

ORDINANCE

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1.

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

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

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

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

THIS VERSION IS NOT ADOPTED

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

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

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

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

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9 D. This ordinance is not intended to release or modify either the terms of any agreement
10 previously made in connection with the rezoning of any property, or any conditions or
11 restrictions included in any rezone decision or ordinance, except as expressly provided in
12 subsection E of this Section. As to each lot being rezoned in this ordinance from a zoning
13 designation previously established by a map amendment conditioned upon a recorded agreement,
14 all conditions and restrictions stated in the applicable prior rezone decision, ordinance or
15 agreement, whether or not referring to a specific zoning designation or rezone action, continue as
16 conditions and restrictions under the zoning designation established by this ordinance. Such
17 rezones include, but are not limited to, those authorized by the following ordinances: Ordinance
18 122206 (Clerk File (CF) 307285); Ordinance 111985 (CF 292534); Ordinance 98717 (CF
19 293916); Ordinance 121960 (CF 306618); Ordinance 120561; Ordinance 111705 (CF 291852);
20 Ordinance 111222 (CF 292030); Ordinances 113699, 113704, 113706 and 113707 (CF 294977);
21 Ordinance 116912 (CF 298562); Ordinance 121795 (306768); Ordinance 121323 (CF 305399);
22 Ordinance 121164 and 121404 (CF 305400); Ordinance 122098 (CF 307452); Ordinance
23 122304 (CF 307580); Ordinance 115664 (CF 298162); Ordinance 116501 (CF) 298303;
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1 Ordinance 117580 (CF 299930); Ordinance 118518 (CF 301537); Ordinance 122184 (CF
2 307757); Ordinance 115760 (CF 298192); Ordinance 117214 (CF 299299); and Ordinance
3 122185 (CF 307093). The City Council finds that the restrictions in each such agreement are
4 necessary in order to ameliorate adverse impacts that could occur from unrestricted use and
5 development permitted by development regulations otherwise applicable after the rezones
6 effected by this ordinance.

7
8 E. Any property previously rezoned from LDT, L1, L2, L3, or L4 pursuant to an
9 ordinance under which the rezone could expire or the zoning could otherwise revert to the
10 previous designation under specified conditions shall, upon any expiration or other event by
11 which the zoning would revert to such classification but for the effect of this ordinance,
12 automatically become rezoned to the LR1, LR2 or LR3 classification that would have applied
13 under subsection A of this Section if the property had been shown on Attachment B as having
14 that prior zoning classification.
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16 Section 2. Subsection G of Section 11.16.240 of the Seattle Municipal Code, which
17 section was last amended by Ordinance 118409, is amended as follows:

18 **11.16.240 Traffic Engineer—Authority—Review and recommend((=))**

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20 It shall be the function of the Traffic Engineer under the supervision of the Director of
21 Transportation to:

22 * * *

23 G. Review and make recommendations concerning all applications for all building
24 permits except in single-family (SF) and ((multi-family;)) Lowrise 1 (LR1) zones regarding
25 facilitation of traffic with respect to new or existing driveways;
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2 Section 3. Subsection A of Section 15.16.040, which section was last amended by
3 Ordinance 122824, is amended as follows:

4 **Section 15.16.040 Terms and conditions((,))**

5 A. The Director of Transportation may issue a street use permit for use of a portion of the
6 right-of-way for a sidewalk cafe if the Director determines that:

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8 1. The applicant is the owner or occupant of the adjacent property and operates a
9 food-service establishment thereon that is permitted under Title 10 or by the Seattle-King County
10 Director of Public Health or the Director's representative;

11 2. The proposed use for a sidewalk cafe would not unduly and unreasonably
12 impair pedestrian passage in or on the right-of-way and would allow:

13 a. if located in the Downtown Urban Center as established in the
14 Comprehensive Plan, at least ~~((six-))6((,))~~ feet of clear path of travel for pedestrian passage if
15 the permit application is submitted after the effective date of the ordinance codified in this
16 section (see Exhibit A for 15.16.040 ~~((A, Location of Sidewalk Cafe))~~) and at least ~~((five
17))5((,))~~ feet of clear path of travel for pedestrian passage for sidewalk cafes established before
18 that date;

19
20 b. if located outside of the Downtown Urban Center as established in the
21 Comprehensive Plan, at least ~~((five-))5((,))~~ feet of clear path of travel for pedestrian passage
22 (see Exhibit A for 15.16.040 ~~((A, Location of Sidewalk Cafe))~~);
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1 c. a wider clear path of travel for pedestrian passage than is required in
2 subsections 15.16.040.A.2.a and 2.b when required by the Director of Transportation to facilitate
3 the use of the sidewalk by pedestrians.

4 3. The proposed sidewalk cafe would be located:

5 a. at least ~~((five-))5(())~~ feet from alleys, bus zones, parking zones for
6 handicapped persons, and commercial loading zones (see Exhibit A for 15.16.040 ~~((A, Location~~
7 ~~of Sidewalk Cafe))~~);

8 b. at least ~~((five-))5(())~~ feet from curb ramps or from the beginning of the
9 corner curb radius where curb ramps do not exist, parking meters or pay stations, traffic signs,
10 utility poles, fire hydrants, bike racks, and other street fixtures (see Exhibit A for 15.16.040 ~~((A,~~
11 ~~Location of Sidewalk Cafe))~~);

12 c. at least ~~((three-))3(())~~ feet from the curb in order to provide access to
13 on-street parking when pedestrian passage is located between the sidewalk cafe and the food-
14 service establishment (see Exhibit A for 15.16.040 ~~((A, Location of Sidewalk Cafe))~~);

15 d. at least ~~((fifty-))50(())~~ feet from a lot zoned RSL, SF, ~~((L1, L2, L3 or~~
16 ~~L4)) LR1, LR2, or LR3, and that does not have an RC designation, as shown on the Official
17 Land Use Map, as these zoning designations are defined under Section 23.30.010~~(-))~~.A of Title
18 23; and~~

19 e. at a distance farther than that required in 15.16.050.A3.a, 3.b or 3.c,
20 based upon the Director of Transportation's determination that such additional distance is needed
21 to facilitate the use of the sidewalk by pedestrians;

22 **Exhibit A for 15.16.040: Location of Sidewalk Cafe**

THIS VERSION IS NOT ADOPTED

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2 Section 4. Subsection C of Section 22.206.160 of the Seattle Municipal Code, which
3 section was last amended by Ordinance 123141, is amended as follows:

4 **22.206.160 Duties of owners.**

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7 C. Just Cause Eviction.

