

ORDINANCE _____

1
2 AN ORDINANCE related to land use and zoning, amending various chapters of Title 23 of the
3 Seattle Municipal Code (SMC); adding new sections to Chapter 23.45 and recodifying
4 other sections in that chapter; repealing Sections 23.34.016, 23.34.022, 23.45.002,
5 23.45.004, 23.45.006, 23.45.009, 23.45.010, 23.45.011, 23.45.012, 23.45.014, 23.45.015,
6 23.45.016, 23.45.017, 23.45.018, 23.45.064, 23.45.066, 23.47A.029, 23.48.031,
7 23.86.020, and all the exhibits in these Sections; adding Section 23.54.040; amending
8 provisions in SMC Title 25 regarding environmental policies, critical areas, and tree
9 protection; establishing new classifications and standards for lowrise multifamily
10 development; revising lowrise zoning designations and locational criteria for multifamily
11 zones; amending the Official Land Use Map to rezone all property currently in a Lowrise
12 or Lowrise Duplex/Triplex zone to one of three new Lowrise zones; providing for the
13 effect of expiration of any prior decision rezoning property from a Lowrise zone;
14 providing for the extension of contract rezone conditions for property previous zoned to a
15 Lowrise zone; eliminating multifamily parking requirements in urban villages with
16 frequent transit service; changing the mechanism for permitting parking off-site;
17 changing methods for measuring structure height in most zones; establishing standards
18 for solid waste storage areas in most zones; and establishing a new streamlined design
19 review process, all in order to allow a greater variety of housing types in Lowrise
20 multifamily zones, to improve development regulations in multifamily and other zones,
21 to encourage design excellence, to implement Comprehensive Plan policies, and to
22 protect and promote the health, safety, and welfare of the general public.

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25 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

26 Section 1.

27 A. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended
28 as follows:

1. All areas designated on Attachment B as Lowrise Duplex/Triplex (LDT) are rezoned
to Lowrise 1 (LR1).

2. All areas designated on Attachment B as Lowrise 1 (L1) that are located outside of
urban centers, urban villages, and station area overlay districts are rezoned to LR1.

3. All areas designated on Attachment B as Lowrise 1 (L1) that are located within urban
centers, urban villages, and station area overlay districts are rezoned to Lowrise 2 (LR2).

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1 4. All areas designated on Attachment B as Lowrise 2 (L2) are rezoned to LR2.

2 5. All areas designated on Attachment B as Lowrise 3 (L3) and Lowrise 4 (L4) are
3 rezoned to Lowrise 3 (LR3).

4 B. Attachment B to this ordinance, which is incorporated by this reference, shows the
5 areas being rezoned as described in this Section.

6 C. Except for the LDT, L1, L2, L3 and L4 classifications, all other designations and
7 classifications of the property rezoned by this Section remain in effect.

8 D. This ordinance is not intended to release or modify either the terms of any agreement
9 previously made in connection with the rezoning of any property, or any conditions or
10 restrictions included in any rezone decision or ordinance, except as expressly provided in
11 subsection E of this Section. As to each lot being rezoned in this ordinance from a zoning
12 designation previously established by a map amendment conditioned upon a recorded agreement,
13 all conditions and restrictions stated in the applicable prior rezone decision, ordinance or
14 agreement, whether or not referring to a specific zoning designation or rezone action, continue as
15 conditions and restrictions under the zoning designation established by this ordinance. Such
16 rezones include, but are not limited to, those authorized by the following ordinances: Ordinance
17 122206 (Clerk File (CF) 307285); Ordinance 111985 (CF 292534); Ordinance 98717 (CF
18 293916); Ordinance 121960 (CF 306618); Ordinance 111705 (CF 291852); Ordinance 111222
19 (CF 292030); Ordinances 113699, 113704, 113706 and 113707 (CF 294977); Ordinance 116912
20 (CF 298562); Ordinance 121795 (306768); Ordinance 121323 (CF 305399); Ordinance 121164
21 and 121404 (CF 305400); Ordinance 122098 (CF 307452); Ordinance 122304 (CF 307580);
22 Ordinance 115664 (CF 298162); Ordinance 116501 (CF) 298303; Ordinance 117580 (CF
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1 299930); Ordinance 118518 (CF 301537); Ordinance 122184 (CF 307757); Ordinance 115760
2 (CF 298192); Ordinance 117214 (CF 299299); and Ordinance 122185 (CF 307093). The City
3 Council finds that the restrictions in each such agreement are necessary in order to ameliorate
4 adverse impacts that could occur from unrestricted use and development permitted by
5 development regulations otherwise applicable after the rezones effected by this ordinance.
6

7 E. Any property previously rezoned from LDT, L1, L2, L3 or L4 pursuant to an
8 ordinance under which the rezone could expire or the zoning could otherwise revert to the
9 previous designation under specified conditions shall, upon any expiration or other event by
10 which the zoning would revert to such classification but for the effect of this ordinance,
11 automatically become rezoned to the LR1, LR2 or LR3 classification that would have applied
12 under subsection A of this Section if the property had been shown on Attachment B as having
13 that prior zoning classification.
14

15 Section 2. Subsections A and B of Section 23.22.062 of the Seattle Municipal Code,
16 which section was last amended by Ordinance 123046, are amended as follows:

17 **23.22.062 Unit lot subdivisions**

18 A. The provisions of this ~~((section))~~ Section 23.22.062 apply exclusively to the unit
19 subdivision of land for townhouse((s)), rowhouse, and cottage housing developments, ~~((and~~
20 ~~cluster development for housing,))~~ as permitted in Single-Family, Residential Small Lot and
21 Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the
22 above types of residential development, as permitted in the applicable zones.
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24 B. Except for any site for which a permit has been issued pursuant to Sections 23.44.041
25 or 23.45.545 for a detached accessory dwelling unit, ~~((sites))~~ lots developed or proposed to be
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1 developed with ~~((dwelling units listed))~~ uses described in subsection 23.22.062.A above may be
2 subdivided into individual unit lots. The development as a whole shall meet development
3 standards applicable at the time the permit application is vested. As a result of the subdivision,
4 development on individual unit lots may be nonconforming as to some or all of the development
5 standards based on analysis of the individual unit lot, except that any private~~((,))~~ usable open
6 space or private amenity area for each dwelling unit shall be provided on the same unit lot as the
7 dwelling unit it serves.

9 * * *

10 Section 3. Subsections A and B of Section 23.24.045 of the Seattle Municipal Code,
11 which section was last amended by Ordinance 123046, are amended as follows:

12 **23.24.045 Unit lot subdivisions~~((,))~~**

13
14 A. The provisions of this ~~((section))~~ Section 23.24.045 apply exclusively to the unit
15 subdivision of land for townhouse~~((s))~~, rowhouse, and cottage housing developments~~((, and~~
16 ~~cluster development for housing,))~~ as permitted in Single-Family, Residential Small Lot and
17 Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the
18 above types of residential development, as permitted in the applicable zones.

19
20 B. Except for any ~~((site))~~ lot for which a permit has been issued pursuant to Sections
21 23.44.041 or 23.45.545 for a detached accessory dwelling unit, ~~((sites))~~ lots developed or
22 proposed to be developed with ~~((dwelling units listed))~~ uses described in subsection 23.24.045.A
23 above may be subdivided into individual unit lots. The development as a whole shall meet
24 development standards applicable at the time the permit application is vested. As a result of the
25 subdivision, development on individual unit lots may be nonconforming as to some or all of the
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1 development standards based on analysis of the individual unit lot, except that any private,
2 usable open space or private amenity area for each dwelling unit shall be provided on the same
3 unit lot as the dwelling unit it serves.

4 * * *

5 Section 4. Subsection A of Section 23.30.010 of the Seattle Municipal Code, which
6 section was last amended by Ordinance 122311, is amended as follows:

7 **23.30.010 Classifications for the purpose of this subtitle~~((7))~~**

8 All land within the City shall be classified as being within one ~~((1) land use))~~ zoning
9 designation.
10

11 A. General ~~((Z))~~ zoning ~~((D))~~ designations. The zoning classification of land shall include
12 one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC"
13 the classification shall include both "RC" and one additional multifamily zone designation in this
14 subsection 23.30.010.A ~~((, which shall be a designation for a multifamily zone))~~.
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| | Zones | Abbreviated |
|----|--|-------------|
| 1 | Residential, Single-family 9,600 | SF 9600 |
| 2 | Residential, Single-family 7,200 | SF 7200 |
| 3 | Residential, Single-family 5,000 | SF 5000 |
| 4 | Residential Small Lot | RSL |
| 5 | ((Residential, Multifamily, Lowrise Duplex/Triplex)) | ((LDT)) |
| 6 | Residential, Multifamily, Lowrise 1 | LR1 |
| 7 | Residential, Multifamily, Lowrise 2 | LR2 |
| 8 | Residential, Multifamily, Lowrise 3 | LR3 |
| 9 | ((Residential, Multifamily, Lowrise 4)) | ((L4)) |
| 10 | Residential, Multifamily, Midrise | MR |
| 11 | Residential, Multifamily, Highrise | HR |
| 12 | Residential-Commercial | RC |
| 13 | Neighborhood Commercial 1 | NC1 |
| 14 | Neighborhood Commercial 2 | NC2 |
| 15 | Neighborhood Commercial 3 | NC3 |
| 16 | Seattle Mixed | SM |
| 17 | Commercial 1 | C1 |
| 18 | Commercial 2 | C2 |
| 19 | Downtown Office Core 1 | DOC1 |
| 20 | Downtown Office Core 2 | DOC2 |
| 21 | Downtown Retail Core | DRC |
| 22 | Downtown Mixed Commercial | DMC |
| 23 | Downtown Mixed Residential | DMR |
| 24 | Pioneer Square Mixed | PSM |
| 25 | International District Mixed | IDM |
| 26 | International District Residential | IDR |
| 27 | Downtown Harborfront 1 | DH1 |
| 28 | Downtown Harborfront 2 | DH2 |
| | Pike Market Mixed | PMM |
| | General Industrial 1 | IG1 |
| | General Industrial 2 | IG2 |
| | Industrial Buffer | IB |
| | Industrial Commercial | IC |

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Section 5. Subsection B of Section 23.34.010, which section was last amended by Ordinance 123046, is amended as follows:

Section 23.34.010 Designation of single-family zones

* * *

B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and that are located within the adopted boundaries of an urban village may be rezoned to zones more intense than Single-family 5000 ~~((when))~~ if all of the following conditions are met:

1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, ~~((when))~~ if applicable;
2. The rezone is:
 - a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage (RSL/TC), ~~((Lowrise Duplex/Triplex (LDT))~~ Lowrise 1 (LR1), Lowrise 1/Residential-Commercial (LR1/RC), or
 - b. Within the areas identified on Map P-1 of the adopted North Beacon Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone with a 30 foot or 40 foot height limit, or

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1 c. Within the residential urban village west of Martin Luther King Junior
2 Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a ~~Lowrise~~
3 ~~Duplex/Triplex (LDT)~~, Lowrise 1 (LR1) or Lowrise 2 (LR2) zone.

4 * * *

5 Section 6. Section 23.34.013 of the Seattle Municipal Code, which section was last
6 amended by Ordinance 117430, is amended as follows:

7 **23.34.013 Designation of multifamily zones((:))**

8 An area zoned single((-))--family that meets the criteria of Section 23.34.011 for single-
9 family designation((:)) may not be rezoned to multifamily except as otherwise provided in
10 Section 23.34.010((-))_B.

11 Section 7. Section 23.34.014 of the Seattle Municipal Code, which section was last
12 amended by Ordinance 117430, is amended as follows:

13 **23.34.014 Lowrise ((~~Duplex/Triplex (LDT)~~)) 1 (LR1) zone, function and locational**
14 **criteria((:))**

15 A. Function. ((An area that provides opportunities for limited infill housing development,
16 both through new construction and the conversion of existing single family structures to
17 duplexes and triplexes, where, in order to preserve the character of the neighborhood, the
18 recycling of existing structures to a slightly higher density and small-scale infill development is
19 preferable to single family zoning or to the development of townhouses or higher density
20 apartments.)) The function of the LR1 zone is to provide opportunities for low-density
21 multifamily housing, primarily rowhouse and townhouse developments, through infill
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1 development that is compatible with single-family dwelling units, or through the conversion of
2 existing single-family dwelling units to duplexes or triplexes.

3 ((B. Locational Criteria. The Lowrise Duplex/Triplex zone designation is most
4 appropriate in areas generally characterized by the following:

5 1. Development Characteristics of the Area.

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

8 b. ~~Areas with a mix of single family structures, small multifamily~~
9 ~~structures, and single family structures legally converted into multiple units where, because of~~
10 ~~the type and quality of the existing housing stock, it is desirable to limit new development~~
11 ~~opportunities to infill projects and conversions that preserve the existing character.~~

12 2. Relationship to the Surrounding Area.

13 a. ~~Areas that do not meet single family criteria, but are otherwise similar~~
14 ~~in character and adjoin areas zoned single family or Lowrise 1 without necessarily the presence~~
15 ~~of a significant topographical break or open space to provide a transition to increased density;~~

16 b. ~~Areas where narrow streets, on-street parking congestion, local traffic~~
17 ~~congestion, lack of alleys, or irregular street patterns restrict local access and circulation;~~

18 c. ~~Areas close to existing or projected facilities and services used by~~
19 ~~households with children, including schools, parks and community centers.)~~

20 B. Locational Criteria. The LR1 zone is most appropriate in areas generally characterized
21 by the following conditions:

22 1. The area is similar in character to single-family zones;

2. The area is either:

a. located outside of an urban center, urban village, or Station Area

Overlay District;

b. a limited area within an urban center, urban village, or Station Area

Overlay District that would provide opportunities for a diversity of housing types within these denser environments; or

c. located on a collector or minor arterial;

3. The area is characterized by a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as rowhouse and townhouse developments, and single-family dwelling units that have been converted to multifamily residential use or are well-suited to conversion;

4. The area is characterized by local access and circulation that can accommodate low density multifamily development oriented to the ground level and the street, and/or by narrow roadways, lack of alleys, and/or irregular street patterns that make local access and circulation less suitable for higher density multifamily development;

5. The area would provide a gradual transition between single-family zoned areas and multifamily or neighborhood commercial zoned areas; and

6. The area is supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers.

~~((C. Areas zoned single family meeting the locational criteria for a single family designation may be rezoned to LDT only when the provisions of Section 23.34.010(())B are met.))~~



1 Section 8. Section 23.34.016 of the Seattle Municipal Code, relating to the function and
2 locational criteria for Lowrise 1 zones, which section was last amended by Ordinance 119242,
3 and as shown in Attachment A to this ordinance, is repealed.

4 Section 9. Section 23.34.018 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 123046, is amended as follows:

6 **23.34.018 Lowrise 2 (LR2) zone, function and locational criteria((☞))**

7
8 A. Functions. ~~((The intent of the Lowrise 2 zone is to encourage a variety of multifamily
9 housing types with less emphasis than the Lowrise 1 zone on ground-related units, while
10 remaining at a scale compatible with single-family structures.))~~ The dual functions of the LR2
11 zone are to:

12
13 1. Provide opportunities for a variety of multifamily housing types in existing
14 multifamily neighborhoods and along arterials that have a mix of small scale residential
15 structures; and

16
17 2. Accommodate redevelopment in areas within urban centers, urban villages,
18 and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale
19 and density.

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21 ~~((B. Locational Criteria. Lowrise 2 zone designation is most appropriate in areas generally
22 characterized by the following:~~

23 1. Development Characteristics of the Areas.

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1 a. ~~Areas that feature a mix of single family structures and small to~~
2 ~~medium multifamily structures generally occupying one or two lots, with heights generally less~~
3 ~~than 30 feet;~~

4 b. ~~Areas suitable for multifamily development if topographic conditions~~
5 ~~and the presence of views make it desirable to limit height and building bulk to retain views from~~
6 ~~within the zone;~~

7 c. ~~Areas occupied by a substantial amount of multifamily development if~~
8 ~~factors such as narrow streets, on-street parking congestion, local traffic congestion, lack of~~
9 ~~alleys and irregular street patterns restrict local access and circulation and make an intermediate~~
10 ~~intensity of development desirable.~~

11
12 **2. Relationship to the Surrounding Areas.**

13 a. ~~Properties that are well suited to multifamily development, but where~~
14 ~~adjacent single family areas make a transitional scale of development desirable. It is desirable~~
15 ~~that there be a well defined edge such as an arterial, open space, change in block pattern,~~
16 ~~topographic change or other significant feature providing physical separation from the single-~~
17 ~~family area. However, this is not a necessary condition if existing moderate scale multifamily~~
18 ~~structures have already established the scale relationship with abutting single family areas;~~

19 b. ~~Properties that are definable pockets within a more intensive area, if it is~~
20 ~~desirable to preserve a smaller scale character and mix of densities;~~

21 c. ~~Properties in areas otherwise suitable for higher density multifamily~~
22 ~~development but where it is desirable to limit building height and bulk to protect views from~~
23 ~~uphill areas or from public open spaces and scenic routes;~~

1 d. ~~Properties where vehicular access to the area does not require travel on~~
2 ~~"residential access streets" in less intensive residential zones.))~~

3 B. Locational Criteria. The LR2 zone is most appropriate in areas generally characterized
4 by the following conditions:

5 1. The area is either:

6 a. located in an urban center, urban village, or Station Area Overlay

7 District where new development could help establish a multifamily neighborhood of small scale
8 and density; or

9 b. located in or near an urban center, urban village, or Station Area
10 Overlay District, or on an arterial street, and is characterized by one or more of the following
11 conditions:

12 1) small-scale structures generally no more than 35 feet in height
13 that are compatible in scale with SF and LR1 zones;

14 2) the area would provide a gradual transition between SF or LR1
15 zones and more intensive multifamily or neighborhood commercial zones; and

16 2. The area is characterized by local access and circulation conditions that
17 accommodate low density multifamily development;

18 3. The area has direct access to arterial streets that can accommodate anticipated
19 vehicular circulation, so that traffic is not required to use streets that pass through lower density
20 residential zones; and

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1 4. The area is well supported by existing or projected facilities and services used
2 by residents, including retail sales and services, parks, and community centers, and has good
3 pedestrian access to these facilities.

4 ~~((C. Areas zoned single family that meet the locational criteria for single family~~
5 ~~designation may be rezoned to L2 only if the provisions of subsection 23.34.010.B are met.))~~

6 Section 10. Section 23.34.020 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 121700, is amended as follows:

8 **23.34.020 Lowrise 3 (LR3) zone, function and locational criteria(())**

9 A. Functions. ~~((An area that provides moderate scale multifamily housing opportunities~~
10 ~~in multifamily neighborhoods where it is desirable to limit development to infill projects and~~
11 ~~conversions compatible with the existing mix of houses and small to moderate scale apartment~~
12 ~~structures.))~~ The dual functions of the LR3 zone are to:

13 1. provide opportunities for a variety of multifamily housing types in existing
14 multifamily neighborhoods, and along arterials that have a mix of small to moderate scale
15 residential structures; and

16 2. accommodate redevelopment in areas within urban centers, urban villages, and
17 Station Area Overlay Districts in order to establish multifamily neighborhoods of moderate scale
18 and density.

