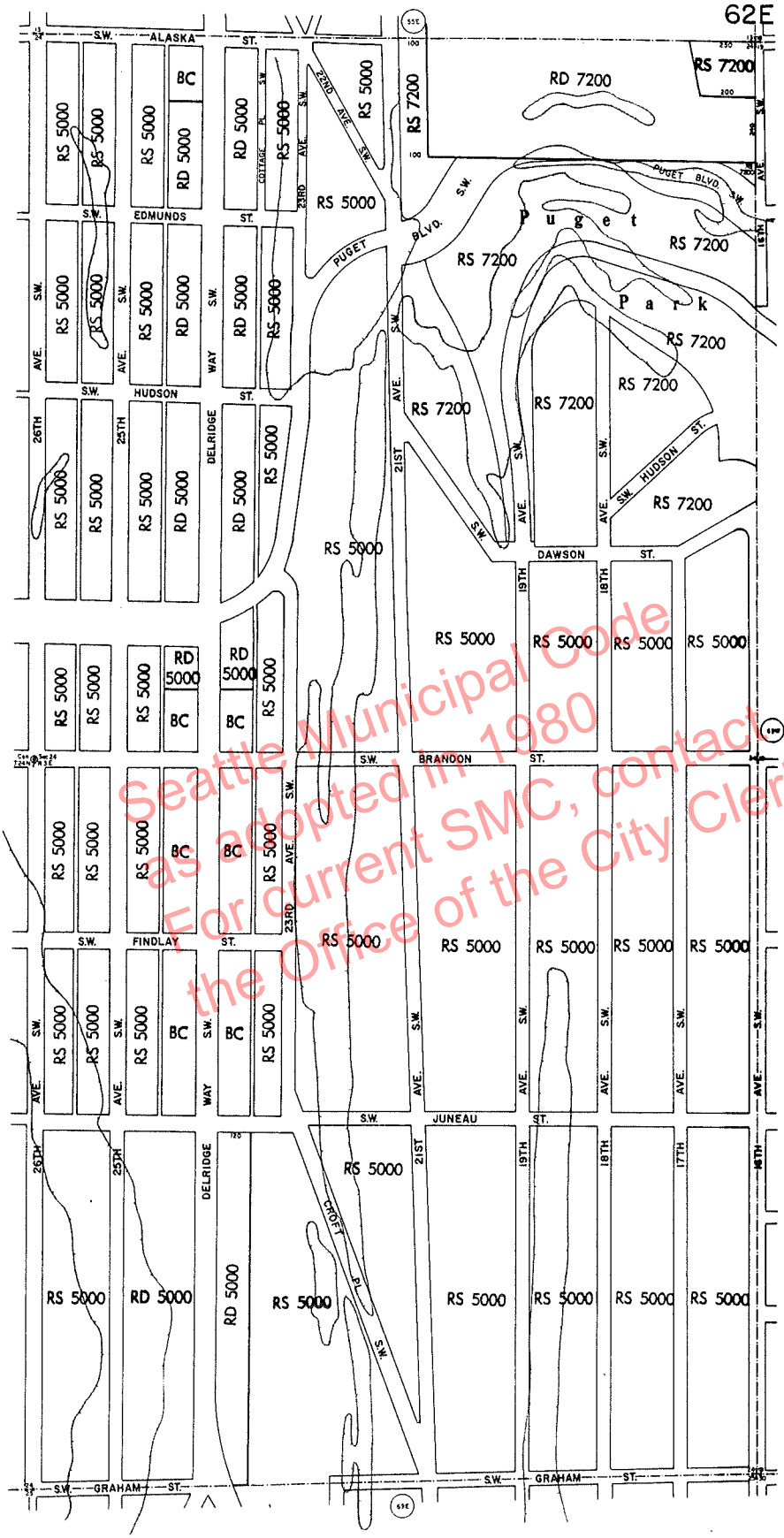
M–
Manufacturing Zone.

IG–
General Industrial Zone.

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Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1980 For Current SMC, contact the Office of the City Clerk



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LEGEND

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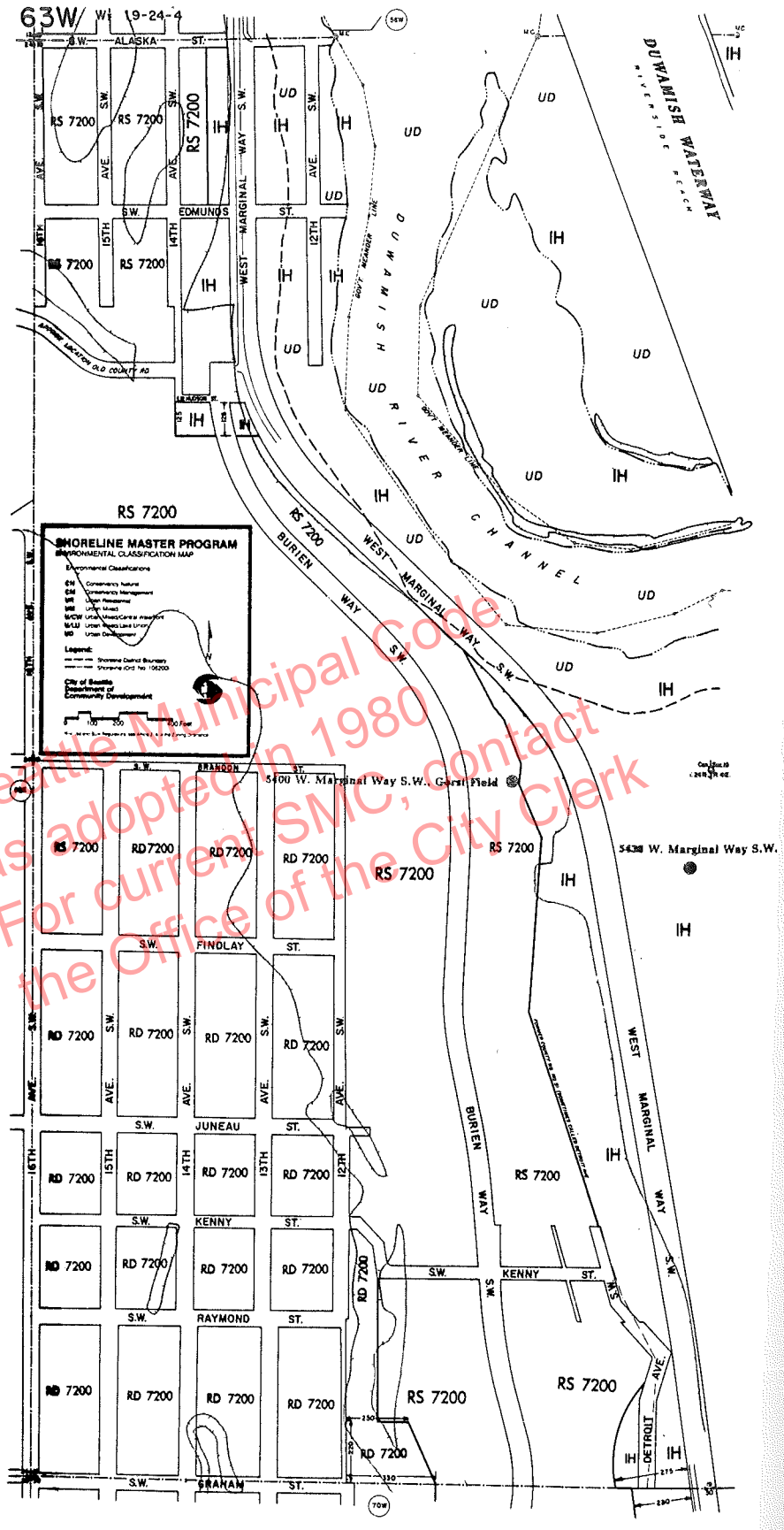
CMT–
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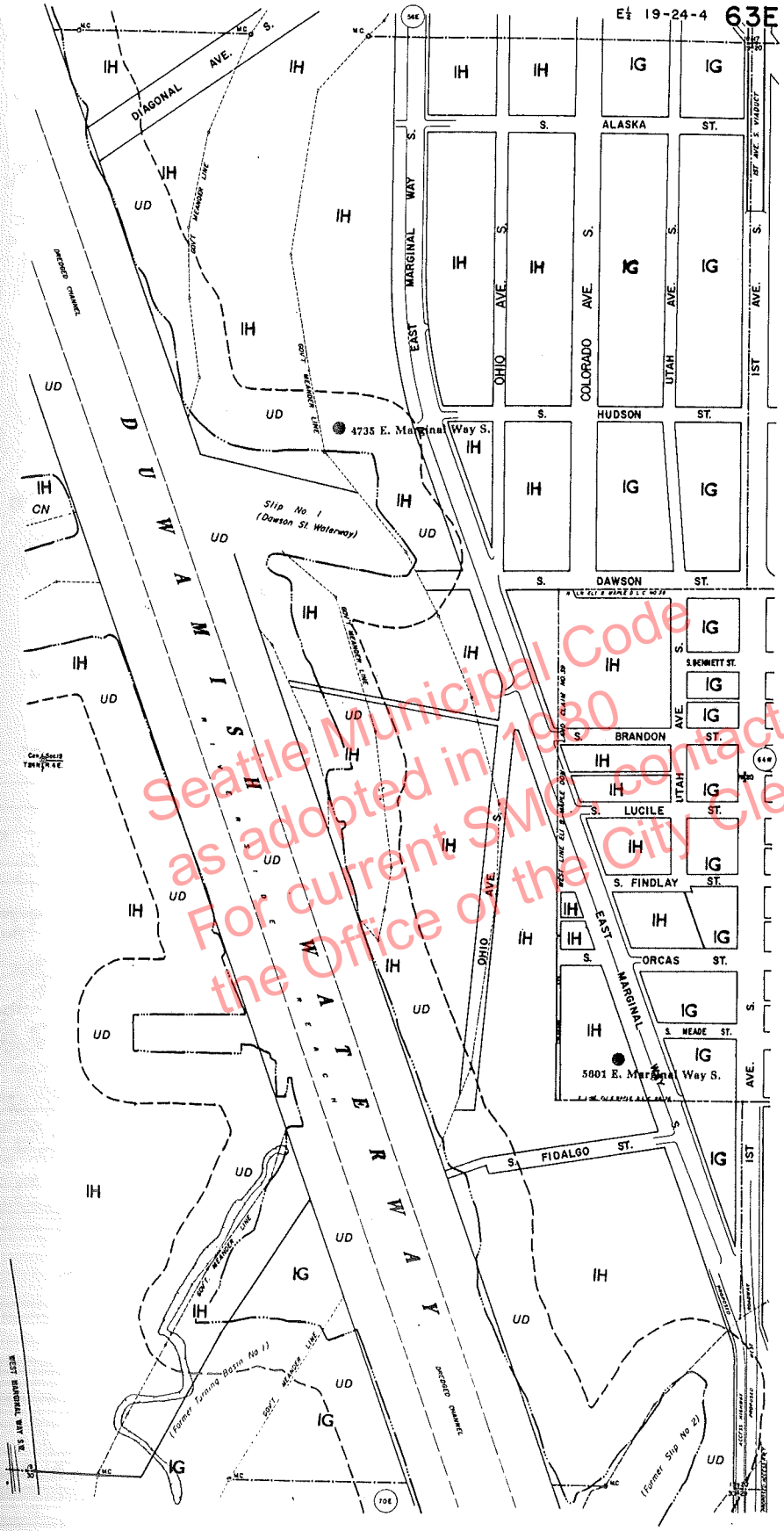
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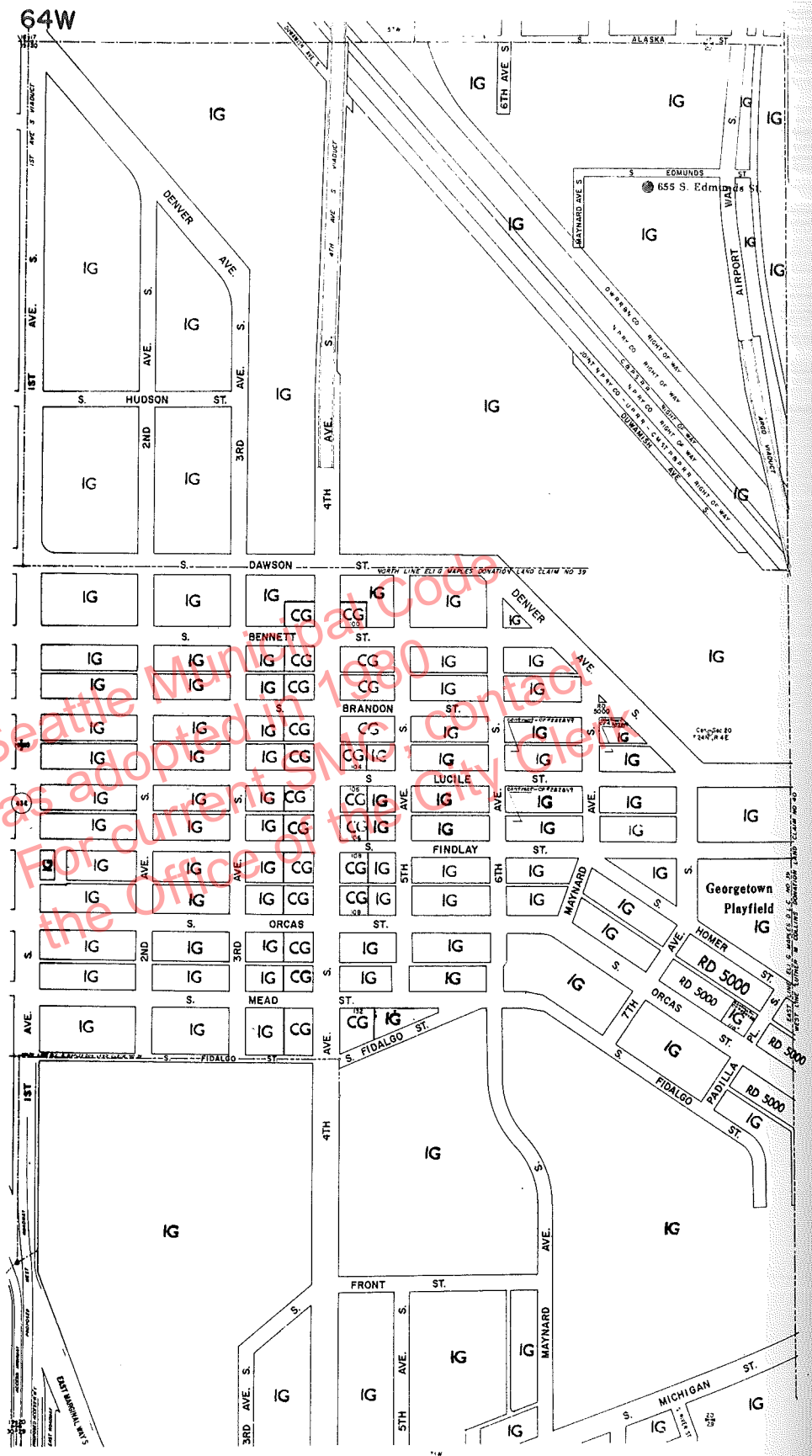
CMT—
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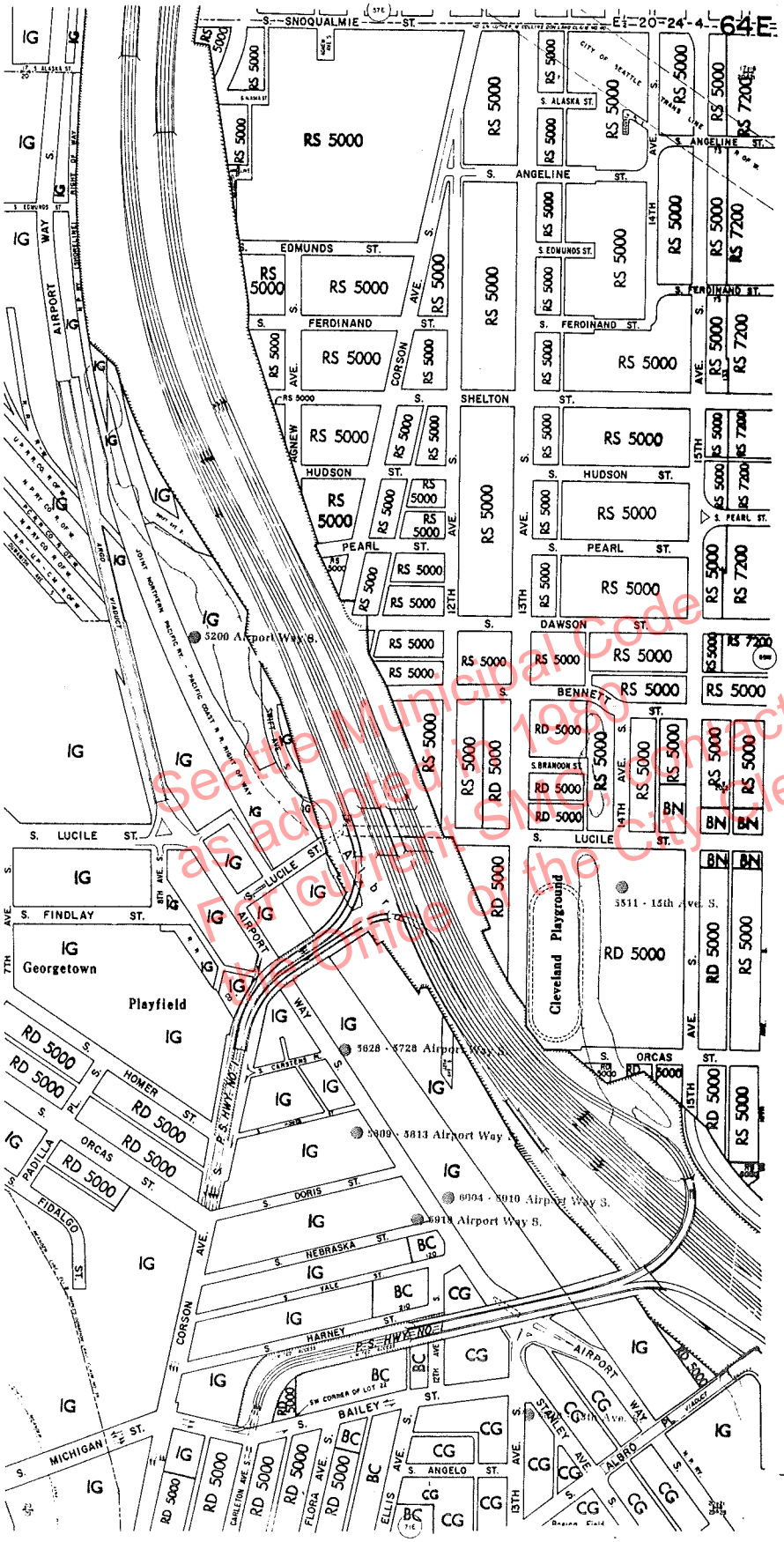
M—
Manufacturing Zone.

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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code as adopted in 1959. For current SMC, contact the Office of the City Clerk

LEGEND

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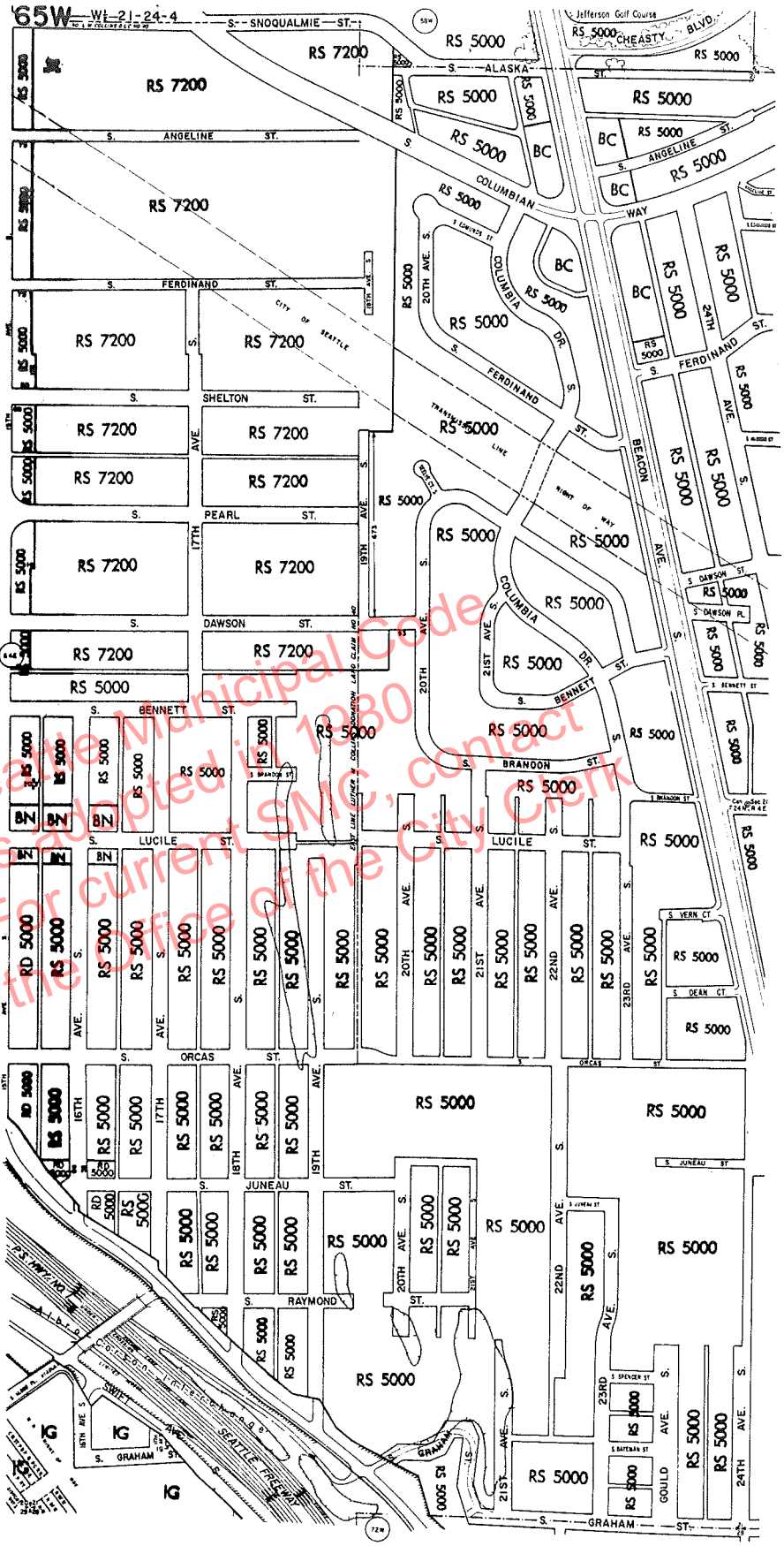
CMT–
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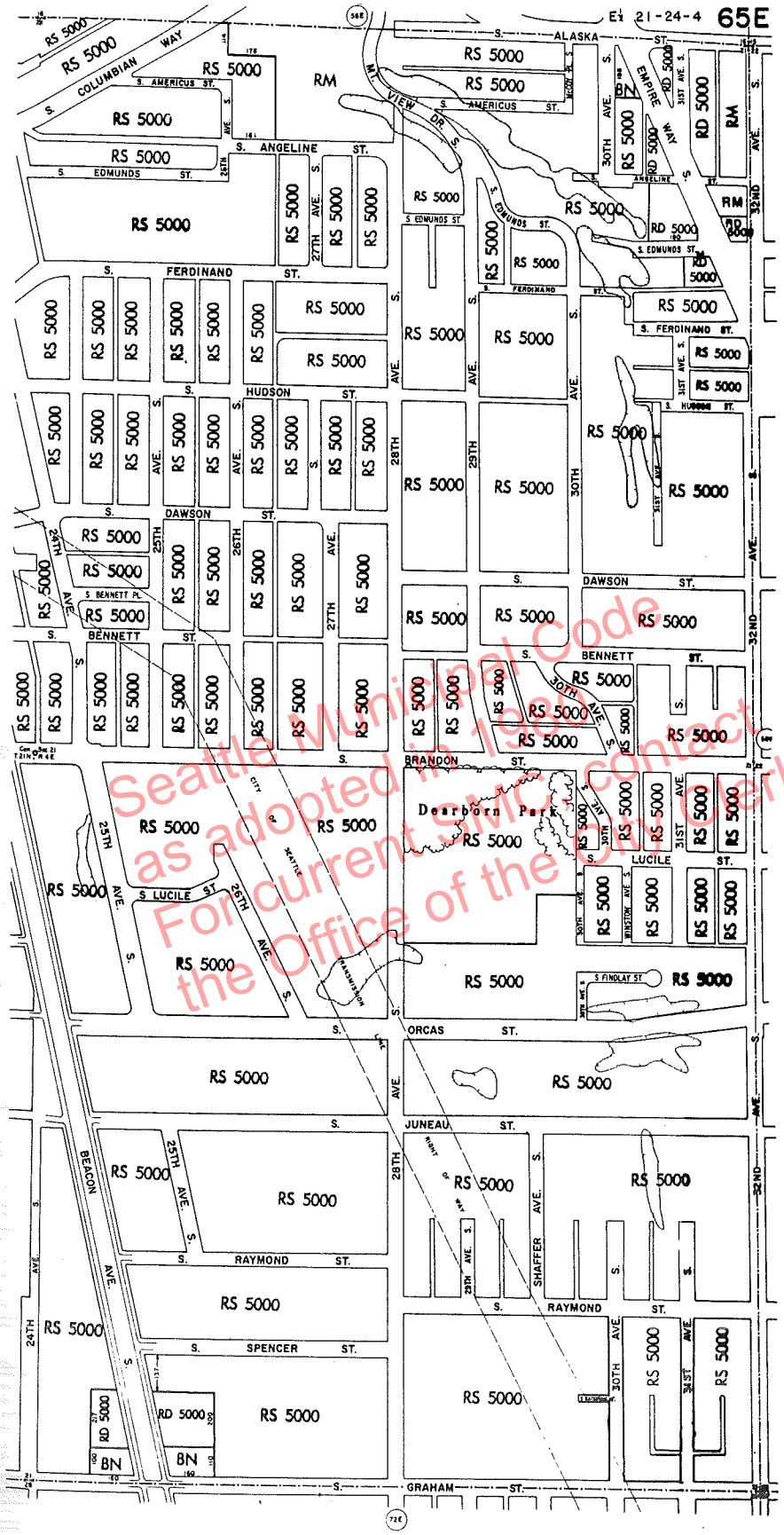
M–
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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code
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LEGEND

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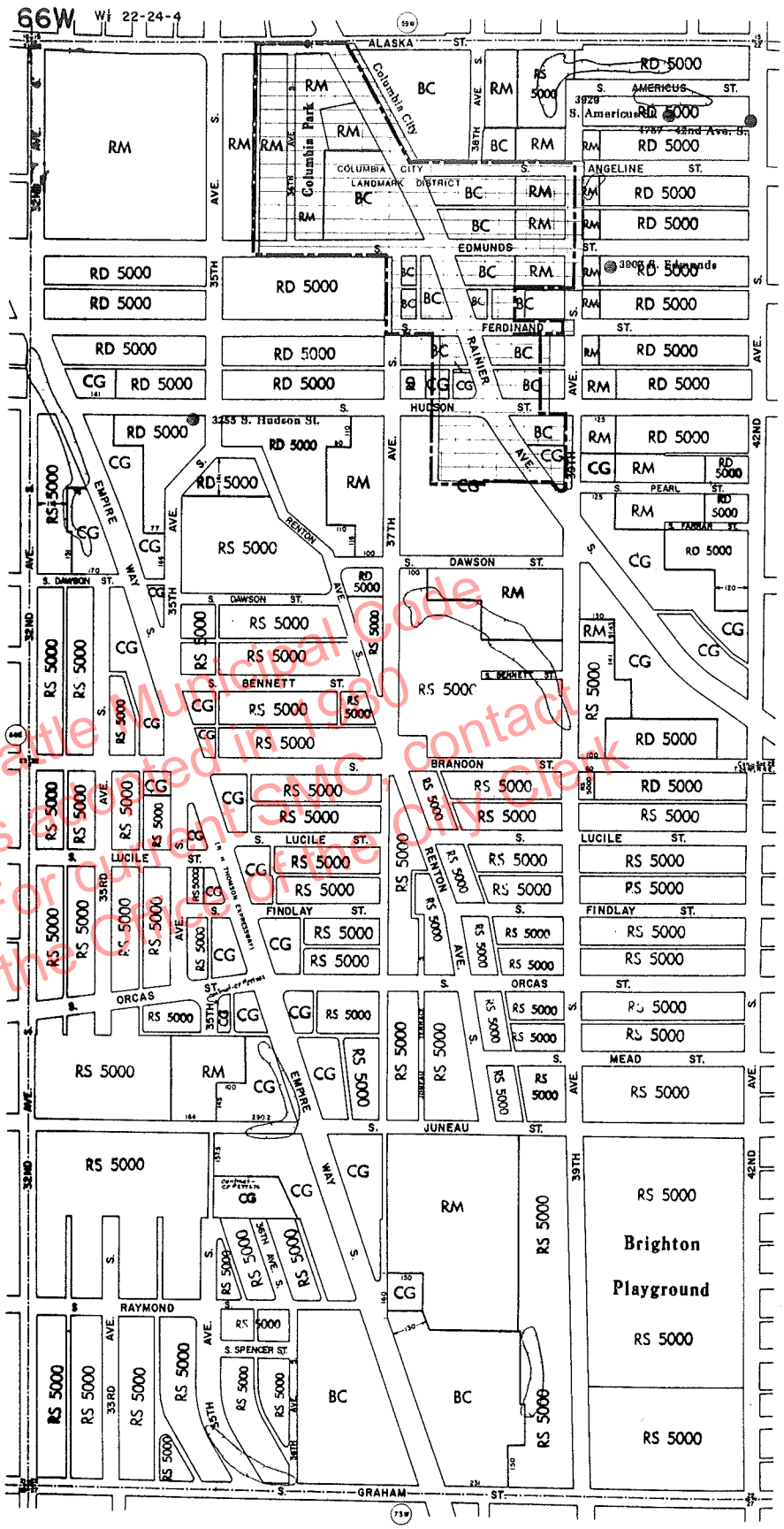
CMT—
Metropolitan Commercial Zone Temporary.

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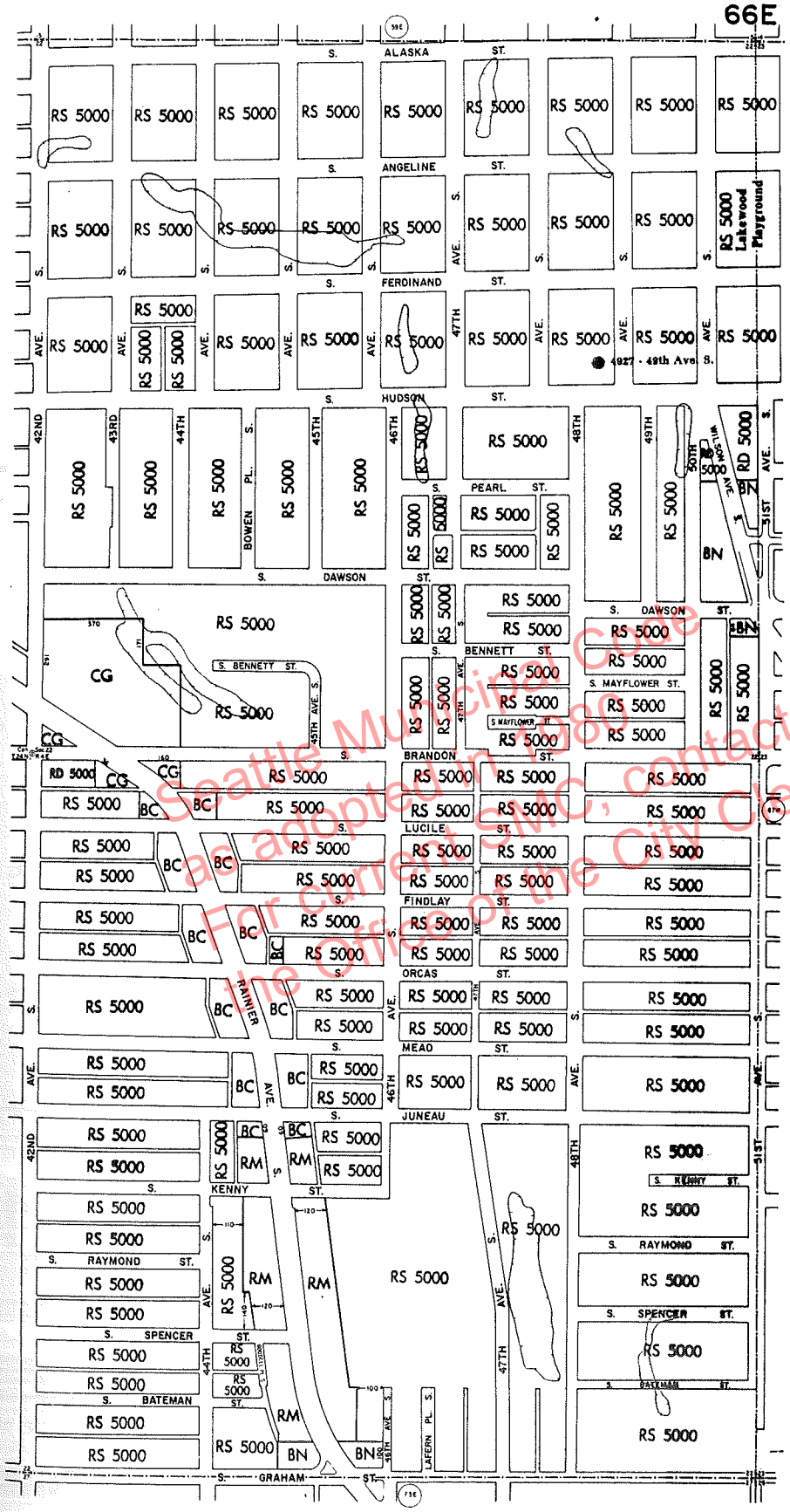
IG—
General Industrial Zone.

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Heavy Industrial Zone.



