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1
2 C. Height ((L))limits in Lowrise zones.

3 1. The height limit for institutions shall be the height limit for apartments
4 ~~((Maximum height limits for institutions are as provided for multifamily residential uses))~~ in the
5 applicable zone, except as provided in this subsection 23.45.570.C.

6 2. In ~~((the Lowrise Duplex/Triplex, Lowrise 1, Lowrise 2 and Lowrise-3))~~ LR1
7 and LR2 zones, for gymnasiums, auditoriums, and wood shops that are accessory to an
8 institution, the maximum permitted height is 35 feet if all portions of the structure above the
9 height limit of the zone are set back at least 20 feet from all ~~((property))~~ lot lines. Pitched roofs
10 on the auditorium, gymnasium or wood shop with a slope of not less than 4:12 may extend 10
11 feet above the 35-foot height limit. No portion of a shed roof on a gymnasium, auditorium or
12 wood shop is permitted to extend beyond 35 feet.

13 3. In ~~((the Lowrise 4))~~ LR3 zones, pitched roofs on an auditorium, gymnasium, or
14 wood shop with a slope of not less than 4:12 may extend 10 feet above the ~~((37-foot))~~ height
15 limit, ~~((No))~~ except that no portion of a shed roof is permitted to extend beyond ~~((37-foot))~~ the
16 height limit.

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19 D. Structure ((W))width in Lowrise zones.

20 1. The maximum permitted width for structures in institutional ~~((s))~~ use in
21 Lowrise zones is as shown in Table A for 23.45.570.
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Table A for 23.45.570: Width Limits for Institutions in Lowrise zones

Zone	Maximum Width Without ((Modulation or Landscaping)) <u>Green Factor</u> ((Option (feet)))	Maximum Width With ((Modulation or Landscaping)) <u>Green Factor</u> ((Option (feet)))
((Lowrise Duplex/Triplex and))Lowrise 1	45 feet	75 feet
Lowrise 2	45 feet	90 feet
Lowrise 3 ((and Lowrise 4))	60 feet	150 feet

2. In order to achieve the maximum width permitted in each zone, institutional structures are required to reduce the appearance of bulk ((through one of the following options:)) by providing landscaping that achieves a Green Factor score of .5 or greater, pursuant to the standards set forth in Section 23.86.019.

((a. Modulation Option. Front facades, and side and rear facades facing street lot lines, shall be modulated as shown in Table B for 23.45.570. Any un-modulated portion of the facade may not comprise more than 50 percent of the total facade area; or

Table B for 23.45.570: Width, Height, and Depth of Modulation for Institutions in Lowrise zones

	Minimum depth of modulation ((in feet))	Minimum height of modulation ((in feet))	Minimum width of modulation (((feet)))
((Lowrise zones))	4 feet	5 feet	10 feet or 20% of the total structure width, whichever is greater

b. Green Factor Option. Landscaping that achieves a Green Factor score of .5 or greater, pursuant to the procedures set forth in Section 23.86.019, shall be provided.))

* * *

THIS VERSION IS NOT APPROVED



1 Section 45. Section 23.45.574 of the Seattle Municipal Code, which section was enacted
2 by Ordinance 123209, is amended as follows:

3 **23.45.574 Assisted ~~((L))~~living ~~((F))~~facilities**

4 A. Assisted living facilities ~~((shall be))~~ are subject to the development standards ~~((of))~~
5 for apartments for the zone in which they are located except that density limits ~~((and open~~
6 space)) and ~~((residential))~~ amenity area requirements do not apply to assisted living facilities.

7 B. Other ~~((R))~~requirements.

8 ~~((1. Minimum Unit Size. Assisted living units shall be designed to meet the~~
9 ~~minimum square footage required by WAC 388-110-140.))~~

10 ~~((2))~~1. Facility ~~((K))~~kitchen. An on-site kitchen that serves the entire assisted
11 living facility is required.

12 ~~((3))~~2. Communal ~~((A))~~area. Communal areas (e.g., solariums, decks and porches,
13 recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with
14 comfortable seating, and gardens or other outdoor landscaped areas that are accessible to
15 wheelchairs and walkers) with sufficient accommodations for socialization and meeting with
16 friends and family shall be provided:

17 a. The total amount of communal area shall, at a minimum, equal ~~((20))~~ 5
18 percent of the total floor area in assisted living units, or 25 percent of lot area, whichever is less.

19 In calculating the total floor area in assisted living units, all of the area of each of the individual
20 units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

21 b. No service areas, including, but not limited to, the facility kitchen,
22 laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas
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1 and offices, and rooms used only for counseling or medical services, shall be counted toward the
2 communal area requirement; and

3 c. A minimum of 400 square feet of the required communal area shall be
4 provided outdoors, with no dimension less than 10 feet. A departure from the required amount
5 and/or dimension of outdoor communal space may be permitted as part of the design review
6 process, pursuant to Section 23.41.012.A.

7
8 Section 46. Subsection B of Section 23.46.002 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 118414, is amended as follows:

10 **Section 23.46.002 Scope of ((P))provisions((r))**

11 * * *

12 B. All RC zones are assigned a residential zone classification on the Official Land Use
13 Map. The development standards of the designated residential zone ((shall)) apply to all uses in
14 the RC zone except commercial uses, except that commercial uses are subject to the FAR limits
15 of Section 23.45.510. The development standards of the designated residential zone shall apply
16 to all structures in the RC zone, except that parking quantity ((shall be)) is required as provided
17 in Chapter 23.54.
18

19 * * *

20
21 Section 47. Subsection C of Section 23.47A.002 of the Seattle Municipal Code, which
22 section was last amended by Ordinance 123046, is amended as follows:

23 **23.47A.002 Scope of provisions**

24 * * *

1 C. Other regulations, including but not limited to, requirements for streets, alleys and
2 easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54);
3 standards for solid waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for
4 measurements (Chapter 23.86) may apply to development proposals. Communication utilities
5 and accessory communication devices, except as exempted in Section 23:57.002, are subject to
6 the regulations in this chapter and additional regulations in Chapter 23.57, Communications
7 Regulations.

8
9 Section 48. Section 23.47A.024 of the Seattle Municipal Code, which section was
10 enacted by Ordinance 122311, is amended as follows:

11 **23.47A.024 ((Residential)) Amenity ((A))area(s)**

12 A. ~~((Residential amenity))~~ Amenity areas(~~(, including but not limited to decks, balconies,~~
13 ~~terraces, roof gardens, plazas, courtyards, play areas, or sport courts,)) are required in an amount~~
14 ~~equal to ((five-))5(()) percent of the total gross floor area in residential use, except as otherwise~~
15 ~~specifically provided in this ((chapter)) Chapter 23.47A. Gross floor area, for the purposes of this~~
16 ~~subsection, excludes areas used for mechanical equipment((;)) and accessory parking ((and~~
17 ~~residential amenity areas)).~~

18
19 B. Required ~~((residential))~~ amenity areas ~~((must))~~ shall meet the following ~~((conditions))~~
20 standards, as applicable:

- 21
22 1. All residents ~~((must))~~ shall have access to at least one ~~((residential))~~ common
23 or private amenity area;
24
25 2. ~~((Residential amenity))~~ Amenity areas ~~((may))~~ shall not be enclosed;

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

6 4. Common ~~((recreational))~~ amenity areas ~~((must))~~ shall have a minimum
7 horizontal dimension of ~~((at least ten (–) 10(–)))~~ 10(–) feet, and no common ~~((recreational))~~ amenity
8 area ~~((can))~~ shall be less than ~~((two hundred and fifty (–) 250(–)))~~ 250(–) square feet in size;

9 5. Private balconies and decks ~~((must))~~ shall have a minimum area of ~~((sixty~~
10 ~~(–) 60(–)))~~ 60(–) square feet, and no horizontal dimension shall be less than ~~((six (–) 6(–)))~~ 6(–) feet.

11 6. Rooftop areas excluded because they are near minor communication utilities
12 and accessory communication devices, pursuant to Section 23.57.012.C.1.d, do not qualify as
13 ~~((residential))~~ amenity areas.

14 Section 49. Subsection A of Section 23.47A.027 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 122935, is amended as follows:

16 **23.47A.027 Landmark Districts and designated landmark structures**

17 A. The Director, in consultation with the Director of the Department of Neighborhoods,
18 may waive or allow departures from standards for street level development, ~~((residential))~~
19 amenity areas, setbacks, floor area ratio limits, and screening and landscaping for designated
20 landmark structures or for development within a Landmark District pursuant to Seattle Municipal
21 Code, Title 25 or within a Special Review District pursuant to Seattle Municipal Code, Chapter
22 23.66.

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* * *

1
2 Section 50. Section 23.47A.029 relating to storage of solid waste materials in
3 commercial zones, and Section 23.48.031 relating to storage of solid waste materials in Seattle
4 Mixed zones, which sections of the Seattle Municipal Code were last amended by Ordinance
5 122311 and Ordinance 121782 respectively, as shown in Attachment A to this ordinance, are
6 repealed.

7
8 Section 51. Subsection A of Section 23.47A.035 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 122311, is amended as follows:

10 **SMC 23.47A.035 Assisted living facilities development standards((~~r~~))**

11 A. Assisted living facilities are subject to the development standards of the zone in which
12 they are located except that the ((~~residential~~)) amenity area requirements of Section 23.47A.024
13 do not apply.

14
15 * * *

16 Section 52. Subsection B of Section 23.48.002, which section was last amended by
17 Ordinance 122835, is amended as follows:

18 **Section 23.48.002 Scope of provisions((~~r~~))**

19
20 * * *

21 B. Other regulations, such as requirements for streets, alleys and easements (Chapter
22 23.53); standards for parking quantity, access and design (Chapter 23.54); standards for solid
23 waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter
24 23.86) may apply to development proposals. Communication utilities and accessory
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1 communication devices except as exempted in Section 23.57.002 are subject to the regulations in
2 this chapter and additional regulations in Chapter 23.57.

3 * * *

4 Section 53. Section 23.48.020 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 121782, is amended to read as follows:

6 **23.48.020 ((Residential)) ((a)) Amenity area((,))**

7
8 A. Quantity of ((Residential)) ((A)) amenity ((A)) area. All new structures containing more
9 than ((twenty-))20((,)) dwelling units shall provide ((residential)) amenity area on the lot in an
10 amount equivalent to ((five percent-))5((%)) percent of the total gross floor area in residential
11 use.

12 B. Standards for ((Residential)) ((A)) amenity ((A)) area.

13 ((1. Residential amenity area shall be provided on-site)).

14 ((2))1. The ((residential)) amenity area shall be available to all residents and may be
15 provided at or above ground level.

16 ((3))2. A maximum of ((fifty)) 50 percent ((50%)) of the ((residential)) amenity area
17 may be enclosed. Examples of enclosed ((residential)) amenity area include atriums, greenhouses
18 and solariums.

19 ((4))3. The minimum horizontal dimension for ((required)) residential amenity area
20 ((shall be fifteen)) is 15 feet ((15')), and no required ((residential)) amenity area shall be less
21 than ((two hundred twenty five-))225((,)) square feet in size.

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23
24 5. The exterior portion of required ((residential)) amenity area shall be landscaped and
25 shall provide solar access and seating according to standards promulgated by the Director.
26

1 6. Parking areas, vehicular access easements, and driveways ~~((and pedestrian access,~~
2 ~~except for pedestrian access meeting the Washington State Rules and Regulations for Barrier~~
3 ~~Free Design))~~, ~~((shall not be counted))~~ do not qualify as ~~((residential))~~ amenity area, except that
4 a woonerf may provide a maximum of 50 percent of the amenity area if the design of the
5 woonerf is approved through a design review process pursuant to Chapter 23.41.

6 Section 54. Subsection D of Section 23.49.025 of the Seattle Municipal Code, which
7 section was last amended by Ordinance 122504, is amended to read as follows:

8 **23.49.025 Odor, noise, light/glare, and solid waste recyclable materials storage space**
9 **standards((:-))**

10 * * *

11 D. ~~((Solid))~~ The standards of Section 23.54.040 for solid waste and recyclable materials
12 storage space((:-)) shall be met.

13 1. ~~Storage space for solid waste and recyclable materials containers shall be~~
14 ~~provided for all new structures permitted in Downtown zones and expanded multifamily~~
15 ~~structures as indicated in the table below. For the purposes of this subsection, the addition of two~~
16 ~~(2) or more units to a multifamily structure shall be considered expansion.~~

17 2. ~~The design of the storage space shall meet the following requirements:~~

18 a. ~~The storage space shall have no dimension (width and depth) less than~~
19 ~~six (6) feet;~~

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

1 e. If located outdoors, the storage space shall be screened from public
2 view and designed to minimize light and glare impacts.

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

4 a. The storage space shall be located within the private property
5 boundaries of the structure it serves and, if located outdoors, it shall not be located between a
6 street facing facade of the structure and the street;

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

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

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

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

15 a. For rear loading containers:

16 (1) Any ramps to the storage space shall have a maximum slope of
17 six (6) percent, and

18 (2) Any gates or access routes shall be a minimum of six (6) feet
19 wide; and

20 b. For front loading containers:

21 (1) Direct access shall be provided from the alley or street to the
22 containers,

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

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

Section 55. Subsection H of Section 23.50.051 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

23.50.051 Additional floor area in certain IC-zoned areas in the South Lake Union Urban Center

* * *

H. Solid ((W))waste and ((R))recycling. Each structure satisfies the solid waste and recyclable materials storage space requirements of Section ~~23.48.031~~23.54.040.



* * *

1
2 Section 56. Section 23.51A.004 of the Seattle Municipal Code, which section was
3 enacted by Ordinance 123209, is amended as follows:

4 **23.51A.004 Public facilities in multifamily zones**

5 A. ~~((Public facilities in multifamily zones are regulated by Section 23.45.504 in addition~~
6 ~~to the provisions in this Section 23.51A.004.))~~ Except as provided in subsection D of this
7 Section 23.51A.004, uses in public facilities that are most similar to uses permitted outright or
8 permitted as an administrative conditional use under the applicable zoning are also permitted
9 outright or as an administrative conditional use, subject to the same use regulations, development
10 standards and administrative conditional use criteria that govern the similar use.

11
12 B. The following uses in public facilities are permitted outright in all multifamily zones,
13 if the development standards for institutions in Sections 23.45.570 are met:

- 14
15 1. Police precinct stations;
16 2. Fire stations;
17 3. Public boat moorages;
18 4. Utility service uses; and
19 5. Other uses similar to any of the uses listed in this subsection 23.51A.004.B.

20
21 ~~((B))~~C. Unless specifically prohibited in ((Section 23.45.504)) subsection D of this
22 Section 23.51A.004, new public facilities not specifically listed in subsection A or B of this
23 Section 23.51A.004 ((in Table A for 23.45.504)), or that are listed in subsection A or B of this
24 Section 23.51A.004 ((Table A for 23.45.504)) but do not meet ((the)) applicable development
25 standards ((for institutions in Section 23.45.570)) or administrative conditional use criteria, may
26

1 be permitted by the City Council according to the provisions of Chapter 23.76, with public
2 projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V
3 legislative decisions. In making the decision, the Council may waive or grant departures from
4 development standards or administrative conditional use criteria for public facilities, if the
5 following criteria are satisfied:

- 6 1. The location of the public facility addresses ~~((specific and unique))~~ public
7 service needs, and any waiver or departure from development standards or administrative
8 conditional use criteria is necessitated by those public service delivery needs; and
- 9 2. The impact of the public facility on surrounding properties has been addressed
10 in the design, siting, landscaping and screening of the facility.

11 D. The following public facilities are prohibited in all multifamily zones:

- 12 1. Jails;
- 13 2. Work-release centers;
- 14 3. Bus bases;
- 15 4. Park and ride lots;
- 16 5. Sewage treatment plants;
- 17 6. Animal control shelters; and
- 18 7. Post office distribution centers.

19 ~~((C))~~ E. Expansion of ~~((U))~~ uses in ~~((P))~~ public ~~((F))~~ facilities.

20 1. Major ~~((E))~~ expansion. Major expansion of public facilities ~~((allowed pursuant~~
21 ~~to Section 23.45.504))~~ that are permitted by subsection C of this Section 23.51A.004 may be
22 approved by the City Council, with public projects considered as Type IV quasi-judicial
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1 decisions and City facilities considered as a Type V land use decisions, subject to the criteria of
2 subsections ~~((B.1 and B.2))~~ C.1 and C.2 of this Section 23.51A.004. A major expansion of a
3 public facility occurs ~~((when))~~ if an expansion would not meet development standards or, except
4 for expansion of the Washington State Convention and Trade Center, the area of the expansion
5 would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is
6 greater. A major expansion of the Washington State Convention and Trade Center is one that is
7 12,000 square feet or more in size. For the purposes of this subsection ~~((23.51A.004.C.1))~~
8 23.51A.004.E.1, "area of the use" includes gross floor area and outdoor area devoted actively to
9 that use, excluding parking.

11 2. Minor ~~((E))~~ expansion. An expansion of a public facility that is not a major
12 expansion is a minor expansion. Minor expansions to uses in public facilities ~~((allowed pursuant~~
13 ~~to Section 23.45.504))~~ that are permitted by subsections A, B, or C of this Section 23.51A.004
14 are permitted ~~((according to the provisions of Chapter 23.76 for a Type I Master Use Permit))~~
15 outright.

16 ~~((D. [Reserved.]))~~

17 ~~((E))~~ F. Essential public facilities will be reviewed according to the provisions of Chapter
18 23.80, Essential Public Facilities.

19 ~~((F))~~ G. Uses in existing or former public schools:

20 1. Child care centers, preschools, public or private schools, educational and
21 vocational training for the disabled, adult evening education classes, nonprofit libraries,
22 community centers, community programs for the elderly and similar uses are permitted in
23 existing or former public schools.
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d. The exceptions of subsections 23.44.014.D.5, D.6, D.7, D.8, D.9, D.10, D.11 and D.12 apply.

