

1 Section 68. The Title of Chapter 23.54 of the Seattle Municipal Code, which Chapter
2 was last amended by Ordinance 123209, is amended as follows:

3 **Chapter 23.54 Quantity and Design Standards for Access, ~~((and))~~Off-Street**
4 **Parking, and Solid Waste Storage**

5 Section 69. A new Section 23.54.040 of the Seattle Municipal Code is added as follows:

6 **23.54.040 Solid waste and recyclable materials storage and access**
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8 A. Except as provided in subsection I of this Section 23.54.040, in downtown,
9 multifamily, and commercial zones, storage space for solid waste and recyclable materials
10 containers shall be provided as shown in Table A for 23.54.040 for all new structures, and for
11 existing structures to which two or more dwelling units are added.

12 1. Residential uses proposed to be located on separate platted lots, for which each
13 dwelling unit will be billed separately for utilities, shall provide one storage area per dwelling
14 unit that has minimum dimensions of 2 feet by 6 feet.

15 2. Residential development for which a home ownership association or other
16 single entity exists or will exist as a sole source for utility billing may meet the requirement in
17 subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.
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19 3. Nonresidential development shall meet the requirement in Table A for
20 23.54.040.
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Table A for 23.54.040: Shared Storage Space for Solid Waste Containers	
Residential Development	Minimum Area for Shared Storage Space
2-8 dwelling units	84 square feet
9-15 dwelling units	150 square feet
16-25 dwelling units	225 square feet
26-50 dwelling units	375 square feet

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51-100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C
Nonresidential Development (Based on gross floor area of all structures on the lot)	
Minimum Area for Shared Storage Space	
0--5,000 square feet	82 square feet
5,001--15,000 square feet	125 square feet
15,001--50,000 square feet	175 square feet
50,001--100,000 square feet	225 square feet
100,001--200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed use development that contains both residential and nonresidential uses, shall meet the requirements of subsection 23.54.040.B.	

B. Mixed use development that contains both residential and nonresidential uses shall meet the storage space requirements shown in Table A for 23.54.040 for residential development, plus 50 percent of the requirement for nonresidential development. In mixed use developments, storage space for garbage may be shared between residential and nonresidential uses, but separate spaces for recycling shall be provided.

C. For development with more than 100 dwelling units, the required minimum area for storage space may be reduced by 15 percent, if the area provided as storage space has a minimum horizontal dimension of 20 feet.

D. The storage space required by Table A for 23.54.040 shall meet the following requirements:



1 1. For developments with 8 or fewer dwelling units, the minimum horizontal
2 dimension (width and depth) for required storage space is 7 feet. For developments with 9
3 dwelling units or more, the minimum horizontal dimension of required storage space is 12 feet;

4 2. The floor of the storage space shall be level and hard-surfaced, and the floor
5 beneath garbage or recycling compactors shall be made of concrete; and

6 3. If located outdoors, the storage space shall be screened from public view and
7 designed to minimize light and glare impacts.
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9 E. The location of all storage spaces shall meet the following requirements:

10 1. The storage space shall be located on the lot of the structure it serves and, if
11 located outdoors, shall not be located between a street-facing facade of the structure and the
12 street;
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14 2. The storage space shall not be located in any required driveways, parking
15 aisles, or parking spaces;

16 3. The storage space shall not block or impede any fire exits, any public rights-of-
17 way, or any pedestrian or vehicular access;

18 4. The storage space shall be located to minimize noise and odor impacts on
19 building occupants and beyond the lot lines of the lot;
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21 5. The storage space shall meet the contractor safety standards promulgated by
22 the Director of Seattle Public Utilities; and

23 6. The storage space shall not be used for purposes other than solid waste and
24 recyclable materials storage and access.
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1 F. Access for service providers to the storage space from the collection location shall
2 meet the following requirements:

3 1. For containers 2 cubic yards or smaller:

4 a. Containers to be manually pulled shall be placed no more than 50 feet
5 from a curb cut or collection location;

6 b. Collection location shall not be within a bus stop or within the right-of-
7 way area abutting a vehicular lane designated as a sole travel lane for a bus;

8 c. Access ramps to the storage space shall not exceed a grade of 6 percent;
9 and
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11 d. Any gates or access routes for trucks shall be a minimum of 10 feet
12 wide.
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14 2. For containers larger than 2 cubic yards and all compacted refuse containers:

15 a. Direct access shall be provided from the alley or street to the containers;

16 b. Any gates or access routes for trucks shall be a minimum of 10 feet
17 wide;

18 c. Collection location shall not be within a bus stop or within the street
19 right-of-way area abutting a vehicular lane designated as a sole travel lane for a bus;

20 d. If accessed directly by a collection vehicle, whether into a structure or
21 otherwise, a 21 foot overhead clearance shall be provided.
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23 G. Access for occupants to the storage space from the collection location shall meet the
24 following requirements:

25 1. Direct access shall be provided from the alley or street to the containers;
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1 C. Development ~~((S))~~standards.

2 1. Location. Minor communication utilities and accessory communication devices
3 regulated pursuant to Section 23.57.002 and amateur radio towers:

4 a. Are prohibited in a required front or side setback.

5 b. May be located in a required rear setback, except for transmission
6 towers.

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8 c. In all Lowrise, Midrise and Highrise zones, minor communication
9 utilities and accessory communication devices may be located on rooftops of buildings,
10 including sides of parapets and penthouses above the roofline. Rooftop space within the
11 following parameters shall not count toward meeting open space or ~~((residential))~~ amenity area
12 requirements: the area 8 feet from and in front of a directional antenna and at least 2 feet from
13 the back of a directional antenna, or, for an omnidirectional antenna, 8 feet away from the
14 antenna in all directions. The Seattle-King County Public Health Department may require a
15 greater distance for paging facilities after review of the Non-Ionizing Electromagnetic Radiation
16 (NIER) report.

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18 * * *

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20 Section 71. Subsection C.1 of Section 23.57.012, which section was last amended by
21 Ordinance 122311, is amended as follows:

22 **23.57.012 Commercial zones~~((+))~~**

23 * * *

24 C. Development ~~((S))~~standards.



1 1. Location and ~~((H))~~height. Facilities in special review, historic, and landmark
2 districts are subject to the standards of Section 23.57.014. On sites that are not in special review,
3 historic, or landmark districts, antennas may be located on the rooftops of buildings, including
4 sides of parapets and equipment penthouses above the roofline, subject to the height limits in
5 ~~((Paragraphs))~~ subsections 23.57.012.C.1.a and C.1.b, as limited by ~~((Paragraph))~~ subsection
6 23.57.012.C.1.c. below:

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8 a. Utilities and devices located on a rooftop of a building nonconforming
9 as to height may extend up to ~~((fifteen-))~~15~~(())~~ feet above the height of the building legally
10 existing as of the effective date of Ordinance 120928.¹

11 b. Utilities and devices located on a rooftop of a building that conforms to
12 the height limit may extend up to ~~((fifteen-))~~15~~(())~~ feet above the zone height limit or above the
13 highest portion of a building, whichever is less.

14 c. Any height above the underlying zone height limit permitted under
15 subsections 23.57.012.C.1.a and C.1.b, shall be allowed only if the combined total coverage by
16 communication utilities and accessory communication devices, in addition to the roof area
17 occupied by rooftop features listed in Section 23.47A.012.D.4, does not exceed ~~((twenty))~~ 20
18 percent ~~((20%))~~ of the total rooftop area, or ~~((twenty-five))~~ 25 percent ~~((25%))~~ of the rooftop
19 area ~~((when))~~ if mechanical equipment is screened.

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21 d. The following rooftop areas shall not be counted towards ~~((residential))~~
22 amenity area requirements:

23 ~~((i))~~1. The area ~~((eight-))~~8~~(())~~ feet from and in front of a
24 directional antenna and the area ~~((two-))~~2~~(())~~ feet from and in back of a directional antenna.
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1 Section 73. Subsection B of Section 23.71.030, which section was enacted by Ordinance
2 116795, is amended as follows:

3 **23.71.030 Development standards for transition areas within the Northgate Overlay**

4 **District((:))**

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7 B. The requirements of this ((section)) Section 23.71.030 apply to development on lots in
8 the more intensive zones under the following conditions:

9 1. Where a lot zoned ((~~Lowrise 4 (L4)~~)) Lowrise 3, (LR3), Midrise (MR),
10 Midrise/85 (MR/85) or Highrise (HR) abuts or is across a street or alley from a lot zoned Single-
11 Family (SF), ((~~Lowrise Duplex Triplex (LDT)~~)) Lowrise 1 (LR1), or Lowrise 2 (LR2); and

12 2. Where a lot zoned Neighborhood Commercial 2 or 3 (NC2, NC3) with a height
13 limit of ((~~forty~~)40((:))) feet or greater abuts or is across a street or alley from a lot zoned
14 Single-Family (SF), ((~~Lowrise Duplex Triplex (LDT)~~)) Lowrise 1 (LR1), or Lowrise 2 (LR2).

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17 Section 74. Section 23.71.036 of the Seattle Municipal Code, which section was enacted
18 by Ordinance 116795, is amended as follows:

19 **23.71.036 Maximum width and depth of structures((:))**

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21 The maximum width and depth requirements of this ((section)) Section 23.71.036 shall
22 apply only to portions of a structure within ((~~fifty~~)50((:))) feet of a lot line abutting, or directly
23 across a street right-of-way ((~~which~~)) that is less than ((~~eighty~~)80((:))) feet in width, from a less
24 intensive residential zone as provided in Table A for 23.71.036((-A)).



Table A for 23.71.036((A)): Structure Width and Depth Standards for Transition Areas

Subject ((Site)) <u>Lot</u>	Abutting Residential zone (or) zone across a street right-of-way less than ((eighty ()))80(()) feet in width.	Maximum Width	Maximum Depth
((L4)) <u>LR3, MR, MR/85, and HR</u>	Single-((F))family, ((LDT,)) <u>LR1, or LR2</u>	Apartments: 75 feet	65% depth of lot with no individual structure to exceed 90 feet
		Rowhouse((s)) and ((F))townhouse((s)) <u>developments:</u> 130 feet	
NC2 and NC3 ((w/)) <u>with 40 ((feet)) foot or greater height limits ((in width.))</u>	Single-((F))family, ((LDT,)) <u>LR1, or LR2</u>	Above a height of 30 feet, wall length shall not exceed 80% of <u>the length of the abutting lot line</u> , to a maximum of 60 feet.	

Section 75. Subsection A of Section 23.76.004, and Exhibit 23.76.004 A of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended to read as follows:

23.76.004 Land use decision framework((:))

A. Land use decisions are classified into five ((5)) categories based on the amount of discretion and level of impact associated with each decision. Procedures for the five ((5)) different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are categorized by type in ((Exhibit A)) Table A for 23.76.004.

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((Exhibit 23.76.004 A))Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR'S AND HEARING EXAMINER'S
DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III HEARING Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Compliance with development standards • Uses permitted outright • Temporary uses, four weeks or less • Intermittent uses • Certain street uses • Lot boundary adjustments • Modifications of features bonused under Title 24 • Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation • Temporary uses for relocation of police and fire stations • Exemptions from right-of-way improvement requirements • Special accommodation • Reasonable accommodation • Minor amendment to a Major Phased Development Permit • Determination of public benefit for combined lot FAR • Determination of 	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations • Variances • Administrative conditional uses • Shoreline decisions (*Appealable to Shorelines Hearings Board along with all related environmental appeals) • Short subdivisions • Special Exceptions • Design review, <u>except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested</u> • Light rail transit facilities • The following environmental determinations: <ol style="list-style-type: none"> 1. Determination of nonsignificance (EIS not required) 2. Determination of final EIS adequacy 3. Determination of significance based solely on historic and cultural preservation 4. A decision by the 	<p align="center">Subdivisions (preliminary plats)</p>



**((Exhibit 23.76.004 A)) Table A for 23.76.004
 LAND USE DECISION FRAMEWORK
 DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III HEARING Examiner's Decision (No Administrative Appeal)
<p>whether an amendment to a Property Use and Development Agreement is major or minor</p> <ul style="list-style-type: none"> • <u>Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are requested</u> • Other Type I decisions that are identified as such in the Land Use Code 	<p>Director to approve, condition or deny a project based on SEPA Policies</p> <p>5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required)</p> <ul style="list-style-type: none"> • Major Phased Development • Downtown Planned Community Developments 	

* * *

Section 76. Subsections B and C of Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 122824, are amended to read as follows:

23.76.006 Master Use Permits required((τ))

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B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;
2. Establishment or change of use for uses permitted outright, temporary uses for four weeks or less not otherwise permitted in the zone, and temporary relocation of police and fire stations for 24 months or less;



1 3. The following street use approvals associated with a development proposal:

2 a. Curb cut for access to parking((§));

3 b. Concept approval of street improvements, such as additional on-street
4 parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving((§));

5 c. Structural building overhangs((§));

6 d. Areaways;

7
8 4. Lot boundary adjustments;

9 5. Modification of the following features bonused under Title 24:

10 a. Plazas((§));

11 b. Shopping plazas((§));

12 c. Arcades((§));

13 d. Shopping arcades((§));

14 e. Voluntary building setbacks;

15
16 6. Determinations of Significance (determination that an environmental impact
17 statement is required) for Master Use Permits and for building, demolition, grading and other
18 construction permits (supplemental procedures for environmental review are established in
19 Chapter 25.05, Environmental Policies and Procedures), except for Determinations of
20 Significance based solely on historic and cultural preservation;

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22 7. Discretionary exceptions for certain business signs authorized by Section
23 23.55.042D;

24 8. Waiver or modification of required right-of-way improvements;

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26 9. Special accommodation pursuant to Section 23.44.015;



1 10. Reasonable accommodation;

2 11. Minor amendment to Major Phased Development Permit;

3 12. Determination of public benefit for combined lot development;

4 13. Streamlined design review pursuant to Section 23.41.018, if no development

5 standard departures are requested pursuant to Section 23.41.012; and

6 ((13))14. Other Type I decisions that are identified as such in the Land Use Code.

7 C. The following are Type II decisions:

8 1. The following procedural environmental decisions for Master Use Permits and
9 for building, demolition, grading and other construction permits are subject to appeal to the
10 Hearing Examiner and are not subject to further appeal to the City Council (supplemental
11 procedures for environmental review are established in SMC Chapter 25.05, Environmental
12 Policies and Procedures):

13 a. Determinations of Nonsignificance (DNSs), including mitigated DNSs;
14 b. Determination that a final environmental impact statement (EIS) is
15 adequate; and
16

17 c. Determination of Significance based solely on historic and cultural
18 preservation.
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20 2. The following decisions, including any integrated decisions to approve,
21 condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner (except
22 shoreline decisions and related environmental determinations, which are appealable to the
23 Shorelines Hearings Board):
24



1 a. Establishment or change of use for temporary uses more than four
2 weeks not otherwise permitted in the zone or not meeting development standards, including the
3 establishment of temporary uses and facilities to construct a light rail transit system for so long
4 as is necessary to construct the system as provided in Section 23.42.040.F((E)), but excepting
5 temporary relocation of police and fire stations for 24 months or less;

6 b. Short subdivisions;

7
8 c. Variances; provided that, variances sought as part of a Type IV decision
9 may be granted by the Council pursuant to Section 23.76.036;

10 d. Special exceptions; provided that, special exceptions sought as part of a
11 Type IV decision may be granted by the Council pursuant to Section 23.76.036;

12 e. Design review, including streamlined design review pursuant to Section
13 23.41.018 if development standard departures are requested pursuant to Section 23.41.012;

14 f. Administrative conditional uses; provided that, administrative
15 conditional uses sought as part of a Type IV decision may be approved by the Council pursuant
16 to Section 23.76.036;

17 g. The following shoreline decisions (supplemental procedures for
18 shoreline decisions are established in Chapter 23.60):

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21 ((E))1) Shoreline substantial development permits,

22 ((E))2) Shoreline variances,

23 ((E))3) Shoreline conditional uses;

24 h. Major Phased Development;



1 i. Determination of project consistency with a planned action ordinance
2 and EIS;

3 j. Establishment of light rail transit facilities necessary to operate and
4 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

5 k. Establishment of monorail transit facilities necessary to operate and
6 maintain a monorail transit system, in accordance with the provisions of Section 23.80.004 and
7 Section 15.54.020; and
8

9 l. Downtown planned community developments.

10 * * *

11 Section 77. Section 23.76.011 of the Seattle Municipal Code, which Section was last
12 amended by Ordinance 122054, is amended as follows:

13 **23.76.011 Notice of ~~((early))~~ design guidance and planned community development**
14 **process(~~(-)~~)**
15

16 A. The Director shall provide the following notice for the required early design guidance
17 process or streamlined administrative design review (SDR) guidance process for design review
18 projects subject to any of Sections 23.41.014, 23.41.016, and 23.41.018, and for the preparation
19 of priorities for planned community developments:
20

21 1. Publication of notice in the Land Use Information Bulletin; and

22 2. Mailed notice; and

23 B. The applicant shall post one ~~((+))~~ land use sign visible to the public at each street
24 frontage abutting the site except ~~((,-when))~~ that if there is no street frontage or the site abuts an
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1 unimproved street, the Director shall require either more than one ~~((1))~~ sign and/or an
2 alternative posting location so that notice is clearly visible to the public.

3 C. For the required meeting for the preparation of priorities for a planned community
4 development, and for a public meeting required for early design guidance, the time, date,
5 location and purpose of the meeting shall be included with the mailed notice.

6 D. The land use sign may be removed by the applicant the day after the public meeting.

7 Section 78. Subsection B of Section 23.76.012 of the Seattle Municipal Code, which
8 Section was last amended by Ordinance 121477, is amended as follows:
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10 **23.76.012 Notice of application~~((+))~~**

11 * * *

12 B. Types of ~~((N))~~notice ~~((R))~~required.
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14 1. For projects subject to environmental review, or design review~~((, except~~
15 ~~administrative design review))~~ pursuant to Section 23.41.014, the department shall direct the
16 installation of an environmental review sign on the site, unless an exemption or alternative
17 posting as set forth in this subsection 23.76.012.B is applicable. The environmental review sign
18 shall be located so as to be clearly visible from the adjacent street or sidewalk, and shall be
19 removed at the direction of the department after final City action on the application has been
20 completed.
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22 a. In the case of submerged land, the environmental review sign shall be
23 posted on adjacent dry land, if any, owned or controlled by the applicant. If there is no adjacent
24 dry land owned or controlled by the applicant, notice shall be provided according to subsection
25 23.76.012.B.1.c.
26

1 b. Projects limited to interior remodeling, or which are subject to
2 environmental review only because of location over water or location in an environmentally
3 critical area, are exempt from the environmental review sign requirement.

4 c. When use of an environmental review sign is neither feasible nor
5 practicable to assure that notice is clearly visible to the public, the Director shall post ten ~~((10))~~
6 placards within ~~((three hundred-))~~300~~(())~~ feet of the site and at the closest street intersections
7 when one ~~((1))~~ or more of the following conditions exist:
8

9 (1) The project site is over ~~((five-))~~5~~(())~~ acres;

10 (2) The applicant is not the property owner, and the property owner
11 does not consent to the proposal;

12 (3) The site is subject to physical characteristics such as steep
13 slopes or is located such that the environmental review sign would not be highly visible to
14 neighboring residents and property owners or interested citizens.
15

16 d. The Director may require both an environmental review sign and the
17 alternative posting measures described in subsection 23.76.012.B.1.c, or may require that more
18 than one ~~((1))~~ environmental review sign be posted, when necessary to assure that notice is
19 clearly visible to the public.
20

21 2. For projects that are categorically exempt from environmental review, the
22 department shall post one ~~((1))~~ land use sign visible to the public at each street frontage
23 abutting the site except, when there is no street frontage or the site abuts an unimproved street,
24 the Director may post more than one ~~((1))~~ sign and/or an alternative posting location so that
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1 notice is clearly visible to the public. The land use sign may be removed by the applicant within
2 ((fourteen-))14(()) days after final action on the application has been completed.

3 3. For all projects requiring notice of application, the Director shall provide notice
4 in the Land Use Information Bulletin. For projects subject to the environmental review, notice in
5 the Land Use Information Bulletin shall be published after installation of the environmental
6 review sign.

7
8 4. In addition, for variances, administrative conditional uses, temporary uses for
9 more than ((four-))4(()) weeks, shoreline variances, shoreline conditional uses, short plats, early
10 design guidance process, School Use Advisory Committee (SUAC) formation and school
11 development standard departure, the Director shall provide mailed notice.

12
13 5. Mailed notice of application for a project subject to design review, ((~~of~~
14 ~~administrative design review~~)) except streamlined design review pursuant to Section 23.41.018
15 for which no development standard departure pursuant to Section 23.41.012 is requested, shall be
16 provided to all persons establishing themselves as parties of record by attending an early design
17 guidance public meeting for the project or by corresponding with the Department about the
18 proposed project before the date of publication.

19
20 6. Additional notice for subdivisions shall include mailed notice and publication
21 in at least one (((1))) community newspaper in the area affected by the subdivision.

22 * * *

23 Section 79. Section 23.76.026 of the Seattle Municipal Code, which Section was last
24 amended by Ordinance 122611, is amended as follows:

25 **23.76.026 Vesting ((~~of development rights~~))**
26

1 A. Master Use Permit ~~((C))~~ components ~~((O))~~ other ~~((F))~~ than ~~((S))~~ subdivisions and
2 ~~((S))~~ short ~~((S))~~ subdivisions. Except as otherwise provided in this Section 23.76.026 or otherwise
3 required by law, ((A)) applications for all Master Use Permit components except subdivisions and
4 short subdivisions shall be considered under the Land Use Code and other land use control
5 ordinances in effect on the date:

6 1. Notice of the Director's decision on the application is published, if the decision
7 can be appealed to the Hearing Examiner, or the Director's decision if no Hearing Examiner
8 appeal is available; or

9 2. A fully complete building permit application, ~~((meeting the requirements of))~~
10 as determined under Section 106 of the Seattle Building Code or Section R105 of the Seattle
11 Residential Code, is filed.

12 B. Subdivision and ~~((S))~~ short ~~((S))~~ subdivision ~~((C))~~ components of Master Use Permits.
13 An application for approval of a subdivision or short subdivision of land shall be considered
14 under the Land Use Code and other land use control ordinances in effect when a fully complete
15 ~~((Master Use Permit))~~ application for such approval that satisfies the requirements of Section
16 23.22.020 (subdivision) or Sections 23.24.020 and 23.24.030 (short subdivision) is submitted to
17 the Director.

18 C. Design ~~((R))~~ review ~~((C))~~ component of Master Use Permits.

19 1. If a complete application for a Master Use Permit is filed prior to the date
20 design review becomes required for that type of project, no design review component ~~((shall be))~~
21 is required.



1 2. A complete application for a Master Use Permit that includes a design review
2 component shall be considered under the Land Use Code and other land use control ordinances
3 in effect on the date a complete application for the ~~((design review))~~ early design guidance
4 process or SDR guidance process is submitted to the Director, provided that such Master Use
5 Permit application is filed within ~~((ninety (90)))~~ 90 days of the date of the early design guidance
6 public meeting if an early design guidance public meeting is required, or within 90 days of the
7 date the Director provided guidance if no early design guidance public meeting is required.
8

9 D. ~~((Notwithstanding any other provision of this section or this chapter, no application
10 for a permit for development that is subject to Chapter 25.09 and that is proposed for a landslide-
11 prone area as described in Section 25.09.020 B1a, shall vest during the term of the ordinance
12 codified in this section unless the Director permits the work pursuant to subsections A, B, C, D,
13 or E of Section 25.09.010.))~~ {RESERVED}
14

15 E. ~~((Notwithstanding any other provision of this section or this chapter, all development
16 that is subject to Chapter 25.09 and that is proposed for a landslide-prone area as described in
17 Section 25.09.020 B1a, shall have its vested rights suspended as follows during the term of the
18 ordinance codified in this section:~~
19

20 1. ~~No notice of the Director's decision on an application for a Master Use Permit
21 shall be published unless the Director is satisfied that no significant changes in conditions at the
22 site or surrounding area have occurred that render invalid or out-of-date the analysis and
23 recommendations contained in the technical reports and other application materials previously
24 submitted to DPD as part of the application for the Master Use Permit;~~
25

26 2. ~~No building permit shall issue; and~~
27
28

1 a. For applications subject to design review by the Design Review Board,
2 transmit notice of the early design guidance public meeting to the City Clerk for filing with the
3 City Council promptly at the same time public notice is provided.