Columbia City Landmark District
Ordinance 107679

Seattle Municipal Code
as accepted in 1990
For current SMC, contact
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Seattle Municipal Code
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LEGEND

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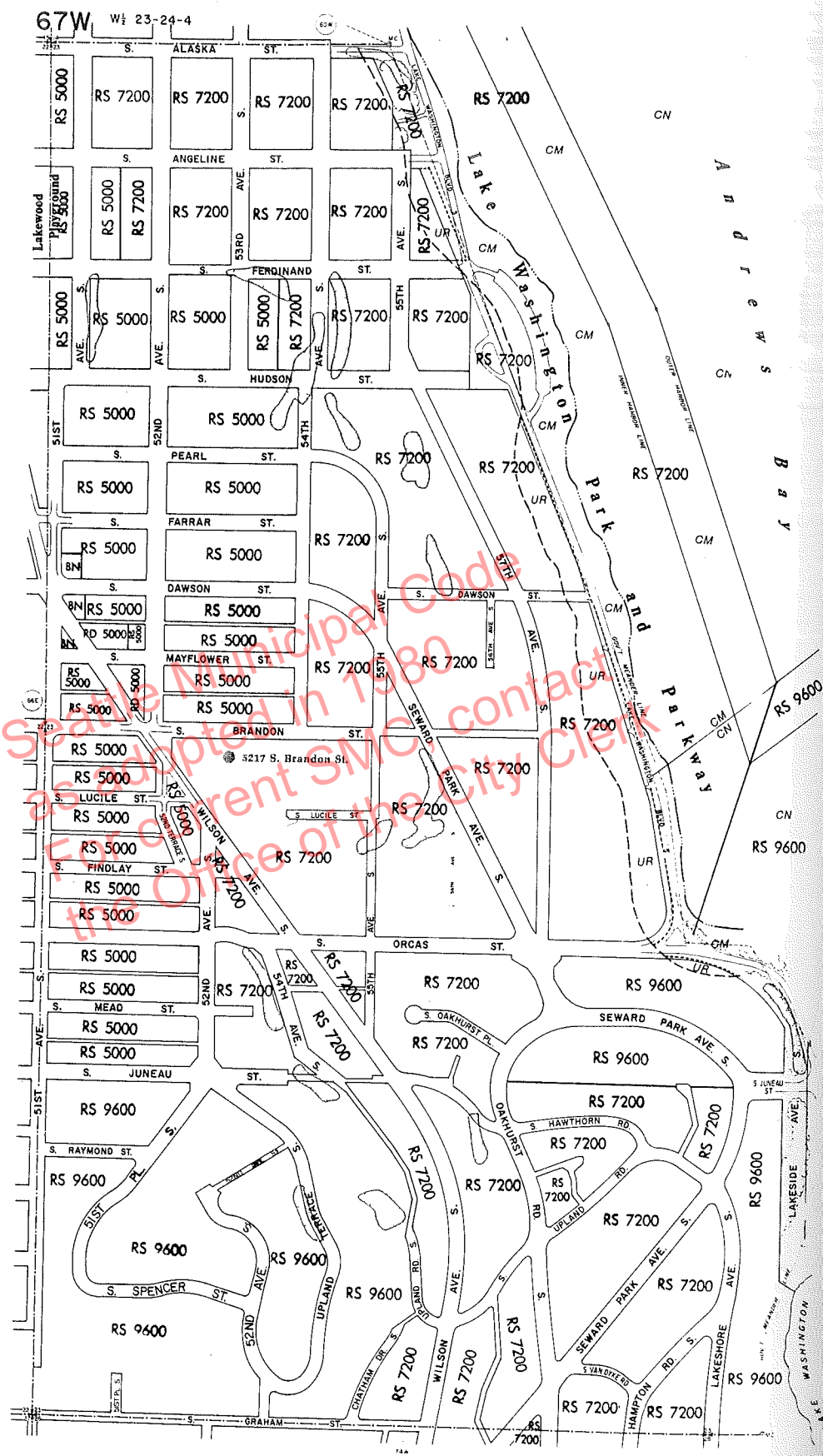
CMT—
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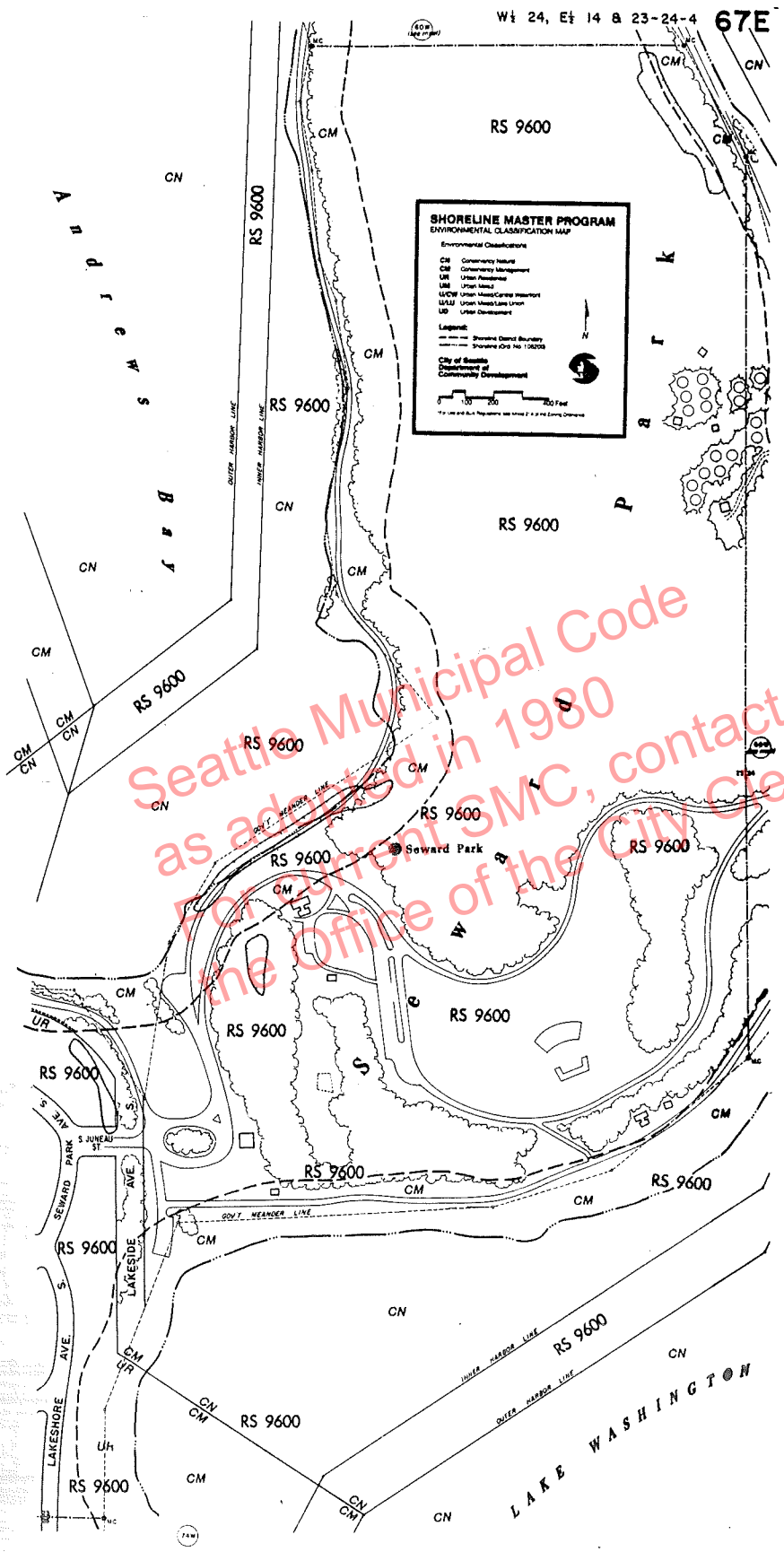
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Seattle Municipal Code
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LEGEND

RS 9600— Single Family Residence Low Density Zone.

RS 7200— Single Family Residence Medium Density Zone.

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BM— Metropolitan Business Zone.

CM— Metropolitan Commercial Zone.

CMT— Metropolitan Commercial Zone Temporary.

CG— General Commercial Zone.

M— Manufacturing Zone.

IG— General Industrial Zone.

IH— Heavy Industrial Zone.

LEGEND

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Single Family Residence Low Density Zone.