2. New ~~((Public School Construction on New Public School Sites))~~ public school construction on new public school sites.

a. New public school construction on new public school sites across a street or alley from lots in residential zones shall provide minimum setbacks according to the ((F)) height of the school and the designation of the facing residential zone, as shown in Table A for 23.51B.002:

Table A for 23.51B.002: Minimum Setbacks for a New Public School Site Located Across a Street or Alley from a ((F)) Residential ((Z)) Zone

Minimum Setbacks Across a Street or Alley from the Following Zones (in feet):				
((F))Height	SF/((LDT))LR1	LR2/LR3((L4))	MR	HR
	Average			
20' or less	15((F))	10((F))	5((F))	0((F))
Greater than 20((F)) up to 35((F))	15((F))	10((F))	5((F))	0((F))
Greater than 35((F)) up to 50((F))	20((F))	15((F))	5((F))	0((F))
Greater than 50((F))	35((F))	20((F))	10((F))	0((F))

b. New public school construction on new public school sites abutting lots in residential zones shall provide minimum setbacks according to the ((F)) height of the school and the designation of the abutting residential zone, as shown in Table B for 23.51B.002:

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Table B for 23.51B.002: Minimum Setbacks for a New Public School Site Abutting a ((#))Residential Zone

	Minimum Setbacks Abutting the Following Zones (in feet):			
((F))Height	SF/((LDT))LR1	LR2/LR3((/L4))	MR	HR
	Average (minimum)			
20((')) or less	20((')) (10((')))	15(('))(10((')))	10(('))(5((')))	0(('))
Greater than 20((')) up to 35(('))	25((')) (10((')))	15(('))(10((')))	10(('))(5')	0(('))
Greater than 35((')) up to 50(('))	25(('))(10((')))	20(('))(10((')))	10(('))(5((')))	0(('))
Greater than 50(('))	30(('))(15((')))	25(('))(10((')))	15(('))(5((')))	0(('))

3. New ((Public School Construction on Existing Public School Sites)) public school construction on existing public school sites.

a. New public school construction on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the ((F)) height of the school and the designation of the facing residential zone as shown in Table C for 23.51B.002, whichever is less:

Table C for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Located Across a Street or Alley from a ((#))Residential ((z))Zone

	Minimum Setbacks ((When)) If Across a Street or Alley from the Following Zones (in feet):			
Facade Height	SF/((LDT))LR1	LR2/LR3((/L4))	MR	HR
	Average			
20((')) or less	10(('))	5(('))	5(('))	0(('))
Greater than 20((')) up to 35(('))	10(('))	5(('))	5(('))	0(('))
Greater than 35((')) up to 50(('))	15(('))	10(('))	5(('))	0(('))
Greater than 50(('))	20(('))	15(('))	10(('))	0(('))

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b. New public school construction on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the ((F)) height of the school and the designation of the abutting residential zone, as shown in Table D for 23.51B.002, whichever is less:

Table D for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Abutting a ((F)) Residential Zone				
Minimum Setbacks Abutting the Following Zones (in feet):				
Facade Height	SF/((LDT))LR1	LR2/LR3((L4))	MR	HR
Average (minimum)				
20((F)) or less	15((F)) (10((F)))	10'(5((F)))	10((F)) (5((F)))	0((F)) (0((F)))
Greater than 20((F)) up to 35((F))	20((F)) (10((F)))	15((F)) (10((F)))	10((F)) (5((F)))	0((F)) (0((F)))
Greater than 35((F)) up to 50((F))	25((F)) (10((F)))	20((F))(10((F)))	10((F)) (5((F)))	0((F)) (0((F)))
Greater than 50((F))	30((F)) (15((F)))	25((F))(10((F)))	15((F)) (5((F)))	0((F)) (0((F)))

4. Additions to Existing Public School Structures on Existing Public School Sites.

a. Additions to existing public school structures on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the ((F)) height of the school and the designation of the facing residential zone as shown in Table E for 23.51B.002, whichever is less:

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Table E for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Located Across a Street or Alley

	Minimum Setbacks (in feet) ((When)) If Located Across a Street or Alley from:			
Façade Height	SF/((LDT/))LR1	LR2/LR3((/L4))	MR	HR
	Average			
20(°) or less	5(°)	5(°)	5(°)	0(°)
Greater than 20(°) up to 35(°)	10(°)	5(°)	5(°)	0(°)
Greater than 35(°) up to 50(°)	15(°)	10(°)	5(°)	0(°)
Greater than 50(°)	20(°)	15(°)	10(°)	0(°)

b. Additions to public schools on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone as shown in Table F for 23.51B.002, whichever is less:

Table F for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Abutting a Residential Zone

	Minimum Setbacks by Abutting Zone (in feet):			
Façade Height	SF/((LDT/))LR1	LR2/LR3((/L4))	MR	HR
	Average (minimum)			
20(°) or less	10(°)(5(°))	10(°)(5(°))	10(°)(5(°))	0(°)(0(°))
Greater than 20(°) up to 35(°)	15(°)(5(°))	10(°)(5(°))	10(°)(5(°))	0(°)(0(°))
Greater than 35(°) up to 50(°)	20(°)(10(°))	20(°)(10(°))	10(°)(5(°))	0(°)(0(°))
Greater than 50(°)	25(°)(10(°))	25(°)(10(°))	15(°)(5(°))	0(°)(0(°))

5. Departures from setback requirements may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 as follows:

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1 a. The minimum average setback may be reduced to 10 feet and the
2 minimum setback to 5 feet for structures or portions of structures across a street or alley from
3 lots in residential zones.

4 b. The minimum average setback may be reduced to 15 feet and the
5 minimum setback to 5 feet for structures or portions of structures abutting lots in residential
6 zones.

7
8 c. The limits in subsections E.5.a and E.5.b of this Section 23.51B.002
9 may be waived by the Director ((as a Type I decision when)) if a waiver would contribute to
10 reduced demolition of residential structures.

11 * * *

12 Section 58. Subsection D of Section 23.53.006 of the Seattle Municipal Code, which
13 section was last amended by Ordinance 123104, is amended as follows:

14 **23.53.006 Pedestrian access and circulation**

15 * * *

16
17 D. Outside Urban Centers and Urban Villages. Outside of Urban Centers and Urban
18 Villages, sidewalks are required on an existing street in any of the following circumstances,
19 except as provided in subsection 23.53.006.F:

20
21 1. In any zone with a pedestrian designation, sidewalks are required whenever
22 new lots are created through the platting process, including full and short subdivisions and unit
23 lot subdivisions, and whenever development is proposed.

24 2. On streets designated on the Industrial Streets Landscaping Maps, Exhibits
25 23.50.016.A and 23.50.016.B, sidewalks are required whenever new lots are created through the
26



1 platting process, including full and short subdivisions and unit lot subdivisions, and whenever
2 development is proposed. Sidewalks are required only for the portion of the lot that abuts the
3 designated street.

4 3. On arterials, except in IG1 and IG2 zones and on lots in IB zones that are not
5 directly across the street from or abutting a lot in a residential or commercial zone, sidewalks are
6 required whenever new lots are created through the platting process, including full and short
7 subdivisions and unit lot subdivisions, and whenever development is proposed. Sidewalks are
8 required only for the portion of the lot that abuts the arterial.

9 4. In SF(~~(, LDT and L1)~~) and LR1 zones, sidewalks are required whenever ten or
10 more lots are created through the platting process, including full and short subdivisions and unit
11 lot subdivisions, (~~(and when)~~) or whenever ten or more dwelling units are developed.

12 5. Outside of SF(~~(, LDT and L1)~~) and LR1 zones, except in IG1 and IG2 zones and
13 on lots in IB zones that are not directly across the street from or abutting lot in a residential or
14 commercial zone, sidewalks are required whenever six or more lots are created through the
15 platting process, including full and short subdivisions and unit lot subdivisions, (~~(and)~~) or
16 whenever six or more dwelling units are developed.

17 6. In all zones, except IG1 and IG2 zones and on lots in IB zones that are not
18 directly across the street from or abutting lot in a residential or commercial zone, sidewalks are
19 required whenever the following nonresidential uses are developed:

20 a. 750 square feet or more of gross floor area of major and minor vehicle
21 repair uses and multipurpose retail sales; (~~(and)~~) or

b. 4,000 square feet or more of nonresidential uses not listed in subsection

23.53.006.D.6.a.

* * *

Section 59. Subsection B of Section 23.53.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122205, is amended as follows:

23.53.010 Improvement requirements for new streets in all zones((-))

* * *

B. Required ((R))right-of-way ((W))widths for ((N))new ((S))streets.

1. Arterial and ((D))downtown ((S))streets. New streets located in downtown zones, and new arterials, shall be designed according to the Right-of-Way Improvements Manual.

2. Nonarterials ((N))not in ((D))downtown ((Z))zones.

a. The required right-of-way widths for new nonarterial streets not located in downtown zones shall be as shown on Table A for Section 23.53.010:

Table A for Section 23.53.010	
Zone Category	Required Right-of-Way Width
1. SF, ((LDT, L4))LR1, NC1	50(!) feet
2. LR2, LR3, ((L4,)) NC2	56(!) feet
3. MR, HR, NC3, C1, C2, SCM, IB, IC	60(!) feet
4. IG1, IG2	66(!) feet

b. ((When)) If a block is split into more than one ((+)) zone, the required right-of-way width is determined based on the requirement in Table A for Section 23.53.010 for the zone category with the most frontage ((shall determine the right of way width on the table)).

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1 If the zone categories have equal frontage, the one with the wider requirement shall be used to
2 determine the minimum right-of-way width.

3 3. Exceptions to ~~((R))~~required ~~((R))~~right-of-way ~~((W))~~widths. The Director, after
4 consulting with the Director of Transportation, may reduce the required right-of-way width for a
5 new street ~~((when))~~ if its ~~((located))~~ location in an environmentally critical area or buffer,
6 disruption of existing drainage patterns, or the presence ~~((removal))~~ of natural features such as
7 significant trees makes the required right-of-way width impractical or undesirable.
8

9 Section 60. Subsections A and D of Section 23.53.015, which section was last amended
10 by Ordinance 123046, are amended as follows:

11 **23.53.015 Improvement requirements for existing streets in residential and commercial**
12 **zones**

13 A. General ~~((R))~~requirements.

14 1. If new lots are proposed to be created, or if any type of development is
15 proposed in residential or commercial zones, existing streets abutting the lot(s) are required to be
16 improved in accordance with this Section 23.53.015 and Section 23.53.006, Pedestrian access
17 and circulation. A setback from the lot line, or dedication of right-of-way, may be required to
18 accommodate the improvements. One or more of the following types of improvements may be
19 required under this Section 23.53.015:
20
21

- 22 a. Pavement;
- 23 b. Curb installation;
- 24 c. Drainage;
- 25 d. Grading to future right-of-way grade;
- 26
- 27
- 28

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1 e. Design of structures to accommodate future right-of-way grade;

2 f. No-protest agreements; and

3 g. Planting of street trees and other landscaping.

4 ~~((A setback from the property line, or dedication of right-of-way, may be required to~~
5 ~~accommodate the improvements.))~~

6 2. Subsection 23.53.015.D ~~((of this section))~~ contains exceptions from the
7 standard requirements for street improvements, including exceptions for streets that already have
8 curbs, projects that are smaller than a certain size, and for special circumstances, such as location
9 in an environmentally critical area or buffer.

10 3. Off-site improvements, such as provision of drainage systems or fire access
11 roads, shall be required pursuant to the authority of this Code or other ordinances to mitigate the
12 impacts of development.

13 4. Detailed requirements for street improvements are located in the Right-of-Way
14 Improvements Manual.

15 5. The regulations in this ~~((section))~~ Section 23.53.015 are not intended to
16 preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to
17 mitigate adverse environmental impacts.

18 6. Minimum ~~((R))~~right-of-~~((W))~~way ~~((W))~~widths.

19 a. Arterials. The minimum right-of-way widths for arterials designated on
20 the Arterial street map, Section 11.18.010, are as specified in the Right-of-Way Improvements
21 Manual.

22 b. Nonarterial streets.

1) The minimum right-of-way width for an existing street that is not an arterial designated on the Arterial street map, Section 11.18.010, is as shown on Table A for 23.53.015.

Table A for 23.53.015: Minimum Right-of-Way Widths for Existing Nonarterial Streets

Zone Category		Required Right-of-Way Width
1.	SF, (LDT) LR1, LR2 and NC1 zones; and NC2 zones with a maximum height limit of 40 (') feet or less	40 feet
2.	LR3, (L4) MR, HR, NC2 zones with height limits of more than 40 (') feet, NC3, C1, C2 and S (C) M zones	52 feet

2) If a block is split into more than one zone, the required right-of-way width shall be determined based on the requirements in Table A for 23.53.015 for the zone category with the most frontage ~~((zone category with the most frontage shall determine the minimum width on Table A))~~. If the zone categories have equal frontage, the ~~((one with the wider requirement shall be used to determine the))~~ minimum right-of-way width is 52 feet.

* * *

D. Exceptions.

1. Streets ~~((W))~~with ~~((E))~~existing ~~((C))~~curbs~~((:))~~

a. Streets ~~((W))~~with ~~((R))~~right-of-~~((W))~~way ~~((G))~~greater ~~((F))~~than or ~~((E))~~equal to the ~~((M))~~minimum ~~((R))~~right-of-~~((W))~~way ~~((W))~~width. If a street with existing curbs abuts a lot and the existing right-of-way is greater than or equal to the minimum width established in subsection 23.53.015.A.6, but the roadway width is less than the minimum established in the Right-of-Way Improvements Manual, the following requirements shall be met:

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1 1) All structures on the lot shall be designed and built to
2 accommodate the grade of the future street improvements.

3 2) A no-protest agreement to future street improvements is
4 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King
5 County (~~Department of Records and Elections~~) Recorder.

6 3) Pedestrian access and circulation is required as specified in
7 23.53.006.

8 b. Streets ~~((W))~~with ~~((E))~~less than the ~~((M))~~minimum ~~((R))~~right-of-
9 ~~((W))~~way ~~((W))~~width. If a street with existing curbs abuts a lot and the existing right-of-way is
10 less than the minimum width established in subsection 23.53.015.A.6, the following
11 requirements shall be met:

12 1) Setback ~~((R))~~requirement. A setback equal to half the difference
13 between the current right-of-way width and the minimum right-of-way width established in
14 subsection 23.53.015.A.6 of this section is required; provided, however, that if a setback has
15 been provided under this provision, other lots on the block shall provide the same setback. In all
16 residential zones except Highrise zones, an additional 3 foot setback is also required. The area of
17 the setback may be used to meet any development standard, except that required parking may not
18 be located in the setback. Underground structures that would not prevent the future widening and
19 improvement of the right-of-way may be permitted in the required setback by the Director~~((, as a~~
20 ~~Type I decision))~~, after consulting with the Director of Transportation.
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1 4) Pedestrian access and circulation is required as specified in by
2 Section 23.53.006.

3 b. Other ((P))projects With ((R))reduced ((R))requirements. The types of
4 projects listed in this subsection 23.53.015.D.2.b are exempt from right-of-way dedication
5 requirements and are subject to the street improvement requirements of this subsection:

6 1) Types of ((P))projects.

7
8 i. Proposed developments that contain more than two but
9 fewer than ten units in SF, RSL, ((LDT)) and LR1 zones, or fewer than six residential units in all
10 other zones, or proposed short plats in which no more than two additional lots are proposed to be
11 created;

12 ii. The following uses if they are smaller than 750 square
13 feet of gross floor area: major and minor vehicle repair uses, and multipurpose retail sales;

14 iii. Nonresidential structures that have less than 4,000
15 square feet of gross floor area and that do not contain uses listed in subsection
16 23.53.015.D.2.b.1.ii that are larger than 750 square feet;

17 iv. Structures containing a mix of residential uses and either
18 nonresidential uses or live-work units, if there are fewer than ten units in SF, RSL, ((LDT)) and
19 LR1 zones, or fewer than six residential units in all other zones, and the square footage of
20 nonresidential use is less than specified in subsections 23.53.015.D.2.b.1.ii and D.2.b.1.iii;

21 v. Remodeling and use changes within existing structures;
22 vi. Additions to existing structures that are exempt from
23 environmental review; and
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1 a. Location in an environmentally critical area or buffer, disruption of
2 existing drainage patterns, or removal of natural features such as significant trees or other
3 valuable and character-defining mature vegetation makes widening and/or improving the right-
4 of-way impractical or undesirable.

5 b. The existence of a bridge, viaduct or structure such as a substantial
6 retaining wall in proximity to the project site makes widening and/or improving the right-of-way
7 impractical or undesirable.

8 c. Widening the right-of-way and/or improving the street would adversely
9 affect the character of the street, as it is defined in an adopted neighborhood plan or adopted City
10 plan for green streets, boulevards, or other special rights-of-way, or would otherwise conflict
11 with the stated goals of such a plan.

12 d. Widening and/or improving the right-of-way would preclude vehicular
13 access to an existing lot.

14 e. Widening and/or improving the right-of-way would make building on a
15 lot infeasible by reducing it to dimensions where development standards cannot reasonably be
16 met.

17 f. One or more substantial principal structures on the same side of the
18 block as the proposed project are located in the area needed for future expansion of the right-of-
19 way and the structure(s)' condition and size make future widening of the remainder of the right-
20 of-way unlikely.

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1 g. Widening and/or improving the right-of-way is impractical because
2 topography would preclude the use of the street for vehicular access to the lot, for example due
3 to an inability to meet the required 20 percent maximum driveway slope.

4 h. Widening and/or improving the right-of-way is not necessary because it
5 is adequate for current and potential vehicular traffic, for example, due to the limited number of
6 lots served by the development or because the development on the street is at zoned capacity.

7
8 Section 61. Subsection A of Section 23.53.025 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 122205, is amended as follows:

10 **23.53.025 Access easement standards((+))**

11 When access by easement has been approved by the Director, the easement shall meet the
12 following standards. Surfacing of easements, pedestrian walkways required within easements,
13 and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements
14 Manual.
15

16 A. Vehicle ((A))access ((E))easements ((S))erving ((Θ))one ((+)) or ((T))two ((2))
17 ((S))single ((F))family ((D))dwelling ((U))units or ((One (1) Duplex)) one multifamily
18 residential use with a maximum of two units((-)) shall meet the following standards:

19
20 1. Easement width shall be a minimum of ((ten (-))10((+)) feet, or ((twelve
21 (-))12((+)) feet if required by the Fire Chief due to distance of the structure from the easement.

22 2. No maximum easement length shall be set. If easement length is more than
23 ((one hundred fifty (-))150((+)) feet, a vehicle turnaround shall be provided.

24 3. Curbcut width from the easement to the street shall be the minimum necessary
25 for safety and access.
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1
2 Section 62. Subsections A, B, C, and D of Section 23.53.030 of the Seattle Municipal
3 Code, which section was last amended by Ordinance 123046, are amended as follows:

4 **23.53.030 Alley improvements in all zones**

5 A. General ~~((R))~~ requirements.

6
7 1. The regulations in this ~~((section))~~ Section 23.53.030 are not intended to
8 preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to
9 mitigate adverse environmental impacts.

10 2. Subsection 23.53.030.G ~~((of this section))~~ contains exceptions from the
11 standards requirements for alley improvements, including exceptions for projects ~~((which))~~ that
12 are smaller than a certain size and for special circumstances, such as location in an
13 environmentally critical area.

14
15 3. Detailed requirements for alley improvements are located in the Right-of-Way
16 Improvements Manual, which is adopted by joint rule of the Director and the Director of
17 Transportation.

18 B. New Alleys.

19
20 1. New alleys created through the platting process shall meet the requirements of
21 Subtitle III of this title, Platting Requirements.

22 2. The required right-of-way widths for new alleys shall be as shown on Table A
23 for Section 23.53.030.

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**Table A for Section 23.53.030:
Width of New Alley Rights-of-Way**

Zone Category	Right-of-Way Width
1. SF, ((LDT, L1)) LR1, NC1	12 ((')) feet
2. LR2, ((L3, L4)) LR3, NC2	16 ((')) feet
3. MR, HR, NC3, C1, C2, SM and all Industrial and Downtown zones	20 ((')) feet

3. ~~((When))~~ If an alley abuts lots in more than one ~~((1))~~ zone category, the minimum alley width shall be determined based on the requirements in Table A for Section 23.53.030 for the zone category with the most frontage excluding Zone Category 1 ~~((the zone category with the most frontage on that block, excluding Zone Category 1, along both sides of the alley determines the minimum width on the table))~~. If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum alley width.

C. Definition of ~~((F))~~improved ~~((A))~~alley. In certain zones, alley access is required ~~((when))~~ if the alley is improved. For the purpose of determining ~~((when))~~ if access is required, the alley will be considered improved ~~((when))~~ if it meets the standards of this subsection 23.53.030.C.

1. Right-of-~~((W))~~way ~~((W))~~width~~((:))~~

a. The minimum width ~~((of a right-of-way which is))~~ for an alley to be considered to be improved shall be as shown on Table B for Section 23.53.030.

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2. ~~((When))~~ If an alley abuts lots in more than one ~~((1))~~ zone category, the minimum alley width shall be determined based on the requirements in Table C for Section 23.53.030 for the zone category with the most frontage excluding Zone Category 1 ~~((the zone category with the most frontage on that block along both sides of the alley, excluding Zone Category 1, determines the minimum width on ((the table))).~~ If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum alley width.