8 1. Pursuant to provisions of the state Residential Landlord-Tenant Act (RCW
9 59.18.290), owners may not evict residential tenants without a court order, which can be issued
10 by a court only after the tenant has an opportunity in a show cause hearing to contest the eviction
11 (RCW 59.18.380). In addition, owners of housing units shall not evict or attempt to evict any
12 tenant, or otherwise terminate or attempt to terminate the tenancy of any tenant unless the owner
13 can prove in court that just cause exists. The reasons for termination of tenancy listed below, and
14 no others, shall constitute just cause under this section:

15
16 a. The tenant fails to comply with a three (~~(3)~~) day notice to pay rent or
17 vacate pursuant to RCW 59.12.030(3); a ten (~~(10)~~) day notice to comply or vacate pursuant to
18 RCW 59.12.030(4); or a three (~~(3)~~) day notice to vacate for waste, nuisance (including a drug-
19 related activity nuisance pursuant to RCW Chapter 7.43) or maintenance of an unlawful business
20 or conduct pursuant to RCW 59.12.030(5);

21
22 b. The tenant habitually fails to pay rent when due which causes the owner
23 to notify the tenant in writing of late rent four (~~(4)~~) or more times in a (~~(twelve-)~~)12(~~(12)~~) month
24 period;

1 c. The tenant fails to comply with a ten ~~((10))~~ day notice to comply or
2 vacate that requires compliance with a material term of the rental agreement or that requires
3 compliance with a material obligation under RCW 59.18;

4 d. The tenant habitually fails to comply with the material terms of the
5 rental agreement which causes the owner to serve a ten ~~((10))~~ day notice to comply or vacate
6 three ~~((3))~~ or more times in a ~~((twelve-))12((+))~~ month period;

7 e. The owner seeks possession so that the owner or a member of his or her
8 immediate family may occupy the unit as that person's principal residence and no substantially
9 equivalent unit is vacant and available in the same building. "Immediate family" shall include the
10 owner's domestic partner registered pursuant to Section 1 of Ordinance 117244² or the owner's
11 spouse, parents, grandparents, children, brothers and sisters of the owner, of the owner's spouse,
12 or of the owner's domestic partner. There shall be a rebuttable presumption of a violation of this
13 subsection if the owner or a member of the owner's immediate family fails to occupy the unit as
14 that person's principal residence for at least ~~((sixty-))60((+))~~ consecutive days during the ~~((ninety
15))90((+))~~ days immediately after the tenant vacated the unit pursuant to a notice of termination or
16 eviction using this subparagraph as the cause for eviction;

17 f. The owner elects to sell a single-family dwelling unit and gives the
18 tenant at least ~~((sixty-))60((+))~~ days written notice prior to the date set for vacating, which date
19 shall coincide with the end of the term of a rental agreement, or if the agreement is month to
20 month, with the last day of a monthly period. For the purposes of this section, an owner "elects to
21 sell" when the owner makes reasonable attempts to sell the dwelling within ~~((thirty-))30((+))~~
22 days after the tenant has vacated, including, at a minimum, listing it for sale at a reasonable price
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1 with a realty agency or advertising it for sale at a reasonable price in a newspaper of general
2 circulation. There shall be a rebuttable presumption that the owner did not intend to sell the unit
3 if:

4 ~~((i.))~~ 1) Within ~~((thirty (0))~~30~~((0))~~) days after the tenant has vacated,
5 the owner does not list the single-family dwelling unit for sale at a reasonable price with a realty
6 agency or advertise it for sale at a reasonable price in a newspaper of general circulation, or
7

8 ~~((ii.))~~ 2) Within ~~((ninety (0))~~90~~((0))~~) days after the date the tenant
9 vacated or the date the property was listed for sale, whichever is later, the owner withdraws the
10 rental unit from the market, rents the unit to someone other than the former tenant, or otherwise
11 indicates that the owner does not intend to sell the unit;

12 g. The tenant's occupancy is conditioned upon employment on the
13 property and the employment relationship is terminated;

14 h. The owner seeks to do substantial rehabilitation in the building;
15 provided that, the owner must obtain a tenant relocation license if required by ~~((SMC))~~ Chapter
16 22.210 and at least one ~~((1))~~ permit necessary for the rehabilitation, other than a Master Use
17 Permit, before terminating the tenancy;
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19 i. The owner (i) elects to demolish the building, convert it to a cooperative,
20 or convert it to a nonresidential use; provided that, the owner must obtain a tenant relocation
21 license if required by ~~((SMC))~~ Chapter 22.210 and a permit necessary to demolish or change the
22 use before terminating any tenancy, or (ii) converts the building to a condominium provided the
23 owner complies with the provisions of ~~((SMC))~~ Sections 22.903.030 and 22.903.035;
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1 j. The owner seeks to discontinue use of a housing unit unauthorized by
2 Title 23 ~~((of the Seattle Municipal Code))~~ after receipt of a notice of violation thereof. The
3 owner is required to pay relocation assistance to the tenant(s) of each such unit at least two
4 ~~((2))~~ weeks prior to the date set for termination of the tenancy, at the rate of:

5 i. ~~((Two Thousand Dollars ()))~~\$2,000~~((/))~~ for a tenant household
6 with an income during the past ~~((twelve ()))~~12~~((/))~~ months at or below ~~((fifty ()))~~50~~((/))~~ percent of
7 the County median income, or

8 ii. Two ~~((2))~~ months' rent for a tenant household with an income
9 during the past ~~((twelve ()))~~12~~((/))~~ months above ~~((fifty ()))~~50~~((/))~~ percent of the County median
10 income;
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12 k. The owner seeks to reduce the number of individuals residing in a
13 dwelling unit to comply with the maximum limit of individuals allowed to occupy one ~~((1))~~
14 dwelling unit, as required by SMC Title 23, and:

15 ~~((1))~~ 1)

16 ~~((A))~~ a) The number of such individuals was more than is
17 lawful under the current version of SMC Title 23 or Title 24 but was lawful under SMC Title 23
18 or 24 on August 10, 1994~~((/))~~;

19 ~~((B))~~ b) That number has not increased with the
20 knowledge or consent of the owner at any time after August 10, 1994~~((/))~~; and

21 ~~((C))~~ c) The owner is either unwilling or unable to obtain a
22 permit to allow the unit with that number of residents~~((/))~~.
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1 m. The owner seeks to discontinue use of an accessory dwelling unit for
2 which a permit has been obtained pursuant to ~~((SMC))~~ Sections 23.44.041 and 23.45.545 after
3 receipt of a notice of violation of the development standards provided in ~~((that section))~~ those
4 sections. The owner is required to pay relocation assistance to the tenant household residing in
5 such a unit at least two ~~((2))~~ weeks prior to the date set for termination of the tenancy, at the
6 rate of:

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8 i. ~~((Two Thousand Dollars ()))~~ \$2,000~~(())~~ for a tenant household
9 with an income during the past ~~((twelve ()))~~ 12~~(())~~ months at or below ~~((fifty ()))~~ 50~~(())~~ percent of
10 the county median income, or

11 ii. Two ~~((2))~~ months' rent for a tenant household with an income
12 during the past ~~((twelve ()))~~ 12~~(())~~ months above ~~((fifty ()))~~ 50~~(())~~ percent of the county median
13 income;

14
15 n. An emergency order requiring that the housing unit be vacated and
16 closed has been issued pursuant to ~~((SMC))~~ Section 22.206.260 and the emergency conditions
17 identified in the order have not been corrected;

18
19 o. The owner seeks to discontinue sharing with a tenant of the owner's
20 own housing unit, i.e., the unit in which the owner resides, ~~((or))~~ seeks to terminate the tenancy
21 of a tenant of an accessory dwelling unit authorized pursuant to Sections 23.44.041 and
22 23.45.545 that is accessory to the housing unit in which the owner resides, or seeks to terminate
23 the tenancy of a tenant in a single-family dwelling unit and the owner resides in an accessory
24 dwelling unit on the same lot. This subsection 22.206.160.C.o does not apply if the owner has
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PROPOSAL IS NOT ADOPTED

1 received a notice of violation of the development standards of Section 23.44.041. If the owner
2 has received such a notice of violation, subsection ~~((C1m of Section))~~ 22.206.160.C.m applies;

3 p. A tenant, or with the consent of the tenant, his or her subtenant,
4 sublessee, resident or guest, has engaged in criminal activity on the premises, or on the property
5 or public right-of-way abutting the premises, and the owner has specified in the notice of
6 termination the crime alleged to have been committed and the general facts supporting the
7 allegation, and has assured that the Department of Planning and Development has recorded
8 receipt of a copy of the notice of termination. For purposes of this subsection a person has
9 "engaged in criminal activity" if he or she:
10

11 ~~((i.))~~ 1) Engages in drug-related activity that would constitute a
12 violation of RCW Chapters 69.41, 69.50 or 69.52, or

13 ~~((ii.))~~ 2) Engages in activity that is a crime under the laws of this
14 state, but only if the activity substantially affects the health or safety of other tenants or the
15 owner.
16

17 2. Any rental agreement provision which waives or purports to waive any right,
18 benefit or entitlement created by this subsection C shall be deemed void and of no lawful force
19 or effect.
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21 3. With any termination notices required by law, owners terminating any tenancy
22 protected by this section shall advise the affected tenant or tenants in writing of the reasons for
23 the termination and the facts in support of those reasons.
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25 4. If a tenant who has received a notice of termination of tenancy claiming
26 subsection 22.206.160.C.1.e, C.1.f, or C.1.m ~~((of this section))~~ as the ground for termination
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1 believes that the owner does not intend to carry out the stated reason for eviction and makes a
2 complaint to the Director, then the owner must, within ten ~~((10))~~ days of being notified by the
3 Director of the complaint, complete and file with the Director a certification stating the owner's
4 intent to carry out the stated reason for the eviction. The failure of the owner to complete and file
5 such a certification after a complaint by the tenant shall be a defense for the tenant in an eviction
6 action based on this ground.

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8 5. In any action commenced to evict or to otherwise terminate the tenancy of any
9 tenant, it shall be a defense to the action that there was no just cause for such eviction or
10 termination as provided in this section.

11 6. It shall be a violation of this section for any owner to evict or attempt to evict
12 any tenant or otherwise terminate or attempt to terminate the tenancy of any tenant using a notice
13 which references subsections 22.206.160.C.1.e ~~((subparagraphs 1.e)), 1.f, 1.h, 1.k, 1.l, or 1.m~~ ~~((of~~
14 ~~this subsection C))~~ as grounds for eviction or termination of tenancy without fulfilling or
15 carrying out the stated reason for or condition justifying the termination of such tenancy.

16
17 7. An owner who evicts or attempts to evict a tenant or who terminates or
18 attempts to terminate the tenancy of a tenant using a notice which references ~~((subparagraphs))~~
19 subsections 22.206.160.C.1.e, 1.f or 1.h ~~((of this subsection C))~~ as the ground for eviction or
20 termination of tenancy without fulfilling or carrying out the stated reason for or condition
21 justifying the termination of such tenancy shall be liable to such tenant in a private right for
22 action for damages up to ~~((Two Thousand Dollars €))\$2,000((€))~~, costs of suit or arbitration and
23 reasonable attorney's fees.
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1 Section 5. Subsections A and B of Section 23.22.062 of the Seattle Municipal Code,
2 which section was last amended by Ordinance 123046, are amended as follows:

3 **23.22.062 Unit lot subdivisions**

4 A. The provisions of this ~~((section))~~ Section 23.22.062 apply exclusively to the unit
5 subdivision of land for townhouse~~((s))~~, rowhouse, and cottage housing developments, ~~((and~~
6 ~~cluster development for housing,))~~ as permitted in Single-Family, Residential Small Lot and
7 Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the
8 above types of residential development, as permitted in the applicable zones.
9