4 b. For applications subject to ~~((administrative))~~ design review pursuant to
5 Sections 23.41.016 or 23.41.018, transmit notice of the application to the City Clerk for filing
6 with the City Council promptly after the applicant applies to begin the early design guidance or
7 SDR design guidance process.

8
9 3. ~~((for))~~ For applications for Major Institution Master Plans, the Director shall
10 transmit the notice of intent to prepare a master plan to the City Clerk for filing with the City
11 Council promptly after the notice of intent is received.

12 * * *

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14 Section 81. Section 23.84A.002 of the Seattle Municipal Code, which section was last
15 amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical
16 order, and to amend a definition, as follows:

17 **23.84A.002 "A"**

18 * * *

19
20 "Amenity area" means space that provides opportunity for active or passive recreational
21 activity for residents of a development or structure, including landscaped open spaces, decks and
22 balconies, roof gardens, plazas, courtyards, play areas, and sport courts.

23 "Amenity area, common" means amenity area that is available for use by all occupants of
24 a residential use.

* * *

"Facade, interior" means any facade of a structure ~~((within a cluster development,))~~ that faces, or portions of which face, the facade(s) of another structure(s) ~~((within the same development))~~ located on the same lot.

~~("Facade, perimeter" means any facade of a structure within a cluster development, that is either a front, rear or side facade.)~~

* * *

"Facade, street-facing" means for any street lot line, all portions of the facade, measured from grade to the eaves of a sloping roof, or to the top of the parapet on a flat roof, ~~((including modulations,))~~ that are:

1. oriented at less than a ~~((ninety-))~~90(~~(°))~~ degree angle to the street lot line; and
2. not separated from the street lot line by another lot, or any structure except a fence, ramp, solar collector, or sign~~((or another lot)).~~

* * *

"Frequent transit service." See "Transit service, frequent."

* * *

Section 85. Section 23.84A.014 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended to delete two definitions as follows:

23.84A.014 "G"

* * *

~~("Ground-related dwelling unit" means a dwelling unit with direct access to private ground-level usable open space. The open space may be located at the front, sides or rear of the~~



1 ~~structure, and not more than ten (10) feet above or below the unit. Access to the open space shall~~
2 ~~not go through or over common circulation areas, common or public open spaces, or the open~~
3 ~~space of another unit.~~

4 ~~"Ground-related structure" means a structure containing only ground-related dwelling~~
5 ~~units.))~~

6 * * *

7
8 Section 86. Section 23.84A.024 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 123046, is amended to add a definition as follows:

10 **23.84A.024 "L"**

11 * * *

12 "Lot grade, existing" means the natural surface contour of a lot, as modified by minor
13 adjustments to the surface of the lot in preparation for construction. For purposes of this
14 definition, on a lot where excavation has occurred for previous development, the interpolated
15 grade based on existing grade elevations at the lot lines may be considered the natural surface
16 contour of the lot. Where an area in excess of two acres has been legally regraded, the resulting
17 grade shall be considered the existing lot grade.

18 * * *

19
20
21 "Lot line, alley" means a lot line that abuts upon an alley.

22 * * *

23 Section 87. Section 23.84A.025 of the Seattle Municipal Code, which section was last
24 amended by Ordinance 123209, is amended, as follows:

25
26 **Section 23.84A.025 "M"**



* * *

"Multifamily residential structure(-)" ((See "Residential use.")) means a structure containing only multifamily residential uses and permitted uses accessory to the multifamily residential uses.

* * *

Section 88. Section 23.84A.032 of the Seattle Municipal Code, which section was last amended by Ordinance 122935, is amended to delete definitions, amend definitions, and add new definitions, to be inserted in alphabetical order, as follows:

23.84A.032 "R."

* * *

~~("Residential amenity" means an area that provides opportunity for recreational activity for residents of a development or structure.)~~

* * *

"Residential district identification sign" means an off-premises sign that gives the name of the group of residential structures, such as a subdivision ~~((or cluster development)).~~

* * *

"Residential use" means any one or more of the following:

1. "Accessory dwelling unit" means ~~((a residential use in an additional room or set of))~~ one or more rooms that (a) are located within an owner-occupied ((single family residence)) dwelling unit, or within an accessory structure on the same lot as an owner-occupied ((single family residence)) dwelling unit; ~~((;))~~ (b) ((meeting)) meet the standards of Section



1 23.44.041 or 23.45.545; ~~((and))~~ (c) are designed, arranged, and ~~((occupied or))~~ intended to be
2 occupied by not more than one household as living accommodations independent from any other
3 household; and (d) are so occupied or vacant.

4 2. "Adult family home" means ~~((a residential use as))~~ an adult family home
5 defined and licensed as such by The State of Washington in a dwelling unit.

7 3. "Apartment" means a multifamily residential use that is not a cottage housing
8 development, rowhouse development, or townhouse development.

10 ~~((3))~~4. "Artist's studio/dwelling" means a combination working studio and
11 dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one
12 household.

14 ~~((4))~~5. "Assisted living facility" means a use licensed by The State of Washington
15 as a boarding home pursuant to RCW 18.20, that contains at least two assisted living units for
16 people who have either a need for assistance with activities of daily living (which are defined as
17 eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and
18 bathing) or some form of cognitive impairment but who do not need the skilled critical care
19 provided by nursing homes. ~~((An "assisted living facility" contains multiple assisted living units.~~
20 ~~An assisted living unit is a dwelling unit permitted only in an assisted living facility.)) See
21 "Assisted living unit."~~

24 ~~((5))~~6. "Caretaker's quarters" means a use accessory to a nonresidential use
25 consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a
26 caretaker or watchperson.



1 ~~((6. “Carriage House” means a residential use in a carriage house structure.))~~

2 ~~((7))~~7. “Congregate residence” means a use in which rooms or lodging, with or
3 without meals, are provided for nine or more non-transient persons not constituting a single
4 household, excluding single-family ~~((residences))~~ dwelling units for which special or reasonable
5 accommodation has been granted.

6 8. “Cottage housing development” means a use consisting of cottages arranged on
7 at least two sides of a common open space or a common amenity area. A cottage housing
8 development may include a carriage house structure. See “Cottage,” “Carriage house,” and
9 “Carriage house structure.”

10 ~~((8))~~9. “Detached accessory dwelling unit” means ~~((a residential use in an~~
11 ~~additional room or set of rooms located within an accessory structure on the same lot as an~~
12 ~~owner-occupied single-family residence meeting the standards of Section 23.44.041 and~~
13 ~~designed, arranged, occupied or intended to be occupied by not more than one household as~~
14 ~~living accommodations independent from any other household))~~ an accessory dwelling unit in an
15 accessory structure.

16 ~~((9))~~10. “Domestic violence shelter” means a dwelling unit managed by a
17 nonprofit organization, which unit provides housing at a confidential location and support
18 services for victims of ~~((family))~~ domestic violence.

19 ~~((10))~~11. “Floating home” means a dwelling unit constructed on a float that is
20 moored, anchored or otherwise secured in the water.

21 ~~((11))~~12. “Mobile home park” means ~~((a use in which))~~ a tract of land that is
22 rented for the use of more than one mobile home occupied as a dwelling unit.



1 ~~((12))~~13. "Multifamily residential use" means a use consisting of two or more
2 dwelling units in a structure or ((that)) portion of a structure ~~((containing two or more dwelling~~
3 ~~units))~~, excluding ~~((single family residences and))~~ accessory dwelling units.

4 ~~((13))~~14. "Multifamily residential use, low-income disabled" means a
5 multifamily residential use in which at least 90 percent of the dwelling units are occupied by one
6 or more persons who have a handicap as defined in the Federal Fair Housing Amendments Act
7 and who constitute a low-income household.

8 ~~((14))~~15. "Multifamily residential use, low-income elderly" means a residential
9 use in which at least 90 percent of the dwelling units are occupied by one or more persons
10 ~~((sixty two))~~ 62 or more years of age who constitute a low-income household.

11 ~~((15))~~16. "Multifamily residential use, low-income elderly/low-income disabled"
12 means a multifamily residential use in which at least 90 percent of the dwelling units (not
13 including vacant units) are occupied by a low-income household that includes a person who has
14 a handicap as defined in the Federal Fair Housing Amendment Act or a person ~~((sixty two))~~ 62
15 years of age or older, as long as the housing qualifies for exemptions from prohibitions against
16 discrimination against families with children and against age discrimination under all applicable
17 fair housing laws and ordinances.

18 ~~((16. "Multifamily residential use, very low income disabled" means a~~
19 ~~multifamily residential use in which at least 90 percent of the dwelling units are occupied by one~~
20 ~~or more persons who have a handicap as defined in the Federal Fair Housing Amendment Act~~
21 ~~and who constitute a very low income household."~~

1 ~~17. "Multifamily residential use, very low income elderly" means a residential~~
2 ~~use in which at least 90 percent of the dwelling units are occupied by one or more persons sixty-~~
3 ~~two or more years of age who constitute a very low income household.~~

4 ~~18. "Multifamily residential use, very low income elderly/very low income~~
5 ~~disabled" means a multifamily residential use in which at least 90 percent of the dwelling units~~
6 ~~(not including vacant units) are occupied by a very low income household that includes a person~~
7 ~~who has a handicap as defined in the Federal Fair Housing Amendments Act or a person sixty-~~
8 ~~two years of age or older, as long as the housing qualifies for exemptions from prohibitions~~
9 ~~against discrimination against families with children and against age discrimination under all~~
10 ~~applicable fair housing laws and ordinances.)~~

11 ~~((19))~~17. "Nursing home" means a ~~((residence, licensed by the state,))~~ use
12 licensed by The State of Washington as a nursing home, which provides full-time convalescent
13 and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to
14 care for themselves, but that does not provide care for the acutely ill or surgical or obstetrical
15 services. This definition excludes hospitals or sanitariums.

16 19. "Rowhouse Development" means a multifamily residential use in which: (a) each
17 dwelling unit occupies the space from the ground to the roof of the structure in which it is
18 located; (b) no portion of a dwelling unit occupies space above or below another dwelling unit,
19 except for dwelling units constructed over a shared parking garage; (c) each dwelling unit is
20 attached along at least one common wall to at least one other dwelling unit, or abuts another
21 dwelling unit on a common lot line; (d) the front of each dwelling unit faces a street; (e) each
22 dwelling unit provides pedestrian access directly to the street that it faces; and (f) there is no



1 intervening principal structure between any dwelling unit and the street, or between any dwelling
2 unit and a lot line.

3
4 ((20))20. "Single-family ((residence))dwelling unit" means ((a residential use
5 in))a detached structure having a permanent foundation, containing one dwelling unit, except that
6 the ((The))structure may also contain an accessory dwelling unit where expressly authorized
7 pursuant to this ((title))Title 23. A detached accessory dwelling unit is not considered a single-
8 family ((residence)) dwelling unit for purposes of this ((chapter)) Chapter 23.84A.

9
10 21. "Townhouse Development" means a multifamily residential use that is not a
11 rowhouse development, and in which: (a) each dwelling unit occupies the space from the ground
12 to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space
13 above or below another dwelling unit, except for dwelling units constructed over a shared
14 parking garage; and (c) each dwelling unit is attached along at least one common wall to at least
15 one other dwelling unit, or abuts another dwelling unit on a common lot line.

16
17
18 * * *

19 "Rowhouse development." See "Residential use."

20 "Rowhouse unit" means a dwelling unit in a rowhouse development.

21 * * *

22
23 Section 89. Section 23.84A.036 of the Seattle Municipal Code, which section was last
24 amended by Ordinance 123046, is amended to add a definition, to be inserted in alphabetical
25 order, as follows:

26 **Section 23.84A.036 "S"**

* * *

“Structure, multifamily residential.” See “Multifamily residential structure.”

* * *

Section 90. Section 23.84A.038 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical order, delete definitions, and amend definitions, as follows:

23.84A.038 “T”

“Tandem houses” means two ~~((2))~~ unattached ~~((ground-related))~~ single-family dwelling units occupying the same lot.

* * *

~~((“Terraced housing” means a multi-family structure located on a sloping site in which a series of flat rooftops at different heights function as open space for abutting units.))~~

* * *

“Townhouse” ~~((means a form of ground-related housing in which individual dwelling units are attached along at least one (1) common wall to at least one (1) other dwelling unit. Each dwelling unit occupies space from the ground to the roof and has direct access to private open space. No portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.))~~ See “Residential use.”

“Townhouse unit” means a dwelling unit in a townhouse development.

* * *



1 Section 93. Section 23.84A.048 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122311, is amended as follows:

3 **23.84A.048 "Z"**

4 * * *

5 "Zone, lowrise" means a zone with a classification that includes any of the following:
6 ~~((Lowrise Duplex/Triplex,))~~ Lowrise 1, Lowrise 2, or Lowrise 3 ~~((and Lowrise 4 multifamily~~
7 ~~residential zones))~~, which classification also may include one or more suffixes.

9 "Zone, multifamily" means a zone with a classification that includes any of the following:
10 ~~((Lowrise Duplex/Triplex (LDT),))~~ Lowrise 1 (LR1), Lowrise 2 (LR2), Lowrise 3 (LR3),
11 ~~((Lowrise 4 (L4),))~~ Midrise (MR), Midrise/85 (MR/85), or Highrise (HR), which classification
12 also may include one or more suffixes.

13 * * *

14 "Zone, residential" means a zone with a classification that includes any of the following:
15 SF9600, SF7200, SF5000, RSL, ~~((LDT, L1, L2, L3, L4))~~ LR1, LR2, LR3, MR, HR, RC, DMR,
16 and IDR, which classification also may include one or more suffixes, but not including any zone
17 with an RC designation.
18

19 * * *

20
21 Section 94. The title of Section 23.86.006 of the Seattle Municipal Code, and subsections
22 A and D of Section 23.86.006, which section was last amended by Ordinance 123206, are
23 amended as follows:

24 **23.86.006 Structure height measurement**



1 A. (~~Height measurement technique in~~) In all zones except downtown zones and zones
2 within the South Lake Union (~~Hub Urban Village~~) Urban Center, and except for the Living
3 Building Pilot Program authorized by Section 23.40.060((-)), unless otherwise specified, the
4 height of structures shall be measured according to this subsection 23.86.006.A.

5 1. General rule. Except as otherwise specified, the height of a structure is the
6 difference between the elevation of the highest point of the structure not excepted from
7 applicable height limits and the average grade level. In this subsection 23.86.006.A, “average
8 grade level” means the average of the elevation of existing lot grades at the midpoints, measured
9 horizontally, of each exterior walls of the structure, except as provided in subsection
10 23.86.006.A.2.

11 2. Height measurement on sloping lots.

12 a. The calculation of structure height in subsection 23.86.006.A.1 may be
13 modified, at the discretion of the applicant, on sloping lots for which the elevation at the higher
14 corner of at least one exterior wall is at least 20 feet higher than the elevation at the lower corner
15 of that wall.

16 b. If the condition of subsection 23.86.006.A.2.a is satisfied, then the
17 height measurement method may be modified as follows:

18 1) Draw the smallest rectangle that encloses the principal structure.
19 2) Divide one side of the rectangle into equal segments at least 15
20 feet in length.

21 3) The lines used to divide the length of the structure into
22 individual segments shall be perpendicular to the side of the rectangle used to determine the
23



1 difference in elevation in subsection 23.86.006.A.2.a and extend as a vertical plane from the
2 ground to the sky.

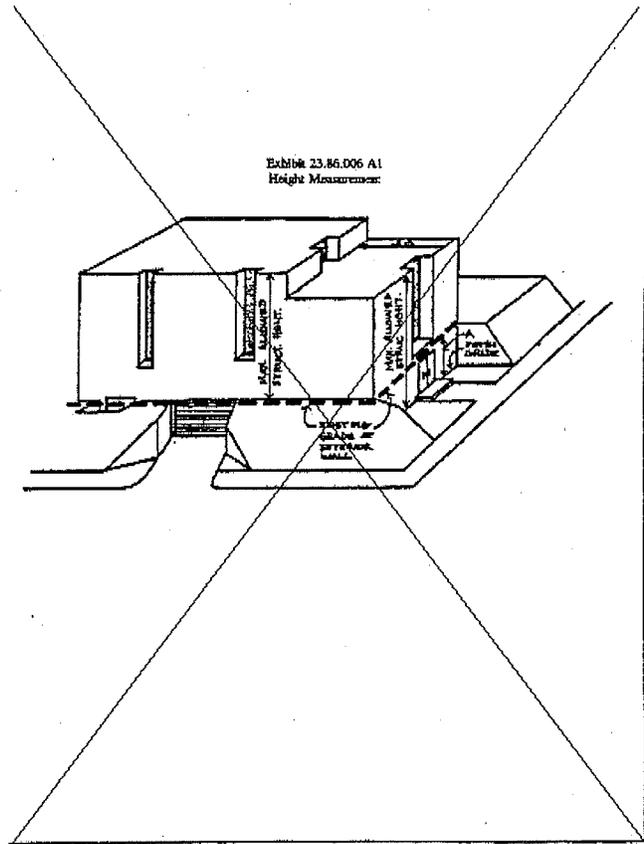
3 4) The maximum height for each segmented portion of the
4 structure shall be measured from the average grade level for each segmented portion of the
5 structure, which shall be calculated as the average elevation of existing lot grades at the
6 midpoints of the two opposing exterior walls of each segmented portion of the structure.

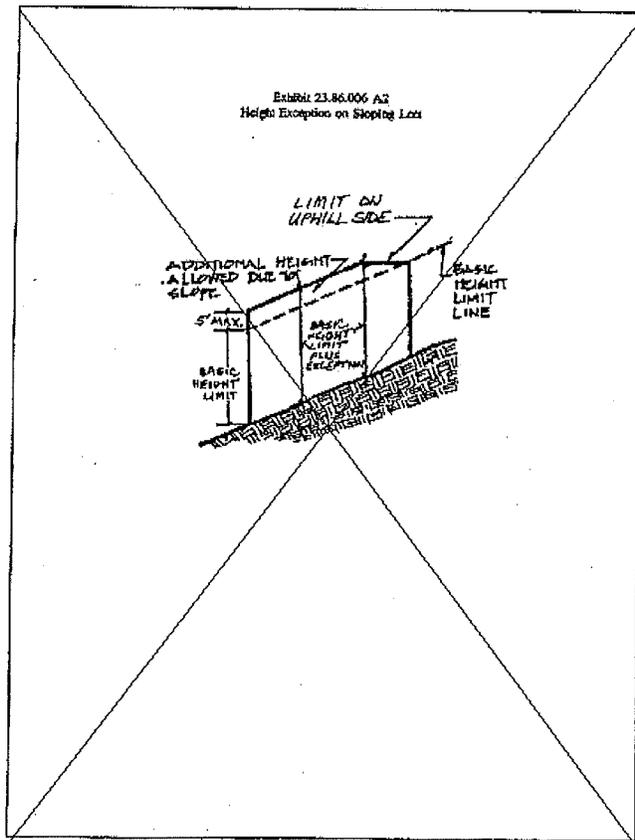
7
8 ~~((1. The height shall be measured at the exterior walls of the structure.~~
9 ~~Measurement shall be taken at each exterior wall from the existing or finished grade, whichever~~
10 ~~is lower, up to a plane essentially parallel to the existing or finished grade. For determining~~
11 ~~structure height, the exterior wall shall include a plane between supporting members and~~
12 ~~between the roof and the ground. The vertical distance between the existing grade, or finished~~
13 ~~grade, if lower, and the parallel plane above it shall not exceed the maximum height of the zone.~~

14
15 ~~2. When finished grade is lower than existing grade, in order for an upper portion~~
16 ~~of an exterior wall to avoid being considered on the same vertical plane as a lower portion, it~~
17 ~~must be set back from the lower portion a distance equal to two (2) times the difference between~~
18 ~~existing and finished grade on the lower portion of the wall (Exhibit 23.86.006 A1).~~

19
20 ~~3. Depressions such as window wells, stairwells for exits required by other codes,~~
21 ~~"barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in~~
22 ~~determining structure height when in combination they comprise less than fifty percent (50%) of~~
23 ~~the facade on which they are located. In such cases, the grade for height measurement purposes~~
24 ~~shall be a line between the grade on either side of the depression.~~

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Section 95. Section 23.86.007 of the Seattle Municipal Code, which section was last amended by Ordinance 115326, is amended as follows:

23.86.007 Gross floor area and floor area ratio measurement~~((:))~~

A. Certain items may be exempted from calculation of gross floor area of a structure. ~~((When))~~ Except as otherwise expressly provided in this Title 23, if gross floor area of underground stories or portions of stories ~~((below grade))~~ is exempted, the amount of below-grade gross floor area ~~((shall be))~~ is measured as follows:

1. ~~((The existing grade of the lot shall be established by the elevations of the perimeter lot lines of the lot.))~~ An underground story is that story or portion of a story for which



1 the finished floor next above, or the roof surface if there is no next floor above, is at or below the
2 abutting existing or finished grade, whichever is lower (See Exhibit A for 23.86.007).

3 2. To determine the amount of gross floor area ~~((which))~~ that is below grade;
4 ~~find the point where the ceiling of each floor intersects the existing grade elevation. Draw a line~~
5 ~~perpendicular to the point of intersection. All gross floor area behind this line shall be considered~~
6 ~~below grade (see Exhibit 23.86.007 A)).~~

7
8 a. determine the elevation of the finished floor of the story next above the
9 underground story, or the roof surface if there is no next floor above the underground story;

10 b. determine the points along the exterior wall of the story where the
11 finished floor elevation or roof surface elevation above intersects the abutting corresponding
12 existing or finished grade elevation, whichever is lower;

13 c. draw a straight line across the story connecting the two points on the
14 exterior walls;

15 d. the gross floor area of an underground story or portion of an
16 underground story is the area that is at or below the straight line drawn in step 23.86.007.A.2.c
17 above.