19 B. Locational Criteria.

20 ~~((1. Threshold Conditions. Subject to subsection B2 of this section, properties that~~
21 ~~may be considered for an L3 designation are limited to the following:~~

22 a. Properties already zoned L3;

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1 b. Properties in areas already developed predominantly to the permitted L3
2 density and where L3 scale is well established;)) The LR3 zone is most appropriate in areas
3 generally characterized by the following conditions:

4 ((e))1. The area is either:

5 a. located in an urban center, urban village, or Station Area Overlay
6 District where new development could help establish a multifamily neighborhood of moderate
7 scale and density, except in the following urban villages: the Wallingford Residential Urban
8 Village, the Eastlake Residential Urban Village, the Upper Queen Anne Residential Urban
9 Village, the Morgan Junction Residential Urban Village, the Lake City Hub Urban Village, the
10 Bitter Lake Village Hub Urban Village, and the Admiral Residential Urban Village; or

11 b. located in an existing multifamily neighborhood in or near an urban
12 center, urban village, or Station Area Overlay District, or on an arterial street, and characterized
13 by a mix of structures of low and moderate scale;

14 ((e. ~~Properties within an urban center or village, except in the~~
15 ~~Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper~~
16 ~~Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the~~
17 ~~Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral~~
18 ~~Residential Urban Village; or))~~

19 2. The area is near neighborhood commercial zones with comparable height and
20 scale;

21 3. The area would provide a transition in scale between LR1 and/or LR2 zones
22 and more intensive multifamily and/or commercial zones;



1 4. The area has street widths that are sufficient for two-way traffic and parking
2 along at least one curb;

3 5. The area is well served by public transit;

4 6. The area has direct access to arterial streets that can accommodate anticipated
5 vehicular circulation, so that traffic is not required to use streets that pass through lower density
6 residential zones;

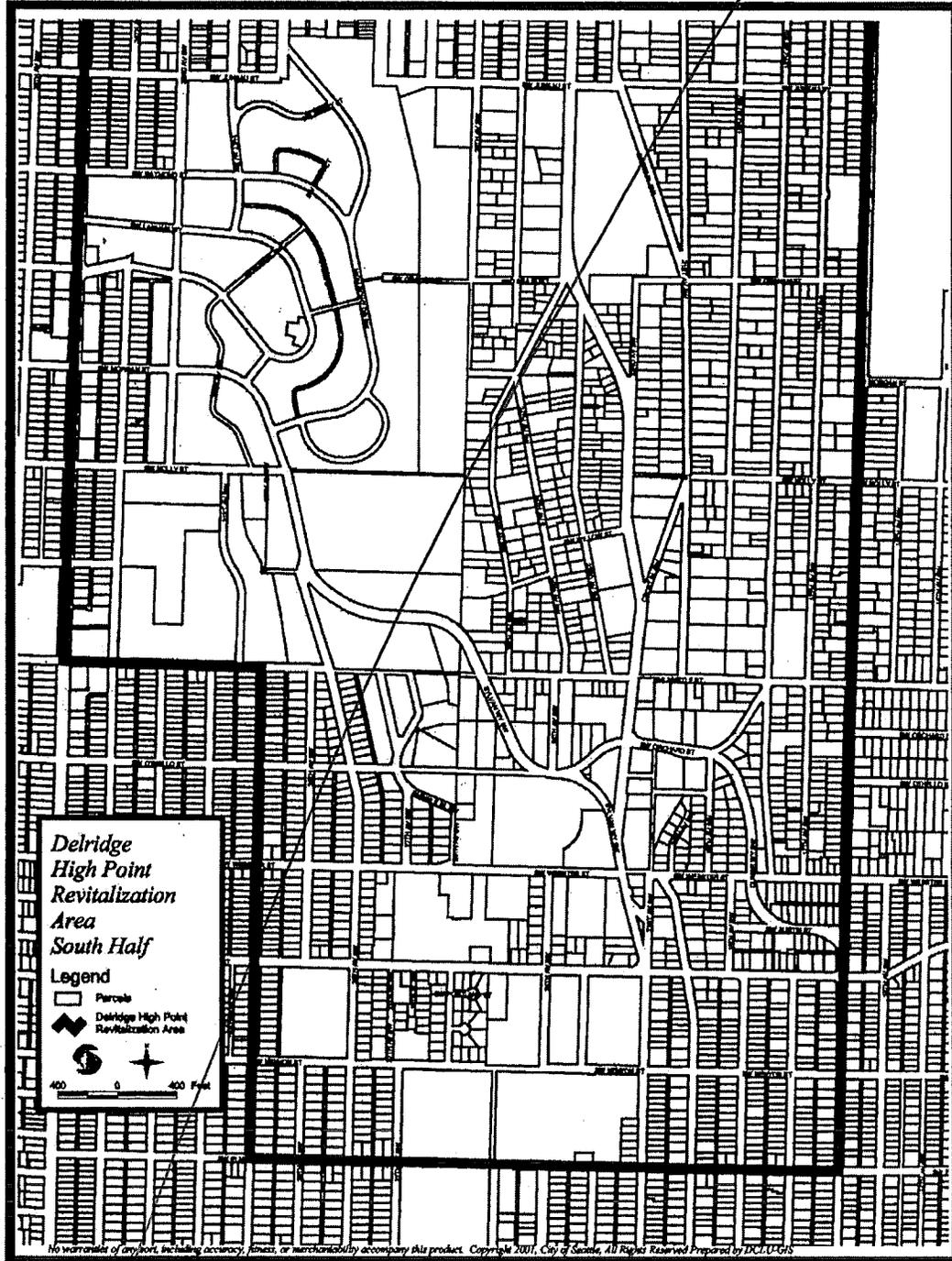
7 7. The area well supported by existing or projected facilities and services used by
8 residents, including retail sales and services, parks, and community centers, and has good
9 pedestrian access to these facilities.

10 ((d))C. The LR3 zone is also appropriate in areas ((Properties)) located in the Delridge
11 High Point Neighborhood Revitalization Area, as shown in ((Exhibit)) Map A for 23.34.020
12 ((A)), provided that the LR3 zone designation would facilitate a mixed-income housing
13 development initiated by ((a public agency or)) the Seattle Housing Authority or other public
14 agency; a property use and development agreement is executed subject to the provisions of
15 ((SMC)) Chapter 23.76 as a condition to any rezone; and the development would serve a broad
16 public purpose.

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((Exhibit 23.34.020 A (continued))) Map A for 23.34.020 (continued)
Delridge High Point Revitalization Area
South Half



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1 ~~((2))~~D. Except as provided in this subsection 23.34.020.D, properties ~~((Properties))~~
2 designated as environmentally critical may not be rezoned to an LR3 designation, and may
3 remain LR3 only in areas predominantly developed to the intensity of the LR3 zone. The
4 preceding sentence does not apply if the environmentally critical area either:

5 1. was created by human activity, or

6 2. is a designated peat settlement, liquefaction, seismic or volcanic hazard area, or
7 flood prone area, or abandoned landfill.

8
9 ~~((3. Other Criteria. The Lowrise 3 zone designation is most appropriate in areas~~
10 ~~generally characterized by the following:~~

11 a. ~~Development Characteristics of the Area.~~

12 (1) ~~Either:~~

13 (a) ~~Areas that are already developed predominantly to the~~
14 ~~permitted L3 density and where L3 scale is well established;~~

15 (b) ~~Areas that are within an urban center or urban village,~~
16 ~~except or~~

17 (c) ~~Areas that are located within the Delridge~~
18 ~~Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L3 zone~~
19 ~~designation would facilitate a mixed income housing development initiated by a public agency~~
20 ~~or the Seattle Housing Authority; a property use and development agreement is executed subject~~
21 ~~to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development~~
22 ~~would serve a broad public purpose.~~

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1. Design review is required for any new multifamily, commercial, or industrial development proposal that exceeds one of the following thresholds in Table A for 23.41.004:

| Table A for 23.41.004: Thresholds for Design Review | |
|--|--|
| Zone | Threshold |
| a. Lowrise (LR3((,L4))) | 8 dwelling units |
| b. Midrise (MR) | 20 dwelling units |
| c. Highrise (HR) | 20 dwelling units |
| d. Neighborhood Commercial (NC1, 2, 3) | 4 dwelling units or 4,000 square feet of nonresidential gross floor area |
| e. Commercial (C1, C2) | Four dwelling units or 12,000 square feet of nonresidential gross floor area, ((when)) located on a lot in an urban center or urban village ¹ , or on a lot that abuts or is across a street or alley from a lot zoned single-family, or on a lot located in the area bounded by: NE 95 th St., NE 145 th St., 15 th Ave. NE, and Lake Washington |
| f. Seattle Mixed (SM) | 20 units or 12,000 square feet of nonresidential gross floor area |
| g. Industrial Commercial (IC) zone within all designated urban villages and centers. | 12,000 square feet of nonresidential gross floor area |

Footnote to Table A for 23.41.004
¹Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

2. Design review is required for all new Major Institution development proposals that exceed thresholds in the zones listed in ~~((subsection A.1 of))~~ this ~~((Section))~~ subsection 23.41.004.A, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Design review is required for all new development proposals located in the following Downtown zones that equal or exceed any of the following thresholds:



DOC 1, DOC 2 or DMC Zones

| Use | Threshold |
|----------------|--|
| Nonresidential | 50,000 square feet of gross floor area |
| Residential | 20 dwelling units |

DRC, DMR, DH1 or DH2 Zones

| Use | Threshold |
|----------------|--|
| Nonresidential | 20,000 square feet of gross floor area |
| Residential | 20 dwelling units |

4. Design review is required for all new development proposals exceeding 120 feet in width on any single street frontage in the Stadium Transition Area Overlay District as shown in Map A for 23.41.006.

5. ~~Administrative~~ Streamlined administrative ~~(D)~~ design ~~(R)~~ review to ~~(P)~~ protect ~~(T)~~ trees. As provided in Sections 25.11.070 and 25.11.080, ~~(administrative)~~ streamlined administrative design review ~~(f)~~ pursuant to Section ~~(23.41.016)~~ 23.41.018 is required for new multifamily and commercial development proposals in Lowrise, Midrise, and commercial zones if an exceptional tree, as defined in Section 25.11.020, is located on the ~~(site)~~ lot, ~~(even)~~ if design review would not otherwise be required by this subsection 23.41.004.A.

6. New multifamily or commercial development proposals in the zones listed in ~~(subsection A.1 of)~~ this ~~(Section)~~ subsection 23.41.004.A, that are subject to SEPA solely as a result of the provisions of Section 25.05.908, Environmentally Critical Areas, are exempt from design review except as set forth in subsection A.5 of this section 23.41.004.

THIS VERSION IS NOT ADOPTED



1 7. Design review pursuant to Section 23.41.014 is required for projects that are
2 eligible for design review under any provision of this section 23.41.004 and that are participating
3 in the Living Building Pilot Program authorized by Section 23.40.060.

4 8. Streamlined administrative design review (SDR) pursuant to Section 23.41.018
5 is required for all new townhouse developments that include at least three townhouse units, if
6 design review is not otherwise required by this subsection 23.41.004.A.

7
8 B. Design Review -- Optional

9 1. Design review is optional to any applicant for new multifamily, commercial or
10 Major Institution development proposals not otherwise subject to this ((e))Chapter 23.41, in the
11 Stadium Transition Area Overlay District, and in all multifamily, commercial, ((or))and
12 downtown zones.

13 2. ((An a))Administrative design review ((process)) is ((an option to)) optional for
14 any applicant for new multifamily or commercial development proposals((, or as provided in
15 subsection B3 below,)) in the Stadium Transition Area Overlay District, and in multifamily,
16 commercial, ((or)) and downtown zones, according to the process described in Section
17 23.41.016.

18 3. Streamlined administrative design review is an option for:

19 a. applicants for multifamily residential uses in LR zones for which design
20 review is not otherwise required by subsection 23.41.004.A; and

21 ((3.))b. ((Administrative Design Review to Protect Trees. As provided in
22 Sections 25.11.070 and 25.11.080, an administrative design review process (Section 23.41.016)
23 is an option to an applicant)) applicants for new multifamily and commercial development
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1 proposals in Lowrise, Midrise, and Commercial zones to protect a tree over ~~((two (2)))~~ 2 feet in
2 diameter measured ~~((four and one half (4 1/2)))~~ 4.5 feet above the ground, ~~((even when))~~ if design
3 review would not otherwise be required by subsection 23.41.004.A.5.

4 * * *

5 Section 13. A new Section 23.41.018 is added to the Seattle Municipal Code as follows:

6 **Section 23.41.018 Streamlined administrative design review (SDR) process**

7
8 A. A preapplication conference is required for all projects subject to this Section
9 23.41.018 unless waived by the Director, pursuant to Section 23.76.008.

10 B. Following a preapplication conference, a proponent may apply to begin the SDR
11 guidance process.

12 1. The application for SDR guidance shall include the following:

13 a. An initial site analysis addressing site opportunities and constraints,
14 adjacent buildings, and the zoning of the site and adjacent properties;

15 b. A drawing of existing site conditions, indicating topography of the site
16 and location of structures and prominent landscape elements on the site (including but not
17 limited to all trees 6 inches or greater in diameter measured 4.5 feet above the ground, with
18 species indicated) if any;

19 c. A preliminary site plan including structures, open spaces, vehicular and
20 pedestrian access, and landscaping;

21 d. A brief description of how the proposal meets the intent of the
22 applicable citywide and neighborhood design review guidelines; and
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1 e. One or more color renderings adequate to depict the overall massing of
2 structures and the design concept.

3 2. Notice of application for SDR guidance shall be provided pursuant to Chapter
4 23.76.

5 3. The purpose of SDR guidance is to receive comments from the public, identify
6 concerns about the site and design concept, identify applicable citywide and neighborhood
7 design guidelines of highest priority to the site, explore conceptual design and siting alternatives,
8 and identify and document proposed development standard adjustments and/or departures. As a
9 result of the SDR guidance process, the Director shall prepare a report, which may take the form
10 of notes marked on the SDR guidance application documents or a brief written document. The
11 report shall identify those guidelines of highest priority and applicability, document any design
12 changes needed to achieve consistency with the design guidelines, and identify any development
13 standard adjustments and/or departures.
14

15 4. The Director shall distribute a copy of the report to the applicant, place it on
16 file in the Department, and provide access to the report on the Department website.
17

18 C. Application for Master Use Permit.

19 1. After issuance of the SDR guidance report, the proponent may apply for a
20 Master Use Permit.
21

22 2. The Master Use Permit application shall include a brief explanation of how the
23 proposal addresses the SDR guidance report, in addition to standard Master Use Permit submittal
24 information required by Section 23.76.010. The Master Use Permit application may request
25 development standard adjustments that were identified in the SDR guidance report. If the SDR
26



1 design guidance report identified the need for development standard departure(s), the applicant
2 may either revise the application to eliminate the need for the departure(s), or may apply for a
3 Master Use Permit for administrative design review, pursuant to Section 23.41.016, in which
4 case the remainder of this Section 23.41.018 does not apply.

5 3. Notice of application for a permit for a project subject to SDR shall be provided
6 according to Chapter 23.76.

7
8 D. Director's decision

9 1. The Director shall make the SDR decision as part of the Master Use Permit
10 decision for the project.

11 2. The Director shall consider public comments on the proposed project, and the
12 Director's decision shall be based on the extent to which the application meets applicable design
13 guidelines and responds to the SDR guidance report.

14 3. The Director may allow the adjustments listed in subsection 23.41.018.D.4, if
15 the adjustments are consistent with the SDR design guidance report and the adjustments would
16 result in a development that:

17 a. better meets the intent of the adopted design guidelines and/or
18 b. provides a better response to environmental and/or site conditions,
19 including but not limited to topography, the location of trees, or adjacent uses and structures.

20 4. If the criteria listed in subsection 23.41.018.D.3 are met, the Director may
21 allow adjustments to the following development standards to the extent listed for each standard:

- 22 a. Setbacks: 50 percent;
23 b. Amenity areas: 10 percent;
24
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- c. Landscaping and screening: 25 percent;
- d. Structure width and structure depth limits: 10 percent;
- e. Screening of parking: 25 percent; and
- f. Parking garage entrance requirements: 25 percent.

5. Limitations on adjustments through the SDR process established in this subsection 23.41.018.D do not limit adjustments expressly permitted by other provisions of this Title 23 or other titles of the Seattle Municipal Code.

E. Notice of Decision. Notice of the Director's decision shall be provided pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

Section 14. Subsection C of Section 23.42.106 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.42.106 Expansion of nonconforming uses((;))

* * *

C. In ~~((M))~~ multifamily zones, except in ~~((Lowrise Duplex/Triplex and))~~ Lowrise 1 (LR1) zones, dwelling units may be added to a structure containing one ~~((1))~~ or more nonconforming uses, even if in a structure nonconforming to development standards; provided that limitations on density shall apply. The structure may be expanded or extended~~((;))~~, provided that the expansion or extension shall be for residential use, shall conform to the development standards of the zone, and shall not cause an already nonconforming structure to become more nonconforming to development standards.

* * *

THIS PROVISION IS NOT ADOPTED



1 Section 15. Subsection C of Section 23.42.108 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122311, is amended as follows:

3 **23.42.108 Change from nonconforming use to conforming use((;))**

4 * * *

5 C. In multifamily zones, a nonconforming nonresidential use may be converted to
6 residential use even ~~((if))~~ though all development standards are not met, ~~if((; provided that))~~:

7 1. ~~((the))~~ any applicable limits on density ~~((limitations of the zone must be))~~ are
8 met; ~~((and))~~

9 2. ~~((provided that))~~ any ~~((parking))~~ nonconformity with respect to parking ~~((shall~~
10 ~~not be))~~ is not increased as a result of the conversion; and

11 3. ~~((Lowrise Duplex/Triplex))~~ LR1 zones the total number of dwelling units in
12 ~~((any structure))~~ an apartment is limited to three ~~((3))~~.

13 * * *

14 Section 16. Subsection A of Section 23.42.110 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 120293, is amended as follows:

16 **23.42.110 Change from one nonconforming use to another nonconforming use((;))**

17 A nonconforming use may be converted by an administrative conditional use
18 authorization to another use not otherwise permitted in the zone subject to the following
19 limitations and conditions.

20 A. In single-family~~((;))~~ and residential small lot zones, ~~((and Lowrise Duplex/Triplex~~
21 ~~zones;))~~ a nonconforming multifamily residential use ~~((or structure))~~ may not be converted to
22 any nonresidential use not otherwise permitted in the zone.
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RESOLUTION IS NOT ADOPTED



* * *

1
2 Section 17. Section 23.42.114 of the Seattle Municipal Code, which section was last
3 amended by Ordinance 120293, is amended as follows:

4 **23.42.114 Multifamily structures nonconforming to development standards**~~((:))~~

5 The following provisions apply to multifamily structures ~~((that do not comply with~~
6 ~~current development standards))~~ nonconforming to development standards.

7
8 A. A ~~((noneonforming ground related))~~ multifamily structure ~~((or apartment located))~~
9 nonconforming to development standards in a ~~((Lowrise Duplex/Triplex (LDT) or))~~ Lowrise 1
10 (LR1) zone may be expanded or extended ~~((provided))~~ if the expansion or extension ~~((shall))~~
11 conforms to the development standards of the zone and ~~((shall))~~ does not cause an already
12 nonconforming structure to become more nonconforming to development standards.

13
14 B. Additional residential units may be added to a ~~((noneonforming ground related))~~
15 multifamily structure nonconforming to development standards ~~((or apartment structure,~~
16 ~~provided))~~ if the addition ~~((shall))~~ conforms to the development standards of the zone and
17 ~~((shall))~~ does not cause an already nonconforming structure to become more nonconforming to
18 development standards.

19
20 ~~((C. In Lowrise Duplex/Triplex zones, a noneonforming ground related multifamily~~
21 ~~structure or an apartment may be converted to any permitted use if all development standards are~~
22 ~~met except for open space and ground level access.))~~

23 Section 18. Subsection A of Section 23.42.122 of the Seattle Municipal Code, which
24 section was last amended by Ordinance 120293, is amended as follows:

25
26 **23.42.122 Height nonconformity**~~((:))~~

THIS VERSION IS NOT ADOPTED



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A. Single-family and multifamily zones.

1. In single-family ((and multifamily)) zones, a structure nonconforming as to height may be expanded or extended to add eaves, dormers and/or clerestories to an existing pitched roof ((provided)) if the additions are constructed below the highest point of the roof. An existing pitched roof that is above the height limit ((shall)) may not be converted into a flat roof, nor shall the slope of the roof be ((lowered below)) reduced to less than a ((four in twelve (-)) 4:12((+)) pitch.

2. In multifamily zones, a structure nonconforming as to height may be expanded or extended to add eaves, dormers and/or clerestories to an existing pitched roof if the additions are constructed below the highest point of the roof, pursuant to Section 23.45.514. An existing pitched roof that is above the height limit may not be converted into a flat roof, nor shall the slope of the roof be reduced to less than a ((six to twelve (-)) 6:12((+)) pitch.

* * *

Section 19. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

Section 23.43.008 Development ((S))standards for one dwelling unit per lot

* * *

D. Yards and ((S))setbacks.

1. Front and ((R))rear ((Y))yards.

- a. The sum of the front yard plus the rear yard shall be a minimum of 30 feet.
- b. In no case shall either yard have a depth of less than 10 feet.

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1 c. If recommended in a neighborhood plan adopted or amended by the
2 City Council after January 1, 1995, an ordinance designating an area as RSL may require front
3 and/or rear yards ~~((setbacks))~~ greater than 10 feet, provided that the requirement of subsection
4 23.43.008.D.1.a shall not be increased or decreased, and the requirement of subsection
5 23.43.008.D.1.b shall not be reduced.

6 2. Side ~~((S))~~ setbacks. The required minimum side setback is 5 feet. The side
7 setback may be averaged. No portion of the side setback shall be less than 3 feet, except as
8 follows:
9

10 a. Street side setbacks shall be a minimum of 5 feet.