* * *

Section 63. Table B for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

23.54.015 Parking

* * *

B. Parking requirements for specific zones.

* * *

Table B for ((Section)) 23.54.015: PARKING FOR RESIDENTIAL USES	
Use	Minimum parking required
A. General Residential Uses	
A. Adult family homes	1 space for each dwelling unit
B. Artist's studio/dwellings	1 space for each dwelling unit
C. Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D. Caretaker's ((Q)) quarters	1 space for each dwelling unit
E. Congregate residences	1 space for each 4 residents
F. Cottage housing developments	1 space for each dwelling unit
((F)) G. Floating homes	1 space for each dwelling unit
((G)) H. Mobile home parks	1 space for each mobile home lot as defined in

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Table B for ((Section))23.54.015: PARKING FOR RESIDENTIAL USES	
Use	Minimum parking required
	Chapter 22.904
((H))I. Multifamily residential uses, except as provided in Sections B or C of this Table B for ((Section)) 23.54.015. (1)	1 space per dwelling unit.
((I))J. Nursing homes (2)	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
((J))K. Single-family ((residences)) dwelling units	1 space for each dwelling unit
B. Residential Use Requirements with Location Criteria	
((K))L. Residential uses in commercial and multifamily zones within urban centers or within the Station Area Overlay District (1)	No minimum requirement
<u>M. Residential uses in commercial and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use. (1)</u>	<u>No minimum requirement</u>
((L))N. Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 (1)	1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus .25 spaces per bedroom for dwelling units with 3 or more bedrooms
((M))O. Multifamily dwelling units within the Alki area shown on Map B for Section 23.54.015 (1)	1.5 spaces for each dwelling unit
C. Multifamily Residential Use Requirements with Income Criteria ((or Location Criteria and Income Criteria))	
<u>P. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income (3), for the life of</u>	<u>0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</u>

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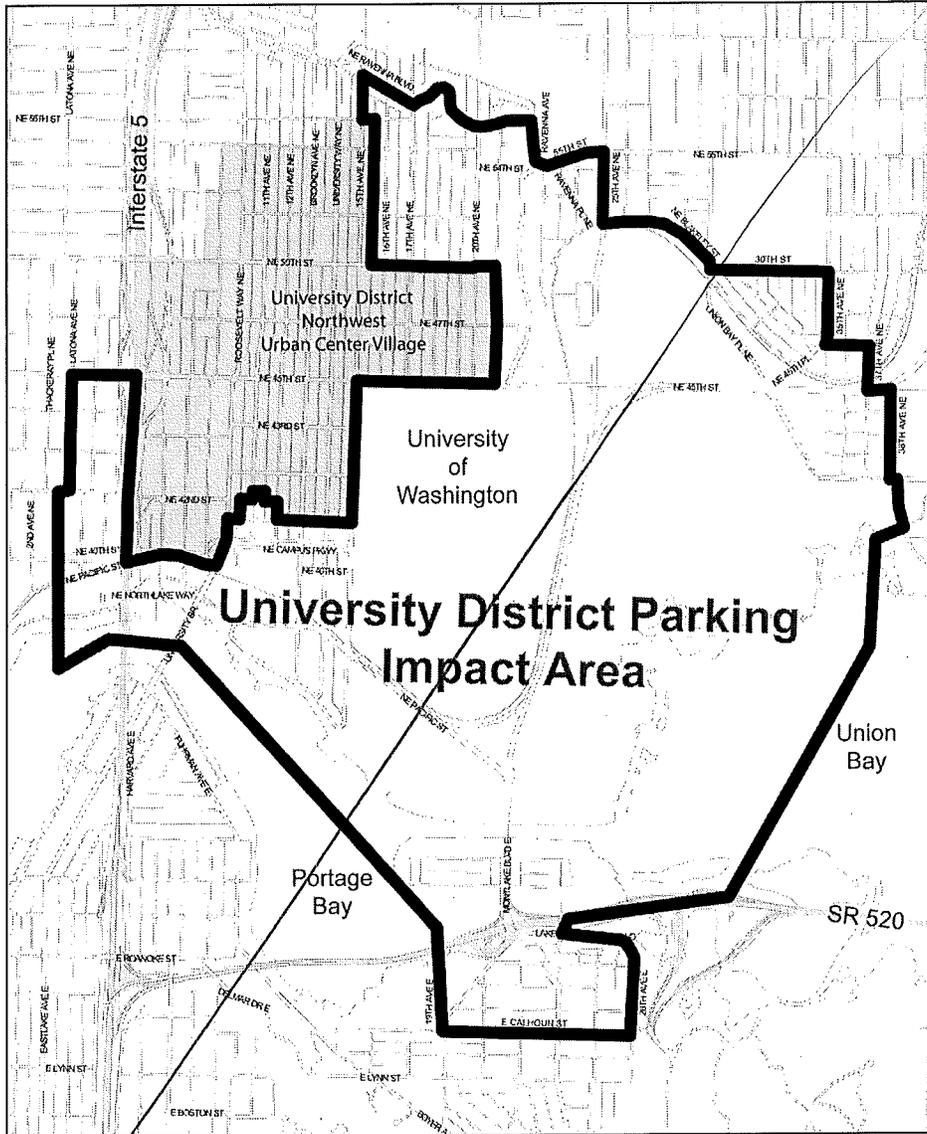
Table B for ((Section))23.54.015: PARKING FOR RESIDENTIAL USES	
Use	Minimum parking required
the building (1)	
Q. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income (3), for the life of the building (1)	0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
((Θ))R. Low-income disabled multifamily residential uses (1) (3) ((not located in urban centers or within the Station Area Overlay District))	1 space for each 4 dwelling units
((P))S. Low-income elderly/low-income disabled multifamily residential uses (1) (4) ((not located in urban centers or within the Station Area Overlay District))	1 space for each 5 dwelling units
<p><u>Footnotes for Table B for Section 23.54.015</u></p> <p>(1) The general requirement of line ((H)) I of Table B for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for Section 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section B of Table B for Section 23.54.015 requires more parking than line ((H)) I, the parking requirement in line ((H)) I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.</p> <p>(2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may ((, as a Type I decision,)) reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.</p> <p>(3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County ((Office of Records and Elections)) Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.</p>	

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Map A for 23.54.015: University District Parking Impact Area

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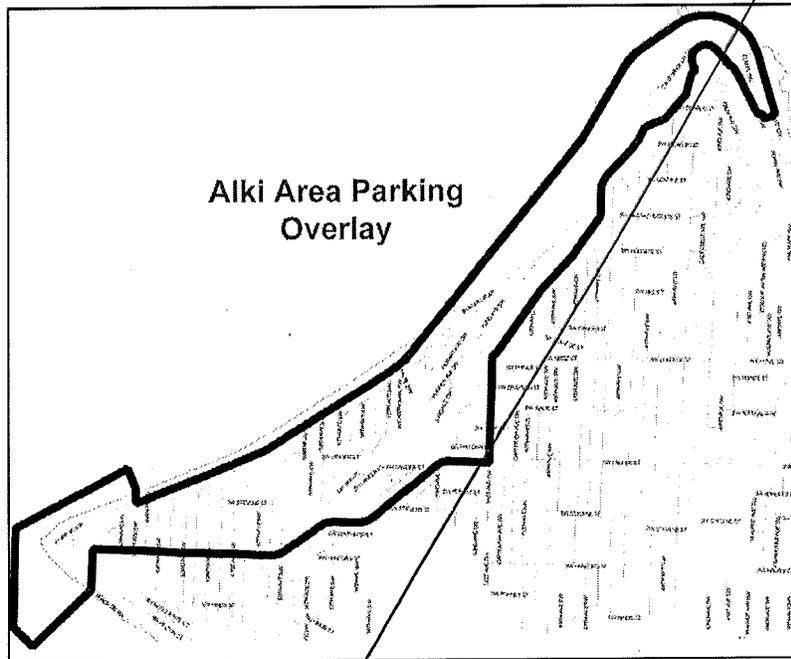
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Map B for 23.54.015: Alki Area Parking Overlay

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Map B for 23.54.015: Alki Area Parking Overlay



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Section 64. Subsections F and N of Section 23.54.020 of the Seattle Municipal Code, which section was last amended by Ordinance 123029, are amended as follows:

23.54.020 Parking quantity exceptions

* * *

F. Reductions to ~~((M))~~minimum ~~((P))~~parking ~~((R))~~requirements.

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1 1. Reductions to minimum parking requirements permitted by this subsection will
2 be calculated from the minimum parking requirements in Section 23.54.015. Total reductions to
3 required parking as provided in this subsection may not exceed 40 percent

4 2. Transit ~~((R))~~reduction.

5 a. In multifamily and commercial zones, the minimum parking
6 requirement for all uses ~~((may be))~~ is reduced by 20 percent ~~((when))~~ if the use is located within
7 ~~((800))~~ 1,320 feet of a street with ~~((midday))~~ frequent transit service ~~((headways of 15 minutes or~~
8 ~~less in each direction))~~. This distance will be the walking distance measured from the nearest
9 ~~((bus))~~ transit stop to the lot line of the lot containing the use.

10 b. In industrial zones, the minimum parking requirement for a
11 nonresidential use ~~((may be))~~ is reduced by 15 percent ~~((when))~~ if the use is located within
12 ~~((800))~~ 1,320 feet of a street with peak transit service headways of 15 minutes or less ~~((in each~~
13 ~~direction))~~. This distance will be the walking distance measured from the nearest ~~((bus))~~ transit
14 stop to the lot line of the lot containing the use.

15 3. In locations where there is a minimum parking requirement, the
16 Director may authorize a reduction or waiver of the parking requirement ~~((as a Type I decision~~
17 ~~when))~~ if dwelling units are proposed to be added to an existing structure in a multifamily or
18 commercial zone, in addition to the exception permitted in subsection 23.54.020.A.2, if the
19 conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in
20 subsections 23.54.020.A.3.c or d below are met:

21 a. The only use of the structure will be residential; and
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1 b. The lot is not located in either the University District Parking Overlay
2 Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

3 c. The topography of the lot or location of existing structures makes
4 provision of an off-street parking space physically infeasible in a conforming location; or

5 d. The lot is located in a residential parking zone (RPZ) and a current
6 parking study is submitted showing a utilization rate of less than 75 percent for on-street parking
7 within 400 feet of all lot lines.
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10 N. No parking is required for ~~((business establishments permitted))~~ commercial uses
11 permitted in multifamily zones pursuant to subsection 23.45.504.E.

12 Section 65. Section 23.54.025 of the Seattle Municipal Code, which section was enacted
13 by Ordinance 112777, is amended as follows:

14 **23.54.025 ~~((Parking covenants))~~ Off-site parking~~((=))~~**

15 ~~((When parking is provided on a lot other than the lot of the use to which it is accessory,~~
16 ~~the following conditions shall apply:~~

17 A. ~~The owner of the parking spaces shall be responsible for notifying the Director should~~
18 ~~the use of the lot for covenant parking cease. In this event, the principal use must be~~
19 ~~discontinued, other parking meeting the requirements of this Code must be provided within thirty~~
20 ~~(30) days, or a variance must be applied for within fourteen (14) days and subsequently granted.~~

21 B. ~~A covenant between the owner or operator of the principal use, the owner of the~~
22 ~~parking spaces and The City of Seattle stating the responsibilities of the parties shall be executed.~~
23 ~~This covenant and accompanying legal descriptions of the principal use lot and the lot upon~~
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1 ~~which the spaces are to be located shall be recorded with the King County Department of~~
2 ~~Records and Elections, and a copy with recording number and parking layouts shall be submitted~~
3 ~~as part of any permit application for development requiring parking.))~~

4 A. Where allowed. Off-site parking may be established by permit on a lot where the type
5 of parking proposed is allowed by the provisions of this Title 23, if the lot's location is an
6 eligible for parking accessory to the use for which the parking is required. If parking and
7 parking access, including the proposed off-site parking, are or will be the sole uses of a lot, or if
8 surface parking outside of structures will comprise more than half of the lot area, or if parking
9 will occupy more than half of the gross floor area of all structures on a lot, then a permit to
10 establish off-site parking may be granted only if principal use parking is a permitted use for such
11 lot.

12
13
14 B. Development standards.

15 1. Off-site parking shall satisfy the screening and landscaping requirements and
16 other development standards applicable where it is located, except to the extent that it is legally
17 nonconforming to development standards prior to establishment of the off-site parking use.
18 Unless otherwise provided, development standards regarding the relation of parking to structures
19 apply to off-site parking in the same manner as they apply to parking accessory to the uses in
20 such structures.

21
22 2. Parking allowed only as temporary surface parking does not qualify as off-site
23 parking.

24 3. Parking shall not be established as off-site parking for more than one use
25 unless authorized to be shared according to the shared parking provisions of this Chapter 23.54.
26

1 4. If maximum parking limits apply to a use, off-site parking permitted for that
2 use shall count against the maximum limit unless otherwise expressly stated in the provisions of
3 this Title 23 applicable to the lot where the use requiring parking is located.

4 C. Permit requirements.

5 1. When all or part of the required parking for a use is to be provided on a lot
6 other than the lot on which the use requiring parking is located, a permit must be obtained to
7 establish off-site parking for the use requiring parking as a use on the off-site parking lot.

8 2. The permit application must be submitted by or on behalf of the owner of the
9 off-site parking lot along with written consent of the owner of the lot on which the use requiring
10 parking is located, or such owner's authorized representative.

11 3. The permit may be issued only after the applicant has demonstrated that the
12 off-site parking complies with all applicable requirements of this Title 23. An application to
13 establish off-site parking, or to change the use for which off-site parking is provided, may be
14 considered as part of the application to establish, expand or change the use requiring off-site
15 parking.

16 D. Required notice.

17 1. When off-site parking is required parking for a use on any lot, notice of this
18 off-site parking arrangement shall be recorded with the King County Recorder for both lots. The
19 notice shall:

20 a. include legal descriptions of both the lots on which the use requiring
21 parking is located and the off-site parking lot; and

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1 b. identify by an attached drawing the number and location of spaces
2 established as off-site parking for the use requiring parking:

3 2. A copy of the notice, with attached drawing, shall be submitted as part of any
4 permit application for any use for which the off-site parking is to be used to satisfy all or part of
5 the parking requirement. Once the permit application is complete in every other respect, a copy
6 of the notice, with attached drawing and a recording number assigned by the King County
7 Recorder, shall be submitted prior to issuance of the permit.

8
9 E. Termination, change, or suspension of off-site parking use.

10 1. Except as otherwise provided in subsection F of this Section 23.54.025, in
11 order to terminate any off-site parking use, or to establish a new use for which off-site
12 parking will be provided on the off-site parking lot, a change of use permit is required. Such
13 a change of use permit shall not be issued unless:

14 a. the owner of the lot on which the use requiring parking is located
15 has been notified in writing of the change of use; and

16 b. the off-site parking is not required for any reason, which may
17 include one or more of the following:

18 1) the use requiring parking has been discontinued or reduced
19 in size;

20 2) the parking is no longer required by this Title 23;

21 3) other parking meeting the requirements of Title 23 has been
22 provided for the use requiring parking and, if it is off-site parking, established by permit;

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1 4. If a use requiring off-site parking is suspended as a result of fire, act of nature,
2 or other causes beyond the control of the owners, or for substantial renovation or reconstruction,
3 then subject to the applicable provisions in the zone or district where the off-site parking is
4 located, the Director may approve the temporary use of the off-site parking to serve one or more
5 other uses, or as general purpose parking, for a period not to exceed 180 days, subject to
6 extensions for not more than 180 days if at the end of the initial period or any extension the use
7 requiring parking has not recommenced.

8 5. No permit for the demolition of a structure including off-site parking,
9 established under this Section 24.54.025 or of any portion thereof necessary for such off-site
10 parking, shall be issued, except in case of emergency, unless the off-site parking use has been
11 terminated or temporarily suspended pursuant to this Section 23.54.025.E. If any such structure,
12 or such portion thereof, is destroyed as a result of fire, act of nature, or other causes beyond the
13 control of the owners, then the owner of the off-site parking lot may obtain a change of use
14 permit. Upon such destruction of off-site parking, the lot on which the use requiring parking will
15 be subject to Section 23.54.025 G.

16 F. Off-site parking established by covenant.

17 1. Off-site parking established by a covenant or other document approved by
18 the Director and recorded in the King County real property records consistent with this
19 Section 23.54.025 as in effect immediately prior to the effective date of this ordinance, if that
20 date is after either the date of vesting under Section 23.76.026 of the Master Use Permit
21 application with which the covenant was submitted or the date when such covenant or other
22 document was approved, may be used as required parking for the use(s) identified in such
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1 covenant to the extent to consistent with the Master Use Permit and any other conditions of
2 the Director's approval, without compliance with subsections 23.54.025.C and D, so long as
3 such off-site parking use is not discontinued for a period of 90 days, and subject to
4 compliance with any applicable development standards. The owner of any such off-site
5 parking spaces and the owner of the use requiring parking each are responsible for notifying
6 the Director should the use of any or all of those spaces as off-site parking for the use
7 requiring parking cease.

8
9 2. When maximum parking limits apply to a use requiring off-site parking,
10 off-site parking permitted for that use under this subsection 23.54.025.F shall count against
11 the maximum limit unless otherwise expressly stated in the provisions of this title that apply
12 to the lot where the use requiring parking is located.

13
14 3. Off-site parking established by covenant or other document approved by
15 the Director, and not by permit establishing off-site parking use, is not subject to the
16 requirements of subsection E of this section 23.54.025.

17
18 4. Any replacement off-site parking established by covenant in compliance
19 with subsection 23.54.025.G.5 shall be considered to have been established as described in
20 subsection 23.54.025. F.1.

21 G. Effect of loss of required off-site parking.

22
23 1. If, for any reason, any off-site parking used to satisfy the minimum
24 required parking for any use requiring parking is not available for off-site parking for such
25

1 use in conformity with the applicable use permit, then it shall be unlawful to continue the use
2 requiring parking unless:

3 a. other parking meeting the requirements of this Title 23 is provided
4 on the same lot as the use requiring parking within 30 days;

5
6 b. other off-site parking is secured, a permit is applied for to establish
7 the off-site parking use within 30 days, such permit is obtained within 180 days, and the
8 other off-site parking is completed in accordance with all applicable requirements and is in
9 use within 180 days unless the Director, upon finding that substantial progress toward
10 completion has been made and that the public will not be adversely affected by the extension,
11 grants an extension in writing;

12
13 c. the loss of off-site parking is caused by damage to or destruction of
14 a structure, and either

15
16 1) the owners of the off-site parking and of the lot of the use
17 requiring parking apply for a permit to establish other existing spaces on the off-site parking
18 lot as parking for such use within 90 days, and such permit is granted within 180 days; or

19
20 2) the owner of the off-site parking lot applies for any permit
21 necessary to repair or rebuild the structure so as to provide the off-site parking within 90
22 days, the off-site parking is completed in accordance with all applicable requirements within
23 180 days, unless the Director, upon finding that substantial progress toward completion has
24 been made and that the public will not be adversely affected by the extension, grants an
25 extension in writing, and if the location on the lot of the off-site parking is modified, the
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1 owner executes and records within 180 days an amendment to the notice identifying the
2 location of the off-site parking in the rebuilt or repaired structure; or

3 d. a variance is applied for within 30 days and subsequently granted;

4 or

5
6 e. the off-site parking was exempt, under subsection 23.54.025.F,
7 from the requirements of subsections C, D, and E of this section 23.54.025, and within 30
8 days substitute off-site parking, on a lot where such parking is permitted by the provisions of
9 this Title 23 and consistent with all applicable development standards, is provided and
10 established by recorded covenant consistent with the terms of this Section 23.54.025 as in
11 effect immediately prior to the effective date of this ordinance.

12
13 2. Unless a variance is applied for within such 30 day period and not
14 denied, upon the expiration of any applicable period in subsections 23.54.025.G.1, G.2 or
15 G.3 without the completion of the action or actions required, the use requiring parking shall
16 be discontinued to the extent necessary so that the remaining parking for that use satisfies the
17 applicable minimum parking requirement. Upon the denial of a variance from parking
18 requirements the use requiring parking must be discontinued to that extent, unless the
19 conditions of subsection 23.54.025.G.1, G.2, G.3 or G.5 are then satisfied. Each period
20 stated in this subsection 23.54.025.G runs from the first date upon which spaces established
21 as off-site parking are not available for use as off-site parking.

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24 H. Signage.
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1 Signage for off-site parking is required, subject to the applicable restrictions in the zone
2 or district, both on the same lot as the use requiring parking and on the off-site parking lot, as
3 follows:

4 1. One or more signs, each of a size and at a location to be approved by the
5 Director, must be placed on the same lot as the use requiring parking indicating the address of
6 the off-site parking and that it is available to one or more user groups (e.g., customers,
7 employees, residents).

8 2. One or more signs, each of a size and at a location to be approved by the
9 Director, must be placed on the off-site parking lot identifying the use(s) served by the parking
10 spaces, and sufficient signage shall be provided to clearly specify the spaces that are reserved for
11 each use requiring parking and, if applicable, the days and times when the spaces are so reserved.