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20 **Exhibit A for 23.86.007: Floor Area Below Grade**

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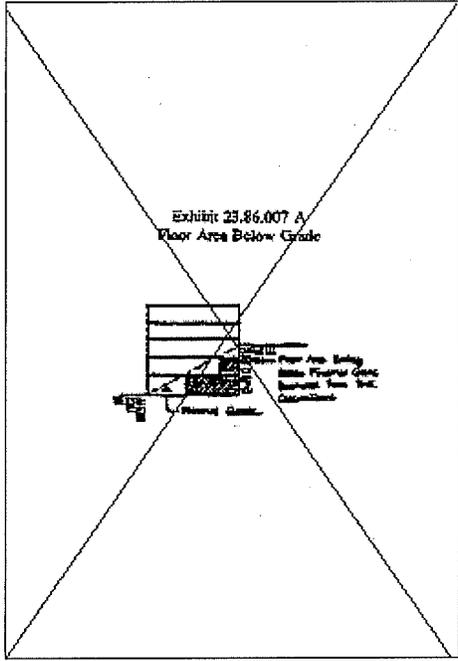
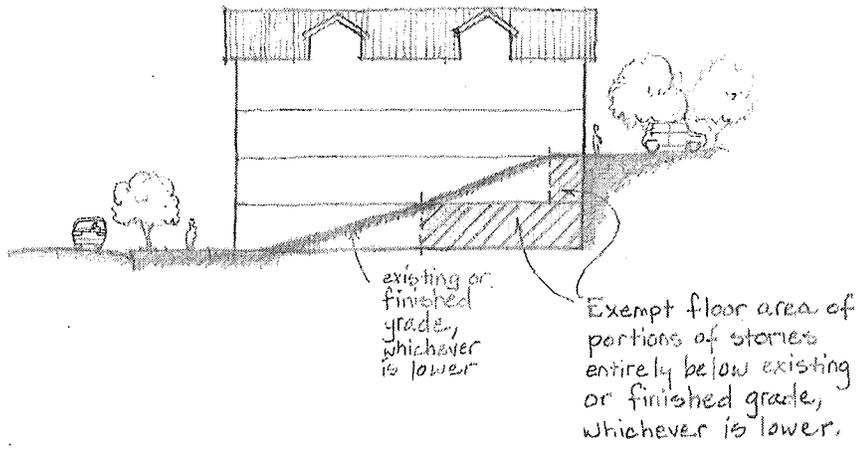


Exhibit A for 23.86.007: Floor Area Below Grade



1 B. Pursuant to subsection 23.45.510.E, for certain structures in multifamily zones,
2 portions of a story that extend no more than 4 feet above existing or finished grade, whichever is
3 lower, are exempt from calculation of gross floor area. The exempt gross floor area of such
4 partially below-grade stories is measured as follows:

5 1. determine the elevation 4 feet above the finished floor of the story next above
6 the partially below-grade story, or 4 foot above the roof surface if there is no next floor above the
7 partially below-grade story;

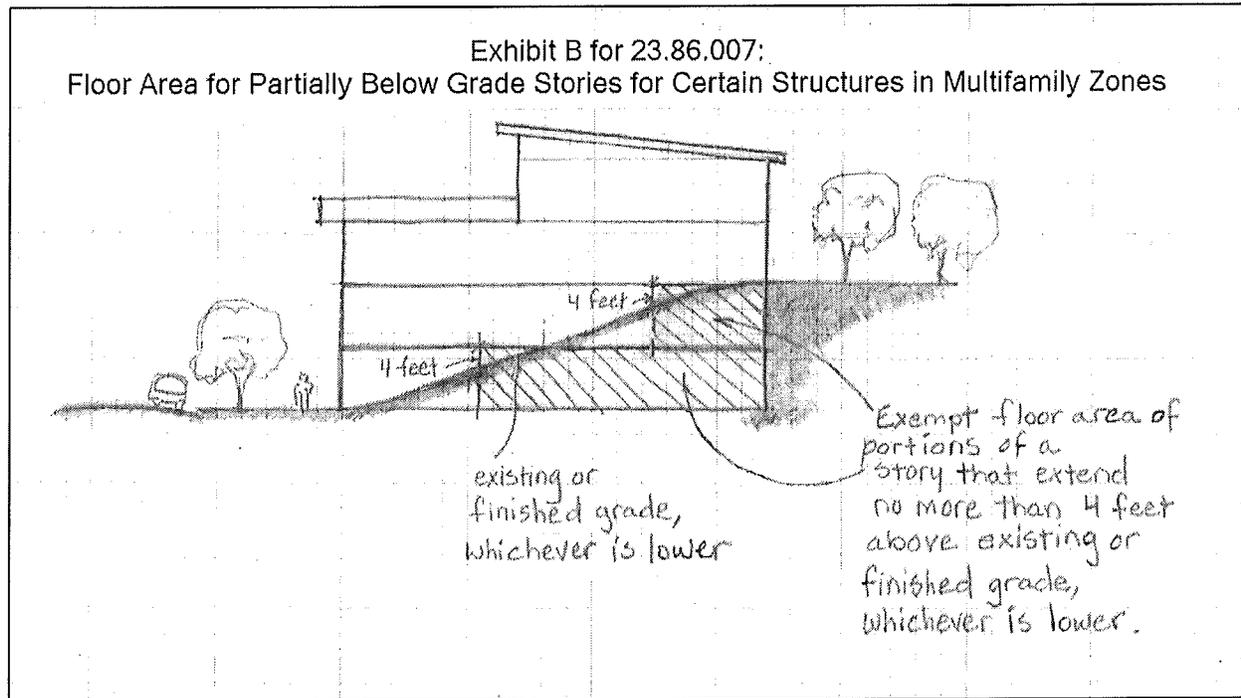
8 2. determine the points along the exterior wall of the story where the elevation
9 determined in step 23.86.007.B.1 above intersects the abutting corresponding existing or finished
10 grade elevation, whichever is lower;

11 3. draw a straight line across the story connecting the two points on the exterior
12 walls;

13 4. the gross floor area of the partially below-grade story or portion of a partially
14 below-grade story is the area of the story that is at or below the straight line drawn in step
15 23.86.007.B.3 above (See Exhibit B for 23.86.007).

16 **Exhibit B for 23.86.007: Floor Area for Partially Below Grade Stories for Certain**
17 **Structures in Multifamily Zones**
18

Exhibit B for 23.86.007:
Floor Area for Partially Below Grade Stories for Certain Structures in Multifamily Zones



C. Public rights-of-way ((shall not be)) are not considered part of a lot when calculating floor area ratio; ((provided)) except that ((when)) if dedication of right-of-way is required as a condition of a proposed development, the area of dedicated right-of-way is included ((permitted floor area ratio shall be calculated before the dedication is made)).

D. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

E. In LR zones, if more than one category of residential use is located on a lot, the FAR limit for each category of residential use is based on each category's percentage of total structure footprint area, as follows:

1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, "footprint" is defined as the horizontal area enclosed by the exterior walls of the structure.

1 2. Calculate the total square feet of footprint of all categories of residential uses
2 on the lot.

3 3. Divide the square footage of the footprint for each category of residential
4 structure (subsection 23.86.007.D.1 above) by the total square feet of footprints of all residential
5 uses (subsection 23.86.007.D.2 above).

6 4. Multiply the percentage calculated in subsection 23.86.007.D.3 for each
7 housing category by the area of the lot. The result is the area of the lot devoted to each housing
8 category.

9 5. The FAR limit for each category of residential use is the applicable one for that
10 use multiplied by the percentage calculated in subsection 23.86.007.E.4.

11 Section 96. Section 23.86.012 of the Seattle Municipal Code, which section was last
12 amended by Ordinance 115326, is amended as follows:

13 **23.86.012 Multifamily zone setback measurement (~~(Setbacks in multifamily zones.)~~)**

14 A. Setback Averaging. In multifamily zones, certain required setbacks may be averaged.
15 In such cases the following provisions apply:

16 a. The average front and rear setbacks are calculated based on the entire
17 width of the structure;

18 b. The average side setbacks are calculated based on the entire depth of the
19 structure;

20 c. Setbacks are measured horizontally from the lot line to the facade of the
21 structure, at the point that the structure meets the ground.

22 ((A))B. Determining ((F))front ((S))setbacks for institutions.

1 ~~((1. Determining Front Setback Requirements. Front setback requirements are~~
2 ~~presented in the development standards for each zone. Where))~~ In LR zones, the minimum
3 required front setback for institutions is ~~((to be))~~ determined by averaging the setbacks of
4 structures on either side of the subject lot, as follows ~~((the following provisions shall apply))~~:

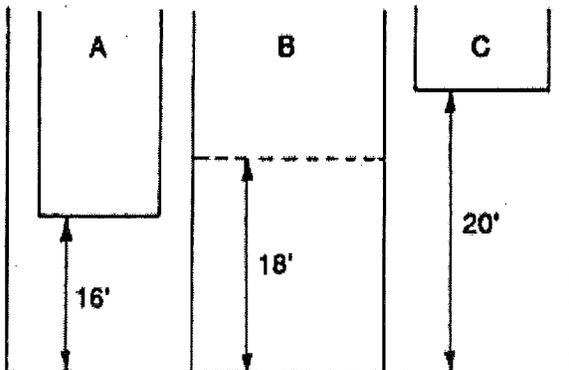
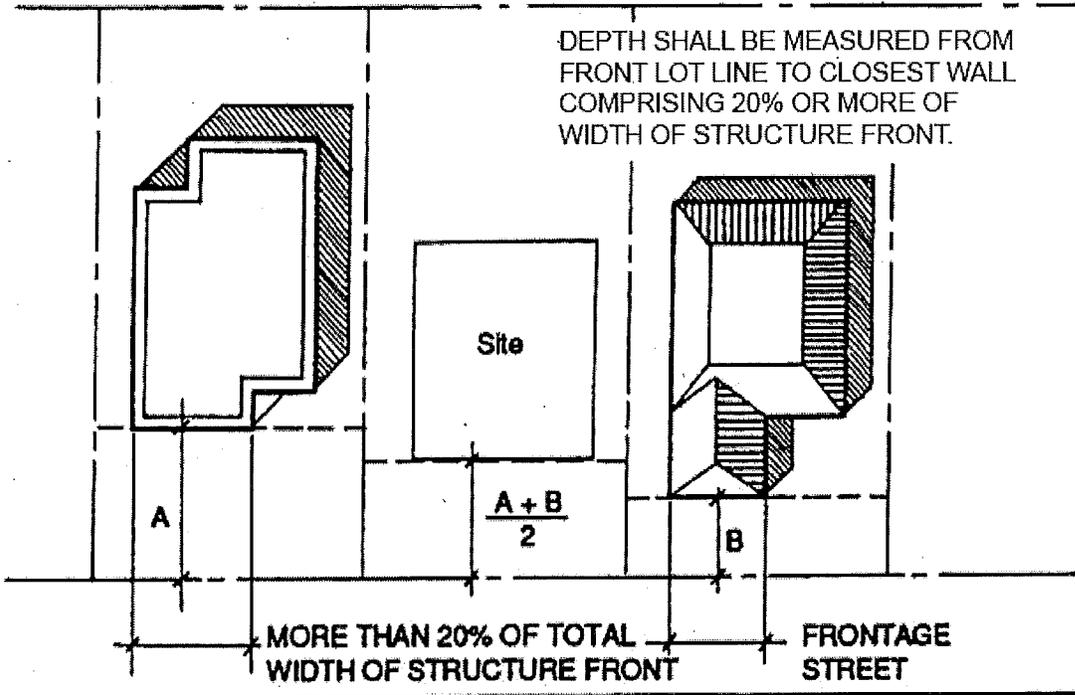
5 ~~((a))~~1. The required ~~((depth of the))~~ front setback ~~((shall be))~~ is the average of the
6 distances between principal structures and front lot lines of the nearest principal structures on
7 each side of the subject lot if each of those structures is on the same block front as the subject lot
8 and is within 100 feet of the side lot lines of the subject lot (Exhibit A for 23.86.012~~((A))~~)).
9

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12 **Exhibit A for 23.86.012: Front Setback Averaging for Institutions**
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**((Exhibit 23.86.012-A
 Determination of Front Yard Setback))**

EXHIBIT A FOR 23.86.012: FRONT SETBACK AVERAGING FOR INSTITUTIONS



- REQUIRED MINIMUM FRONT SETBACK FOR LOT B DETERMINED AS FOLLOWS:**
1. FRONT SETBACK, LOT A = 16'
 2. FRONT SETBACK, LOT C = 20'
 3. AVERAGE FRONT SETBACK = 18'
 4. REQUIRED MINIMUM FRONT SETBACK FOR LOT B = 18'.

1 ~~((b. The setbacks used for front setback averaging shall be on the same block~~
2 ~~front as the subject lot, and shall be the front setbacks of the nearest principal structures within~~
3 ~~one hundred (100) feet of the side lot lines of the subject lot.))~~

4 2. If the first principal structure within 100 feet of a side lot line of the subject lot
5 is not on the same block front or there is no principal structure within 100 feet of the side lot line,
6 the setback depth used for averaging purposes on that side is 7 feet.

7 ~~((e))~~3. For averaging purposes, the front setback ~~((depth shall be))~~ is ~~((measured))~~
8 the shortest distance from the front lot line to the nearest wall or, where there is no wall, the
9 plane between supports ~~((which))~~ that span ~~((comprises twenty (20)))~~ 20 percent or more of the
10 width of the front facade of the principal structure ~~((on either side))~~. Attached garages and
11 enclosed porches ~~((shall be))~~ are considered part of the principal structure for measurement
12 purposes. Decks less than ~~((eighteen (18)))~~ 18 inches above existing grade, uncovered porches,
13 eaves, attached solar collectors and other similar parts of the structure ~~((shall not be))~~ are not
14 considered part of the principal structure. ~~((When the front facade of the principal structure is not~~
15 ~~parallel to the front lot line, the shortest distance from the front lot line to the structure shall be~~
16 ~~used for averaging purposes.))~~

17 ~~((d))~~4. ~~((When))~~ If there is a dedication of street right-of-way to bring the street
18 abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging
19 purposes the amount of dedication ~~((shall be))~~ is subtracted from the front setbacks of the
20 structures on either side.

21 ~~((e. When the first principal structure within one hundred feet (100') of a side lot~~
22 ~~line of the subject lot is not on the same block front or when there is no principal structure within~~
23



1 one hundred feet (100') of the side lot line, the setback depth used for averaging purposes on that
2 side shall be ten feet (10').)

3 ((f.)) 5. ((When)) If the front setback of the first principal structure within ((one
4 hundred feet (100')) 100 feet of the side lot line of the subject lot exceeds ((twenty feet (20'))
5 20 feet, the setback depth used for averaging purposes on that side ((shall be)) is ((twenty feet
6 (20')) 20 feet.

7
8 ((g.)) 6. In cases where the street is very steep or winding, the Director ((shall))
9 will determine which adjacent structures should be used for averaging purposes.

10 ((h.)) 7. In the case of a through lot, the ((requirement for)) front setback ((shall
11 be)) is determined independently for each street frontage. The measurement techniques of this
12 section 23.86.012 ((shall be applied for)) apply to each street frontage separately.

13
14 ((i.)) 8. For ((cluster development)) multiple structures on the same lot, the front
15 setback of a principal structure on the same lot may be used for averaging purposes.

16 ((2. Front Setback Averaging. In certain zones the required front setback may be
17 averaged. In such cases the following provisions shall apply:

18 a. The average distance from the front lot line to the facade shall satisfy
19 the minimum front setback requirement. The front setback shall be is averaged for the entire
20 width of the structure, except that areas which are farther than three (3) times the required front
21 setback from the front lot line shall not be calculated in the front setback.

22 b. Portions of the facade at existing grade shall be used in determining the
23 average setback.
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1 e. ~~Projections of the front façade which begin at least eight feet (8') above~~
2 ~~finished grade and project four feet (4') or less from the lower portion of the facade shall not be~~
3 ~~included in the setback averaging. For such projections which project more than four feet (4')~~
4 ~~from the lower portion of the facade, only the first four feet (4') shall be exempt from the~~
5 ~~averaging calculation. This provision applies to such features as cantilevered floor area, decks~~
6 ~~and bay windows. Eaves, gutters and cornices are permitted to project eighteen inches (18")~~
7 ~~beyond any front facade without being counted in averaging.)~~

9 ((3. Measuring Street-facing Setbacks for Institutions and Public Facilities in Multifamily
10 Zones;

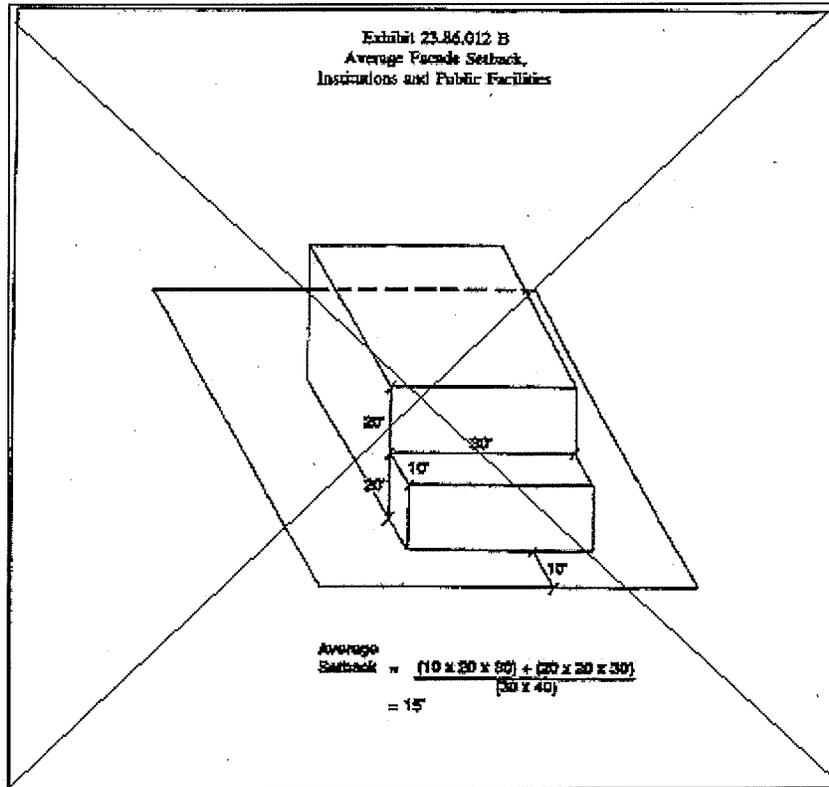
11 a. ~~In multifamily zones, the depth of setback from a street lot line may be~~
12 ~~averaged along the width and height of the façade for institutions and public facilities, as an~~
13 ~~alternative providing greater design flexibility than standard modulation requirements.~~

14 b. ~~This average setback shall be calculated by dividing the three (3) dimensional~~
15 ~~volume of setback by the area of the structure facade.~~

16 (1) ~~Find the sum of volumes within the space defined by extension of the~~
17 ~~roof line, the planes of the side walls, and the vertical extension of the front lot line; and~~

18 (2) ~~Divide this sum by the area of the street-facing facade, calculated as~~
19 ~~the product of facade height and facade width (Exhibit 23.86.012 B))~~
20
21

~~((Exhibit B for 23.86.012: Average Façade Setback, Institutions and Public Facilities))~~



~~((B. Rear Setbacks. In Midrise zones applicants are given an option in multifamily zones to provide a minimum rear setback of ten feet (10') which must be modulated, or an averaged rear setback of at least fifteen feet (15'). The following provisions shall apply when the applicant has chosen to provide an averaged rear setback of at least fifteen feet (15')):~~

~~1. All projections of the facade shall be included in averaging the rear setback, with the exception of eaves, gutters and cornices which project eighteen inches (18") or less from the facades.~~

~~2. The rear setback shall be averaged for the entire width of the structure.~~

~~C. Side Setbacks.~~

1 ~~((1. Side setbacks requirements are presented in the standard development~~
2 ~~requirements for each zone. Side setback requirements are based on the height and the depth of a~~
3 ~~structure. Where two (2) or more structures are connected by elevated walkways, structure depth~~
4 ~~shall be determined by the combined depth of the structures connected by the elevated walkway,~~
5 ~~not including the walkway itself.~~

6 ~~2. Side Setback Averaging. In certain cases where specifically permitted, the side~~
7 ~~setback requirement may be satisfied by averaging the distance from side lot line to structure~~
8 ~~facade for the depth of the structure. In those cases the following provisions shall apply:~~

9 ~~a. The side setback shall be measured horizontally from side lot line to the~~
10 ~~side facade of the structure.~~

11 ~~b. The side setback shall be averaged for the entire depth of the structure,~~
12 ~~except that areas which are farther than two (2) times the required average side setback from the~~
13 ~~side lot line shall not be counted as part of the side setback (Exhibit 23.86.012 C.)~~

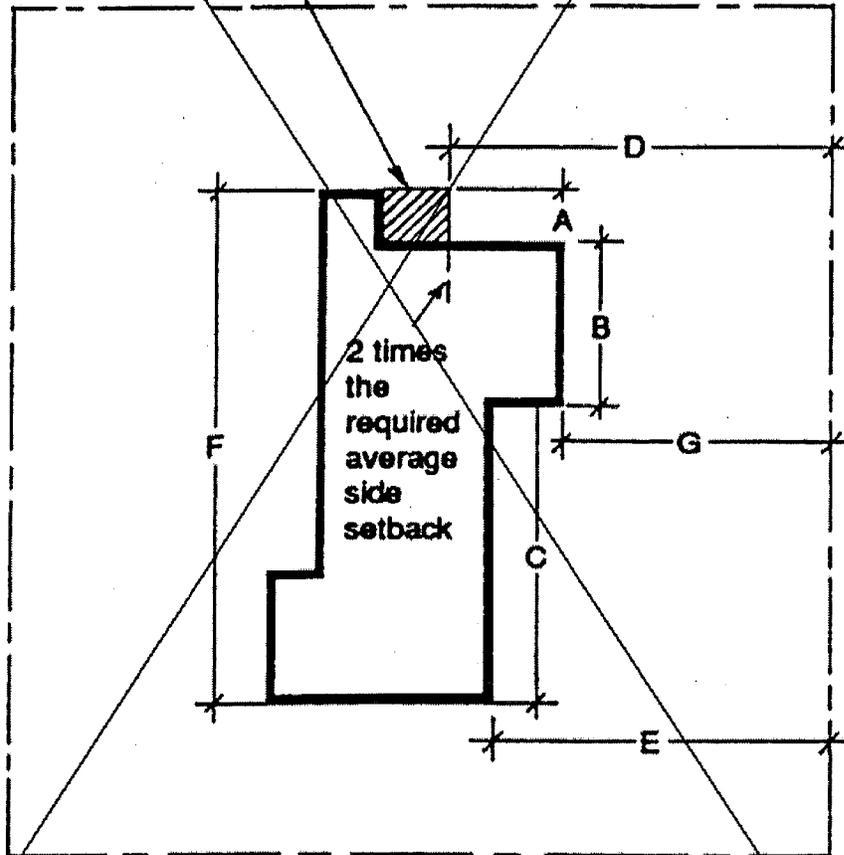
14 ~~C. Setbacks Between Structures in Cluster Developments. Required setbacks in cluster~~
15 ~~developments are specified in each multifamily zone. In certain cases, the setback requirement~~
16 ~~may be satisfied by averaging the distance between the portions of the facades which face each~~
17 ~~other. In those cases the following provisions apply:~~

18 ~~1. The setback shall be measured horizontally from one (1) facade to the other.~~

19 ~~2. The setback shall be averaged across the width of those portions of the facades~~
20 ~~which face each other.))~~

Exhibit 23.86.012 C
Side Setback Averaging

THIS AREA DOES NOT
COUNT WHEN AVERAGING
THE RIGHT SIDE SETBACK.