11 b. If an easement is provided along a side lot line of the abutting lot
12 sufficient to leave a 10 foot separation between the two principal structures of the two lots, the
13 required side ~~((yard))~~ setback may be reduced from the requirement of subsection 23.43.008.D.2.
14 The easement shall be recorded with the King County Department of Records and Elections. The
15 easement shall provide access for normal maintenance activities to the principal structure on the
16 lot with less than the required side setback. No principal structure shall be located in the
17 easement area, except that the eaves of a principal structure may project a maximum of 18 inches
18 into the easement area. No portion of any structure, including eaves, shall cross the property line.
19

20 3. ~~((For all developments except cluster developments, only))~~ The following
21 parts of structures ((that comply with the following)) may project into a required yard or setback,
22 provided that the applicable restrictions in subsections 23.43.008.D.3 and D.4 are met:
23

24 a. Uncovered ~~((P))~~ porches or ~~((S))~~ steps. Uncovered, unenclosed porches
25 or uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps
26
27

1 are no higher than 4 feet on average above existing grade, are no closer than 3 feet to any side lot
2 line, no wider than 6 feet, and project no more than 6 feet into a required front or rear yard. The
3 heights of porches and steps are to be calculated separately.

4 b. Certain ~~((F))~~ features of a ~~((S))~~ structure.

5 1) External architectural features with no living area, such as
6 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard
7 or setback~~((;))~~.

8 2) Bay windows that are no wider than 8 feet and project no more
9 than 2 feet into a required front or rear yard or street side setback~~((;))~~.

10 3) Other external architectural features that include interior space
11 such as garden windows, and project no more than 18 inches into a required yard or setback,
12 starting a minimum of 30 inches above the height of a finished floor, and with maximum
13 dimensions of 6 feet in height and 8 feet in width~~((;))~~.

14 4. Limit on features on a facade. The combined area of features that project into a
15 required yard or setback pursuant to subsection 23.43.008.D.3.b may ~~((comprise no more than))~~
16 not exceed 30 percent of the area of the facade on which the features are located.

17 * * *

18 Section 20. Subsection B of Section 23.44.034 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 199239, is amended as follows:

20 **23.44.034 Planned residential development (PRD)**~~((;))~~

21 * * *

22 B. Type of ~~((Dwelling Units))~~ housing ~~((P))~~ permitted.

1 This Chapter 23.45 (~~((describes the authorized uses and development standards))~~)
2 establishes regulations for the following zones:

3 (~~((Lowrise Duplex/Triplex (LDT);))~~)

4 Lowrise 1 (LR1);

5 Lowrise 2 (LR2);

6 Lowrise 3 (LR3);

7 (~~((Lowrise 4 (L4)))~~)

8
9 Midrise (MR) (references to Midrise zones include the Midrise/85 (MR/85) zone
10 unless otherwise noted); and

11 Highrise (HR).

12
13 Section 23. Section 23.45.004 of the Seattle Municipal Code, providing a cross-reference
14 to the section about permitted and prohibited uses in multifamily zones, which section was last
15 amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.

16 Section 24. Subsections A, B, and C of Section 23.45.504 of the Seattle Municipal Code,
17 which section was last amended by Ordinance 123378, are amended as follows:

18 **23.45.504 Permitted and ~~((P))~~prohibited ~~((U))~~uses**

19
20 A. All uses are permitted outright, prohibited or permitted as a conditional use according
21 to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A are
22 prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, ~~((or))~~ 23.51B,
23 or 23.57. Communication utilities and accessory communication devices, except as exempted in
24 Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations
25 in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.
26

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B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

Table A for 23.45.504: Permitted and Prohibited Uses

| | Permitted and Prohibited Uses by Zone | |
|--|---|---|
| Uses | ((LD1,)) LR1, LR2, and LR3 ((and L4)) | MR and HR |
| A. Residential use | P | P |
| B. Institutions | P/CU ¹ | P/CU ¹ |
| C. Public Facilities | | |
| C.1. Uses in public facilities that are similar to uses permitted outright in this Section 23.45.504 | P ² | P ² |
| C.2. Police precinct stations; fire stations; public boat moorages; utility service uses; and other similar public facilities that meet the development standards for institutions in 23.45.570 | P | P |
| C.3. Police precinct stations; fire stations; public boat moorages; utility service uses; and other similar public facilities not meeting the development standards for institutions in 23.45.570 | Type IV or Type V decision ³ | Type IV or Type V decision ³ |
| C.4. New public facilities not listed in subsections C.1 and C.2 of this Table A for 23.45.504, and major expansions of such public facilities | Type IV or Type V decision ³ | Type IV or Type V decision ³) |
| C. Uses in existing or former public schools | | |
| C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly and similar uses in existing or former public schools. | P | P |
| C.2. Other non-school uses in existing or former public schools | Permitted pursuant to procedures established in Chapter 23.78 | Permitted pursuant to procedures established in Chapter 23.78 |
| D. Park and pool and park and ride lots | X/CU((⁴)) ² | X/CU((⁴)) ² |
| E. Parks and playgrounds including customary uses | P | P |
| F. Ground floor commercial uses((⁵)) | RC | P ² |
| G. Medical Service Uses other than permitted ground floor commercial uses | P/X((⁶)) ⁴ | P/CU/X((⁶)) ⁴ |
| H. Uses not otherwise permitted in landmark structures | CU | CU |
| I. Cemeteries | P/X((⁷)) ⁵ | P/X((⁷)) ⁵ |
| J. Community Gardens | P | P |

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Table A for 23.45.504: Permitted and Prohibited Uses

| | | |
|---|---|---|
| K. All other uses | X | X |
| <p>Footnotes to Table A for 23.45.504</p> <p>1. Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.</p> <p>((2. These public facilities are subject to the same use regulations and development standards that govern the similar use.))</p> <p>((3. These public facilities may be permitted pursuant to Section 23.51A.004.))</p> <p>((4)) 2. Prohibited in Station Area Overlay Districts; otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506.</p> <p>((5)) 3. Subject to subsection 23.45.504.E.</p> <p>((6)) 4. Subject to subsection 23.45.504.G and 23.45.506.F.</p> <p>((7)) 5. Subject to subsection 23.45.504.F.</p> <p>P = Permitted outright CU = Permitted as an Administrative Conditional Use RC = Permitted in areas zoned Residential Commercial (RC) ((zones)), and subject to the provisions of the RC zone, Chapter 23.46((:)) X = Prohibited</p> | | |

C. Accessory uses. The following accessory uses are permitted in all multifamily zones, subject to the standards in Section 23.45.545, if applicable:

1. Private garages and carports;
2. Private, permanent swimming pools, hot tubs and other similar uses;
3. Solar collectors, including solar greenhouses;
4. Open wet moorage accessory to residential structures;
5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;
6. Bed and breakfasts in a dwelling unit that is at least five years old;
7. Recycling collection stations ~~((and))~~;
8. Urban farms with planting area not more than 4,000 square feet. Urban farms

with greater than 4,000 square feet of planting area may be allowed as an administrative

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1 conditional use to any use permitted outright or as a conditional use. The Director may grant,
2 condition or deny a conditional use permit in accordance with subsection 23.42.051.B; and

3 9. Accessory dwelling units.

4 * * *

5 Section 25. Section 23.45.006 of the Seattle Municipal Code, which section was last
6 amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.

7 Section 26. Subsection F of Section 23.45.506 of the Seattle Municipal Code, which
8 section was last amended by Ordinance 123209, is amended as follows:

9 **Section 23.45.506 Administrative ((C))conditional ((U))uses**

10 * * *

11 F. In addition to medical service uses permitted as ground floor commercial uses
12 pursuant to subsection 23.45.504.E, medical service uses occupying over 4,000 square feet may
13 be permitted in Highrise zones as administrative conditional uses on lots that are at least 25,000
14 square feet in size, have not been in residential use since January 1, 1989, and are located on a
15 block that abuts a Neighborhood Commercial zone on at least two entire sides of the block
16 (defined for the purpose of this subsection 23.45.506.F as an area((s)) bounded by street lot
17 lines).
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21 1. In order to approve a medical service use, the Director must determine that the
22 medical service use is an expansion of an existing medical service business establishment in the
23 immediate vicinity that is not a major institution.

24 2. Design review is required.
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3. The development standards in Sections 23.45.510, 23.45.514, 23.45.516, 23.45.518, 23.45.520, and 23.45.536 do not apply to the portion of the structure occupied by medical service uses, except as specified in this subsection 23.45.506.F. Portions of the structure occupied by medical service uses shall meet the following development standards:

a. The maximum height for the portions of structures containing medical office uses is 108 feet, except that the provisions for green roofs and rooftop features in ~~((subsection)) Section 23.45.514((E and rooftop features in subsection 23.45.514.F))~~ apply.

b. The average of the gross floor area of stories in medical service use above 45 feet in height shall not exceed 60 percent of the area of the lot.

4. Setbacks

a. Setbacks shall be required as shown on Table A for 23.45.506.

| Table A for 23.45.506: Setback Requirements for Medical Office Uses <u>(all measurements in feet)</u> | | | |
|--|-----------------------------|----------------------------|------------------------------|
| Elevation of Facade or Portion of Facade from Existing Grade | Setback on Street Frontages | Setback on Alley Frontages | Setback on shared lot lines |
| 45(′) or less | 7(′) average, 5(′) minimum | 0(′) | 7(′) average, 5(′) minimum |
| More than 45(′) up to 108(′) | 10(′) average, 7(′) minimum | 10(′) | 15(′) average, 10(′) minimum |

b. If the ground floor of a street facade is in use as a child care center, community center, or commercial use permitted on the ground floor by Section 23.45.504, no setback is required for the portion of the street facade that is 45(′) feet in height or less.

c. If a lot abutting the lot is developed to the side lot line, portions of the proposed development that are 45 feet in height or less may be joined to the abutting structure.

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1 d. Projections into required setbacks, and structures in required setbacks,
2 are permitted pursuant to ~~((as provided for in subsection))~~ Section 23.45.518 ~~((F, and structures~~
3 ~~in required setbacks are permitted as provided for in subsections 23.45.518.G)).~~

4 5. A minimum of 25 percent of the lot area shall be provided as landscaped open
5 space at ground level. Except as provided in this subsection 23.45.506.F.5, no horizontal
6 dimension for required open space shall be less than 10 feet, nor shall any required open space
7 area be less than 225 square feet. The following additional areas may be included in the
8 calculation of required ground level open space:

9 a. Area in the public right-of-way of a neighborhood green street
10 designated in Section 23.45.516 abutting the lot that is improved according to a plan approved by
11 the Director, in consultation with the Director of the Department of Transportation; except that
12 the Director may waive the requirement that the neighborhood green street abut the lot and allow
13 the improvements to be made to a neighborhood green street located in the general vicinity of the
14 project, if such an improvement is determined to be beneficial to the occupants of the project;
15 and
16

17 b. Landscaped area in the public right-of-way that abuts the required open
18 space on the lot, when the landscaping contributes to achievement of the Green Factor score
19 required in subsection 23.45.506.F.6. below.
20

21 6. The landscaping and screening requirements of Section 23.45.524 apply, except
22 that the required Green Factor score is 0.3 or greater, pursuant to Section 23.86.019.
23

24 7. Parking shall be required as provided in Chapter 23.54.
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1 8. The Director shall determine the location of access to parking. In order to
2 promote pedestrian safety and comfort, ~~((the))~~ access via an alley is preferred. Where street
3 access is deemed appropriate, due to safety hazards, topography, or other special conditions of
4 the lot, the number of curb cuts and the width of curb cuts, driveways, and garage openings shall
5 be minimized.

6 9. No surface area parking shall be provided, and no parking shall be located at or
7 above grade, unless it is separated from all street lot lines by another use.

8 10. The preferred access to loading berths shall be from an alley if the lot abuts an
9 alley. Loading berths shall be located so that access to any residential parking is not blocked.

10 11. The Director shall determine the location of passenger load zones, based on
11 safety considerations, minimizing conflicts with automobile and pedestrian traffic, reducing
12 impacts on any nearby residential uses, and the efficient operation of the medical service use.

13 12. Identifying signs shall be permitted according to Chapter 23.55, Signs.

14 13. For mixed use structures containing both medical service uses and residential
15 uses, the portion of the structure in residential use shall meet the requirements of the HR zone,
16 except as modified by the following:

17 a. The maximum width and floor size limits in Section 23.45.520 apply to
18 any portion of the structure in residential use above 45 feet in height.

19 b. ~~((Residential amenity))~~ Amenity areas shall be provided according to
20 the provisions of Section 23.45.522. Open space required at ground level pursuant to subsection
21 23.45.506.F.5 may be ~~((included))~~ counted as ~~((residential))~~ amenity area if it meets the
22 applicable development standards of ~~((subsection))~~ Section 23.45.522~~((-B))~~.

1 c. No landscaped open space is required in addition to the open space
2 required in subsection 23.45.506.F.5.

3 * * *

4 Section 27. Section 23.45.508 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 123378, is amended as follows:

6 **23.45.508 General provisions**

7
8 A. Except for structures related to an urban farm, a structure occupied by a permitted use
9 other than a residential use may be partially or wholly converted to a residential use even if the
10 structure does not conform to the development standards for residential uses in multifamily
11 zones.

12
13 B. Off street parking shall be provided if required in Section 23.54.015, except that one
14 residential unit may be added to a residential structure without a parking space pursuant to
15 subsection 23.54.020.A.

16
17 C. Expansions of nonconforming converted structures and conversions of structures
18 occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

19
20 D. Methods for measurements are provided in Chapter 23.86. Requirements for streets,
21 alleys and easements are provided in Chapter 23.53. Standards for parking and access and
22 design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage
23 space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.

24
25 E. Assisted living facilities and nursing homes shall meet the development standards for
26 apartments unless otherwise specified.

1 F. Congregate residences shall meet the development standards for townhouse
2 developments unless otherwise specified.

3 G. Single-family dwelling units. In Lowrise zones, single family dwelling units shall
4 meet the development standards for townhouse developments, except that Section 23.45.529,
5 Design standards, does not apply. In MR and HR zones, single-family dwelling units shall meet
6 the development standards of the zone.

7
8 ((2))H. Proposed uses in all multifamily zones are subject to the transportation
9 concurrency level-of-service standards prescribed in Chapter 23.52.

10 ((E))I. ((Development standards))Lots with no street frontage. For purposes of structure
11 width, depth, and setbacks, multifamily zoned lots that have no street frontage are subject to the
12 following:

13
14 ((a))1. For lots that have only one alley lot line, the alley lot line ((may))
15 shall be treated as a front lot line.

16 ((b))2. For lots that have more than one alley lot line, ((only)) the Director
17 shall determine which ((one)) alley lot line ((may)) shall be treated as ((a)) the front lot line.

18 ((e))3. For lots that have no alley lot lines, the applicant may choose the
19 front lot line provided that the selected front lot line length is at least 50 percent of the width of
20 the lot.

21
22 ((2. Proposed uses in all multifamily zones are subject to the transportation
23 concurrency level-of-service standards prescribed in Chapter 23.52.))

24 ((3))J. All use provisions and development standards applicable to MR zones, except
25 maximum height, also apply in the MR/85 zone.
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1 K. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is
2 not entitled to a permit for any use or development on a lot in a Lowrise zone that would be
3 inconsistent with any term, condition, or restriction contained either in any recorded agreement
4 that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1, L2,
5 L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to LDT, L1,
6 L2, L3, or L4 conditioned on a recorded agreement prior to the effective date of the ordinance
7 introduced as Council Bill 117014.

8 ((F. Solid Waste and Recyclable Materials Storage Space.

9
10 1. Storage space for solid waste and recyclable materials containers shall be
11 provided for all new and expanded multifamily structures as indicated in Table A for 23.45.508.
12 For the purposes of this subsection, "expanded multifamily structure" means expansion of
13 multifamily structures with ten or more existing units by two or more units.
14

15 **Table A for 23.45.508: Storage space for Solid Waste and Recyclable Materials Containers**

16

| Multifamily Structure Size | Minimum Area for Storage Space | Container Type |
|----------------------------|---|--------------------------|
| 7-15 units | 75 square feet | Rear-loading containers |
| 16-25 units | 100 square feet | Rear-loading containers |
| 26-50 units | 150 square feet | Front-loading containers |
| 51-100 units | 200 square feet | Front-loading containers |
| More than 100 units | 200 square feet plus 2 square feet for each additional unit | Front-loading containers |

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22
23 2. The design of the storage space shall meet the following requirements:

24 a. The storage space shall have no minimum dimension (width and depth)

25 less than 6 feet;

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1 b. The floor of the storage space shall be level and hard surfaced (~~garbage~~
2 ~~or recycling compactors require a concrete surface~~); and

3 c. If located outdoors, the storage space shall be screened from public
4 view and designed to minimize any light and glare impacts.

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

6 a. The storage space shall be located on the lot of the structure it serves
7 and, if located outdoors, it shall not be located between a street facing I of the structure and the
8 street;

9 b. The storage space shall not be located in any required driveways,
10 parking aisles, or parking spaces for the structure;

11 c. The storage space shall not block or impede any fire exits, public rights-
12 of ways or any pedestrian or vehicular access; and

13 d. The storage space shall be located to minimize noise and odor to
14 building occupants and neighboring developments.

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

17 a. For rear loading containers (usually 2 cubic yards or smaller):

18 1) Any proposed ramps to the storage space shall be of 6 percent
19 slope or less, and

20 2) Any proposed gates or access routes shall be a minimum of 6
21 feet wide; and

22 b. For front loading containers (usually larger than 2 cubic yards):

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1) Direct access shall be provided from the alley or street to the
containers;

2) Any proposed gates or access routes shall be a minimum of 10
feet wide, and

3) When accessed directly by a collection vehicle into a structure, a
21 foot overhead clearance shall be provided.

5. The Director, in consultation with the Director of Seattle Public Utilities, shall
have the discretion to modify the requirements of subsections 23.45.508.F.1 through F.4 under
the following circumstances:

a. When the applicant can demonstrate difficulty in meeting any of the
requirements of subsections 23.45.508.F.1 through F.4; or

b. When the applicant proposes to expand a multifamily building, and the
requirements of subsections 23.45.508.F.1 through F.4 conflict with opportunities to increase
residential densities; and

c. When the applicant proposes alternative, workable measures that meet
the intent of this Section 23.45.508.

6. The solid waste and recyclable materials storage space specifications required
in subsections 23.45.508.F.1 through F.4, in addition to the number and sizes of containers, shall
be included on the plans submitted with the permit application.))

Section 28. Nine sections of the Seattle Municipal Code, Section 23.45.009 Structure
Height, which section was last amended by Ordinance 123209; Section 23.45.010 Lot Coverage
Limits, which section was last amended by Ordinance 118794; Section 23.45.011 Structure

1 width and depth, which section was last amended by Ordinance 114888; 23.45.012 Modulation,
2 which section was last amended by Ordinance 120117; Section 23.45.014 Setbacks, which
3 section was last amended by Ordinance 123209; Section 23.45.015 Screening and Landscaping,
4 which section was last amended by Ordinance 121477; Section 23.45.016 Open Space
5 Requirements, which section was last amended by Ordinance 123046; Section 23.45.017 Light
6 and Glare, which section was last amended by Ordinance 115043; and Section 23.45.018,
7 Parking and Access, which section was last amended by Ordinance 120611; all for Lowrise
8 zones, as shown in Attachment A to this ordinance, are repealed.

10 Section 29. Section 23.45.510 of the Seattle Municipal Code, which section was enacted
11 by Ordinance 123209, is amended as follows:

12 **23.45.510 Floor area ratio (FAR) limits ((in Midrise and Highrise Zones))**

13 ((A. Floor area ratio (FAR) limits apply to all structures and lots in Midrise and Highrise
14 zones as shown in Table A for 23.45.510.))

16 A. General provisions.

- 17 1. All gross floor area not exempt under subsection 23.45.510.((B))D counts
18 toward the maximum gross floor area allowed under the floor area ratio (FAR) limits.
19 2. The applicable FAR limit applies to the total non-exempt gross floor area of all
20 structures on the lot ((, subject to subsection 23.45.510.A.3)).
21 3. ((When))If a lot is in more than one zone, the FAR limit for each zone applies
22 to the portion of the lot located in that zone, and ((for the entire lot is the sum of the limits that
23 would apply to the portion of the lot located in each zone, but)) the floor area on the portion of
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the lot with the lower FAR limit may not exceed the amount that would be permitted if it were a separate lot.

B. FAR limits in LR zones

Floor area ratio limits apply in LR zones as shown in Table A for 23.45.510.