10 B. Except for any site for which a permit has been issued pursuant to Sections 23.44.041
11 or 23.45.545 for a detached accessory dwelling unit, ~~((sites))~~ lots developed or proposed to be
12 developed with ~~((dwelling units listed))~~ uses described in subsection 23.22.062.A above may be
13 subdivided into individual unit lots. The development as a whole shall meet development
14 standards applicable at the time the permit application is vested. As a result of the subdivision,
15 development on individual unit lots may be nonconforming as to some or all of the development
16 standards based on analysis of the individual unit lot, except that any private~~((s))~~ usable open
17 space or private amenity area for each dwelling unit shall be provided on the same unit lot as the
18 dwelling unit it serves.
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22 Section 6. Subsections A and B of Section 23.24.045 of the Seattle Municipal Code,
23 which section was last amended by Ordinance 123046, are amended as follows:

24 **23.24.045 Unit/lot subdivisions~~((s))~~**

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

6 B. Except for any ~~((site))~~ lot for which a permit has been issued pursuant to Sections
7 23.44.041 or 23.45.545 for a detached accessory dwelling unit, ~~((sites))~~ lots developed or
8 proposed to be developed with ~~((dwelling units listed))~~ uses described in subsection 23.24.045.A
9 above may be subdivided into individual unit lots. The development as a whole shall meet
10 development standards applicable at the time the permit application is vested. As a result of the
11 subdivision, development on individual unit lots may be nonconforming as to some or all of the
12 development standards based on analysis of the individual unit lot, except that any private,
13 usable open space or private amenity area for each dwelling unit shall be provided on the same
14 unit lot as the dwelling unit it serves.

15 * * *

16 Section 7. Subsection A of Section 23.30.010 of the Seattle Municipal Code, which
17 section was last amended by Ordinance 122311, is amended as follows:

18 **23.30.010 Classifications for the purpose of this subtitle~~((:))~~**

19 All land within the City shall be classified as being within one ~~((1))~~ land use zoning
20 designation.

21 A. General ~~((Z))~~ zoning ~~((D))~~ designations. The zoning classification of land shall include
22 one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC"
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the classification shall include both "RC" and one additional multifamily zone designation in this subsection 23.30.010.A(, which shall be a designation for a multifamily zone)).

Zones	Abbreviated
Residential, Single-family 9,600	SF 9600
Residential, Single-family 7,200	SF 7200
Residential, Single-family 5,000	SF 5000
Residential Small Lot	RSL
((Residential, Multifamily, Lowrise Duplex/Triplex))	((LDT))
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
((Residential, Multifamily, Lowrise 4))	((L4))
Residential, Multifamily, Midrise	MR
Residential, Multifamily, Highrise	HR
Residential-Commercial	RC
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Seattle Mixed	SM
Commercial 1	C1
Commercial 2	C2
Downtown Office Core 1	DOC1
Downtown Office Core 2	DOC2
Downtown Retail Core	DRC
Downtown Mixed Commercial	DMC
Downtown Mixed Residential	DMR
Pioneer Square Mixed	PSM
International District Mixed	IDM
International District Residential	IDR
Downtown Harborfront 1	DH1
Downtown Harborfront 2	DH2

THIS VERSION IS NOT ADOPTED

1	Pike Market Mixed	PMM
2	General Industrial 1	IG1
3	General Industrial 2	IG2
4	Industrial Buffer	IB
5	Industrial Commercial	IC

6 * * *

7 Section 8. Subsection B of Section 23.34.010, which section was last amended by
8 Ordinance 123046, is amended as follows:

9 **Section 23.34.010 Designation of single-family zones**

10 * * *

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

15 1. A neighborhood plan has designated the area as appropriate for the zone
16 designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, ((when)) if
17 applicable;

18 2. The rezone is:

19 a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem
20 (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage
21 (RSL/TC), ((Lowrise Duplex/Triplex (LDT)),) Lowrise 1 (LR1), Lowrise 1/Residential-
22 Commercial (LR1/RC), or
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1 b. Within the areas identified on Map P-1 of the adopted North Beacon
2 Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone
3 with a 30 foot or 40 foot height limit, or

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

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9 Section 9. Section 23.34.013 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 117430, is amended as follows:

11 **23.34.013 Designation of multifamily zones((=))**

12 An area zoned single-family that meets the criteria of Section 23.34.011 for single-
13 family designation((=)) may not be rezoned to multifamily except as otherwise provided in
14 Section 23.34.010((-),B.

15
16 Section 10. Section 23.34.014 of the Seattle Municipal Code, which section was last
17 amended by Ordinance 117430, is amended as follows:

18 **23.34.014 Lowrise ((Duplex/Triplex (LDT))) 1 (LR1) zone, function and locational**
19 **criteria((=))**

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21 A. Function. ((An area that provides opportunities for limited infill housing development,
22 both through new construction and the conversion of existing single family structures to
23 duplexes and triplexes, where, in order to preserve the character of the neighborhood, the
24 recycling of existing structures to a slightly higher density and small scale infill development is
25 preferable to single family zoning or to the development of townhouses or higher density
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THIS VERSION IS NOT ADOPTED

1 ~~apartments.)) The function of the LR1 zone is to provide opportunities for low density~~
2 ~~multifamily housing, primarily rowhouse and townhouse developments, through infill~~
3 ~~development that is compatible with single-family dwelling units, or through the conversion of~~
4 ~~existing single-family dwelling units to duplexes or triplexes.~~

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

7
8 ~~1. Development Characteristics of the Area.~~

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

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

15
16 ~~2. Relationship to the Surrounding Area.~~

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

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

22 ~~c. Areas close to existing or projected facilities and services used by~~
23 ~~households with children, including schools, parks and community centers.))~~
24

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

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

4 2. The area is either:

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

6 Overlay District;

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

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

10 c. located on a collector or minor arterial;

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

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

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

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

THIS VERSION IS NOT ADOPTED

1 ~~((C. Areas zoned single family meeting the locational criteria for a single family~~
2 ~~designation may be rezoned to LDT only when the provisions of Section~~
3 ~~23.34.010((), B are met.))~~

4 Section 11. Section 23.34.016 of the Seattle Municipal Code, relating to the function and
5 locational criteria for Lowrise 1 zones, which section was last amended by Ordinance 119242,
6 and as shown in Attachment A to this ordinance, is repealed.