Average
Side Yard =
$$\frac{(A \times D) + (B \times G) + (C \times E)}{F}$$



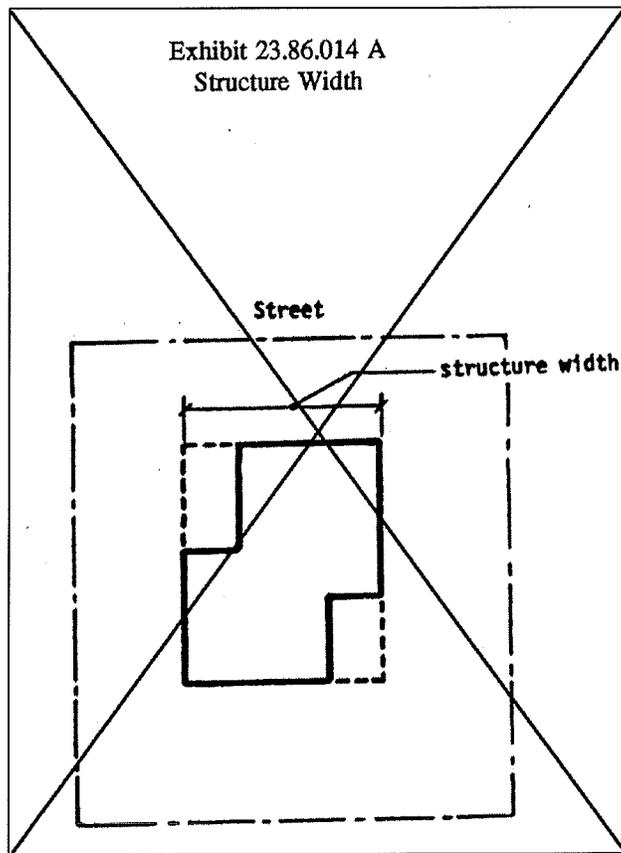
1 Section 97. Section 23.86.014 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 118414, is amended as follows:

3 **23.86.014 Structure ~~((W))~~width measurement~~((:))~~**

4 A. Structure width is measured as follows: ~~((shall be measured by the following~~
5 ~~method:))~~

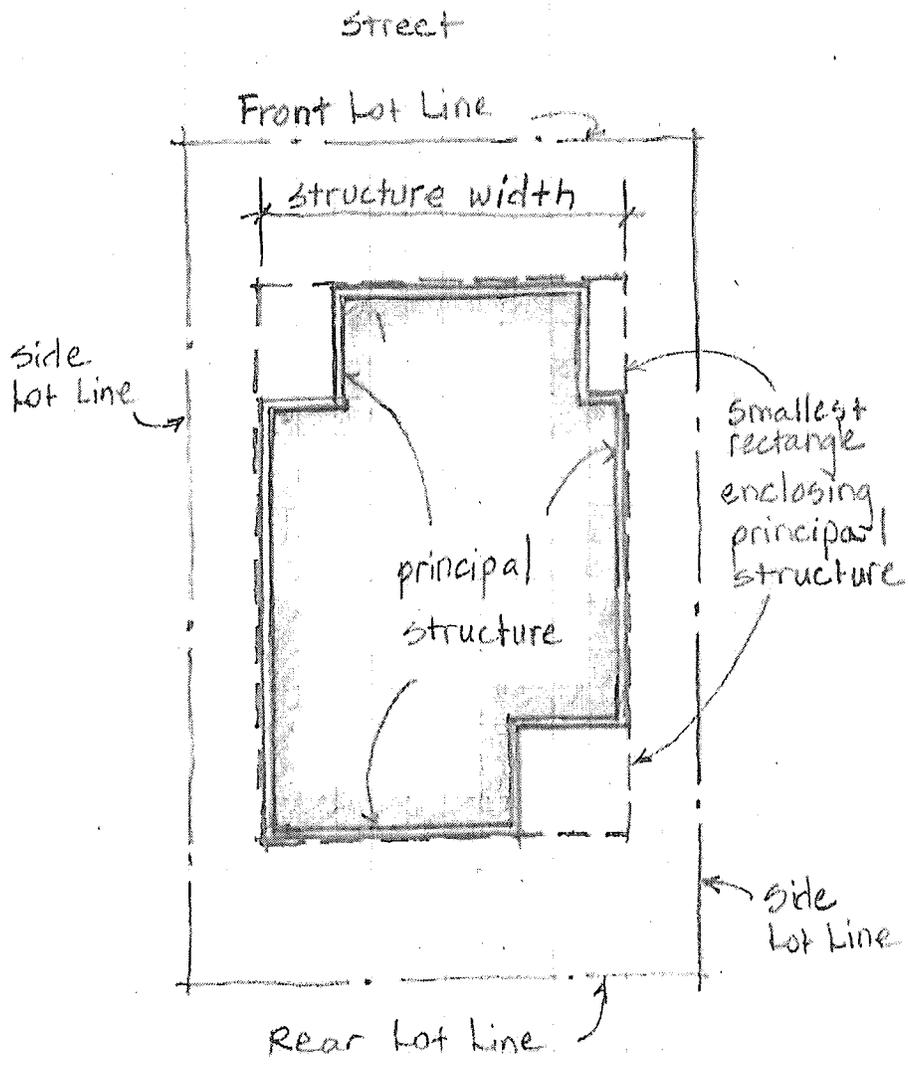
- 6 1. Draw ~~((a))~~ the smallest rectangle that encloses the principal structure.
- 7 2. Structure width ~~((shall be))~~ is the length of the side of that rectangle most
8 closely parallel to the front lot line ~~(Exhibit A for 23.86.014~~((A))~~)~~.

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10 **Exhibit A for 23.86.014: Structure Width**



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Exhibit A for 23.86.014: Structure Width



1 B. Portions of a structure (~~(which shall be)~~) considered part of the principal structure for
2 the purpose of measuring structure width are as follows:

3 1. Carports and garages attached to the principal structure, unless they are
4 attached by a structural feature not counted in structure width under subsection 23.86.014.C;

5 2. Accessory structures, other than carports and garages, that are not listed in
6 subsection 23.86.014.C, if they are less than 3 feet from the principal structure at any point;

7 ~~((2))~~3. Exterior corridors, hallways, and ~~((or))~~ open, above-grade walkways ~~((;~~
8 ~~except portions which are elevated walkways connecting structures in a cluster development));~~

9 ~~((3))~~4. Enclosed porches, decks, balconies and other enclosed projections; and

10 ~~((4. Chimneys used to meet modulation requirements;))~~

11 5. ~~((Modulated and projecting))~~ Projecting segments of a facade unless
12 ~~((excluded))~~ they are not counted in structure width in subsection 23.86.014.C.

13 C. Portions of a structure (~~(which shall not be)~~) that are not considered part of the
14 principal structure for the purpose of measuring structure width are as follows:

15 1. The first 4 feet of eaves ~~((Eaves))~~, cornices, and gutters ~~((provided))~~ that
16 project ~~((when such features project more than eighteen (18") inches))~~ from an exterior wall
17 ~~((only eighteen ((18) inches shall be excluded in the measurement of structure width));~~

18 ~~((2. The portion of elevated walkways connecting buildings in cluster~~
19 ~~developments;))~~

20 ~~((3))~~2. ~~((Chimneys not used to meet modulation requirements))~~ The first
21 ~~((provided that only eighteen (18) inches of chimneys that project from an exterior wall~~
22 ~~((shall be excluded in the measurement of structure width));~~



1 ((4))3. Attached solar greenhouses meeting minimum energy standards
2 administered by the Director;

3 ((5))4. ~~((Unenclosed))~~ The first 4 feet of unenclosed decks, balconies and porches,
4 ~~((ten (10) feet or less above existing grade,))~~ unless located on the roof of an attached garage or
5 carport included in structure width in subsection 23.86.014.B.1 ~~((of this section));~~

6 ~~((6. Unenclosed decks, balconies and porches, more than ten (10) feet above~~
7 ~~existing grade, provided that when such features project more than four (4) feet from an exterior~~
8 ~~wall, only four (4) feet shall be excluded in the measurement of structure width. Such features~~
9 ~~shall be excluded whether or not used to meet modulation requirements)); and))~~

10 ((7))5. Arbors, trellises, and similar features~~((:)); and~~

11
12 6. In Lowrise zones, portions of a structure that are exempt from FAR limits
13 pursuant to subsection 23.45.510.E.5.

14
15 Section 98. A new Section 23.86.015 is added to the Seattle Municipal Code as follows:

16 **23.86.015 Maximum façade length measurement**

17 A. In Lowrise zones, the length of certain façades is limited by development standards.

18 Façade length is measured as follows:

19 1. Draw a line parallel to, and 15 feet from, the lot line along which the length of
20 a façade is limited.

21 2. For each portion of a structure that located between the line drawn in
22 subsection 23.86.015.A.1 and the lot line, mark the points at which that portion of the structure
23 crosses the line drawn in subsection 23.86.015.A.1, and measure the distance between those
24 points.
25
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3. The façade length limit applies to the sum of the lengths of the portions of structure(s) measured in subsection 23.86.015.A.2 (see Exhibit A and Exhibit B for 23.86.015).

Exhibit A for 23.86.015 Façade Length

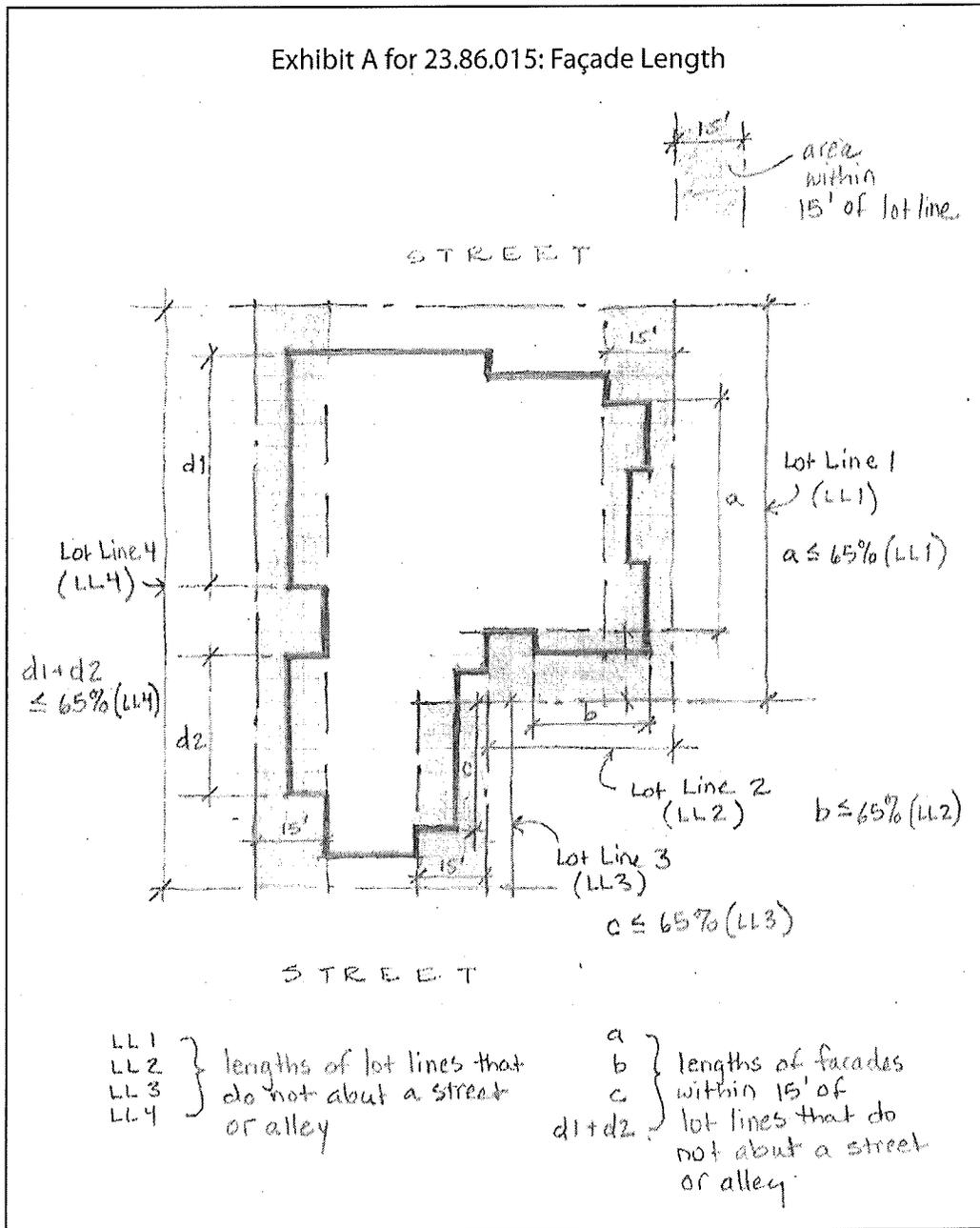
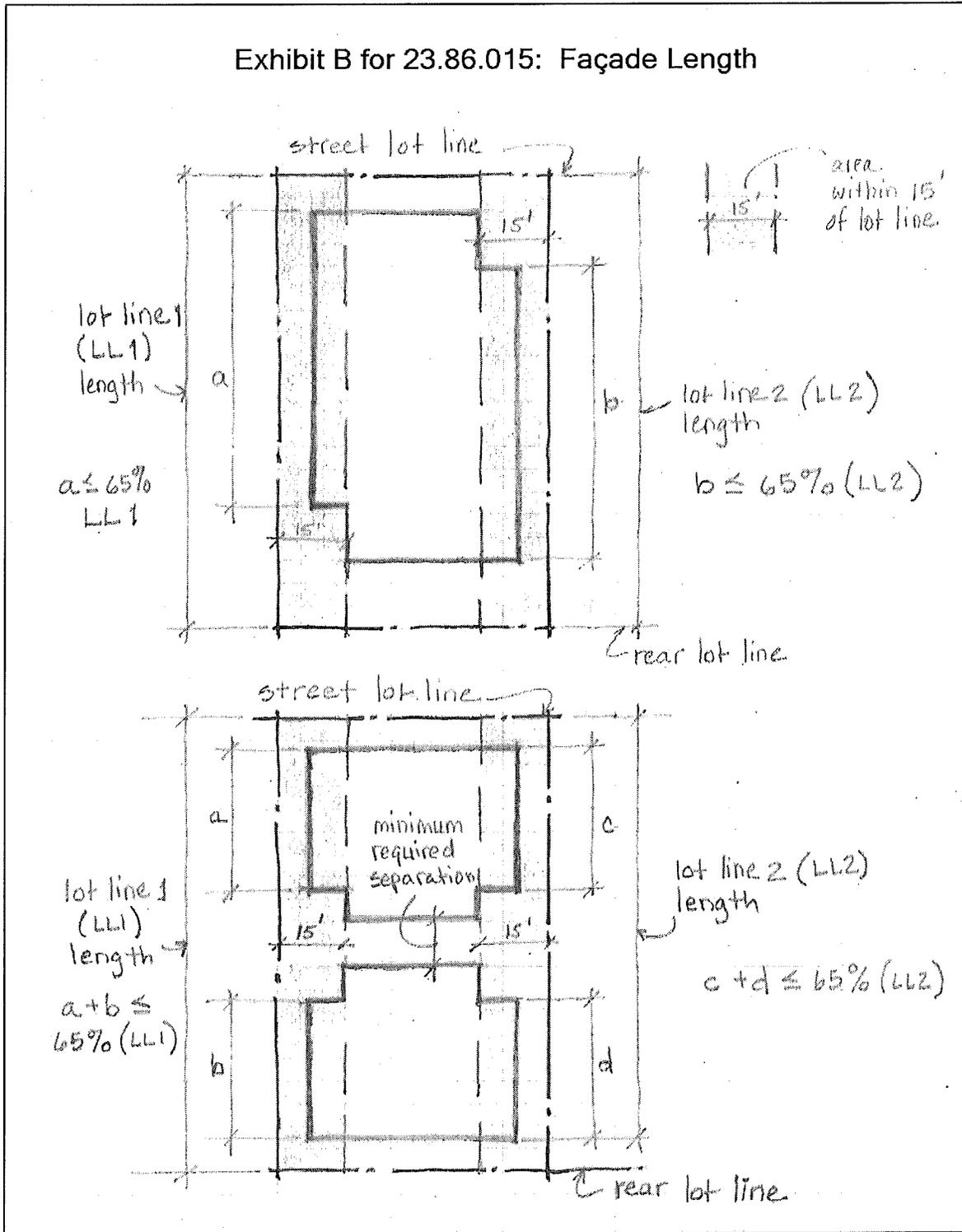


Exhibit B for 23.86.015 Façade Length



Exhibit B for 23.86.015: Façade Length



B. Portions of a structure that are included in façade length measurement include:



1 1. Carports and garages attached to the principal structure, unless they are
2 attached by a structural feature not counted in structure width under subsection 23.86.015.C;

3 2. Accessory structures, other than carports and garages, that are not listed in
4 subsection 23.86.014.C, if they are less than 3 feet from the principal structure at any point;

5 3. Exterior corridors, hallways, and open, above-grade walkways;

6 4. Projecting segments of a facade unless they are not counted in structure width
7 in subsection 23.86.014.C.
8

9 4. Enclosed porches, decks, balconies and other enclosed projections; and

10 5. Projecting segments of a facade unless excluded in subsection 23.86.015.C.

11 C. Portions of a structure that are not included in facade length measurement include:

12 1. Eaves, cornices, and gutters;

13 2. The first 18 inches of chimneys that project from an exterior wall;

14 3. Attached solar greenhouses meeting minimum energy standards administered
15 by the Director;

16 4. The first 4 feet of unenclosed decks, balconies and porches, unless located on
17 the roof of an attached garage or carport included in structure width in subsection 23.86.014.B.1;

18 5. Arbors, trellises, and similar features; and

19 6. In Lowrise zones, portions of a structure that are exempt from FAR limits
20 pursuant to subsection 23.45.510.E.5.
21

22 Section 99. Section 23.86.016 of the Seattle Municipal Code, which section was last
23 amended by Ordinance 118414, is amended as follows:
24

25 **23.86.016 Structure and lot ~~((D))~~depth measurement~~((7))~~**
26

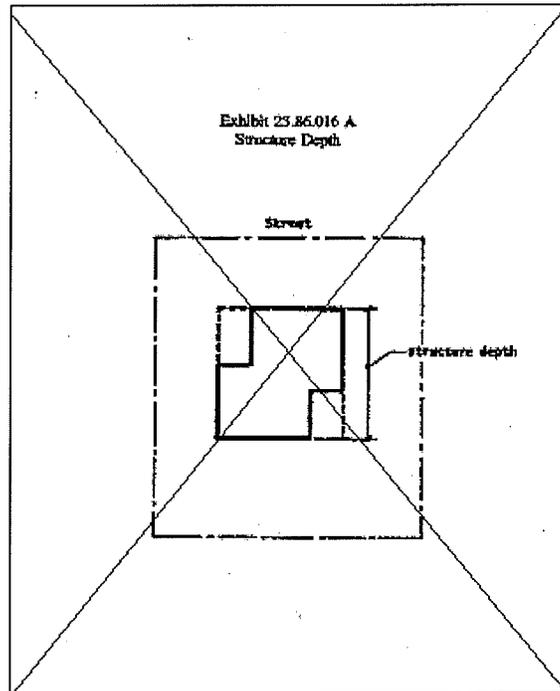
1 A. ~~((Measuring))~~ Structure ~~((D))~~depth~~((:))~~ is measured as follows ~~((In certain zones~~
2 ~~structure depth is limited by development standards. The following provisions shall apply for~~
3 ~~determining structure depth))~~:

4 1. ~~((Structure depth shall be measured by the following method~~
5 as follows:

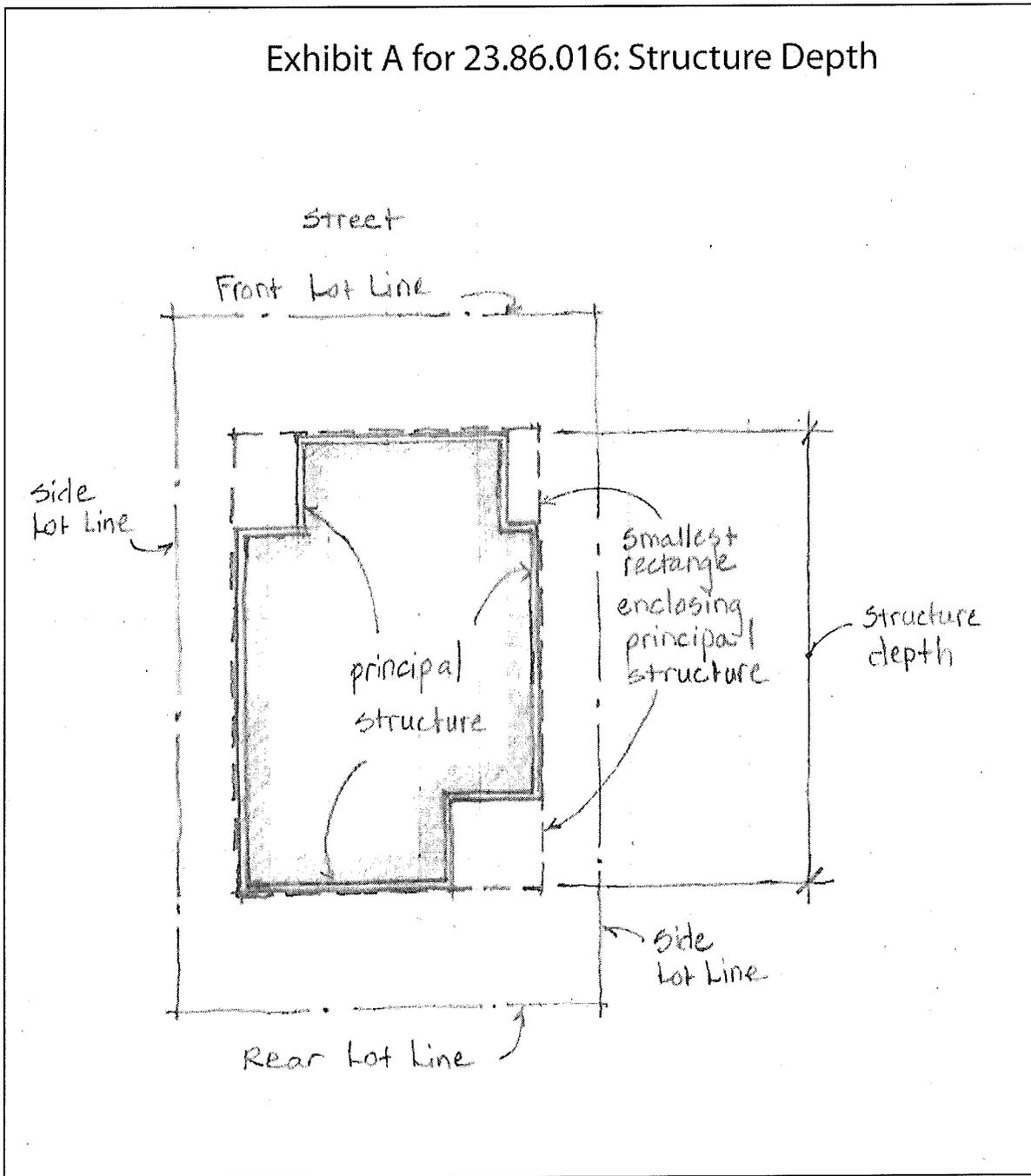
6 a.) Draw ~~((a))~~ the smallest rectangle that encloses ~~((the))~~ a principal
7 structure.

8 ~~((b))~~2. Structure depth ~~((shall be))~~ is the length of the sides of that
9 rectangle most closely parallel to the side lot lines (Exhibit A for 23.86.016 ~~((A))~~).

10 **Exhibit A for 23.86.016: ~~((A))~~ Structure Depth**



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c. ((In Lowrise zones when)) If more than one ((1)) structure is located on a lot and no portion of a structure is behind any portion of another structure and the structures are separated by a minimum of ((ten (10))) feet, the maximum depth of each structure shall be



1 measured individually((--))(See Exhibit B for 23.86.016 ((B--))). When any portion of a structure
2 is behind any portion of another structure then maximum structure depth shall be the combined
3 depth of the principal structures on the lot.