Table A for 23.45.510: Floor Area Ratios in Lowrise Zones

| Zone | Location | Category of Residential Use ⁽¹⁾ | | | |
|------------|--------------------------|---|--------------------------------------|---------------------------------------|---------------------------|
| | | Cottage Housing Developments and Single-Family Dwelling Units | Rowhouse Developments ⁽²⁾ | Townhouse Developments ⁽²⁾ | Apartments ⁽²⁾ |
| LR1 | Either outside or inside | 1.1 | 1.0 or 1.2 | 0.9 or 1.1 | 1.0 |
| LR2 | Either outside or inside | 1.1 | 1.1 or 1.3 | 1.0 or 1.2 | 1.1 or 1.3 |
| LR3 | Outside | 1.1 | 1.2 or 1.4 | 1.1 or 1.3 | 1.3 or 1.5 |
| | Inside | 1.1 | 1.2 or 1.4 | 1.2 or 1.4 | 1.5 or 2.0 |

Footnotes for A for 23.45.510:

⁽¹⁾ If more than one type of residential use is provided on a lot, the FAR limit for each residential use is the higher FAR limit for each residential use in this Table A for 23.45.510 only if the conditions in subsection 23.45.510.C are satisfied for all residential uses on the lot.

⁽²⁾ The higher FAR limit applies if the project meets the standards of subsection 23.45.510.C.

C. In LR zones, in order to qualify for the higher FAR limit shown in Table A for 23.45.510, the following standards shall be met:

- Applicants shall make a commitment that the structure will meet green building performance standards by earning a Leadership in Energy and Environmental Design (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King and Snohomish Counties, except that an applicant who is applying for funding from the

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1 Washington State Housing Trust Fund and/or the Seattle Office of Housing to develop new
2 affordable housing, may elect to meet green building performance standards by meeting the
3 Washington Evergreen Sustainable Development Standards (ESDS). The standards referred to
4 in this subsection 23.45.510.C.1 are those identified in Section 23.45.526, and that section shall
5 apply as if the application were for new development gaining extra residential floor area.

6
7 2. For all categories of residential use, if the lot abuts an alley and the alley is
8 used for access, improvements to the alley shall be required as provided in subsections
9 23.53.030.E and F, except that the alley shall be paved rather than improved with crushed rock,
10 even for lots containing fewer than ten dwelling units.

11 3. Parking location.

12 a. For rowhouse and townhouse developments, parking shall be located in
13 an enclosed area that is below grade or that projects a maximum of 4 feet above finished grade,
14 or in a parking area or structure at the rear of the lot.

15
16 b. For apartments, parking shall be located in an enclosed area that is
17 below grade or that projects a maximum of 4 feet above finished grade.

18 4. Access to parking.

19 a. Access to required barrier-free parking spaces may be from either a
20 street or an alley. Subsections 23.45.510.C.4.b, c, and d do not apply to required barrier-free
21 parking spaces.

22
23 b. If the lot abuts an alley, access to parking shall be from the alley, unless
24 one or more of the conditions in subsection 23.45.536.D.2 are met.

c. If access cannot be provided from an alley, access shall be from a street

if the following conditions are met:

1) on corner lots, the driveway shall abut and run parallel to the rear lot line of the lot.

2) on a non-corner lot, there is no more than one driveway per 160 feet of street frontage.

d. if access to parking does not meet one of the standards in this subsection 23.45.510.C.4, or if an exception is granted that allows parking access from both an alley and a street pursuant to subsection 23.45.516.C, the lower FAR limit on Table A for 23.45.510 applies.

~~((B))~~D. FAR limits in MR and HR zones.

1. ~~((Floor area ratio (FAR)))~~ FAR limits apply to all structures and lots in Midrise and Highrise zones as shown in Table ~~((A))~~B for 23.45.510.

| Table ((A))B for 23.45.510: Floor Area Ratios in MR and HR zones | | |
|--|-----------|---|
| | MR | HR |
| Base FAR | 3.2 | 8 ((-0)) on lots 15,000 square feet or less in size; 7 ((-0)) on lots larger than 15,000 square feet |
| Maximum FAR, allowed pursuant to Chapter 23.58A and Section 23.45.516 | 4.25 | 13 for structures 240 feet or less in height; 14 for structures over 240 feet |

~~((B))~~E. The following floor area is exempt from FAR limits:

1. All underground stories, ~~((or portions of a story that extend no more than 4 feet above existing or finished grade whichever is lower. See Exhibit A for 23.45.510.))~~

2. The floor area contained in a ~~((designated Seattle))~~ landmark structure subject to controls and incentives imposed by a designating ordinance, ~~((when))~~ if the owner of the

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1 landmark has executed and recorded an agreement acceptable in form and content to the
2 Landmarks Preservation Board, providing for the restoration and maintenance of the historically
3 significant features of the structure, except that this exemption does not apply to a lot from which
4 a transfer of development potential has been made under Chapter 23.58A, and does not apply for
5 purposes of determining TDP available for transfer under Chapter 23.58A.

6 3. Structures built prior to January 1, 1982 as single-family dwelling units that
7 will remain in residential use, provided that:

8 a. no new principal structure is located between that structure and a street
9 lot line, and

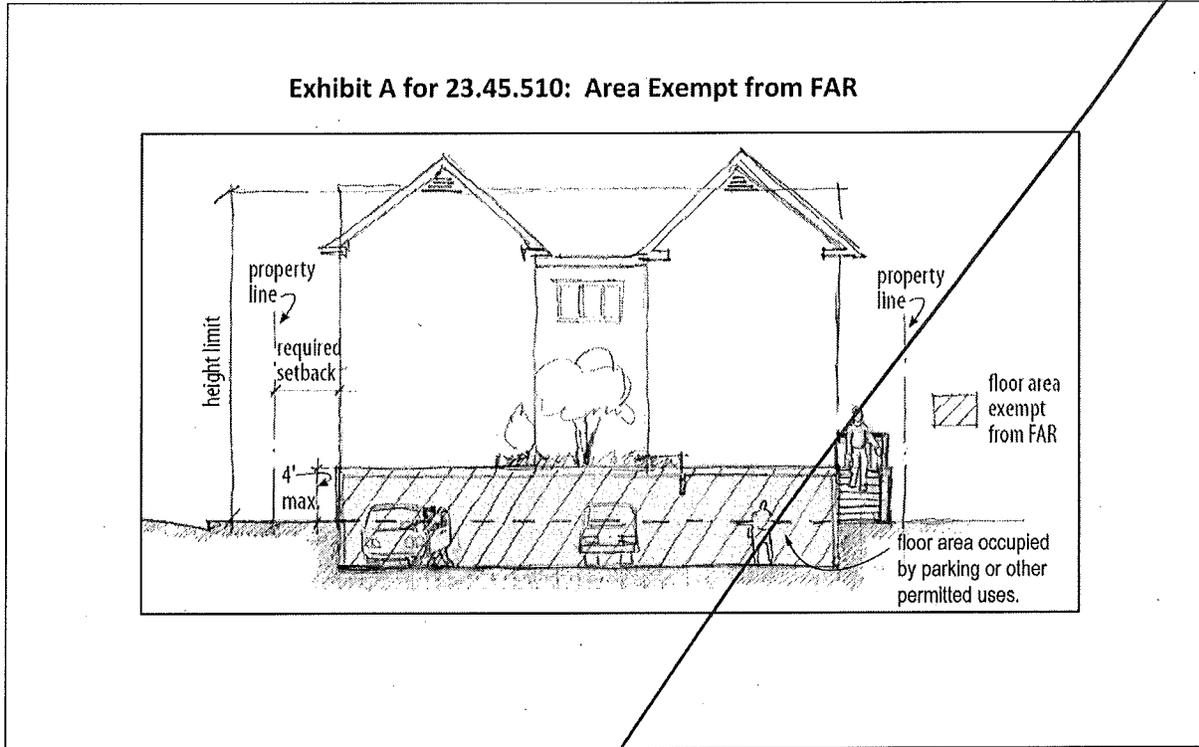
10 b. the exemption is limited to the gross square footage in the structure as
11 of January 1, 1982.

12 4. For apartments in LR zones that qualify for the higher FAR limit shown in
13 Table A for 23.45.510, portions of a story that extend no more than 4 feet above existing or
14 finished grade, whichever is lower. See Exhibit A for 23.45.510.

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Exhibit A for 23.45.510: Area Exempt from FAR



5. For townhouse developments and apartments that qualify for the higher FAR limit shown in Table A for 23.45.510, floor area within a structure or portion of a structure that is partially above grade and has no additional stories above, if the following conditions are met:

a. The average height of the exterior walls enclosing the floor area does not exceed 4 feet, measured from existing or finished grade, whichever is less;

b. The roof area above the exempt floor area is predominantly flat, is used as amenity area, and meets the standards for amenity area at ground level in subsection 23.45.522.E;

c. At least 25 percent of the perimeter of the amenity area on the roof above the floor area is not enclosed by the walls of the structure; and

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1 d. The amenity area is no more than 4 feet above the grade at a point
2 where pedestrian access is provided to the lot.

3 ~~((3))6. Enclosed common ((residential)) amenity ((space)) area in Highrise zones.~~

4 ~~((4))7. As an allowance for mechanical equipment, in any structure more than 85~~
5 ~~feet in height, 3.5 percent of the gross floor area that is not exempt under this subsection((s~~
6 ~~((B))D.1 through ((B))D.3 of this Section)) 23.45.510.D.~~

7 ~~((5))8. In HR zones, ground floor commercial uses meeting the requirements of~~
8 ~~Section 23.45.532, if the street level of the structure containing the ((exempt space))commercial~~
9 ~~uses has a minimum floor to floor height of 13 feet and a minimum depth of 15 feet.~~

10 ~~((E))E. If TDP is transferred from a lot pursuant to Section 23.58A.018, the amount of~~
11 ~~non-exempt floor area that may be permitted is the applicable base FAR, plus any net amount of~~
12 ~~TDP previously transferred to the lot, minus the sum of the existing non-exempt floor area on the~~
13 ~~lot and the amount of TDP transferred.~~

14 ~~Section 30. Sections 23.45.008 of the Seattle Municipal Code, which section was last~~
15 ~~amended by Ordinance 123046, is recodified and amended as follows:~~

16 ~~((23.45.008)) **23.45.512 Density limits—Lowrise zones**~~

17 ~~A. There shall be a minimum lot area per dwelling unit in LR zones for cottage housing~~
18 ~~developments, townhouse developments, and apartments, as shown on Table A for 23.45.512,~~
19 ~~except as provided in subsections B, C, D, E, ((and F)), and G of this ((s))Section 23.45.512((, as~~
20 ~~follows:)).~~

| | | |
|---|--------------------------|---|
| 1 | ((Lowrise Duplex/Triplex | — One (1) dwelling unit per two thousand (2,000) square feet of lot area. |
| 2 | Lowrise 1 | — One (1) dwelling unit per one thousand six hundred (1,600) square feet of lot area. |
| 3 | Lowrise 2 | — One (1) dwelling unit per one thousand two hundred (1,200) square feet of lot area. |
| 4 | Lowrise 3 | — One (1) dwelling unit per eight hundred (800) square feet of lot area. |
| 5 | Lowrise 4 | — One (1) dwelling unit per six hundred (600) square feet of lot area.)) |

Table A for 23.45.512: Density Limits in Lowrise Zones

| Zone | Units allowed per square foot of lot area by category of residential use | | | | |
|------|--|-----------------------------|--|--------------------------------|--|
| | <u>Cottage Housing Development⁽¹⁾ and Single-family Dwelling Unit</u> | <u>Rowhouse Development</u> | <u>Townhouse Development⁽²⁾</u> | <u>Apartment⁽³⁾</u> | |
| 13 | <u>LR1</u> | <u>1/1,600</u> | <u>No limit</u> | <u>1/2,200 or 1/1,600</u> | <u>1/2,000 Duplexes and Triplexes only</u> |
| 14 | <u>LR2</u> | <u>1/1,600</u> | <u>No limit</u> | <u>1/1,600 or No limit</u> | <u>1/1,200 or No limit</u> |
| 15 | <u>LR3</u> | <u>1/1,600</u> | <u>No limit</u> | <u>1/1,600 or No limit</u> | <u>1/800 or No limit</u> |

Footnotes for Table A for 23.45.512

⁽¹⁾See Section 23.45.531 for specific regulations about cottage housing developments.

⁽²⁾For townhouse developments that meet the standards of subsection 23.45.510.C, the higher density shown is permitted in LR1 zones, and there is no density limit in LR2 and LR3 zones.

⁽³⁾For apartments that meet the standards of subsection 23.45.510.C, there is no density limit in LR2 and LR3 zones.

B. Density exception for certain types of low-income multifamily residential uses.

1. The exception in this subsection 23.45.512.B applies to ((In Lowrise 3 and Lowrise 4 zones,)) low-income disabled multifamily ((structures))residential uses, low-income elderly multifamily ((structures)) residential uses, and low-income elderly/low-income disabled

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1 multifamily ~~((structures))~~ residential uses, operated by a public agency or a private nonprofit
2 corporation, if they do not qualify for the higher FAR limit shown in Table A for 23.45.510.

3 2. The uses listed in subsection 23.45.512.B.1 shall have a maximum density of
4 one~~((as follows:~~

5 Lowrise 3 — One (1) of dwelling unit per five hundred fifty (550) square feet of
6 lot area.

7 Lowrise 4 — One (1)) dwelling unit per ((four hundred (-))400((-)) square feet of
8 lot area if ((2. In order to qualify for the density provisions of this subsection 23.45.512.B,)) a
9 majority of the dwelling units ((of the structure shall be)) are designed for and dedicated to
10 tenancies of at least three ((3)) months((-), and the ((3. The)) dwelling units ((shall)) remain
11 ((as-a)) in low-income disabled multifamily ((structure)) residential use, low-income elderly
12 multifamily ((structure)) residential use, or low-income elderly/low-income disabled multifamily
13 ((structure)) residential use for the life of the structure.

14 C. ((In the Lowrise Duplex/Triplex zone, the minimum lot area per dwelling unit for
15 cottage housing developments shall be one (1) dwelling unit per one thousand six hundred
16 (1,600) square feet of lot area. In Lowrise Duplex/Triplex and Lowrise 1 zones, the minimum lot
17 area for cottage housing developments shall be six thousand four hundred (6,400) square feet.))
18 Carriage houses, nursing homes, congregate housing, assisted living facilities, and accessory
19 dwelling units that meet the standards of Section 23.45.545, are exempt from the density limit set
20 in Table A for 23.45.512.

21 D. In ((Lowrise Duplex/Triplex)) LR1 zones no ((structure)) apartment shall contain
22 more than three ((3)) dwelling units((-), except as permitted in subsections 23.45.512.E and G.

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1 E. Dwelling unit(s) located in structures built prior to January 1, 1982 as single-family
2 dwelling units that will remain in residential use are exempt from density limits and the
3 provisions of subsection 23.45.512.D.

4 ~~((E))~~F. ~~((When))~~ If dedication of right-of-way is required, permitted density shall be
5 calculated before the dedication is made.

6 ~~((F))~~G. Adding Units to Existing Structures ~~((in Multifamily zones))~~.

7
8 1. ~~((In all multifamily zones, one))~~ One additional dwelling unit may be added to
9 an existing multifamily ~~((structure))~~ use regardless of the density restrictions in subsections
10 23.45.~~((008))~~512.A, B, C, and D above, and regardless of the ~~((open space))~~ amenity area
11 requirements in Section 23.45.~~((016))~~522. An additional unit is allowed only if the proposed
12 additional unit is to be located entirely within an existing structure, and no additional floor area
13 is proposed to be added to the existing structure.

14
15 2. For the purposes of this subsection 23.45.512.G "existing multifamily
16 ~~((structures))~~uses" are those structures or portions of structures that were established under
17 permit as of October 31, 2001, or for which a permit has been granted and the permit has not
18 expired on October 31, 2001.

19
20 Section 31. Section 23.45.514 of the Seattle Municipal Code, which section was last
21 amended by Ordinance 123378, is amended as follows:

22 **23.45.514 Structure height ~~((in Midrise and Highrise zones))~~**

23
24 A. Subject to the additions and exceptions allowed as set forth in this Section 23.45.514,
25 the height limits for principal structures permitted in Lowrise zones are as shown on Table A for
26 23.45.514.

Table A for 23.45.514: Structure Height for Lowrise Zones in Feet

| <u>Housing Type</u> | <u>LR1</u> | <u>LR2</u> | <u>LR3 outside Urban Centers, Urban Villages, and Station Area Overlay Districts</u> | <u>LR3 in Urban Centers, Urban Villages, and Station Area Overlay Districts</u> |
|--|------------|------------|--|---|
| <u>Cottage Housing Developments</u> | <u>18</u> | <u>18</u> | <u>18</u> | <u>18</u> |
| <u>Rowhouse and Townhouse Developments</u> | <u>30</u> | <u>30</u> | <u>30</u> | <u>30</u> |
| <u>Apartments</u> | <u>30</u> | <u>30</u> | <u>30</u> ¹ | <u>40</u> ² |

Footnotes for Table A for 23.45.514:

¹On lots located in the Delridge High Point Revitalization Area shown in Map A for Section 23.34.020 that were rezoned to Lowrise 4 subject to a property use and development agreement that was signed by a public agency, the height limit for apartments is 40 feet.

²The height limit is 30 feet on the portions of lots that are within 50 feet of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family zoned lot by a street.

B. The ~~((Base-))~~base and maximum height limits for principal structures ~~((heights))~~ permitted in Midrise and Highrise zones are as shown in Table ~~((A))~~B for 23.45.514, subject to the additions and exceptions allowed as set forth in this Section 23.45.514. ~~((The maximum height limit for accessory structures is 12 feet.))~~

Table ~~((A))~~B for 23.45.514: Structure Height for Midrise and Highrise Zones, in Feet

| | <u>MR</u> | <u>MR/85</u> | <u>HR</u> |
|---|-----------|--------------|------------|
| Base height limit | 60 | 85 | 160 |
| Maximum height limit if extra residential floor area is gained under Chapter 23.58A and Section 23.45.516 | 75 | 85 | 240 or 300 |

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1 C. The maximum height for structures other than principal structures is 12 feet, except as
2 follows:

3 1. Garages and carports are limited to 12 feet in height as measured on the façade
4 containing the vehicle entrance. Open rails may extend an additional 3 feet above the roof of the
5 garage or carport if any portion of the roof is within 4 feet of existing grade.

6 2. The height limit is 20 feet for an accessory structure that contains an accessory
7 dwelling unit for a rowhouse or townhouse unit. The height limit for an accessory dwelling unit
8 that is accessory to a single-family dwelling unit shall be set according to Section 23.44.041.

9 3. Flagpoles and religious symbols for religious institutions are exempt from
10 height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided
11 they are no closer to any lot line than 50 percent of their height above existing grade.

12 D. Exceptions for ((P))pitched ((R))roofs in LR zones. Pitched roofs may extend above
13 the height limits in Table A for 23.45.514 subject to the following limits, provided that all parts
14 of the roofs above the height limit have a minimum slope of 6:12, except as provided in
15 subsection 23.45.514.D.6:

16 1. For cottage housing developments in all LR zones, the ridge of pitched roofs on
17 principal structures may extend up to 7 feet above the height limit.

18 2. In LR1 and LR2 zones, for structures subject to a 30 foot height limit
19 according to Table A for 23.45.514, the ridge of pitched roofs on principal structures may extend
20 up to 5 feet above the height limit if the height exception in subsection 23.45.514.E is not used.

21 3. In LR3 zones, for structures subject to a 30 foot height limit according to Table
22 A for 23.45.514, the ridge of pitched roofs on principal structures may either:

1 a. extend up to 10 feet above the height limit, if the height exception
2 provided in 23.45.514.E is not used; or

3 b. extend up to 5 feet above the height limit, if the height exception
4 provided in 23.45.514.E is used.

5 4. In LR3 zones, for structures subject to a 40 foot height limit according to Table
6 A for 23.45.514, the ridge of pitched roofs on principal structures may extend up to 5 feet above
7 the height limit provided that the height exception in subsection 23.45.514.E is not used.

8 5. Portions of curved roof forms, such as barrel and domed roofs, may have a
9 lesser slope than 6:12, if the Director determines that the massing of the roof form is comparable
10 to a pitched roof form such as a gable or gambrel roof that would have a minimum slope of 6:12.

11 E. For apartments in LR2 zones, and for all residential uses in LR3 zones, the applicable
12 height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure
13 that includes a story that is partially below grade, provided that:

14 1. This height exception does not apply to portions of lots that are within 50 feet
15 of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family
16 zoned lot by a street;

17 2. The number of stories above the partially above grade story is limited to three
18 stories for residential uses with a 30 foot height limit and to four stories for residential uses with
19 a 40 foot height limit;

20 3. The street-facing façade of the portion of the story that is partially above grade
21 is at least 18 inches above finished grade, except that this requirement may be waived to
22

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1 accommodate units accessible to the disabled or elderly, consistent with the Seattle Residential
2 Code, Section R322, or the Seattle Building Code, Chapter 11; and

3 4. The average height of the exterior facades of the portion of the story that is
4 partially above grade does not exceed 4 feet, measured from existing or finished grade,
5 whichever is less.