12 3. The Director may allow the use of temporary signage for off-site parking
13 -serving spectator sports facilities.

14 I. Management and operation of off-site parking. If a party other than the owner of the
15 off-site parking lot is responsible for its management and operation, the Director may require
16 verification from the owner of the off-site parking lot that the party responsible for its
17 management and operation has been apprised of the requirements of this section 23.54.025 and
18 any applicable permits.

19 Section 66. Subsections B and D of Section 23.54.030 of the Seattle Municipal Code,
20 which section was last amended by Ordinance 123209, are amended as follows:

21 **23.54.030 Parking space standards**

22 * * *

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1 B. Parking ((S))space ((R))requirements. The required size of parking spaces shall be
2 determined by whether the parking is for a residential, nonresidential or live-work use. In
3 structures containing both residential and either nonresidential uses or live-work units, parking
4 that is clearly set aside and reserved for residential use shall meet the standards of subsection
5 23.54.030.B.1; otherwise, all parking for the structure shall meet the standards of subsection
6 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Building
7 Code, Subtitle 1 of Title 22, or the Residential Code, Subtitle 1a of Title 22.
8

9 1. Residential ((U))uses.

10 a. When five or fewer parking spaces are provided, the minimum required
11 size of a parking space shall be for a medium car, as described in subsection A₂ of this Section
12 23.54.030, except as provided in subsection 23.54.030.B.1.d.

13 b. When more than five parking spaces are provided, a minimum of 60
14 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a
15 medium parking space shall also be the maximum size. Forty percent of the parking spaces may
16 be striped for any size, provided that when parking spaces are striped for large vehicles, the
17 minimum required aisle width shall be as shown for medium vehicles.

18 c. Assisted ((L))living ((F))facilities. Parking spaces shall be provided as
19 in subsections 23.54.030.B.1.a and B₁.b above, except that a minimum of two spaces shall be
20 striped for a large vehicle.

21 d. Townhouse units. For an individual garage serving a townhouse unit,
22 the minimum required size of a parking space shall be for a large car, as described in subsection
23 23.54.030.A.
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2. Nonresidential ~~((U))~~uses and ~~((L))~~live-work ~~((U))~~units.

1
2 a. When ten or fewer parking spaces are provided, a maximum of 25
3 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the
4 spaces shall be striped for large vehicles.

5 b. When between 11 and 19 parking spaces are provided, a minimum of
6 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size
7 for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the
8 parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall
9 be striped for large vehicles.

10 c. When 20 or more parking spaces are provided, a minimum of 35
11 percent of the parking spaces shall be striped for small vehicles. The minimum required size for
12 small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking
13 spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped
14 for large vehicles.

15 d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at
16 least one floor, and there shall be at least one direct entrance from the street that is at least 6 feet
17 9 inches in height for all parking garages accessory to nonresidential uses and live-work units
18 and for all principal use parking garages.

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22 * * *

23 D. Driveways. Driveway requirements for residential and nonresidential uses are
24 described below. When a driveway is used for both residential and nonresidential parking, it
25 shall meet the standards for nonresidential uses described in subsection 23.54.030_D.2.
26
27

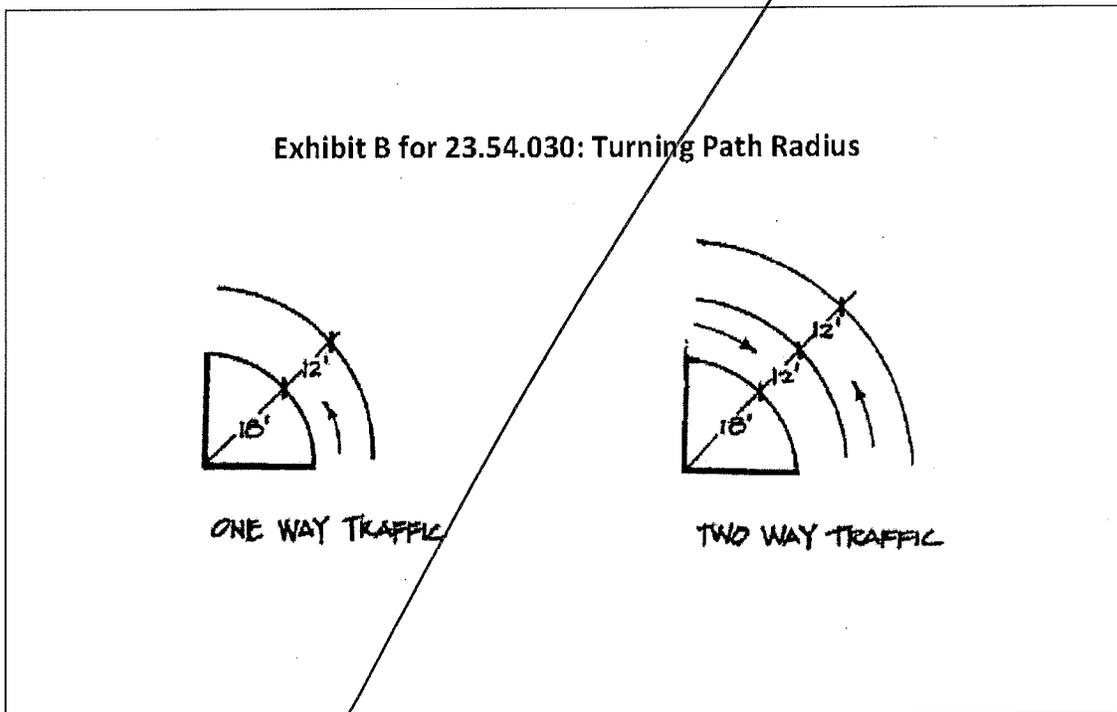
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1. Residential ((U))uses.

a. Driveways shall be at least 10 feet wide. Driveways with a turning radius of more than 35 degrees shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

Exhibit B for 23.54.030: Turning Path Radius



b. Vehicles may back onto a street from a parking area serving five or fewer vehicles, provided that:

1) The street is not an arterial as defined in Section 11.18.010 of the Seattle Municipal Code;

2) ((The slope of a driveway shall be 15 percent on average, measured from high to low points.)) The slope of the driveway does not exceed 10 percent in the

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1 first 20 feet from the lot line. The ends of a driveway shall be adjusted to accommodate an
2 appropriate crest and sag.

3 3) For one single-family structure, the Director may waive the
4 requirements of subsections 23.54.030.D.1.b.(1) and (2) above, and may modify the parking
5 access standards based upon a safety analysis(~~(, addressing)~~) that addresses visibility, traffic
6 volume, and other relevant issues.

7
8 c. Driveways less than 100 feet in length that serve 30 or fewer parking
9 spaces(~~(,)~~) shall be a minimum of 10 feet in width for one way or two way traffic.

10 d. Except for driveways serving one single-family dwelling, driveways
11 more than 100 feet in length that serve 30 or fewer parking spaces shall either:

12 1) Be a minimum of 16 feet wide, tapered over a 20 foot distance
13 to a 10 foot opening at the lot line; or

14 2) Provide a passing area at least 20 feet wide and 20 feet long.
15 The passing area shall begin 20 feet from the lot line, with an appropriate taper to meet the 10
16 foot opening at the lot line. If a taper is provided at the other end of the passing area, it shall have
17 a minimum length of 20 feet.

18
19 e. Driveways serving more than 30 parking spaces shall provide a
20 minimum 10 foot wide driveway for one way traffic or a minimum 20 foot wide driveway for
21 two way traffic.

22
23 f. Nonconforming (~~(D)~~) driveways. The number of parking spaces served
24 by an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall

1 not be increased. This prohibition may be waived by the Director after consulting with the
2 Director of the Seattle Department of Transportation, based on a safety analysis.

3 2. Nonresidential Uses.

4 a. Driveway Widths.

5 1) The minimum width of driveways for one way traffic shall be
6 12 feet and the maximum width shall be 15 feet.

7 2) The minimum width of driveways for two way traffic shall be
8 22 feet and the maximum width shall be 25 feet.

9 b. Driveways shall conform to the minimum turning path radius shown in
10 Exhibit B for 23.54.030.

11 3. Driveway ~~((S))~~ slope. No portion of a driveway, whether located on a lot or on a
12 right-of- way, shall exceed a slope of ~~((20))~~ 15 percent, except as provided in this subsection
13 23.54.030.D.3. The maximum ~~((20))~~ 15 percent slope shall apply in relation to both the current
14 grade of the right-of-way to which the driveway connects, and to the proposed finished grade of
15 the right-of-way if it is different from the current grade. The ends of a driveway shall be adjusted
16 to accommodate an appropriate crest and sag. The Director ~~((, as a Type I decision,))~~ may permit
17 a driveway slope of more than ~~((20))~~ 15 percent if it is found that:

18 a. The topography or other special characteristic of the lot makes a ~~((20))~~
19 15 percent maximum driveway slope infeasible;

20 b. The additional amount of slope permitted is the least amount necessary
21 to accommodate the conditions of the lot; and

22 c. The driveway is still useable as access to the lot.

* * *

1
2 Section 67. The Title of Chapter 23.54 of the Seattle Municipal Code, which Chapter
3 was last amended by Ordinance 123209, is amended as follows:

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

6 Section 68. A new Section 23.54.040 of the Seattle Municipal Code is added as follows:

7 **23.54.040 Solid waste and recyclable materials storage and access**

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

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

17
18 2. Residential development for which a home ownership association or other
19 single entity exists or will exist as a sole source for utility billing may meet the requirement in
20 subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.

21 3. Nonresidential development shall meet the requirement in Table A for
22 23.54.040.

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Table A for 23.54.040: Shared Storage Space for Solid Waste Containers

Residential Development	Minimum Area for Shared Storage Space
2-8 dwelling units	84 square feet
9-15 dwelling units	150 square feet
16-25 dwelling units	225 square feet
26-50 dwelling units	375 square feet
51-100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C
Nonresidential Development (Based on gross floor area of all structures on the lot)	Minimum Area for Shared Storage Space
0--5,000 square feet	82 square feet
5,001--15,000 square feet	125 square feet
15,001--50,000 square feet	175 square feet
50,001--100,000 square feet	225 square feet
100,001--200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed use development that contains both residential and nonresidential uses, shall meet the requirements of subsection 23.54.040.B.	

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

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

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

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

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

8 3. If located outdoors, the storage space shall be screened from public view and
9 designed to minimize light and glare impacts.
10

11 E. The location of all storage spaces shall meet the following requirements:

12 1. The storage space shall be located on the lot of the structure it serves and, if
13 located outdoors, shall not be located between a street-facing facade of the structure and the
14 street;
15

16 2. The storage space shall not be located in any required driveways, parking
17 aisles, or parking spaces;

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

20 4. The storage space shall be located to minimize noise and odor impacts on
21 building occupants and beyond the lot lines of the lot;

22 5. The storage space shall meet the contractor safety standards promulgated by
23 the Director of Seattle Public Utilities; and
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1 6. The storage space shall not be used for purposes other than solid waste and
2 recyclable materials storage and access.

3 F. Access for service providers to the storage space from the collection location shall
4 meet the following requirements:

5 1. For containers 2 cubic yards or smaller:

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

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

10 c. Access ramps to the storage space shall not exceed a grade of 6 percent;

11 and

12 d. Any gates or access routes for trucks shall be a minimum of 10 feet
13 wide.
14

15 2. For containers larger than 2 cubic yards and all compacted refuse containers:

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

17 b. Any gates or access routes for trucks shall be a minimum of 10 feet
18 wide;
19

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

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

- 3 1. Direct access shall be provided from the alley or street to the containers;
4 2. A pick-up location within 50 feet of a curb cut or collection location shall be
5 designated that minimizes any blockage of pedestrian movement along a sidewalk or other right-
6 of-way;
7
8 3. If a planting strip is designated as a pick-up location, any required landscaping
9 shall be designed to accommodate the solid waste and recyclable containers within this area.

10 H. The solid waste and recyclable materials storage space, access and pick-up
11 specifications required in this Section 23.54.040, including the number and sizes of containers,
12 shall be included on the plans submitted with the permit application for any development subject
13 to the requirements of this Section 23.54.040.
14

15 I. The Director, in consultation with the Director of Seattle Public Utilities, has the
16 discretion to grant departures from the requirements of this Section 23.54.040, as a Type I
17 decision, if the applicant proposes alternative, workable measures that meet the intent of this
18 Section 23.54.040 and if either:
19

- 20 1. The applicant can demonstrate difficulty in meeting any of the requirements of
21 this Section 23.54.040; or
22 2. The applicant proposes to construct or expand a structure, and the requirements
23 of this Section 23.54.040 conflict with opportunities to increase residential densities and/or retain
24 ground-level retail uses.
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1 Section 69. Subsection C.1 of Section 23.57.011, which section was last amended by
2 Ordinance 123209, is amended as follows:

3 **23.57.011 Lowrise, Midrise and Highrise zones((S))**

4 * * *

5 C. Development ((S))standards.

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

- 8 a. Are prohibited in a required front or side setback.
9 b. May be located in a required rear setback, except for transmission
10 towers.
11 c. In all Lowrise, Midrise and Highrise zones, minor communication
12 utilities and accessory communication devices may be located on rooftops of buildings,
13 including sides of parapets and penthouses above the roofline. Rooftop space within the
14 following parameters shall not count toward meeting open space or ((residential)) amenity area
15 requirements: the area 8 feet from and in front of a directional antenna and at least 2 feet from
16 the back of a directional antenna, or, for an omnidirectional antenna, 8 feet away from the
17 antenna in all directions. The Seattle-King County Public Health Department may require a
18 greater distance for paging facilities after review of the Non-Ionizing Electromagnetic Radiation
19 (NIER) report.
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24 Section 70. Subsection C.1 of Section 23.57.012, which section was last amended by
25 Ordinance 122311, is amended as follows:
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1 **23.57.012 Commercial zones((τ))**

2 * * *

3 C. Development ((S))standards.

4 1. Location and ((H))height. Facilities in special review, historic, and landmark
5 districts are subject to the standards of Section 23.57.014. On sites that are not in special review,
6 historic, or landmark districts, antennas may be located on the rooftops of buildings, including
7 sides of parapets and equipment penthouses above the roofline, subject to the height limits in
8 ((Paragraphs)) subsections 23.57.012.1.a and 1.b, as limited by ((Paragraph)) subsection
9 23.57.012.1.c. below:

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

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

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

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

3 ~~((i))~~1) The area ~~((eight-))~~8(~~(-))~~ feet from and in front of a
4 directional antenna and the area ~~((two-))~~2(~~(-))~~ feet from and in back of a directional antenna.

5 ~~((ii))~~2) The area within ~~((eight-))~~8(~~(-))~~ feet in any direction from
6 an omnidirectional antenna.

7 ~~((iii))~~3) Such other areas in the vicinity of paging facilities as
8 determined by the Seattle-King County Health Department after review of the Non-Ionizing
9 Electromagnetic Radiation (NIER) report.
10

11 * * *

12 Section 71. Subsection B of Section 23.71.012 of the Seattle Municipal Code, which
13 Section was last amended by Ordinance 121477, is amended as follows:

14 **23.71.012 Special ~~((L))~~landscaped ~~((A))~~arterials(~~(-))~~**

15 * * *

16 B. ~~((When))~~ If an owner proposes substantial development on lots abutting special
17 landscaped arterials, the owner shall provide the following:
18

19 1. Street trees meeting standards established by the Director of Seattle Department
20 of Transportation(~~(-))~~.

21 2. A ~~((six-))~~6(~~(-))~~ foot planting strip and ~~((six-))~~6(~~(-))~~ foot sidewalk if the lot is
22 zoned SF, ~~((LDT,))~~ LR1, or LR2(~~(-))~~.
23
24
25
26
27
28

1 3. A ~~((six-))6(())~~ foot planting strip and a ~~((six-))6(())~~ foot sidewalk, or, at the
2 owner's option, a ~~((twelve-))12(())~~ foot sidewalk without a planting strip, if the lot is zoned
3 NC2, NC3, RC, ~~((L4))~~ LR3, or MR~~(())~~.

4 4. Pedestrian improvements, as determined by the Director of the Seattle
5 Department of Transportation, such as, but not limited to special pavers, lighting, benches and
6 planting boxes.

7
8 Section 72. Subsection B of Section 23.71.030, which section was enacted by Ordinance
9 116795, is amended as follows:

10 **23.71.030 Development standards for transition areas within the Northgate Overlay**

11 **District~~(())~~**

12 * * *

13
14 B. The requirements of this ~~((section))~~ Section 23.71.030 apply to development on lots in
15 the more intensive zones under the following conditions:

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

19
20 2. Where a lot zoned Neighborhood Commercial 2 or 3 (NC2, NC3) with a height
21 limit of ~~((forty-))40(())~~ feet or greater abuts or is across a street or alley from a lot zoned
22 Single-Family (SF), ~~((Lowrise Duplex-Triplex (LDT),))~~ Lowrise 1 (LR1), or Lowrise 2 (LR2).

23 * * *

24
25 Section 73. Section 23.71.036 of the Seattle Municipal Code, which section was enacted
26 by Ordinance 116795, is amended as follows:

THIS VERSION IS NOT ADOPTED



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

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

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

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

Section 74. Subsection A of Section 23.76.004, and Exhibit 23.76.004 A of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended to read as follows:

23.76.004 Land use decision framework((:))

A. Land use decisions are classified into five (((5))) categories based on the amount of discretion and level of impact associated with each decision. Procedures for the five (((5)))

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different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are categorized by type in ~~((Exhibit A))~~ Table A for 23.76.004.

* * *

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

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III HEARING Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Compliance with development standards • Uses permitted outright • Temporary uses, four weeks or less • Intermittent uses • Certain street uses • Lot boundary adjustments • Modifications of features bonused under Title 24 • Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation • Temporary uses for relocation of police and fire stations • Exemptions from right-of-way improvement requirements • Special accommodation • Reasonable 	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations • Variances • Administrative conditional uses • Shoreline decisions (*Appealable to Shorelines Hearings Board along with all related environmental appeals) • Short subdivisions • Special Exceptions • Design review, <u>except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested, other than to preserve an exceptional tree</u> • Light rail transit facilities • The following environmental determinations: 	<ul style="list-style-type: none"> Subdivisions (preliminary plats)

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

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III HEARING Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • accommodation • Minor amendment to a Major Phased Development Permit • Determination of public benefit for combined lot FAR • Determination of whether an amendment to a Property Use and Development Agreement is major or minor • <u>Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are requested, other than to preserve an exceptional tree</u> • Other Type I decisions that are identified as such in the Land Use Code 	<ol style="list-style-type: none"> 1. Determination of nonsignificance (EIS not required) 2. Determination of final EIS adequacy 3. Determination of significance based solely on historic and cultural preservation 4. A decision by the Director to approve, condition or deny a project based on SEPA Policies 5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required) <ul style="list-style-type: none"> • Major Phased Development • Downtown Planned Community Developments 	

* * *

Section 75. Subsections B and C of Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 122824, are amended to read as follows:

23.76.006 Master Use Permits required((=))

* * *

B. The following decisions are Type I:

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1. Determination that a proposal complies with development standards;
2. Establishment or change of use for uses permitted outright, temporary uses for four weeks or less not otherwise permitted in the zone, and temporary relocation of police and fire stations for 24 months or less;
3. The following street use approvals associated with a development proposal:
 - a. Curb cut for access to parking((5));
 - b. Concept approval of street improvements, such as additional on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving((5));
 - c. Structural building overhangs((5));
 - d. Areaways;
4. Lot boundary adjustments;
5. Modification of the following features bonused under Title 24:
 - a. Plazas((5));
 - b. Shopping plazas((5));
 - c. Arcades((5));
 - d. Shopping arcades((5));
 - e. Voluntary building setbacks;
6. Determinations of Significance (determination that an environmental impact statement is required) for Master Use Permits and for building, demolition, grading and other construction permits (supplemental procedures for environmental review are established in Chapter 25/05, Environmental Policies and Procedures), except for Determinations of Significance based solely on historic and cultural preservation;

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1 7. Discretionary exceptions for certain business signs authorized by Section
2 23.55.042D;

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

4 9. Special accommodation pursuant to Section 23.44.015;

5 10. Reasonable accommodation;

6 11. Minor amendment to Major Phased Development Permit;

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

8 13. Streamlined design review pursuant to Section 23.41.018, if no development
9 standard departures are requested pursuant to Section 23.41.012, other than for the purpose of
10 preserving an exceptional tree; and

11 ((13))14. Other Type I decisions that are identified as such in the Land Use Code.