4 **Exhibit B for 23.86.016 ((B)) 23.41.018: Depth Measurement for Offset Structures**

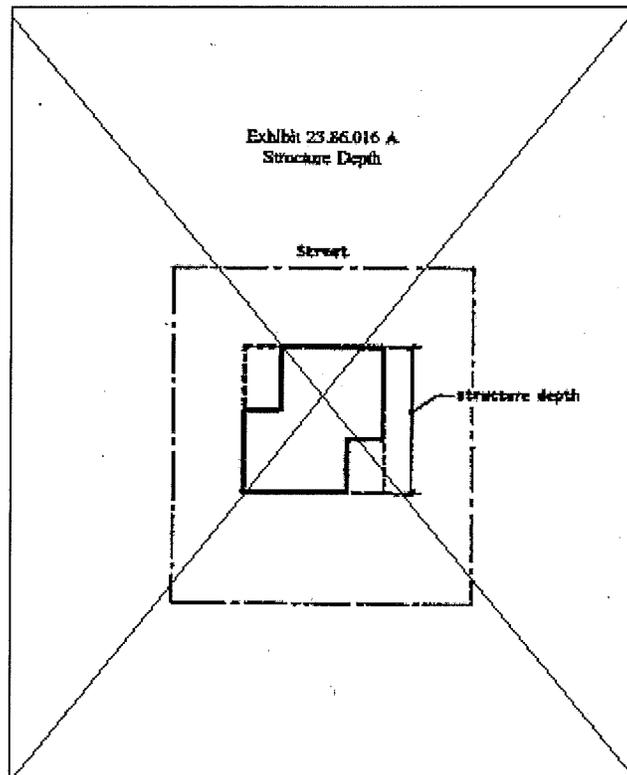
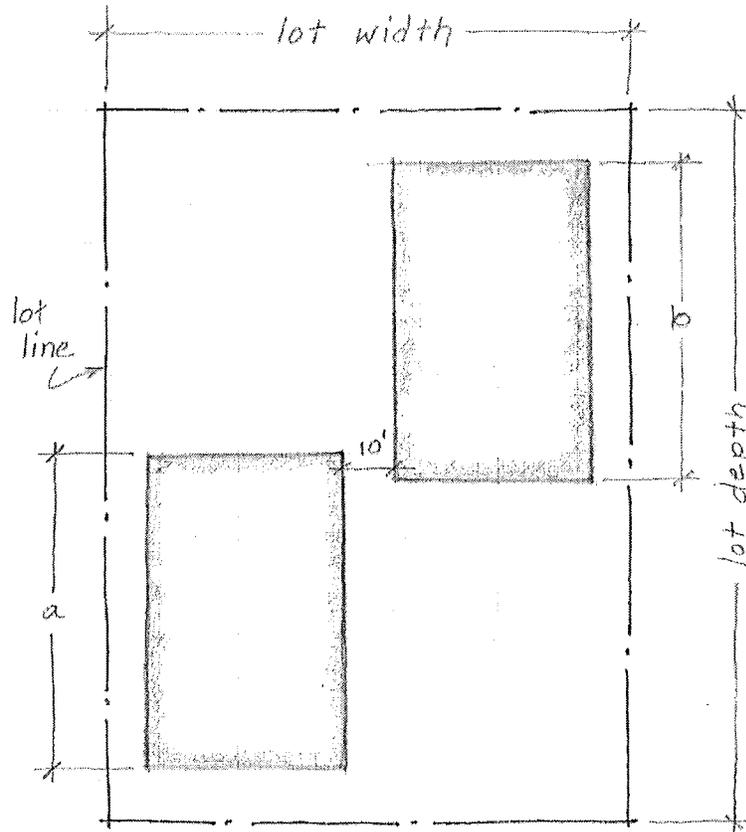


Exhibit B for 23.86.016: Depth Measurement for Offset Structures



structure depth applies
to "a" and "b" independently

(2)B. Portions of a structure (~~which shall be~~) considered part of the principal structure for the purpose of measuring structure depth are as follows:



1 ((a))1. Carports and garages attached to the principal structure, unless they are
2 attached by a structural feature not counted in structure depth under subsection
3 23.86.016.C((A3));

4 ((b))2. Accessory structures, other than carports and garages, that are not listed in
5 subsection 23.86.016.C, if they are less than 3 feet from the principal structure at any point;

6 3. Exterior corridors, hallways, and ((e)) open, above grade walkways((, except
7 portions which are elevated walkways connecting structures in a cluster development));

8 ((e))4. Enclosed porches, decks, balconies and other enclosed projections, except
9 as provided in subsection 23.43.008.C; and

10 ((d. Chimneys used to meet modulation requirements));

11 ((e))5. ((Modulated and projecting)) Projecting segments of a facade unless
12 ((excluded)) they are not counted in structure depth in subsection 23.86.016.C((A3));

13 ((f. Accessory structures which are less than three (3) feet from the principal
14 structure at any point.))

15 ((3))C. Portions of a structure ((which shall not be)) that are not considered part of the
16 principal structure for the purpose of measuring structure depth are as follows:

17 ((a))1. ((Eaves)) The first 4 feet of eaves, cornices, and gutters ((provided that
18 when such features project more than eighteen (18) inches)) that project from an exterior wall
19 ((only eighteen (18) inches shall be excluded in the measurement of the structure depth));

20 ((b. The portion of elevated walkways connecting buildings in a cluster
21 development;))



1 ((e))2. ~~((Chimneys not used to meet modulation requirements))~~ The first
2 ~~((provided that only eighteen (18) inches of chimneys that project from an exterior wall~~
3 ~~((shall be excluded in the measurement of structure depth))~~);

4 ((d))3. Attached solar greenhouses meeting minimum energy standards
5 administered by the Director;

6 ((e))4. ~~((Unenclosed))~~ The first 4 feet of unenclosed decks, balconies and porches,
7 ~~((ten (10) feet or less in height,))~~ unless located on the roof of an attached garage or carport
8 included in structure depth in subsection 23.86.014.B((A2a));

9 5. Arbors, trellises, and similar features; and

10 ~~((f. Unenclosed decks, balconies and porches, more than ten (10) feet above~~
11 ~~existing grade, provided that when such features project more than four (4) feet from an exterior~~
12 ~~wall only four (4) feet shall be excluded in the measurement of structure depth. Such features~~
13 ~~shall be excluded whether or not used to meet modulation requirements.))~~

14 6. In Lowrise 3 zones in the Northgate Overlay District, portions of a structure
15 that are exempt from FAR limits pursuant to subsection 23.45.510.E.5.

16 ((B))D. Determining ~~((Maximum Permitted Structure))~~ lot ((D))depth. In certain zones,
17 ~~((structure depth is limited to a percentage of))~~ development standards are based on lot depth,
18 which is determined as follows:~~((For those cases the following provisions shall apply))~~;

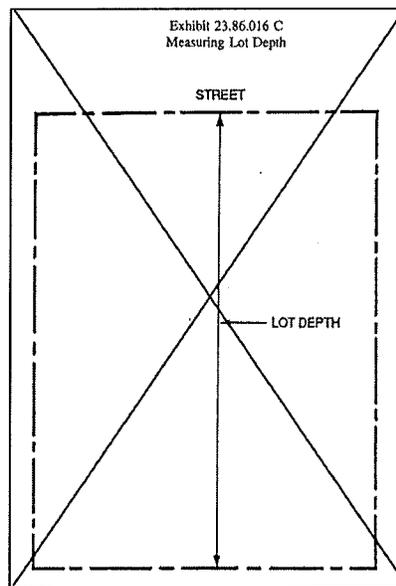
19 1. ~~((When))~~ If the lot is essentially rectangular and has a rear lot line ~~((which is))~~
20 within ~~fifteen (15) degrees~~ of parallel to the front lot line, the lot depth ~~((shall be))~~ is the
21 horizontal distance between the midpoints of the front and rear lot lines (Exhibit C for
22 23.86.016((C))).



1 2. ~~((When))~~ If the lot is triangular or wedge-shaped, lot depth shall be the
2 horizontal distance~~((s))~~ between the midpoint of the front lot line and the rear point of the lot. If
3 ~~((such a))~~ the lot does not actually come to a point, lot depth ~~((shall be))~~ is measured from
4 midpoint of the front lot line to the midpoint of the rear lot line (Exhibit C for 23.86.016~~((C))~~)).

5 3. In the case of a through lot, lot depth ~~((shall be))~~ is measured between the
6 midpoint~~((s))~~ of each front lot line~~((s))~~.

7 4. When lot shape is so irregular that ~~((provisions))~~ subsections 23.86.016.D.1, 2
8 or 3 cannot be used, lot depth ~~((shall be that))~~ is the distance equal to the result of lot area
9 divided by length of front lot line, provided that in no case ~~((shall lot))~~ is the depth permitted to
10 be greater than the distance from front lot line to the furthest point on the perimeter of the lot
11 (Exhibit D for 23.86.016~~((D))~~)).



14 15 16 17 18 19 20 21 22 23 24 **Exhibit C for 23.86.016: ~~((C))~~ Measuring Lot Depth**



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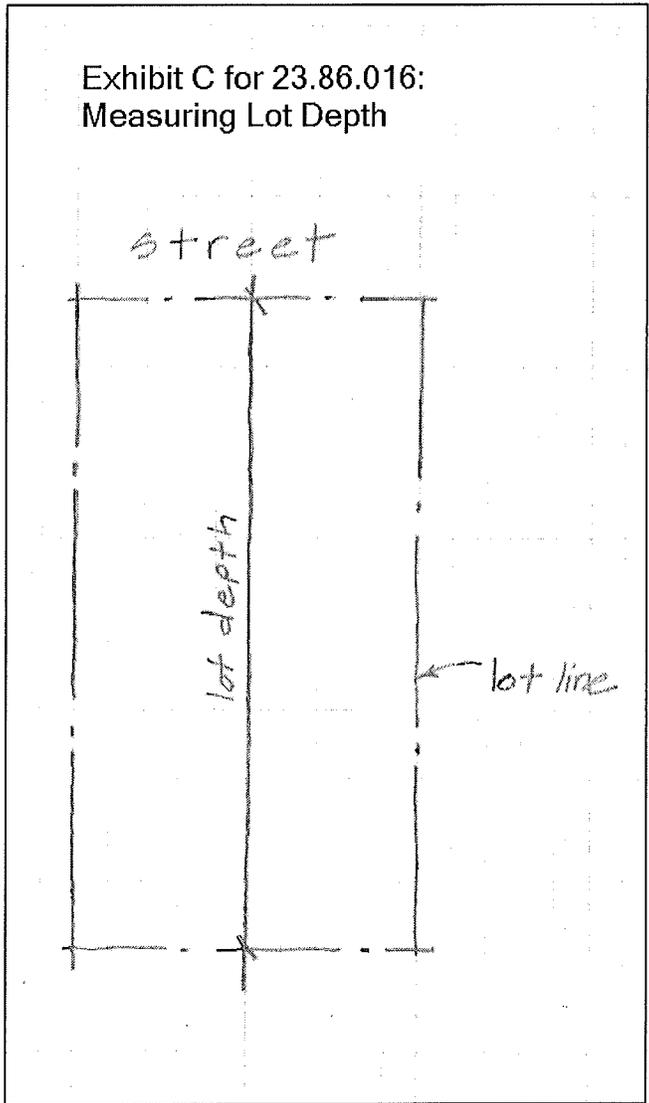


Exhibit D for 23.86.016 ((D)) Rear Lot Line Exception



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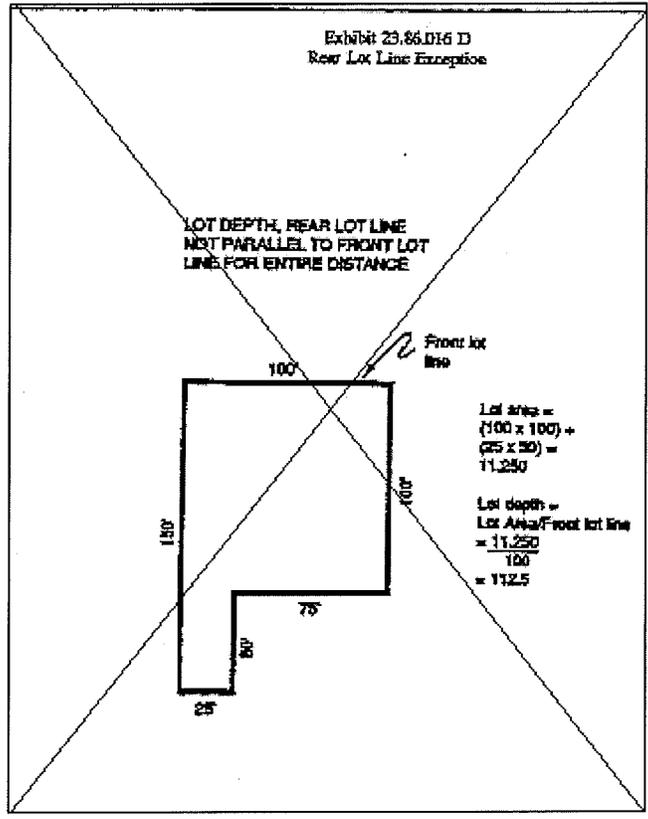
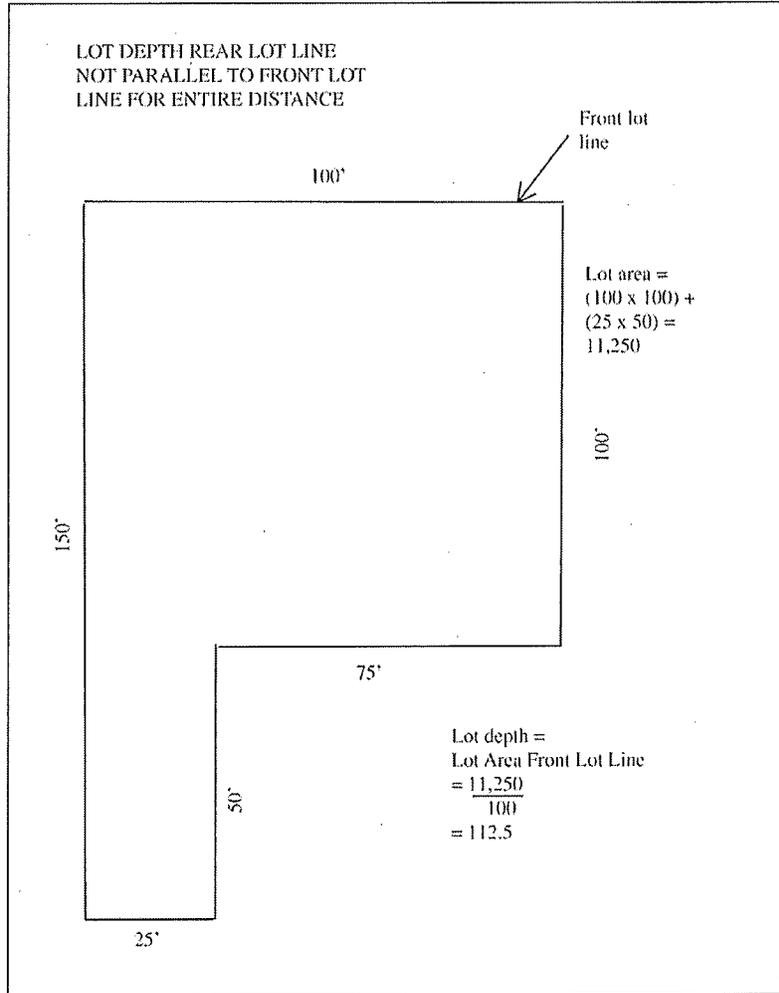


Exhibit D for 23.86.016: Rear Lot Line Exception



~~((C. Measuring Structural Depth Exceptions. In certain zones, exceptions permit increased structure depth. For those cases total permitted lot coverage shall equal maximum~~



1 ~~width times maximum depth less the area required for modulation, according to the following~~
2 ~~provisions:~~

3 ~~1. Maximum width shall be considered to be the width of the lot less the total~~
4 ~~required side setbacks, but shall in no case exceed the maximum width permitted for the housing~~
5 ~~type and zone. In Lowrise 3 zones, apartments no more than thirty (30) feet in height may have a~~
6 ~~maximum depth of one hundred (100) feet.~~

7
8 ~~2. Maximum depth shall be considered to be the percentage of lot depth permitted~~
9 ~~for the proposed housing type.~~

10 ~~3. The area of minimum required modulation shall be subtracted from the~~
11 ~~calculation to determine maximum lot coverage permitted.~~

12 ~~4. Eaves, and unenclosed decks, balconies and porches, shall not be calculated as~~
13 ~~part of lot coverage, provided that when such features project more than four (4) feet from an~~
14 ~~exterior wall only four (4) feet shall be excluded from the lot coverage calculation.))~~

15
16 Section 100. A new Section 23.86.017 of the Seattle Municipal Code is added to read as
17 follows:

18 **23.86.017 Amenity area measurement**

19
20 Certain zones require a minimum amount of amenity area to be provided on the lot. If amenity
21 area is required, the following provisions shall apply:

22 A. If the applicable development standards specify a minimum contiguous amenity area,
23 areas smaller than the minimum contiguous area are not be counted toward fulfilling amenity
24 area requirements.



1 1. Driveways and vehicular access easements, whether paved or unpaved, shall be
2 considered to separate the amenity areas they bisect, except for woonerfs permitted to qualify as
3 required amenity area.

4 2. Pedestrian access areas shall not be considered to break the contiguity of
5 amenity area on each side.

6 B. In shoreline areas, when determining the amount of amenity area required or provided,
7 no land waterward of the ordinary high water mark shall be included in the calculation.

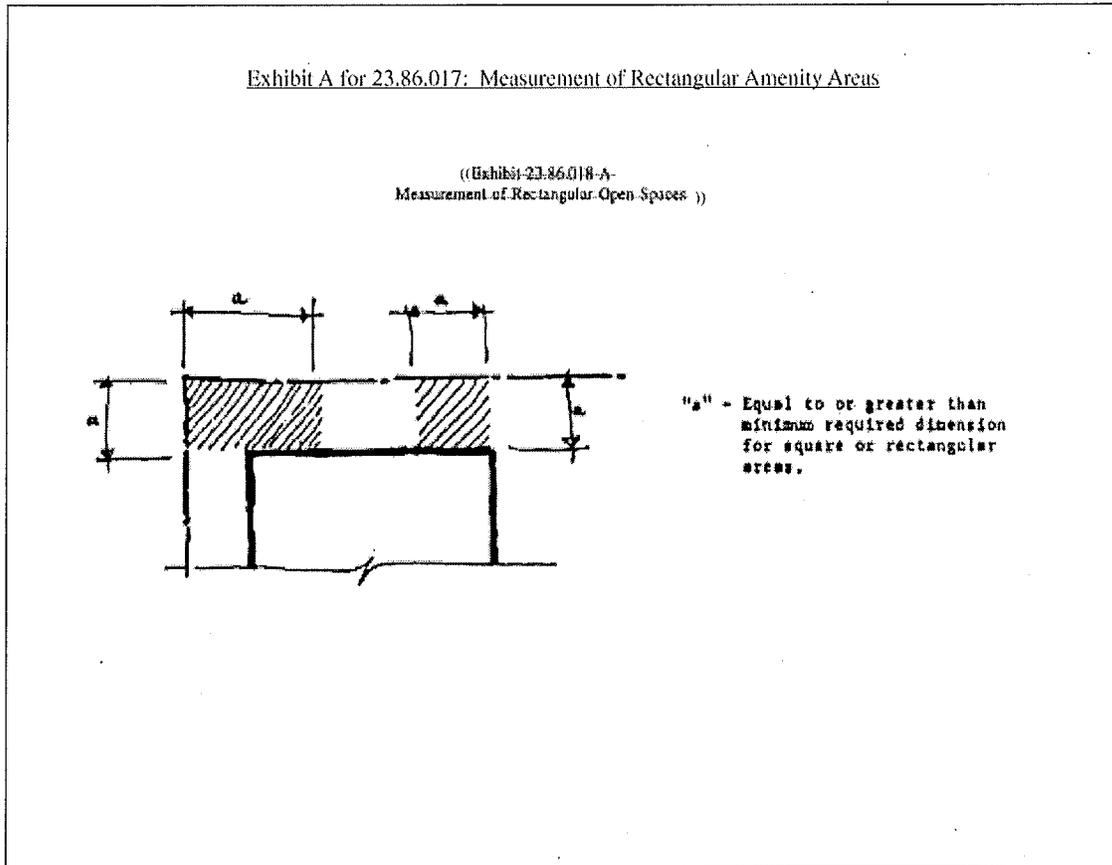
8 C. In cases where the shape or configuration of the amenity area is irregular or unusual,
9 the Director shall determine whether amenity area requirements have been met, notwithstanding
10 the following provisions, based on whether the proposed configuration would result in amenity
11 area that is truly usable for normal residential recreational purposes. For the purpose of
12 measuring the minimum horizontal dimension of the amenity area, if one is specified, the
13 following provisions shall apply:
14
15

16 1. For rectangular or square areas, each exterior dimension of the area shall meet
17 the minimum dimension (Exhibit A for 23.86.017).

18 **Exhibit A for Section 23.86.017: Measurement of Regular Amenity Area**
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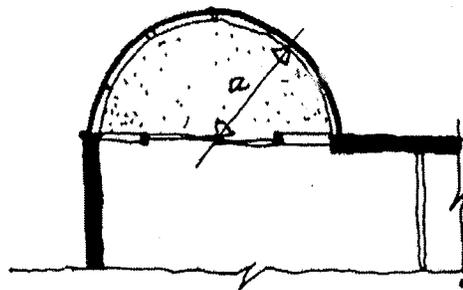
2. For circular areas, the diameter of the circle shall meet the minimum dimension; for semicircular areas, the radius of the area shall meet the minimum dimension (Exhibit B for 23.86.017).

Exhibit B for 23.86.017: Measurement of Circular Amenity Areas

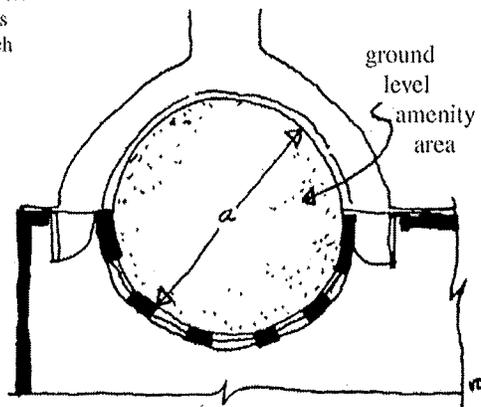


Exhibit B for 23.86.017: Measurement of Circular Amenity Areas

((Exhibit 23.86.018-D
Measurement of Circular Open Spaces))



("a" = minimum
horizontal dimension
of amenity area as
established in each
zone)



Section 101. Section 23.86.019 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:



1 **23.86.019 Green Factor measurement**

2 A. Development standards for certain areas require landscaping that meets a minimum
3 Green Factor score. All required landscaping shall meet standards promulgated by the Director to
4 provide for the long-term health, viability, and coverage of plantings. These standards may
5 include, but are not limited to, the type and size of plants, spacing of plants, depth and quality of
6 soil, use of drought-tolerant plants, and access to light and air for plants. The Green Factor score
7 shall be calculated as follows:

8
9 1. Identify all proposed landscape elements, sorted into the categories presented in
10 Table A for Section 23.86.019.

11 2. Multiply the square feet, or equivalent square footage where applicable, of each
12 landscape element by the multiplier provided for that element in Table A for Section 23.86.019,
13 according to the following provisions:

14 a. If multiple elements listed on Table A for Section 23.86.019 occupy the
15 same area (for example, groundcover under a tree), count the full square footage or equivalent
16 square footage of each element.

17 b. Landscaping elements in the right-of-way between the lot line and the
18 roadway may be counted, provided that they are approved by the Director of the Department of
19 Transportation.
20

21 c. Elements listed in Table A for Section 23.86.019 that are provided to
22 satisfy any other requirements of this Code may be counted.

23 d. For trees, large shrubs, and large perennials, use the equivalent square
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28
footage of each tree or shrub according to Table B for Section 23.86.019.



e. For vegetated walls, use the square footage of the portion of the wall covered by vegetation. All vegetated wall structures, including fences counted as vegetated walls, shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage.

f. For all elements other than trees, large shrubs, large perennials, and vegetated walls, square footage is determined by the area of the portion of a horizontal plane that lies over or under the element.

g. All permeable paving and structural soil credits together may not count for more than one third of the lot's Green Factor score (~~for a lot~~).

3. Add together all the products calculated under subsection 23.86.019.A.2 to determine the Green Factor numerator.

4. Divide the Green Factor numerator by the lot area to determine the Green Factor score.

Table A for Section 23.86.019: Green Factor Landscape Elements

Green Factor Landscape Elements	Multiplier
A. Planted Areas (choose one of the following for each planting area)	
1. Planted areas with a soil depth of less than 24 inches	0.1
2. Planted areas with a soil depth of 24 inches or more:	0.6
3. Bioretention facilities meeting standards of the Stormwater Code, Title 22 Subtitle VIII of the Seattle Municipal Code	1.0
B. Plants	
1. Mulch, ground covers or other plants normally expected to be less than 2 feet tall at maturity.	0.1
2. Large shrubs or other perennials at least 2 feet tall at maturity	0.3
3. Small trees	0.3
4. Small/medium trees	0.3
5. Medium/large trees	0.4



6. Large trees	0.4
7. Preservation of existing large trees at least 6 inches in diameter at breast height	0.8
C. Green roofs	
1. Planted over at least 2 inches but less than 4 inches of growth medium	0.4
2. Planted over at least 4 inches of growth medium	0.7
D. Vegetated walls	0.7
E. Water features using harvested rainwater and under water at least six months per year	0.7
F. Permeable paving	
1. Installed over at least 6 inches and less than 24 inches of soil and/or gravel	0.2
2. Installed over at least 24 inches of soil and/or gravel	0.5
G. Structural soil	0.2
H. Bonuses applied to Green Factor landscape elements:	
1. Landscaping that consists entirely of drought- tolerant or native plant species	0.1
2. Landscaping that receives at least 50 percent of its irrigation through the use of harvested rainwater	0.2
3. Landscaping visible from adjacent rights-of-way or public open space	0.1
4. Landscaping in food cultivation	0.1

Table B for Section 23.86.019: Equivalent square footage of trees and large shrubs

Landscape Elements	Equivalent Square Feet
Large shrubs or large perennials	((+6)) <u>12</u> square feet per plant
Small trees	((50)) <u>75</u> square feet per tree
Small/medium trees	((100)) <u>150</u> square feet per tree
Medium/large trees	((150)) <u>250</u> square feet per tree
Large trees	((200)) <u>350</u> square feet per tree
Existing large trees	((15)) <u>20</u> square feet per inch of trunk diameter 4.5 feet above grade

Section 102. Section 23.86.020 of the Seattle Municipal Code, relating to the measurement of modulation for institutions in multifamily zones, which section was last amended by Ordinance 110570, and as shown in Attachment A, is repealed.