6 ((B))E. In MR zones, the base height limit ((may be)) is increased by 5 feet if the number
7 of stories in the structure that are more than 4 feet above existing or finished grade, whichever is
8 lower, does not exceed six, and one or more of the following conditions is met:

9 1. The FAR exemption provided in Section 23.45.510.((B))D.1 is used;
10 2. ((The structure has)) All stories in the structure, except stories used only for
11 parking, have floor to ceiling heights of ((more than nine)) 9 feet or more; or

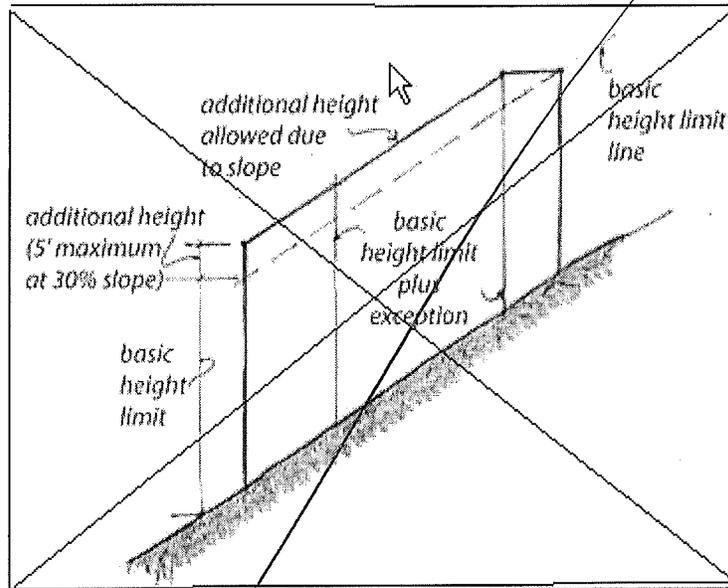
12 3. The ((site)) lot is split between a MR zone and an NC zone, ((that allows a
13 structure height of)) and the base structure height allowed on the NC-zoned portion is 65 feet or
14 more.

15 ((C. Sloped Lots. In zones with height limits that are less than 85 feet, additional height
16 is permitted for sloped lots, at the rate of 1 foot for each 6 percent of slope, to a maximum
17 additional height of 5 feet. The additional height is permitted on the down-slope side of the
18 structure only, as described in Section 23.86.006.D. See Exhibit A for 23.45.514.))
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~~((Exhibit A for 23.45.514: Sloped Lot Height Allowance))~~



~~((D. In MR zones, the base height limit may be increased by 5 feet if the number of stories in the structure that are more than 4 feet above existing or finished grade, whichever is lower, does not exceed six, and one or more of the following conditions is met:~~

- ~~1. The FAR exemption provided in Section 23.45.510.B.1 is used;~~
- ~~2. The structure has floor to ceiling heights of more than nine feet; or~~
- ~~3. The site is split between a MR zone and an NC zone that allows a structure~~

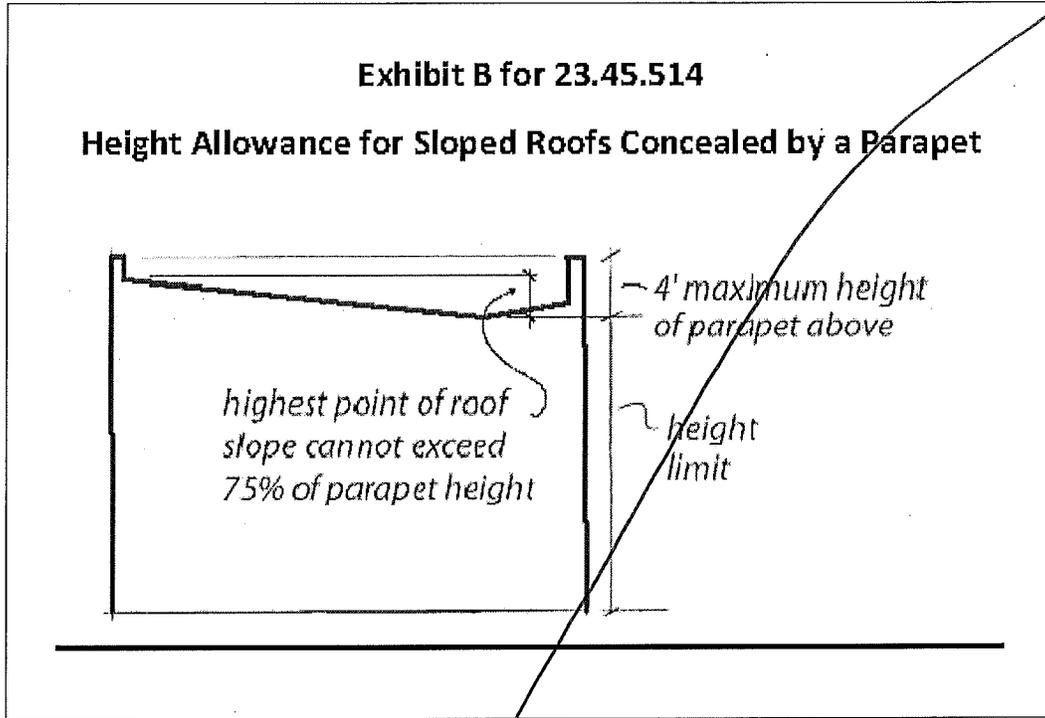
~~height of 65 feet or more.))~~

~~((E))G. Roofs enclosed by a parapet. ((To promote adequate drainage, portions of a roof)) Roof surfaces that are completely surrounded by a parapet may exceed the applicable height limit to allow for a slope, provided that the height of the highest ((point)) elevation of the ((slope)) roof surface does not exceed 75 percent of the parapet height, and provided that the lowest elevation of the roof surface is no higher than the applicable height limit ((the height limit by more than 75 percent of the height of the parapet)). See Exhibit B for 23.45.514.~~

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Exhibit B for 23.45.514: Height Allowance for Sloped Roofs Concealed by a Parapet

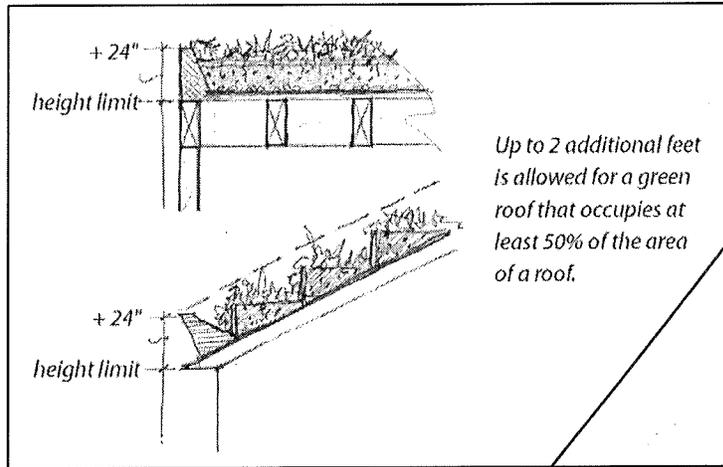


((F))H. Green roofs. For any structure with a green roof ((meeting the provisions of Section 23.45.524 and having a minimum rooftop coverage of covering)) that meets standards promulgated by the Director and that covers at least 50 percent of the surface of the roof, up to 2 feet of additional height above the maximum height otherwise allowed for the roof ((limit)) is allowed to accommodate structural requirements, roofing membranes, and soil. See Exhibit C for 23.45.514.

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Exhibit C for 23.45.514: Green Roof Height Allowance



~~(G)~~I. Rooftop ~~(F)~~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 to any lot line than 50 percent of their height above existing grade or, if attached only to the roof,))~~ no closer to any lot line than 50 percent of their height above the roof portion where attached ~~((, to any adjoining lot line))~~.

2. Open ~~(R)~~railings, planters, skylights, clerestories, greenhouses not dedicated to food production, parapets and firewalls on the roofs of principal structures may extend 4 feet above the maximum height limit set in subsections A, B, E, and ~~((B))~~F of this Section 23.45.514.

3. Projections on pitched roofs that result in additional interior space, such as dormers, may extend to the height of the ridge of a pitched roof that is permitted to exceed the applicable height limit pursuant to subsection 23.45.514.D, if all of the following conditions are satisfied:

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1 a. the total area of the projections is limited to 30 percent of the area of
2 each roof plane measured from the plan view perspective;

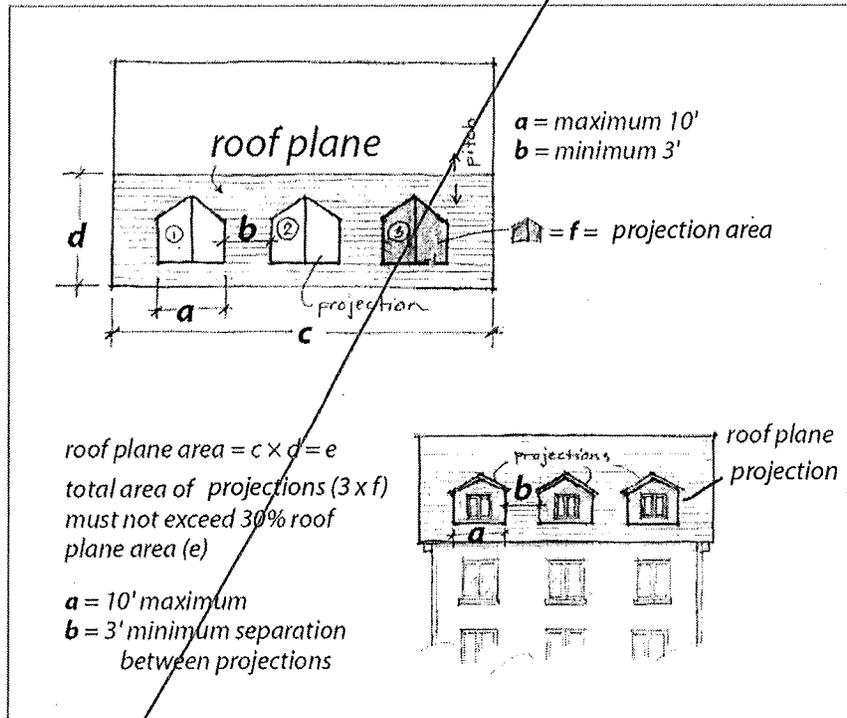
3 b. the projections are limited to 10 feet in width; and

4 c. each projection is separated by at least 3 feet from any other projection

5 (see Exhibit D for 23.45.514).

6 **Exhibit D for 23.45.514: Permitted Projections on Pitched Roofs**

7 **Exhibit D for 23.45.514: Permitted Projections in LR Zones**



21

22 ((3))4. In LR zones, the following rooftop features may extend 10 feet above the
23 height limit set in subsections 23.45.514.A and E, if the combined total coverage of all features
24 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes
25 screened mechanical equipment:

1 a. Mechanical equipment;

2 b. Play equipment and open-mesh fencing that encloses it, if the fencing

3 is at least 5 feet from the roof edge;

4 c. Chimneys;

5 d. Wind-driven power generators; and

6 e. Minor communication utilities and accessory communication devices,

7 except that height is regulated according to the provisions of Section 23.57.011.

8 5. In MR and HR zones, ((The))the following rooftop features may extend 15 feet
9 above the applicable height limit set in subsections 23.45.514.B, and ((C))F, ((so long as)) if the
10 combined total coverage of all features does not exceed 20 percent of the roof area, or 25
11 percent of the roof area if the total includes screened mechanical equipment:

12 a. Mechanical equipment;

13 b. Play equipment and open-mesh fencing ((which)) that encloses it, ((so
14 long as)) if the fencing is at least 5 feet from the roof edge;

15 c. Chimneys;

16 d. Sun and wind screens;

17 e. Penthouse pavilions for the common use of residents;

18 f. Greenhouses and solariums, in each case that meet minimum energy
19 standards administered by the Director;

20 g. Wind-driven power generators; and

21 h. Minor communication utilities and accessory communication devices,

22 except that height is regulated according to the provisions of Section 23.57.011.

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1 ((4))6. ((Stair)) Subject to the roof coverage limits in subsections 23.45.514.I.4
2 and 5, stair and elevator penthouses may extend above the applicable height limit up to 16 feet.
3 ((When)) If additional height is needed to accommodate energy-efficient elevators in HR zones
4 ((with height limits of 160 feet or greater)), elevator penthouses may extend the minimum
5 amount necessary to accommodate energy-efficient elevators, up to 25 feet above the applicable
6 height limit. Energy-efficient elevators shall be defined by Director's Rule. ((When)) If
7 additional height is allowed for an energy-efficient elevator, stair penthouses may be granted the
8 same additional height if they are co-located within a common ((the elevator)) penthouse
9 structure.

11 ((5))7. For height exceptions for solar collectors, see Section 23.45.545.((D)).

12 ((6))8. In order to protect solar access for property to the north, the applicant
13 shall either locate the rooftop features listed in this subsection 23.45.514.((G))I at least 10 feet
14 from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed
15 location of such rooftop features would shade property to the north on January 21st at noon no
16 more than would a structure built to maximum permitted bulk:

- 18 a. Solar collectors;
- 19 b. Planters;
- 20 c. Clerestories;
- 21 d. Greenhouses and solariums ((which)) that meet minimum energy
22 standards administered by the Director;
- 23 e. Minor communication utilities and accessory communication devices,
24 permitted according to the provisions of Section 23.57.011;
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1 f. ~~((Nonfirewall parapets))~~ Parapets;

2 g. Play equipment;

3 h. Sun and wind screens;

4 i. Penthouse pavilions for the common use of residents.

5 ~~((7))~~9. For height limits and exceptions for communication utilities and devices,
6 see Section 23.57.011.

7
8 ~~((8))~~10. Greenhouses that are dedicated to food production are permitted to extend
9 15 feet above the applicable height limit, as long as the combined total coverage of all features
10 gaining additional height listed in this subsection 23.45.514.~~((G))~~I does not exceed 50 percent of
11 the roof area, and the greenhouse adheres to the setback requirements listed in subsection
12 23.45.514.~~((G.6))~~I.8.

13
14 ~~((9))~~11. Additional height in HR zones. A structure may exceed the applicable
15 height limit in the HR zone as follows:

16 a. If the applicable height limit is 240 feet, the height of the structure may
17 be increased by 30 feet if the area bounded by the facades of the portion of the structure above
18 240 feet is no greater than 6,500 square feet, or if the area bounded by the facades at an elevation
19 that is halfway between 240 feet and the height of the structure is no greater than 50 percent of
20 the area bounded by the facades at a height of 240 feet.

21
22 b. If the applicable height limit is 300 feet, the height of a structure may be
23 increased (1) by 30 feet if the area bounded by the facades of the portion of the structure above
24 300 feet is no greater than 6,500 square feet, or (2) by 45 feet if the area bounded by the facades
25

1 at an elevation that is halfway between 300 feet and the height of the structure is no greater than
2 50 percent of the area bounded by the facades at a height of 300 feet.

3 c. In all cases the area bounded by the facades extending above the height
4 limit may be occupied only by those uses or features otherwise permitted in this Section
5 23.45.514 as an exception above the height limit, although any limits on the height or coverage
6 of those uses or features totally screened by the facades extending above the applicable height
7 limit shall not apply. Height exceptions permitted for screening ~~((and))~~ of rooftop features under
8 other provisions of this subsection 23.45.514.~~((F))~~ are not permitted above the height gained by
9 a structure under this ~~((provision))~~ subsection 23.45.514.I.10.

10
11 Section 32. Subsection C of Section 23.45.516 of the Seattle Municipal Code, which
12 section was enacted by Ordinance 123209, is amended as follows:

13
14 **23.45.516 Additional height and extra residential floor area in Midrise and Highrise zones**

15 * * *

16 C. Highrise ~~((Z))~~ zones.

17 1. Extra Residential Floor Area. In HR zones extra residential floor area may be
18 gained in accordance with Chapter 23.58A subject to the conditions and limits in this Section
19 23.45.516. Up to all extra residential floor area may be gained through the affordable housing
20 incentive program provisions in Section 23.58A.014. Up to 40 percent of extra residential floor
21 area may be gained by one or any combination of:

- 22
23 a. transfer of development potential;
24 b. providing neighborhood open space or a payment in lieu thereof; and/or
25

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1 c. providing a neighborhood green street setback if allowed pursuant to
2 subsection 23.45.516.F, all in accordance with this Section 23.45.516 and Chapter 23.58A.

3 2. Structure ((H))height.

4 a. Structures 240 feet or less in height. The applicable height limit in an
5 HR zone under subsection 23.45.514.A is 240 feet if the applicant satisfies the conditions for
6 extra floor area but not all of the conditions in subsection C.2.b of this Section 23.45.516 are
7 met.

8 b. Structures over 240 feet. The applicable height limit in an HR zone
9 under subsection 23.45.514.A is 300 feet if the applicant satisfies the conditions for extra floor
10 area and the following additional conditions are met:

11 1) For any structure above a height of 85 feet, the average
12 residential gross floor area per story above a height of 45 feet does not exceed 9,500 square feet;
13 and
14

15 2) No parking is located at or above grade, unless it is separated
16 from all street lot lines by another use; and
17

18 3) At least 25 percent of the lot area at grade is one or more
19 landscaped areas, each with a minimum horizontal dimension of 10 feet, or at least 20 percent of
20 the lot area at grade is landscaped, common ((residential)) amenity area meeting the standards of
21 Section 23.45.522.

22 * * *

23 Section 33. Section 23.45.518 of the Seattle Municipal Code, which section was last
24 amended by Ordinance 123209, is amended as follows:
25
26

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23.45.518 Setbacks and Separations ((in Midrise and Highrise zones))

A. LR zones.

1. Required setbacks for the LR zones are shown in Table A for 23.45.518.

Table A for 23.45.518: Required Setbacks in LR Zones measured in feet

| <u>All LR Zones</u> | <u>Category of Residential Use</u> | | | |
|--|--|---|-------------------------------|--|
| | <u>Cottage Housing Developments and Single-Family Dwelling Units</u> | <u>Rowhouse Developments</u> | <u>Townhouse Developments</u> | <u>Apartments</u> |
| <u>Front</u> | <u>7 average; 5 minimum</u> | <u>5 minimum</u> | <u>7 average; 5 minimum</u> | <u>5 minimum</u> |
| <u>Rear</u> | <u>0 with Alley; 7 if no Alley</u> | <u>0 with Alley; With no alley: 7 average; 5 minimum</u> | <u>7 average; 5 minimum</u> | <u>10 minimum with alley; 15 minimum if no alley</u> |
| <u>Side Setback for Facades 40 feet or less in length</u> | <u>5</u> | <u>0, except that on side lot lines that abut a single-family zone, the setback is 5</u> | <u>5</u> | <u>5</u> |
| <u>Side Setback for Facades greater than 40 feet in length</u> | <u>5 minimum</u> | <u>0, except that on side lot lines that abut a single-family zone, the setback is 7 average; 5 minimum</u> | <u>7 average; 5 minimum</u> | <u>7 average; 5 minimum</u> |

B. MR ((Z)) zones. Minimum setbacks for the MR zone are shown in Table ((A))B for 23.45.518((, except as provided in subsection Section 23.45.508.E for lots that have no street frontage)).