7 Section 12. Section 23.34.018 of the Seattle Municipal Code, which section was last
8 amended by Ordinance 123046, is amended as follows:

9
10 **23.34.018 Lowrise 2 (LR2) zone, function and locational criteria(())**

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

16
17
18 1. Provide opportunities for a variety of multifamily housing types in existing
19 multifamily neighborhoods and along arterials that have a mix of small scale residential
20 structures; and

21
22 2. Accommodate redevelopment in areas within urban centers, urban villages,
23 and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale
24 and density.

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

3
4 1. Development Characteristics of the Areas.

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

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

11 c. Areas occupied by a substantial amount of multifamily development if
12 factors such as narrow streets, on street parking congestion, local traffic congestion, lack of
13 alleys and irregular street patterns restrict local access and circulation and make an intermediate
14 intensity of development desirable.
15

16
17 2. Relationship to the Surrounding Areas.

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

24 b. Properties that are definable pockets within a more intensive area, if it is
25 desirable to preserve a smaller scale character and mix of densities;
26

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

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

6
7 B. Locational Criteria. The LR2 zone is most appropriate in areas generally characterized
8 by the following conditions:

9 1. The area is either:

10 a. located in an urban center, urban village, or Station Area Overlay
11 District where new development could help establish a multifamily neighborhood of small scale
12 and density; or

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

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

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

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

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

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

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

9 Section 13. Section 23.34.020 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 121700, is amended as follows:

11 **23.34.020 Lowrise 3 (LR3) zone, function and locational criteria((-))**

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

16 1. provide opportunities for a variety of multifamily housing types in existing
17 multifamily neighborhoods, and along arterials that have a mix of small to moderate scale
18 residential structures, and

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

22 B. Locational Criteria.

THIS VERSION IS NOT ADOPTED

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

3 a. ~~Properties already zoned L3;~~

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

7
8 ((e) 1. The area is either:

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

15
16 b. located in an existing multifamily neighborhood in or near an urban
17 center, urban village, or Station Area Overlay District, or on an arterial street, and characterized
18 by a mix of structures of low and moderate scale;

19
20 ((e. ~~Properties within an urban center or village, except in the~~
21 ~~Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper~~
22 ~~Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the~~
23 ~~Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral~~
24 ~~Residential Urban Village; or))~~

THIS VERSION IS NOT ADOPTED

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

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

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

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

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

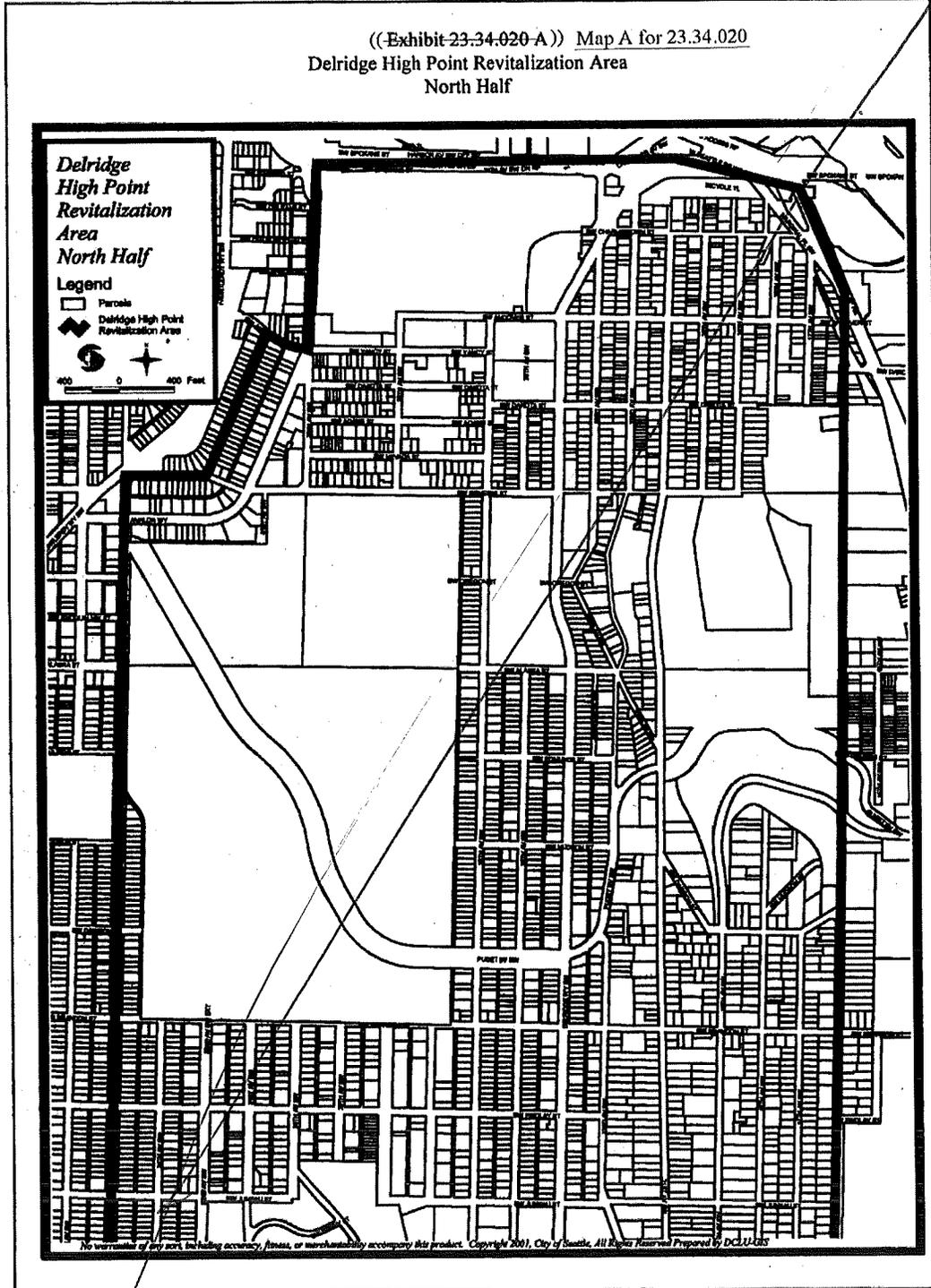
11 7. The area well supported by existing or projected facilities and services used by
12 residents, including retail sales and services, parks, and community centers, and has good
13 pedestrian access to these facilities.