1 Section 103. Subsection B and D of Section 23.90.018 of the Seattle Municipal Code,
2 which section was last amended by Ordinance 123209, are amended as follows:

3 **23.90.018 Civil Enforcement Proceedings and Penalties**

4 B. Specific ((V))violations.

5 1. Violations of Section 23.71.018 are subject to penalty in the amount specified
6 in subsection 23.71.018.H.

7 2. Violations of the requirements of subsection 23.44.041.C are subject to a civil
8 penalty of \$5,000, which shall be in addition to any penalty imposed under subsection
9 23.90.018.A.

10 3. Violations of Section 23.49.011, 23.49.015 or 23.50.051 with respect to failure
11 to demonstrate compliance with commitments to earn LEED Silver ratings under applicable
12 sections are subject to penalty in amounts determined under Section 23.49.020, and not to any
13 other penalty, but final determination and enforcement of penalties under that Section are subject
14 to subsection 23.90.018.C.

15 4. Violations of Sections 23.45.510 and 23.45.526 with respect to failure to
16 demonstrate compliance with commitments to earn a LEED Silver rating or a 4-Star rating
17 awarded by the Master Builders Association of King and Snohomish Counties or other eligible
18 green building ratings systems under applicable sections are subject to penalty in amounts
19 determined under ((this)) subsection 23.90.018.E, and not to any other penalty.

20 5. Violation of Section 23.40.007.B with respect to failure to demonstrate
21 compliance with a waste diversion plan for a structure permitted to be demolished under
22 subsection 23.40.006.C is subject to a penalty in an amount determined as follows:
23
24
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26

1 $P = SF \times .02 \times RDR,$

2 where:

3 P is the penalty;

4 SF is the total square footage of the structure for which the demolition permit was
5 issued; and

6 RDR is the refuse disposal rate, which is the per ton rate established in SMC
7 Chapter 21.40, and in effect on the date the penalty accrues, for the deposit of refuse at City
8 recycling and disposal stations by the largest class of vehicles.

9
10 6. Violations of Section 23.40.060.E.2 by failing to submit the report required by
11 Section 23.40.060.E.2 by the date required is subject to a penalty of \$500 per day from the date
12 the report was due to the date it is submitted.

13
14 7. Violation of Section 23.40.060.E.1 by failing to demonstrate full compliance
15 with the standards contained in Section 23.40.060.E.1 is subject to a maximum penalty of 5
16 percent of the construction value set forth in the building permit for the structure and a minimum
17 penalty of 1 percent of construction value, based on the extent of compliance with standards
18 contained in Section 23.40.060.E.1.

19
20 * * *

21 D. Except in cases of violations of Section 23.45.510, 23.45.526, 23.49.011, 23.49.015,
22 or 23.50.051 with respect to failure to demonstrate compliance with commitments to earn LEED
23 Silver, Built Green 4-Star, or ESDS ratings or satisfy alternative standards, the violator may
24 show as full or partial mitigation of liability:



1 a. It is the City's policy to minimize or prevent adverse parking impacts
2 associated with development projects.

3 b. Subject to the overview and cumulative effects policies set forth in
4 Sections 25.05.665 and 25.05.670, the decision maker may condition a project to mitigate the
5 effects of development in an area on parking; provided that:

6 1) No SEPA authority is provided to mitigate the impact of
7 development on parking availability in the ~~((downtown zones))~~ Downtown and South Lake
8 Union Urban Centers;

9 2) ~~((In Seattle Mixed (SM) zones, and))~~ No SEPA authority is
10 provided for the decision maker to ~~((require more parking than the minimum required by the~~
11 Land Use Code))mitigate the impact of development on parking availability for residential uses
12 located within:

13 i. the Capitol Hill/First Hill Urban Center, the Uptown
14 Urban Center, and the University District ~~((Northwest))~~Urban Center ~~((Village)), except the~~
15 portion of the Ravenna urban village that is not within 1,320 feet of a street with frequent transit
16 service, measured as the walking distance from the nearest transit stop to the lot line of the lot;

17 ii. ~~((and))~~ the Station Area Overlay District; and

18 iii. portions of urban villages within 1,320 feet of a street
19 with frequent transit service, measured as the walking distance from the nearest transit stop to the
20 lot line of the lot ~~((no SEPA authority is provided for the decision maker to require more parking~~
21 than the minimum required by the Land Use Code));



3) Outside of the areas listed in subsection 25.05.675.M.2.b,

~~((Parking))~~ parking impact mitigation for multifamily development, except in the Alki area, as described in subsection 25.05.675.M.2.c ~~((below))~~, may be required only where on-street parking is at capacity, as defined by the Seattle Department of Transportation or where the development itself would cause on-street parking to reach capacity as so defined.

c. For the Alki area, as identified on Map B for ~~((23.45.015))~~ 23.54.015, a higher number of spaces per unit than is required by SMC Section 23.54.015 may be required to mitigate the adverse parking impacts of specific multifamily projects. Projects that generate a greater need for parking and that are located in places where the street cannot absorb that need -- for example, because of proximity to the Alki Beach Park -- may be required to provide additional parking spaces to meet the building's actual need. In determining that need, the size of the development project, the size of the units and the number of bedrooms in the units shall be considered.

d. If parking ~~((Parking))~~ impact mitigation is authorized by this subsection 25.05.675.M, ~~it ((for projects outside of downtown zones))~~ may include but is not limited to:

- 1) Transportation management programs;
- 2) Parking management and allocation plans;
- 3) Incentives for the use of alternatives to single-occupancy vehicles, such as transit pass subsidies, parking fees, and provision of bicycle parking space;
- 4) Increased parking ratios ~~((, except for projects located within Seattle Mixed (SM) zones, and residential uses located in, the Capitol Hill/First Hill Urban~~



1 Center, the University District Northwest Urban Center Village, and the Station Area Overlay
2 District)); and

3 5) Reduced development densities to the extent that it can be
4 shown that reduced parking spillover is likely to result; provided, that parking impact mitigation
5 for multifamily development may not include reduction in development density.

6 * * *

7
8 Section 105. Subsection A of Section 25.05.800 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 122670, is amended as follows:

10 **25.05.800 Categorical exemptions**

11 The proposed actions contained in this subchapter are categorically exempt from
12 threshold determination and EIS requirements, subject to the rules and limitations on categorical
13 exemptions contained in Section 25.05.305.

14 A. Minor ~~((N))~~new ~~((G))~~construction—~~((F))~~flexible ~~((T))~~thresholds.

15
16 1. The exemptions in this subsection apply to all licenses required to undertake
17 the construction in question, except when a rezone or any license governing emissions to the air
18 or discharges to water is required. To be exempt under this ~~((section))~~ Section 25.05.800, the
19 project ~~((must))~~ shall be equal to or smaller than the exempt level. For a specific proposal, the
20 exempt level in subsection A.2 of this ~~((s))~~ Section 25.05.800 shall control. If the proposal is
21 located in more than one ~~((+))~~ city~~((/))~~ or county, the lower of the agencies' adopted levels shall
22 control, regardless of which agency is the lead agency.
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2. The following types of construction are exempt, except when undertaken wholly or partly on lands covered by water or unless undertaken in environmentally critical areas (Section 25.05.908):

a. The construction or location of residential structures containing no more than the number of dwelling units identified in ~~(part (i))~~ Table A for 25.05.800, except ~~(as modified by the provisions of part (ii.) 25.05.800.A.2.a.(ii) (ii) For)~~ for lots located in an Urban Center or a SAOD, if the proposed construction or location is on a lot in an ~~(LDT)~~ LRI or LR2 zone, and if the lot abuts any portion of another lot that is zoned SF or RSL, or is across an alley of any width from a lot that is zoned SF or RSL, or is across a street from a lot zoned SF or RSL ~~(where)~~ if that street does not meet minimum width requirements in ~~(SMC)~~ Section 23.53.015.A, then the level of exempt construction is 4 dwelling units for lots in an ~~(LDT or)~~ LR1 zone, and 6 dwelling units for lots in an LR2 zone~~(-)~~:

~~((i))~~ Table A for 25.05.800: Exemptions for Residential Uses

Zone	Residential Uses	
	(No.) <u>Number of (D.U.) Exempt Dwelling Units</u>	
	Outside of Urban Centers	Within Urban Centers or SAOD
SF, RSL	4	4
(LDT) <u>LR1</u>	4	6
(L1)	((4))	((30))
<u>LR2</u>	6	30
<u>LR3</u> (,L4)	8	30
NC1, NC2, NC3, C1, C2	4	30
MR, HR, SM	20	30
Downtown zones	<u>Not Applicable</u>	80
Industrial zones	4	4



Notes for Table A for 25.05.800(:(:))
 SAOD = Station Area Overlay Districts.
 Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering ~~((ten thousand-))~~10,000~~((:))~~ square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, containing no more than the gross floor area listed in the ~~((table))~~ Table B for 25.05.800 below:

Table B for 25.05.800: Exemptions for Non-Residential Uses		
Zone	Non-Residential Uses	
	Exempt Area of Use (square feet of gross floor area)	
	Outside of Urban Centers	Within Urban Centers or SAOD
SF, RSL, ((LDT,)) LR1, LR2, LR3 ((; L4))	4,000	4,000
MR, HR, NC1, NC2, NC3	4,000	12,000
C1, C2, SM, Industrial zones	12,000	12,000
Downtown zones	<u>Not Applicable</u>	12,000

Notes(:(:)) for Table B for 25.05.800
 SAOD = Station Area Overlay Districts.
 Urban centers and urban villages are identified in the Seattle Comprehensive Plan.



1 d. The construction of a parking lot designed for ~~((forty-))40(())~~ or fewer
2 automobiles, as well as the addition of spaces to existing lots up to a total of ~~((forty-))40(())~~
3 spaces;

4 e. Any landfill or excavation of ~~((five hundred-))500(())~~ cubic yards or
5 less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as
6 a Class I, II, or III forest practice under RCW 76.09.050 or regulations there under;

7 f. Mixed-use construction, including but not limited to projects combining
8 residential and commercial uses, is exempt if each use, ~~((when))~~ if considered separately, is
9 exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d above, unless the uses in
10 combination may have a probable significant adverse environmental impact in the judgment of
11 an agency with jurisdiction (see Section 25.05.305((-))A.2.b);

12 g. In zones not specifically identified in this subsection 25.05.800.A, the
13 standards for the most similar zone addressed by this subsection apply.

14 * * *

15 Section 106. Subsections A and B of Section 25.09.260 of the Seattle Municipal Code,
16 which section was last amended by Ordinance 122050, is amended as follows:

17 **25.09.260 Environmentally Critical Areas Administrative Conditional Use((-))**

18 A. When the applicant demonstrates it is not practicable to comply with the requirements
19 of Section 25.09.240((-))B considering the parcel as a whole, the applicant may apply for an
20 administrative conditional use permit, authorized under Section 23.42.042, under this section to
21 allow the Director to count environmentally critical areas and their buffers that would otherwise
22
23
24
25



1 be excluded in calculating the maximum number of lots and units allowed on the parcel under
2 Section 25.09.240((-))E.

3 B. Standards. The Director may approve an administrative conditional use for smaller
4 than required lot sizes and yards, and/or more than one (~~(4)~~) dwelling unit per lot if the
5 applicant demonstrates that the proposal meets the following standards:

6 1. Environmental (~~(F)~~) impacts on (~~(C)~~) critical (~~(A)~~) areas.

7 a. No development is in a riparian corridor, shoreline habitat, shoreline
8 habitat buffer, wetland, or wetland buffer.

9 b. No riparian management area, shoreline habitat buffer, or wetland
10 buffer is reduced.

11 c. No development is on a steep slope area or its buffer unless the property
12 being divided is predominantly characterized by steep slope areas, or unless approved by the
13 Director under Section 25.09.180((-))B.2.a, b, or c.

14 (1) The preference is to cluster units away from steep slope areas
15 and buffers.

16 (2) The Director shall require clear and convincing evidence that
17 the provisions of this subsection 25.09.260.B are met (~~(when)~~) if units are clustered (~~(clustering~~
18 ~~units)~~) on steep slope areas and steep slope area buffers with these characteristics:

19 (a) a wetland over (~~(fifteen hundred-)~~)1,500(~~(+)~~) square
20 feet in size or a watercourse designated part of a riparian corridor; or

21 (b) an undeveloped area over (~~(five-)~~)5(~~(+)~~) acres
22 characterized by steep slopes; or



1 (c) areas designated by the Washington Department of Fish
2 and Wildlife as urban natural open space habitat areas with significant tree cover providing
3 valuable wildlife habitat.

4 d. The proposal protects Washington State Department of Fish and
5 Wildlife priority species and maintains wildlife habitat.

6 e. The open water area of a shoreline habitat, wetland or riparian corridor
7 shall not be counted in determining the permitted number of lots.

8 f. The proposal does not result in unmitigated negative environmental
9 impacts, including drainage and water quality, erosion, and slope stability on the identified
10 environmentally critical area and its buffer.

11 g. The proposal promotes expansion, restoration or enhancement of the
12 identified environmentally critical area and buffer.

13
14
15 2. General ~~(E)~~environmental ~~(I)~~impacts and ~~(S)~~site ~~(C)~~characteristics.

16 a. The proposal keeps potential negative effects of the development on the
17 undeveloped portion of the site to a minimum and preserves topographic features.

18 b. The proposal retains and protects vegetation on designated
19 nondisturbance areas, protects stands of mature trees, keeps tree removal to a minimum, removes
20 noxious weeds and protects the visual continuity of vegetated areas and tree canopy.

21
22 3. Neighborhood ~~(C)~~compatibility.

23 a. The total number of lots permitted on-site shall not be increased beyond
24 that permitted by the underlying single-family zone.



1 b. Where dwelling units are proposed to be attached, they do not exceed
2 the height, bulk and other applicable development standards of the Lowrise 1 (~~(L-1)~~) (LR1)
3 zone.

4 c. The development is reasonably compatible with and keeps the negative
5 impact on the surrounding neighborhood to a minimum. This includes, but is not limited to,
6 concerns such as neighborhood character, land use, design, height, bulk, scale, yards, pedestrian
7 environment, and preservation of the tree canopy and other vegetation.
8

9 * * *

10 Section 107. Section 25.11.070 of the Seattle Municipal Code, which section was
11 enacted by Ordinance 120410, is amended as follows:

12 **25.11.070 Tree protection on sites undergoing development in Lowrise-~~(Duplex/Triplex,~~**
13 **~~Lowrise 1, Lowrise 2, and Lowrise 3)~~ zones(~~(r)~~)**
14

15 The provisions in this Section 25.11.070 apply in Lowrise zones.

16 A. Exceptional (~~(F)~~)trees(~~(r)~~)

17 1. If (~~(it is determined)~~) the Director determines that there is an exceptional tree
18 located on the (~~(site)~~) lot of a proposed development and the tree is not proposed to be preserved,
19 the (~~(project)~~) development shall go through (~~(administrative)~~) streamlined design review as
20 provided in Section (~~(23.41.016)~~) 23.41.018 (~~(even)~~) if the project (~~(would normally)~~) falls
21 below the thresholds for design review (~~(as contained)~~) established in Section 23.41.004.

22 2. The Director may permit the exceptional tree to be removed only if the total
23 floor area that could be achieved within the maximum permitted (~~(development coverage)~~) FAR
24



1 and ~~((the))~~ height limits of the applicable ~~((f))~~ Lowrise zone according to SMC Title 23, the Land
2 Use Code, cannot be achieved while avoiding the tree protection area through the following:

3 a. Development standard adjustments permitted in Section 23.41.018 or
4 the departures permitted in Section 23.41.012.

5 b. An increase in the permitted height as follows under subsection
6 25.11.070.A.3.((:))

7 ~~((i. In ((Lowrise Duplex/Triplex,)) Lowrise 1((,)) and Lowrise 2~~
8 ~~zones, the basic height limit of twenty-five (25) provided for in Section 23.45.009A may be~~
9 ~~increased up to thirty (30) feet; the pitch roof provisions of Section 23.45.009 C1 may be~~
10 ~~modified to permit the ridge of pitched roofs on principal structures with a minimum slope of~~
11 ~~((six to twelve (:)6:12((:))) to extend up to ((forty (:)40((:))) feet, and the ridge of pitched roofs on~~
12 ~~principal structures with a minimum slope of ((four to twelve (:)4:12((:))) may extend up to~~
13 ~~((thirty-five (:)35((:))) feet.~~

14 ~~ii. In Lowrise 3 zones the height of the pitched roof provided for in~~
15 ~~Section 23.45.009C3 may extend up to ten (10) feet above the maximum height limit.))~~

16 3. In order to preserve an exceptional tree, for a principal structure with a base
17 height limit of 40 feet that is subject to the pitched roof provisions of Section 23.45.514.D, the
18 Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a
19 height of 50 feet ~~((-iii. The increase in height permitted in this ((section)) shall only be~~
20 ~~approved)) if the increase is needed to accommodate, on an~~
21 ~~additional ((floor))story, the amount of floor area lost by avoiding development within the tree~~
22 ~~protection area((-The maximum)) and the amount of floor area on ((an)) the additional ((floor))~~



1 story ~~((shall be))~~ is limited to the amount of floor area lost by avoiding development within the
2 tree protection area. ~~((This provision for increased height shall not be permitted if the
3 development is granted a departure from the development standards for setbacks.))~~

4 c. Parking Reduction. A reduction in the parking quantity ~~((of))~~ required
5 by Section 23.54.015 and the standards of Section 23.54.030 may be permitted in order to protect
6 an exceptional tree if the reduction would result in a project that would avoid the tree protection
7 area. ~~((The reduction shall be limited to a maximum of ten (10) percent of the number of
8 required parking spaces)).~~

9 B. Trees ~~((of))~~ over ~~((Two (2))~~ 2 ~~((feet))~~ feet in ~~((D))~~ diameter ~~((Measured Four and One-
10 half (4½) Feet Above the Ground)).~~

11 1. Trees over ~~((two (2))~~ 2 ~~((feet))~~ feet in diameter, measured 4.5 feet above the ground,
12 shall be identified on site plans.

13 2. In order to protect trees over ~~((two (2))~~ 2 ~~((feet))~~ feet in diameter an applicant may
14 request and the Director may allow modification of development standards in the same manner
15 and to the same extent as provided for exceptional trees in subsection 25.11.070.A ~~((of this
16 section, above)).~~

17 ~~((C. The development shall meet the tree requirements in landscaped areas of Section
18 23.45.015C)).~~

19 Section 108. Section 25.11.080, which section was enacted by Ordinance 120410, is
20 amended as follows:

21 **25.11.080 Tree protection on sites undergoing development in ~~((Lowrise 4,))~~ Midrise~~((,))~~
22 and Commercial Zones~~((,))~~**

1 The standards in this Section 25.11.080 apply in Midrise and Commercial zones.

2 A. Exceptional ((F))trees.

3 1. If ~~((it is determined))~~ the Director determines that there is an exceptional tree
4 located on the ~~((site))~~ lot of a proposed project and the tree is not proposed to be preserved, the
5 project shall go through ~~((administrative))~~ streamlined design review as provided in Section
6 ~~((23.41.016))~~ 23.41.018 ~~((even))~~ if the project ~~((would normally))~~ falls below the thresholds for
7 design review ~~((as contained))~~ established in Section 23.41.004.

8 2. The Director may permit an exceptional tree to be removed only if the
9 applicant demonstrates that protecting the tree by avoiding development in the tree protection
10 area could not be achieved through the development standard adjustments permitted in Section
11 23.41.018 or the departures permitted in Section 23.41.012, ~~((and/or))~~ a reduction in the parking
12 requirements of Section 23.54.015, ~~((up to a maximum reduction of ten (10) percent of the~~
13 ~~number of required parking spaces))~~ and/or a reduction in the standards of Section 23.54.030.

14 B. Trees ~~((Ø))~~ over ((Two-))2((Ø)) ((F))feet in ~~((D))~~ diameter ~~((M))~~ measured ~~((Four and~~
15 ~~One-half (4 1/2) Feet Above the ground))~~.

16 1. Trees over ~~((two-))2((Ø))~~ feet in diameter, measured 4.5 feet above the ground,
17 shall be identified on site plans.

18 2. In order to protect trees over ~~((two-))2((Ø))~~ feet in diameter an applicant may
19 request and the Director may permit modification of development standards in the same manner
20 and to the same extent as provided for exceptional trees in subsection 25.11.080.A ~~((of this~~
21 ~~section))~~, above.

22 * * *

23 Section 109. The Council requests that the Department of Planning and Development
24 (DPD) establish a specific target for review time for permit applications subject to the
25 streamlined administrative design review (SDR) process. DPD will report on the target in the
26



1 online permit turnaround data that the Department updates monthly, and will report on the
2 number of applications and the turnaround times as part of the regular Department presentations
3 to the Committee on the Built Environment or its successor Committee. In addition, the Council
4 requests that the DPD submit a written report evaluating the SDR process to all Councilmembers
5 two months after Master Use Permit decisions for ten SDR projects have been published. In the
6 report, DPD will provide an evaluation of the per unit cost of SDR, the amount of staffing
7 required for SDR to the applicant, DPD performance in meeting the review targets, the amount
8 and purpose of any adjustments granted by DPD through the SDR process, the effects on project
9 design and development capacity, and potential program improvements. The report should
10 provide this information by zone category. The Council will reevaluate the SDR process based
11 on the DPD report findings if necessary to address efficiency, cost, and/or quality of project
12 design.
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15 Section 110. The provisions of this ordinance are declared to be separate and severable.
16 The invalidity of any particular provision, or its invalidity as applied in any circumstances, shall
17 not affect the validity of any other provision or the application of the particular provision in other
18 circumstances. To the extent that sections of this ordinance recodify or are incorporated into
19 new or different sections provisions of the Seattle Municipal Code as previously in effect, this
20 ordinance shall be construed to continue such provisions in effect. The repeal of various sections
21 of Title 23 of the Seattle Municipal Code by this ordinance shall not relieve any person of the
22 obligation to comply with the terms and conditions of any permit issued pursuant to the
23 provisions of such Title as in effect prior to such repeal, nor shall it relieve any person or
24 property of any obligations, conditions or restrictions in any agreement or instrument made or
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1 granted pursuant to, or with reference to, the provisions of such Title in effect prior to such
2 repeal.

3 Section 111. Sections 1 through 106 of this ordinance shall take effect 90 days after the
4 effective date of this ordinance.

5 Section 112. This ordinance shall take effect and be in force 30 days from and after its
6 approval by the Mayor, but if not approved and returned by the Mayor within 10 days after
7 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

8 Passed by the City Council the 13th day of December, 2010, and signed by
9 me in open session in authentication of its passage this
10

11 13th day of December, 2010.

12 
13 _____
14 President _____ of the City Council

15 Approved by me this 20th day of December, 2010.

16 
17 _____
18 Michael McGinn, Mayor

19 Filed by me this 20th day of December, 2010.

20 
21 _____
22 City Clerk

23 (Seal)



Attachment A: Repealed Code Sections
Attachment B: Official Land Use Map amendments

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Attachment A to Lowrise Multifamily Code Amendment Ordinance: Repealed Code Sections

The repealed sections of the Land Use Code are shown below in numerical order. When the repealed section references an exhibit, that exhibit is also repealed. The title of the repealed section is followed by a reference to the number of the repealing section of the ordinance.