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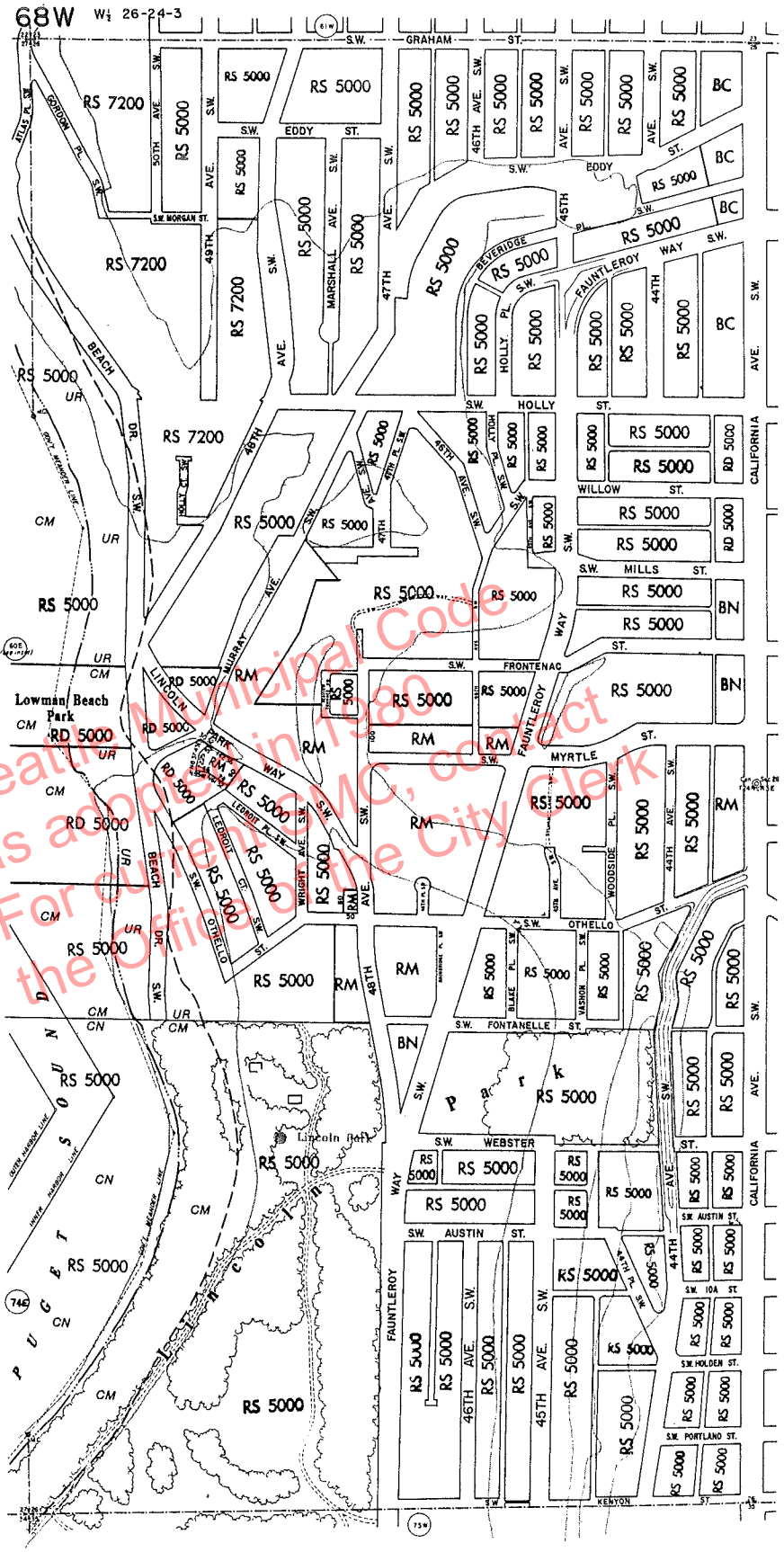
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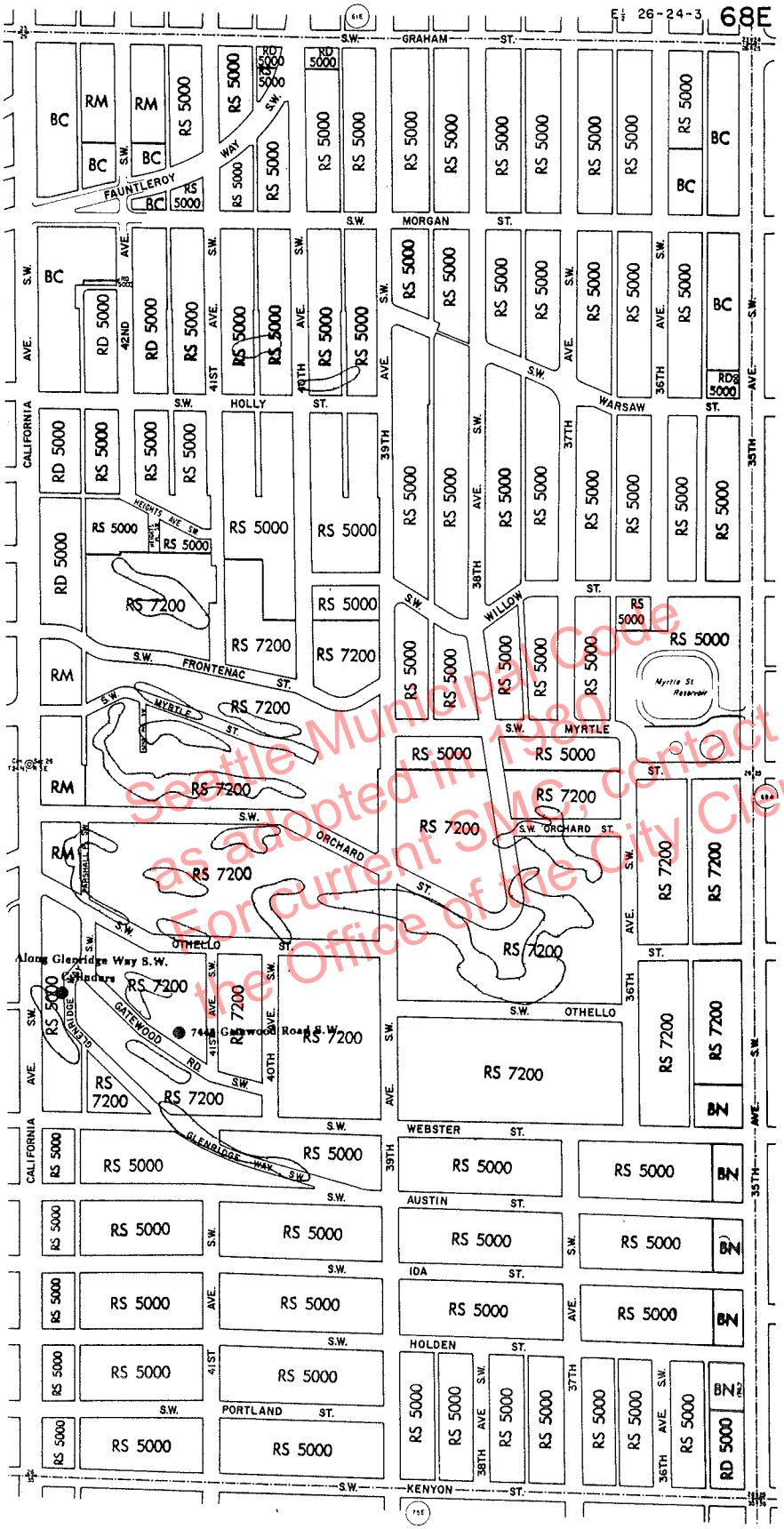
M—
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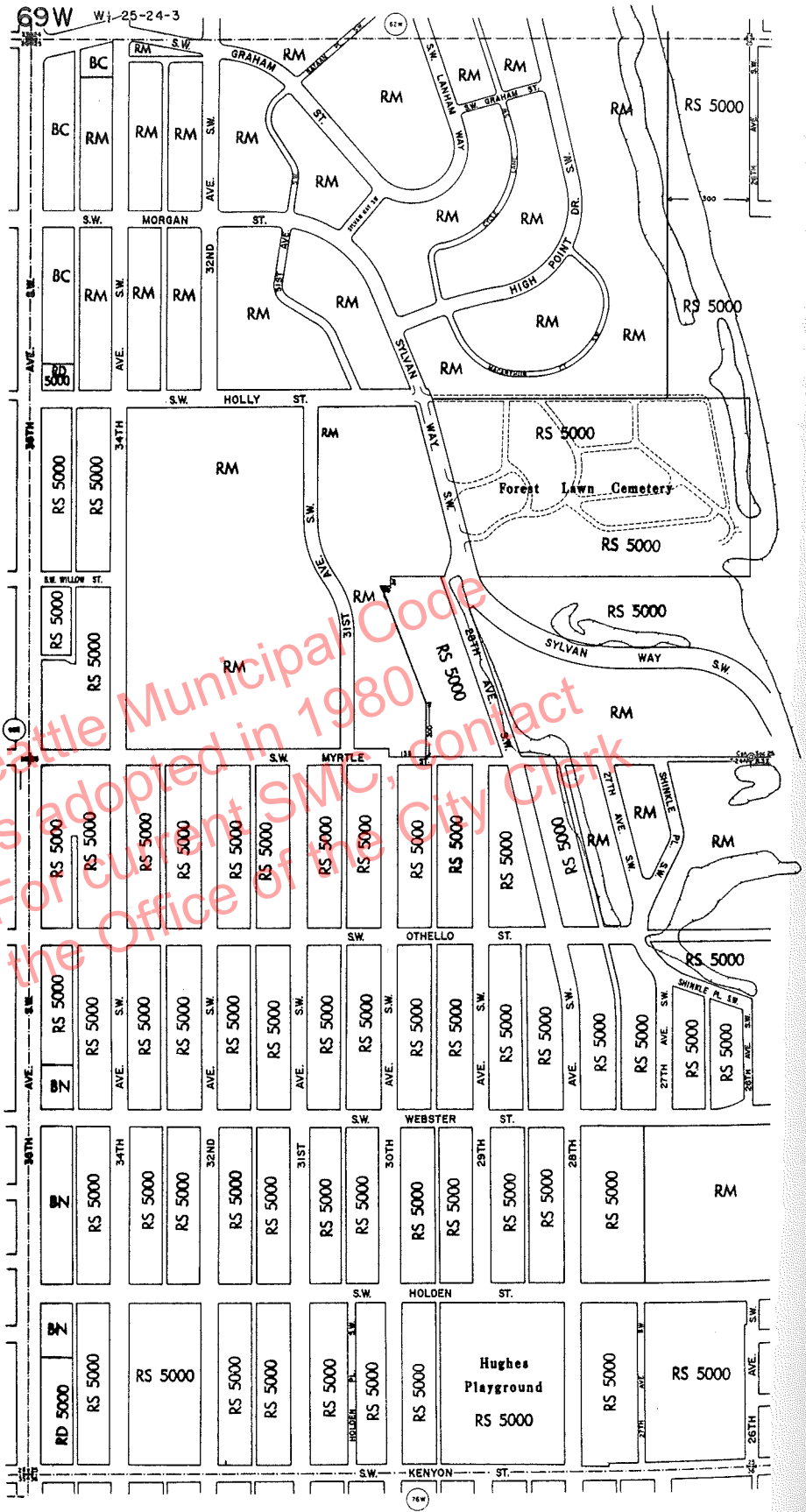
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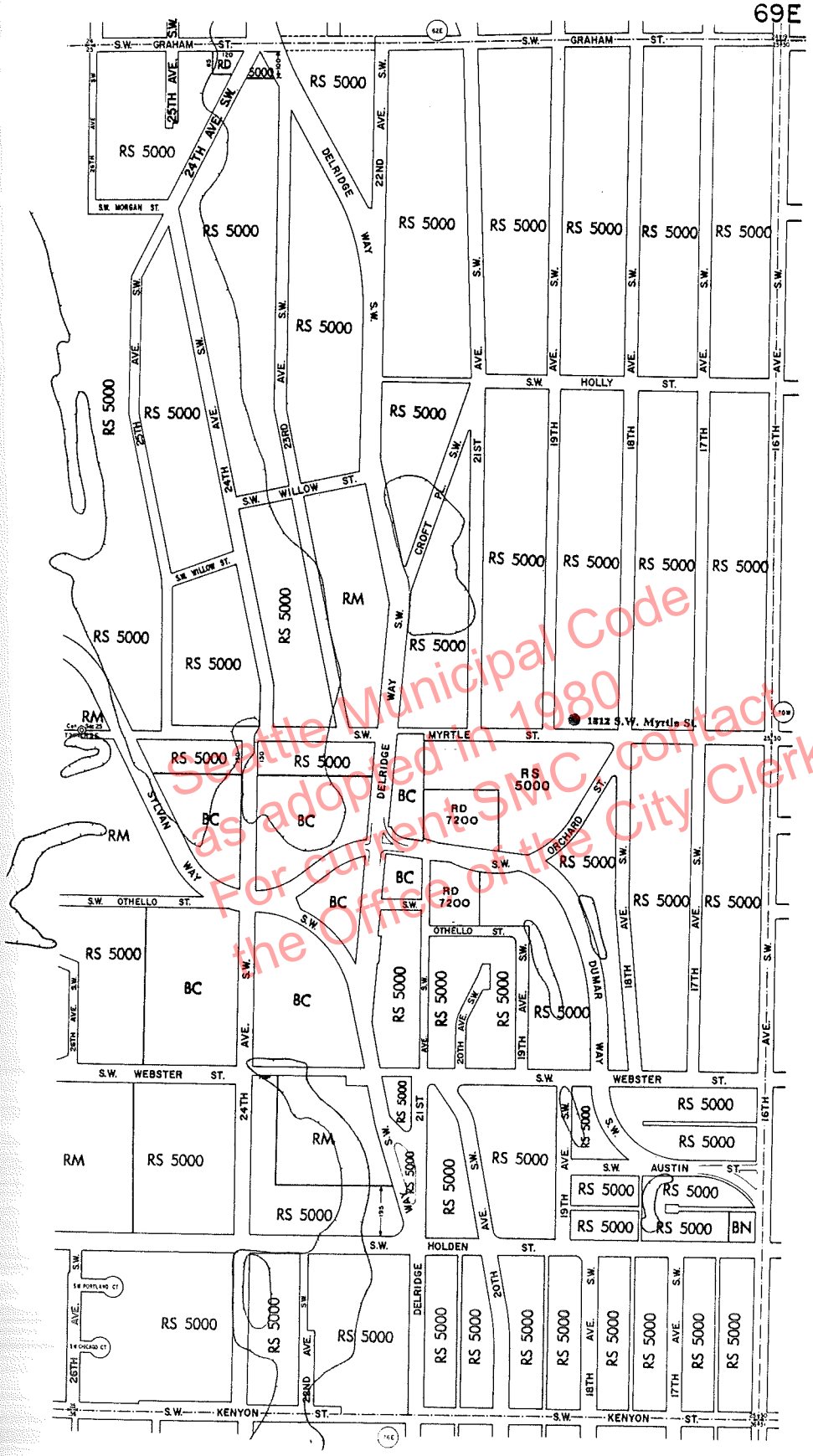
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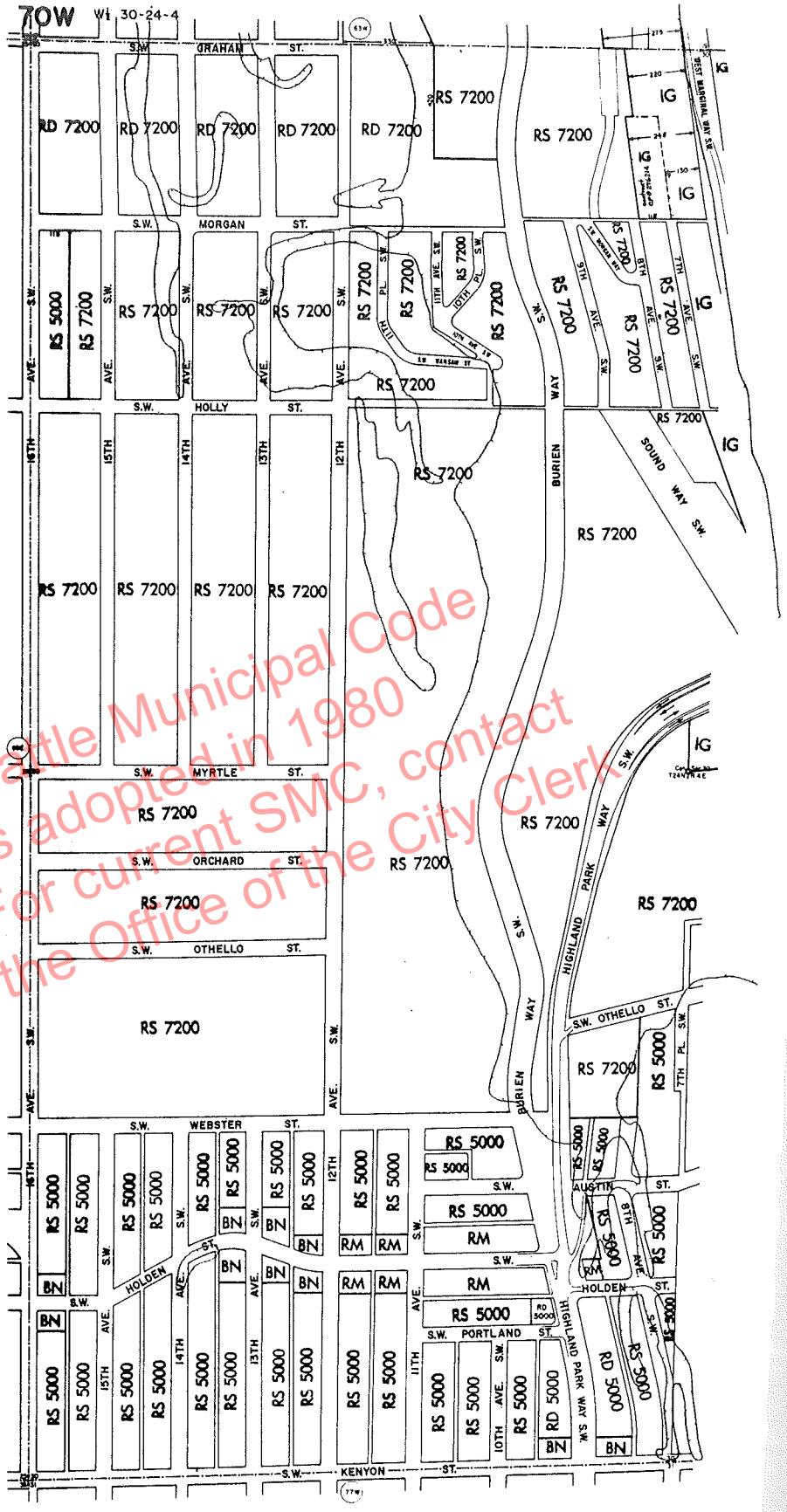
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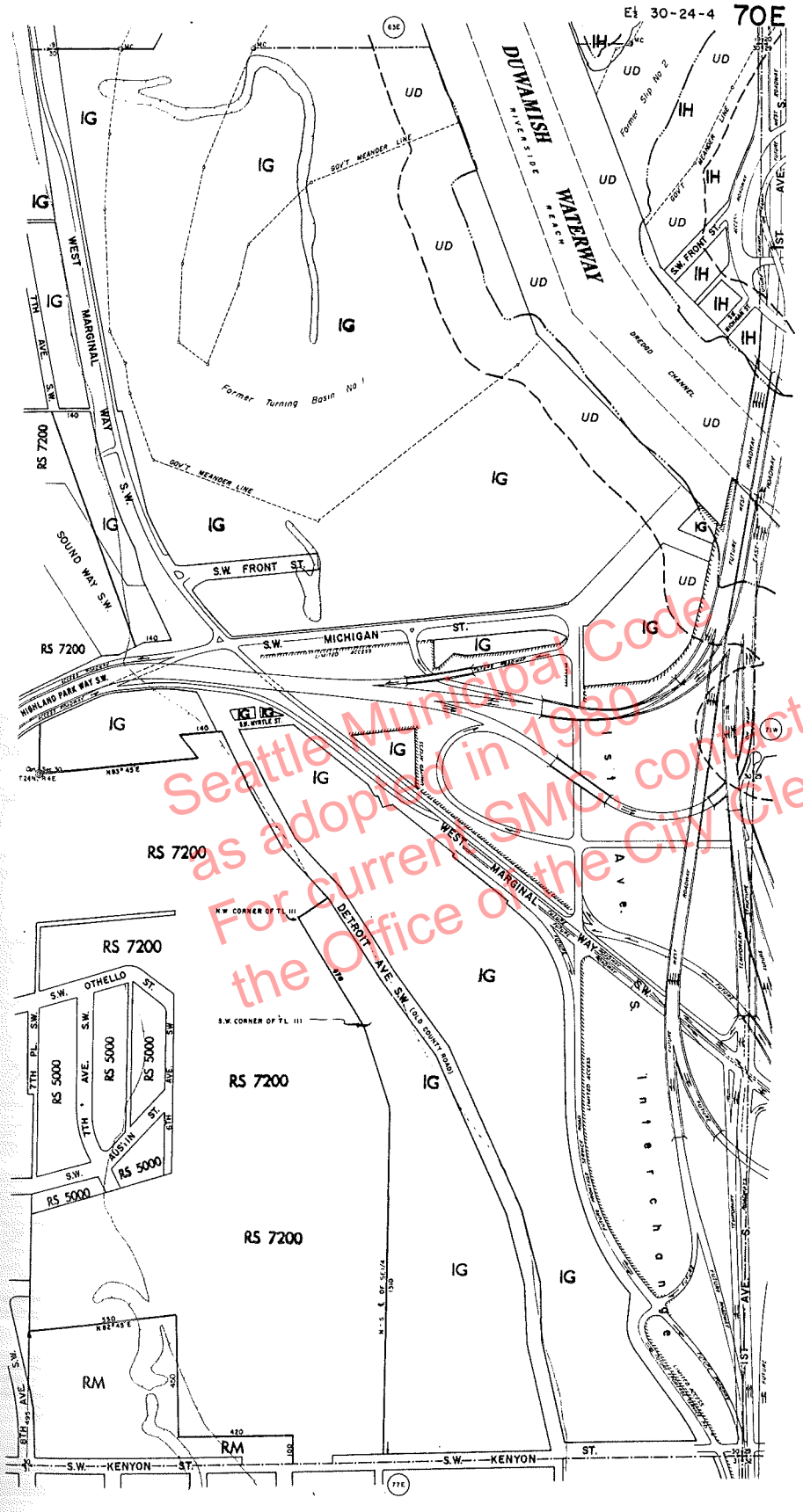
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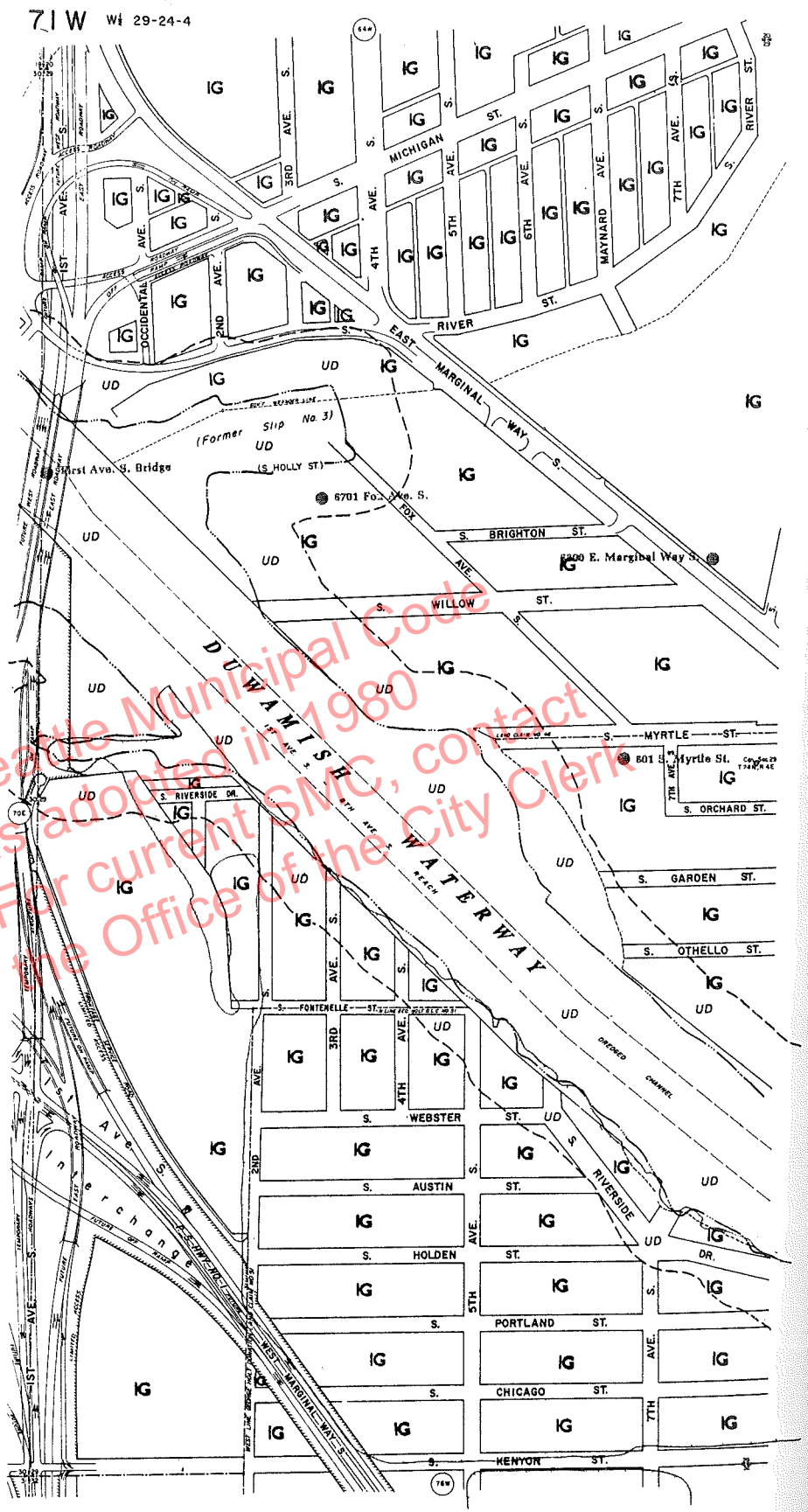
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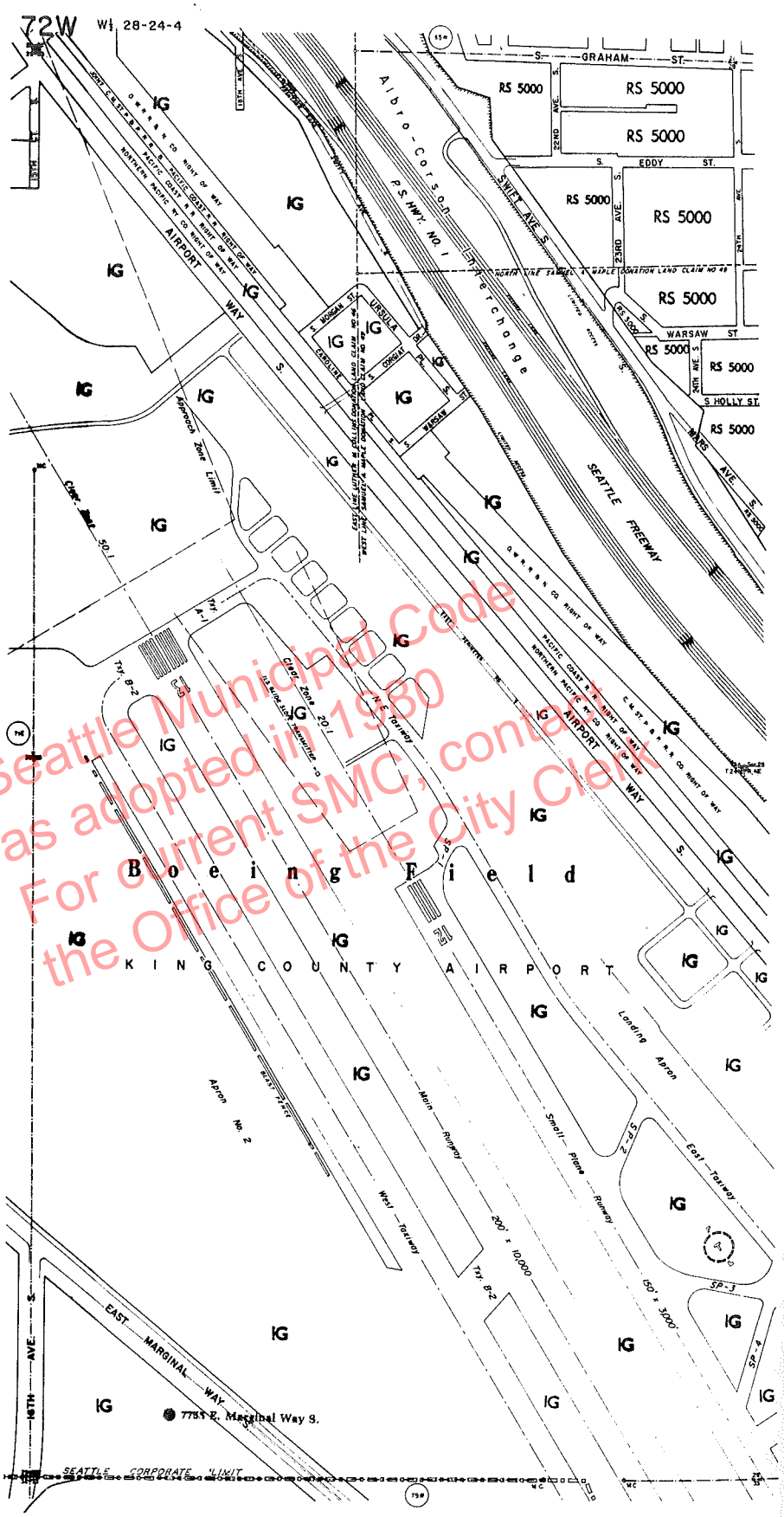
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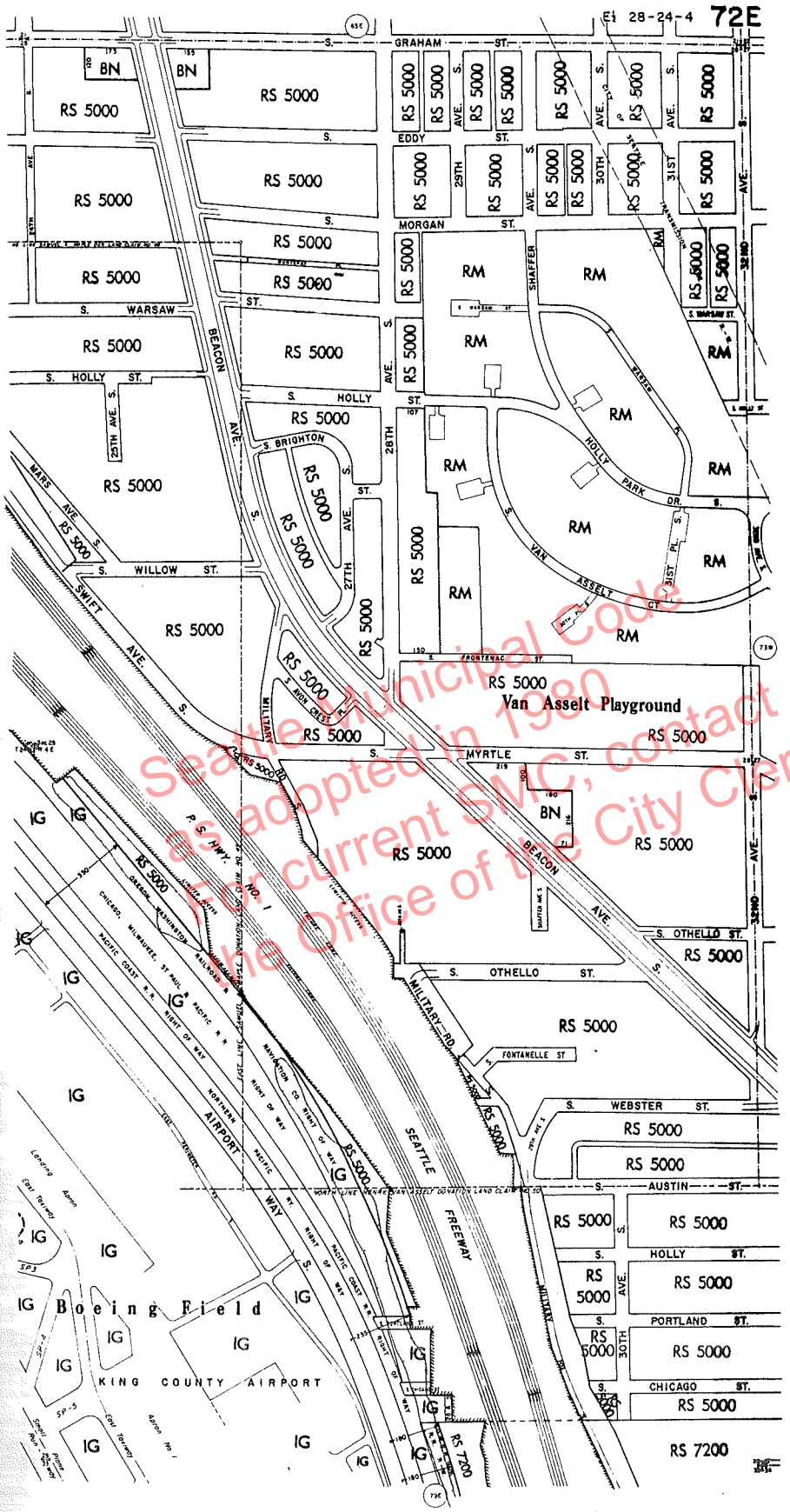
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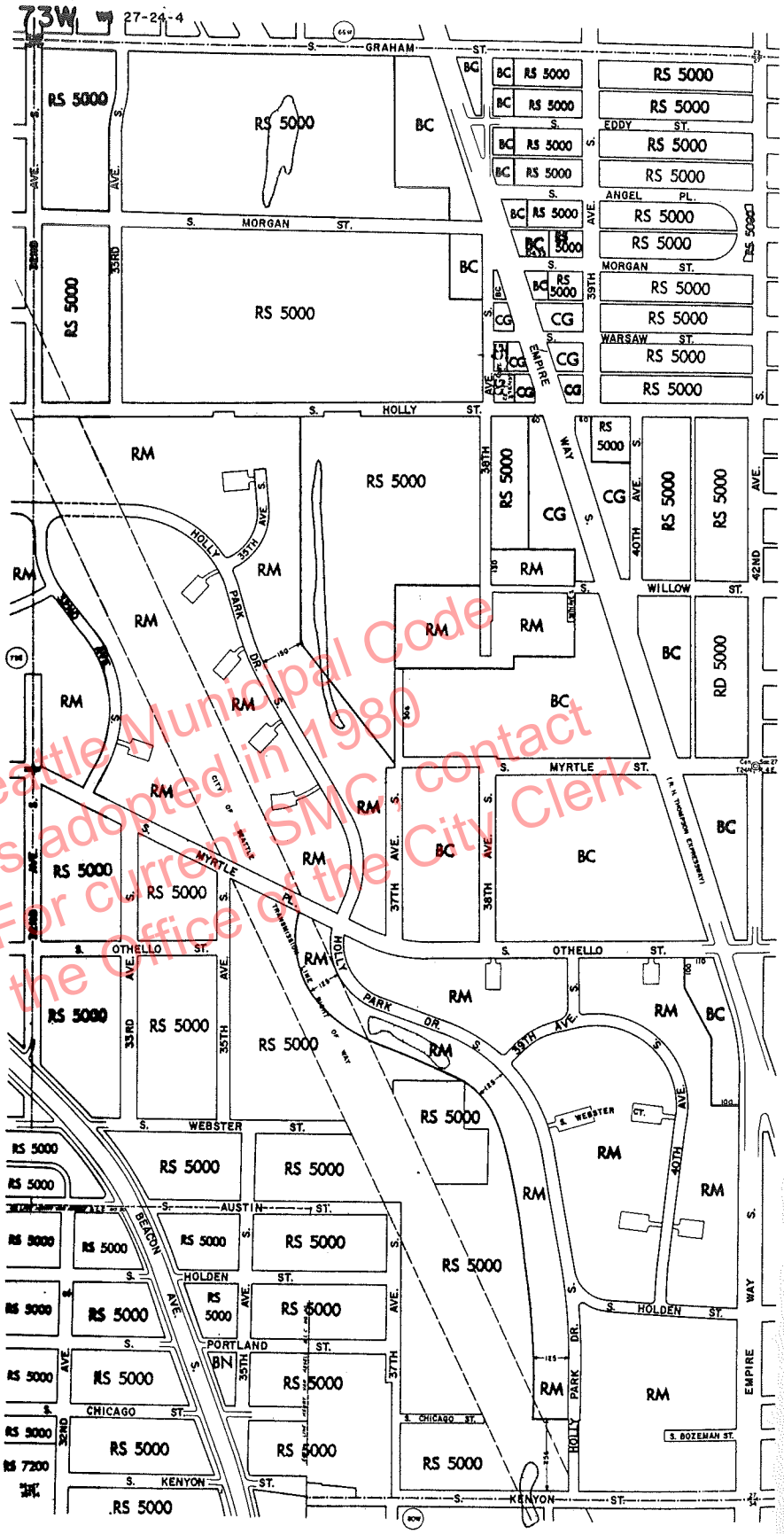
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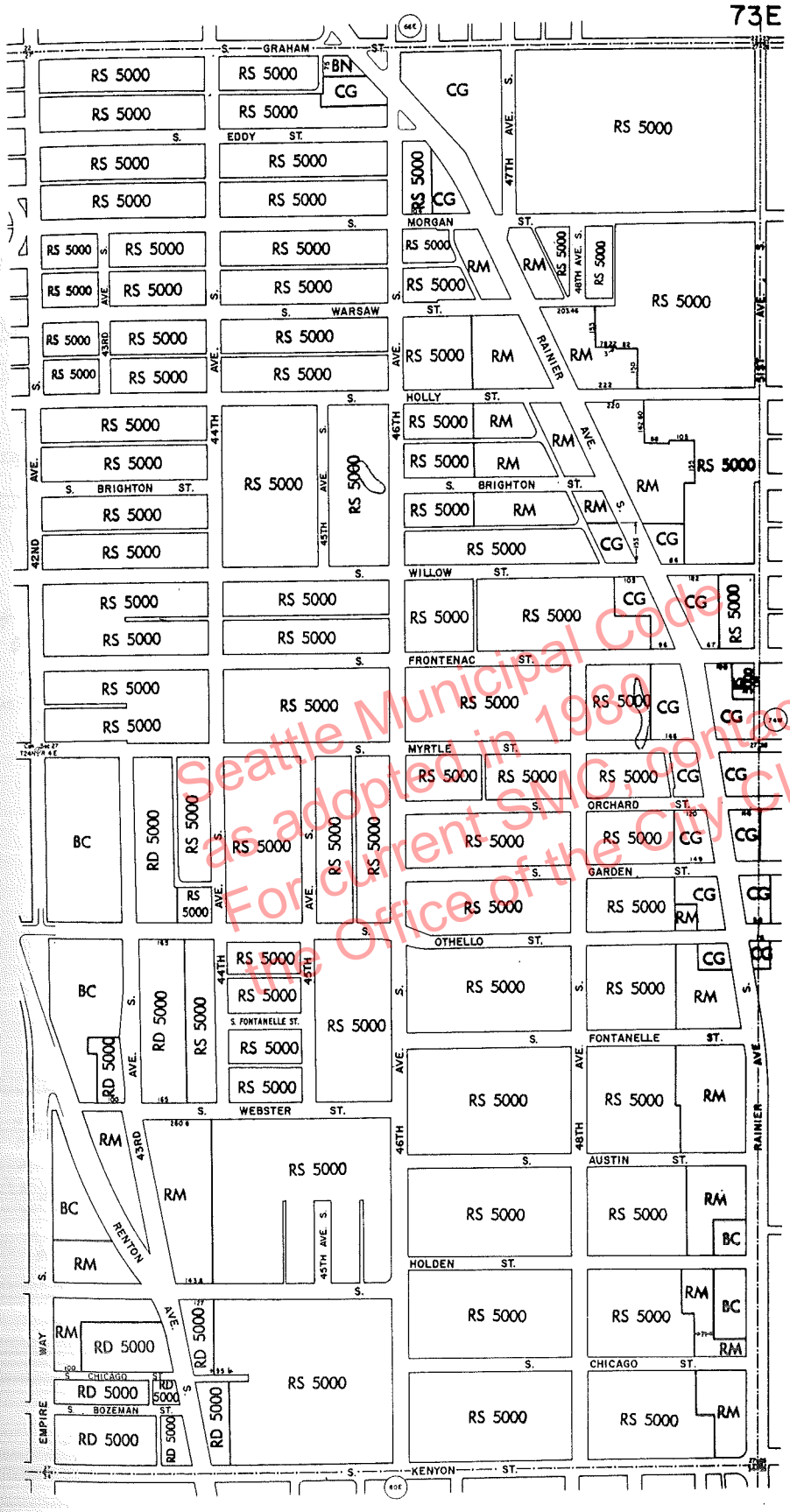
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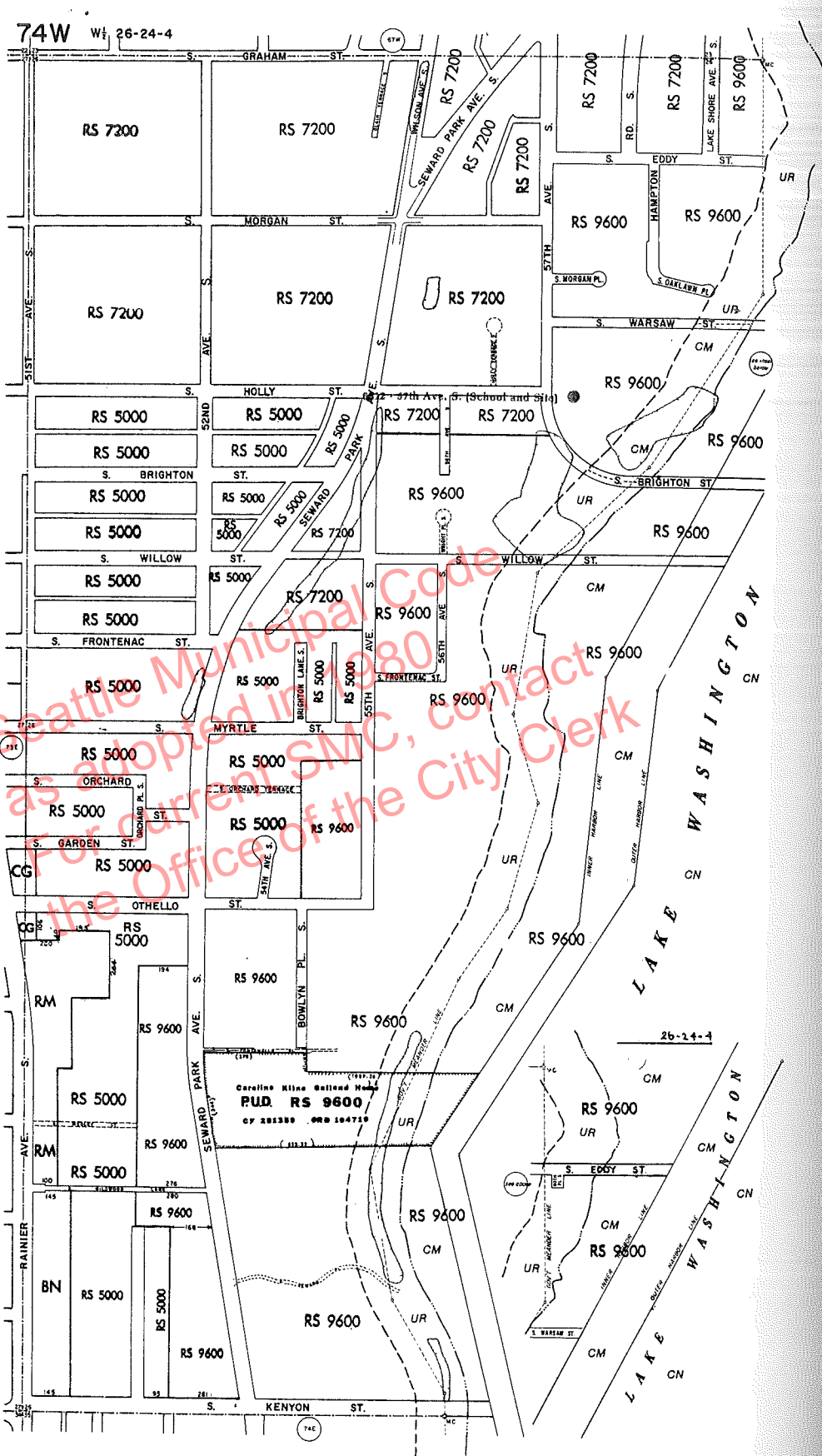
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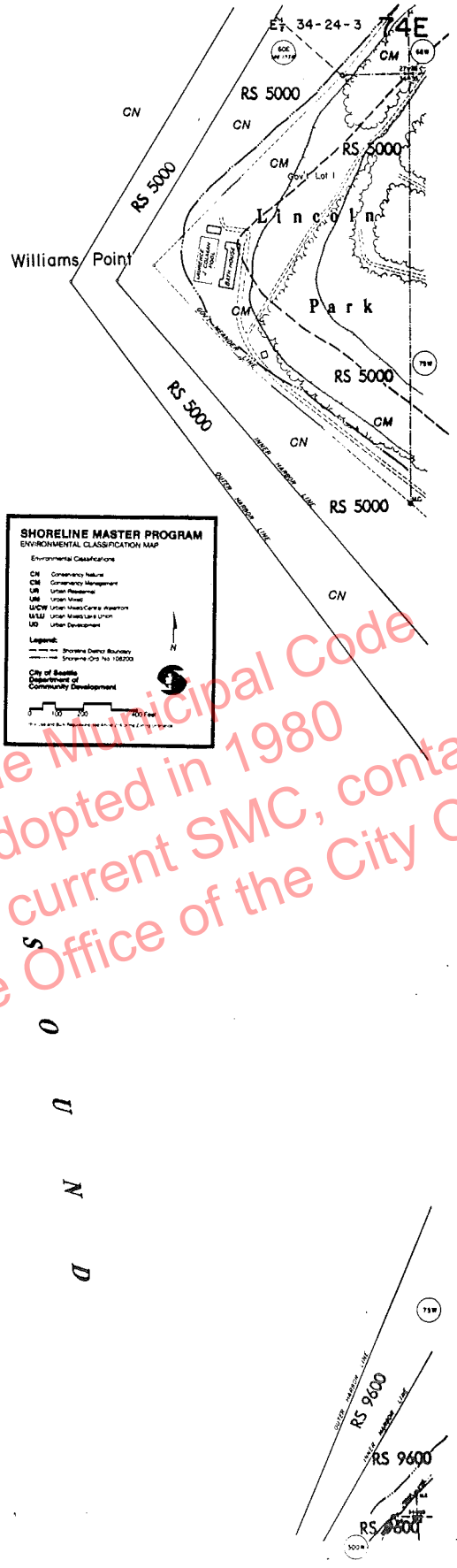
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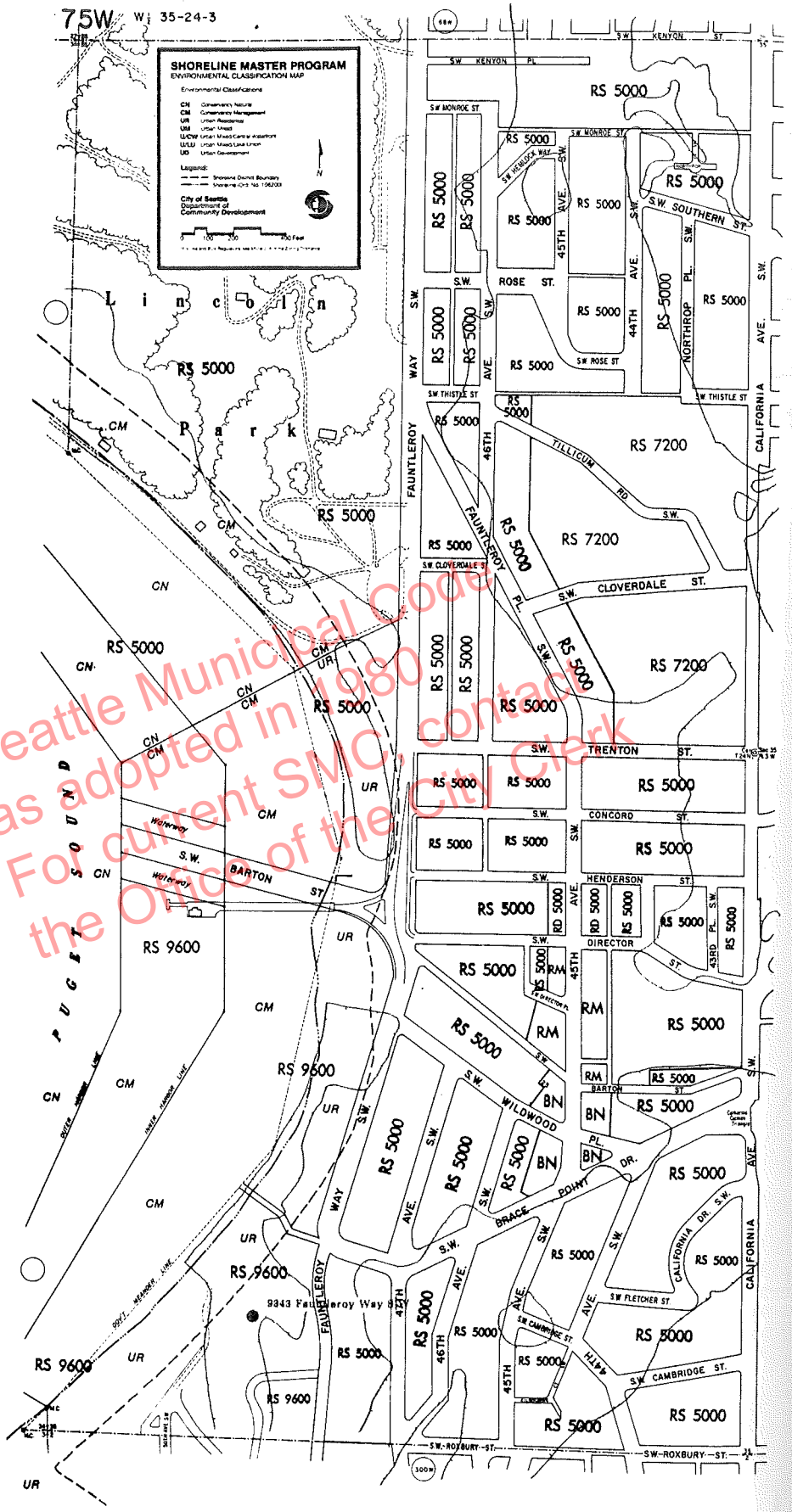
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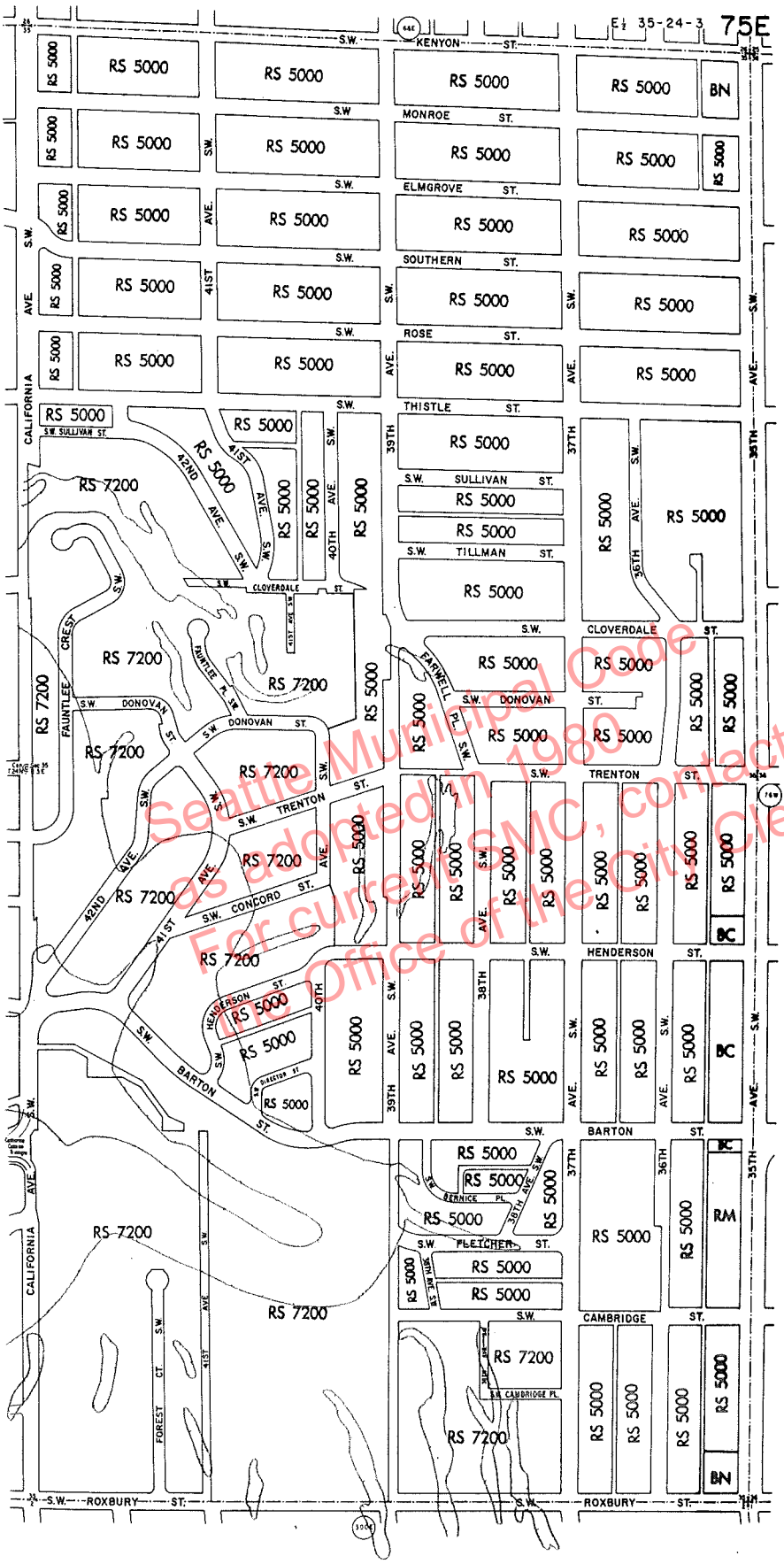
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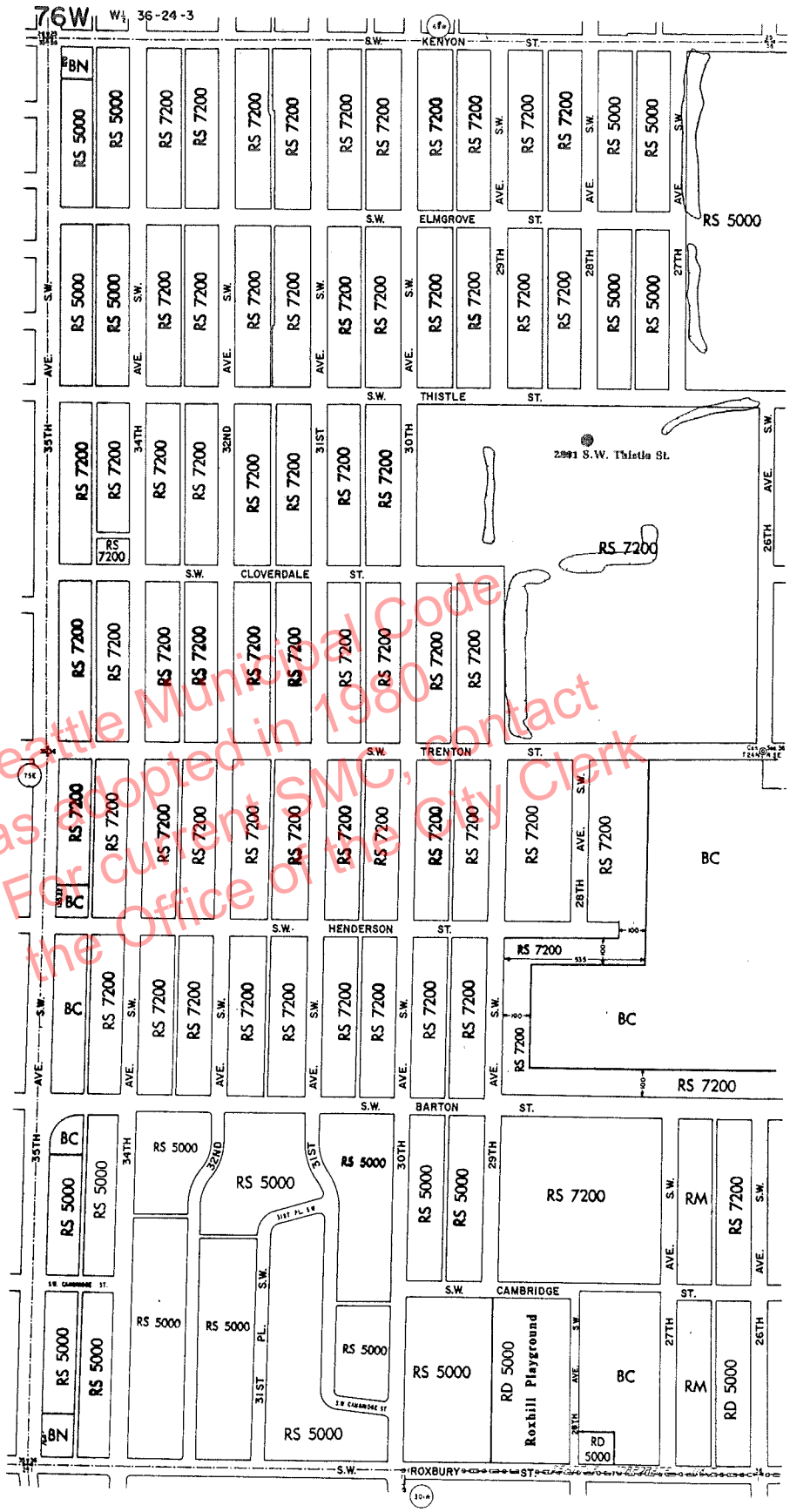
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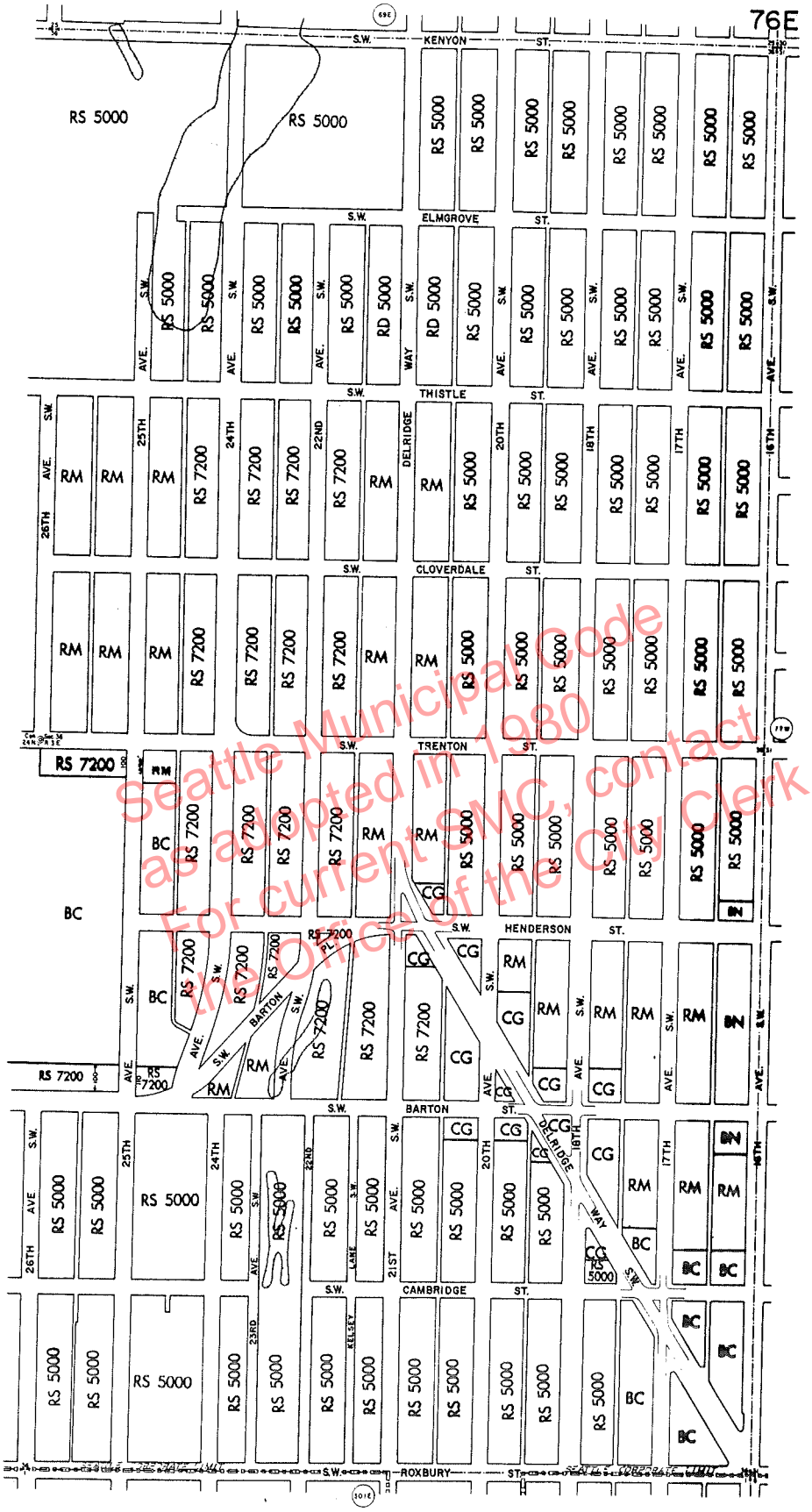
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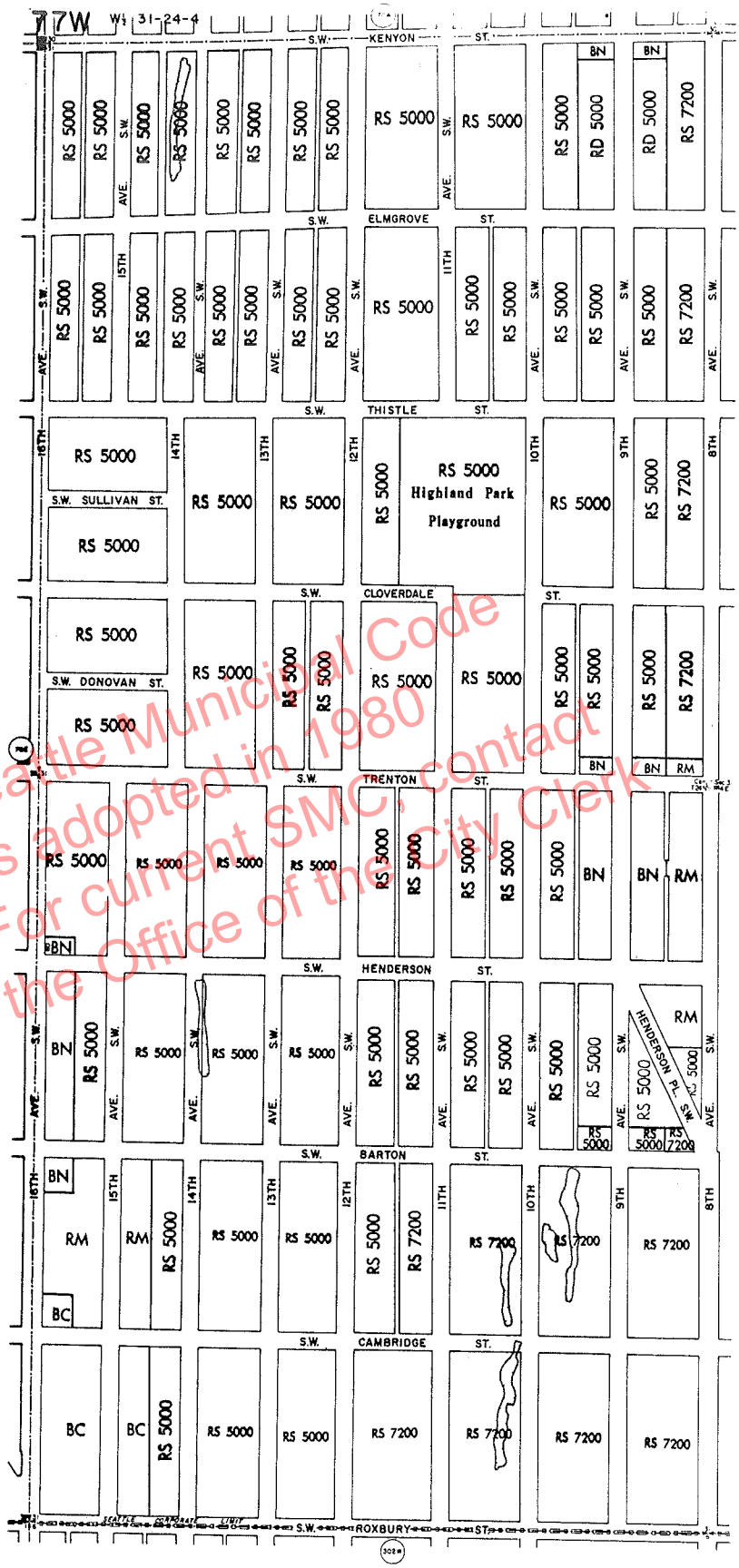
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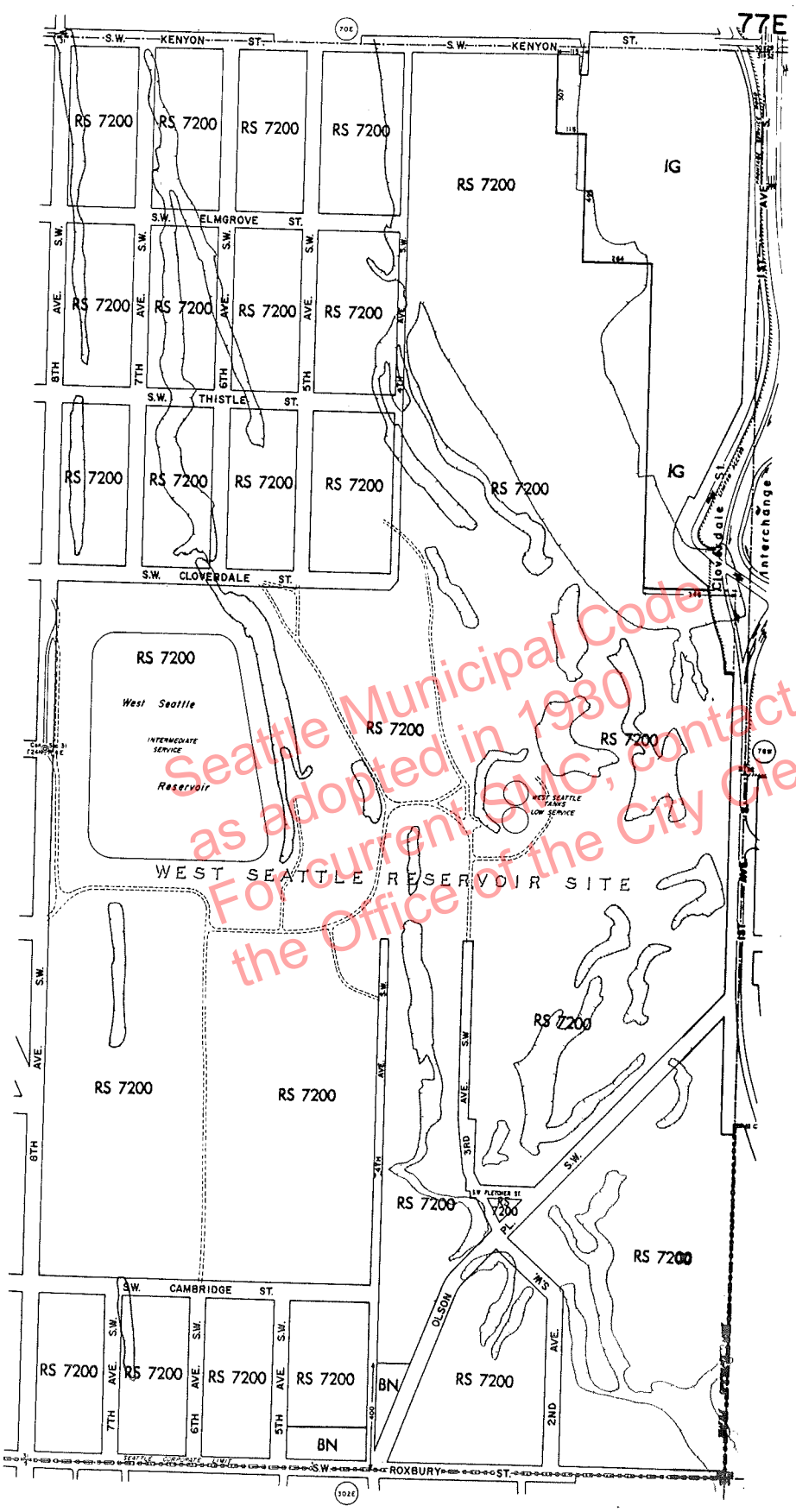
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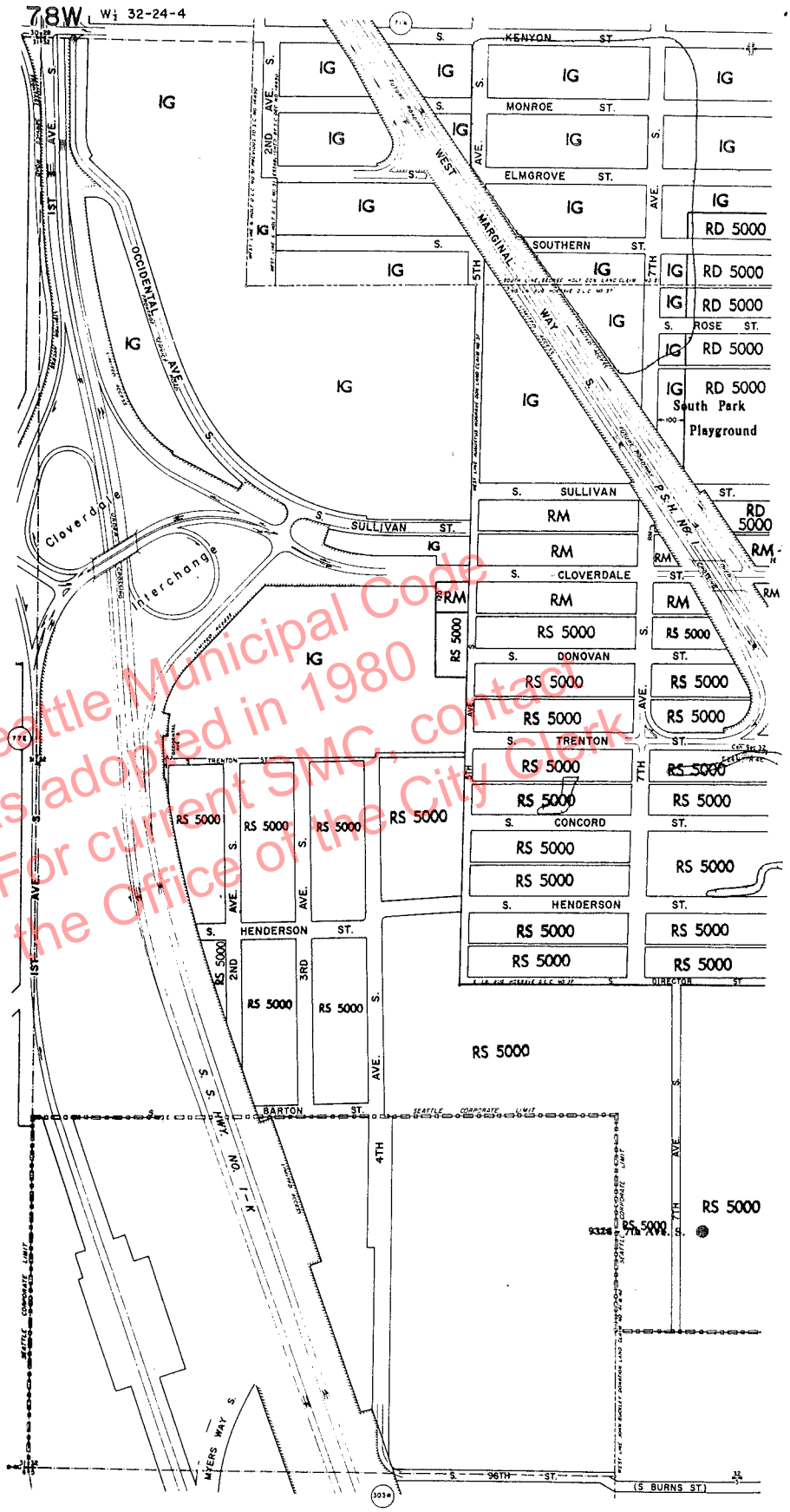
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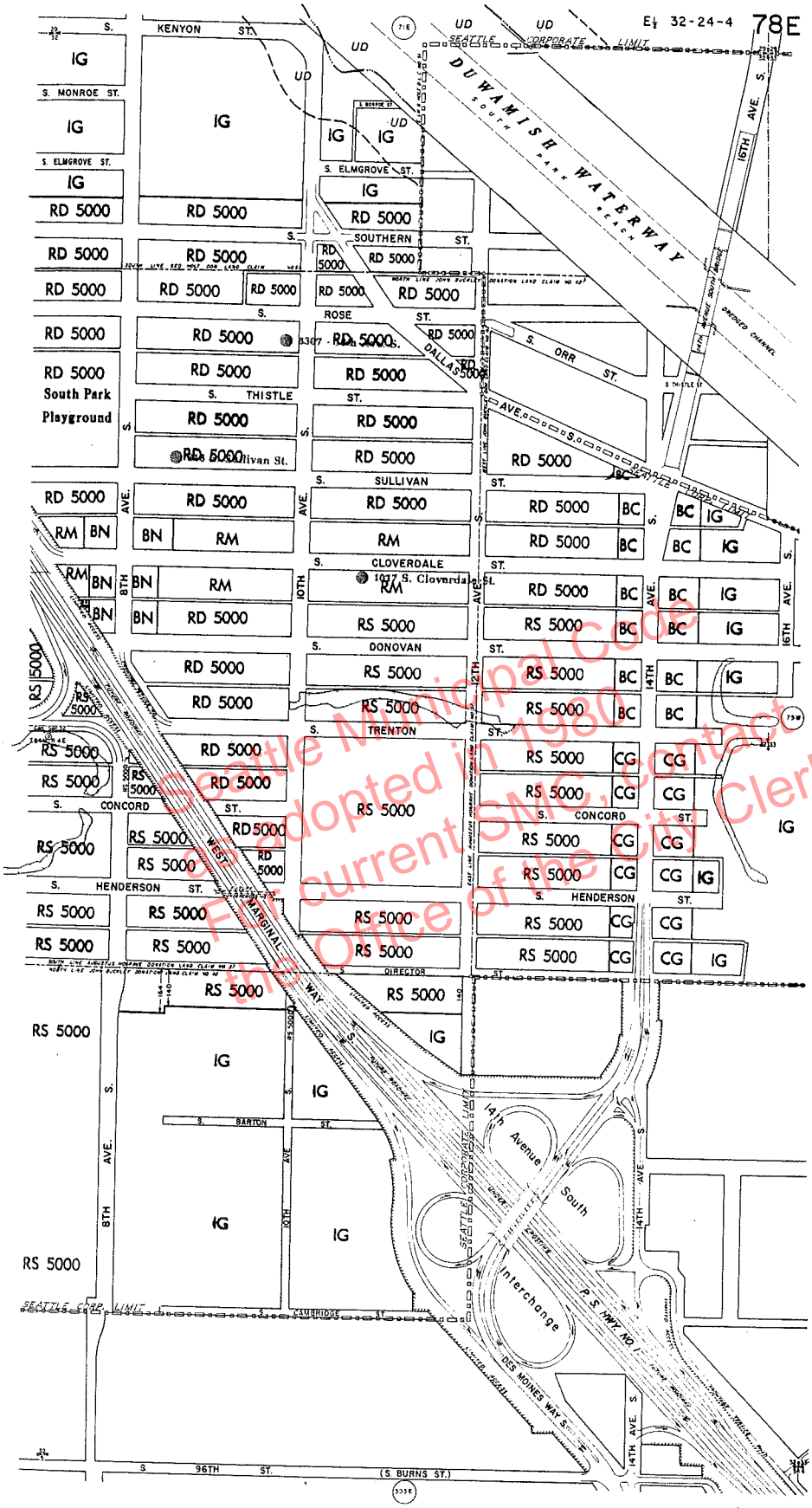
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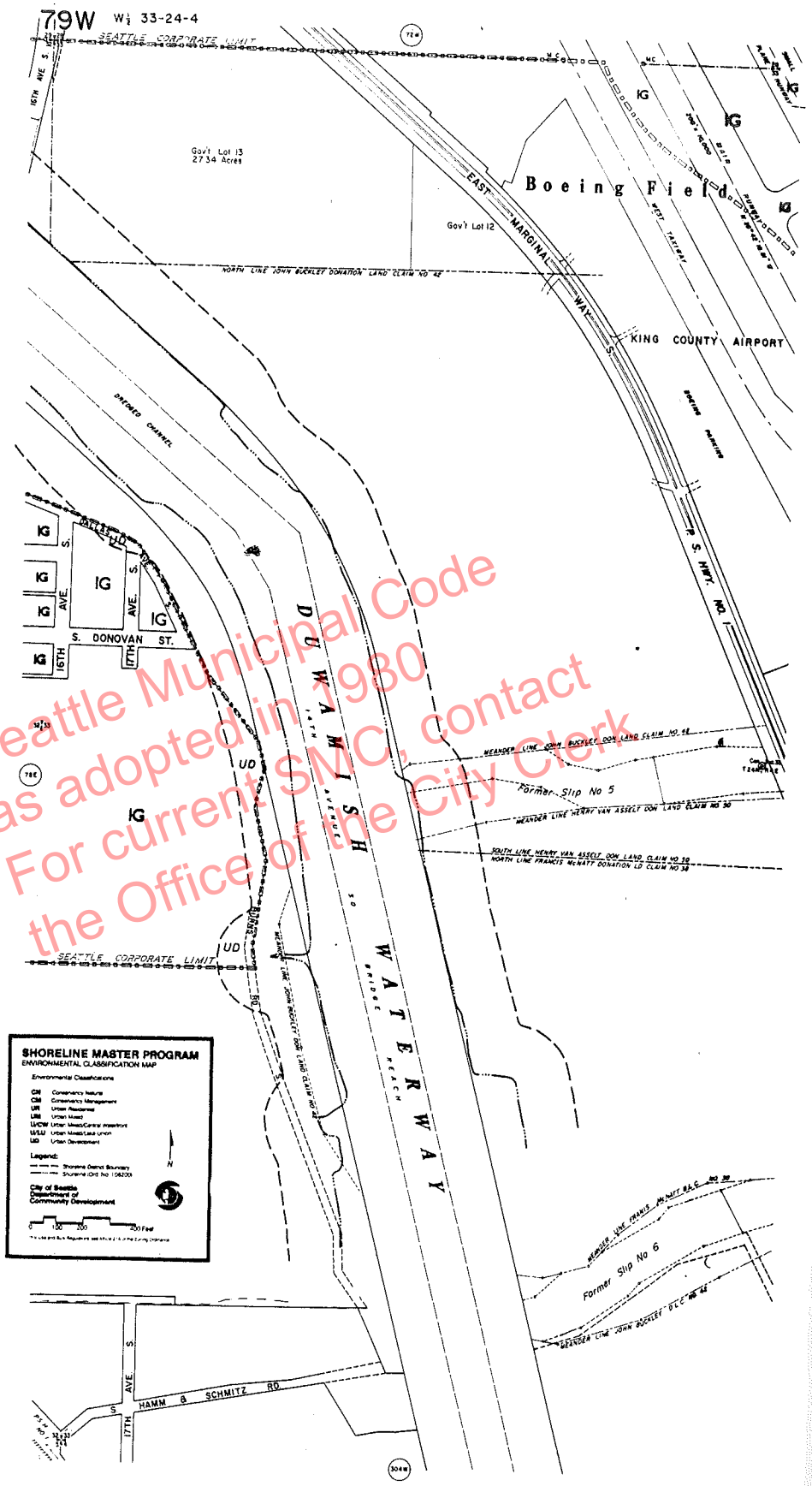
CMT–
Metropolitan Commercial Zone Temporary.