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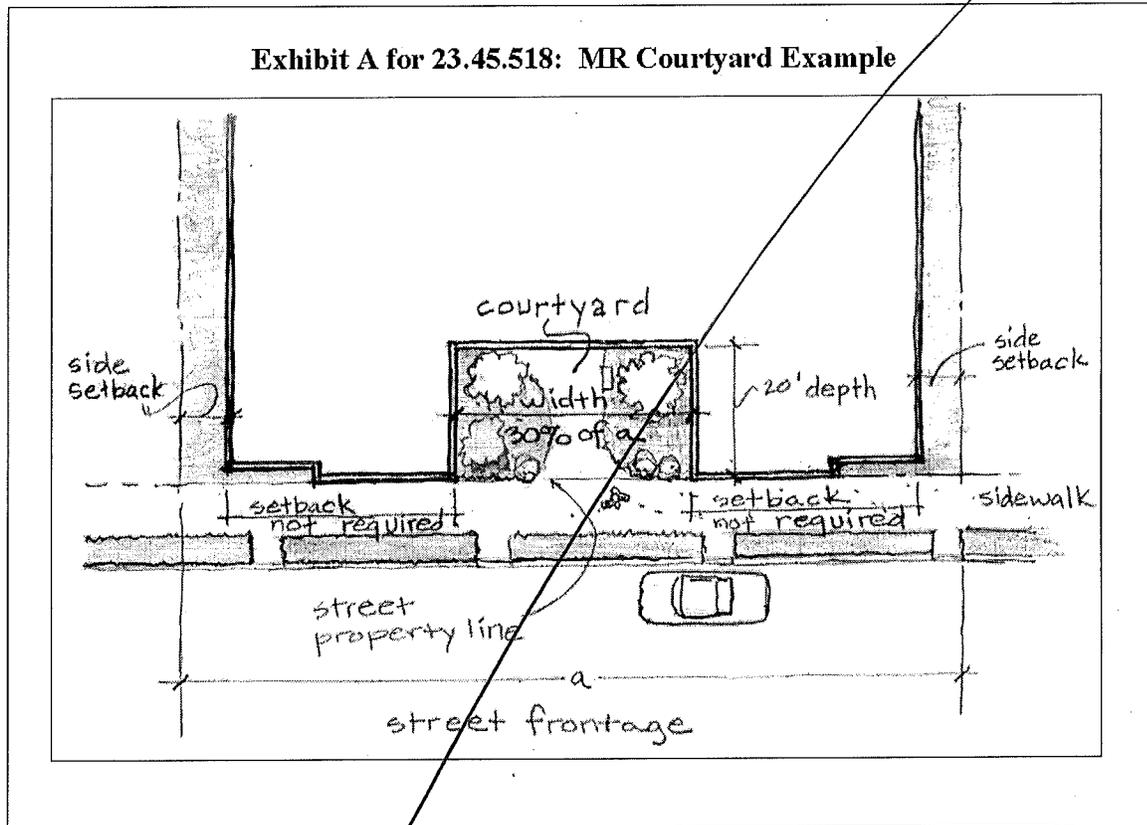
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| Table ((A))B for 23.45.518: MR Setbacks | |
|---|---|
| Setback Location | Required Setback Amount |
| Front and side setback from street lot lines | 7((?))foot average setback; 5((?))foot minimum setback No setback is required ((when))if a courtyard ((is provided)) abuts((ting)) the street (see Exhibit A for 23.45.518) <u>and the courtyard ((that)) has:</u> <ul style="list-style-type: none">• a minimum width equal to 30 percent of the width of the abutting street frontage or 20((?))feet, whichever is greater; and• a minimum depth of 20((?))feet measured from the abutting street lot line. |
| Rear setback | 15((?))feet from a rear lot line that does not abut an alley; or 10((?))feet from a rear lot line abutting an alley. |
| Side setback from interior lot line | For portions of a structure: <ul style="list-style-type: none">• 42((?))feet or less in height: 7((?))foot average setback; 5((?))foot minimum setback.• Above 42((?))feet in height: 10((?))foot average setback; 7((?))foot minimum setback. |

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Exhibit A for 23.45.518: MR Courtyard Example



((B))C. HR ((Z))zones. Minimum setbacks for HR zones are shown in Table ((B))C for 23.45.518((, except as provided in Section 23.45.508.E for lots that have no street frontage)).

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Table ((B))C for 23.45.518: HR Setbacks (see also Exhibit B for 23.45.518)

Setbacks for structures ((eighty-five)) 85 feet in height or less

Structures 85 feet in height or less are subject to the setback provisions of the MR zone in subsection 23.45.518.A.

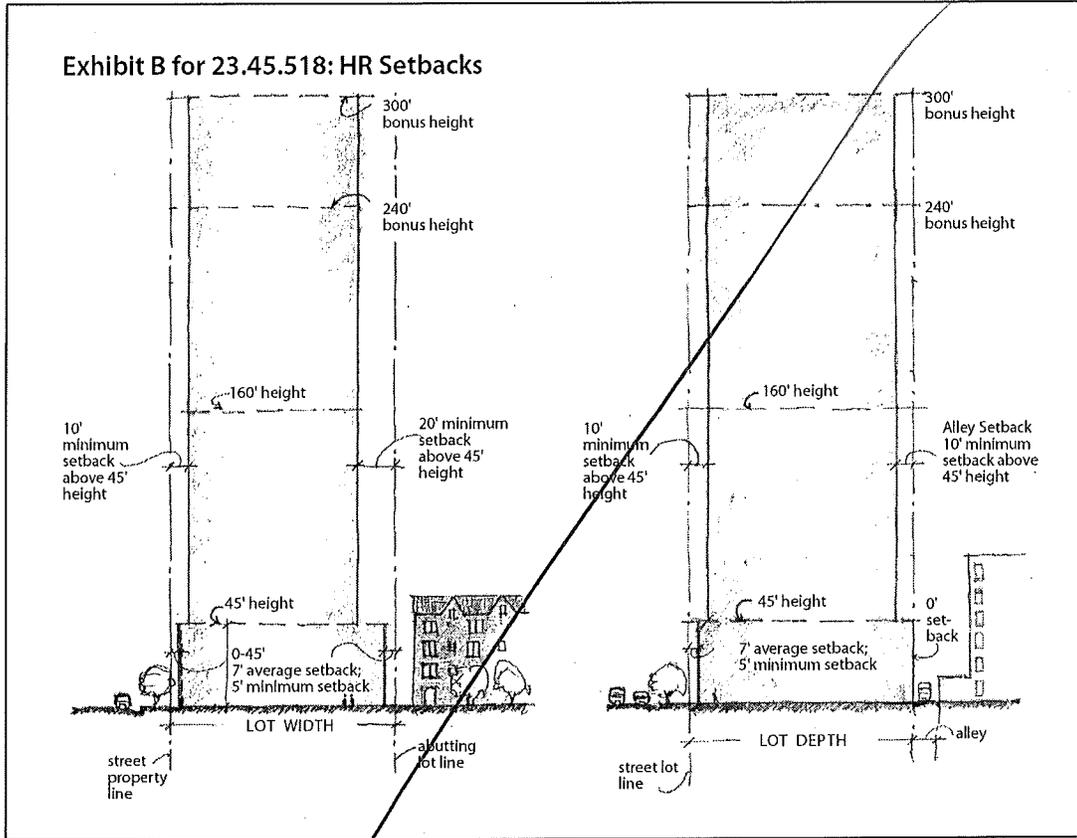
Setbacks for structures greater than ((eighty-five)) 85 feet in height

| | |
|--|--|
| <p>Lot line abutting a street</p> | <p>For portions of a structure:</p> <ul style="list-style-type: none"> • 45((²))feet or less in height: 7((²))foot average setback; 5((²))foot minimum setback, except that no setback is required for frontages occupied by street level uses or dwelling units with a direct entry from the street; • Greater than 45((²))feet in height: 10((²))foot minimum setback |
| <p>Lot line abutting an alley</p> | <p>Rear lot line abuts an alley:</p> <p>For portions of a structure:</p> <ul style="list-style-type: none"> • 45((²))feet or less in height: no setback required; • Greater than 45((²))feet in height: 10((²))foot minimum setback. |
| <p>Lot line that abuts neither a street nor alley</p> | <p>For portions of a structure:</p> <ul style="list-style-type: none"> • 45((²))feet or less in height: 7((²))foot average setback; 5((²))foot minimum setback, except that no setback is required for portions abutting an existing structure built to the abutting lot line; • Greater than 45((²))feet in height: 20((²))foot minimum setback. |

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Exhibit B for 23.45.518: HR Setbacks



~~((C))D.~~ Through ~~((L))~~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.

~~((D))E.~~ Other ~~((R))~~requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements.

~~((E))F.~~ Separations between multiple structures.

1. In LR and MR zones, ~~((a-Where))~~ except for cottage housing developments, if two or more principal structures are located on a lot, the minimum required separation between the structures at any two points on different interior facades is 10 feet, except ~~((as follows: 1)~~

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1 ~~When)) that if the principal structures are separated by a driveway or parking aisle, the minimum~~
2 ~~required separation ((from finished grade to a height of 9 feet above finished grade)) is 2 feet~~
3 ~~greater than the required width of the driveway or parking aisle, provided that the separation is~~
4 ~~not required to be any greater than 24 feet ((to accommodate a parking aisle)). If principal~~
5 ~~structures are separated by a driveway or parking aisle, projections that enclose floor area may~~
6 ~~extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished~~
7 ~~grade.~~

9 2. Cottage housing developments in LR and MR zones:

10 a. The minimum required separation between principal structures at any
11 two points on different interior facades is 6 feet, unless there is a principal entrance on an interior
12 facade, in which case the minimum separation required from that facade is 10 feet.

13 b. Facades of principal structures shall be separated from facades of
14 accessory structures by a minimum of 3 feet.

15 ~~((2) The enclosed floor area of a structure may extend a~~
16 ~~maximum of 3 feet over driveways and parking aisles, subject to this subsection~~
17 ~~23.45.518.((E))F; and))~~

18 ~~b. Architectural or structural features and unenclosed decks up to 18~~
19 ~~inches above existing or finished grade, whichever is lower, may project up to 18 inches into the~~
20 ~~required separation between structures.))~~

21 ~~((2))3. HR zones. Where two or more structures or portions of a structure above~~
22 ~~85 feet in height are located on one lot, the minimum horizontal separation between interior~~
23 ~~facades in each height range is as provided in Table ((E))D for 23.45.518.~~



Table ((C))D for 23.45.518: HR Façade Separation for Structures on the Same Lot

| Height Range | Minimum separation required between interior facades |
|------------------------------|--|
| 0 to 45 feet | No minimum |
| Above 45 feet up to 160 feet | 30 feet |
| Above 160 feet | 40 feet |

G. Front and rear setbacks and all separations on lots containing certain environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and 25.09.300.

((F))H. Projections ((into)) permitted in all required setbacks and separations.

1. Cornices, eaves, gutters, roofs and other forms of weather protection may project into required setbacks and separations a maximum of ((2))4 feet if they are no closer than 3 feet to any lot line.

2. Garden windows and other features that do not provide floor area may project a maximum of 18 inches into required setbacks and separations if they are:

- a. a minimum of 30 inches above the finished floor;
- b. no more than 6 feet in height and 8 feet wide; and
- c. combined with bay windows and other features with floor area, make up no more than 30 percent of the area of the façade.

3. Bay windows and other features with floor area may project a maximum of ((18 inches)) 2 feet into required setbacks and separations if they are:

- a. no closer than 5 feet to any lot line;
- b. no more than 10 feet in width; and

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1 c. combined with garden windows and other features included in
2 subsection 23.45.518.H.2, make up no more than 30 percent of the area of the façade.

3 ~~((4. Unenclosed decks and balconies may project a maximum of 4 feet into~~
4 ~~required setbacks or separations if they are:~~

5 a. ~~no closer than 5 feet to any lot line; and~~

6 b. ~~no more than 20 feet wide and are separated from other decks and~~
7 ~~balconies on the same façade of the structure by a distance equal to at least one-half the width of~~
8 ~~the projection)).~~

9
10 ~~((5))4. Unenclosed decks up to 18 inches above existing or finished grade,~~
11 ~~whichever is lower, may project into required setbacks or separations to the lot line.~~

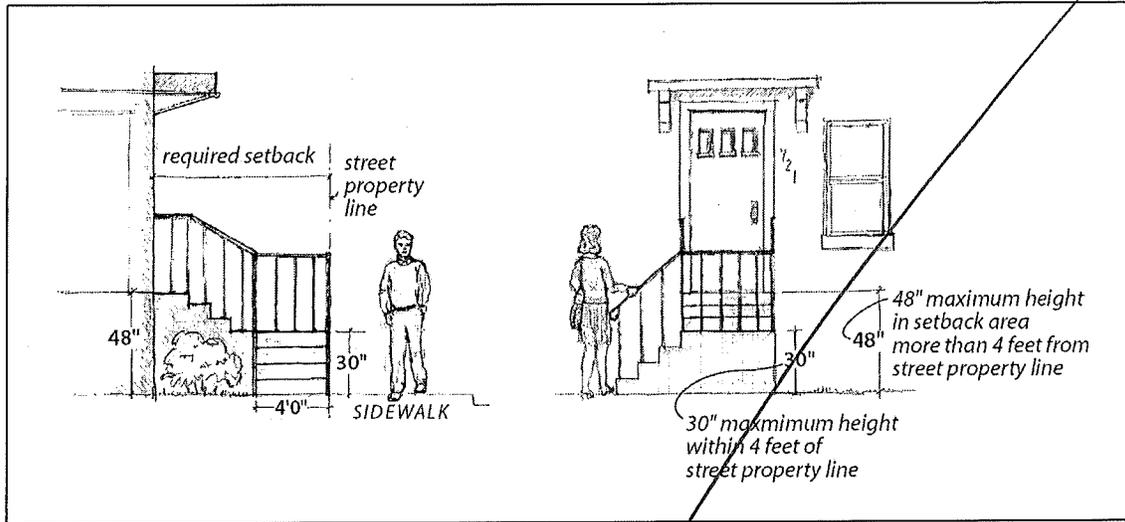
12 ~~((6))5. Unenclosed porches or steps.~~

13 a. ~~((When))~~ If setbacks are required pursuant to subsection A.1 of this
14 Section 23.45.518, unenclosed porches or steps no higher than 4 feet above existing grade, or the
15 grade at the street lot line closest to the porch, whichever is lower, may extend to within 4 feet of
16 a street lot line, except that portions of entry stairs or stoops not more than ((30 inches)) 2.5 feet
17 in height from existing or finished grade whichever is lower, excluding guard rails or hand rails,
18 may extend to a street lot line. See Exhibit C for 23.45.518.
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Exhibit C for 23.45.518: Setbacks for Unenclosed Porches



b. Permitted porches may be covered, provided that no portions of the cover-structure, including any supports, are closer than 3 feet to any lot line.

~~((7))~~6. Fireplaces and chimneys may project up to 18 inches into required setbacks or separations.

I. Unenclosed decks and balconies may project a maximum of 4 feet into required setbacks if each one is:

1. no closer than 5 feet to any lot line;

2. no more than 20 feet wide; and

3. separated from other decks and balconies on the same façade of the structure by a distance equal to at least one-half the width of the projection.

~~((G))~~J. Structures in ~~((R))~~required ~~((S))~~setbacks or separations.

1. Detached garages, carports or other accessory structures ~~((are permitted))~~ may be located in required separations and required rear or side setbacks, ~~((provided that any~~

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1 ~~accessory structure located between a principal structure and the side lot line shall provide the~~
2 ~~setback required for the principal structure)) subject to the following requirements:~~

3 a. Any accessory structure located between a principal structure and a side
4 lot line shall provide the setback required for the principal structure;

5 b. Any portion of an accessory structure located more than 25 feet from a
6 rear lot line shall be set back at least 5 feet from the side lot line;

7 ~~The accessory structure is no taller than 12 feet, as measured from existing~~
8 ~~or finished grade, whichever is lower, except for garages and carports as specified below:~~

9 ~~1) garages and carports are limited to 12 feet in height as measured~~
10 ~~from the façade containing the vehicle entrance; and~~

11 ~~2) open rails are allowed to extend an additional 3 feet above the~~
12 ~~roof of the accessory structure if any portion of the roof is within 4 feet of existing grade.))~~

13 c. Accessory structures shall be set back at least 7 feet from the front lot
14 line, side street lot line, and any rear lot line that abuts a street; and

15 d. Accessory structures shall be separated by at least 3 feet from all
16 principal structures, including the eaves, gutters, and other projecting features of the principal
17 structure.

18 2. Ramps or other devices necessary for access for the disabled and elderly((5))
19 that meet the Seattle Residential Code, Section R322 or Seattle Building Code, Chapter 11-
20 Accessibility, are permitted in any required setback or separation.

21 3. Uncovered, unenclosed pedestrian bridges, necessary for access and 5 feet or
22 less ((than 5 feet)) in width, are permitted in any required setback or separation.

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1 4. Underground structures are permitted in any required setback or separation.

2 5. Solar collectors ~~((are))~~ may be permitted in ((any)) required setbacks or
3 separations, ((subject)) pursuant to the provisions of Section 23.45.545((23.45.538, Solar
4 collectors)).

5 6. Freestanding structures, signs and similar structures 6 feet or less in height
6 above existing or finished grade whichever is lower, may be erected in each required setback or
7 separation, provided that signs meet the provisions of Chapter 23.55, Signs.

8 7. Fences.

9 a. Fences no greater than ~~((six))~~ 6 feet in height are permitted in any
10 required ~~((front, side or rear))~~ setback or separation, except that fences in the required front
11 setback extended to side lot lines or ((side)) in street side setbacks extended to the front and rear
12 lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall
13 are also limited to 4 feet. ((The permitted height may be averaged along a sloping grade for each
14 6 foot long segment of the fence, but in no case may any portion of the fence exceed 6 feet in
15 height.)) If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the
16 maximum combined height is limited to 9.5 feet.

17 b. Up to ~~((two))~~ 2 feet of additional height for architectural features such
18 as arbors or trellises on the top of a fence is permitted, if the architectural features are
19 predominately open. ~~((When such a fence is located on top of a bulkhead or retaining wall, the~~
20 ~~height of the fence is limited to 4 feet.))~~

21 c. ~~((If located in shoreline setbacks or in view corridors in the Shoreline~~
22 ~~District as regulated in Chapter 23.60, structures shall not obscure views protected by Chapter~~
23
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1 ~~23.60, and the Director shall determine the permitted height.)~~ Fence height may be averaged
2 along sloping grades for each 6 foot long segment of the fence, but in no case may any portion of
3 the fence exceed 8 feet in height when the height permitted by subsection 23.45.518.J.7.a is 6
4 feet, or 6 feet in height when the height permitted by subsection 23.45.518.J.7.a is 4 feet.

5 8. Bulkheads and retaining walls.

6 a. Bulkheads and retaining walls used to raise grade may be placed in each
7 required setback ~~((when))~~ if they are limited to 6 feet in height, measured above existing grade.

8 A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall
9 existing as of January 3, 1997. ~~((If a fence is placed on top of a new bulkhead or retaining wall,~~
10 ~~the maximum combined height is limited to 9.5 feet.))~~

11 b. Bulkheads and retaining walls used to protect a cut into existing grade
12 may not exceed the minimum height necessary to support the cut or 6 feet measured from the
13 finished grade on the low side, whichever is greater. ~~((When))~~ If the bulkhead is measured from
14 the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle
15 Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or
16 retaining wall. ~~((A fence must))~~ Any fence shall be set back a minimum of 3 feet from such a
17 bulkhead or retaining wall.

18 9. ~~((Arbors.))~~ Arbors may be permitted in required setbacks or separation under
19 the following conditions:

20 a. In each required setback or separation, an arbor may be erected with
21 no more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves,
22 to a maximum height of 8 feet. Both the sides and the roof of the arbor ~~((must))~~ shall be at least
23

1 50 percent open, or, if latticework is used, there ~~((must))~~ shall be a minimum opening of 2 inches
2 between crosspieces.

3 b. In each required setback abutting a street, an arbor over a private
4 pedestrian walkway with no more than a 30 square foot footprint, measured on the horizontal
5 roof plane and inclusive of eaves, may be erected to a maximum height of 8 feet. The sides of the
6 arbor shall be at least 50 percent open, or, if latticework is used, there ~~((must))~~ shall be a
7 minimum opening of 2 inches between crosspieces.