12 C. The following are Type II decisions:

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

- 18 a. Determinations of Nonsignificance (DNSs), including mitigated DNSs;
19 b. Determination that a final environmental impact statement (EIS) is
20 adequate; and
21 c. Determination of Significance based solely on historic and cultural
22 preservation.

1 2. The following decisions, including any integrated decisions to approve,
2 condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner (except
3 shoreline decisions and related environmental determinations, which are appealable to the
4 Shorelines Hearings Board):

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

11 b. Short subdivisions;

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

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

16 e. Design review, including streamlined design review pursuant to Section
17 23.41.018 if development standard departures are requested pursuant to Section 23.41.012, other
18 than for the purpose of preserving an exceptional tree;

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

22 g. The following shoreline decisions (supplemental procedures for
23 shoreline decisions are established in Chapter 23.60):
24
25
26

1 ((f))1) Shoreline substantial development permits,

2 ((f))2) Shoreline variances,

3 ((f))3) Shoreline conditional uses;

4 h. Major Phased Development;

5 i. Determination of project consistency with a planned action ordinance
6 and EIS;

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

9 k. Establishment of monorail transit facilities necessary to operate and
10 maintain a monorail transit system, in accordance with the provisions of Section 23.80.004 and
11 Section 15.54.020; and

12 l. Downtown planned community developments.

13 * * *

14 Section 76. Section 23.76.011 of the Seattle Municipal Code, which Section was last
15 amended by Ordinance 122054, is amended as follows:

16 **23.76.011 Notice of ((early)) design guidance and planned community development**
17 **process((r))**

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

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

2. Mailed notice; and

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

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

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

Section 77. Subsection B of Section 23.76.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 121477, is amended as follows:

23.76.012 Notice of application~~((r))~~

* * *

B. Types of ~~((N))~~notice ~~((R))~~required.

1. For projects subject to environmental review, or design review~~((except administrative design review))~~ pursuant to Section 23.41.014, the department shall direct the installation of an environmental review sign on the site, unless an exemption or alternative posting as set forth in this subsection 23.76.012.B is applicable. The environmental review sign shall be located so as to be clearly visible from the adjacent street or sidewalk, and shall be removed at the direction of the department after final City action on the application has been completed.

1 a. In the case of submerged land, the environmental review sign shall be
2 posted on adjacent dry land, if any, owned or controlled by the applicant. If there is no adjacent
3 dry land owned or controlled by the applicant, notice shall be provided according to subsection
4 23.76.012.B.1.c.

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

8 c. When use of an environmental review sign is neither feasible nor
9 practicable to assure that notice is clearly visible to the public, the Director shall post ten ~~((40))~~
10 placards within ~~((three hundred ()))~~ 300 ~~(())~~ feet of the site and at the closest street intersections
11 when one ~~((1))~~ or more of the following conditions exist:
12

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

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

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

19 d. The Director may require both an environmental review sign and the
20 alternative posting measures described in subsection 23.76.012.B.1.c, or may require that more
21 than one ~~((1))~~ environmental review sign be posted, when necessary to assure that notice is
22 clearly visible to the public.
23
24
25
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27
28

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1 2. For projects that are categorically exempt from environmental review, the
2 department shall post one ~~((4))~~ land use sign visible to the public at each street frontage
3 abutting the site except, when there is no street frontage or the site abuts an unimproved street,
4 the Director may post more than one ~~((4))~~ sign and/or an alternative posting location so that
5 notice is clearly visible to the public. The land use sign may be removed by the applicant within
6 ~~((fourteen-))14(())~~ days after final action on the application has been completed.

7
8 3. For all projects requiring notice of application, the Director shall provide notice
9 in the Land Use Information Bulletin. For projects subject to the environmental review, notice in
10 the Land Use Information Bulletin shall be published after installation of the environmental
11 review sign.

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

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

22 6. Additional notice for subdivisions shall include mailed notice and publication
23 in at least one ~~((4))~~ community newspaper in the area affected by the subdivision.
24
25
26
27

THIS VERSION IS NOT APPROVED



* * *

1
2 Section 78. Section 23.76.026 of the Seattle Municipal Code, which Section was last
3 amended by Ordinance 122611, is amended as follows:

4 **23.76.026 Vesting ~~((of development rights))~~**

5 A. Master Use Permit ~~((€))~~components ~~((Θ))~~other ~~((ℱ))~~than ~~((§))~~subdivisions and
6 ~~((§))~~short ~~((§))~~subdivisions. Except as otherwise provided in this Section 23.76.026 or otherwise
7 required by law, ~~((A))~~applications for all Master Use Permit components except subdivisions and
8 short subdivisions shall be considered under the Land Use Code and other land use control
9 ordinances in effect on the date:

10
11 1. Notice of the Director's decision on the application is published, if the decision
12 can be appealed to the Hearing Examiner, or the Director's decision if no Hearing Examiner
13 appeal is available; or

14
15 2. A fully complete building permit application, ~~((meeting the requirements of))~~
16 as determined under Section 106 of the Seattle Building Code or Section R105 of the Seattle
17 Residential Code, is filed.

18 B. Subdivision and ~~((§))~~short ~~((§))~~subdivision ~~((€))~~components of Master Use Permits.
19 An application for approval of a subdivision or short subdivision of land shall be considered
20 under the Land Use Code and other land use control ordinances in effect when a fully complete
21 ~~((Master Use Permit))~~ application for such approval that satisfies the requirements of Section
22 23.22.020 (subdivision) or Sections 23.24.020 and 23.24.030 (short subdivision) is submitted to
23 the Director.
24

25 C. Design ~~((R))~~review ~~((€))~~component of Master Use Permits.
26
27

THIS VERSION IS NOT APPROVED



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

4 2. A complete application for a Master Use Permit that includes a design review
5 component shall be considered under the Land Use Code and other land use control ordinances
6 in effect on the date a complete application for the ((design review)) early design guidance
7 process or SDR guidance process is submitted to the Director, provided that such Master Use
8 Permit application is filed within ((ninety (90)) days of the date of the early design guidance
9 public meeting if an early design guidance public meeting is required.

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

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

22 1. ~~No notice of the Director's decision on an application for a Master Use Permit
23 shall be published unless the Director is satisfied that no significant changes in conditions at the
24 site or surrounding area have occurred that render invalid or out of date the analysis and~~

THIS VERSION IS NOT APPROVED



1 ~~recommendations contained in the technical reports and other application materials previously~~
2 ~~submitted to DPD as part of the application for the Master Use Permit;~~

3 ~~2. No building permit shall issue; and~~

4 ~~3. No approval of the foundation and site of a building or structure, as required by~~
5 ~~Section 108.5.2 of the Seattle Building Code, shall be granted. This suspension of vested rights~~
6 ~~shall not apply to the extent that development is permitted by the Director pursuant to~~
7 ~~subsections A, B, C, D, or E of Section 25.09.010.)~~ {RESERVED}

8
9 F. Applicants whose applications vest after the effective date of the ordinance introduced
10 as Council Bill 117014, but prior to the expiration of 180 days after the effective date of that
11 ordinance, may elect to have Section 23.86.006, Structure height, as it existed prior to the
12 effective date of that ordinance applied to their application. The applicant shall make the
13 election in writing and file it with the Director prior to the expiration of the 180 day period.

14
15 Section 79. Subsection B of Section 23.76.040 of the Seattle Municipal Code, which
16 section was last amended by Ordinance 122497, is amended as follows:

17 **23.76.040 Applications for Council land use decisions((=))**

18 * * *

19
20 B. All applications for Council land use decisions shall be made to the Director on a form
21 provided by the Department. ((The Director shall:))

22 1. ((for)) For Council land use decisions that do not include a design review
23 component and are not applications for Major Institution Master Plans, the Director shall
24 transmit notice of the application to the City Clerk for filing with the City Council promptly after
25 the application is first submitted.

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1 2. ~~((for))~~ For Council land use decisions that include a design review component
2 the Director shall:

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

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

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

13 * * *

14 Section 80. Section 23.84A.002 of the Seattle Municipal Code, which section was last
15 amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical
16 order, and to amend a definition, as follows:

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

18 * * *

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

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

3 "Amenity area, private" means amenity area that is intended to be used only by the
4 occupants of one dwelling unit.

5 * * *

6 "Apartment" ((means a multi-family structure in which one (1) or more of the dwelling
7 units is not ground-related)) See "Residential use".

8 * * *

9
10 "Assisted living unit" is a dwelling unit in an assisted living facility that meets the size
11 and physical requirements required by WAC 388-110-140.

12 * * *

13
14 Section 81. Section 23.84A.006 of the Seattle Municipal Code, which section was last
15 amended by Ordinance 123209, is amended to add definitions, to be inserted in alphabetical
16 order, to delete a definition, and to amend a definition, as follows:

17 **23.84A.006 "C"**

18 * * *

19
20 "Carriage house" means a dwelling unit in a carriage house structure.

21 "Carriage house structure" means a structure within a cottage housing development, in
22 which one or more dwelling units are located on the story above an enclosed parking garage at
23 ground level that either abuts an alley and has vehicle access from that alley, or is located on a
24 corner lot and has access to the parking in the structure from a driveway that abuts and runs
25 parallel to the rear lot line of the lot. See also "Carriage house".

* * *

1
2 (~~“Cluster development” means a development containing two (2) or more principal~~
3 ~~structures on one (1) lot, except that a cottage housing development is not considered a cluster~~
4 ~~development. In Highrise zones, two (2) or more towers on one (1) base structure will be~~
5 ~~considered a cluster development.))~~

* * *

7
8 “Cottage” means a single-family dwelling unit located in a cottage housing development.

9 “Cottage housing development”. See “Residential use”. ((means a development
10 consisting of at least four (4) cottages that are single family dwelling units arranged on at least
11 two (2) sides of a common open space with a maximum of twelve (12) cottages per
12 development.))

* * *

14
15 Section 82. Section 23.84A.010 of the Seattle Municipal Code, which section was last
16 amended by Ordinance 122411, is amended to delete a definition as follows:

17 **23.84A.010 “E”**

* * *

18
19
20 (~~“Elevated walkway” means a pedestrian walkway connecting structures within a cluster~~
21 ~~development and located above existing grade.))~~

* * *

22
23 Section 83. Section 23.84A.012 of the Seattle Municipal Code, which section was last
24 amended by Ordinance 122311, is amended to add a definition, to be inserted in alphabetical
25 order, to delete a definition, and to amend two definitions, as follows:
26

THIS VERSION IS NOT FINAL



1 **23.84A.012 "F"**

2 * * *

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

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

8 * * *

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

- 12
- 13 1. oriented at less than a (~~(ninety (°))~~)90(~~(°))~~) degree angle to the street lot line; and
 - 14 2. not separated from the street lot line by another lot, or any structure except a fence,
15 ramp, solar collector, or sign(~~((or another lot)).~~)

16 * * *

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

18 * * *

19 Section 84. Section 23.84A.014 of the Seattle Municipal Code, which section was last
20 amended by Ordinance 123378, is amended to delete two definitions as follows:

21 **23.84A.014 "G"**

22 * * *

THIS VERSION IS NOT ADOPTED



1 Section 87. Section 23.84A.032 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122935, is amended to delete definitions, amend definitions, and add new
3 definitions, to be inserted in alphabetical order, as follows:

4 **23.84A.032 "R."**

5 * * *

6
7 (~~"Residential amenity" means an area that provides opportunity for recreational activity~~
8 ~~for residents of a development or structure.~~)

9 * * *

10
11 "Residential district identification sign" means an off-premises sign that gives the name
12 of the group of residential structures, such as a subdivision (~~or cluster development~~).

13 * * *

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

15 1. "Accessory dwelling unit" means (~~a residential use in an additional room or~~
16 ~~set of) one or more rooms that (a) are located within an owner-occupied (~~single family~~
17 ~~residence)) dwelling unit, or within an accessory structure on the same lot as an owner-occupied~~
18 ~~(single family residence)) dwelling unit; ~~(;)~~ (b) (~~meeting~~) meet the standards of Section~~
19 ~~23.44.041 or 23.45.545; ~~(and)~~ (c) are designed, arranged, and (~~occupied or~~) intended to be~~
20 ~~occupied by not more than one household as living accommodations independent from any other~~
21 ~~household; and (d) are so occupied or vacant.~~~~

22
23 2. "Adult family home" means (~~a residential use as~~) an adult family home
24 ~~defined and licensed as such by The State of Washington in a dwelling unit.~~

THIS VERSION IS NOT ADOPTED



1 3. “Apartment” means a multifamily residential use that is not a cottage housing
2 development, rowhouse development, or townhouse development.

3 ~~((3))~~4. “Artist’s studio/dwelling” means a combination working studio and
4 dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one
5 household.

6 ~~((4))~~5. “Assisted living facility” means a use licensed by The State of Washington
7 as a boarding home pursuant to RCW 18.20, that contains at least two assisted living units for
8 people who have either a need for assistance with activities of daily living (which are defined as
9 eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and
10 bathing) or some form of cognitive impairment but who do not need the skilled critical care
11 provided by nursing homes. ((An “assisted living facility” contains multiple assisted living units.
12 An assisted living unit is a dwelling unit permitted only in an assisted living facility.)) See
13 “Assisted living unit.”

14 ~~((5))~~6. “Caretaker’s quarters” means a use accessory to a nonresidential use
15 consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a
16 caretaker or watchperson.

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

18 ~~((7))~~7. “Congregate residence” means a use in which rooms or lodging, with or
19 without meals, are provided for nine or more non-transient persons not constituting a single
20 household, excluding single-family ~~((residences))~~ dwelling units for which special or reasonable
21 accommodation has been granted.

THIS VERSION IS NOT APPROVED



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

5 ~~((8))~~9. “Detached accessory dwelling unit” means ((a residential use in an
6 additional room or set of rooms located within an accessory structure on the same lot as an
7 owner occupied single family residence meeting the standards of Section 23.44.041 and
8 designed, arranged, occupied or intended to be occupied by not more than one household as
9 living accommodations independent from any other household)) an accessory dwelling unit in an
10 accessory structure.

11 ~~((9))~~10. “Domestic violence shelter” means a dwelling unit managed by a
12 nonprofit organization, which unit provides housing at a confidential location and support
13 services for victims of ((family)) domestic violence.

14 ~~((10))~~11. “Floating home” means a dwelling unit constructed on a float that is
15 moored, anchored or otherwise secured in the water.

16 ~~((11))~~12. “Mobile home park” means ((a use in which)) a tract of land that is
17 rented for the use of more than one mobile home occupied as a dwelling unit.

18 ~~((12))~~13. “Multifamily residential use” means a use consisting of two or more
19 dwelling units in a structure or ((that)) portion of a structure ((containing two or more dwelling
20 units)), excluding ((single family residences and)) accessory dwelling units.

21 ~~((13))~~14. “Multifamily residential use, low-income disabled” means a
22 multifamily residential use in which at least 90 percent of the dwelling units are occupied by one
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24
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1 or more persons who have a handicap as defined in the Federal Fair Housing Amendments Act
2 and who constitute a low-income household.

3 ~~((14))~~15. "Multifamily residential use, low-income elderly" means a residential
4 use in which at least 90 percent of the dwelling units are occupied by one or more persons
5 ~~((sixty-two))~~ 62 or more years of age who constitute a low-income household.

6 ~~((15))~~16. "Multifamily residential use, low-income elderly/low-income disabled"
7 means a multifamily residential use in which at least 90 percent of the dwelling units (not
8 including vacant units) are occupied by a low-income household that includes a person who has
9 a handicap as defined in the Federal Fair Housing Amendment Act or a person ~~((sixty-two))~~ 62
10 years of age or older, as long as the housing qualifies for exemptions from prohibitions against
11 discrimination against families with children and against age discrimination under all applicable
12 fair housing laws and ordinances.

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

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

20 18. ~~"Multifamily residential use, very low income elderly/very low income
21 disabled" means a multifamily residential use in which at least 90 percent of the dwelling units
22 (not including vacant units) are occupied by a very low income household that includes a person~~

1 ~~who has a handicap as defined in the Federal Fair Housing Amendments Act or a person sixty-~~
2 ~~two years of age or older, as long as the housing qualifies for exemptions from prohibitions~~
3 ~~against discrimination against families with children and against age discrimination under all~~
4 ~~applicable fair housing laws and ordinances.))~~

5 ((19))17. "Nursing home" means a ~~((residence, licensed by the state,))~~ use
6 licensed by The State of Washington as a nursing home, which provides full-time convalescent
7 and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to
8 care for themselves, but that does not provide care for the acutely ill or surgical or obstetrical
9 services. This definition excludes hospitals or sanitariums.

10
11 19. "Rowhouse Development" means a multifamily residential use in which: (a) each
12 dwelling unit occupies the space from the ground to the roof of the structure in which it is
13 located; (b) no portion of a dwelling unit occupies space above or below another dwelling unit,
14 except for dwelling units constructed over a shared parking garage; (c) each dwelling unit is
15 attached along at least one common wall to at least one other dwelling unit, or abuts another
16 dwelling unit on a common lot line; (d) the front of each dwelling unit faces a street; (e) each
17 dwelling unit provides pedestrian access directly to the street that it faces; and (f) there is no
18 intervening principal structure between any dwelling unit and the street, or between any dwelling
19 unit and a lot line.

20
21
22 ((20))20. "Single-family ~~((residence))~~dwelling unit" means ~~((a residential use~~
23 ~~in))~~a detached structure having a permanent foundation, containing one dwelling unit, except that
24 the ((The))structure may also contain an accessory dwelling unit where expressly authorized
25



1 pursuant to this ~~((title))~~ Title 23. A detached accessory dwelling unit is not considered a single-
2 family ~~((residence))~~ dwelling unit for purposes of this ~~((chapter))~~ Chapter 23.84A.

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

9
10 * * *

11 "Rowhouse development." See "Residential use."

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

13
14 * * *

15 Section 88. Section 23.84A.036 of the Seattle Municipal Code, which section was last
16 amended by Ordinance 123046, is amended to add a definition, to be inserted in alphabetical
17 order, as follows:

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

19
20 * * *

21 "Structure, multifamily residential." See "Multifamily residential structure."

22
23 * * *

24 Section 89. Section 23.84A.038 of the Seattle Municipal Code, which section was last
25 amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical
26 order, delete definitions, and amend definitions, as follows:

THIS VERSION IS NOT /



1 **23.84A.038 "T"**

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

4 * * *

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

7 * * *

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

14 "Townhouse unit" means a dwelling unit in a townhouse development.

15 * * *

16 "Transit service, frequent" means transit service headways of 15 minutes or less for at least
17 12 hours per day, 6 days per week, and transit service headways of 30 minutes or less for at least
18 18 hours every day.

19 * * *

20 Section 90. Section 23.84A.040 of the Seattle Municipal Code, which section was last
21 amended by Ordinance 122311, is amended as follows:

22 **23.84A.040 "U."**

THIS VERSION IS NOT ADOPTED



1 "Underground" means entirely below the surface of the earth, measured from existing or
2 finished grade, whichever is lower, excluding access.

3 * * *

4 Section 91. Section 23.84A.044 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 123021, is amended to add a new definition to be inserted in alphabetical
6 order, as follows:

7 **23.84A.044 "W"**

8 * * *

9 "Woonerf" means a common space shared by pedestrians, bicyclists and vehicles, used
10 for vehicular access, in which amenities such as trees, planters, and seating serve to impede
11 vehicular movement and provide opportunities for outdoor use by occupants of abutting
12 structures. A woonerf is intended and designed to prioritize pedestrian movement and safety,
13 through features such as pavers and pervious ground surfaces that slow vehicular movement.