CG–
General Commercial Zone.

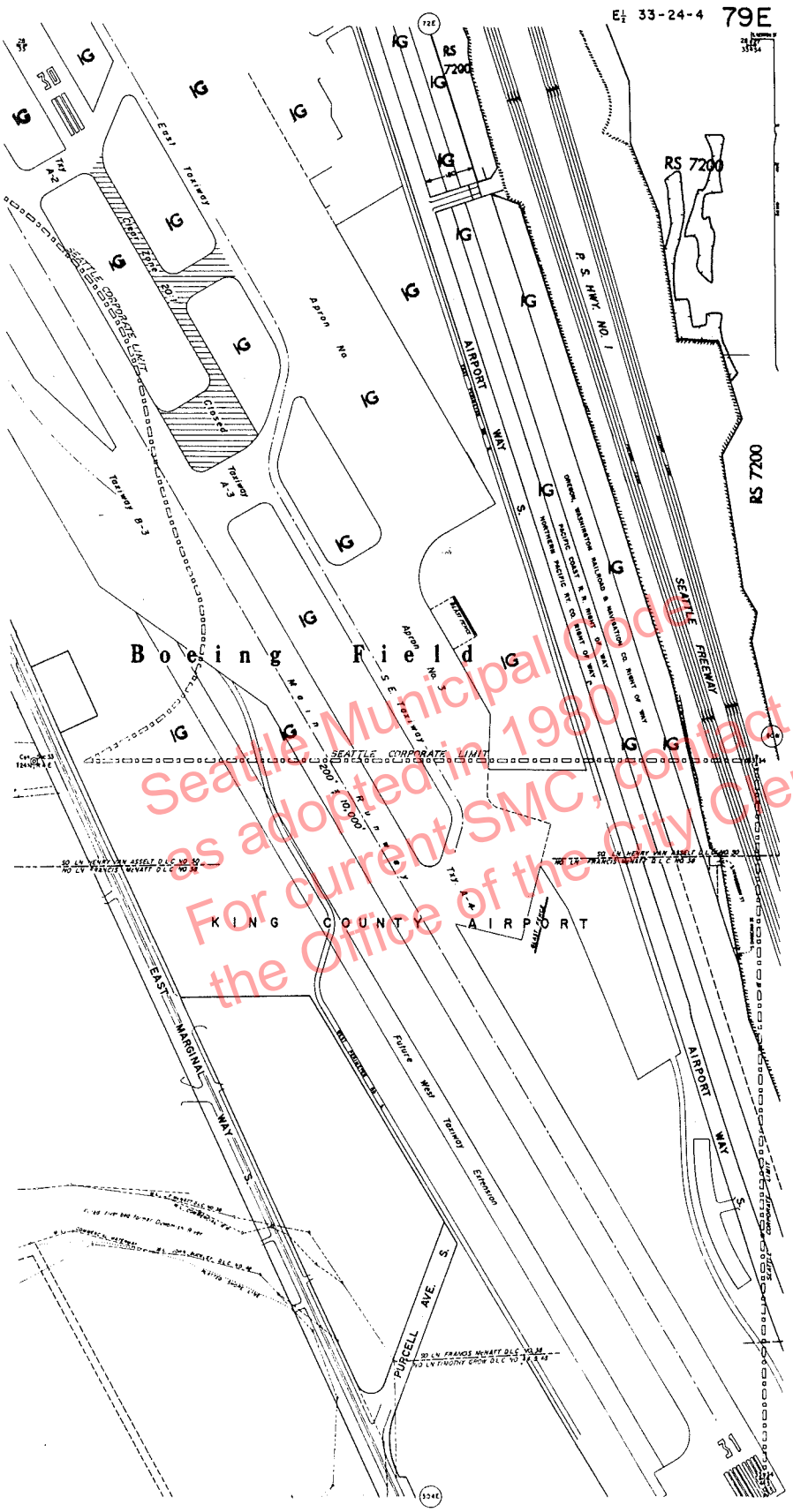
M–
Manufacturing Zone.

IG–
General Industrial Zone.

IH–
Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk


E½ 33-24-4 79E
RS 7200
RS 9600
IG
Boeing Field
KING COUNTY AIRPORT
SEATTLE CORPORATE LIMIT
AIRPORT WAY S.
EAST MARGINAL WAY S.
P. S. HWY. NO. 1
SEATTLE FREEWAY
PURCELL AVE. S.
Main
Apron No. 1
Apron No. 2
Apron No. 3
Taxiway A-1
Taxiway A-2
Taxiway A-3
Taxiway B-3
Taxiway C
Taxiway D
Taxiway E
Taxiway S
Future West Taxiway Extension
Closed
Runway 13L-31R
Runway 13R-31L
200' x 10,000'
Runway 14-32
Runway 16L-34R
Runway 16R-34L
Runway 18-36
Runway 2-20
Runway 7-25
Runway 9-27
Runway 9L-27R
Runway 9R-27L
Runway 11-29
Runway 11L-29R
Runway 11R-29L
Runway 12-30
Runway 12L-30R
Runway 12R-30L
Runway 13-31
Runway 14-32
Runway 16-34

LEGEND

RS 9600–
Single Family Residence Low Density Zone.

RS 7200–
Single Family Residence Medium Density Zone.

RS 5000–
Single Family Residence High Density Zone.

RW–
Residence Waterfront Zone.

RD 7200–
Duplex Residence Medium Density Zone.

RD 5000–
Duplex Residence High Density Zone.

RM 1600–
Multiple Residence Lowest Density Zone.

RM–
Multiple Residence Low Density Zone.

RMH 350–
Multiple Residence High Density Zone.

RMV 200–
Multiple Residence High Density Variable Height Zone.

RMV 150–
Multiple Residence Highest Density Variable Height Zone.

RM-MD–
Multiple Residence-Mixed Density Zone.

BN–
Neighborhood Business Zone.

BI–
Intermediate Business Zone.

BC–
Community Business Zone.

BM–
Metropolitan Business Zone.

CM–
Metropolitan Commercial Zone.

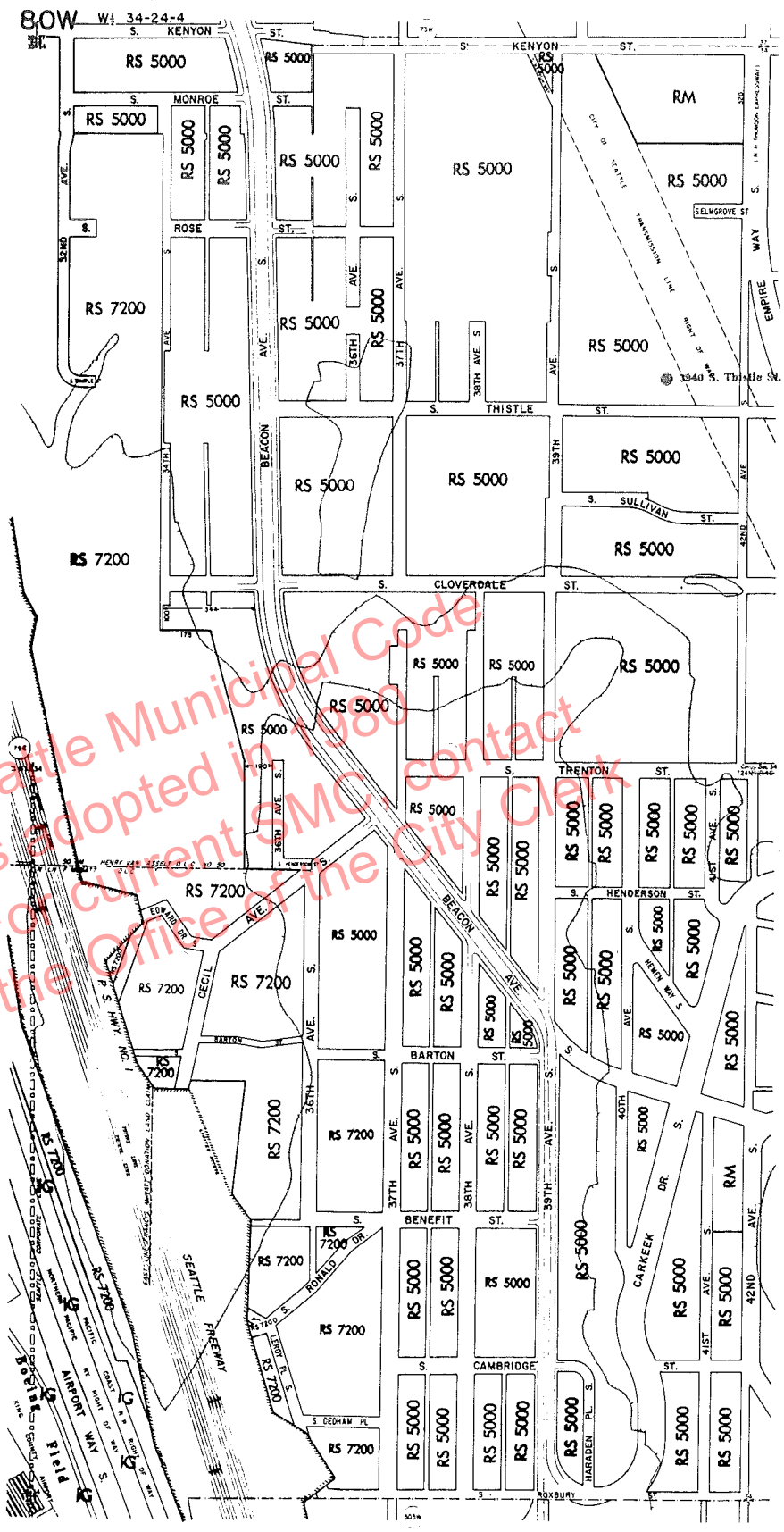
CMT–
Metropolitan Commercial Zone Temporary.

CG–
General Commercial Zone.

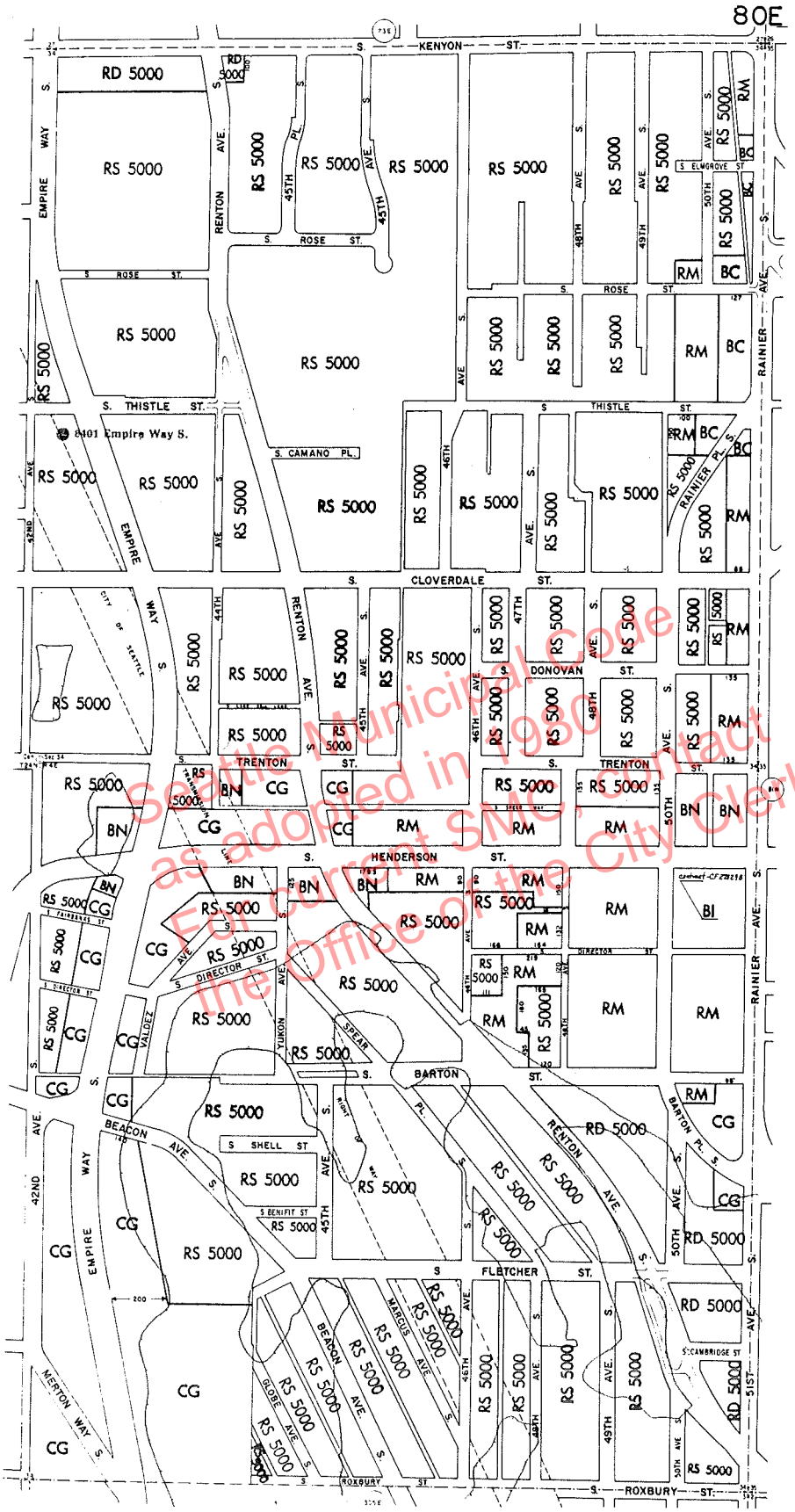
M–
Manufacturing Zone.

IG–
General Industrial Zone.

IH–
Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk.


80E
S. KENYON ST.
RD 5000
RS 5000
RS 5000
RS

LEGEND

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Single Family Residence Low Density Zone.

RS 7200–
Single Family Residence Medium Density Zone.