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

THIS REVISION IS NOT ADOPTED

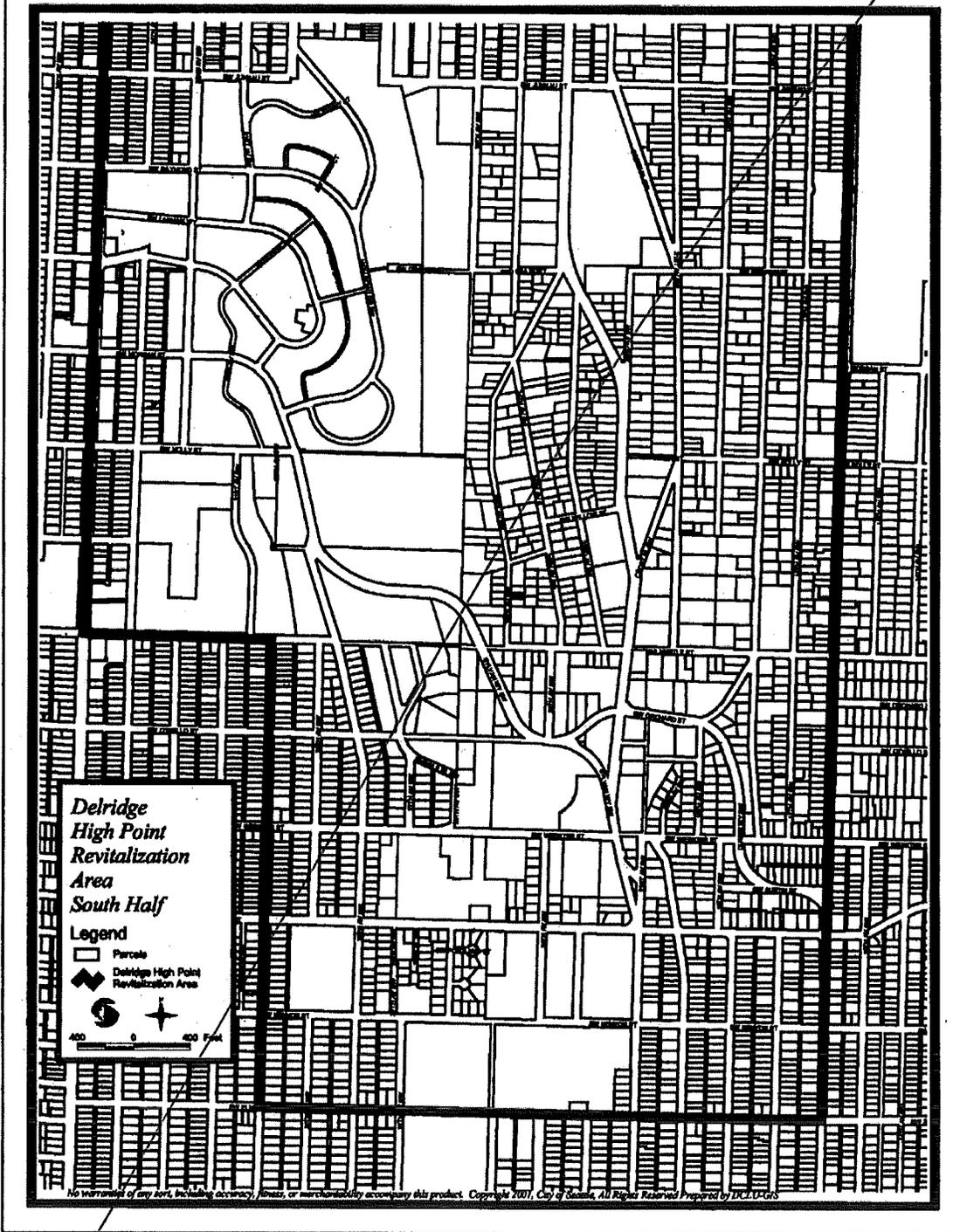
Map A for 23.34.020: Delridge High Point Revitalization Area—North and South Halves

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THIS VERSION IS NOT ADOPTED

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



THIS MATERIAL IS NOT ADOPTED

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

5 ~~1. was created by human activity, or~~

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

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

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

12 ~~(1) Either:~~

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

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

16 ~~except or~~

17 ~~(c) Areas that are located within the Delridge~~

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

1 ~~(2) Areas where the street pattern provides for adequate vehicular~~
2 ~~circulation and access to sites. Locations with alleys are preferred. Street widths should be~~
3 ~~sufficient for two (2) way traffic and parking along at least one (1) curbside.~~

4 ~~b. Relationship to the Surrounding Areas.~~

5 ~~(1) Properties in areas that are well served by public transit and~~
6 ~~have direct access to arterials, so that vehicular traffic is not required to use streets that pass~~
7 ~~through less intensive residential zones;~~

8 ~~(2) Properties in areas with significant topographic breaks, major~~
9 ~~arterials or open space that provide sufficient transition to LDT or L1 multifamily development;~~

10 ~~(3) Properties in areas with existing multifamily zoning with close~~
11 ~~proximity and pedestrian connections to neighborhood services, public open spaces, schools and~~
12 ~~other residential amenities;~~

13 ~~(4) Properties that are adjacent to business and commercial areas~~
14 ~~with comparable height and bulk, or where a transition in scale between areas of larger~~
15 ~~multifamily and/or commercial structures and smaller multifamily development is desirable.))~~

16
17
18 Section 14. Section 23.34.022 of the Seattle Municipal Code, relating to the function and
19 locational criteria for the Lowrise 4 zone, which section was last amended by Ordinance 121700,
20 and as shown in Attachment A to this ordinance, is repealed.