23.34.016 Lowrise 1 (L1) zone, function and locational criteria. (Ordinance Section 8)

A. Function. An area that provides low density, primarily ground-related multifamily housing opportunities.

B. Locational Criteria. Lowrise 1 zone designation is most appropriate in areas generally characterized by the following:

1. Development Characteristics of the Area.

a. Areas where structures of low heights, generally less than thirty (30) feet, and small bulk establish the pattern of development;

b. Areas with:

(1) A mix of single-family structures, small multifamily structures and single-family structures legally converted into multiple units where, because of the type and quality of the existing housing stock, it is desirable to encourage new development opportunities, or

(2) Numerous or large vacant parcels suitable for family housing where densities greater than single-family are desired; and

c. Areas where internal vehicular circulation is conducive to residential units that are oriented to the ground level and the street. Preferred locations are generally separated from principal arterials, as defined by the Seattle Comprehensive Transportation Program, which conflict with the desired character of L1 areas.

2. Relationship to the Surrounding Areas.

a. Properties that are definable pockets within a larger, higher density multifamily area, where it is desirable to preserve a small-scale character;

b. Properties generally surrounded by a larger single-family area where variation and replacement in housing type could be accommodated without significant disruption of the pattern, character or livability of the surrounding development;

c. Properties where a gradual transition is appropriate between single-family areas and more intensive multifamily or neighborhood commercial zones;

d. Properties in areas where narrow streets, on-street parking congestion, local traffic congestion, or irregular street patterns restrict local access and circulation;

e. Properties in areas close to facilities and services used by households with children, including schools, parks and community centers.

C. Areas zoned single family meeting the locational criteria for single-family designation may be rezoned to L1 only when the provisions of Section 23.34.010 B are met.



23.34.022 Lowrise 4 (L4) zone, function and locational criteria. (Ordinance Section 11)

A. Function. An area that provides moderate density multifamily infill development in residential neighborhoods already characterized by moderate density residential structures, with good vehicular circulation, adequate alleys, and on-street parking.

B. Locational Criteria.

1. Threshold Conditions. Subject to subsection B2 of this section, properties that may be considered for an L4 designation are limited to the following:

- a. Properties already zoned L4;
- b. Properties in areas already developed predominantly to the permitted L4 density and where L4 scale is well established;
- c. Properties within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral Residential Urban Village; or
- d. Properties located in the Delridge Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate a mixed-income housing development initiated by a public agency or the Seattle Housing Authority; a property use and development agreement is executed subject to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.

2. Properties designated as environmentally critical may not be rezoned to an L4 designation, and may remain L4 only in areas predominantly developed to the intensity of the L4 zone.

3. Other Criteria. The Lowrise 4 zone designation is most appropriate in areas generally characterized by the following:

- a. Development Characteristics of the Area.
 - (1) Either:
 - (a) Areas that are already developed predominantly to the permitted L4 density and where L4 scale is well established,
 - (b) Areas that are within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral Residential Urban Village, or
 - (c) Areas that are located within the Delridge Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate a mixed-income housing development initiated by a public agency or the Seattle Housing Authority; a property use and development agreement is executed subject to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.
 - (2) Areas of sufficient size to promote a high quality, higher density residential environment where there is good pedestrian access to amenities;
 - (3) Areas generally platted with alleys that can provide access to parking, allowing the street frontage to remain uninterrupted by driveways, thereby promoting a street environment better suited to the level of pedestrian activity associated with higher density residential environments;
 - (4) Areas with good internal vehicular circulation, and good access to sites, preferably from alleys. Generally, the width of principal streets in the area should be sufficient to allow for two (2) way traffic and parking along at least one (1) curbside.

b. Relationship to the Surrounding Areas.

- (1) Properties in areas adjacent to concentrations of employment;

(2) Properties in areas that are directly accessible to regional transportation facilities, especially transit; providing connections to major employment centers, including arterials where transit service is good to excellent and street capacity is sufficient to accommodate traffic generated by higher density development. Vehicular access to the area should not require use of streets passing through less intensive residential areas;

(3) Properties with close proximity and with good pedestrian connections to services in neighborhood commercial areas, public open spaces and other residential amenities;

(4) Properties with well-defined edges providing sufficient separation from adjacent areas of small scale residential development, or where such areas are separated by zones providing a transition in the height, scale and density of development.

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Part 1 General Standards

Part 2 Standards for Residential Uses in Lowrise Zones

Part 3 Use Provisions and General Provisions

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Part 5 Standards for Other Principal Uses Permitted Outright and Accessory Uses in all multifamily zones

23.45.002 Scope of Provisions (Ordinance Section 21)

The zones regulated by this Chapter 23.45 are found in Section 23.45.502.

23.45.004 Principal uses permitted outright. (Ordinance Section 23)

All uses are permitted outright, prohibited or permitted as a conditional use according Section 23.45.504.

23.45.006 General development standards for structures in multifamily zones. (Ordinance Section 25)

General provisions for structures in multifamily zones are found in Section 23.45.508.

23.45.009 Structure Height (Ordinance Section 28)

A. Maximum Height. The maximum height permitted for all structures, except for cottage housing developments, shall be as follows:

Lowrise Duplex/Triplex	—Twenty-five (25) feet
Lowrise 1	—Twenty-five (25) feet
Lowrise 2	—Twenty-five (25) feet
Lowrise 3	—Thirty (30) feet
Lowrise 4	—Thirty-seven (37) feet

B. Cottage Housing Height. The maximum height permitted for structures in cottage housing developments shall be eighteen (18) feet.

C. Pitched Roofs.

1. Except for cottage housing developments, in Lowrise Duplex/Triplex, Lowrise 1 and Lowrise 2 zones the ridge of pitched roofs on principal structures with a minimum slope of six to twelve (6:12) may extend up to thirty-five (35) feet. The ridge of pitched roofs on principal structures with a minimum slope of four to twelve (4:12) may extend up to thirty (30) feet. All parts of the roof above twenty-five (25) feet shall be pitched. (See Exhibit 23.45.009 A.)

2. In cottage housing developments, the ridge of pitched roofs with a minimum slope of six to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the roof above eighteen (18) feet shall be pitched.

3. In Lowrise 3 and Lowrise 4 zones the ridge of pitched roofs on principal structures may extend up to five (5) feet above the maximum height limit. All parts of the roof above thirty (30) feet in Lowrise 3 zones and thirty-seven (37) feet in Lowrise 4 zones shall be pitched at a rate of not less than four to twelve (4:12). (See Exhibit 23.45.009 B.)

4. No portion of a shed roof shall be permitted to extend beyond the maximum height limit under this provision.

D. Rooftop Features.

1. Flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer than 50 percent of their height above existing grade or, if attached only to the roof, no closer than 50 percent of their height above the roof portion where attached, to any adjoining lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof permitted under subsection C above or 4 feet above the maximum height limit set in subsection 23.45.009.A. For cottage housing developments, these rooftop features may extend 4 feet above the 18 foot height limit.

3. For cottage housing developments, chimneys may exceed the height limit by 4 feet or may extend 4 feet above the ridge of a pitched roof.

4. Except in cottage housing developments, the following rooftop features may extend 10 feet above the maximum height limit established in subsection 23.45.009.A so long as the combined total coverage of all features does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened mechanical equipment:

- a. Stair and elevator penthouses;
- b. Mechanical equipment;
- c. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least 5 feet from the roof edge;
- d. Chimneys;
- e. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.

5. For height exceptions for solar collectors, see Section 23.45.545.D, Solar collectors on roofs.

6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection 23.45.009.D.6 at least 10 feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:

- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Greenhouses;
- e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Chapter 23.57.011;
- f. Nonfirewall parapets;

g. Play equipment.

7. For height limits and exceptions for communication utilities and devices, Section 23.57.011.

E. Sloped Lots. Additional height shall be permitted for sloped lots, at the rate of one (1) foot for each six (6) percent of slope, to a maximum of five (5) feet. The additional height shall be permitted on the downhill side of the structure only, as described in Section 23.86.006 C.

23.45.010 Lot coverage—Lowrise zones (Ordinance Section 28)

A. Except as provided in subsection C of this section, the maximum lot coverage permitted for principal and accessory structures shall not exceed the following limits:

1. For townhouses, the following lot coverage limits shall apply:

Lowrise duplex/Triplex	— Forty-five (45) percent.
Lowrise 1	—Fifty (50) percent.
Lowrise 2	—Fifty (50) percent.
Lowrise 3	—Fifty (50) percent.
Lowrise 4	—Fifty (50) percent.

2. For all other structures, the following lot coverage limits shall apply:

Lowrise Duplex/Triplex	— Thirty-five (35) percent.
Lowrise 1	—Forty (40) percent.
Lowrise 2	—Forty (40) percent.
Lowrise 3	— Forty-five (45) percent.
Lowrise 4	—Fifty (50) percent.

3. When townhouses and other structures are located on the same lot, the lot coverage shall be calculated as follows:

a. Divide the number of townhouse units by the total number of units on the site, and multiply this figure by the percentage of lot coverage allowed for townhouses in that zone; and

b. Divide the number of units in all other (nontownhouse) structures on the site by the total number of units on site and multiply this figure by the percentage of lot coverage allowed for all other structures in that zone; and

c. Add subsections A3a and A3b above, which equals the maximum lot coverage.

B. For cottage housing developments, in addition to the limitations of subsection A above, the lot coverage for an individual principal structure shall not exceed six hundred fifty (650) square feet.

C. Lot Coverage Exceptions. The following structures or portions of structures shall be exempted from the measurement of lot coverage:

1. Pedestrian access bridges from alleys, streets or easements, and uncovered, unenclosed bridges of any height necessary for access and five (5) feet or less in width;

2. Ramps or other access for the disabled or elderly meeting Washington State Building Code, Chapter 11;

3. Fences, freestanding walls, bulkheads, signs and other similar structures;

4. An underground structure, or underground portion of a structure, on any part of the entire lot;
5. The first eighteen (18) inches of horizontal projection of eaves, cornices and gutters;
6. The first four (4) feet of horizontal projection from principal and accessory structures of unenclosed decks, balconies and porches;
7. Solar collectors meeting the provisions of Section 23.44.046 and swimming pools eighteen (18) inches or less above grade;
8. Decks or parts of a deck that are eighteen (18) inches or less above existing grade.

23.45.011 Structure width and depth—Lowrise zones. (Ordinance Section 28)

- A. The maximum width and depth of structures shall be as provided in Table 23.45.011 A. (See Table 23.45.011 A.)
- B. The minimum width for structures in Lowrise Duplex/Triplex zones shall be twenty (20) feet.

Table 23.45.011 A Structure Width and Depth in Lowrise Zones			
Multifamily Zone	Maximum Building Width Without Modulation	Maximum Building Width With Modulation	Maximum Building Depth
Lowrise Duplex/Triplex	30 feet; or 40 feet with a principal entrance facing a street	45 feet	60% depth of lot, but not to exceed 65 feet
Lowrise 1	30 feet; or 40 feet with a principal entrance facing a street	60 feet	60% depth of lot
Lowrise 2	30 feet; or 40 feet with a principal entrance facing a street	Apartments and ground-related housing (except townhouses), 50 feet	Apartments and ground-related housing (except townhouses), 60% depth of lot
		Townhouses, 90 feet	Townhouses, 65% depth of lot
Lowrise 3	30 feet; or 40 feet with a principal entrance facing a street	Apartments and ground-related housing (except townhouses), 75 feet	Apartments and ground-related housing including townhouses, 65% depth of lot
Lowrise 4	30 feet; or 40 feet with a principal entrance facing a street	Townhouses, 120 feet	65% depth of lot
		Apartments and ground-related housing (except townhouses), 90 feet Townhouses, 150 feet	

23.45.012 Modulation requirements—Lowrise zones. (Ordinance Section 28)

A. Front Facades.

1. Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street, or forty (40) feet with a principal entrance facing the street.

2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated. (See Exhibit 23.45.012 A.)

B. Side Facades. On corner lots, side facades which face the street shall be modulated if greater than forty (40) feet in width for ground-related housing, and thirty (30) feet in width for apartments. Modulation shall not be required for the side facades of terraced housing.

C. Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be modulated according to the standards of subsection D of Section 23.45.012, provided that the maximum modulation width shall be forty (40) feet. Perimeter facades shall follow standard development requirements.

D. Modulation Standards.

1. Lowrise Duplex/Triplex and Lowrise 1 Zones.

a. Minimum Depth of Modulation.

(1) The minimum depth of modulation shall be four (4) feet. (See Exhibit 23.45.012 B.)

(2) When balconies are part of the modulation and have a minimum dimension of at least six (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

c. Maximum Width of Modulation. The modulation width shall emphasize the identity of individual units, but shall not be greater than thirty (30) feet. For units located one (1) above the other, the individuality of the units shall be emphasized through the location of driveways, entrances, walkways and open spaces.

2. Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Minimum Depth of Modulation.

(1) The minimum depth of modulation shall be four (4) feet (see Exhibit 23.45.012 B) in Lowrise 2 and Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet for apartments in Lowrise 4 zones.

(2) When balconies are part of the modulation and have a minimum dimension of at least six (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

c. Maximum Width of Modulation.

(1) The maximum width of modulation shall be thirty (30) feet.

(2) Exceptions to Maximum Width of Modulation in Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

i. When facades provide greater depth of modulation than required by subsection D1 of this section, then for every additional full foot of modulation depth, the width of modulation may be increased by two and one-half (2½) feet, to a maximum width of

forty (40) feet in Lowrise 2 zones and forty-five (45) feet in Lowrise 3 and Lowrise 4 zones. Subsection B of Section 23.86.002, measurements, shall not apply.

ii. The maximum width of modulation may be increased when facades are set back from the lot line further than the required setback, according to the following guideline: The width of modulation of such a facade shall be permitted to exceed thirty (30) feet by one (1) foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of subsection D2c(2)i, nor shall it permit facades to exceed forty-five (45) feet in width without modulation.

3. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones required modulation may start a maximum of ten (10) feet above existing grade, and shall be continued up to the roof. In Lowrise Duplex/Triplex zones modulation shall extend from the ground to the roof except for weather protection coverings such as awnings.

23.45.014 Setback requirements—Lowrise zones. (Ordinance Section 28)

A. Front Setback.

1. The required front setback shall be the average of the setbacks of the first principal structures on either side, except for cottage housing developments, subject to the following:

Lowrise	
Duplex/	
Triplex —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.
Lowrise 1,	
Lowrise 2	
and	
Lowrise 3 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed fifteen (15) feet.
Lowrise 4 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.

2. Cottage Housing Developments. The required front setback shall be a minimum of ten (10) feet.

3. Townhouses.

a. Portions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.

b. No portion of a structure shall be closer to the front property line than five (5) feet.

4. Through Lots. In the case of a through lot, each setback abutting a street, except a side setback, shall be a front setback. Rear setback requirements shall not apply to the lot.

5. A greater setback may be required in order to meet the provisions of Section 23.53.015, Improvement requirements for existing streets in residential and commercial zones.

B. Rear Setbacks. Rear setbacks shall be provided as follows:

1. Zones. Lowrise Duplex/Triplex and Lowrise 1-Twenty (20) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet, except for cottage housing developments, which shall provide a minimum ten (10) foot rear setback.

Lowrise 2—Twenty-five (25) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

Lowrise 3 and Lowrise 4—Twenty-five (25) feet or fifteen (15) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

2. Alleys. When a property abuts upon an alley along a rear lot line, the centerline of the alley between the side lot lines extended shall be used as the rear lot line for purposes of measuring a rear setback; provided that at no point shall the principal structure be closer than ten (10) feet to the actual property line at the alley. If the provisions of subsection H of this section are used, this subsection may not be used.

C. Side Setbacks.

1. The required side setback for structures in Lowrise zones shall be determined by structure depth and height, according to the following Table 23.45.014 A:

Table 23.45.014 A Side Setbacks-Lowrise Zones
Height of Side Façade at Highest Point in Feet

	0—25'	26—30'	31—37'	
Structure Depth in Feet	Average Side Setback in Feet			Minimum Side Setback
65 or less	5	6	7	5'
66 to 80	6	6	8	5'
81 to 100	8	9	11	6'
101 to 120	11	12	14	7'
121 to 140	14	15	17	7'
141 to 160	17	18	20	8'
161 to 180	19	21	23	8'
Greater than 180				1' in addition to 8' for every 50' in depth

The pattern established in the table shall be continued for structures greater than one hundred eighty (180) feet in depth.

2. When there is a principal entrance along a side facade not facing a street or alley, the following shall apply except for cottage housing developments:

a. In addition to the setback required in Table 23.45.014 A, the principal entrance door(s) shall be recessed three (3) feet. This requirement for a recessed entrance shall apply only to a height necessary to accommodate the entrance.

b. Screening along the side property line that faces the principal entrance(s) shall be provided in the form of a wall or fence that meets the standard in subsection G of this section. In order to ensure adequate access width, this screening shall supersede the

landscape requirement along property lines that abut single-family zoned lots contained in Section 23.45.015 B1b.

3. The side street setback of a reversed corner lot shall be ten (10) feet or as provided in Table 23.45.014 A, whichever is greater.

D. Required Setbacks for Cluster Developments.

1. In Lowrise Duplex/Triplex zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be ten (10) feet when the length of facing portions of facades is forty (40) feet or less and fifteen (15) feet when the length of facing portions of facades exceeds forty (40) feet.

2. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be as follows:

Table 23.45.014 C Required Setback Between Facing Facades Lowrise Zones

Length of Facing Facades, in Feet	Average Setback Between Facing Facades (in Feet)	Minimum Setback (in Feet)
40 or less	10	10
41 to 60	15	10
61 to 80	20	10
81 to 100	25	10
101 to 150	30	10
151 or more	40	10

3. Setbacks shall apply only to portions of the facades that are directly across from each other.

4. In Lowrise 2, Lowrise 3 and Lowrise 4 zones structures in cluster developments may be connected by elevated walkways, provided that:

a. One (1) elevated walkway shall be permitted to connect any two (2) structures in the development;

b. Additional elevated walkways, in excess of one (1), between any two (2) structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained;

c. All elevated walkways shall meet the following standards:

(1) The roof planes of elevated walkways shall be at different levels than the roofs or parapets of connected structures.

(2) Walkways shall be set back from street lot lines and the front facades of the structures they connect, and whenever possible shall be located or landscaped so that they are not visible from a street.

(3) The design of the walkways and the materials used shall seek to achieve a sense of openness and transparency.

(4) Elevated walkways shall add to the effect of modulation rather than detract from it.

5. For structures connected by elevated walkways, the length of the facade shall be defined as the lengths of the facades connected by the elevated walkways and shall exclude the length of the elevated walkway.

E. Interior Separation for Cottage Housing Developments. In cottage housing developments, there shall be a minimum separation of six (6) feet between principal structures, unless there is a principal entrance on an interior facade of either or both of the facing facades, in which case the minimum separation shall be ten (10) feet. Facades of principal structures facing facades of accessory structures shall be separated by a minimum of three (3) feet.

F. Projections into Required Setbacks.

1. Special Features of a Structure.

a. External architectural details with no living space including cornices, eaves, sunshades, gutters, and vertical architectural features which are less than eight (8) feet in width, may project a maximum of eighteen (18) inches into any required setback.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two (2) feet into a front, rear, or street side setback. In no case shall bay windows be closer than five (5) feet to any lot line.

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen (18) inches into any required setback, starting a minimum of thirty (30) inches above finished floor, and with maximum dimensions of six (6) feet tall and eight (8) feet wide.

d. The combined area of features permitted in subsections F1b and c above may comprise no more than thirty (30) percent of the area of the facade.

2. Unenclosed Decks and Balconies.

a. Unenclosed decks and balconies may project a maximum of four (4) feet into the required front setback provided they are a minimum of ten (10) feet from the front lot line in Lowrise Duplex/Triplex and Lowrise 1 zones and eight (8) feet from the front lot line in Lowrise 2, Lowrise 3 and Lowrise 4 zones.

b. Except as provided in subsection G5 of Section 23.45.014, unenclosed decks and balconies shall be permitted in side setbacks, provided they are a minimum of five (5) feet from a side lot line, and may project into the required rear setback a maximum of four (4) feet provided they are a minimum of five (5) feet from a rear lot line.

c. Unenclosed decks and balconies permitted in required setbacks shall be limited to a maximum width of twenty (20) feet and shall be separated by a distance equal to at least one-half ($\frac{1}{2}$) the width of the projection.

d. All permitted projections into required front and rear setbacks shall begin a minimum of eight (8) feet above finished grade.

3. An unenclosed porch or steps may extend a maximum of six (6) feet into the required front setback at ground level, provided that it is set back the same distance from the front lot line as that required for unenclosed decks and balconies.

G. Structures in Required Setbacks.

1. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that any accessory structure located between a principal structure and the side lot line shall provide the setback required for the principal structure. (See Exhibit 23.45.014 A.)

All such accessory structures, including garages, shall be no greater than 12 feet in height. The height of garages shall be measured on the facade containing the entrance for the vehicles, with open rails permitted above 12 feet.

2. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Building Code, Chapter 11, are permitted in required front, side or rear setbacks.

3. Uncovered, unenclosed pedestrian bridges, necessary for access and less than 5 feet in width, are permitted in required front, side and rear setbacks.

4. Fences, Freestanding Walls, Bulkheads, Signs and Other Similar Structures.

a. Fences, freestanding walls, signs and other similar structures 6 feet or less in height above existing or finished grade whichever is lower, are permitted in required front, side, or rear setbacks. The 6 foot height may be averaged above sloping grade for each 6 foot long segment of the fence, but in no case may any portion of the fence exceed 8 feet.

Architectural features may be added to the top of the fence or freestanding wall above the 6 foot height when the following provisions are met: horizontal architectural feature(s), no more than 10 inches high and separated by a minimum of 6 inches of open area, measured vertically from the top of the fence, may be permitted when the overall height of all parts of the structure, including post caps, are no more than 8 feet high; averaging the 8 foot height is not permitted. Structural supports for the horizontal architectural feature(s) may be spaced no closer than 3 feet on center.

b. The Director may allow variation from the development standards listed in subsection G4a above, according to the following:

i. No part of the structure may exceed 8 feet;

ii. Any portion of the structure above 6 feet shall be predominately open, such that there is free circulation of light and air.

c. Bulkheads and retaining walls used to raise grade may be placed in any required yard when limited to 6 feet in height, measured above existing grade. A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of the date of the ordinance codified in this section. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined height is limited to 9.5 feet.

d. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet, whichever is greater. When the bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Building Code requirements may be placed on top of the bulkhead or retaining wall. A fence must be set back a minimum of 3 feet from such a bulkhead or retaining wall.

5. Decks no more than 18 inches above existing or finished grade, whichever is lower, may project into required setbacks.

6. Underground structures are permitted in all setbacks.

7. Solar collectors are permitted in required setbacks, subject to the provisions of Section 23.45.545.C.

8. Arbors. Arbors may be permitted in required setbacks under the following conditions:

a. In each required setback, an arbor may be erected with no more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of 8 feet. Both the sides and the roof of the arbor must be at least 50 percent open, or, if latticework is used, there must be a minimum opening of 2 inches between crosspieces.

b. In each required setback abutting a street, an arbor over a private pedestrian walkway with no more than a 30 square foot footprint, measured on the horizontal

roof plane and inclusive of eaves, may be erected to a maximum height of 8 feet. The sides of the arbor shall be at least 50 percent open, or, if latticework is used, there must be a minimum opening of 2 inches between crosspieces.

H. Front and rear setbacks on lots containing certain environmentally critical areas or buffers may be reduced pursuant to the provisions of Sections 25.09.280 and 25.09.300.

Section 23.45.015 Screening and landscaping requirements—Lowrise zones (Ordinance Section 28)

A. Quantity.

1. A minimum landscaped area that is equivalent in square footage to three (3) feet times the total length of all property lines shall be provided, except as specified in subsection A5 of this section.

2. If screening and landscaping of parking from direct street view is provided according to subsection D of Section 23.45.018, that amount of landscaped area may be counted toward fulfilling the total amount of landscaped area required by this section.

3. Landscaped usable open space that is provided for apartments or terraced housing and located at ground level, may be counted toward fulfilling the total amount of landscaped area required by this section.

4. Street trees shall be provided in the planting strip according to Seattle Department of Transportation Tree Planting Standards, unless it is not possible to meet the standards. Existing street trees may count toward meeting the street tree requirement.