RS 5000–
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RM-MD–
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BN–
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BI–
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CM–
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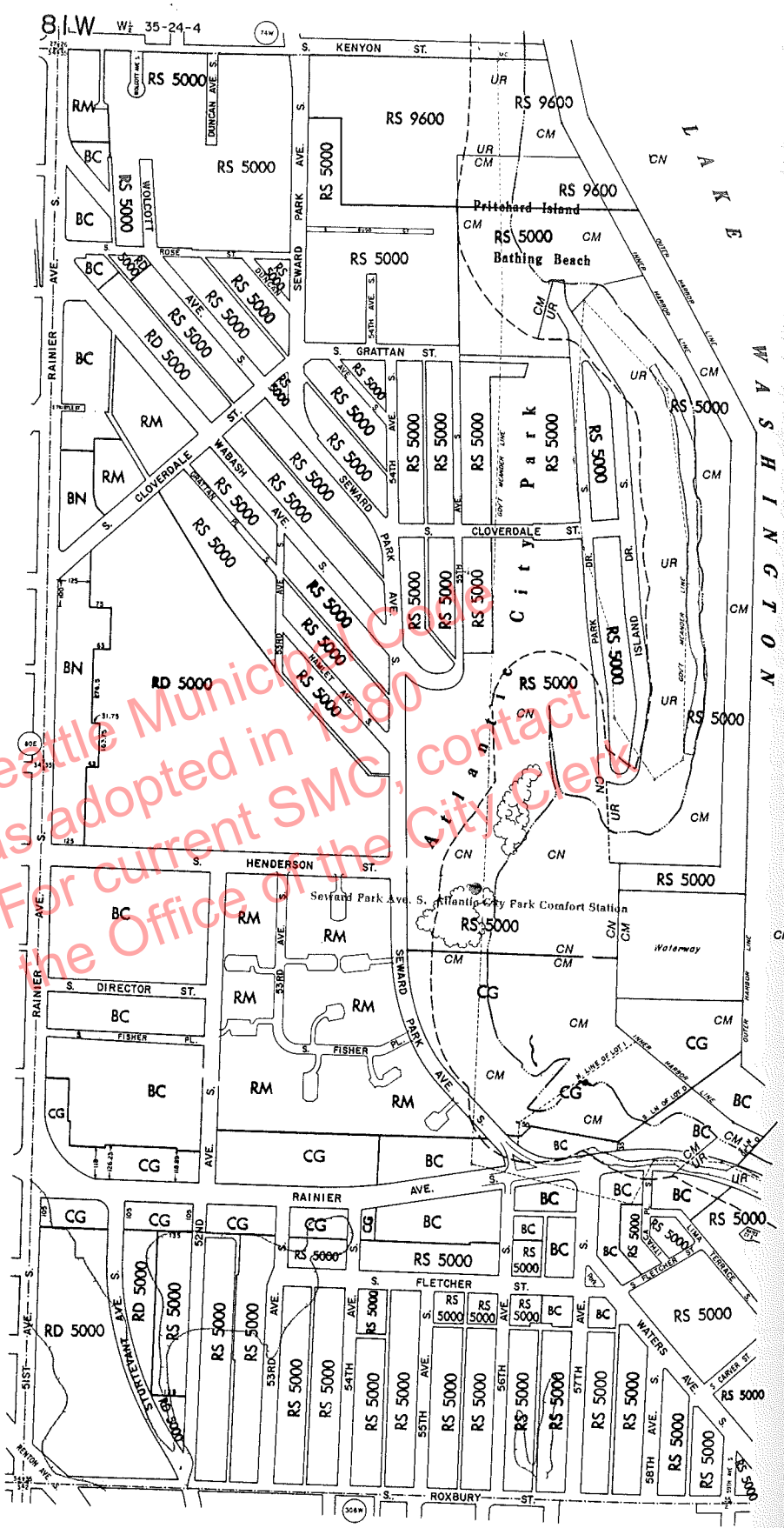
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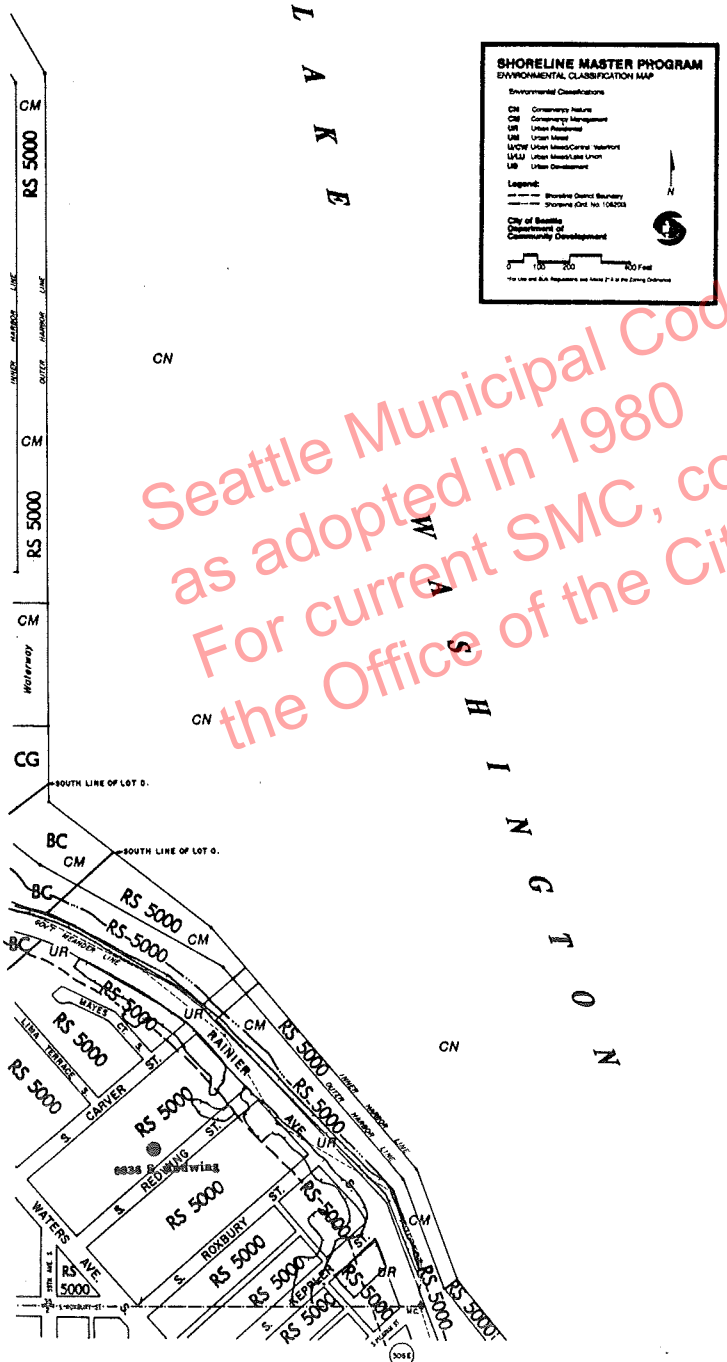
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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



Seattle Municipal Code
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Heavy Industrial Zone.

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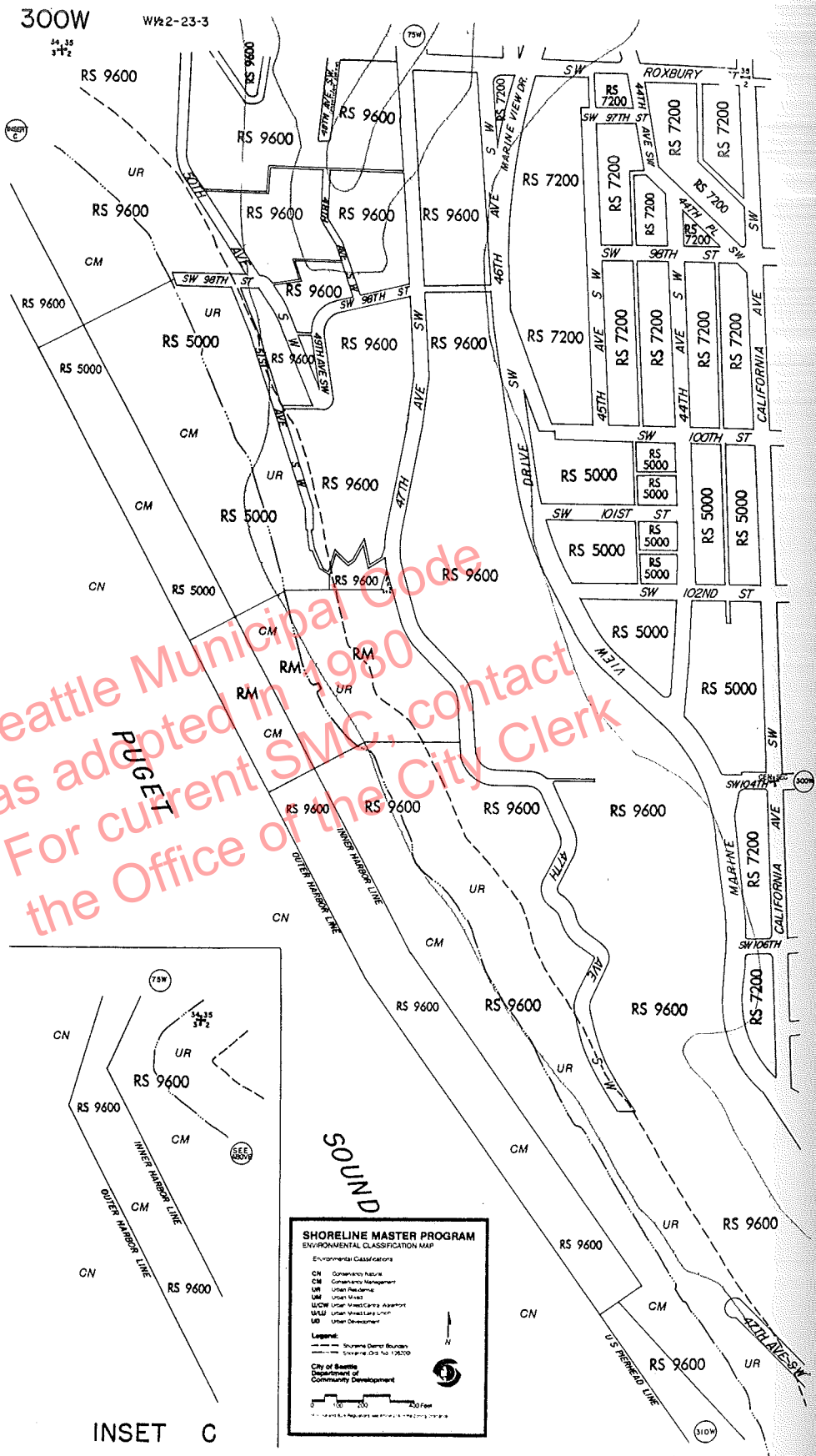
CMT–
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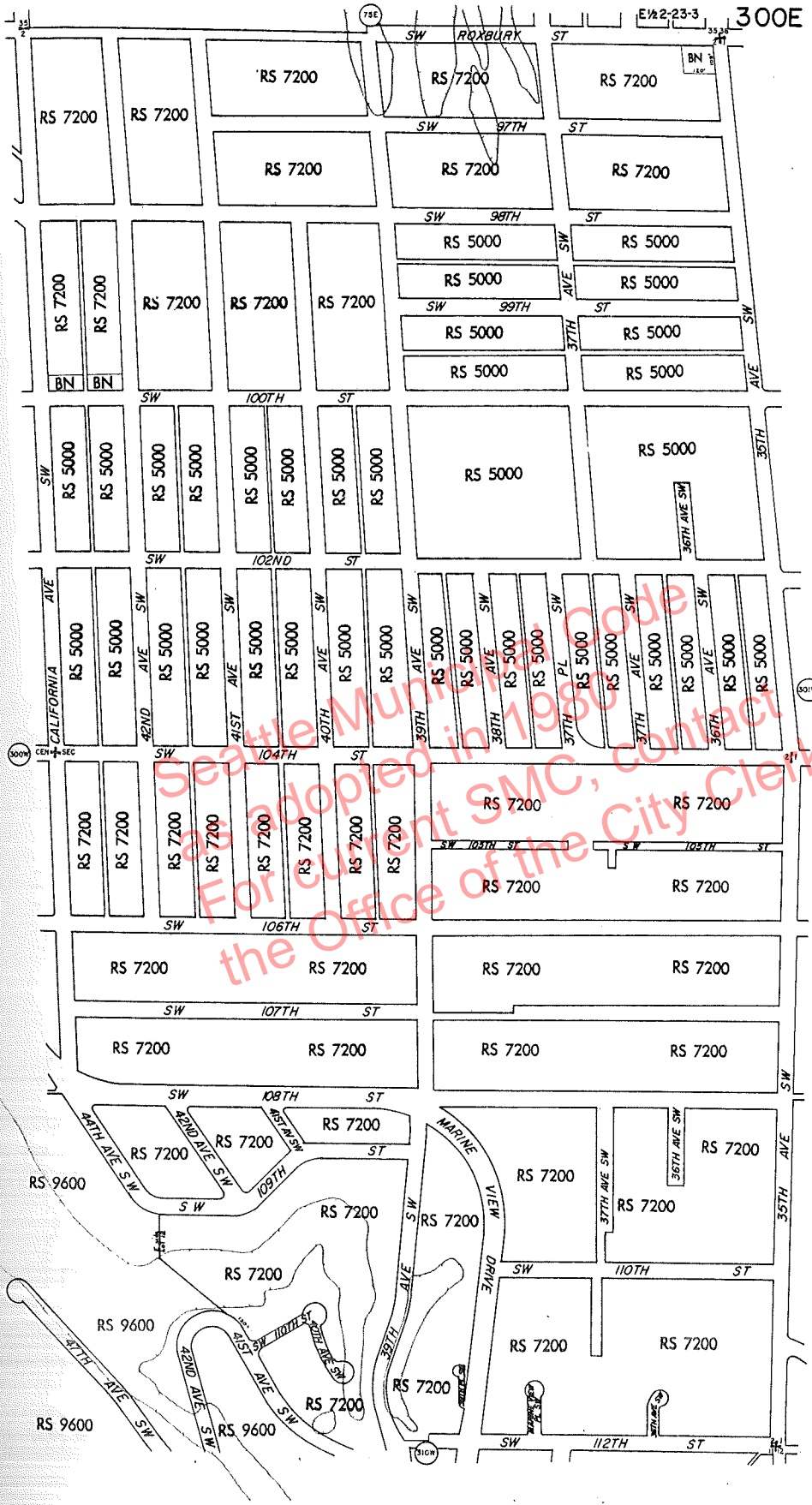
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Seattle Municipal Code
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For current SMC, contact
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LEGEND

RS 9600– Single Family Residence Low Density Zone.

RS 7200– Single Family Residence Medium Density Zone.

RS 5000– Single Family Residence High Density Zone.

RW– Residence Waterfront Zone.

RD 7200– Duplex Residence Medium Density Zone.

RD 5000– Duplex Residence High Density Zone.

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RM– Multiple Residence Low Density Zone.

RMH 350– Multiple Residence High Density Zone.

RMV 200– Multiple Residence High Density Variable Height Zone.

RMV 150– Multiple Residence Highest Density Variable Height Zone.

RM-MD– Multiple Residence-Mixed Density Zone.

BN– Neighborhood Business Zone.

BI– Intermediate Business Zone.

BC– Community Business Zone.

BM– Metropolitan Business Zone.

CM– Metropolitan Commercial Zone.

CMT– Metropolitan Commercial Zone Temporary.

CG– General Commercial Zone.

M– Manufacturing Zone.

IG– General Industrial Zone.

IH– Heavy Industrial Zone.

Seattle Municipal Code as adopted in 1950. For current SMC, contact the Office of the City Clerk

LEGEND

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Single Family Residence Low Density Zone.

RS 7200—
Single Family Residence Medium Density Zone.

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Residence Waterfront Zone.

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Multiple Residence-Mixed Density Zone.

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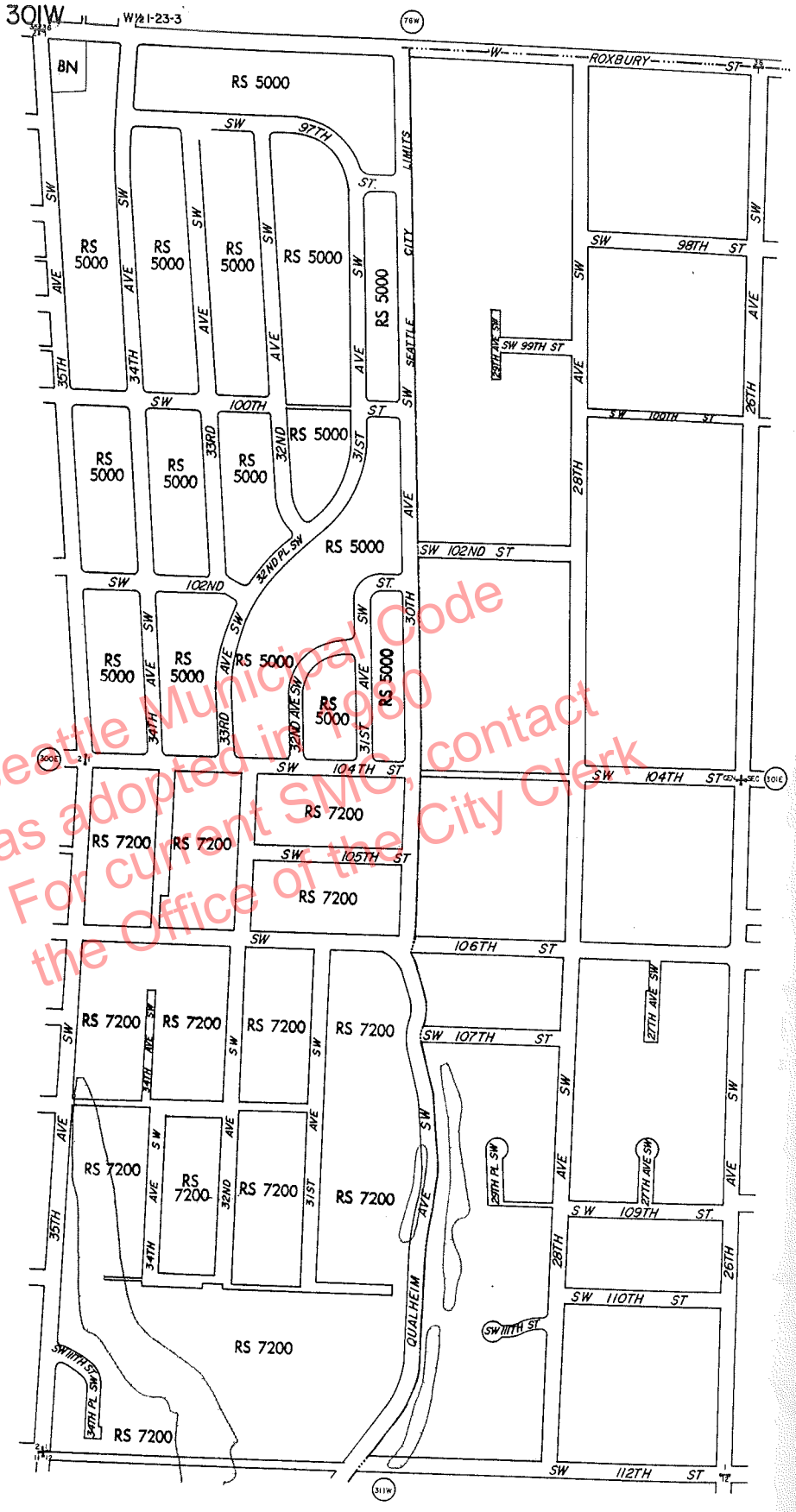
CMT—
Metropolitan Commercial Zone Temporary.

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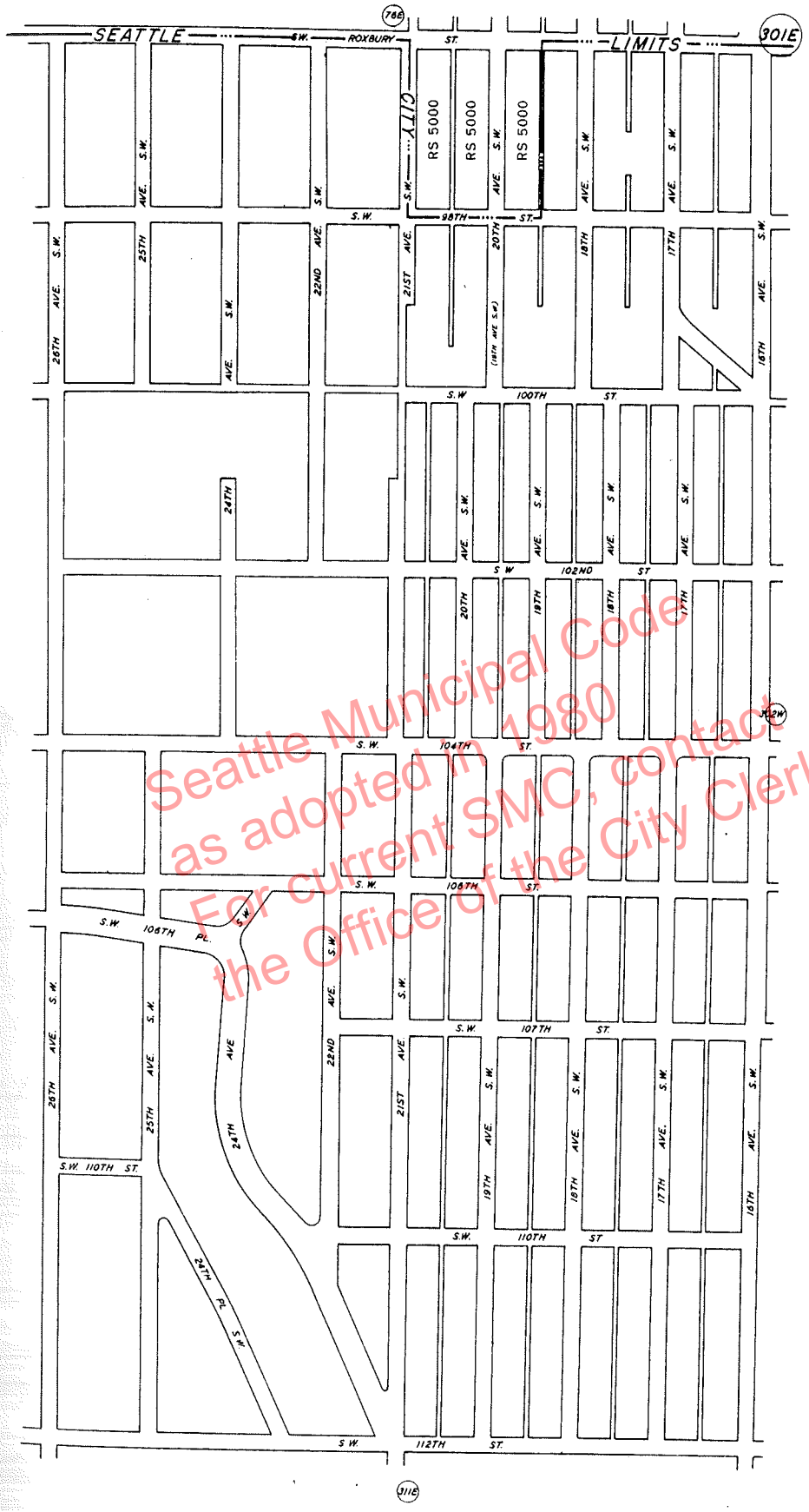
M—
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Heavy Industrial Zone.



Seattle Municipal Code as adopted in 1960
For current SMC, contact the Office of the City Clerk



LEGEND

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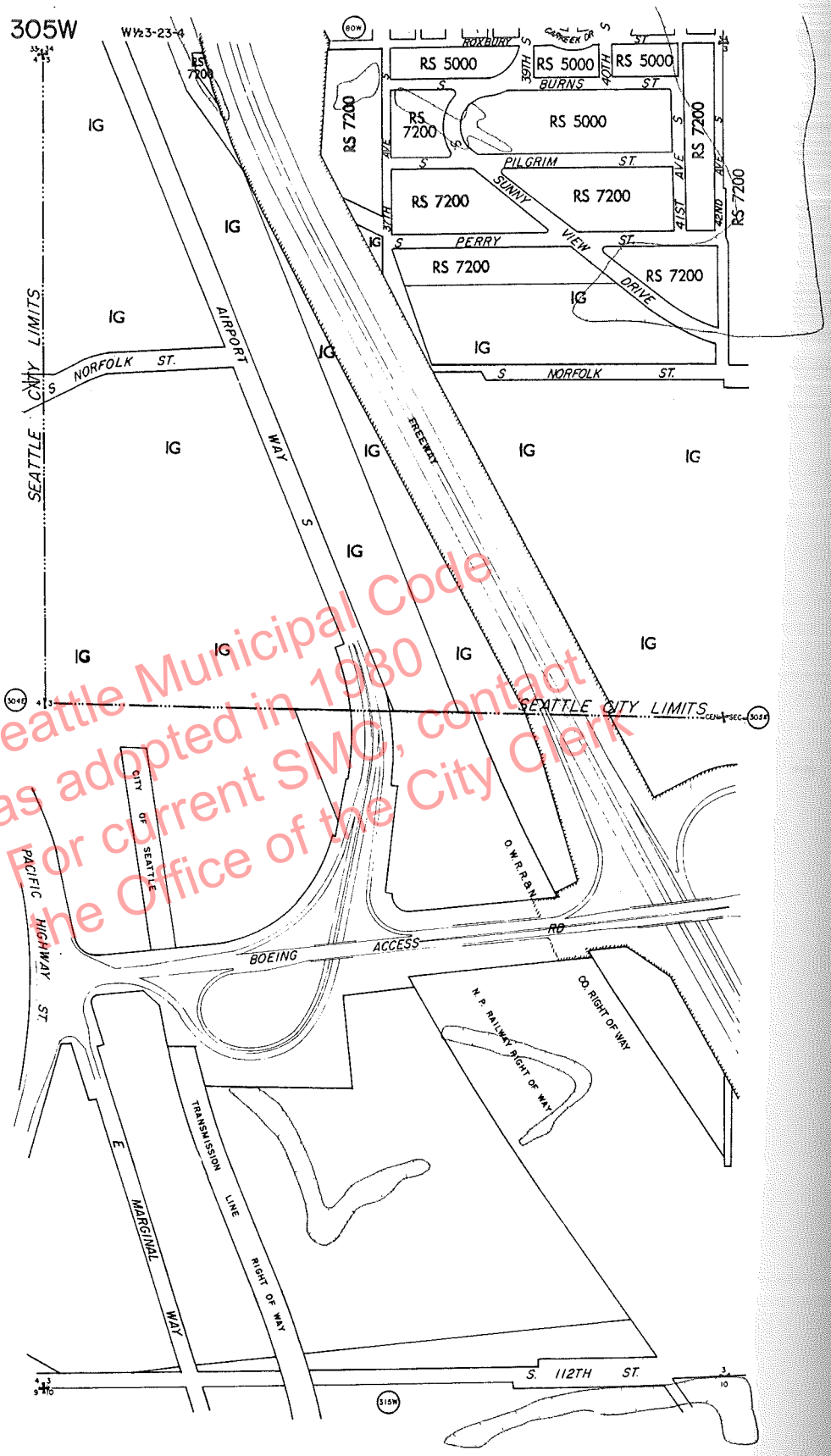
CMT–
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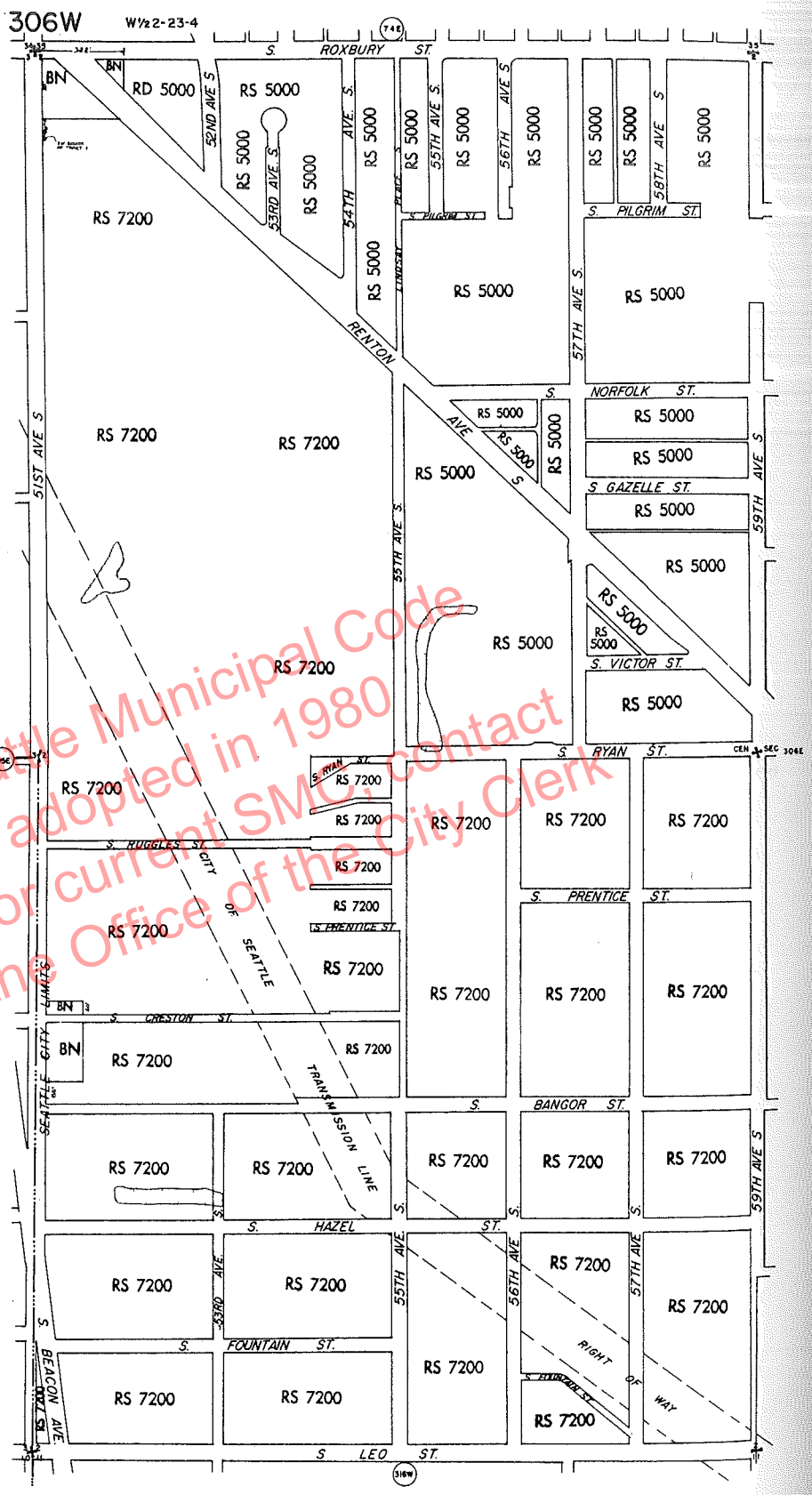
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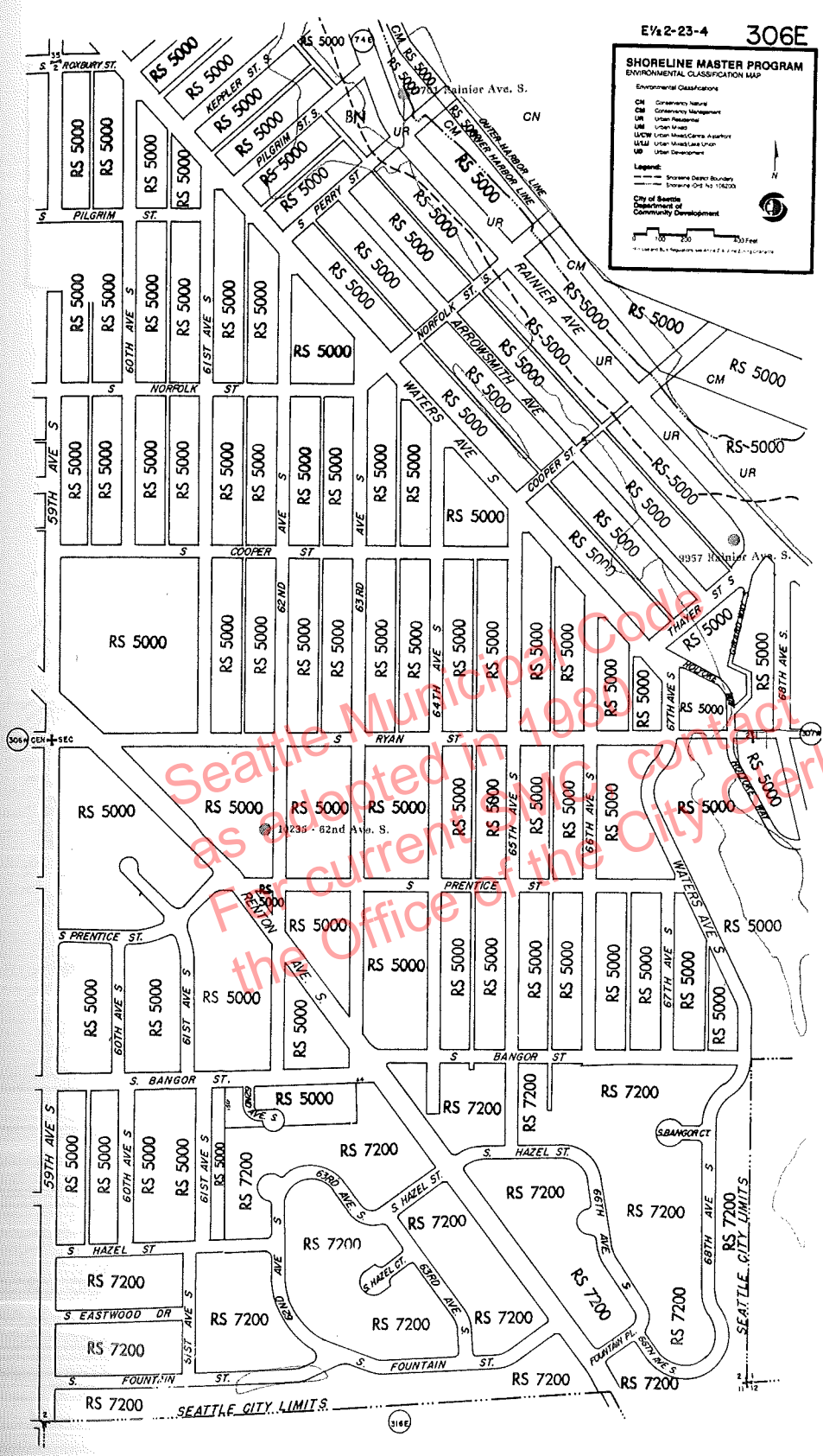
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Seattle Municipal Code as adopted in 1980. For current SMC, contact the Office of the City Clerk