21
22 Section 15. Subsections A and B of Section 23.41.004 of the Seattle Municipal Code,
23 which section was last amended by Ordinance 123206, is amended as follows:

24 **Section 23.41.004 Applicability**

25 A. Design review required.

THIS PROVISION IS NOT APPLICABLE

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

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

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

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

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

DOC 1, DOC 2 or DMC Zones

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

DRC, DMR, DH1 or DH2 Zones

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

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

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

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

THIS VERSION IS NOT ADOPTED

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

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

7
8 B. Design Review -- Optional

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

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

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

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

21 ((3.))b. ~~((Administrative Design Review to Protect Trees. As provided in~~
22 ~~Sections 25.11.070 and 25.11.080, an administrative design review process (Section 23.41.016)~~
23 ~~is an option to an applicant)) applicants for new multifamily and commercial development~~

1 proposals in Lowrise, Midrise, and Commercial zones to protect a tree over ~~((two (2)))~~ 2 feet in
2 diameter measured ~~((four and one half (4 1/2)))~~ 4.5 feet above the ground, ~~((even when))~~ if design
3 review would not otherwise be required by subsection 23.41.004.A.5.

4 * * *

5 Section 16. A new Section 23.41.018 is added to the Seattle Municipal Code as follows:

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

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

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

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

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

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

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

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

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

5 3. The purpose of SDR Guidance is to receive comments from the public, identify
6 concerns about the site and design concept, identify applicable citywide and neighborhood
7 design guidelines of highest priority to the site, explore conceptual design and siting alternatives,
8 and identify and document proposed development standard adjustments, which may be approved
9 as a Type I decision pursuant to Section 23.41.018.D, or departures, which may be approved as a
10 Type II decision pursuant to Section 23.41.016. The intent of SDR Guidance is not to reduce the
11 general development capacity of the lot.
12

13 4. As a result of the SDR Guidance process, the Director shall prepare a report
14 that identifies those guidelines of highest priority and applicability, documents any design
15 changes needed to achieve consistency with the design guidelines, and identifies any desired
16 development standard adjustments and/or departures.
17

18 5. The Director shall distribute a copy of the report to the applicant, place it on
19 file in the Department, and provide access to the report on the Department website.
20

21 C. Application for Type I or Type II Master Use Permit.

22 1. After issuance of the SDR Guidance report, the proponent may apply for a
23 Type I or Type II Master Use Permit.

24 2. The Master Use Permit application shall include a brief explanation of how the
25 proposal addresses the SDR guidance report, in addition to standard Master Use Permit submittal
26

1 information required by Section 23.76.010. Adjustments to certain development standards
2 pursuant to subsection 23.41.018.D may be approved as a Type I decision. If the need for
3 development standard departures, authorized under Section 23.41.012 and beyond the
4 adjustments allowed under subsection 23.41.018.D, is identified, the applicant may either revise
5 the application to eliminate the need for the further departures, and proceed under this Section
6 23.41.018, or else apply for a Type II Master Use Permit for administrative design review
7 pursuant to Section 23.41.016.
8

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

11 D. SDR decision.

12 1. The Director shall consider public comments on the proposed project, and the
13 Director's decision shall be based on the extent to which the application meets applicable design
14 guidelines and responds to the SDR guidance report.
15

16 2. The Director's decision pursuant to the SDR process shall not reduce the
17 number of units allowed per square foot of lot area when such a density limit is set in Table A for
18 Section 23.45.512.
19

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

- 23 a. better meets the intent of the adopted design guidelines and/or
24 b. provides a better response to environmental and/or site conditions,
25 including but not limited to topography, the location of trees, or adjacent uses and structures.
26

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

3 a. Setbacks and separation requirements may be reduced by a maximum of
4 50 percent;

5 b. Amenity areas may be reduced by a maximum of 10 percent;

6 c. Landscaping and screening may be reduced by a maximum of 25
7 percent;

8 d. Structure width, structure depth, and facade length limits may be
9 reduced by a maximum of 10 percent; and

10 e. Screening of parking may be reduced by a maximum of 25 percent.

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

14 Section 17. Subsection C of Section 23.42.106 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 122311, is amended as follows:

16 **23.42.106 Expansion of nonconforming uses((;-))**

17 * * *

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

3 * * *

4 Section 18. Subsection C of Section 23.42.108 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 122311, is amended as follows:

6 **23.42.108 Change from nonconforming use to conforming use((-))**

7 * * *

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

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

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

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

16 * * *

17 Section 19. Subsection A of Section 23.42.110 of the Seattle Municipal Code, which
18 section was last amended by Ordinance 120293, is amended as follows:

19 **23.42.110 Change from one nonconforming use to another nonconforming use((-))**

20 A nonconforming use may be converted by an administrative conditional use
21 authorization to another use not otherwise permitted in the zone subject to the following
22 limitations and conditions.
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1 A. In single-family~~(s)~~ and residential small lot zones, ~~((and Lowrise Duplex/Triplex~~
2 ~~zones;))~~ a nonconforming multifamily residential use ~~((or structure))~~ may not be converted to
3 any nonresidential use not otherwise permitted in the zone.

4 * * *

5 Section 20. Section 23.42.114 of the Seattle Municipal Code, which section was last
6 amended by Ordinance 120293, is amended as follows:

7 **23.42.114 Multifamily structures nonconforming to development standards~~(s)~~**

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

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

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

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

1 Section 21. Subsection A of Section 23.42.122 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 120293, is amended as follows:

3 **23.42.122 Height nonconformity((=))**

4 A. Single-family and multifamily zones.

5 1. In single-family ~~((and multifamily))~~ zones, a structure nonconforming as to
6 height may be expanded or extended to add eaves, dormers and/or clerestories to an existing
7 pitched roof ~~((provided))~~ if the additions are constructed below the highest point of the roof. An
8 existing pitched roof that is above the height limit ~~((shall))~~ may not be converted into a flat roof,
9 nor shall the slope of the roof be ~~((lowered below))~~ reduced to less than a ~~((four in twelve(-))~~
10 4:12((=)) pitch.

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

16 * * *

17 Section 22. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which
18 section was last amended by Ordinance 123046, is amended as follows:

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

20 * * *

21 D. Yards and ~~((S))~~ setbacks.

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

1 a. The sum of the front yard plus the rear yard shall be a minimum of 30
2 feet.