14 * * *

15 Section 92. Section 23.84A.048 of the Seattle Municipal Code, which section was last
16 amended by Ordinance 122311, is amended as follows:

17 **23.84A.048 "Z"**

18 * * *

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



"Zone, multifamily" means a zone with a classification that includes any of the following:

~~((Lowrise Duplex/Triplex (LDT),))~~ Lowrise 1 (LR1), Lowrise 2 (LR2), Lowrise 3 (LR3),
~~((Lowrise 4 (L4),))~~ Midrise (MR), Midrise/85 (MR/85), or Highrise (HR), which classification
also may include one or more suffixes.

* * *

Section 93. Subsections A and D of Section 23.86.006 of the Seattle Municipal Code,
which section was last amended by Ordinance 123206, are amended as follows:

23.86.006 Structure height

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

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

23.86.006.A.2.

2. Height measurement on sloping lots.

a. The calculation of structure height in subsection 23.86.006.A.1 may be modified, at the discretion of the applicant, on sloping lots for which the elevation at the higher

1 corner of at least one exterior wall is at least 20 feet higher than the elevation at the lower corner
2 of that wall.

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

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

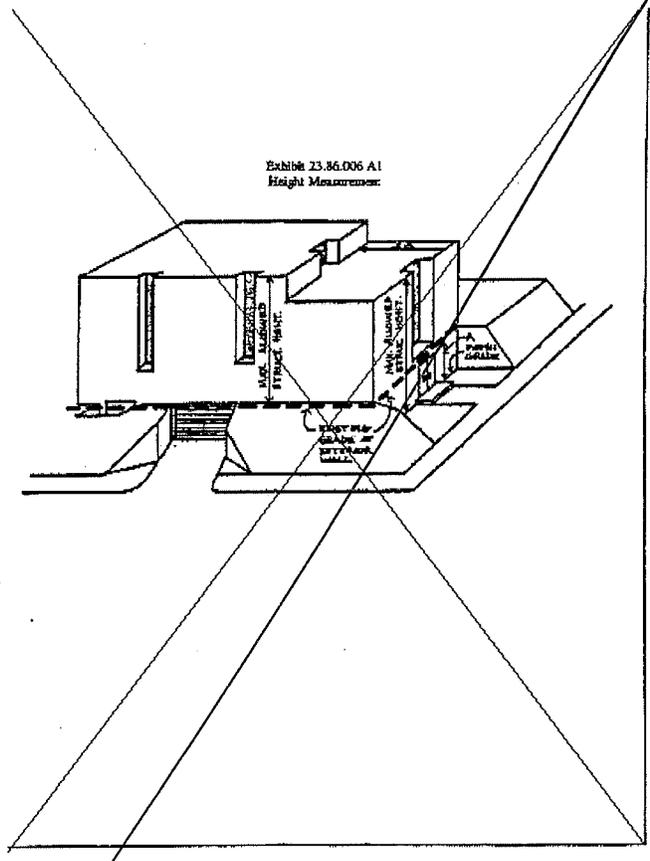
8 3) The lines used to divide the length of the structure into
9 individual segments shall be perpendicular to the side of the rectangle used to determine the
10 difference in elevation in subsection 23.86.006.A.2.a and extend as a vertical plane from the
11 ground to the sky.

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

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

1 2. This additional height shall be permitted on any wall of the structure, provided
2 that on the uphill side(s) of the structure, the height of the wall(s) shall be no greater than the
3 height limit of the zone (Exhibit 23.86.006 A2).

4 3. Structures on sloped lots shall also be eligible for the pitched roof provisions
5 applicable in the zone.))

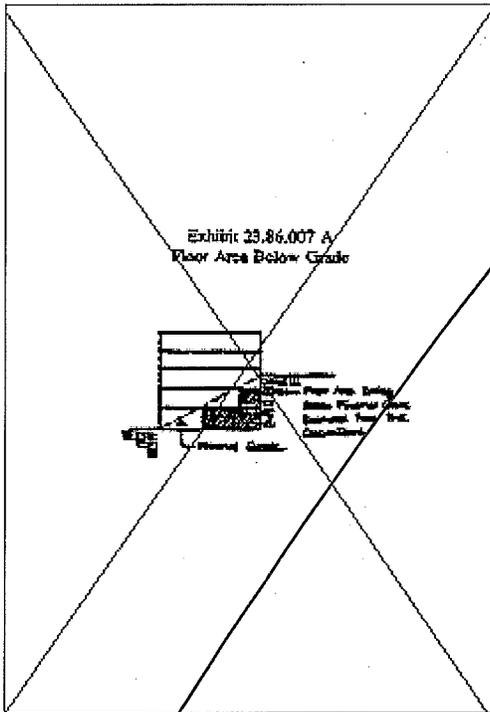


THIS VERSION IS NOT ADOPTED



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

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

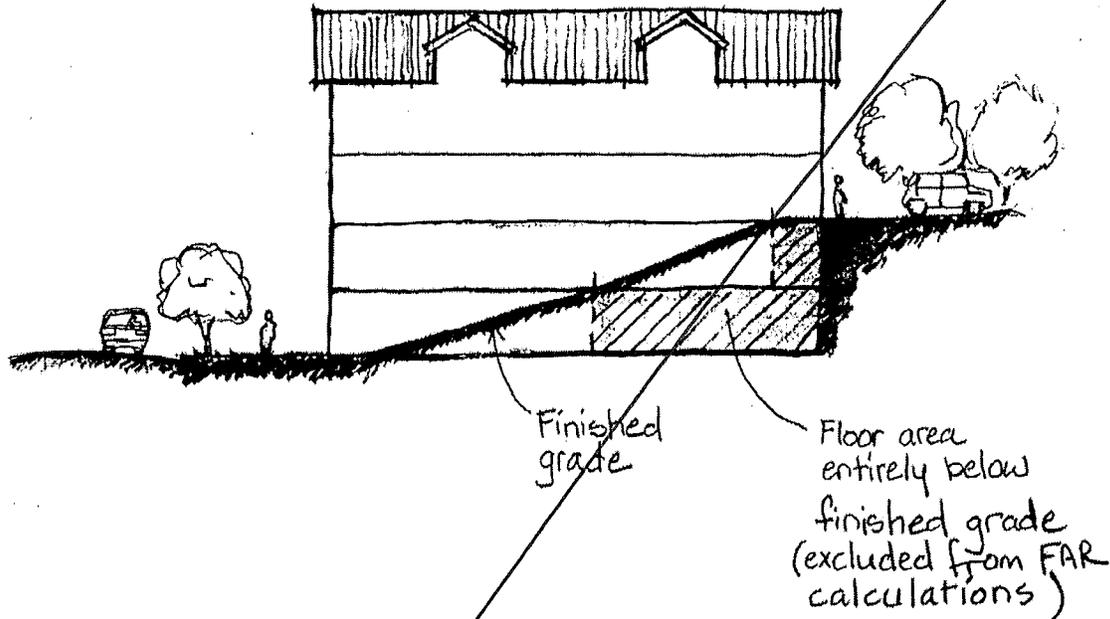


THIS VERSION IS NOT APPROVED



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Exhibit A for 23.86.007: Floor Area Below Grade



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

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

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

1 1. Calculate the footprint, in square feet, for each category of residential use. For
2 purposes of this subsection 2345.510A.4, "footprint" is defined as the horizontal area enclosed
3 by the exterior walls of the structure.

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

6 3. Divide the square footage of the footprint for each category of residential
7 structure (subsection 23.45.510.4.a above) by the total square feet of footprints of all residential
8 uses (subsection 23.45.510.4.b above).

9 4. Multiply the percentage calculated in subsection 23.45.510.4.c for each housing
10 category by the area of the lot. The result is the area of the lot devoted to each housing category.

11 5. The FAR limit for each category of residential use is the applicable one for that
12 use multiplied by the percentage calculated in subsection 23.45.510.4.d.

13 Section 95. Section 23.86.012 of the Seattle Municipal Code, which section was last
14 amended by Ordinance 115326, is amended as follows:

15 **23.86.012 Setbacks in multifamily zones((=))**

16 A. Setback Averaging. In multifamily zones, certain required setbacks may be averaged.

17 In such cases the following provisions apply:

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

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

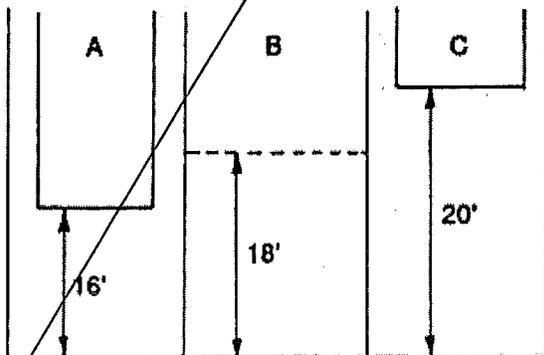
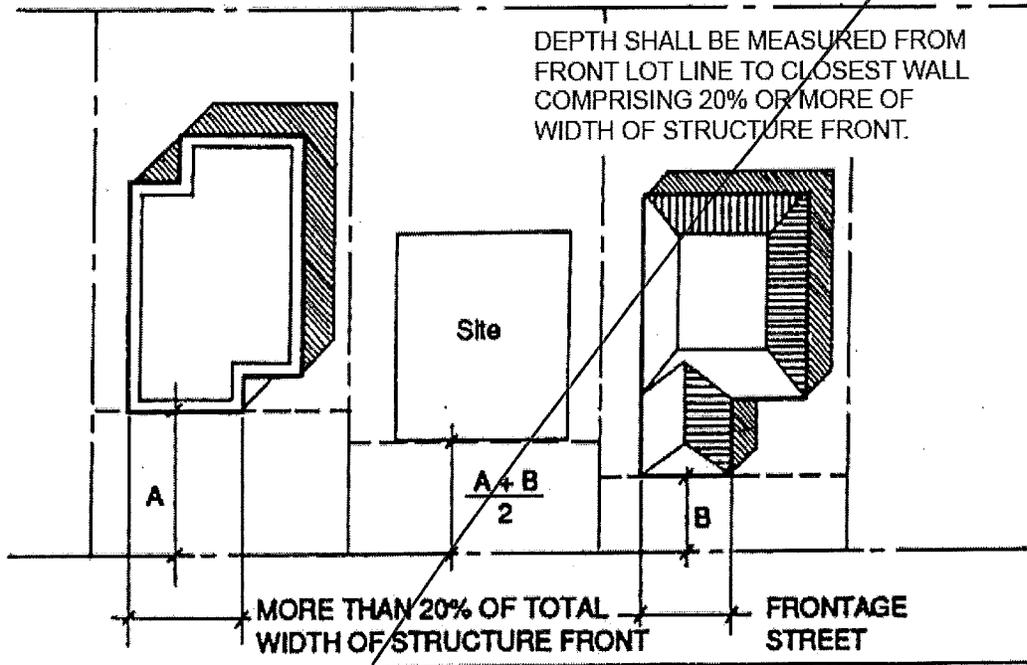
THIS VERSION IS NOT A FINAL VERSION



Exhibit A for 23.86.012: Front Setback Averaging for Institutions

**((Exhibit 23.86.012 A
 Determination of Front Yard Setback))**

EXHIBIT A FOR 23.86.012: FRONT SETBACK AVERAGING FOR INSTITUTIONS



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

THIS VERSION IS NOT...



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

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

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

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

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



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

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

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

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

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

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

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

22
23 b. Portions of the facade at existing grade shall be used in determining the
24 average setback.

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

8
9 ((3. Measuring Street-facing Setbacks for Institutions and Public Facilities in Multifamily
10 Zones.

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

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

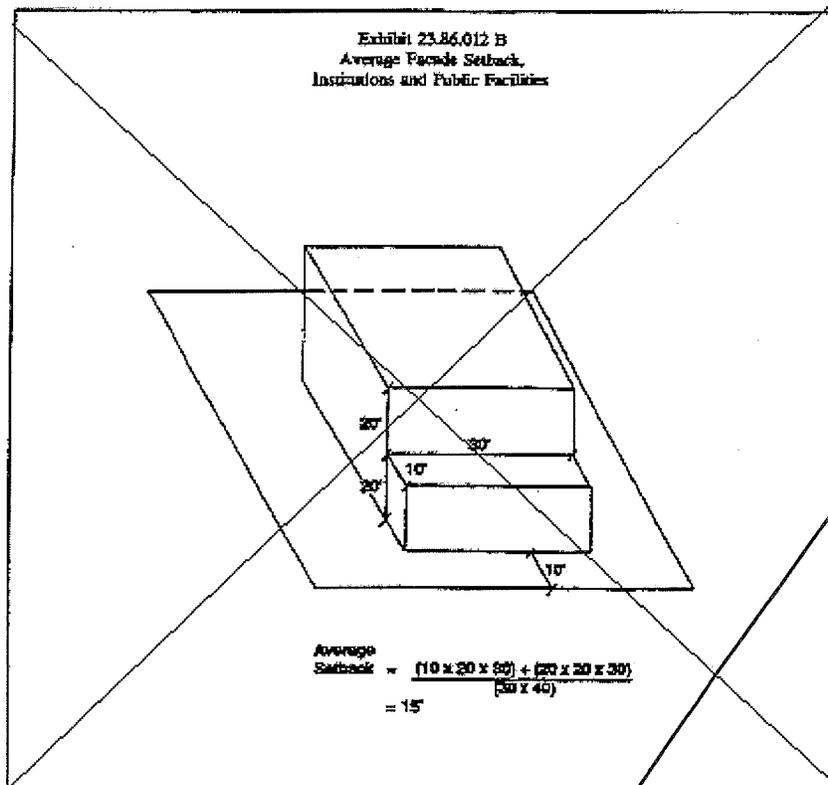
16
17 (1) Find the sum of volumes within the space defined by extension of the
18 roof line, the planes of the side walls, and the vertical extension of the front lot line; and

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

THIS VERSION IS NOT AD...



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



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

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

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

C. Side Setbacks.

THIS VERSION IS NOT A



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

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

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

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

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

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

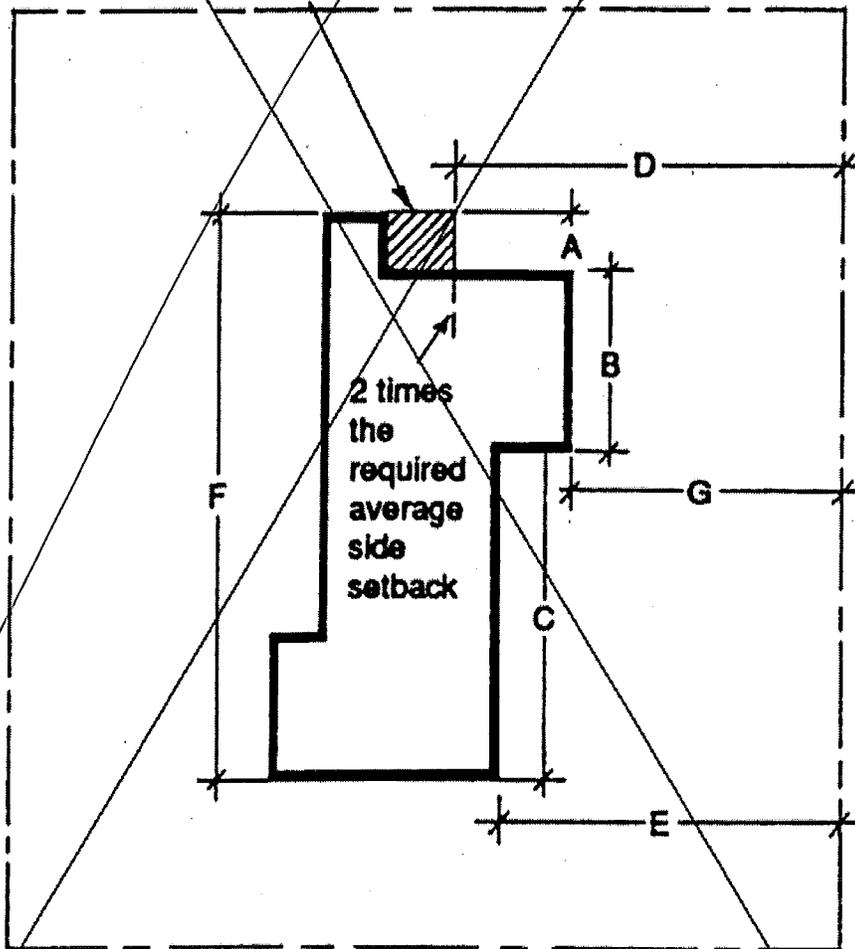
19 ~~2. The setback shall be averaged across the width of those portions of the facades~~
20 ~~which face each other.))~~

THIS VERSION IS NOT ADOPTED



Exhibit 23.86.012 C
Side Setback Averaging

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



2 times
the
required
average
side
setback

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

THIS VERSION IS NOT A...



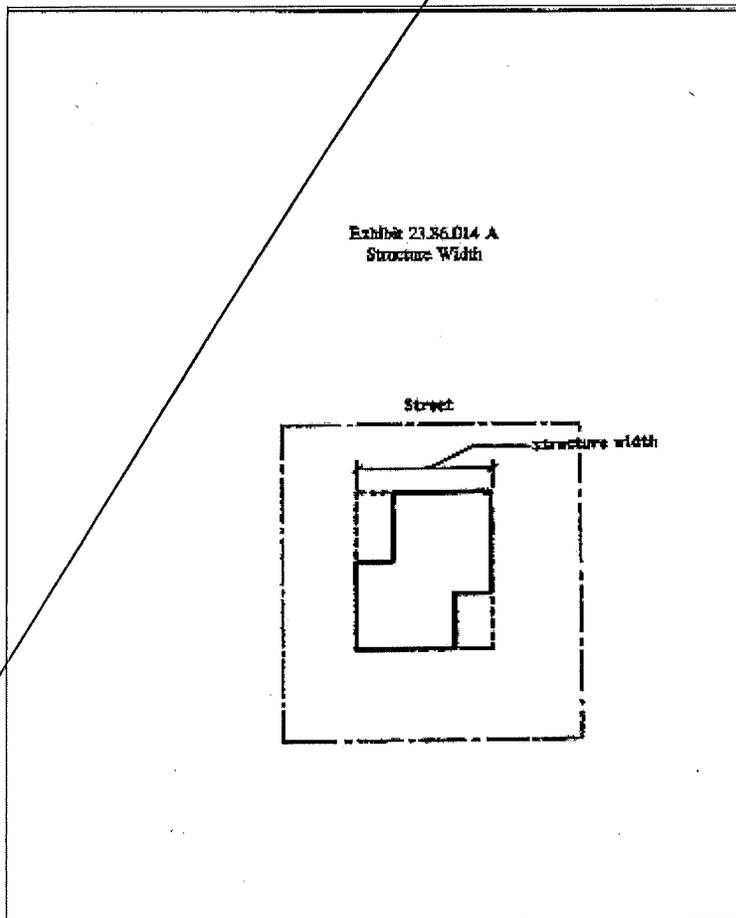
1 Section 96. Section 23.86.014 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 118414, is amended as follows:

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

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

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

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



THIS VERSION IS NOT RECORDED



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

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

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

7 3. Enclosed porches, decks, balconies and other enclosed projections; and

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

9 (~~5~~)4. Modulated and projecting segments of a facade unless excluded in subsection
10 23.86.014.C.

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

13 1. Eaves, cornices, chimneys, and gutters (~~provided that when~~) except to the
14 extent that they (~~such features~~) project more than (~~eighteen~~)18(~~2~~) inches from an exterior
15 wall (~~only eighteen~~ (~~18~~) inches shall be excluded in the measurement of structure width);

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

18 (~~3. Chimneys not used to meet modulation requirements provided that only~~
19 ~~eighteen~~ (~~18~~) inches shall be excluded in the measurement of structure width;)

20 (~~4~~)4. Attached solar greenhouses meeting minimum energy standards
21 administered by the Director;

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

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

9 ~~((7))~~7. Arbors, trellises and similar features~~((;))~~; and

10 8. In Lowrise zones, portions of a structure that are no more than 4 feet above
11 existing or finished grade, whichever is lower, that are covered in order to provide landscaped
12 area or amenity area for common or private use, are excluded in the measurement of structure
13 width.