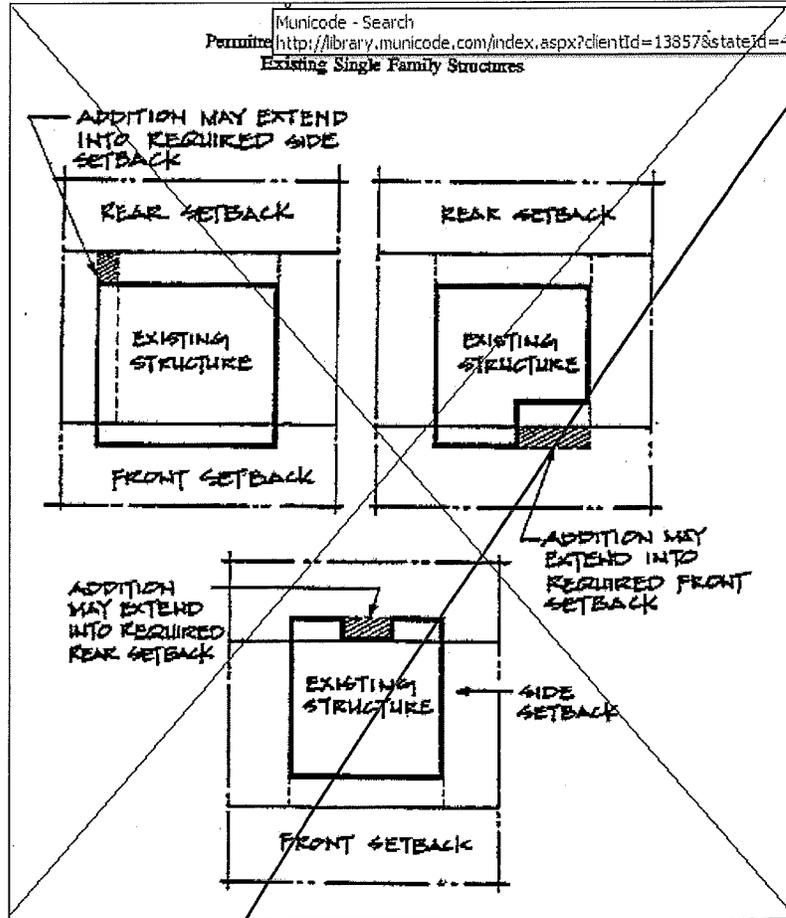
8
9 ~~((10. Structures built as single family dwelling units prior to 1982((,)) that will
10 remain in residential use((,)) are permitted in required setbacks or separations provided that
11 nonconformity to setback or separation requirements is not increased.~~

12
13 ~~11. Front and rear setbacks or separations on lots containing certain
14 environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and
15 25.09.300.))~~

16 K. In all multifamily zones, certain additions to a single-family dwelling unit may extend
17 into a required side setback if the structure is already nonconforming with respect to that setback,
18 and if the presently nonconforming section is at least 60 percent of the total width of the
19 respective facade of the structure prior to the addition. The line formed by the nonconforming
20 wall of the structure shall be the limit to which any additions may be built, which may extend up
21 to the height limit and may include basement additions (Exhibit D for 23.45.518), provided that
22 additions shall be at least 3 feet from the side lot line.
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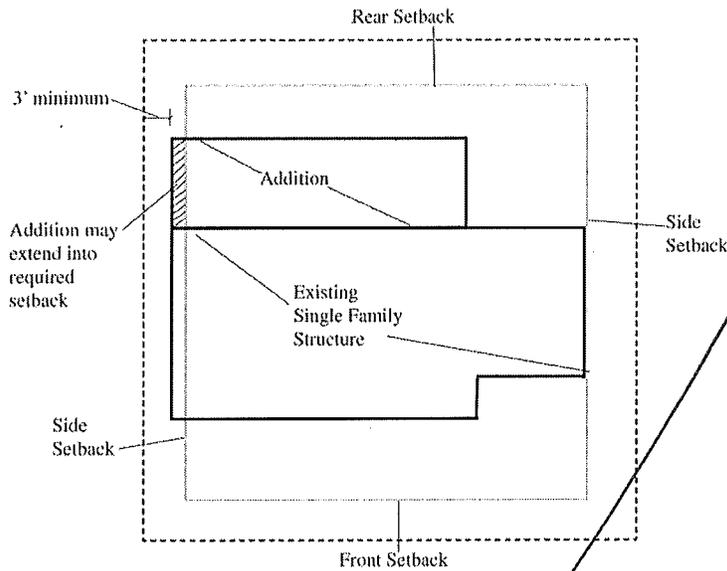
Exhibit D for 23.45.518: Permitted Additions Into Required Setbacks for Existing Single-Family ((Structures)) Dwelling Units



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Section 34. Section 23.45.522 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.45.522 ((Residential amenity)) Amenity area ((s in Midrise and Highrise zones))

~~((A. Residential amenity areas, including but not limited to decks, balconies, terraces, roof gardens, plazas, courtyards, play areas, or sport courts, are required in an amount equal to 5 percent of the total gross floor area of a structure in residential use, except as otherwise provided in this Chapter 23.45.))~~

A. Amenity area requirements for rowhouse and townhouse developments and apartments in LR zones.

1. The required amount of amenity area for rowhouse and townhouse developments and apartments is equal to 25 percent of the lot area.



1 2. A minimum of 50 percent of the required amenity area shall be provided at
2 ground level, except that amenity area provided on the roof of a structure that meets the
3 provisions of subsection 23.45.510.D may be counted as amenity area provided at ground level.

4 3. For rowhouse and townhouse developments, amenity area required at ground
5 level may be provided as either private or common space.

6 4. For apartments, amenity area required at ground level shall be provided as
7 common space.

8
9 B. Amenity area requirements in MR and HR zones.

10 The required amount of amenity area in MR and HR zones is equal to 5 percent of the
11 total gross floor area of a structure in residential use, except for cottage housing developments,
12 which shall meet the requirements of subsection C of this Section 23.45.522.

13
14 C. Amenity area requirements for cottage housing developments in all multifamily zones.

15 1. A minimum of 300 square feet of amenity area is required for each cottage.

16 2. A minimum of 150 square feet of amenity area is required for each carriage
17 house.

18 3. The required quantity shall be allocated as follows:

19 a. At least half of the amenity area required for each cottage, and all of the
20 amenity area required for each carriage house, shall be provided as common amenity area; and

21 b. At least half of the amenity area required for each cottage shall be
22 provided as private amenity area for that unit.

23 4. The required common amenity area may be divided into no more than two
24 separate areas, and shall:

- a. have cottages or carriage houses abutting on at least two sides;
- b. be in a location central to the cottage housing development; and
- c. have no horizontal dimension of less than 10 feet.

5. Carriage houses shall have stairs that provide access to the common amenity area.

6. Fences are permitted only on the perimeter of the required common amenity area.

7. An unenclosed porch that is a minimum of 60 square feet in size, and that faces a street or common amenity area may be counted as part of the private amenity area for the cottage to which it is attached.

~~((B. Required residential))~~ D. General requirements.

All required amenity areas shall meet the following conditions:

1. All ~~((residents))~~ units shall have access to at least one common or private ~~((residential))~~ amenity area.
2. In LR zones, amenity areas shall not be enclosed within a structure.
3. In MR and HR zones, ~~((No))~~ no more than 50 percent of the ~~((residential))~~ amenity area may be enclosed, and this enclosed area shall be provided as common ~~((space))~~ amenity area. The minimum horizontal dimension for any enclosed amenity area shall be 15 feet, and no enclosed amenity area shall be less than 225 square feet in size.
4. In all multifamily zones, there is no minimum dimension for private amenity area, except for cottage housing developments, and except that if a private amenity area abuts a

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1 side lot line that is not a side street lot line, the minimum horizontal dimension measured from
2 the side lot line is 10 feet.

3 ~~((3))~~5. Parking areas, vehicular access easements, and driveways~~((, and pedestrian~~
4 ~~access to building entrances, except for pedestrian access meeting the Seattle Building Code,~~
5 ~~Chapter 11—Accessibility,))~~ do not qualify as ((residential)) amenity areas(;;), except that a
6 woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf
7 is approved through a design review process pursuant to Chapter 23.41.

9 ~~((4))~~6. Swimming pools may be counted toward meeting the ((residential))
10 amenity area requirement.

11 ~~((5. Common amenity areas shall have a minimum horizontal dimension of at~~
12 ~~least 10 feet, and no common amenity area may be less than 250 square feet;))~~

14 ~~((6))~~7. Rooftop areas excluded because they are near minor communication
15 utilities and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not
16 qualify as ((residential)) amenity areas.

18 8. Assisted living facilities are not required to provide amenity area.

19 E. Required common amenity areas in LR zones.

20 In addition to the requirements in subsection D of this Section 23.45.522, required
21 common amenity areas in LR zones shall meet the following conditions:

22 1. No common amenity area shall be less than 250 square feet in area, and all
23 common amenity areas shall have a minimum horizontal dimension of 10 feet.
24

1 2. Common amenity areas shall be open to the sky, except that portions of the
2 structure that do not provide floor area may extend up to 2 feet into the amenity area if they are
3 at least 8 feet above finished grade.

4 3. At least 50 percent of the common amenity area shall be landscaped with
5 grass, ground cover, bushes and/or trees.

6 4. The common amenity area required at ground level for apartments in LR zones
7 shall be conveniently accessible to all apartment units, and improved with elements that enhance
8 the usability and livability of the space for residents, such as seating, outdoor lighting, weather
9 protection, landscaping, art, or other similar features.

10 ~~((C))~~G. No ~~((residential))~~ amenity area is required for an additional dwelling unit added
11 to ~~((an))~~ a single-family dwelling unit existing as of January 1, 1982, or to a multifamily
12 ~~((structure))~~ residential use existing as of October 10, 2001.

13 Section 35. Subsection A of 23.45.524 of the Seattle Municipal Code, which section was
14 enacted by Ordinance 123209, is amended as follows:

15 **23.45.524 Landscaping ~~((and screening))~~ standards ~~((in Midrise and Highrise zones))~~**

16 A. Landscaping requirements.

17 1. Standards. All landscaping provided to meet requirements under this Section
18 23.45.524 ~~((must))~~ shall meet standards promulgated by the Director to provide for the long-term
19 health, viability, and coverage of plantings. ~~((The Director may promulgate standards relating to~~
20 ~~landscaping matters that))~~ These standards may include, but are not limited to, the type and size
21 of plants, number of plants, ~~((concentration))~~ spacing of plants, depth~~((s))~~ and quality of soil, use
22 of drought-tolerant plants, and access to light and air for plants.
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2. Green Factor ((R)) requirement.

a. Landscaping that achieves a Green Factor score of 0.6 or greater, determined as set forth in Section 23.86.019, is required for any lot with development containing more than one dwelling unit in Lowrise zones. Vegetated walls may not count towards more than 25 percent of a lot's Green Factor score.

b. Landscaping that achieves a Green Factor score of 0.5 or greater, determined as set forth in Section 23.86.019, is required for any lot with development containing more than one dwelling unit ((new development)) in Midrise and Highrise zones.

B. Street tree requirements.

1. Street trees are required ((when)) if any type of development is proposed, except as provided in subsection 23.45.524.B.2 and B.3 below and Section 23.53.015. Existing street trees shall be retained unless the Director of Transportation approves their removal. The Director, in consultation with the Director of the Department of Transportation, ((will)) shall determine the number, type, and placement of additional street trees to be provided, based on the following considerations:

- a. public safety;
- b. presence, type, and condition of existing street trees;
- c. space in the planting strip;
- d. size of trees to be planted;
- e. spacing required between trees in order to encourage healthy growth;
- f. location of utilities; and
- g. approved access to the street, buildings, and lot.

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2. Exceptions to street tree requirements.

a. If a lot borders an unopened street, the Director may reduce or waive the street tree requirement along that street if, after consultation with the Director of Transportation, the Director determines that the street is unlikely to be ~~((developed))~~ opened or improved.

b. Street trees are not required as a condition to any of the following:

~~(((1) establishing, constructing, or modifying single family dwelling units; or))~~

~~(((2)))1) changing a use ~~((or establishing a temporary use or intermittent use)); ((or))~~~~

~~(((3)))2) expanding a structure by 1,000 square feet or less; ((or))~~

~~(((4)))3) expanding surface ~~((area))~~ parking by less than 10 percent in area or in number of spaces; or~~

4) establishing a temporary or intermittent use pursuant to Section 23.42.040.

c. ~~((When))~~ If an existing structure is proposed to be expanded by more than 1,000 square feet, one street tree is required for each 500 square feet over the first 1,000 square feet, up to the maximum number of required trees.

3. If it is not feasible to plant street trees in an abutting planting strip, a 5 foot setback shall be planted with street trees along the street ~~((property))~~ lot line, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Department of Transportation. If, according to the Director of the Department of Transportation,

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1 a 5 foot setback or landscaped planting strip is not feasible, the Director may reduce or waive
2 this requirement.

3 ~~((C. Screening of parking.~~

4 ~~1. Parking must be screened from direct street view by the front facade of a~~
5 ~~structure, by garage doors, or by a fence or wall between 4 feet and 6 feet in height. When the~~
6 ~~fence or wall parallels a street, a minimum 3 foot deep landscaped area is required on the street~~
7 ~~side of the fence or wall. The screening may not be located within any required sight triangle.~~

8
9 ~~2. The height of the visual barrier created by the screen required in subsection~~
10 ~~23.45.524.C.1 shall be measured from the elevation of the curb or street if no curb is present. If~~
11 ~~the elevation of the lot line is different from the finished elevation of the parking surface, the~~
12 ~~difference in elevation may be measured as a portion of the required height of the screen, so long~~
13 ~~as the screen itself is a minimum of 3 feet in height.))~~

14
15 Section 36. Subsection A of Section 23.45.526 of the Seattle Municipal Code, which
16 section was enacted by Ordinance 123209, is amended as follows:

17
18 **23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards**

19 A. Applicants for all new development gaining extra residential floor area pursuant to this
20 Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510, except
21 additions and alterations, shall make a commitment that the structure will meet green building
22 performance standards by earning a Leadership in Energy and Environmental Design (LEED)
23 Silver rating or a Built Green 4-star rating of the Master Builders Association of King and
24 Snohomish Counties, except that an applicant who is applying for funding from the Washington
25 State Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable
26

housing, as defined in subsection 23.45.526.D, may elect to meet green building performance standards by meeting the Washington Evergreen Sustainable Development Standards (ESDS).

* * *

Section 37. Section 23.45.528 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.45.528 Structure width and depth limits ((for lots in Midrise zones greater than 9,000 square feet in size))

A. Maximum structure width in LR zones is as follows:

1. Structure width may not exceed the width indicated on Table A for 23.45.528 except as provided in this Section 23.45.528.

2. Portions of a structure that qualify for the FAR exemption in subsection 23.45.510.E.5 are exempt from the width limit.

| Table A for 23.45.528: Maximum Structure Width in LR zones in feet | | | |
|---|---|--------------------------------------|--------------------------|
| Zone | Width in feet by Category of Residential Use | | |
| | <u>Cottage Housing and Rowhouse Developments</u> | <u>Townhouse Developments</u> | <u>Apartments</u> |
| <u>LR1</u> | <u>No limit</u> | <u>60</u> | <u>45</u> |
| <u>LR2</u> | <u>No limit</u> | <u>90</u> | <u>90</u> |
| <u>LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts</u> | <u>No limit</u> | <u>120</u> | <u>120</u> |
| <u>LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts</u> | <u>No limit</u> | <u>150</u> | <u>150</u> |

B. Maximum structure depth in LR zones.

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1 1. The maximum depth of structures or portions of structures located within 15
2 feet of a side lot line that is not a street or alley lot line is 65 percent of the lot depth, except that
3 the maximum depth of any portion of a rowhouse unit located within 15 feet of a lot line that
4 abuts a lot in a single-family zone is 40 feet.

5 2. Portions of a structure that qualify for the FAR exemption in subsection
6 23.45.510.E.5 are exempt from the depth limit.

7 C. Width and depth limits in MR zones. The width and depth limits of this
8 ((S))subsection 23.45.528.C apply to lots in MR zones that are greater than 9,000 square feet in
9 lot area.

10 ((A))1. The width of a structure((s)) shall not exceed 150 feet, except as provided
11 in this subsection 23.45.528.C. ((may not exceed the applicable limits shown in Table A for
12 23.45.528.
13
14

15 **Table ((A))B for 23.45.528: Width Limits**

| | MR |
|----------------------|--------------|
| Maximum width | 150') |

16 ((B))2. Structure ((D))depth.

17 ((1))a. The depth of a structure((s)) shall not exceed 75 percent of the
18 depth of the lot,((:)) ((exceed the limits shown in Table B for 23.45.528, except as provided in
19 subsection 23.45.528.((B-2))C.2.b.

20 **((Table ((B))C for 23.45.528: Depth Limits**

| | MR |
|----------------------|---|
| Maximum depth | 75 percent of the depth of the lot)) |

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1 ((2))b. Exceptions to structure depth limit. To allow for front setback
2 averaging and courtyards as provided in ((subsection)) Section 23.45.518, ((A)), structure depth
3 may exceed the limit ((shown in Table B for 23.45.528)) set in subsection 23.45.528.B.2 if the
4 total lot coverage resulting from the increased structure depth does not exceed the lot coverage
5 that would have otherwise been allowed without use of the courtyard or front setback averaging
6 provisions.

7
8 ((C))D. Accessory structures are counted in structure width and depth if they are less than
9 3 feet from the principal structure at any point.

10 Section 38. A new section 23.45.529 of the Seattle Municipal Code is added as follows:

11
12 **23.45.529 Design standards**

13 A. Intent. The intent of the design standards in this Section 23.45.529 is to:

- 14 1. Enhance street-facing facades to provide visual interest, promote new
15 development that contributes to an attractive streetscape, and avoid the appearance of blank walls
16 along a street;
- 17 2. Foster a sense of community by integrating new pedestrian-oriented
18 multifamily development with the neighborhood street environment and promoting designs that
19 allow easy surveillance of the street by area residents;
- 20 3. Promote livability in multifamily areas by providing a sense of openness and
21 access to light and air; and
- 22 4. Encourage the compatibility of a variety of housing types with the scale and
23 character of neighborhoods where new multifamily development occurs.
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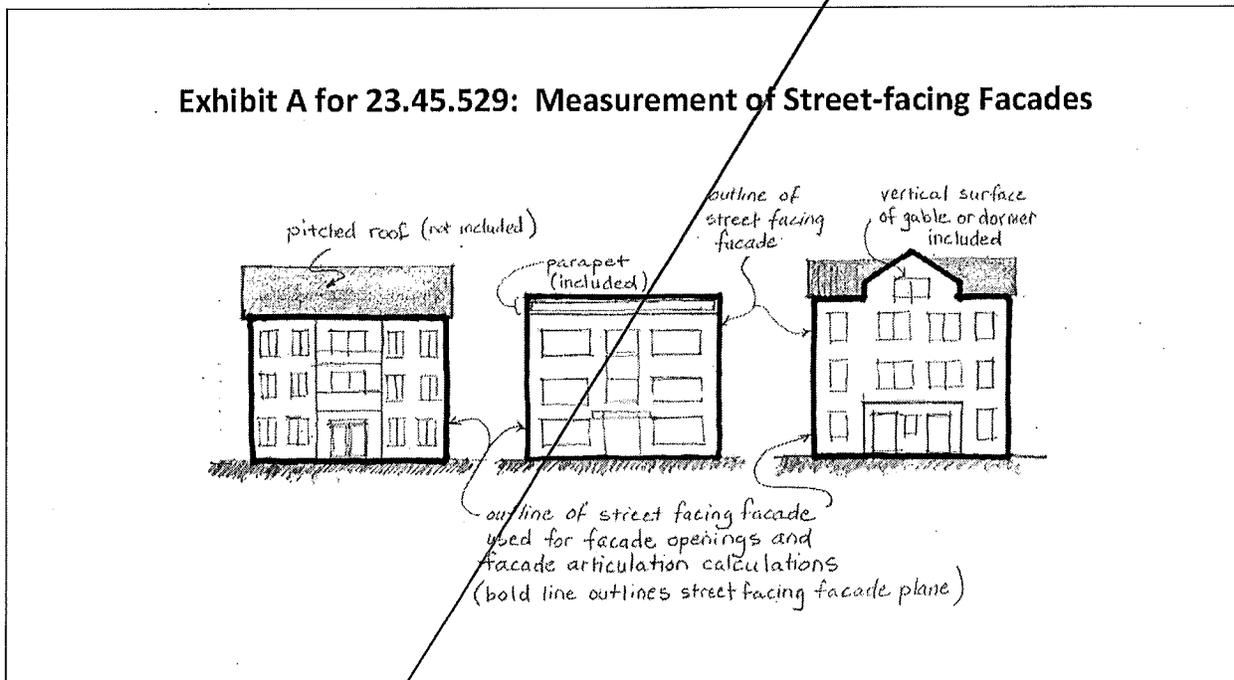
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1 B. Application of provisions. The provisions of this Section 23.45.529 apply to all
2 residential uses that do not undergo any type of design review pursuant to Chapter 23.41, except
3 single-family dwelling units.

4 C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C,
5 a street-facing facade includes all vertical surfaces enclosing interior space, including gables and
6 dormers, as shown in Exhibit A for 23.45.529.

7 **Exhibit A for 23.45.529: Measurement of Street-facing Facades**



20 **1. Façade openings.**

21 a. At least 20 percent of the area of each street-facing façade shall consist
22 of windows and/or doors.

23 b. Only transparent windows count toward the requirement for façade
24 openings in this subsection 23.45.529.C.1. Windows composed of glass blocks or opaque glass,
25 garage doors, and doors to-utility and service areas, do not count.
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2. Façade articulation.