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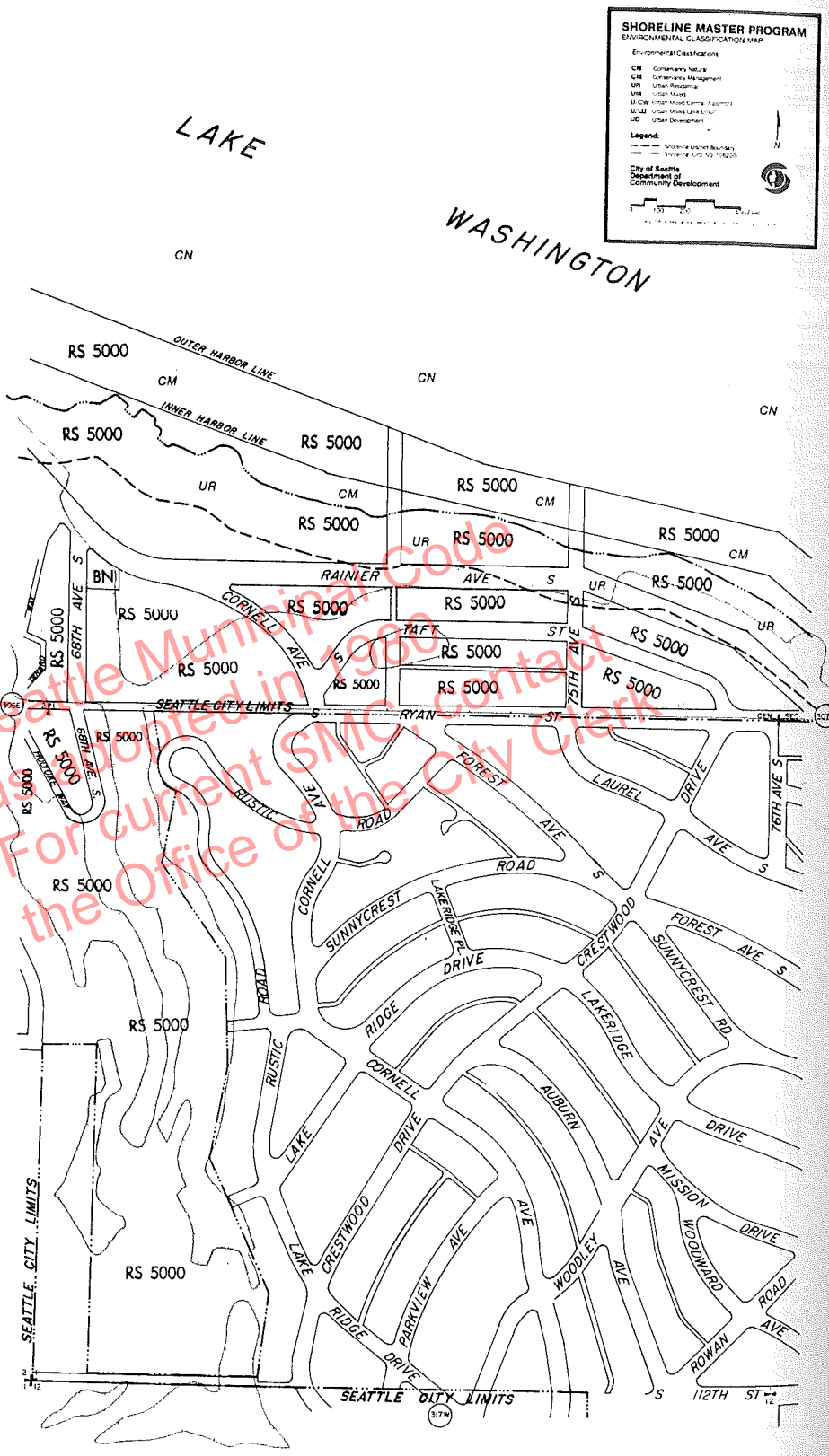
CG–
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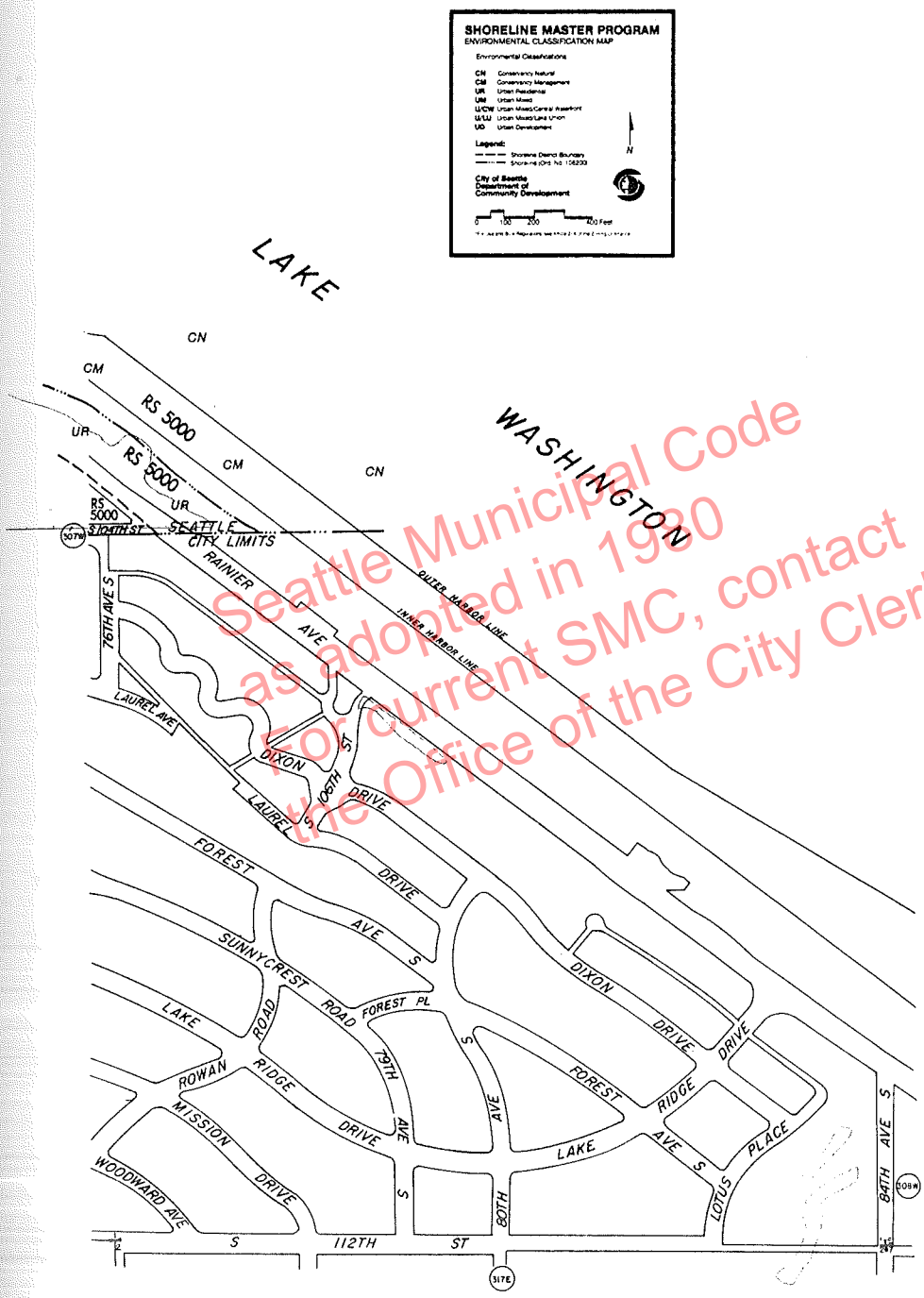
IH–
Heavy Industrial Zone.

307W W½ 1-23-4



Seattle Municipal Code as adopted in 1960. For current SMC, contact the Office of the City Clerk

307E



Seattle Municipal Code as adopted in 1980 For current SMC, contact the Office of the City Clerk

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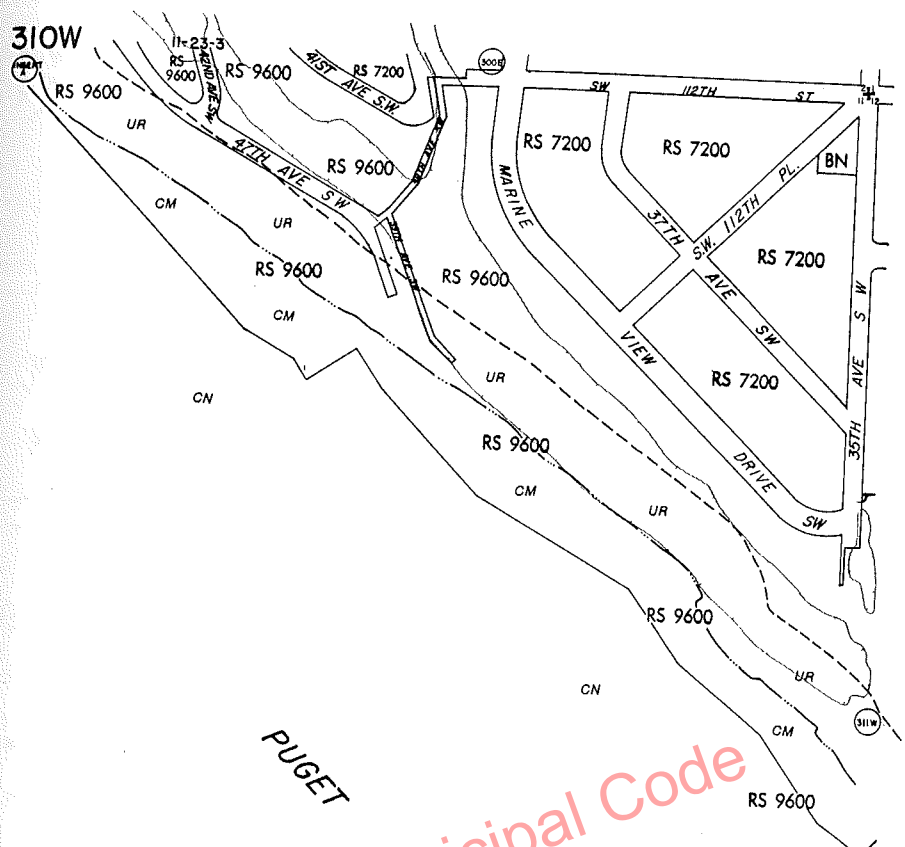
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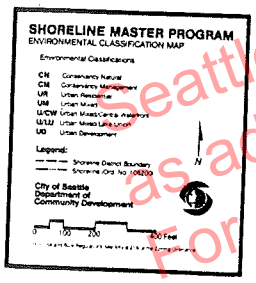
CG–
General Commercial Zone.

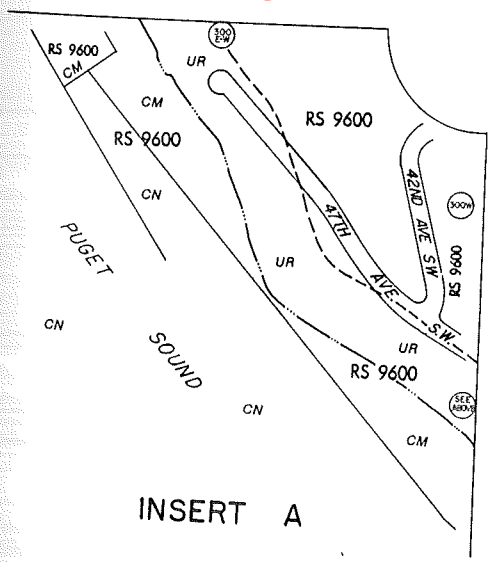
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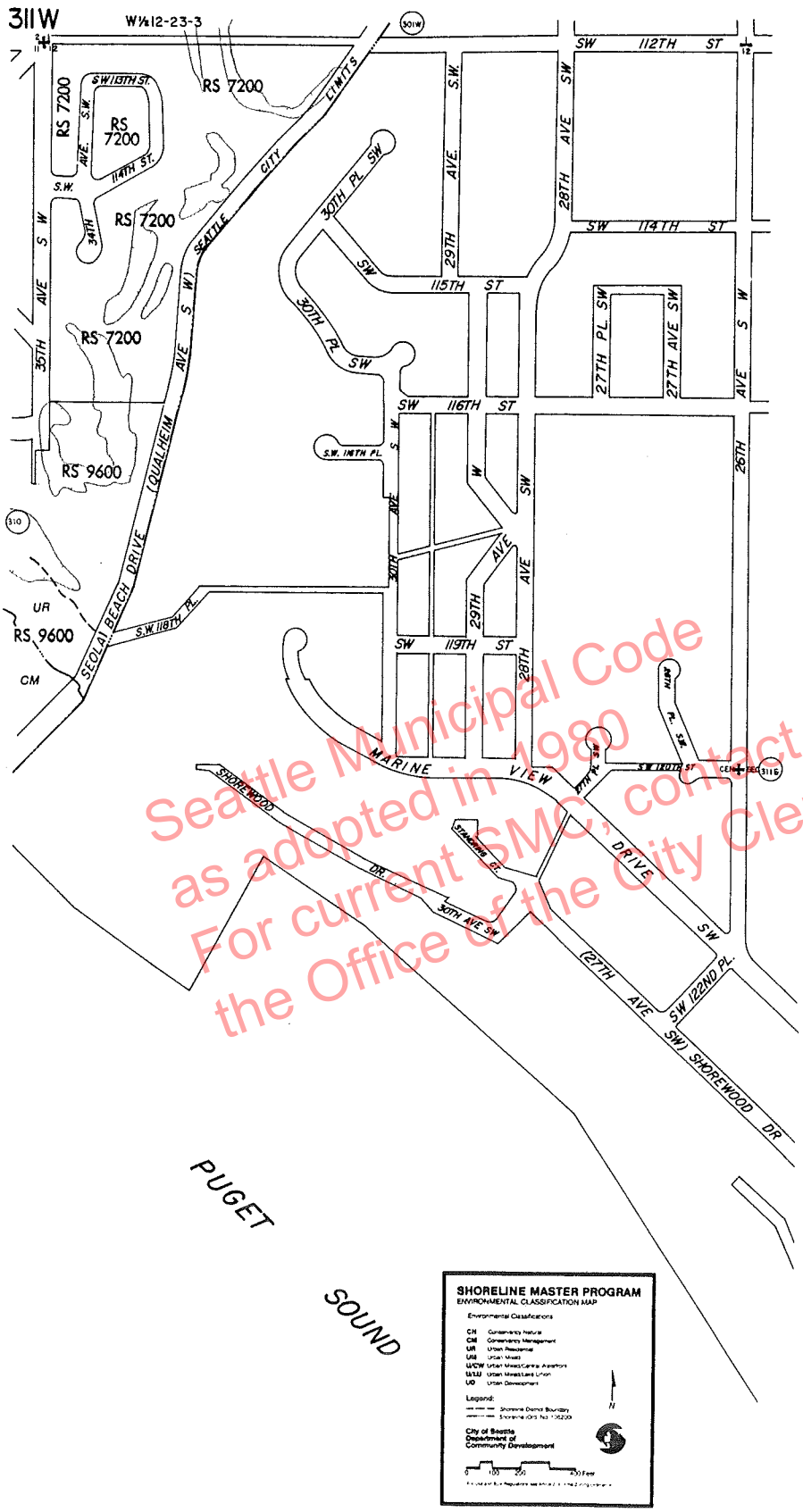
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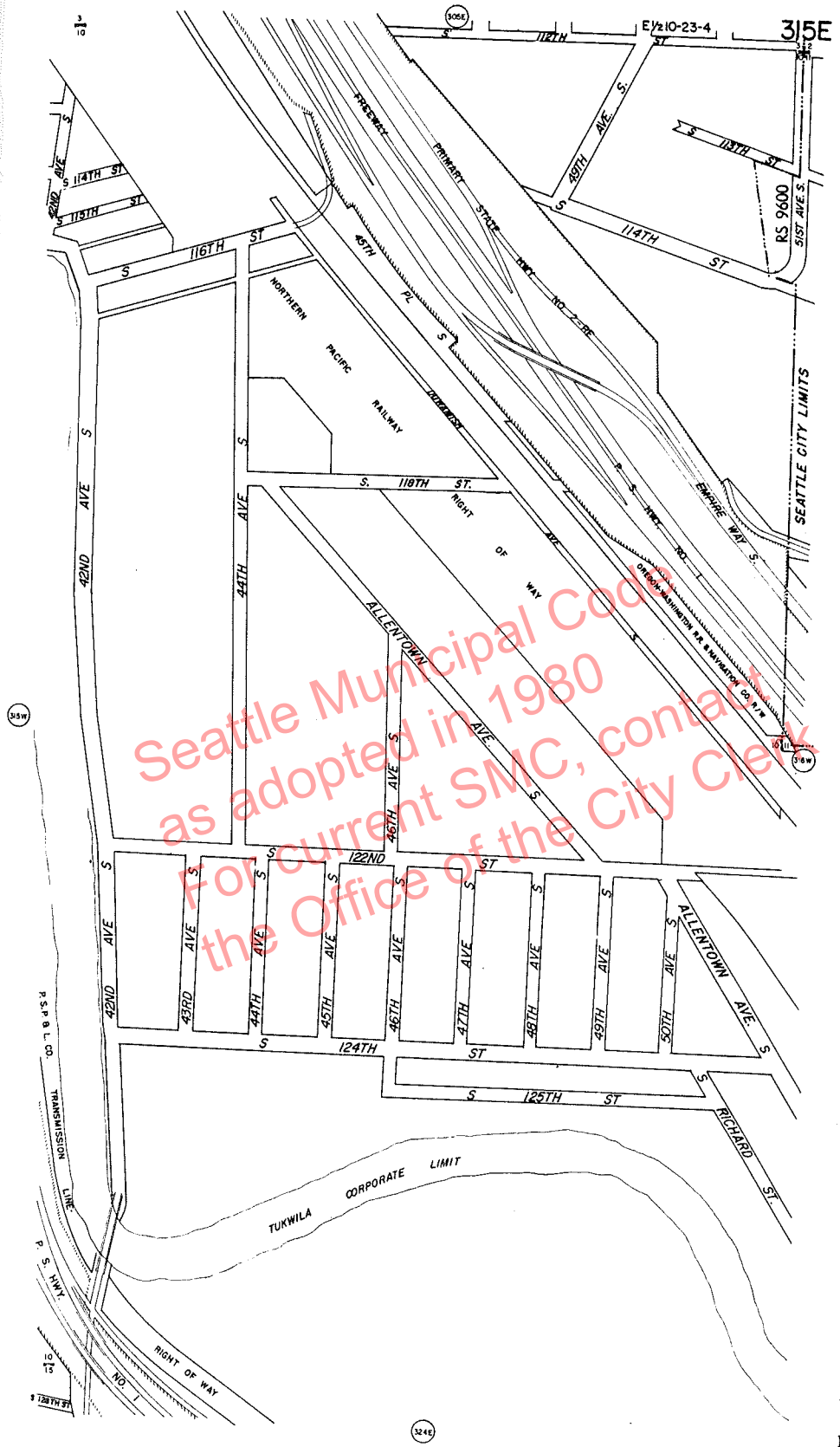
CMT—
Metropolitan Commercial Zone Temporary.

CG—
General Commercial Zone.

M—
Manufacturing Zone.

IG—
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LEGEND

RS 9600— Single Family Residence Low Density Zone.

RS 7200— Single Family Residence Medium Density Zone.

RS 5000— Single Family Residence High Density Zone.

RW— Residence Waterfront Zone.

RD 7200— Duplex Residence Medium Density Zone.

RD 5000— Duplex Residence High Density Zone.

RM 1600— Multiple Residence Lowest Density Zone.

RM— Multiple Residence Low Density Zone.

RMH 350— Multiple Residence High Density Zone.

RMV 200— Multiple Residence High Density Variable Height Zone.

RMV 150— Multiple Residence Highest Density Variable Height Zone.

RM-MD— Multiple Residence-Mixed Density Zone.

BN— Neighborhood Business Zone.

BI— Intermediate Business Zone.

BC— Community Business Zone.

BM— Metropolitan Business Zone.

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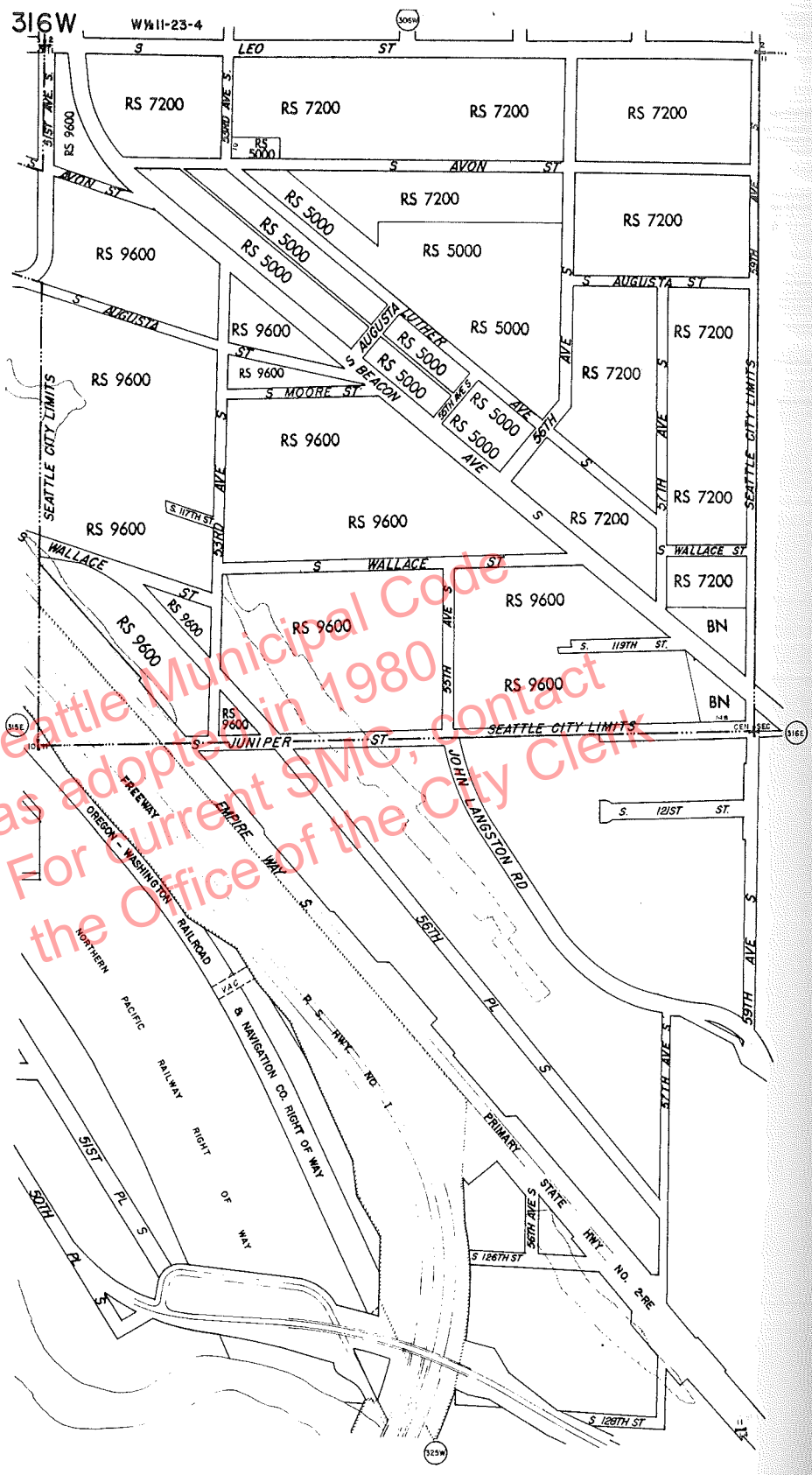
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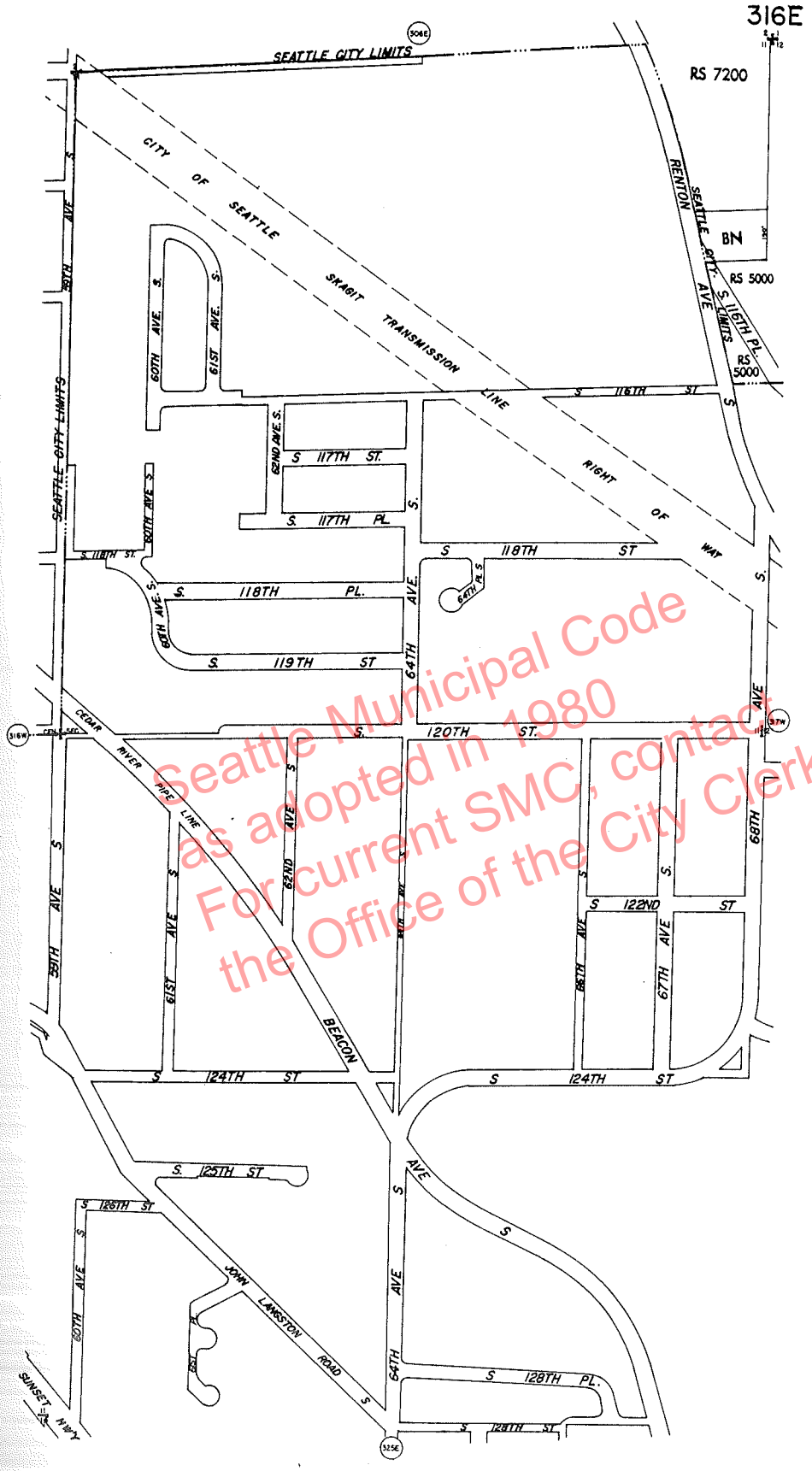
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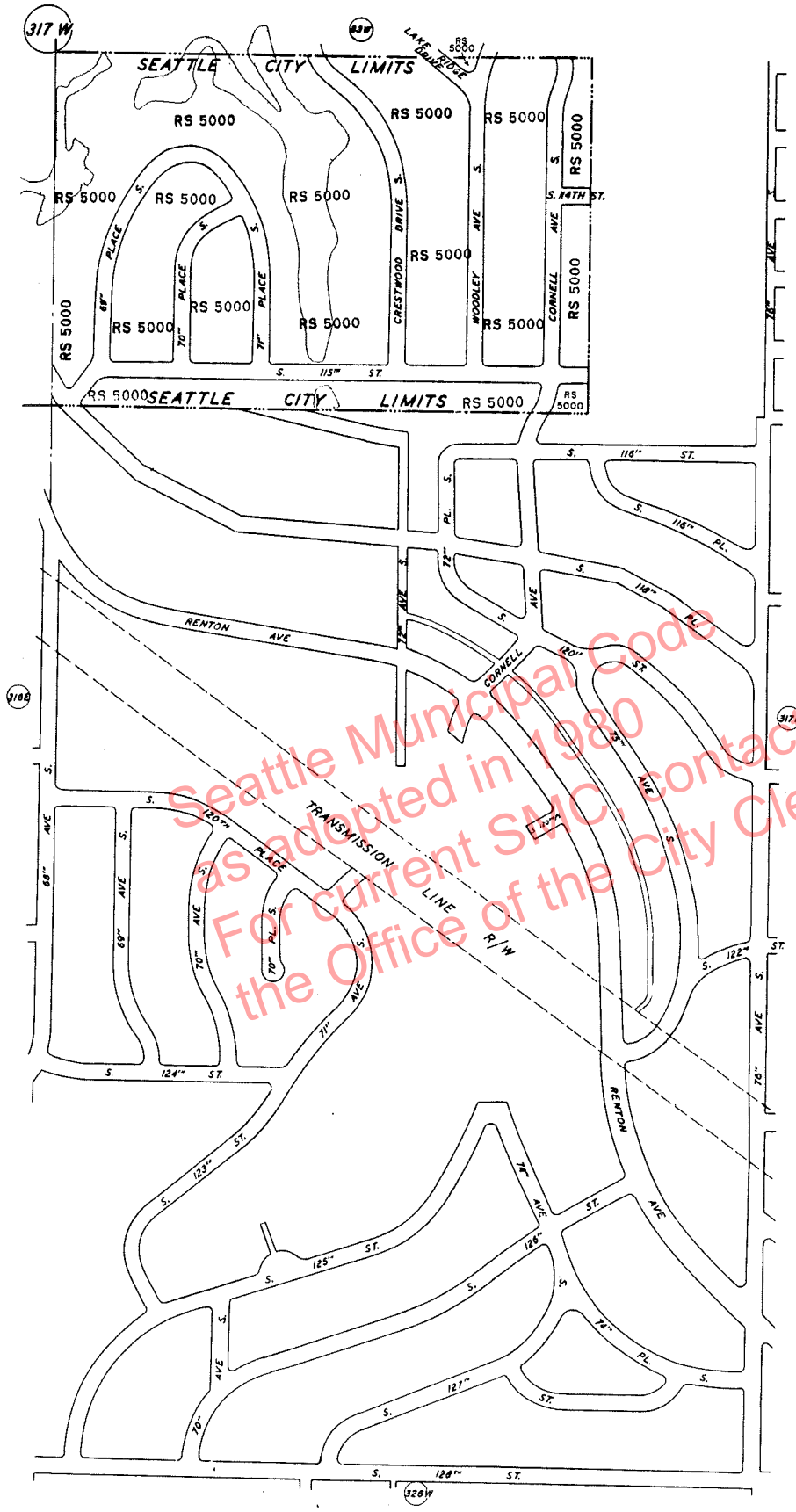
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Subtitle II Miscellaneous Land Use Provisions

Chapter 24.80

ADVERTISING AND BUSINESS SIGNS ADJACENT TO CERTAIN PUBLIC HIGHWAYS

Sections:

24.80.010 Intent and purposes.
24.80.020 Definitions.
24.80.030 Landscaped or scenic view sections designated.
24.80.040 Advertising signs prohibited near certain areas.
24.80.050 Unlawful signs.
24.80.060 Methods of measurement.
24.80.070 Sign variances.
24.80.080 Nonconforming signs—Conformance or removal.
24.80.090 Nonconforming signs—Alteration—Maintenance.
24.80.100 Notice to repair or remove sign.
24.80.110 Application procedures.
24.80.120 Enforcement.
24.80.130 Violation—Penalty.

Statutory Reference: For the State Highway Advertising Control Act, see RCW Ch. 47.42.

Severability: Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. Nothing in this chapter shall be construed to authorize the erection of any sign prohibited by another ordinance of The City of Seattle and this chapter shall apply to all signs within the designated areas whether or not a building permit for such sign is required by the Building Code (Ordinance 85500).[1]
(Ord. 97025 § 8, 1968: Ord. 90138 § 7, 1961.)

1. Editor's Note: The current provisions regarding the Building Code are codified in Title 22 of this Code.

24.80.010 Intent and purposes.

It is the purpose of this chapter to implement the purpose and policy expressed by the Highway Advertising Control Act of the State of Washington in the regulation of outdoor advertising signs adjacent to certain public highways, and this chapter is declared to be an exercise of the police power of the city to protect the public health, safety, welfare, convenience and the enjoyment of public travel, to attract visitors to this city and to conserve natural and manmade beauty by regulating the size and location of certain signs adjacent to certain designated freeways, expressways, parkways and scenic routes within the city, and this chapter shall be liberally construed for the accomplishment of these purposes and is intended to be additional and supplemental to existing zoning and other laws regulating the size and location of signs.
(Ord. 97025 § 1, 1968: Ord. 94586 § 1, 1966: Ord. 90138 § 1, 1961.)

24.80.020 Definitions.

The following words and terms used in this chapter, in addition to their ordinary meaning, shall mean and include the following:

1. "Abandoned business sign" means any business sign which is located on property which becomes vacant or unoccupied for a period of ninety days or more, or which was erected for an occupant or business unrelated to the present occupant or business, or which pertains to a time, event or purpose which no longer obtains.

2. "Advertising sign" means any sign, structure or device that is intended for advertising purposes, or on which letters, figures or pictorial matter are displayed, or are intended to be displayed, for advertising purposes, except a business sign or real estate sign.

3. "Board," or "Board of Adjustment" means the Board of Adjustment of The City of Seattle as established under Section 26.1 of the Zoning Ordinance.[1]

4. "Business sign" means a sign, structure or device identifying the premises upon which it is located, or an occupant of the premises, or relating to goods or services manufactured, produced or available on the premises.

5. "Control of access" means the condition where the right of owners or occupants of abutting land or other persons to access, light, air or view in connection with a public street is fully or partially controlled by public authority.

6. "Control of access, full" means the condition where the authority to control access is exercised to give preference to through traffic by providing access connections with selected public streets only and by prohibiting crossings at grade and direct driveway connections.

7. "Control of access, partial" means the condition where the authority to control access is exercised to give preference to through traffic to a degree that, in addition to access connections with selected public streets, there may be some crossings at grade and some direct connections.

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8. "Double-faced sign" means a sign which has two display surfaces in approximately parallel planes backed against each other or against the same background, one face of which is designed to be seen from one direction and the other from the opposite direction.

9. "Entrance ramp" means any public road or turning roadway including acceleration lanes by which traffic enters the main traveled way of a limited access facility from the general street system; such designation applying to that portion of the roadway along which there is full control of access.

10. "Erect" means to place, construct, build, install, raise, attach, relocate, substantially alter, enlarge, suspend, post, paint, maintain or display; but not to repair, clean or change the message on the surface of a sign face designed for use with changeable copy.

11. "Exit ramp" means any public road or turning roadway including deceleration lanes by which traffic leaves the main traveled way of a freeway to reach the general street system within the city; such designation applying to that portion of the roadway along which there is full control of access.

12. "Expressway" means a divided arterial street for through traffic with full or partial control of access and generally with grade separations at intersections.

13. "Face of a building" means the elevation of a building as measured on flat projection from any side, excluding the roof and excluding any chimney, stack, structure or mechanical equipment on the roof.

14. "Flashing or moving sign" means any sign which has any actual or apparent flashing or moving, rotating or revolving parts actuated by electric, electronic, kinetic or mechanical devices or by wind currents and shall include but not be limited to banners, pennants, flags, balloons, ribbons, streamers, spinners, strings of light bulbs, and signs which change or appear to change color or light intensity.

15. "Freestanding sign" means any business sign standing on the ground with or without support braces and not attached to any building.

16. "Freeway" means an expressway with full control of access.

17. "Landscaped section" means a section of the right-of-way of a freeway, expressway, parkway or scenic route, at least one side of which is improved by the planting, for other than the sole purpose of soil erosion control, of ornamental trees, shrubs, lawn or other vegetation, or at least one side of which is endowed by nature with native trees and shrubs that are reasonably maintained, and which has been so designated by this chapter.

18. "Multifaced sign" means any sign which has two or more display surfaces and is not a double-faced sign as defined in this section.

19. "Nonconforming sign" means a lawfully erected sign in existence on the effective date of the ordinance codified in this chapter[2] or at the time of any amendments thereto, and which thereafter would be prohibited by the provisions of this chapter.

20. "Parkway" means a thoroughfare located within a park, or including a park-like development and designated as a "parkway."