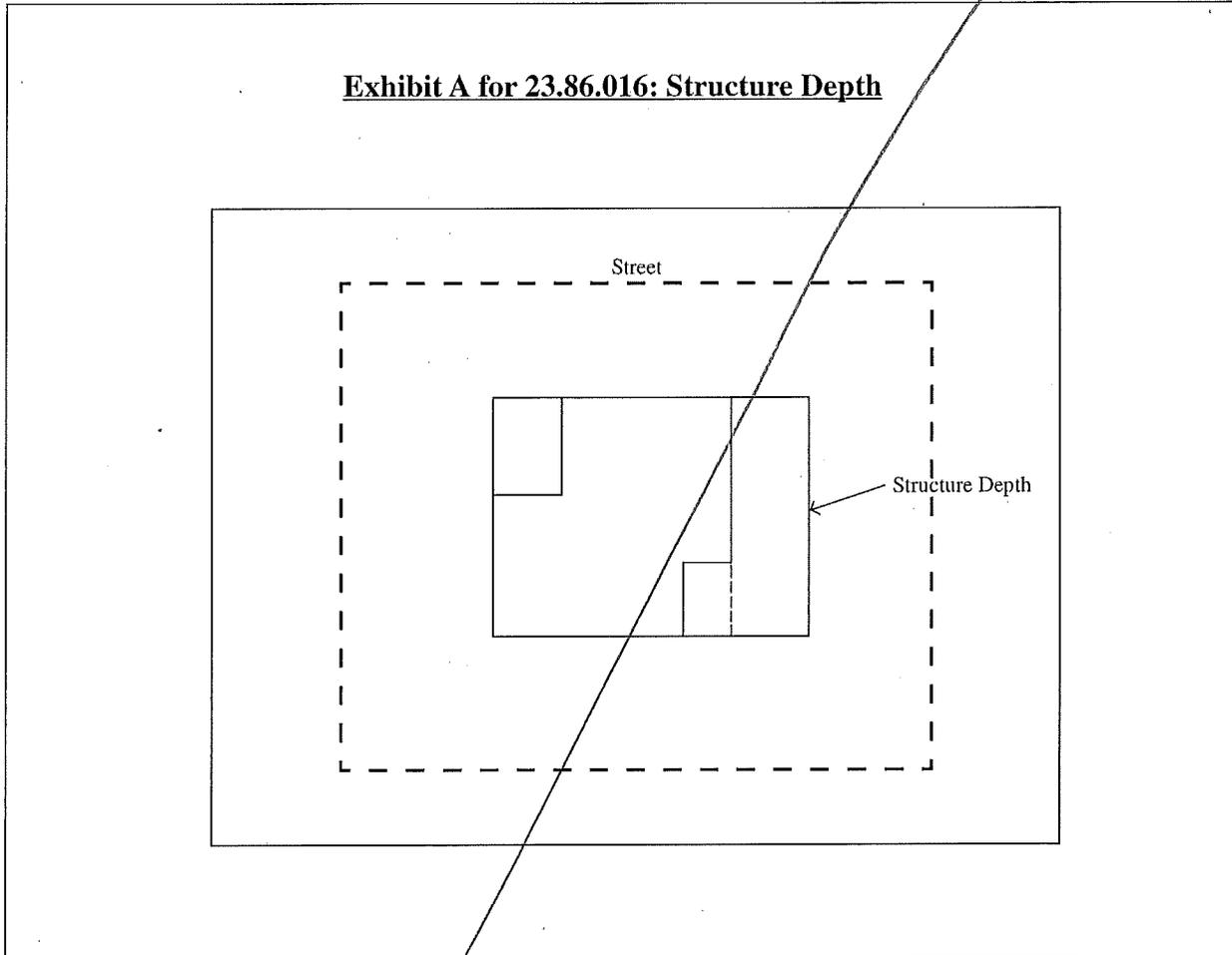
14 Section 97. Section 23.86.016 of the Seattle Municipal Code, which section was last
15 amended by Ordinance 118414, is amended as follows:

16 **23.86.016 Structure Depth**

17 A. Measuring ~~((S))~~structure ~~((D))~~depth. In certain zones structure depth is limited by
18 development standards. The following provisions ~~((shall))~~ apply for determining structure depth:

- 19 1. Structure depth ~~((shall be))~~ is measured ~~((by the following method))~~ as follows:
- 20 a. Draw ~~((a))~~ the smallest rectangle that encloses the principal structure.
- 21 b. Structure depth ~~((shall be))~~ is the length of the sides of that rectangle
22 most closely parallel to the side lot lines (Exhibit A for 23.86.016 ~~((A))~~).

Exhibit A for 23.86.016: ((A)) Structure Depth



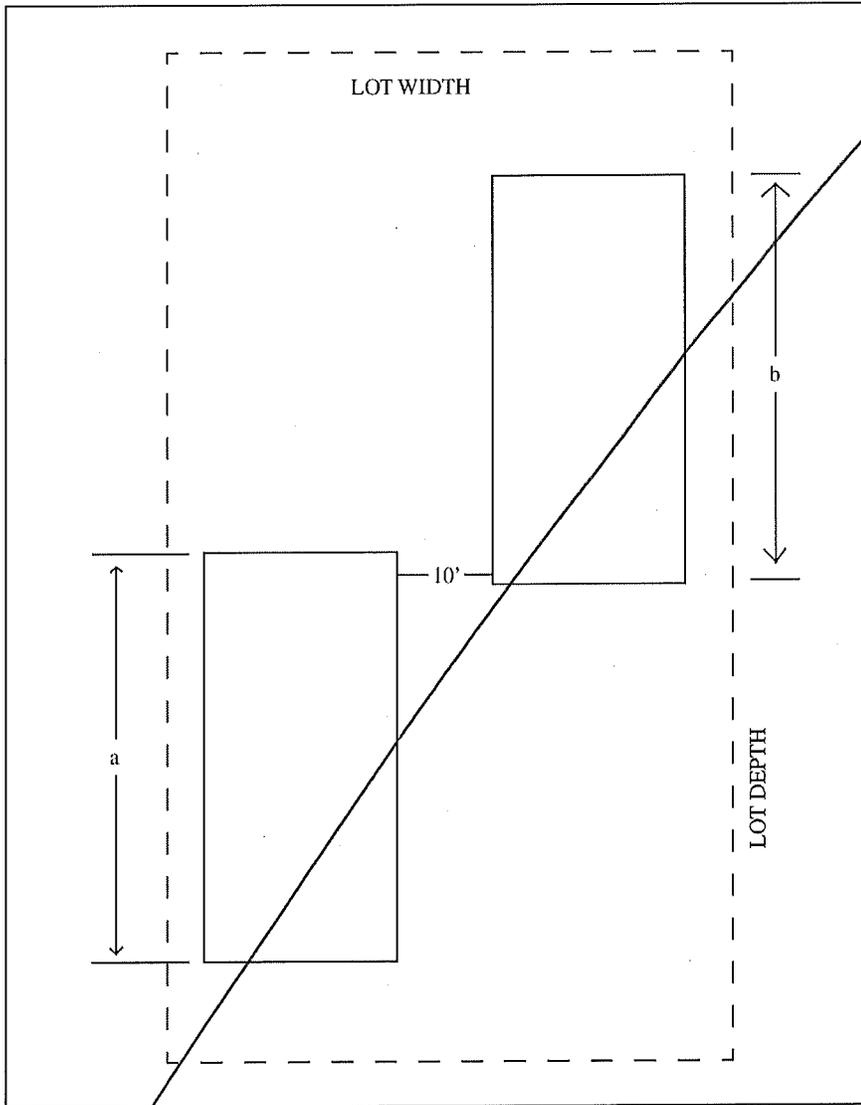
c. In Lowrise zones, ~~((when))~~ if more than one ~~((1))~~ structure is located on a lot, ~~((and))~~ no portion of a structure is behind any portion of another structure, and the structures are separated by a minimum of ~~((ten (10)))~~ 10 feet, the ~~((maximum))~~ depth of each structure ~~((shall be))~~ is measured individually. (See Exhibit B for 23.86.016~~((B))~~.) ~~((When))~~ If any portion of a structure is behind any portion of another structure then ~~((maximum))~~ structure depth ~~((shall be))~~ is the combined depth of the structures on the lot.

THIS VERSION IS NOT ADOPTED



**Exhibit B for 23.86.016 ((B)) Depth ((m)) Measurement ((when)) for Offset ((s)) Structures
((are offset))**

Exhibit B for 23.86.016: Depth Measurement for Offset Structures



THIS VERSION IS NOT ADOPTED



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

3 a. Carports and garages attached to the principal structure unless attached
4 by a structural feature not counted in structure depth under subsection 23.86.014.A.3;

5 b. Exterior corridors, hallways, and ~~((or))~~ open, above grade walkways ~~((;~~
6 ~~except portions which are elevated walkways connecting structures in a cluster development))~~;

7 c. Enclosed porches, decks, balconies and other enclosed projections;

8 ~~((d. Chimneys used to meet modulation requirements))~~;

9 ~~((e))~~ d. Modulated and projecting segments of a facade unless excluded in
10 subsection 23.86.014.A.3;

11 ~~((f))~~ e. Accessory structures ~~((which))~~ that are less than ~~((three-))~~ 3 ~~(('))~~ feet
12 from the principal structure at any point.

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

15 a. Eaves, cornices, chimneys, and gutters ~~((provided that when))~~ except to
16 the extent that they ~~((such features))~~ project more than ~~((eighteen-))~~ 18 ~~(('))~~ inches from an
17 exterior wall ~~((only eighteen (18) inches shall be excluded in the measurement of the structure~~
18 ~~depth))~~;

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

21 ~~((c. Chimneys, not used to meet modulation requirements provided that~~
22 ~~only eighteen (18) inches shall be excluded in the measurement of structure depth;))~~

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1 ~~((d))~~b. Attached solar greenhouses meeting minimum energy standards
2 administered by the Director;

3 ~~((e))~~c. Unenclosed decks, balconies and porches, ~~((ten-))10((+))~~ feet or
4 less in height, unless located on the roof of an attached garage or carport included in structure
5 depth in subsection 23.86.014.A.2.a;

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

11
12 e. In Lowrise zones, portions of a structure that are no more than 4 feet
13 above existing or finished grade, whichever is lower, and that are covered in order to provide
14 landscaped area or amenity area for common or private use, shall be excluded in the
15 measurement of structure depth.

16
17 B. Determining ~~((M))~~maximum ~~((P))~~permitted ~~((S))~~structure ~~((D))~~depth. In certain zones,
18 structure depth is limited to a percentage of lot depth. For those cases the following provisions
19 ~~((shall))~~ apply:

20
21 1. ~~((When))~~ If the lot is essentially rectangular and has a rear lot line ~~((which is))~~
22 within ~~fifteen-15((+))~~ degrees of parallel to the front lot line, the lot depth ~~((shall be))~~ is the
23 horizontal distance between the midpoints of the front and rear lot lines (Exhibit C for
24 23.86.016~~((-C))~~).

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

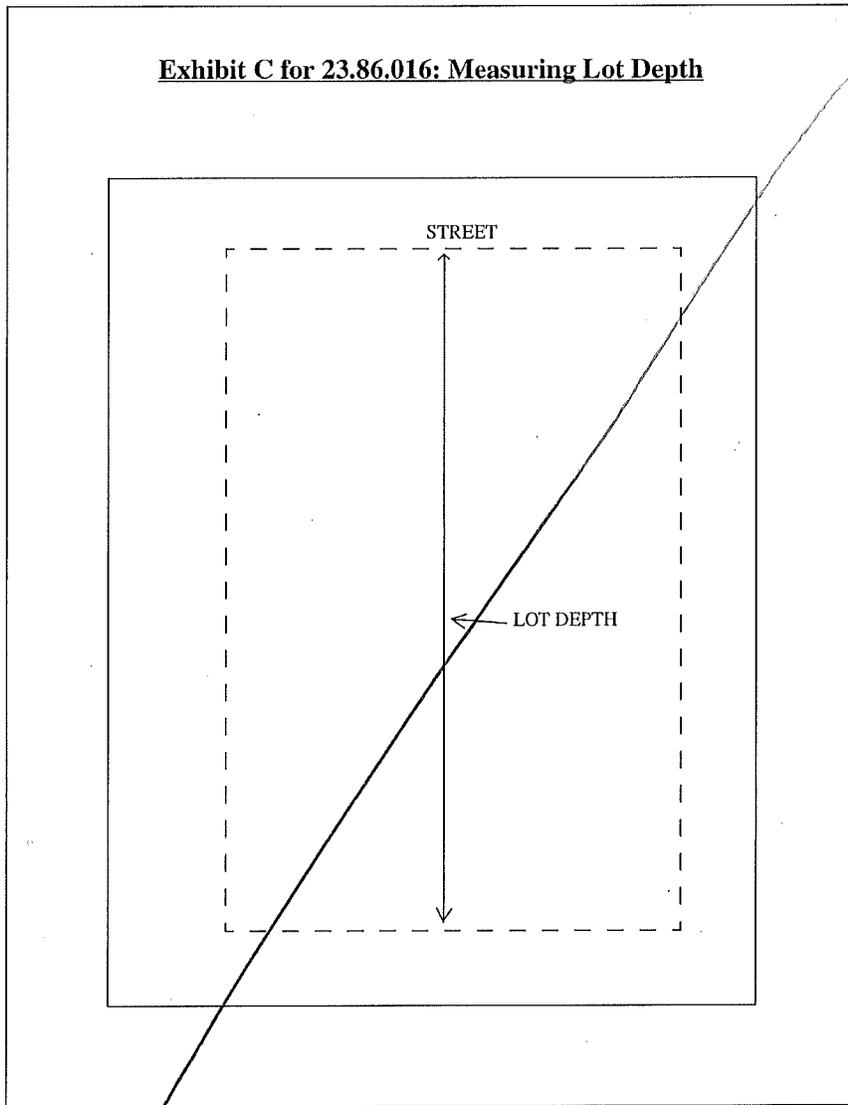
5 3. In the case of a through lot, lot depth ~~((shall be))~~ is measured between the
6 midpoint~~((s))~~ of each front lot line~~((s))~~.

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



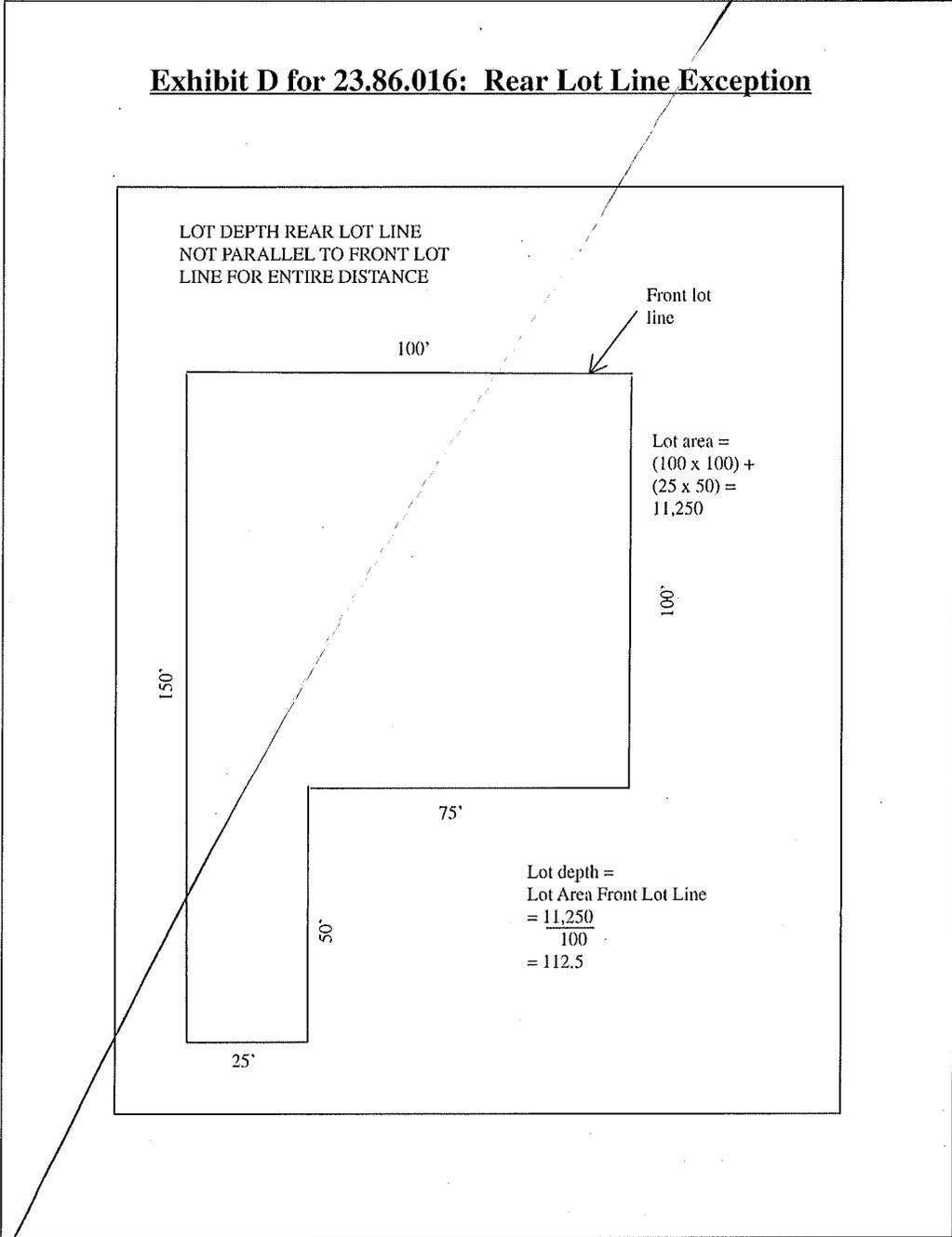
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Exhibit D for 23.86.016 ((D)) Rear Lot Line Exception



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

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

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

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

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

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

14 ~~Section 98. A new Section 23.86.017 of the Seattle Municipal Code is added to read as~~
15 ~~follows:~~

16 ~~**23.86.017 Amenity area**~~

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

19 ~~A. If the applicable development standards specify a minimum contiguous amenity area,~~
20 ~~areas smaller than the minimum contiguous area are not be counted toward fulfilling amenity~~
21 ~~area requirements.~~

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

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

6 B. In shoreline areas, when determining the amount of amenity area required or provided,
7 no land waterward of the ordinary high water mark shall be included in the calculation.
8

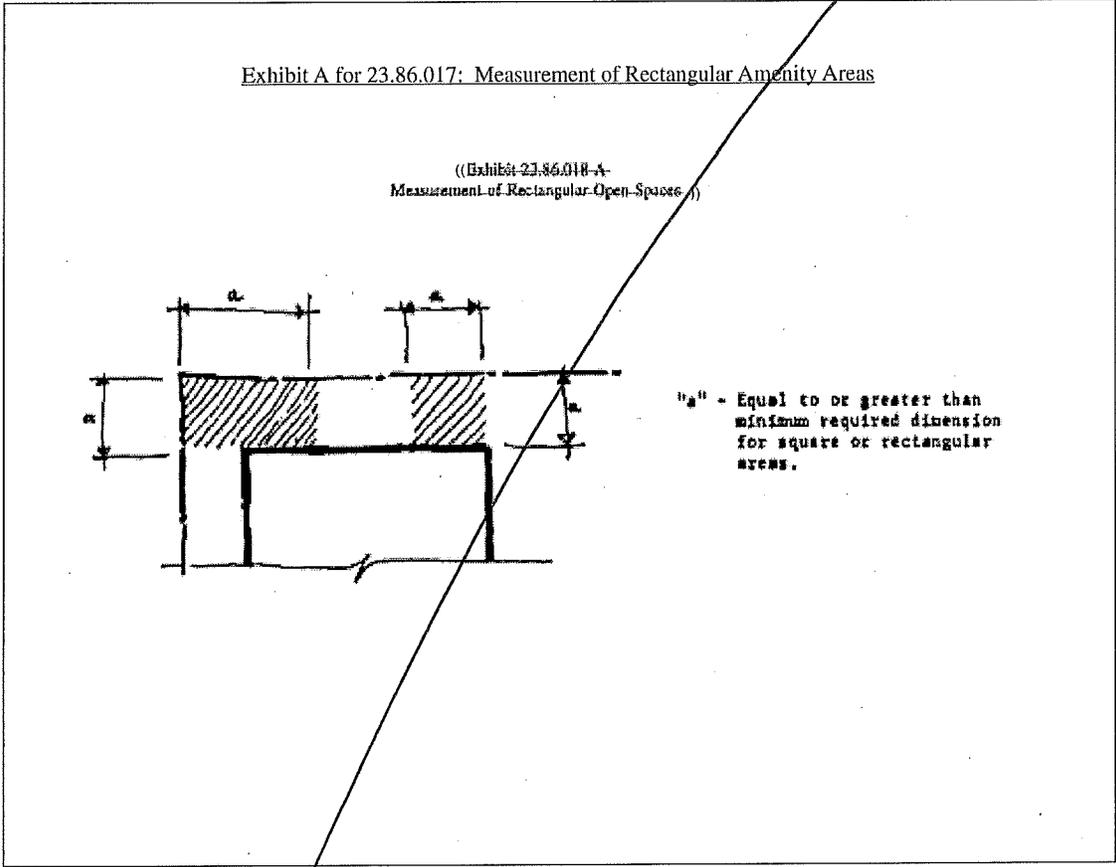
9 C. In cases where the shape or configuration of the amenity area is irregular or unusual,
10 the Director shall determine whether amenity area requirements have been met, notwithstanding
11 the following provisions, based on whether the proposed configuration would result in amenity
12 area that is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