5. Exceptions.

a. If full landscaping is not possible because of the location of existing structures and/or existing parking, the amount of required landscaped area may be reduced by up to fifty (50) percent. The Director may require that landscaping which cannot be provided on the lot be provided in the planting strip.

b. If landscaping would obscure the visibility of retail uses or obstruct pedestrian access to retail uses, and there is no other location on the lot for the landscaping, the Director may reduce or waive the amount of landscaping required in those locations. No reduction or waiver shall apply to screening and landscaping of parking required by subsection D of Section 23.45.018 or open space required by Section 23.45.016.

B. Development Standards.

1. Except for the screening and landscaping of parking, which shall be provided according to subsection D of Section 23.45.018, landscaping may be provided on all sides of the lot, or may be concentrated in one (1) or more areas. However, a landscaped area at least three (3) feet deep shall be provided at the following locations, except as provided in subsection B2:

- a. Along street property lines;
- b. Along property lines which abut single-family zoned lots;
- c. Along alleys across from single-family zoned lots.

2. Breaks in required screening and landscaping shall be permitted to provide pedestrian and vehicular access. Breaks in required screening and landscaping for vehicular access shall not exceed the width of permitted curbcuts and any required sight triangles. When an alley is used as an aisle, the Director may reduce or waive the required screening or landscaping along the alley.

3. Required landscaping shall meet standards promulgated by the Director.

C. Tree Requirements in Landscaped Areas in Lowrise Duplex/Triplex, Lowrise 1, and Lowrise 2 Zones.

1. Trees shall be required when new lowrise multifamily dwelling units are constructed. This requirement may be met using options in subsection C1a or C1b below. The minimum number of caliper inches of tree required per lot may be met through using either the tree preservation option or tree planting option set forth below, or through a combination of preservation and planting. Trees within public and private rights-of-way may not be used to meet this standard.

a. Tree Preservation Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of existing tree per one thousand (1,000) square feet of lot area must be preserved. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of existing tree must be preserved per lot. When this option is used, a tree preservation plan is required.

b. Tree Planting Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of tree per one thousand (1,000) square feet of lot area must be planted. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of tree must be planted per lot.

2. Tree Measurements. Trees planted to meet the requirements in subsection C1 above shall be at least one and one-half (1.5) inches in diameter. The diameter of new trees shall be measured (in caliper inches) six (6) inches above the ground. Existing trees shall be measured four and one-half (4.5) feet above the ground. When an existing tree is three (3) to ten (10) inches in diameter, each one (1) inch counts as one (1) inch toward meeting the tree requirements in subsection C1 above. When an existing tree is more than ten (10) inches in diameter, each one (1) inch of the tree that is over ten (10) inches shall count as three (3) inches toward meeting the tree requirement.

3. Tree Preservation Plans. If the tree preservation option is chosen, a tree preservation plan must be submitted and approved. The plan may be submitted as part of the overall landscaping plan for the project. Tree preservation plans shall provide for protection of trees during construction according to standards promulgated by the Department of Planning and Development.

23.45.016 Open space requirements—Lowrise zones (Ordinance Section 28)

A. Quantity of Open Space.

1. A minimum landscaped area that is equivalent in square footage to three (3) feet times the total length of all property lines shall be provided, except as specified in subsection A5 of this section.

2. If screening and landscaping of parking from direct street view is provided according to subsection D of Section 23.45.018, that amount of landscaped area may be counted toward fulfilling the total amount of landscaped area required by this section.

3. Landscaped usable open space that is provided for apartments or terraced housing and located at ground level, may be counted toward fulfilling the total amount of landscaped area required by this section.

4. Street trees shall be provided in the planting strip according to Seattle Department of Transportation Tree Planting Standards, unless it is not possible to meet the standards. Existing street trees may count toward meeting the street tree requirement.

5. Exceptions.

a. If full landscaping is not possible because of the location of existing structures and/or existing parking, the amount of required landscaped area may be reduced by up to fifty (50) percent. The Director may require that landscaping which cannot be provided on the lot be provided in the planting strip.

b. If landscaping would obscure the visibility of retail uses or obstruct pedestrian access to retail uses, and there is no other location on the lot for the landscaping, the Director may reduce or waive the amount of landscaping required in those locations. No reduction or waiver shall apply to screening and landscaping of parking required by subsection D of Section 23.45.018 or open space required by Section 23.45.016.

B. Development Standards.

1. Lowrise Duplex/Triplex Zones and Ground-related Housing in Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Lowrise Duplex/Triplex Zones-Private Usable Open Space.

(1) Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of four hundred (400) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Private usable open space shall be located a maximum of four (4) feet above or below a private entry to the unit it serves. The floor of the unit accessed by this entry shall have a minimum area of three hundred (300) square feet. This minimum area may include a private garage if habitable floor area of the same unit is located directly above.

b. Lowrise Duplex/Triplex Zones-Common Open Space. Required common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of six hundred (600) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of one hundred fifty (150) square feet. In cottage housing developments, each cottage shall abut the common open space. No horizontal dimension of open space shall be less than ten (10) feet.

c. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Ground-related Housing.

(1) In Lowrise 1 zones the required open space shall be provided in one (1) contiguous parcel, except that in cottage housing developments, the open space shall be allotted as described in subsections A2c above and B1c(5) below. In Lowrise 2, Lowrise 3 and Lowrise 4 zones, the required open space for each ground-related dwelling unit is not required to be in one (1) contiguous area, but no open space area shall be less than one hundred twenty (120) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Required open space may be located a maximum of ten (10) feet above or below the unit it serves, except as permitted in subsection B1c(4), provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

(3) At least fifty (50) percent of the required open space for a unit shall be level, provided that:

i. The open space may be terraced; and

ii. Minor adjustments in level shall be permitted as long as the difference in elevation between the highest and lowest point does not exceed two (2) feet.

(4) For additional dwelling units proposed within a structure existing on August 11, 1982, the vertical distance between the unit and the private, landscaped open space may exceed ten (10) feet where the following criteria are met:

- i. Where the structure was constructed with floor-to-floor heights in excess of ten (10) feet, the open space may be located a maximum of ten (10) feet plus the height between floors in excess of ten (10) feet, above or below the unit it serves; or
- ii. Where the structure was constructed with the first floor in excess of two (2) feet above grade, the open space may be located a maximum of ten (10) feet plus the additional height of the first floor in excess of two (2) feet above grade, above or below the unit it serves.

(5) Lowrise 1 Zone-Cottage Housing Developments.

i. At least fifty (50) percent of the required total open space per unit shall be provided as private usable open space in one (1) contiguous parcel. No horizontal dimension of the open space shall be less than ten (10) feet.

ii. Common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area per unit of one hundred fifty (150) square feet. No horizontal dimension of the open space shall be less than ten (10) feet. Each cottage shall abut the common open space.

d. Required open space may be located in the front, sides or rear of the structure.

e. To ensure privacy of open space, openings such as windows and doors on the ground floor of walls of a dwelling unit, or common areas which directly face the open space of a different unit, are prohibited, unless such openings are screened by view-obscuring fences, freestanding walls or wingwalls.

f. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

g. Required private usable open space shall be landscaped according to standards promulgated by the Director for ground-related dwelling units.

2. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Apartments.

a. No horizontal dimension for required ground-level open space shall be less than ten (10) feet.

b. Required open space is permitted in the front, sides or rear of the structure.

c. Parking areas, driveways and pedestrian access, except pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

d. In order to qualify as above-ground level open space, balconies, decks, and in L3 and L4 zones, individual unit decks on roofs, shall all have a minimum horizontal dimension of six (6) feet, and a total area of at least sixty (60) square feet, while common roof gardens in L3 and L4 zones shall have a minimum area of two hundred fifty (250) square feet. Common roof garden open space shall be landscaped according to the rules promulgated by the Director.

e. For cluster development, at least twenty (20) percent of the required open space shall be provided in one (1) contiguous area.

f. Terraced Housing on a Slope of Twenty-five (25) Percent or More.

(1) No horizontal dimension for required ground-level open space shall be less than ten (10) feet.

(2) Required open space is permitted in the front, sides or rear of the structure.

(3) Parking areas, driveways and pedestrian access, except pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

(4) In order to qualify as above-ground-level open space, rooftop areas shall have a minimum horizontal dimension of at least ten (10) feet and a total area of at least one hundred twenty (120) square feet.

g. When a transmitting antenna is sited or proposed to be sited on a rooftop where required open space is located, see Section 23.57.011.

3. Open Space Exception. When all parking and access to parking is uncovered and is surfaced in permeable material, except gravel, the quantity of required ground-level open space shall be reduced by five (5) percent of the total lot area.

C. Open Space Relationship to Grade.

1. The elevation of open space for ground-related housing must be within 10 vertical feet of the elevation of the dwelling unit it serves. The 10 feet is measured between the finished floor level of the principal living areas of a dwelling unit and the grade of at least 50 percent of the required open space. Direct access to the open space shall be from at least one habitable room of at least 80 square feet of the principal living areas of the unit. Principal living areas do not include foyers, entrance areas, closets or storage rooms, hallways, bathrooms or similar rooms alone or in combination. This subsection 23.45.016.C.1 does not apply to townhouses or single-family structures.

2. The grade of the ground level open space shall be no higher than 18 inches above the existing grade. The portion of the open space that is within 10 vertical feet of the unit shall include the point where the access to the open space from the unit occurs.

3. The elevation of private usable open space for Lowrise Duplex/Triplex structures must be within 4 feet of the elevation of the dwelling unit it serves. The 4 feet is measured between the finished floor level of the dwelling unit and the grade of at least 50 percent of the required open space. The grade of the ground level open space shall be no higher than 18 inches above the existing grade. The maximum difference in elevation at the point of access shall be 4 feet.

23.45.017 Light and glare standards—Lowrise zones. (Ordinance Section 28)

A. Exterior lighting shall be shielded and directed away from adjacent properties.

B. Interior lighting in parking garages shall be shielded to minimize nighttime glare on adjacent properties.

C. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two (2) vehicles shall be screened from adjacent properties by a fence or wall between five (5) feet and six (6) feet in height, or a solid evergreen hedge or landscaped berm at least five (5) feet in height. If the elevation of the lot line is different from the finished elevation of the driveway or parking surface, the difference in elevation may be measured as a portion of the required height of the screen so long as the screen itself is a minimum of three (3) feet in height. The Director may waive the requirement for the screening if it is not needed due to

changes in topography, agreements to maintain an existing fence, or the nature and location of adjacent uses.

23.45.018 Parking and access—Lowrise zones. (Ordinance Section 28)

A. Parking Quantity. Parking shall be required as provided in Chapter 23.54.

B. Access to Parking.

1. Alley Access Required. Access to parking shall be from the alley when the site abuts a platted alley improved to the standards of subsection C of Section 23.53.030 or when the Director determines that alley access is feasible and desirable to mitigate parking access impacts. Except as provided in subsections B2 or B3 of this section, street access shall not be permitted.

2. Street Access Required. Access to parking shall be from the street when:

a. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard; or

b. The lot does not abut a platted alley; or

c. In Lowrise 3 zones, apartments are proposed across an alley from a Single-family or Lowrise Duplex/Triplex zone; or

d. In Lowrise 4 zones apartments are proposed across an alley from a Single-family, Lowrise Duplex/Triplex or Lowrise 1 zone.

3. Street or Alley Access Permitted. Access to parking may be from either the alley or the street, but not both, when the conditions listed in subsection B2 do not apply, and one (1) or more of the following conditions are met:

a. Topography makes alley access infeasible;

b. In all zones except Lowrise Duplex/Triplex, ground-related housing is proposed across an alley from a Single-family zone;

c. Access to required barrier-free parking spaces which meet the Washington State Building Code, Chapter 11, may be from either the street or alley, or both.

4. In Lowrise Duplex/Triplex zones, no more than fifty (50) percent of the total area of the required front setback extended to side lot lines may be occupied by a driveway providing access to parking, except where the minimum required driveway standards will exceed fifty (50) percent of the front setback.

C. Location of Parking.

1. Parking shall be located on the same site as the principal use.

2. Parking may be located in or under the structure, provided that:

a. For ground-related housing, the parking is screened from direct street view by the street-facing facades of the structure (see Exhibit 23.45.018 A), by garage doors, or by a fence and landscaping as provided in subsection D of Section 23.45.018 (see Exhibit 23.45.018 B).

b. For apartments, the parking is screened from direct street view by the street-facing facades of the structure. For each permitted curbcut, the facades may contain one (1) garage door, not to exceed the maximum width allowed for curbcuts (see Exhibit 23.45.018 A).

3. Parking may be located outside a structure provided it maintains the following relationships to lot lines and structures. In all cases parking located outside of a structure shall be screened from direct street view as provided in subsection D of Section 23.45.018.

a. Parking may be located between any structures on the same lot, except that for cottage housing developments, parking is not permitted between cottages.

b. Rear Lot Lines. Parking may be located between any structure and the rear lot line of the lot. (See Exhibit 23.45.018 C.)

c. Side Lot Lines. Parking may be located between any structure and a side lot line which is not a street side lot line (see Exhibit 23.45.018 C). Where the location between the structure and a side lot line is also between a portion of the same structure and the front lot line, subsection C3d(3) shall apply. (See Exhibit 23.45.018 D.)

d. Front and Street Side Lot Lines. Parking may be located between any structure and the front and street side lot lines, provided that:

(1) On a through lot, parking may be located between the structure and one (1) of the front lot lines; provided, that on lots one hundred twenty-five (125) feet or more in depth, parking shall not be located in either front setback. The frontage in which the parking may be located shall be determined by the Director based on the prevailing character and setback patterns of the block.

(2) For ground-related housing on corner lots, parking may be located between the structure and a street lot line along one (1) street frontage only.

(3) Parking may be located between the front lot line and a portion of a structure, provided that:

i. The parking is also located between a side lot line, other than a street side lot line, and a portion of the same structure which is equal to at least thirty (30) percent of the total width of the structure. (See Exhibit 23.45.018 D.)

ii. In Lowrise 1 and Lowrise 2 zones the parking is not located in the front setback and in no case closer than twenty (20) feet to the front lot line.

iii. In Lowrise 3 and Lowrise 4 zones the parking is not located in the front setback and in no case closer than fifteen (15) feet to the front lot line.

4. Location of Parking in Special Circumstances.

a. For a cluster development, the location of parking shall be determined in relation to the structure or structures which have perimeter facades facing a street. (See Exhibit 23.45.018 E.)

b. In all Lowrise zones, the Director may permit variations from the development standards for parking location and design, and curbcut quantity and width, for lots meeting the following conditions:

(1) Lots proposed for ground-related housing with no feasible alley access and with:

i. Less than eighty (80) feet of street frontage, or

ii. Lot depth of less than one hundred (100) feet, or

iii. A rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from the front lot line; and

(2) Lots proposed for apartments and terraced housing with no feasible alley access and a rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from the front lot line;

(3) On lots meeting the standards listed in subsections C4b(1) and C4b(2), the following variations may be permitted:

i. Ground-related Housing. Parking may be located between the structure and the front lot line,

ii. Apartments. Parking may be located in or under the structure if screened from direct street view by garage doors or by fencing and landscaping;

(4) In order to permit such alternative parking solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: Maintaining on-street parking capacity, an attractive environment at street levels, landscaped street setbacks, unobstructed traffic flow and, where applicable, the objectives of the Shoreline Master Program. In no case shall a curbcut be authorized to exceed thirty (30) feet in width.

D. Screening of Parking.

1. Parking shall be screened from direct street view by the front facade of a structure, by garage doors, and by a fence or wall between five (5) and six (6) feet in height. When the fence or wall runs along the street, there shall be a landscaped area a minimum of three (3) feet deep on the street side of the fence or wall. The screening shall be located outside any required sight triangle. (See Exhibit 23.45.018 F.)

2. The height of the visual barrier created by the screen required in subsection D1 shall be measured from street level. If the elevation of the lot line is different from the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the screen itself is a minimum of three (3) feet in height (see Exhibit 23.45.018 F).

3. Screening may also be required to reduce glare from vehicle lights, according to Section 23.45.017, Light and glare standards.

23.45.005 Development standards for single-family structures (Ordinance Section 39)

A. In Lowrise zones, except for cottage housing developments permitted in Lowrise Duplex/Triplex and Lowrise 1 zones according to subsection 23.45.005.D, single-family structures are subject to the development standards for ground-related dwelling units, except as provided in subsections 23.45.005.C and D below, and except that open space shall be provided according to the provisions for single-family structures in each zone, in Section 23.45.016.

B. In MR and HR zones, single-family structures shall meet the development standards of the zone.

C. In all multifamily zones, certain additions may extend into a required setback when an existing single-family structure is already nonconforming with respect to that setback, if the presently nonconforming section is at least 60 percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, which may extend up to the height limit and may include basement additions (Exhibit A for 23.45.005). New additions to a nonconforming wall or walls shall comply with the following requirements:

1. When it is a side wall, it is at least 3 feet from the side lot line;
2. When it is a rear wall, it is at least 10 feet from the rear lot line or centerline of an alley abutting the rear lot line;
3. When it is a front wall, it is at least 10 feet from the front lot line.

23.47A.029 Solid waste and recyclable materials storage space. (Ordinance Section 50)

A. Storage space for solid waste and recyclable materials containers shall be provided as indicated in the table below for all new structures permitted in NC zones or C zones and for existing multifamily structures with ten (10) or more units when expanded by two (2) or more units.

Table for Sec. 23.47A.029			
Structure Type	Structure Size	Minimum Area for Storage Space	Container Type
Residential*	7—15 units	75 square feet	Rear-loading
	16—25 units	100 square feet	Rear-loading
	26—50 units	150 square feet	Front-loading
	51—100 units	200 square feet	Front-loading
	More than 100 units	200 square feet plus 2 square feet for each additional unit	Front-loading
Nonresidential (1)	0—5,000 square feet	82 square feet	Rear-loading
	5,001—15,000 square feet	125 square feet	Rear-loading
	15,001—50,000 square feet	175 square feet	Front-loading
	50,001—100,000 square feet	225 square feet	Front-loading
	100,001—200,000 square feet	275 square feet	Front-loading
	200,001 plus square feet	500 square feet	Front-loading

(1) Mixed-Use Buildings. Buildings containing residential and nonresidential uses with eighty (80) percent or more of gross floor area designated for residential use will be considered residential buildings. All other mixed-use buildings will be considered nonresidential buildings.

B. The design of the storage space shall meet the following requirements:

1. The storage space shall have no horizontal dimension (width and depth) less than six (6) feet;
2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors require a concrete surface); and
3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts.

C. The location of the storage space shall meet the following requirements:

1. The storage space must be located on the lot of the structure it serves and, if located outdoors, it shall not be located between a street-facing facade of the structure and the street;

2. The storage space must not be located in any required driveways, parking aisles, or parking spaces for the structure;
3. The storage space must not block or impede any fire exits, any public rights-of-ways or any pedestrian or vehicular access; and
4. The storage space must be located to minimize noise and odor to building occupants and neighboring developments.

D. Access to the storage space for occupants and service providers shall meet the following requirements:

1. For rear-loading containers:
 - a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
 - b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
2. For front-loading containers:
 - a. Direct access shall be provided from the alley or street to the containers,
 - b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided.

E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application.

F. The Director, in consultation with the Director of Seattle Public Utilities, has the discretion to grant departures from the requirements of subsections A, B, C, and D of this section above, as a Type I Master Use Permit decision, under the following circumstances:

1. When either:
 - a. The applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or
 - b. The applicant proposes to expand a multifamily structure or mixed use building, and the requirements of subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and
2. When the applicant proposes alternative, workable measures that meet the intent of this section.

23.48.031 Solid waste and recyclable materials storage space. (Ordinance Section 50)

A. Storage space for solid waste and recyclable materials containers shall be provided for all new structures permitted in the Seattle Mixed zone and expanded multifamily structures as indicated in the table below. For the purposes of this subsection, "expanded

"multifamily structure" means expansion of multifamily structures with ten (10) or more existing units by two (2) or more units.

Structure Type	Structure Size	Minimum Area for Storage Space	Container Type
Multifamily*	7—15 units	75 square feet	Rear-loading
	16—25 units	100 square feet	Rear-loading
	26—50 units	150 square feet	Front-loading
	51—100 units	200 square feet	Front-loading
	More than 100 units	200 square feet plus	Front-loading
		2 square feet for	
		each additional	
		unit	
Commercial*	0—5,000 square feet	82 square feet	Rear-loading
	5,001—15,000 square feet	125 square feet	Rear-loading
	15,001—50,000 square feet	175 square feet	Front-loading
	50,001—100,000 square feet	225 square feet	Front-loading
	100,001—200,000 square feet	275 square feet	Front-loading
	200,001 plus square feet	500 square feet	Front-loading

* Mixed Use Buildings. Mixed use buildings with eighty (80) percent or more of floor space designated for residential use will be considered residential buildings. All other mixed use buildings will be considered commercial buildings.

B. The design of the storage space shall meet the following requirements:

1. The storage space shall have no dimension (width and depth) less than six (6) feet;
2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors require a concrete surface); and
3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts.

C. The location of the storage space shall meet the following requirements:

1. The storage space shall be located within the private property boundaries of the structure it serves and, if located outdoors, it shall not be located between a street facing facade of the structure and the street;
2. The storage space shall not be located in any required driveways, parking aisles, or parking spaces for the structure;

3. The storage space shall not block or impede any fire exits, public rights-of-ways or any pedestrian or vehicular access; and
4. The storage space shall be located to minimize noise and odor to building occupants and neighboring developments.

D. Access to the storage space for occupants and service providers shall meet the following requirements:

1. For rear-loading containers (usually two (2) cubic yards or smaller):
 - a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
 - b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
2. For front-loading containers (usually larger than two (2) cubic yards):
 - a. Direct access shall be provided from the alley or street to the containers,
 - b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided.

E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D of this section above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application.

F. The Director, in consultation with the Director of Seattle Public Utilities, shall have the discretion to modify the requirements of subsections A, B, C, and D of this section above under the following circumstances:

1. When the applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or
2. When the applicant proposes to expand a multifamily or mixed-use building, and the requirements of subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and
3. When the applicant proposes alternative, workable measures that meet the intent of this section.

23.86.020 Modulation. (Ordinance Section 100)

Modulation criteria are described in the development standards for each multifamily residential zone. The following provisions describe how measurements shall be made in determining whether modulation requirements have been met.

A. Modulation Width.

1. Modulation width shall be the width of a facade segment between the points at which adjacent segments begin to step forward or back (Exhibit 23.86.020 A).
2. Balconies and decks shall be considered to be projections of the facade for the purpose of measuring modulation width.

3. The stepping forward or back in the facade between which modulation width is measured shall be sufficient to satisfy the minimum modulation requirements for width and depth specified in the standard development requirements for the appropriate multi-family zone. Steps in the facade which do not satisfy minimum modulation width or depth requirements shall not be considered to form a separate facade segment for the purpose of measuring modulation width, until such steps cumulatively satisfy the minimum dimension required.

4. In cases where the design of a structure is so unusual that the above provisions cannot be applied; for example, for wedge-shaped or curved facade projections; the Director shall determine when modulation requirements have been met.

B. Modulation Depth.

1. Modulation depth shall be the distance a facade segment steps forward or back from an adjacent facade segment (Exhibit 23.86.020 B).

2. Balconies and decks shall be considered to be projections of the facade for the purpose of measuring modulation depth.

3. When portions of a facade which step forward or back do not satisfy the minimum modulation width or depth specified in the standard development requirements for the appropriate multifamily zone, such portions shall not be considered to form a separate facade segment for the purpose of measuring modulation depth, until such steps cumulatively satisfy the minimum dimensions required.

4. In cases where the design of the structure is so unusual that the above provisions cannot be applied, the Director shall determine when modulation requirements have been met.

C. Calculating Maximum Permitted Modulation Width. The maximum width of modulation is prescribed in the standard development requirements for each multi-family zone. In those cases for which the maximum modulation width may be increased if the modulation depth is increased, the following provisions shall apply:

1. When the depth of modulation provided allows the structure to qualify for increased modulation width, each adjacent facade segment shall qualify for the increased width, each adjacent facade segment shall qualify for the increased width (Exhibit 23.86.020 C).

2. When a facade segment is bounded by two (2) modulated segments of differing depths, the maximum modulation width shall be determined by the greater of the two modulation depths (Exhibit 23.86.020 D).