21. "Real estate sign" means a sign advertising for sale or rent the premises upon which it is located.

22. "Scenic route" means those streets designated by ordinance as scenic routes.

23. "Scenic view section" means a section of the traveled way of a freeway, expressway, parkway, or scenic route the daily traffic along which includes a large number of motorists entering, passing through or leaving the city and from which there is a view of scenic beauty or historical significance, or of an array of urban features or natural prospects, or of a public park, or of lakes, bays, mountains, the harbor or the city skyline, and which has been so designated by this chapter.

24. "Sign" means any medium including its structure and component parts which is used or is intended to be used out of doors to attract attention to the subject matter for advertising, identification or informative purposes.

25. "Sign variance" means a modification of the regulations of this chapter authorized by the Board where, owing to special circumstances and conditions pertaining to a sign, a less literal interpretation or strict application of the provisions and requirements of this chapter would be justifiable under certain criteria established by this chapter.

26. "Traveled way" means the paved portion of a freeway, expressway, parkway and their entrance or exit ramps, or scenic route, exclusive of shoulders, used for the movement of vehicles.

27. "Visible" means capable of being seen (whether or not legible) without visual aid by persons of normal visual acuity.

(Ord. 97025 § 2, 1968: Ord. 94586 § 2, 1966: Ord. 90138 § 2, 1961.)

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1. Editor's Note: § 26.1 of the Zoning Ordinance is codified in § 24.70.010 of this Code.
2. Editor's Note: Ord. 90138 became effective on May 3, 1961.

24.80.030 Landscaped or scenic sections designated.

The following are designated as landscaped and/or scenic view sections of the city's freeways, expressways, parkways or scenic routes as illustrated on a map marked Exhibit "A," codified at the end of this chapter.

A. South Lake Way from 17th Avenue South to the east city limits on the Lacey V. Murrow Memorial Bridge;

B. West Seattle Freeway from Harbor Avenue S.W. to 35th Avenue S.W.;

C. The west side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel. The east side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel from the date that the Pike Plaza Redevelopment Project Plan is approved and a contract for federal financial assistance is authorized by ordinance;

D. That certain proposed limited-access facility known as the Thomson Freeway from the south city limits to its intersection with State Route No. 522 from the date that plans for construction of said highway or sections thereof are approved by the Board of Public Works;

E. Interstate Highway No. 5 from the north city limits to the south city limits;

F. That certain proposed limited access facility known as Interstate Highway No. 90 from the east city limits to Interstate Highway No. 5 from the date that construction of said highway is first advertised for bids by the State Department of Highways;

G. State Route No. 520 from Interstate Highway No. 5 to the east city limits on the Evergreen Point Bridge;

H. That certain proposed limited access facility known as State Route No. 522 from Interstate Highway No. 5 to the north city limits from the date that construction of said highway is first advertised for bids by the State Department of Highways;

I. That certain proposed limited access facility known as State Route No. 509 from the south city limits to Interstate Highway No. 5 from the date that construction of said highway is first advertised for bids by the State Department of Highways;

J. That certain proposed limited access facility known as the Bay Freeway from Interstate Highway No. 5 to Aurora Avenue North from the date that plans for said highway are approved by the Board of Public Works.

(Ord. 97025 § 3, 1968: Ord. 94586 § 3, 1966: Ord. 90138 § 2-A, 1961.)

24.80.040 Advertising signs prohibited near certain areas.

It is unlawful to erect any advertising sign within six hundred sixty feet outgoing from the nearest edge of the main traveled way of the following landscaped and/or scenic view sections or to erect any advertising signs within two hundred feet in any direction from the main traveled way of the exit or entrance ramps thereto, all as illustrated on a map marked Exhibit "B" in C.F. 281378[1] and by this reference made a part of this chapter, if any part of the advertising matter or informative content of such advertising sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp:

A. The east side of Aurora Avenue North from the George Washington Memorial Bridge (Raye Street) to Prospect Street;

B. The east side of Dexter Avenue North from Westlake Avenue North to Aloha Street;

C. The east side of Westlake Avenue North from the Fremont Bridge to Valley Street;

D. The west side of Fairview Avenue North and Fairview Avenue East from Valley Street to the Lake Union Ship Canal;

E. The north side of Valley Street from Westlake Avenue North to Fairview Avenue North;

F. The south side of North 34th Street from the Fremont Bridge to North Pacific Street;

G. The south side of North Northlake Way and Northeast Northlake Way from the George Washington Memorial Bridge to Tenth Avenue Northeast;

H. The east side of Harbor Avenue Southwest from Southwest Florida Street to Duwamish Head;

I. The northwesterly side of Alki Avenue Southwest from Duwamish Head to Alki Point;

J. Lake Washington Boulevard South from Interstate 90 to Denny Blaine Park;

K. The perimeter streets of Green Lake,

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consisting of Aurora Avenue North from West Green Lake Way North to West Green Lake Drive North; West Green Lake Drive North; East Green Lake Drive North; East Green Lake Way North; and West Green Lake Way North;

L. Northwest 54th Street and Seaview Avenue Northwest from the Hiram Chittenden Locks to Golden Gardens Park;

M. All streets forming the perimeter of Seattle Center, as follows: Mercer Street from Warren Avenue North to Fifth Avenue North; Fifth Avenue North from Mercer Street to Broad Street; Broad Street from Fifth Avenue North to Denny Way; Denny Way from Broad Street to Second Avenue North; Second Avenue North from Denny Way to Thomas Street; Thomas Street from Second Avenue North to First Avenue North; First Avenue North from Thomas Street to Republican Street; Republican Street from First Avenue North to Warren Avenue; Warren Avenue from Republican Street to Mercer Street;

N. The south side of North Pacific Street from 34th Street North to Latona Avenue Northeast.

(Ord. 104972 § 1, 1975: Ord. 104659 § 1, 1975: Ord. 90138 § 2-B, 1961.)

1. Editor's Note: Exhibit "B" is not included in this codification. Copies are on file in the office of the City Clerk.

24.80.050 Unlawful signs.

It shall be unlawful, after the designation by ordinance of a landscaped and/or scenic view section of a freeway, expressway, parkway, or scenic route within the city, to erect any advertising sign or business sign within six hundred sixty feet outgoing from the nearest edge of the main traveled way of any such landscaped and/or scenic view section or to erect any advertising sign within two hundred feet in any direction from the main traveled way of the exit and entrance ramps thereto, if any part of the advertising matter or informative content of such sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp, except as follows:

A. Stationary, nonflashing business signs on the face of a building, the total area of which shall not exceed ten percent of the face of the building or two hundred fifty square feet, whichever is less, except as provided in Section 24.80.070;

B. Stationary, nonflashing freestanding business signs, not exceeding a total of seventy-five square feet visible from any place on the traveled way of the landscaped and/or scenic view section, and not exceeding thirty feet in height including structures and component parts as measured from the grade immediately below the sign;

C. Real estate signs, provided the total area of all such signs on any premises shall not exceed fifty square feet;

D. Stationary, nonflashing business signs for oil company service stations, the area of a single face of which shall not exceed one hundred fifty square feet and the total combined area of which shall not exceed two hundred fifty square feet which may be apportioned among freestanding business signs not exceeding thirty feet in height and business signs on the face of a building.

(Ord. 97025 § 4, 1968: Ord. 94586 § 4, 1966: Ord. 90138 § 3, 1961.)

24.80.060 Methods of measurement.

The area of business signs permitted by Section 24.80.050 shall be measured as follows:

A. Where signs are mounted on a structure separate from a building the entire visible surface of the structure exclusive of support devices shall be included.

B. Where signs are painted or mounted directly on a building, the area contained in the least rectangle enclosing all portions of the sign shall be included, except as provided in Section 24.80.070A1. Where a background color different from that of the building face upon which a sign is located is used as part of the sign, the entire background area shall be included.

C. Where freestanding business signs and business signs on the face of a building are visible on the same premises, the sum of the area of both types of signs visible from any place on the traveled way shall not exceed the area permitted on the face of the building, except as provided in Section 24.80.050 for oil company service stations signs and in Section 24.80.070 A 5.

D. Where a double-faced sign is used, the area of only one face shall be measured.

E. Where a mutifaced sign is used, the greatest area visible from any place on the traveled way shall be measured.

(Ord. 97025 § 5, 1968: Ord. 90138 § 3-A, 1961.)

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24.80.070 Sign variances.

A. Upon written application and payment of a filing fee of Seventy-five Dollars ($75.00), the Hearing Examiner is authorized to issue sign variances in the following instances, but only when the issuance of such sign variance is within the intent and purposes of this chapter and will not be contrary to the public interest, detrimental to the public welfare or safety, injurious to property in the vicinity, and will not make difficult the viewing and comprehending by motorists and pedestrians of official or conforming signs, or increase the density of signs along a designated landscaped and/or scenic view section to an extent tending to constitute a hazard to traffic safety or a detriment to the appearance of the neighborhood, or impinge upon a view of scenic interest:

1. Business signs composed of letters, numbers or designs individually painted or mounted directly on a building and measured by totaling the areas contained in the least rectangle enclosing all portions of each letter, number or design;

2. Business signs on a building which extend not more than twelve feet in height above the face of the building, provided that the maximum permitted area of such signs, except for oil company service station signs, shall be reduced by fifty percent;

3. Time, temperature and/or stock index recording devices as part of a business sign;

4. Business signs on a building face of five thousand square feet or more the area of which exceeds two hundred fifty square feet but which in no case exceeds five percent of the face of the building;

5. Freestanding business signs on the same premises with business signs on the face of a building and not subject to being added together and limited to the area permitted on the face of the building as provided in Section 24.80.060, where such freestanding signs are more than one hundred feet from the face of the building and from each other, or where the business engaged in is outdoor merchandising and the grounds of the premises are more significant to the business than any structures on the premises;

6. Business signs of such increased height as may be necessary to provide reasonable identification to a business whose existing signs are obscured by subsequent construction, landscaping or natural vegetation;

7. Business signs of such increased area as may be necessary to incorporate such sign as an architectural element of a building;

8. Existing nonconforming advertising or business signs visible from but not primarily oriented to the traveled way of a designated landscaped and/or scenic view section;

9. New advertising signs or business signs which do not conform to the provisions of this chapter which are to be erected at an elevation significantly lower than the grade of the traveled way of a designated landscaped and/or scenic view section and visible therefrom, but to be primarily oriented to a roadway other than such designated section.

B. No sign variance shall be authorized for signs which flash or move, except for time, temperature and stock index recording devices. The Hearing Examiner may attach such conditions regarding the location, character, color and other features of the sign as the Hearing Examiner may deem necessary in the public interest to carry out the intent and purposes of this chapter. Sign variances authorized by the Hearing Examiner shall become void after the expiration of one year if no building permit has been issued in accordance with the plans for which such variance was authorized. Any sign variance granted under this chapter may be revoked by order of the Hearing Examiner when it is shown by satisfactory proof that:

1. The application for the sign variance contained any material misrepresentation of fact; or

2. The special conditions and circumstances originally justifying the granting of a sign variance have changed or terminated in which case the sign shall be considered nonconforming. It shall be unlawful for the owner or lessee of the sign or the owner or operator of the premises upon which said sign is located to fail to remove such sign within thirty days after revocation of the sign variance, except where the sign becomes nonconforming.

(Ord. 106001 § 1, 1976: Ord. 103382 § 1, 1974: Ord. 97025 § 6, 1968: Ord. 90138 § 3-B, 1961.)

24.80.080 Nonconforming signs—Conformance or removal.

All nonconforming signs shall either be made to conform with the provisions of this chapter or be removed within three years of the date such signs became or become nonconforming,

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and it shall be unlawful for the owner or lessee of such sign or the owner or operator of the premises upon which such sign is located to fail to remove such sign after said period of time has expired. The Hearing Examiner, upon written application therefor and payment of a filing fee of Seventy-five Dollars ($75.00) may extend the time for removal of such nonconforming signs for a period not to exceed an additional seven years upon finding that:

A. The extension of time will not be unduly detrimental to the intent and purposes of this chapter as set forth in Section 24.80.010; and

B. There is a substantial unamortized investment in the sign made prior to the effective date of any ordinance which would prohibit the erection of such sign; or

C. Construction or related activity on the proposed highways, or the Pike Plaza Redevelopment Project designated in Section 24.80.030, or other proposed redevelopment projects along the east side of the Alaskan Freeway from Union Street to South Connecticut Street, is not scheduled to begin for six or more months, provided that in such case the time extension shall not exceed the actual or anticipated delay.

(Ord. 106001 § 2(part), 1976: Ord. 103382 § 2(part), 1974: Ord. 97456 § 1(part), 1969: Ord. 97025 § 7(part), 1968: Ord. 94586 § 5 (part), 1966: Ord. 90138 § 4.1, 1961.)

24.80.090 Nonconforming signs—Alteration—Maintenance.

No nonconforming sign shall be in any manner altered, reconstructed or moved without being made to comply in all respects with the provisions of this chapter, provided that nothing herein shall prohibit the normal maintenance or repair of any nonconforming sign where no major structural alterations are made, nor the painting or repainting of the face thereof, nor the changing of the message on the surface of the sign face on signs designed for changeable copy. The cost of such maintenance, repair, painting or message changing shall not be cause for a request for an additional period of time to recover such costs. All business and advertising signs shall be maintained in a safe, presentable condition, including replacement of defective parts, painting, repainting, cleaning and other acts required to maintain the sign. All abandoned business signs shall be removed.

(Ord. 106001 § 2(part), 1976: Ord. 103382 § 2 (part), 1974: Ord. 97456 § 1(part), 1969: Ord. 97025 § 7(part), 1968: Ord. 94586 § 5(part), 1966: Ord. 90138 § 4.2, 1961.)

24.80.100 Notice to repair or remove sign.

From time to time, the Superintendent of Buildings shall cause to be mailed to the owners of property upon which abandoned signs or signs in need of repair are located, notice of the existence of such sign, its noncompliance with the provisions of this chapter and the time within which the sign must be repaired or removed. At least sixty days before the termination of the period of time allowed for removal of nonconforming signs, the Superintendent of Buildings shall cause to be mailed to the owners of property upon which a nonconforming sign is located notice of the existence of such sign and the time within which the sign must be made to conform or be removed. The mailing of such notice shall constitute a convenience to the owner, and the failure to give notice or to receive the same shall in no way impair the enforcement of this chapter. It shall be unlawful for the owner or lessee of such sign or the owner or operator of the premises upon which sign is located to fail to repair, conform or remove such sign which sixty days after such notification.

(Ord. 106001 § 2(part), 1976: Ord. 103382 § 2(part), 1974: Ord. 97456 § 1(part), 1969: Ord. 97025 § 7(part), 1968: Ord. 94586 § 5 (part), 1966: Ord. 90138 § 4.3, 1961.)

24.80.110 Application procedures.

Applications for sign variances, petitions to revoke sign variances, and time extensions for nonconforming signs shall be filed with the Director of Community Development, who shall prepare a written report thereon which shall include the recommendations or comments of any affected departments of the city or of other governmental agencies having an interest in the application. The application and report shall be transmitted to the Hearing Examiner and be made available to the public on request not less than seven days prior to the hearing or other action. Notices, hearings and decisions of the Hearing Examiner shall be accomplished as provided in Section 28.42 of the Zoning Ordinance (86300),[1] and the Director or any party affected by the decision of the Hearing Examiner may file an appeal in writing with the Board of Adjustment within a period extending to five p.m. of the seventeenth day following the date of the decision, stating explicit

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exceptions and objections to the Hearing Examiner's decision as provided in Section 28.5 et seq. of the Zoning Ordinance.[2]
(Ord. 103382 § 3, 1974: Ord. 90138 § 4-A, 1961.)

1. Editor's Note: § 28.42 of the Zoning Ordinance is codified in § 24.74.060 of this Code.
2. Editor's Note: § 28.5 et seq. of the Zoning Ordinance are codified in § 24.74.080 et seq. of this Code.

24.80.120 Enforcement.

The Superintendent of Buildings shall enforce this chapter and no building permit shall be issued for any sign prohibited by this chapter.
(Ord. 90138 § 5, 1961.)

24.80.130 Violation—Penalty.

Anyone violating or failing to comply with this chapter, upon conviction thereof, shall be punished by a fine of not more than Three Hundred Dollars ($300.00), or by imprisonment for not more than ninety days, or by both such fine and imprisonment, and each day that anyone shall continue to violate or fail to comply with this chapter shall be a separate offense.
(Ord. 90138 § 6, 1961.)

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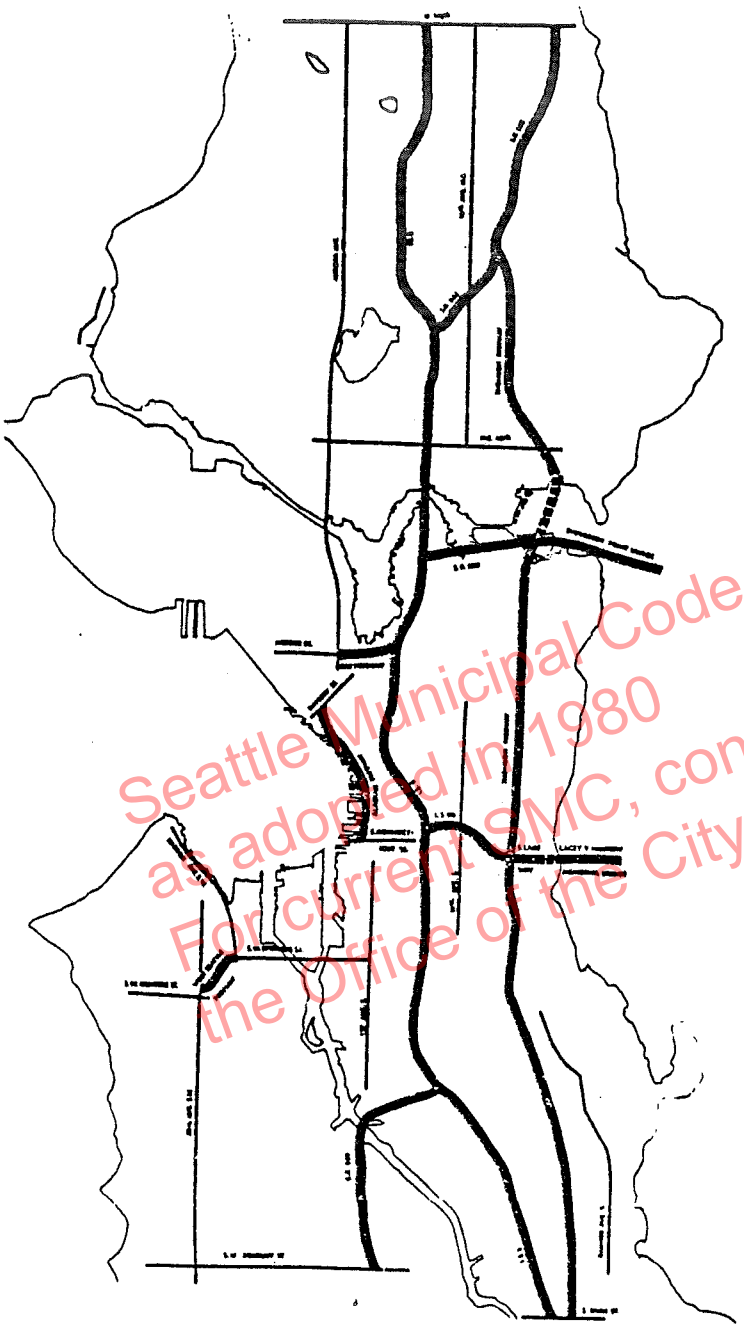


EXHIBIT "A"

DESIGNATED LANDSCAPED AND/OR SCENIC VIEW SECTIONS FOR SIGN CONTROL

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Chapter 24.82

LAKE UNION CONSTRUCTION LIMIT LINE

Sections:

24.82.010 Established.
24.82.020 Unlawful construction—Exceptions.
24.82.030 Violation—Penalty.

24.82.010 Established.

There is established along the shores of Lake Union and waters in the vicinity thereof in the city, a "Seattle Construction Limit Line" as designated on the map identified as Exhibit "A," Sheets 1, 2 and 3, of Ordinance 92887, and which is included at the end of this chapter.
(Ord. 92887 § 1, 1964.)

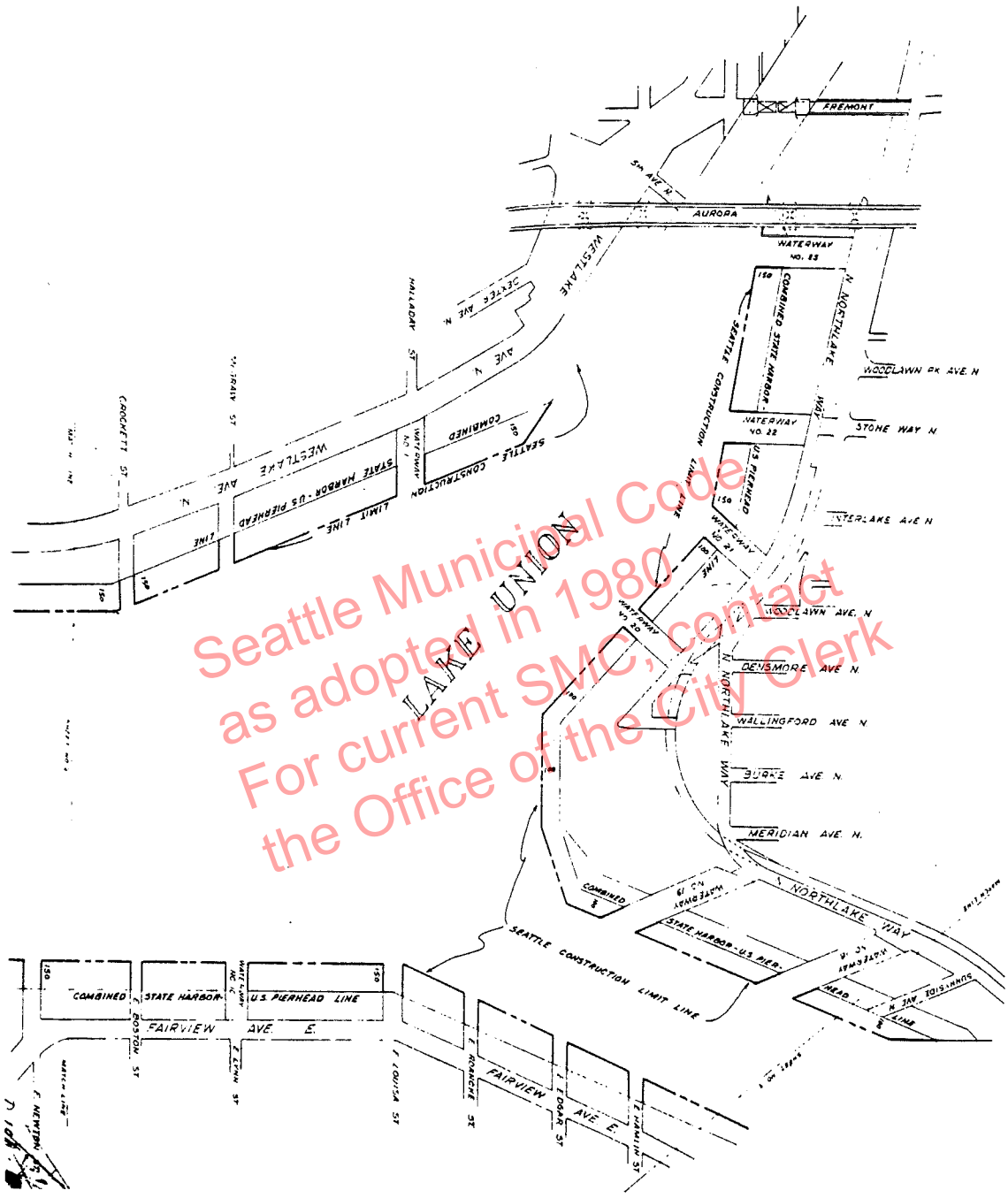
24.82.020 Unlawful construction—Exceptions.

It is unlawful to erect, construct or maintain any building or structure outward from the shores of Lake Union beyond the Seattle Construction Limit Line established in Section 24.82.010 except such buildings or structures as are expressly authorized by the laws of the United States or state of Washington; provided, any residential structure located in whole or in part outside the construction limit line prior to December 18, 1968 shall be permitted as a lawful, nonconforming structure so long as the same is not extended, expanded, or structurally altered.
(Ord. 106804 § 1, 1977: Ord. 92887 § 2, 1964.)

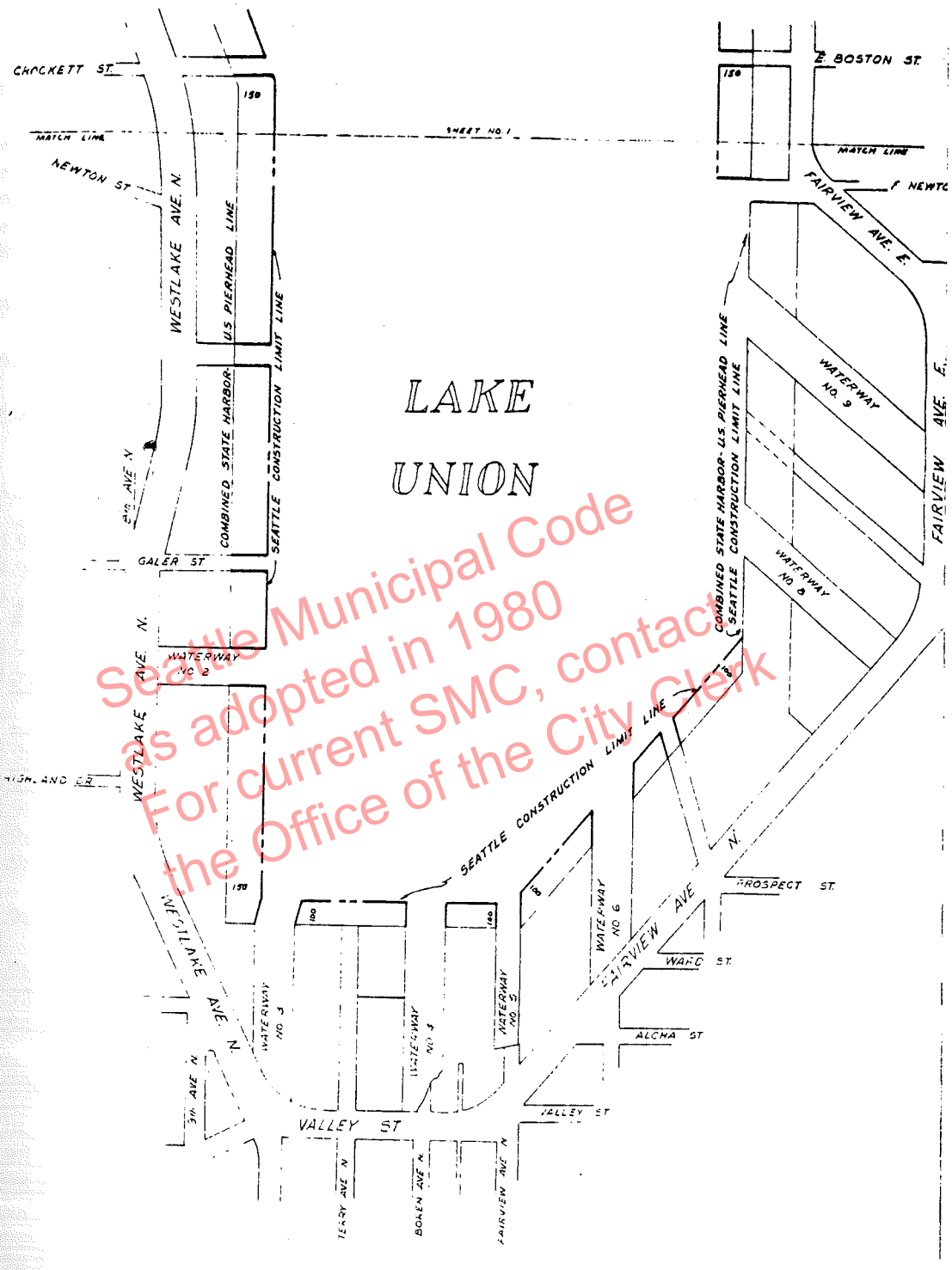
24.82.030 Violation—Penalty.

Anyone violating the provisions of this chapter shall, upon conviction, be punished by a fine in a sum not to exceed Five Hundred Dollars ($500.00), or by imprisonment in the City Jail for a term not to exceed six months or by both such fine and imprisonment.
(Ord. 92887 § 3, 1964.)

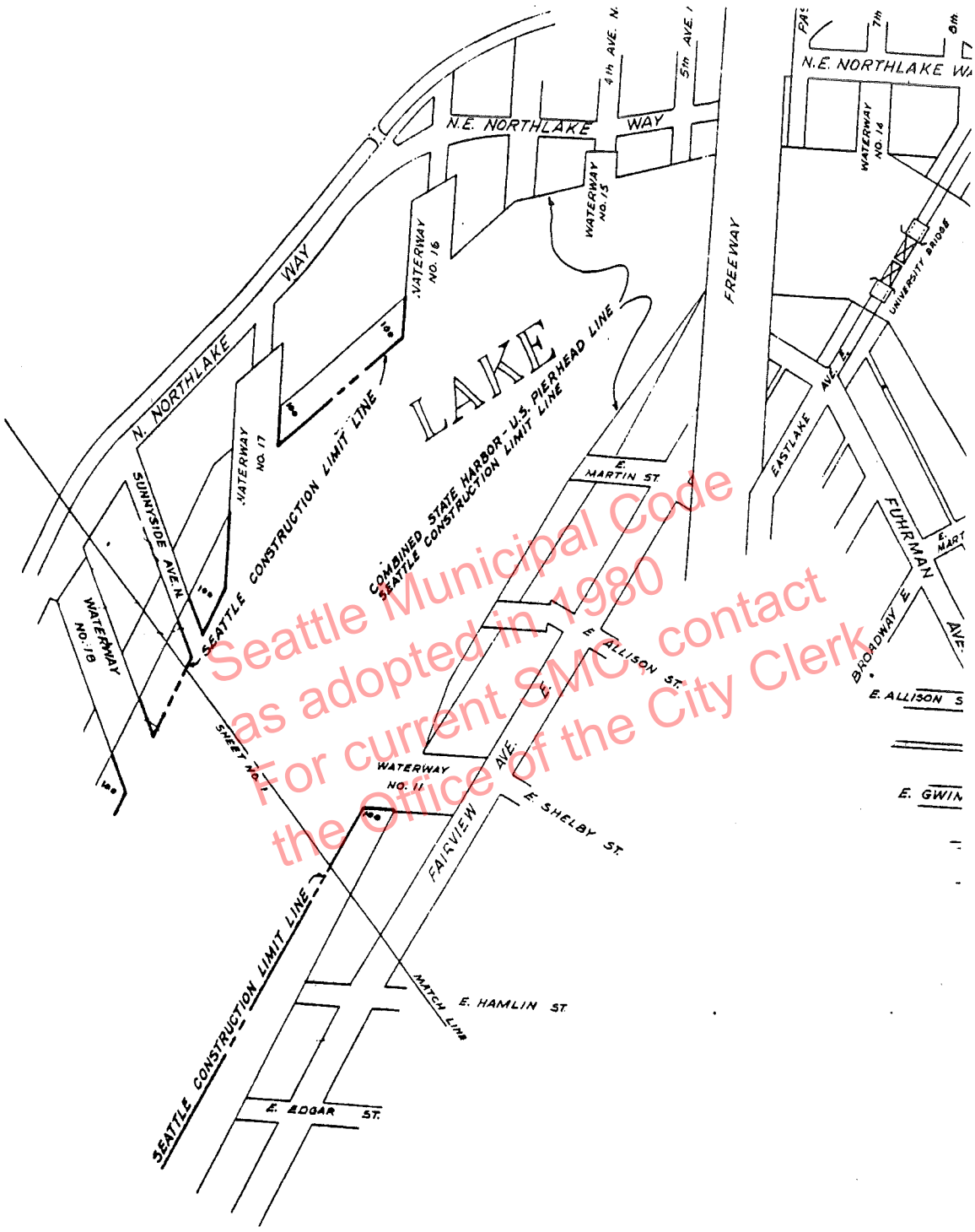
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Subtitle III Subdivisions

Chapter 24.98

SUBDIVISIONS[1]

Sections:

24.98.010 Short title.
24.98.020 Purpose.
24.98.030 Definitions.
24.98.040 Administration.
24.98.050 Short subdivision procedure—Application and fee.
24.98.060 Short subdivision procedure—Application content.
24.98.070 Short subdivision procedure—Notice.
24.98.080 Short subdivision procedure—Administrative determinations—Approval and filing.
24.98.090 Short subdivision procedure—Appeal to City Hearing Examiner.
24.98.100 Resubdivision procedures.
24.98.110 Subdivisions—Compliance.
24.98.120 Subdivisions—Conformance to comprehensive plan and zoning.
24.98.130 Subdivisions—Design standards.
24.98.140 Design—Topographical and subsurface hazards, protective improvements.
24.98.150 Design—Streets and alleys.
24.98.160 Design—Blocks.
24.98.170 Design—Lots.
24.98.180 Design—Sidewalks.
24.98.190 Design—Drainage, storm sewer and utility easements.
24.98.200 Design—Underground utility installation.
24.98.210 Variances and exceptions.
24.98.220 Dedications—Required.
24.98.230 Dedications—Access to lots and public waters.
24.98.240 Dedications—Exemptions conveyance to corporation.
24.98.250 Reserved land for public use.
24.98.260 Reserved land to show on plat.
24.98.270 No development on reserved land.
24.98.280 Dedications—Reserved land—Development if not acquired.
24.98.290 Subdivisions—Survey requirements.
24.98.300 Survey—Computations—Notes.
24.98.310 Survey—Permanent control monuments.
24.98.320 Survey—Property contiguous to water.
24.98.330 Subdivision procedure—Application and fees.
24.98.340 Preliminary plat—Content.
24.98.350 Procedure—Adequacy and distribution of preliminary plats and plans.
24.98.360 Procedure—Planning Commission hearing—Notice.
24.98.370 Hearing.
24.98.380 Commission—Report to Council.
24.98.390 Council action—Inquiry into public use and interest.
24.98.400 Council action—Consideration of physical characteristics.
24.98.410 Council action—Necessity for public hearing.
24.98.420 Council action—Notification of applicant, Commission and parties of record.
24.98.430 Preliminary plat approval—Authorization for subdivider.
24.98.440 Improvements—Streets, bridges and other construction.
24.98.450 Improvements—Street grading and surfacing.
24.98.460 Improvements—Water and sewers.
24.98.470 Improvements—Service mains and fire hydrants.
24.98.480 Final plat—Filing with City Engineer.
24.98.490 Final plat—Requirements—Certificates.
24.98.500 Final plat—Technical standards.
24.98.510 Final plat—Review by Administrator and City Engineer.
24.98.520 Final plat—Submission to Council.
24.98.530 Final plat—Council determination—Approval or disapproval.
24.98.540 Final plat—Resubmission.
24.98.550 Violations—No permits—Exceptions.
24.98.560 Enforcement.