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

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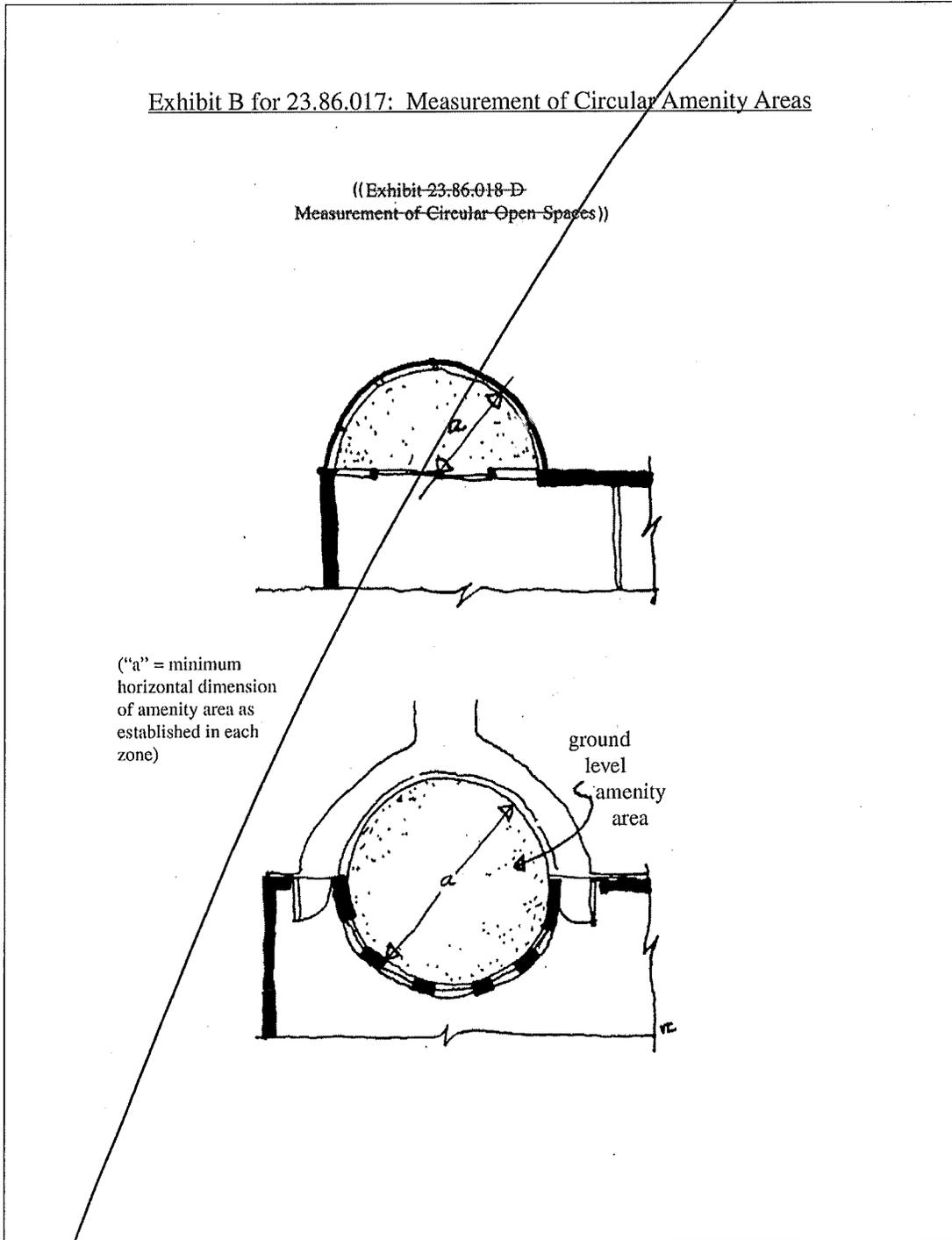
2. For circular areas, the diameter of the circle shall meet the minimum dimension; for semicircular areas, the radius of the area shall meet the minimum dimension (Exhibit B for 23.86.017).

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Exhibit B for 23.86.017: Measurement of Circular Amenity Areas

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Section 99. Section 23.86.019 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

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23.86.019 Green Factor

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

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

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

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

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

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

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

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

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

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

10 3. Add together all the products calculated under subsection 23.86.019.A.2 to
11 determine the Green Factor numerator.
12

13 4. Divide the Green Factor numerator by the lot area to determine the Green
14 Factor score.
15

THIS VERSION IS NOT



Table A for Section 23.86.019: Green Factor Landscape Elements

Green Factor Landscape Elements	Multiplier
A. Planted Areas (choose one of the following for each planting area)	
1. Planted areas with a soil depth of less than 24 inches	0.1
2. Planted areas with a soil depth of 24 inches or more:	0.6
3. Bioretention facilities meeting standards of the Stormwater Code, Title 22 Subtitle VIII of the Seattle Municipal Code	1.0
B. Plants	
1. Mulch, ground covers or other plants normally expected to be less than 2 feet tall at maturity.	0.1
2. Large shrubs or other perennials at least 2 feet tall at maturity	0.3
3. Small trees	0.3
4. Small/medium trees	0.3
5. Medium/large trees	0.4
6. Large trees	0.4
7. Preservation of existing large trees at least 6 inches in diameter at breast height	0.8
C. Green roofs	
1. Planted over at least 2 inches but less than 4 inches of growth medium	0.4
2. Planted over at least 4 inches of growth medium	0.7
D. Vegetated walls	0.7
E. Water features using harvested rainwater and under water at least six months per year	0.7
F. Permeable paving	
1. Installed over at least 6 inches and less than 24 inches of soil and/or gravel	0.2
2. Installed over at least 24 inches of soil and/or gravel	0.5
G. Structural soil	0.2
H. Bonuses applied to Green Factor landscape elements:	
1. Landscaping that consists entirely of drought- tolerant or native plant species	0.1
2. Landscaping that receives at least 50 percent of its irrigation through the use of harvested rainwater	0.2
3. Landscaping visible from adjacent rights-of-way or public open space	0.1
4. Landscaping in food cultivation	0.1

THIS VERSION IS NOT A



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

Landscape Elements	Equivalent Square Feet
Large shrubs or large perennials	((+6)) <u>12</u> square feet per plant
Small trees	((50)) <u>75</u> square feet per tree
Small/medium trees	((+00)) <u>150</u> square feet per tree
Medium/large trees	((+50)) <u>250</u> square feet per tree
Large trees	((200)) <u>350</u> square feet per tree
Existing large trees	((+5)) <u>20</u> square feet per inch of trunk diameter 4.5 feet above grade

Section 100. Section 23.86.020 of the Seattle Municipal Code, relating to the measurement of modulation for institutions in multifamily zones, which section was last amended by Ordinance 110570, and as shown in Attachment A, is repealed.

Section 101. Subsection B and D of Section 23.90.018 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

23.90.018 Civil Enforcement Proceedings and Penalties

B. Specific ~~((V))~~ violations.

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

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

3. Violations of Section 23.49.011, 23.49.015 or 23.50.051 with respect to failure to demonstrate compliance with commitments to earn LEED Silver ratings under applicable sections are subject to penalty in amounts determined under Section 23.49.020, and not to any



1 other penalty, but final determination and enforcement of penalties under that Section are subject
2 to subsection 23.90.018.C.

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

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

11
12
$$P = SF \times .02 \times RDR,$$

13 where:

14 P is the penalty;

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

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

20 21 6. Violations of Section 23.40.060.E.2 by failing to submit the report required by
22 Section 23.40.060.E.2 by the date required is subject to a penalty of \$500 per day from the date
23 the report was due to the date it is submitted.
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1 7. Violation of Section 23.40.060.E.1 by failing to demonstrate full compliance
2 with the standards contained in Section 23.40.060.E.1 is subject to a maximum penalty of 5
3 percent of the construction value set forth in the building permit for the structure and a minimum
4 penalty of 1 percent of construction value, based on the extent of compliance with standards
5 contained in Section 23.40.060.E.1.

6 * * *

7
8 D. Except in cases of violations of Section 23.45.510, 23.45.526, 23.49.011, 23.49.015,
9 or 23.50.051 with respect to failure to demonstrate compliance with commitments to earn LEED
10 Silver, Built Green 4-Star, or ESDS ratings or satisfy alternative standards, the violator may
11 show as full or partial mitigation of liability:

12 1. That the violation giving rise to the action was caused by the willful act, or
13 neglect, or abuse of another; or

14 2. That correction of the violation was commenced promptly upon receipt of the
15 notice thereof, but that full compliance within the time specified was prevented by inability to
16 obtain necessary materials or labor, inability to gain access to the subject structure, or other
17 condition or circumstance beyond the control of the defendant.
18

19 * * *

20
21 Section 102. Section 25.05.675 of the Seattle Municipal Code, which section was last
22 amended by Ordinance 123209, is amended as follows:

23 **25.05.675 Specific environmental policies((+))**

24 * * *

25 M. Parking.
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1. Policy ((B))background.

a. Increased parking demand associated with development projects may adversely affect the availability of parking in an area.

b. Parking regulations to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are implemented through the City's Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb parking spillover. The City recognizes that the cost of providing additional parking may have an adverse effect on the affordability of housing.

2. Policies.

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

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

1) No SEPA authority is provided to mitigate the impact of development on parking availability in the ((downtown zones)) Downtown and South Lake

Union Urban Centers;

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

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

5 ii. ((and)) the Station Area Overlay District; and

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

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

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



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

- 4 1) Transportation management programs;
- 5 2) Parking management and allocation plans;
- 6 3) Incentives for the use of alternatives to single-occupancy
- 7 vehicles, such as transit pass subsidies, parking fees, and provision of bicycle parking space;
- 8 4) Increased parking ratios ~~((, except for projects located within~~
- 9 ~~Seattle Mixed (SM) zones, and residential uses located in, the Capitol Hill/First Hill Urban~~
- 10 ~~Center, the University District Northwest Urban Center Village, and the Station Area Overlay~~
- 11 ~~District))~~; and
- 12
- 13 5) Reduced development densities to the extent that it can be
- 14 shown that reduced parking spillover is likely to result; provided, that parking impact mitigation
- 15 for multifamily development may not include reduction in development density.
- 16

17 * * *

18 Section 103. Subsection A of Section 25.05.800 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 122670, is amended as follows:

20 **25.05.800 Categorical exemptions**

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

24 A. Minor ~~((N))~~new ~~((C))~~construction—~~((F))~~flexible ~~((F))~~thresholds.

THIS VERSION IS NOT ADOPTED



1 1. The exemptions in this subsection apply to all licenses required to undertake
2 the construction in question, except when a rezone or any license governing emissions to the air
3 or discharges to water is required. To be exempt under this ~~((section))~~ Section 25.05.800, the
4 project ~~((must))~~ shall be equal to or smaller than the exempt level. For a specific proposal, the
5 exempt level in subsection A.2 of this ~~((s))~~ Section 25.05.800 shall control. If the proposal is
6 located in more than one ~~((+))~~ city~~((/))~~ or county, the lower of the agencies' adopted levels shall
7 control, regardless of which agency is the lead agency.
8

9 2. The following types of construction are exempt, except when undertaken
10 wholly or partly on lands covered by water or unless undertaken in environmentally critical areas
11 (Section 25.05.908):

12 a. The construction or location of residential structures containing no more
13 than the number of dwelling units identified in ~~((part (i)))~~ Table A for 25.05.800, except ~~((as~~
14 ~~modified by the provisions of part (ii.)~~ 25.05.800.A.2.a.(ii) (ii) For) for lots located in an Urban
15 Center or a SAOD, if the proposed construction or location is on a lot in an ~~((LDT,))~~ LRI or LR2
16 zone, and if the lot abuts any portion of another lot that is zoned SF or RSL, or is across an alley
17 of any width from a lot that is zoned SF or RSL, or is across a street from a lot zoned SF or RSL
18 ~~((where))~~ if that street does not meet minimum width requirements in ~~((SMC))~~ Section
19 23.53.015.A, then the level of exempt construction is 4 dwelling units for lots in an ~~((LDT or))~~
20 LR1 zone, and 6 dwelling units for lots in an LR2 zone~~((:))~~;
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THIS VERSION IS NOT A



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

Zone	Residential Uses	
	((No.)) Number of ((D.U.)) Exempt Dwelling Units	
	Outside of Urban Centers	Within Urban Centers or SAOD
SF, RSL	4	4
((LDF)) LR1	4	6
((L1))	((4))	((30))
LR2	6	30
LR3 ((, L4))	8	30
NC1, NC2, NC3, C1, C2	4	30
MR, HR, SM	20	30
Downtown zones	NA	80
Industrial zones	4	4

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

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

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

THIS VERSION IS NOT ADOPTED



Table B for 25.05.800: Exemptions for Non-Residential Uses

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

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

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

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

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

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

THIS VERSION IS NOT APPROVED



* * *

Section 104. Subsections A and B of Section 25.09.260 of the Seattle Municipal Code, which section was last amended by Ordinance 122050, is amended as follows:

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

A. When the applicant demonstrates it is not practicable to comply with the requirements of Section 25.09.240((-)), B considering the parcel as a whole, the applicant may apply for an administrative conditional use permit, authorized under Section 23.42.042, under this section to allow the Director to count environmentally critical areas and their buffers that would otherwise be excluded in calculating the maximum number of lots and units allowed on the parcel under Section 25.09.240((-)).E.

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

1. Environmental ((F)) impacts on ((E)) critical ((A)) areas.

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

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

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

THIS VERSION IS NOT APPROVED



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

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

6 (a) a wetland over ~~((fifteen hundred ()))~~ 1,500 ~~(())~~ square
7 feet in size or a watercourse designated part of a riparian corridor; or

8 (b) an undeveloped area over ~~((five ()))~~ 5 ~~(())~~ acres
9 characterized by steep slopes; or

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

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

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

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

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

22 2. General ~~((E))~~ environmental ~~((I))~~ impacts and ~~((S))~~ site ~~((C))~~ characteristics.

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

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

6
7 3. Neighborhood ~~((C))~~compatibility.

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

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

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

17
18 * * *

19
20 Section 105. Section 25.11.070 of the Seattle Municipal Code, which section was
21 enacted by Ordinance 120410, is amended as follows:

22 **25.11.070 Tree protection on sites undergoing development in Lowrise-~~((Duplex/Triplex,~~
23 ~~Lowrise 1, Lowrise 2, and Lowrise 3)) zones((:))~~**

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

25
26 A. Exceptional ~~((F))~~trees~~((:))~~

1 1. If ~~((it is determined))~~ the Director determines that there is an exceptional tree
2 located on the ~~((site))~~ lot of a proposed development, the ~~((project))~~ development shall go
3 through ~~((administrative))~~ streamlined design review as provided in Section ~~((23.41.016))~~
4 23.41.018 ~~((even))~~ if the project ~~((would normally))~~ falls below the thresholds for design review
5 ~~((as contained))~~ established in Section 23.41.004.

6 2. The Director may permit the exceptional tree to be removed only if the total
7 floor area that could be achieved within the maximum permitted ~~((development coverage))~~ FAR
8 and ~~((the))~~ height limits of the applicable ~~((4))~~ Lowrise zone according to SMC Title 23, the Land
9 Use Code, cannot be achieved while avoiding the tree protection area through the following:

10 a. Development standard adjustments permitted in Section 23.41.018 or
11 the departures permitted in Section 23.41.012.

12 b. An increase in the permitted height as follows under subsection
13 25.11.070.A.3.((;))

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

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

THIS VERSION IS NOT ADOPTED



1 3. In order to preserve an exceptional tree, for a principal structure with a base
2 height limit of 40 feet that is subject to the pitched roof provisions of Section 23.45.514.D, the
3 Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a
4 height of 50 feet ~~((-iii. The increase in height permitted in this ((section)) shall only be~~
5 ~~approved))~~ if ~~((it can be demonstrated that it))~~ the increase is needed to accommodate, on an
6 additional ~~((floor))~~ story, the amount of floor area lost by avoiding development within the tree
7 protection area ~~((The maximum))~~ and the amount of floor area on ((an)) the additional ((floor))
8 story ((shall be)) is limited to the amount of floor area lost by avoiding development within the
9 tree protection area. ((This provision for increased height shall not be permitted if the
10 development is granted a departure from the development standards for setbacks.))

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

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

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

20 2. In order to protect trees over ((two (2)) feet in diameter an applicant may
21 request and the Director may allow modification of development standards in the same manner

THIS VERSION IS NOT ADOPTED



1 and to the same extent as provided for exceptional trees in subsection 25.11.070.A ~~((of this~~
2 ~~section, above))~~.

3 ~~((C. The development shall meet the tree requirements in landscaped areas of Section~~
4 ~~23.45.015C))~~.

5 Section 106. Section 25.11.080, which section was enacted by Ordinance 120410, is
6 amended as follows:

7 **25.11.080 Tree protection on sites undergoing development in ~~((Lowrise 4,))~~ Midrise~~((,))~~**
8 **and Commercial Zones~~((,))~~**

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

10
11 **A. Exceptional ~~((F))~~ trees.**

12
13 1. If it is determined that there is an exceptional tree located on the site the project
14 shall go through ~~((administrative))~~ streamlined design review as provided in Section
15 ~~((23.41.016))~~ 23.41.018 even if the project would normally fall below the threshold for design
16 review ~~((as contained))~~ established in Section 23.41.004.

17 2. The Director may permit an exceptional tree to be removed only if the
18 applicant demonstrates that protecting the tree by avoiding development in the tree protection
19 area could not be achieved through the development standard adjustments permitted in Section
20 23.41.018 or the departures permitted in Section 23.41.012, ~~((and/or))~~ a reduction in the parking
21 requirements of Section 23.54.015, ~~((up to a maximum reduction of ten (10) percent of the~~
22 number of required parking spaces)) and/or a reduction in the standards of Section 23.54.030.

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

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

THIS VERSION IS NOT ADOPTED



1 obligation to comply with the terms and conditions of any permit issued pursuant to the
2 provisions of such Title as in effect prior to such repeal, nor shall it relieve any person or
3 property of any obligations, conditions or restrictions in any agreement or instrument made or
4 granted pursuant to, or with reference to, the provisions of such Title in effect prior to such
5 repeal.

6 Section 109. Sections 1 through 106 of this ordinance shall take effect 90 days after the
7 effective date of this ordinance.
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THIS VERSION IS NOT ADOPTED

1 Section 110. This ordinance shall take effect and be in force 30 days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within 10 days after
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the ____ day of _____, 2010, and signed by
5 me in open session in authentication of its passage this
6 ____ day of _____, 2010.

8 _____
9 President _____ of the City Council

10 Approved by me this ____ day of _____, 2010.

13 _____
14 Michael McGinn, Mayor

15 Filed by me this ____ day of _____, 2010.

17 _____
18 City Clerk

19 (Seal)

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

THIS VERSION IS NOT ADOPTED