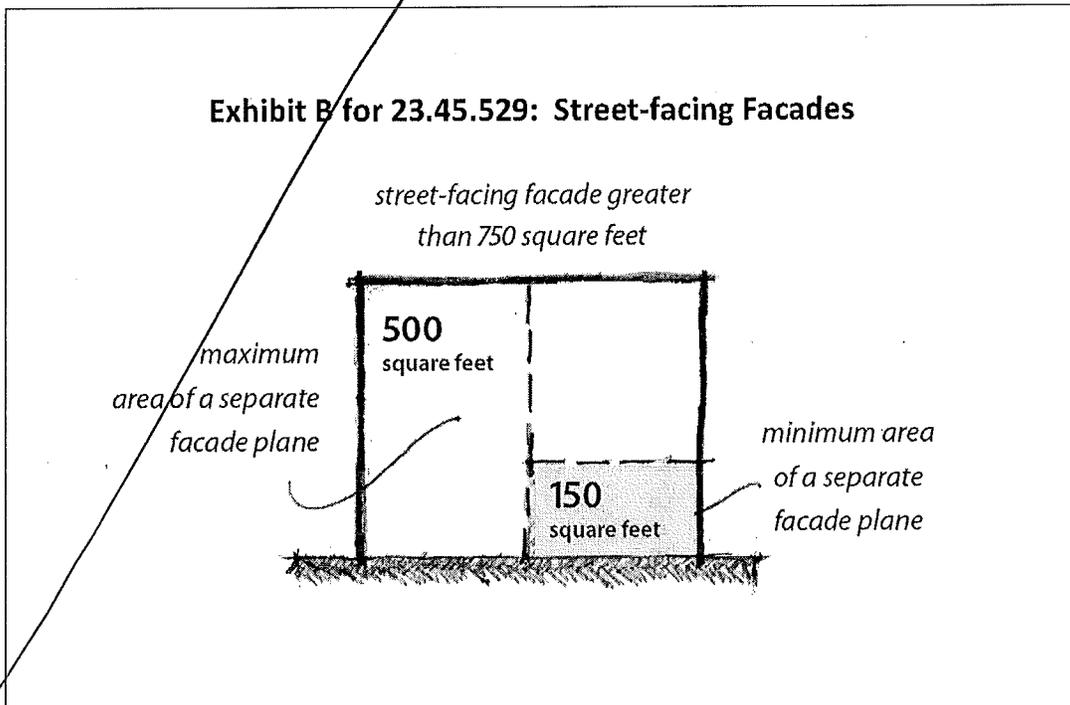
a. If a street-facing facade or portion of a street-facing façade is not vertical, the Director shall determine whether the façade is substantially vertical and required to comply with this subsection 23.45.529.C.

b. If the street-facing façade of a structure exceeds 750 square feet in area, division of the façade into separate facade planes is required (see Exhibit B for 23.45.529).

c. In order to be considered a separate façade plane for the purposes of this subsection 23.45.529.C.2, a portion of the street-facing façade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting façade planes by a minimum depth of 18 inches.

d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows and doors on all street-facing facades.

Exhibit B for 23.45.529: Street-facing Facades



1 e. The Director may allow exceptions to the façade articulation
2 requirements in this subsection 23.45.529.C.2, if the Director determines that the street-facing
3 façade will meet the intent of subsection 23.45.529.A.1, and the intent of subsections
4 23.45.529.D.2, E.4, and F.2 for cottage housing developments, rowhouse developments, and
5 townhouse developments, respectively, through one or more of the following street-facing façade
6 treatments:

7
8 1) Variations in building materials and/or color, or both, that
9 reflect the stacking of stories or reinforce the articulation of the façade;

10 2) Incorporation of architectural features that add interest and
11 dimension to the façade, such as porches, bay windows, chimneys, pilasters, columns, cornices,
12 and/or balconies;

13
14 3) Special landscaping elements provided to meet Green Factor
15 requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls
16 covering a minimum of 25 percent of the façade surface;

17 4) Special fenestration treatment, including an increase in the
18 percentage of windows and doors to at least 25 percent of the street-facing façade(s).

19
20 D. Design standards for cottage housing developments.

21 1. Pedestrian entry. Each cottage with a street-facing façade that is located
22 within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the
23 use of covered stoops, porches, or other architectural entry features. For cottages on corner lots
24 that have more than one street-facing façade within 10 feet of the street lot line, a visually
25

1 prominent pedestrian entry is required on only one of the street-facing facades. Access to these
2 entrances may be through a required private amenity area that abuts the street.

3 2. Architectural expression. Cottage housing developments shall include
4 architectural details that reduce the visual scale of the units. Each cottage shall employ one or
5 more of the following design techniques to reduce visual scale of the units:

- 6 a. Attached covered porch
- 7 b. Roofline features such as dormers or clerestories
- 8 c. Bay windows
- 9 d. Variation in siding texture and materials
- 10 e. Other appropriate architectural techniques demonstrated by the

11 applicant to reduce the visual scale of cottages.

12
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14 E. Design standards for rowhouse developments.

15 1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the
16 street-facing facade that is designed to be visually prominent through the use of covered stoops,
17 porches, or other architectural entry features. For rowhouse units on corner lots, a visually
18 prominent pedestrian entry is required on only one of the street-facing facades.

19
20 2. Front setback. Design elements to provide a transition between the street and
21 the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in
22 the front setback.

23 3. Architectural expression. The street-facing façade of a rowhouse unit shall
24 provide architectural detail or composition to visually identify each individual rowhouse unit as
25 seen from the street. Design elements such as trim or molding, modulation, massing, color and
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1 material variation, or other similar features may be used to achieve visual identification of
2 individual units. Rooftop features such as dormers or clerestories, or roofline variation may be
3 used to visually identify individual rowhouse units.

4 F. Design Standards for townhouse developments.

5 1. Building orientation. Townhouse developments shall maximize the orientation
6 of individual units to the street by complying with one of the following conditions:

7 a. At least 50 percent of the townhouse units shall be located so
8 that there is no intervening principal structure between the unit and the street, unless the
9 intervening principal structure was established under permit as of October 31, 2001, or was
10 granted a permit on October 31, 2001 and the permit has not expired; or

11 b. All townhouse units shall have direct access to a common
12 amenity area meeting the requirements of Section 23.45.522 that either abuts the street or is
13 visible and accessible from the street by a clear pedestrian pathway.

14 2. A clear pedestrian pathway from the street to the entrance of each
15 townhouse unit shall be provided. Co-location of a pedestrian pathway and a driveway is
16 permitted if the pathway is differentiated from the driveway by pavement color, texture, or
17 similar technique. Signage identifying townhouse unit addresses and the directions to the unit
18 entrance(s) from the street shall be provided.

19 3. Each townhouse unit, with a street-facing façade shall have a pedestrian
20 entry on the street-facing facade that is designed to be visually prominent feature through the use
21 of covered stoops, porches, or other architectural entry features. For townhouse units on corner
22 lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.
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1 4. Architectural expression. Architectural detail or composition shall be
2 provided to visually identify each individual townhouse unit, as seen from the public street.

3 Design elements such as trim or molding, modulation, massing, color and material variation or
4 other similar features may be used to achieve visual identification of individual units. Rooftop
5 features such as dormers or clerestories, or roofline variation may be used to visually identify
6 individual townhouse units.

7
8 G. Building entry orientation standards for apartments.

9 1. For each apartment structure, a principal shared pedestrian entrance is
10 required that faces either a street or a common amenity area, such as a landscaped courtyard, that
11 abuts and has direct access to the street. Additional pedestrian entrances to individual units are
12 permitted.

13
14 2. If more than one apartment structure is located on a lot, each apartment
15 structure separated from the street by another principal structure shall have a principal entrance
16 that is accessible from a common amenity area with access to the street.

17 3. The shared entrance of each apartment structure shall have a pedestrian entry
18 that is designed to be visually prominent, through the use of covered stoops, overhead weather
19 protection, a recessed entry, or other architectural entry features.

20
21 Section 39. Section 23.45.005 of the Seattle Municipal Code, Development standards for
22 single-family structures, which section was last amended by Ordinance 123210, as shown in
23 Appendix A to this ordinance, is repealed.

24 Section 40. A new Section 23.45.531 is added to the Seattle Municipal Code as follows:
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1 **23.45.531 Development standards for cottage housing developments and carriage house**
2 **structures**

3 A. Size limit for dwelling units.

4 1. The maximum gross floor area of each cottage in a cottage housing
5 development is 950 square feet.

6 2. The maximum gross floor area of a carriage house is 600 square feet.

7 B. Size limit for garages. The maximum gross floor area for a shared garage structure in
8 a cottage housing development is 1,200 square feet, and the garage shall contain no more than
9 four parking spaces.

10 C. Carriage house structures. A carriage house structure is permitted in a cottage
11 housing development subject to the following standards:

12 1. The maximum number of dwelling units permitted in carriage house structures
13 is one-third of the total number of units in the cottage housing development on the lot.

14 2. The maximum gross floor area of the ground floor of a carriage house structure
15 is 1,200 square feet.

16 D. Existing single-family dwelling units in a cottage housing development. Existing
17 single-family dwelling units that are non-conforming with respect to the standards for a cottage
18 housing development are permitted to remain, provided that the extent of the nonconformity
19 shall not be increased.

20 Section 41. Section 23.45.534 of the Seattle Municipal Code, which section was enacted
21 by Ordinance 123209, is amended as follows:

22 **23.45.534 Light and glare standards ((in Midrise and Highrise zones))**
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1 A. Exterior lighting shall be shielded and directed away from adjacent properties.

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

4 C. To prevent vehicle lights from affecting adjacent properties, driveways and parking
5 areas for more than two vehicles shall be screened from ~~((adjacent))~~ abutting properties by a
6 fence or wall between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm
7 at least 5 feet in height. If the elevation of the lot line is different from the finished elevation of
8 the driveway or parking surface, the difference in elevation may be measured as a portion of the
9 required height of the screen so long as the screen itself is a minimum of 3 feet in height. The
10 Director may waive the requirement for the screening if it is not needed due to changes in
11 topography, agreements to maintain an existing fence, or the nature and location of adjacent
12 uses.
13

14
15 Section 42. Section 23.45.536 of the Seattle Municipal Code, which section was enacted
16 by Ordinance 123209, is amended as follows:

17 **23.45.536 Parking ~~((and))~~ location, access, and screening ~~((in MR and HR zones))~~**

18 A. Off-street parking spaces are required ~~((pursuant))~~ to the extent provided in Chapter
19 23.54, Quantity and design standards for access and off-street parking.

20 B. Location of parking.

21 1. If parking is required, it shall be located on the same lot as the use requiring the
22 parking, except as otherwise provided in this subsection 23.45.536.B.

23 ~~((1))~~ 2. ~~((Parking shall))~~ Except as otherwise provided in this subsection
24 23.45.536.B, surface parking may be located anywhere on a lot except:
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1 a. between a principal structure and a street lot line ~~((that is not a street lot~~
2 line,)));

3 b. in the required front setback or side street side setback; and

4 c. within 7 feet of any street lot line.

5 3. Parking in a structure. Parking may be located in a structure or under a
6 structure, ~~((or in any combination of these locations, unless otherwise provided in subsections~~
7 ~~B.2 or B.3 of this Section 23.45.536))~~ provided that no portion of a garage that is higher than 4
8 feet above existing or finished grade, whichever is lower, shall be closer to a street lot line than
9 any part of the first floor of the structure in which it is located;

10 ~~((2))~~4. On a through lot, parking may be located between the structure and one
11 front lot line ~~((; except that on lots 125 feet or greater in depth, parking shall not be located in~~
12 ~~either front setback))~~. The ~~((frontage))~~ front setback in which the parking may be located will be
13 determined by the Director based on the prevailing character and setback patterns of the block.

14 ~~((3))~~5. On waterfront lots in the Shoreline District, parking ~~((shall))~~ may be
15 located between the structure and the front lot line, if necessary to prevent blockage of view
16 corridors or to keep parking away from the edge of the water, ~~((pursuant to))~~ as required by
17 Chapter 23.60, Shoreline District.

18 6. Parking accessory to a residential use may be located on a lot within 800 feet of
19 the lot where the residential use that requires the parking is located, provided that:

20 a. the lot is not located in a single-family zone; and

21 b. the requirements of Section 23.54.025 are met.

22 C. Access to ~~((P))~~ parking.

THIS SECTION IS BEING REVIEWED BY THE CITY CLERK



1 1. (~~Access to parking shall be from an improved alley, but not from the street, or~~
2 ~~from both the alley and the street, unless the Director permits access from the street according to~~
3 ~~subsection 23.45.536.D below.)) Alley access required. Except as otherwise expressly required
4 or permitted in subsections C or D of this Section 23.45.536, access to parking shall be from the
5 alley if the lot abuts an alley and one of the conditions in this subsection 23.45.536.C.1 is met.~~

6 a. The alley is improved to the standards of subsection 23.53.030.C;

7 b. The development gains additional FAR pursuant to Section
8 23.45.510.C; or

9 c. The Director determines that alley access is feasible and desirable to
10 mitigate parking access impacts, improve public safety, and/or maintain on-street parking
11 capacity.

12 2. (~~If the lot does not abut an improved alley or street, access may be permitted~~
13 ~~from an easement meeting the provisions of Chapter 23.53, Requirements for Streets, Alleys, and~~
14 ~~Easements.)) Street access required. Access to parking shall be from the street if:~~

15 a. The lot does not abut an alley.

16 b. The lot abuts an alley, and the Director determines that the alley should
17 not be used for access, for one or more of the following reasons:

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

20 2) Topography makes alley access infeasible.

21 3) The alley is on the uphill side of a steeply sloping lot, and the
22 following conditions are met:

1 i. access from the street is to common parking garage in or
2 under the structure, located a maximum of 4 feet above grade.

3 ii. the siting of development results in an increased Green
4 Factor score, larger ground-level amenity areas, and/or reduced surface parking area than if alley
5 access is used.

6 ((3. When access is provided to individual garages from the street pursuant to
7 subsection 23.45.536.D, all garage doors facing the street shall be set back 15 feet from the street
8 lot line.))

9 3. On corner lots, if street access is permitted pursuant to subsection
10 23.45.536.C.2, the Director will determine the street from which access may be taken. In
11 making the determination, the Director will consider the extent to which each street's pedestrian-
12 oriented character would be disrupted by curb cuts, the potential for pedestrian and automobile
13 conflicts, and the capacity of each street to accommodate increased traffic.

14 4. On steeply sloping lots, the Director may permit the use of both an alley and a
15 street for access, provided that the following conditions are met:

16 a. access from the street is to common parking garage in or under the
17 structure, that is underground or extends no more than 4 feet above grade.

18 b. the siting of development results in an increased Green Factor score,
19 larger ground-level amenity areas, and/or reduced surface parking area than if alley access alone
20 is used.

1 c. In LR zones, if the project uses both the alley and street for access to
2 parking other than required barrier-free parking spaces, the project does not qualify the higher
3 FAR limit in Section 23.45.510.A.

4 5. Access to required barrier-free parking spaces that meet the standards in the
5 Seattle Residential Code, Section R322, or the Seattle Building Code, Chapter 11, may be from
6 either the street or alley, or both.

7 6. If the alley is used for access, the alley shall be improved according to the
8 standards in subsections 23.53.030.E and F, except that if a development gains additional FAR
9 pursuant to subsection 23.45.510.C, the alley shall be paved rather than improved with crushed
10 rock, even for lots containing fewer than ten units.

11 7. If the lot does not abut an improved alley or street, access may be permitted
12 from an easement that meets the provisions of Chapter 23.53, Requirements for Streets, Alleys,
13 and Easements.

14 ((D. ~~Exceptions for parking location and access. The Director may permit an alternate~~
15 ~~location of parking on the lot or access to off-street parking as a Type I decision based on~~
16 ~~consideration of the following:~~

17 1. ~~whether access would negatively impact public safety by requiring backing~~
18 ~~onto an arterial street;~~

19 2. ~~whether on-street parking capacity is maintained or loss of on-street parking is~~
20 ~~minimized by measures such as serving two garages with one curb cut.~~

1 3. whether, as a result, the project is better integrated with the topography of the
2 lot, such as by providing structured parking below grade or shared parking that reduces the
3 overall impact of parking on the design of the project.

4 4. whether the siting of development on the lot is improved, allowing for more
5 landscaping or increased Green Factor score and/or amenity areas, and reduced surface parking
6 area; and

7 5. whether the flow of vehicular or pedestrian traffic is not significantly
8 impacted.))

9 ((E. Parking shall be screened from all streets and adjacent uses pursuant to
10 Section 23.45.524.)) D. Screening of parking.

11 1. Parking shall be screened from direct street view by the street facing facade of
12 a structure, by garage doors, or by a fence or wall.

13 2. Screening by a fence or wall. If screening is provided by a fence or wall, the
14 fence or wall shall not be located within any required sight triangle, and shall meet the following
15 conditions:

16 a. the fence or wall shall be at least 3 feet tall measured from the elevation
17 of the curb, or from the elevation of the street if no curb is present. If the elevation of the ground
18 at the base of the fence or wall is higher than the finished elevation of the parking surface, the
19 difference in elevation may be measured as a portion of the required height of the screen, so long
20 as the fence or wall is a minimum of 3 feet in height. If located in a setback, the fence or wall
21 shall meet the requirements subsection 23.45.518.J.7.

22 b. the fence or wall shall be set back at least 3 feet from the lot line.

1 3. Screening by garage doors. If parking is provided in a garage in or attached to
2 a principal structure, and garage door(s) face a street, the following standards apply:

3 a. Garage doors may be no more 75 square feet in area;

4 b. Garage doors facing the street shall be set back at least 15 feet from the
5 street lot line, and shall be no closer to the street lot line than the street-facing façade of the
6 structure.

7
8 Section 43. Section 23.45.545 of the Seattle Municipal Code, which section was enacted
9 by Ordinance 123209, is amended as follows:

10 **Section 23.45.545 Standards for certain accessory uses**

11 * * *

12 C. Solar collectors.

13 1. Solar collectors that meet minimum written energy conservation standards
14 administered by the Director are permitted in required setbacks, subject to the following:

15 ((1))a. Detached solar collectors are permitted in required rear setbacks, no closer
16 than 5 feet to any other principal or accessory structure.

17 ((2))b. Detached solar collectors are permitted in required side setbacks, no closer
18 than 5 feet to any other principal or accessory structure, and no closer than 3 feet to the side lot
19 line.
20

21 ~~((3. The area covered or enclosed by solar collectors may be counted toward any
22 open space requirement pursuant to Section 23.45.016 and residential amenity area requirements
23 pursuant to Section 23.45.522.))~~
24

THIS VERSION IS NOT ADOPTED



1 ((4))2. Sunshades that provide shade for solar collectors that meet minimum
2 written energy conservation standards administered by the Director may project into southern
3 front or rear setbacks. Those that begin at 8 feet or more above finished grade may be no closer
4 than 3 feet from the lot line. Sunshades that are between finished grade and 8 feet above finished
5 grade may be no closer than 5 feet to the lot line.

6 3. Solar collectors on roofs. Solar collectors that meet minimum written energy
7 conservation standards administered by the Director and that are located on a roof are permitted
8 as follows:

9 a. In Lowrise zones up to 4 feet above the maximum height limit or 4 feet
10 above the height of elevator penthouse(s); and

11 b. In MR and HR zones up to 10 feet above the maximum height limit or
12 10 feet above the height of elevator penthouse(s).

13 c. If the solar collectors would cause an existing structure to become
14 nonconforming, or increase an existing nonconformity, the Director may permit the solar
15 collectors as a special exception pursuant to Chapter 23.76, Master Use Permits and Council
16 Land Use Decisions. Such solar collectors may be permitted even if the structure exceeds the
17 height limits established in subsection 23.45.545.C.3, when the following conditions are met:

18 a. There is no feasible alternative solution to placing the collector(s) on
19 the roof; and

20 b. Such collector(s) are located so as to minimize view blockage from
21 surrounding properties and the shading of property to the north, while still providing adequate
22 solar access for the solar collectors.

THIS VERSION IS NOT ADOPTED



* * *

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2 I. In Lowrise zones, lots that include rowhouse and townhouse units may include

3 accessory dwelling units as follows:

4 1. No more than one accessory dwelling unit shall be located on a lot.

5 2. The principal structure on the lot shall include one and only one dwelling unit
6 other than the accessory dwelling unit, which other dwelling unit is referred to in this subsection
7 23.45.545.I as the "principal unit".

8 3. The owner of the lot shall comply with the owner occupancy requirements of
9 subsection 23.44.041C.

10 4. Maximum gross floor area:

11 a. The maximum gross floor area of an accessory dwelling unit is 650
12 square feet;

13 b. The gross floor area of the accessory dwelling unit may not exceed 40
14 percent of the total gross floor area in residential use on the lot, exclusive of garages, storage
15 sheds, and other nonhabitable spaces.

16 5. An accessory dwelling unit shall be located completely within the same
17 structure as the principal unit or in an accessory structure located between the rowhouse or
18 townhouse unit and the rear lot line.

19 6. The entrance to an accessory dwelling unit provided within the same structure
20 as the principal unit shall be provided through one of the following configurations:

21 a. Through the primary entry to the principal unit; or
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THIS VERSION IS NOT ADOPTED