1. Cross-reference: For provisions on condominium conversion, see Ch. 22.902 of this Code.

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24.98.010 Short title.

This chapter shall be known as the "Subdivision Ordinance" of the city. (Ord. 105636 § 1, 1976.)

24.98.020 Purpose.

The purpose of this chapter is to implement state law relating to the platting, subdivision and dedication of land (RCW Chapter 58.17); to regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with standards established by the state to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate space, light and air; to facilitate adequate provision for water, sewerage, fire protection, parks and recreation areas, sites for schools and schoolgrounds and other public requirements; to provide for proper ingress and egress; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description.

(Ord. 105636 § 2, 1976.)

24.98.030 Definitions.

1. For the purpose of this chapter, certain terms and words are hereby defined. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is always mandatory and the word "may" indicates the use of discretion in making a decision.

2. "Administrator" is the city official designated by this chapter to review and approve short plats and to process other plats.

3. "Alley" is a strip of land dedicated to public use, providing vehicular and pedestrian access to the rear side of properties which abut and are served by a public street and which also includes space for utilities and drainage.

4. "Block" is a group of lots, tracts, or parcels within well defined and fixed boundaries, usually streets.

5. "Commission" is the City Planning Commission of The City of Seattle.

6. "Comprehensive plan" is the current comprehensive plan of Seattle as recognized and approved by the Seattle City Council.

7. "Council" is the City Council of The City of Seattle.

8. "County Auditor" shall be as defined in RCW Chapter 36.22 or the office or person assigned such duties under the King County Charter.

9. "County Treasurer" shall be as defined in RCW Chapter 36.29 or the office or person assigned such duties under the King County Charter.

10. "Cul-de-sac" is a street closed at one end by a circular drive of sufficient radius for turning automotive vehicles around.

11. "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the adoption of an ordinance indicating approval of such plat for filing with the County Auditor and the City Engineer.

12. "Easement" is a grant by a property owner to specific persons or to the public to use land for specific purpose or purposes.

13. "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in RCW Chapter 58.17 and in this chapter.

14. "Lot" is a fractional part of subdivided lands having fixed boundaries and being of sufficient area and dimension to meet minimum zoning requirements. The term shall include tracts or parcels.

15. "Plat" is a map or representation of a subdivision showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys or other divisions and dedications.

16. "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

17. "Short plat" is a map or representation of a short subdivision.

18. "Short subdivision" is the division of land into four or less lots, tracts, parcels, sites, or subdivisions for the purpose of sale or lease, development, or financing, and shall include all resubdivision of previously platted land, and properties divided for purpose of sale or lease of townhouse units.

19. "Street" is a public right-of-way which is intended to provide or which provides a roadway for vehicular circulation or principal means of vehicular access to abutting properties and

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which also includes space for utilities, pedestrian walkways and drainage.

20. "Subdivider" is a person, firm or corporation that undertakes to create a subdivision.

21. "Subdivision" is the division of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale or lease, development, or financing, and shall include all redivision of previously platted land, and properties divided for purposes of sale or lease as townhouse units.

22. "Utilities" include water mains, sewers, drainage and gas lines, overhead and underground electric wires, and telephone and CATV facilities.

(Ord. 105636 § 3, 1976.)

24.98.040 Administration.

The Director of Community Development, in this chapter referred to as the Administrator, is vested with the duty of administering subdivision and platting regulations within the city and may prepare and require the use of such forms and procedures as are essential to the administration of such regulations; provided, however, that necessary forms and procedures in connection with filing, submission, checking, ordinance preparation, Council approval, and recording of a proposed final plat of a subdivision pursuant to such regulations shall be the responsibility of the City Engineer.

(Ord. 105636 § 4, 1976.)

24.98.050 Short subdivision procedure—Application and fee.

Any person desiring to divide land situated within the city into four or less lots for the purpose of sale or lease, development, or financing, shall submit an application for approval of a short subdivision to the Administrator together with an application fee of Ten Dollars ($10.00) per lot, which shall be deposited with the City Treasurer. The Administrator may authorize a refund of such fee or a portion thereof when the application is occasioned by an error or omission on the part of the city or when the application is withdrawn prior to preliminary approval of the plat by the Administrator.

(Ord. 108053 § 1, 1979: Ord. 106014 § 1, 1976: Ord. 105636 § 5, 1976.)

24.98.060 Short subdivision procedure—Application content.

A. Applications for approval of short subdivisions shall be made in a standard format prescribed by the Administrator and shall include the following:

1. A plat of the proposed short subdivision containing standard survey data;

2. A vicinity map on which shall be indicated the property to be subdivided;

3. A plot plan, as appropriate, showing the location and dimensions of existing buildings in relation to the proposed short subdivision;

4. Legal descriptions of the property to be subdivided and of all proposed lots or divisions;

5. Name and address of owner(s) of the tract.

B. Every short plat of a short subdivision filed for record must contain a certificate giving a full correct description of the lands divided as they appear on the short plat, including a statement that the short subdivision has been made with the free consent and in accordance with the desires of the owner or owners. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided. If the short plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, an individual or individuals, religious society or societies or to any corporation, public or private, as shown on the short plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road. Roads not dedicated to the public must be clearly marked on the face of the short plat. Any dedication, donation, or grant as shown on the face of the short plat shall be considered to all intents and purposes, as a quitclaim deed to the said donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors as aforesaid. All short plats containing a proposed dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the owner signing the certificate.

(Ord. 105636 § 6, 1976.)

24.98.070 Short subdivision procedure—Notice.

Within seven days following receipt of an application for a short subdivision, the

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Administrator shall give notice thereof by the posting of placards at conspicuous places on the boundaries of the subject property or within three hundred feet thereof. The placards shall include sufficient description to locate the subject property and a statement to the effect that any person submitting a written request to the Administrator within fourteen days of the date of posting shall be entitled to a copy of the Administrator's action on the application.
(Ord. 105636 § 7, 1976.)

24.98.080 Short subdivision procedure—Administrative determinations—Approval and filing.

A. The Administrator shall after conferring with appropriate officials, determine whether:

1. The proposed lots conform to the comprehensive plan and Zoning Ordinance[1] provisions;

2. The proposed lots are served with adequate means of access for vehicles, utilities, fire protection, drainage, water supply and means of sanitary sewerage disposal;

3. The public use and interests will be served by permitting the proposed division of land.

B. If the Administrator determines that the requirements of this section are met, or may be met upon compliance with specified conditions, he shall inform the applicant in writing of his decision to approve the application and the conditions of his approval, if any, and may return the proposed short plat to the applicant for modification or correction. When the Administrator has determined that: (1) the short plat contains the certificates and statements of approval required by state law and this chapter, and (2) the short plat and all legal descriptions are technically correct, the short plat shall, after expiration of the appeal period specified in Section 24.98.090, be filed for record with the County Auditor. No short plat or short subdivision granted approval by the Administrator after July 1, 1974 shall be deemed to have final approval until so filed.

C. If the short subdivision contains a proposed dedication, the Administrator shall refer the matter to the City Engineer for report and recommendation. The Administrator shall then transmit the proposed short plat to the Council together with his recommendation, and the recommendation of the City Engineer. In the event of Council approval by ordinance, the Administrator shall file the short plat with the County Auditor and deliver one copy to the City Engineer.

D. Short plats shall be approved, disapproved or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period, or unless such plat is required to be approved by ordinance.
(Ord. 105636 § 8, 1976.)

1. Editor's Note: The Zoning Ordinance is codified in Subtitle I of this Title.

24.98.090 Short subdivision procedure—Appeal to City Hearing Examiner.

A. Any person aggrieved by the decision of the Administrator to approve or disapprove a proposed short subdivision may appeal the decision to the City Hearing Examiner within fifteen days following issuance of the decision. Appeal shall be made in writing, with a copy to the Administrator, and shall state explicit exceptions and objections to the Administrator's decision. The Examiner, following a public hearing thereon, shall consider the matter de novo and may affirm or reverse the Administrator's decision or may remand the application to the Administrator for reconsideration based upon information presented at the hearing.

B. Notice of the time, place, and purpose of the hearing shall be posted and mailed to all parties of record not less than ten days prior to the date set by the Examiner for a hearing.
(Ord. 105636 § 9, 1976.)

24.98.100 Resubdivision procedures.

Land within a short subdivision may not be further divided in any manner within a five-year period immediately following approval and filing of a short plat unless a final plat of the subdivision has been approved and filed for record in accordance with the provisions of this chapter, provided, however, that any revision of an approved short plat in which the total number of lots is not increased shall not be considered a further division, and shall be approved or disapproved in the manner prescribed in Sections 24.98.050 through 24.98.090.
(Ord. 105636 § 10, 1976.)

24.98.110 Subdivisions—Compliance.

Every subdivision shall comply with the provisions of RCW Chapter 58.17 and the following provisions of this chapter.
(Ord. 105636 § 11, 1976.)

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24.98.120 Subdivisions—Conformance to comprehensive plan and zoning.

All subdivisions shall conform to the comprehensive plan of Seattle and all zoning provisions in effect at the time any plat of a subdivision is submitted for approval. Lots shall be of size and dimension and have access adequate to satisfy requirements of the Zoning Ordinance.[1]
(Ord. 105636 § 12, 1976.)

1. Editor's Note: The Zoning Ordinance is codified in Subtitle I of this Title.

24.98.130 Subdivisions—Design standards.

Except as provided in Section 24.98.210, design of all subdivisions shall conform to the standards set forth in Sections 24.98.140 through 24.98.200.
(Ord. 105636 § 13, 1976.)

24.98.140 Design—Topographical and subsurface hazards, protective improvements.

Land having topographical or subsurface conditions hazardous to the safety or general welfare of persons or property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is restricted to uses which will not expose persons or property to the hazard. Protective improvements shall be constructed prior to final plat approval. Protective improvements and restrictions on uses shall be clearly noted on the final plat.
(Ord. 105636 § 13.01, 1976.)

24.98.150 Design—Streets and alleys.

A. All subdivisions shall be served by one or more streets providing adequate ingress and egress to and from the subdivision.

B. Major streets within each subdivision shall conform with the comprehensive plan and shall provide for the continuation of major streets which serve property contiguous to the subdivision. Unless warranted by special physical circumstances, streets serving lots on two sides shall be at least sixty feet wide.

C. Street intersections shall be as nearly at right angles as practicable and in no event shall the angle formed be less than thirty degrees.

D. Cul-de-sac shall be so designed as to provide a circular turnaround at the closed end which has a minimum radius of forty feet and a minimum roadway radius of twenty-eight feet. A tee may be authorized by the Council in lieu of the turnaround if necessitated by unique circumstances. Cul-de-sac streets shall not exceed four hundred fifty feet in length and the right-of-way shall be at least fifty feet wide, except under special circumstances a lesser width will be permitted.

E. Street networks shall provide ready access for fire and other emergency vehicles and equipment, and routes of escape for inhabitants.

F. Alleys shall be at least sixteen feet wide.
(Ord. 105636 § 13.02, 1976.)

24.98.160 Design—Blocks.

Blocks shall be so designed as to assure traffic safety and ease of traffic control and circulation. Blocks shall be wide enough to allow for two tiers of lots unless the topography or other factors dictate the use of one tier of reverse frontage through lots, or unless the Council approves the design of irregularly shaped blocks indented by cul-de-sacs within a particular subdivision. Blocks shall be identified by letters or numbers.
(Ord. 105636 § 13.03, 1976.)

24.98.170 Design—Lots.

A. Every lot shall be provided with convenient vehicular access to a street or to a permanent appurtenant easement.

B. Not more than two lots shall be served by an easement which is the exclusive means of access to the lots. Such easement shall be at least twenty feet wide and shall not exceed one hundred fifty feet in length.

C. Lots shall be numbered with reference to blocks.

D. No residential lot shall have street frontage along two opposite boundaries unless topographical features or the need to provide separation of lots from arterials, railways, commercial activities, or industrial activities justify such reverse frontage lots.

E. Where practicable, side lot lines shall be straight lines running at or near right angles to the street upon which the lot is fronted. Side lot lines on curved roads should run at or near radially to curve.
(Ord. 105636 § 13.04, 1976.)

24.98.180 Design—Sidewalks.

Sidewalk or sidewalk easements in residential subdivisions shall be as designed by the City

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Engineer and approved by the Board of Public Works.
(Ord. 105636 § 13.05, 1976.)

24.98.190 Design—Drainage, storm sewer and utility easements.

A. Easements for drainage channels and ways shall be of sufficient width to assure that the same may be maintained and improved. Easements for storm sewers shall be provided and shall be of sufficient width and in proper location to permit future installation. All such easements and sewers shall be in accordance with plans and specifications prepared by the City Engineer and approved by the Board of Public Works.

B. Easements for electric, telephone, water, gas, and similar utilities shall be of sufficient width to assure installation and maintenance.
(Ord. 105636 § 13.06, 1976.)

24.98.200 Design—Underground utility installation.

Subdivisions located adjacent to subdivisions having underground utility lines shall provide underground utility lines including but not limited to those for electricity, telephone, CATV and street lighting.
(Ord. 105636 § 13.07, 1976.)

24.98.210 Variances and exceptions.

Variations and exceptions from the design standards and inprovement requirements set forth in Sections 24.98.140 through 24.98.200 may be authorized by the Council, upon recommendation of the Administrator and Commission, in those instances where it is deemed that hardship, topography, or other factual deterrent conditions prevail, and in such manner as it considers necessary to maintain the intent and purpose of such regulations and requirements. Approval by the Council of a preliminary plat on which such variations and exceptions are clearly indicated shall constitute authorization of such variations and exceptions.
(Ord. 105636 § 13.08, 1976.)

24.98.220 Dedications—Required.

A. Every subdivision shall include adequate provision for dedication of such drainage ways, streets, alleys, easements, slope rights, parks, and other public open spaces for general purposes as may be required to protect the public health, safety and welfare. All dedications of land shall be clearly and precisely indicated on the face of the final plat.

B. Protective improvements and easements to maintain such improvements shall be dedicated.
(Ord. 105636 § 14, 1976.)

24.98.230 Dedications—Access to lots and public waters.

A. Convenient access to every lot by way of a dedicated street shall be provided except for lots served by easements as provided in Section 24.98.170. Roads not dedicated to the public must be clearly marked on the face of the plat.

B. Final plats of subdivisions adjacent to navigable bodies of water shall contain dedications for public access to such bodies of water unless the Council determines the public interest will not be served thereby. Such dedications shall be to the low water mark and shall include easements for pedestrian traffic at least ten feet wide parallel to and bordering the high water mark.
(Ord. 105636 § 14.01, 1976.)

24.98.240 Dedications—Exemptions conveyance to corporation.

If the Council concludes that the public interest will be served thereby, the Council may, in lieu of requiring the dedication to the public of land in a subdivision for protective improvements, drainage ways, streets, alleys, sidewalks, parks and other open space, allow such land to be conveyed to a home owner's nonprofit maintenance corporation. In such case the subdivider shall, at or prior to the time of filing a final plat for approval, supply the Administrator with copies of articles of incorporation and bylaws of the grantee organization and with evidence of the conveyance or of a binding commitment to convey. The articles of incorporation shall provide that membership in the corporation shall be conditioned upon ownership of land in the subdivision; that the corporation is empowered to assess the land for costs of construction and maintenance of the improvements and property owned by the corporation, and that such assessment shall be a lien upon the land. The Council may impose such other conditions as it deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained.
(Ord. 105636 § 14.02, 1976.)

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24.98.250 Reserved land for public use.

Any public agency with the power to acquire land by condemnation or otherwise for public use may, at any time prior to final approval of a preliminary plat, notify the Council and the subdivider of its intention to acquire some or all of the land in the proposed subdivision for public use, and may request that the Council require its dedication for such use. In the event such land is not dedicated for said use, the public agency may request that the Council require the reservation of such land for a stated period not to exceed the two years following the Council's approval of the final plat, during which time the agency may acquire the land. If the Council finds that the public health, safety, or general welfare will be served thereby, it may require as a condition precedent to approval of the final plat that the land or such part of it as the Council deems appropriate be designated on the plat as reserved land and that for the period requested or such shorter period as the Council deems sufficient, the reserved land not be developed for uses other than the contemplated public use. A public agency may accelerate the expiration date of a reservation period by filing written notice with the County Auditor of its intention to abandon its right to acquire the reserved land.
(Ord. 105636 § 14.03, 1976.)

24.98.260 Reserved land to show on plat.

The subdivider may indicate on the plat that if the reserved land is not acquired for public use, it shall be subdivided and if the subdivider does so the plat shall show the configuration and dimensions of the proposed lots, blocks, streets, easements, and like features in the reserved area.
(Ord. 105636 § 14.04, 1976.)

24.98.270 No development on reserved land.

No building permit or other development permit shall be issued for improvements on reserved land during the period of reservation unless the public agency has abandoned its rights and except as expressly authorized by the Council at the time the final plat is approved.
(Ord. 105636 § 14.05, 1976.)

24.98.280 Dedications—Reserved land—Development if not acquired.

If the public agency has not acquired or commenced proceedings to acquire the reserved lands within the period set by the Council, the subdivider and the subdivider's successors may proceed to develop land lying within the reserved area in conformity with the final plat. No improvements shall be made upon reserved land which is made available for development until adequate security for development of all required public and protective improvements has been provided.
(Ord. 105636 § 14.06, 1976.)

24.98.290 Subdivisions—Survey requirements.

A survey of every proposed subdivision and the preparation of preliminary and final plats thereof, shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.
(Ord. 105636 § 15, 1976.)

24.98.300 Survey—Computations—Notes.

A. The surveyor shall furnish the City Engineer with a full set of survey notes which notes shall clearly show:

1. The ties to each permanent monument;

2. At least three durable, distinctive reference points or monuments;

3. Sufficient data to determine readily the bearing and length of each line;

4. The base meridian referred to.

B. A traverse of the boundaries of the subdivision and all lots and blocks shall close within an area of one foot in five thousand feet.

C. Primary survey control points shall be referenced to section corners and monuments, and corners of adjoining subdivisions, or portions thereof, shall be identified and ties shown.
(Ord. 105636 § 15.01, 1976.)

24.98.310 Survey—Permanent control monuments.

A. Permanent control monuments shall be established at:

1. All controlling corners on the boundaries of the subdivision;

2. The intersections of centerlines of roads within the subdivisions;

3. The beginning and ends of curves on centerlines;

4. All block corners.

B. Permanent control monuments may be

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placed on the offset lines. The position and type of every permanent monument shall be noted on all plats of the subdivision. Permanent control monuments shall be of a type approved by the City Engineer.

C. Permanent control monuments within the streets shall be set after the streets are graded. In the event a final plat is approved before streets are graded, the security deposit to provide for grading shall be sufficient to pay the costs estimated by the City Engineer of setting such monuments;

D. Each lot corner shall be marked by a three-quarter-inch galvanized iron pipe, twenty-four inches in length, or approved equivalent, driven into the ground.

(Ord. 105636 § 15.02, 1976.)

24.98.320 Survey—Property contiguous to water.

If any land in a subdivision is contiguous to a body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high water mark. Property lying below and beyond the meander line shall be defined by distance along the side property lines extended from the meander line. If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey.

(Ord. 105636 § 15.03, 1976.)

24.98.330 Subdivision procedure—Application and fees.

Official filing of an application for subdivision in the city shall be preceded by a preliminary review of the proposed subdivision by the Administrator. Following such review, the subdivider shall submit an application to the Administrator, accompanied by a filing fee equal to the sum of One Hundred Dollars ($100.00) plus Five Dollars ($5.00) for each lot of the subdivision. All filing fees shall be deposited with the City Treasurer. The fees paid for individual lots will be refunded if the final plat is not approved and recorded. A subdivider shall submit with his application fifteen copies of a preliminary plat and four copies of preliminary plans for streets and other improvements. The Administrator may also require that the subdivider submit such additional information as is necessary to a determination of environmental significance pursuant to RCW Chapter 43.21C.

(Ord. 106014 § 2, 1976: Ord. 105636 § 16, 1976.)

24.98.340 Preliminary plat—Content.

A. Every preliminary plat shall consist of one or more maps together with written data including the following:

1. The name of the proposed subdivision;

2. North point and scale; the location of existing property lines: streets, buildings, if any; watercourses and all general features;

3. The legal description of the land contained within the subdivision;

4. The names and addresses of all persons, firms and corporations holding interest in the lands, including easement rights and interest;

5. The proposed names, locations, widths and other dimensions of proposed streets, alleys, easements, parks, lots, building lines, if any, and all other information necessary to interpret the plat, including the location of existing utility and access easements which are to remain;

6. The location of streets in adjoining plats and the approximate location of adjoining utilities and proposed extensions into the plat;

7. The names of adjoining plats;

8. The name, address, and telephone number and seal of the registered land surveyor who made the survey or under whose supervision it was made;

9. The date of such survey;

10. All existing monuments and markers located by the survey;

11. The zoning classification applicable to the land within the subdivision;

12. The conditions of or the limitations on dedications, if any, including slope rights;

13. Contour intervals as required, based upon city datum.

B. Any plat submitted that covers only a part of the subdivider's tract shall be accompanied by a sketch showing the proposed future street system in the remainder of the tract so that the street layout of the tract may be considered as a whole.

(Ord. 105636 § 17, 1976.)

24.98.350 Procedure—Adequacy and distribution of preliminary plats and plans.

If the Administrator determines that the

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subdivider has met all the application requirements for the preliminary plat and that the preliminary plat contains sufficient elements and data to furnish a basis for its approval or disapproval, he shall affix a file number and date of receipt to the application and promptly forward three copies of the plat and the subdivider's preliminary plans for street and other improvements to the City Engineer. The Administrator shall also forward a copy of the preliminary plat to each of the following:

A. Director of Public Health, as to the adequacy of the proposed means of sewage disposal and water supply;

B. Superintendent of Lighting;

C. Superintendent of Buildings;

D. Superintendent of Parks and Recreation;

E. The Board of Public Works, Street Naming Committee;

F. Superintendent of Water;

G. Chief, Fire Department;

H. Municipality of Metropolitan Seattle;

who shall review the preliminary plat and, within thirty days and prior to the Commission hearing, furnish the Administrator with a report as to the effect of the proposed subdivision upon the public health, safety and general welfare, and containing their recommendations for approval or disapproval of the preliminary plat. The report of the City Engineer shall also include a recommendation as to the extent and type of improvements to be provided in dedicated areas and a preliminary estimate of the cost of such improvements.
(Ord. 105636 § 18, 1976.)

24.98.360 Procedure—Planning Commission hearing—Notice.

A. Upon receipt of an application, the Administrator shall within forty-five days set a date for public hearing before the Commission, provided, that if an environmental impact statement is required as provided in RCW 43.21C-.030, such hearing shall not be held until the final environmental impact statement has been issued.

B. The Adminstrator shall give notice of the time, place and purpose of the public hearing as follows:

1. At least one notice in the city official newspaper not less than ten days prior to the hearing;

2. By the posting of placards giving notice of the hearing at conspicuous places on the boundaries of the proposed subdivision;

3. By notifying the applicant and each of the recipients of the preliminary plat as provided in Section 24.98.350.

C. All hearing notices shall include a legal description of the location of the proposed subdivision and either a vicinity location sketch or a location description in nonlegal language.
(Ord. 105636 § 19, 1976.)

24.98.370 Hearing.

At the public hearing, the Commission shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the Council based upon the criteria established in Section 24.98.390. Any hearing may be continued at the discretion of the Commission within the time limits allowed by law.
(Ord. 105636 § 20, 1976.)

24.98.380 Commission—Report to Council.

Not later than fourteen days following conclusion of the hearing and any continuation thereof, the Commission shall submit its written report and recommendations to the Council, which shall be accompanied by the recommendations required by Section 24.98.350.
(Ord. 105636 § 21, 1976.)

24.98.390 Council action—Inquiry into public use and interest.

Upon receipt of the Planning Commission's recommendation, the Council shall, at its next public meeting, set the date for the public meeting at which it may adopt or reject the recommendations of the Commission. The Council shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall consider all relevant facts to determine whether the public interest will be served by the subdivision and dedication, and if it finds that the proposed plat makes appropriate provision for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, fire protection facilities, parks, playgrounds, sites for schools and schoolgrounds and that the public use and interest will be served by the platting of such subdivision, then it shall be approved. If it finds that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, then the Council may disapprove the

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proposed plat. Dedication of land to any public body may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Council shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners.
(Ord. 105636 § 22(part), 1976.)

24.98.400 Council action—Consideration of physical characteristics.

The Council shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the Council covering any land situated in a flood-control zone as provided in RCW Chapter 86.16 without prior written approval of the State Department of Ecology.
(Ord. 105636 § 22(part), 1976.)

24.98.410 Council action—Necessity for public hearing.

If, after considering the matter at a public meeting, the Council determines that a change is necessary in the Commission's recommendation, it shall conduct a public hearing and thereupon adopt its own recommendations and approve or disapprove the preliminary plat. Such public hearing may be held before a committee constituting a majority of the Council, which shall report its recommendations on the matter to the Council for action by resolution.
(Ord. 105636 § 22(part), 1976.)

24.98.420 Council action—Notification of applicant, Commission and parties of record.

The Council shall notify the applicant, the Commission, and all parties of record of its action on the preliminary plat and shall forward approved copies, together with any conditions imposed by the Council, to the City Engineer and to the Administrator. Preliminary plats shall be approved, disapproved or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the ninety-day period shall not include the time spent preparing and circulating the environmental impact statement by the Administrator.
(Ord. 105636 § 22(part), 1976.)

24.98.430 Preliminary plat approval—Authorization for subdivider.

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision facilities and improvements as required in the approved preliminary plat in strict accordance with the plans and specifications as prepared by the City Engineer and subject to any conditions imposed by the Council.
(Ord. 105636 § 23, 1976.)

24.98.440 Improvements—Streets, bridges and other construction.

All streets, bridges, drains, culverts, and other structures and facilities in dedicated areas shall be constructed in accordance with plans and specifications prepared by the City Engineer and approved by the Board of Public Works.
(Ord. 105636 § 24(part), 1976.)

24.98.450 Improvements—Street grading and surfacing.

All dedicated streets shall be graded to their full width with adequate drainage provided prior to acceptance for public use. Grades shall be established by the City Engineer and all roadways shall be surfaced with crushed rock, asphalt, or concrete according to plans and specifications prepared by the City Engineer.
(Ord. 105636 § 24(part), 1976.)

24.98.460 Improvements—Water and sewers.

Water supply facilities adequate to provide potable water from a public supply to each lot within a subdivision shall be installed in conformity with standards adopted by the Board of Public Works. Each lot shall be provided with a sanitary sewer system connection approved by the Seattle-King County Health Department unless the Health Department determines that the lots can be adequately served with private septic tanks. All connections shall conform to applicable city ordinances.
(Ord. 105636 § 24(part), 1976.)

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24.98.470 Improvements—Service mains and fire hydrants.

Prior to the construction of any structure in the subdivision, service mains and fire hydrants shall be installed in accordance with plans and specifications prepared by the City Engineer and approved by the Board of Public Works and in accordance with requirements and standards of the Water and Fire Departments.
(Ord. 105636 § 24(part), 1976.)

24.98.480 Final plat—Filing with City Engineer.

As soon as practicable after the preliminary plat has been approved, and not beyond twelve months, except when a time extension is granted by the Council, the subdivider shall file the original and two copies of the proposed final plat with the City Engineer. The final plat shall be accompanied by:

A. A complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes as provided in Section 24.98.300;

B. A title report from a title company licensed to do business in the state showing the ownership and title of all parties of interest in the subdivision and confirming that title of the lands as described and shown on the final plat thereof is in the name of the owners signing the certificate required in Section 24.98.490;

C. A guarantee deposit in an amount established by the City Engineer sufficient to cover the expense of the city in checking the plat, advertising the ordinance, posting notices;

D. Money or a check payable to the King County Director of Records and Elections sufficient to cover the recording fee.
(Ord. 105636 § 25, 1976.)

24.98.490 Final plat—Requirements—Certificates.

A. Each and every final plat, or replat, of any property to be filed for record shall:

1. Contain a statement of approval from the City Engineer as to the survey date, the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems, and other structures;

2. Be acknowledged by the person filing the plat before the auditor of the county in which the land is located, or any other officer who is authorized by law to take acknowledgment of deeds, and a certificate of said acknowledgment shall be enclosed or annexed to such plat and recorded therewith;

3. Contain a certification from the proper officer or officers in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged;

4. Contain a certificate giving a full and correct description of the lands divided as they appear on the plat, including a statement that the subdivision has been made with the free consent and in accordance with the desires of the owners. If the plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, an individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided.

B. Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes, as a quitclaim deed to the donee or donees, grantee or grantees, for his, her or their use for the purpose intended by the donors or grantors as aforesaid.
(Ord. 105636 § 26, 1976.)

24.98.500 Final plat—Technical standards.

A. The final plat shall be prepared upon the best grade of tracing medium and shall be eighteen inches by twenty-two inches in size. The accuracy and completeness of the map shall be the sole responsibility of a registered land surveyor whose seal shall appear on the plat and who shall make such field surveys and investigations as necessary to insure that the map is complete and accurate in every detail. The preparation of the tracing shall be by an experienced draftsman and work shall conform to established standards of workmanship. All drafting shall be done in black india ink and all signatures shall be in black ink. No colored inks will be permitted. All subdivision lines shall be

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shown as accurately as possible on the map and all distances shall scale accurately to within a line width. The final plat shall be presented at a scale not smaller than one hundred feet to one inch and shall contain and show the following:

1. The name of the subdivision;

2. The lines, widths and names of all streets, avenues, places, parks, or other public property, and the location of monuments marking the same;

3. The length and direction of all lot lines, also the angles made thereby with the street lines;

4. The location of control points and monuments together with all ties;

5. The names of all subdivisions immediately adjacent;

6. The scale and north point;

7. The boundary of the tract as covered by the plat showing courses and distance thereon;

8. The initial point.

B. In the case of a replat, the lots, blocks, streets, alleys, easements, and parks appearing on the original plat shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat and the new plat being clearly shown in solid lines to avoid ambiguity.

C. The description, dedication, acknowledgment, certificates of City and County Treasurers, certificates of approval by the City Engineer, the City Comptroller, and the Administrator, and recording certificate shall be lettered with india ink and shall be substantially in the form set forth in the City Engineer's Subdivision Manual.

(Ord. 105636 § 27, 1976.)

24.98.510 Final plat—Review by Administrator and City Engineer.

The City Engineer shall refer the final plat to the Administrator who shall review the final plat for substantial conformance to the approved preliminary plat, including any requirements or conditions imposed by the Council, and to the standards established by RCW Chapter 58.17 and this chapter, and shall within ten days furnish the City Engineer with a report thereon. The City Engineer shall review the final plat for the following:

A. That the proposed final plat bears the certificates and statements of approval required by state law and this chapter;

B. That a title insurance report furnished by the subdivider confirms the title of the land and the proposed subdivision is vested in the name of the owners whose signatures appear on the plat certificate;

C. That the facilities and improvements required to be provided by the subdivider have been completed or alternatively, that the subdivider will provide a bond in a form approved by the City Attorney and in an amount commensurate with the cost of improvements remaining to be completed, conditioned upon the construction and installation of improvements within a fixed time set by the Council, not to exceed two years after final approval of the plat.

D. That the map is technically correct and accurate as certified by the registered land surveyor responsible for the plat.

(Ord. 105636 § 28, 1976.)

24.98.520 Final plat—Submission to Council.

If the review of the City Engineer and report of the Administrator are favorable, the City Engineer shall certify that the proposed final plat meets the requirements of RCW Chapter 58.17 and this chapter, and shall forward the original and one copy to the Council. If the findings of either the Administrator or City Engineer are unfavorable, the final plat shall be returned to the applicant for such modification, correction, or other action as may be required for approval; provided, that the final plat shall be forwarded to the Council together with the findings of the Administrator and City Engineer, whether favorable or unfavorable, upon written request of the subdivider.

(Ord. 105636 § 29, 1976.)

24.98.530 Final plat—Council determination—Approval or disapproval.

A. The Council shall determine:

1. Whether the requirements imposed when the preliminary plat was approved have been met;

2. Whether the bond, if required by the city, is sufficient in its terms to assure completion of improvements; and

3. Whether the requirements of state law and this chapter have been satisfied by the subdivider.

B. Council shall thereupon approve by ordinance, or disapprove the proposed final plat. If the Council approves the plat, the City Engineer

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shall transmit the orginal plat to the County Auditor for filing, and forward one copy thereof to the Administrator and one copy to the County Assessor. At least one reproducible copy of the approved final plat shall be retained in the files of the City Engineer.

C. Within thirty days of the date of filing thereof, unless the applicant consents to an extension of such time period, final plats shall be approved, or disapproved by action of the Council, or returned to the applicant.
(Ord. 105636 § 30, 1976.)

24.98.540 Final plat—Resubmission.

A. Any final plat disapproved by the Council or returned to the applicant may, at the subdivider's option, be resubmitted for approval as provided in Section 24.98.480 et seq. of this chapter upon satisfaction of the following conditions:

1. The subdivider has, to the best of his knowledge, corrected those deficiencies of the final plat, attachments thereto, or improvements, any or all of which caused the final plat to be returned or disapproved;

2. The final plat is resubmitted within twelve months after the date of approval of the preliminary plat, unless a time extension has been granted by the Council;

3. Such final plat was not disapproved by Council with prejudice against resubmission;

4. The subdivider has not accepted any proffered refund of filing fees paid for individual lots.

B. Any subdivision, the final plat of which is disapproved for reasons of nonconformance with the approved preliminary plat and any requirements or conditions attached thereto, may be submitted as a preliminary plat as provided in Section 24.98.330, and shall be considered a new and separate application for all intents and purposes.
(Ord. 105636 § 31, 1976.)

24.98.550 Violations—No permits—Exceptions.

No building permit, septic tank permit, or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of RCW Chapter 58.17 or this chapter, unless the authority authorized to issue such permit finds that the public interest will not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser of value without actual notice. All purchaser's or transferee's property shall comply with provisions of RCW Chapter 58.17 and this chapter, and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling or transferring land in violation of RCW Chapter 58.17 or this chapter, including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of RCW Chapter 58.17 and this chapter as well as cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming his property to these requirements, rescind the sale or transfer and recover costs of investigation, suit, and reasonable attorneys' fees occasioned thereby.
(Ord. 105636 § 32, 1976.)

24.98.560 Enforcement.

No person shall transfer, sell, lease, or offer for transfer, sale or lease, any land subject to the requirements of this chapter until the requirements of this chapter have been satisfied. A civil action may be instituted to enjoin violations or attempted violations and to compel compliance with this chapter. In addition, anyone violating or failing to comply with this chapter, upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment for not more than six months or both such fine and imprisonment, and each day that anyone shall continue to violate or fail to comply with this chapter shall be a separate offense.
(Ord. 105636 § 33, 1976.)

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