3 b. In no case shall either yard have a depth of less than 10 feet.

4 c. If recommended in a neighborhood plan adopted or amended by the
5 City Council after January 1, 1995, an ordinance designating an area as RSL may require front
6 and/or rear yards ~~((setbacks))~~ greater than 10 feet, provided that the requirement of subsection
7 23.43.008.D.1.a shall not be increased or decreased, and the requirement of subsection
8 23.43.008.D.1.b shall not be reduced.
9

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

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

14 b. If an easement is provided along a side lot line of the abutting lot
15 sufficient to leave a 10 foot separation between the two principal structures of the two lots, the
16 required side ~~((yard))~~ setback may be reduced from the requirement of subsection 23.43.008.D.2.
17 The easement shall be recorded with the King County Department of Records and Elections. The
18 easement shall provide access for normal maintenance activities to the principal structure on the
19 lot with less than the required side setback. No principal structure shall be located in the
20 easement area, except that the eaves of a principal structure may project a maximum of 18 inches
21 into the easement area. No portion of any structure, including eaves, shall cross the property line.
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1 3. ~~((For all developments except cluster developments, only))~~ The following
2 parts of structures ~~((that comply with the following))~~ may project into a required yard or setback,
3 provided that the applicable restrictions in subsections 23.43.008.D.3 and D.4 are met:

4 a. Uncovered ~~((P))~~porches or ~~((S))~~steps. Uncovered, unenclosed porches
5 or uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps
6 are no higher than 4 feet on average above existing grade, are no closer than 3 feet to any side lot
7 line, no wider than 6 feet, and project no more than 6 feet into a required front or rear yard. The
8 heights of porches and steps are to be calculated separately.

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

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

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

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

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

26 * * *

Section 23. Subsection B of Section 23.44.034 of the Seattle Municipal Code, which section was last amended by Ordinance 199239, is amended as follows:

23.44.034 Planned residential development (PRD)((~~r~~))

* * *

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

1. Only single-family dwelling units shall be permitted within ~~((one hundred~~ ~~))~~100~~((~~)~~)~~ feet of a PRD's ~~((property))~~ lot line which abuts or is directly across the street from a single-family zoned lot, except as provided in this subsection 23.44.034.B((2)).

2. ~~((Either single family))~~ Single-family dwelling units, cottage housing developments, rowhouse developments, ~~((or))~~ and townhouse((s)) developments are permitted ~~((when))~~ if within ~~((one hundred-))~~100~~((~~)~~)~~ feet of a ~~((property))~~ lot line of a PRD ~~((which))~~ that does not abut ~~((or))~~ and is not across a street from a single-family zoned lot, or that is separated from the single-family zoned lot by physical barriers, such as bodies of water, ravines, greenbelts, freeways, expressways and other major traffic arterials or topographic breaks ~~((which))~~ that provide substantial separation from the surrounding single-family neighborhood.

3. ~~((Either single family))~~ Single-family dwelling units, cottage housing developments, rowhouse developments, ~~((or))~~ and townhouse((s)) developments are permitted when more than ~~((one hundred-))~~100~~((~~)~~)~~ feet from a PRD's ~~((property))~~ lot line.

4. ~~((Townhouses))~~ Cottage housing developments, rowhouse developments, and townhouse developments shall meet the development standards for structures in Lowrise 1 zones, unless otherwise specified in this ~~((subchapter))~~ Chapter 23.44.

* * *

1 Section 24. Section 23.45.002 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 123209, as shown in Attachment A to this ordinance, is repealed.

3 Section 25. Section 23.45.502 of the Seattle Municipal Code, which section was enacted
4 by Ordinance 123209, is amended as follows:

5 **23.45.502 Scope of provisions**

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

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

9 Lowrise 1 (LR1);

10 Lowrise 2 (LR2);

11 Lowrise 3 (LR3);

12 ~~((Lowrise 4 (L4)))~~

13 Midrise (MR) (references to Midrise zones include the Midrise/85 (MR/85) zone
14 unless otherwise noted); and

15 Highrise (HR).

16 Section 26. Section 23.45.004 of the Seattle Municipal Code, providing a cross-reference
17 to the section about permitted and prohibited uses in multifamily zones, which section was last
18 amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.

19 Section 27. Subsections A, B, and C of Section 23.45.504 of the Seattle Municipal Code,
20 which section was last amended by Ordinance 123378, are amended as follows:

21 **23.45.504 Permitted and ~~((P))~~prohibited ~~((U))~~uses**

A. All uses are permitted outright, prohibited or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A₁, ~~((or))~~ 23.51B₁ or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

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

Table A for 23.45.504: Permitted and Prohibited Uses		
Uses	Permitted and Prohibited Uses by Zone	
	((LDT,)) LR1, LR2, and LR3 ((and L4))	MR and HR
A. Residential use	P	P
B. Institutions	P/CU ¹	P/CU ¹
((C. Public Facilities		
C.1. Uses in public facilities that are similar to uses permitted outright in this Section 23.45.504	P²	P²
C.2. Police precinct stations; fire stations; public boat moorages; utility service uses; and other similar public facilities that meet the development standards for institutions in 23.45.570	P	P
C.3. Police precinct stations; fire stations; public boat moorages; utility service uses; and other similar public facilities not meeting the development standards for institutions in 23.45.570	Type IV or Type V decision³	Type IV or Type V decision³
C.4. New public facilities not listed in subsections C.1 and C.2 of this Table A for 23.45.504, and major expansions of such public facilities	Type IV or Type V decision³	Type IV or Type V decision³)
<u>C. Uses in existing or former public schools</u>		
<u>C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly and similar uses in existing or former public schools.</u>	<u>P</u>	<u>P</u>

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Table A for 23.45.504: Permitted and Prohibited Uses

<u>C.2. Other non-school uses in existing or former public schools</u>	<u>Permitted pursuant to procedures established in Chapter 23.78</u>	<u>Permitted pursuant to procedures established in Chapter 23.78</u>
D. Park and pool and park and ride lots	X/CU((⁴)) ²	X/CU((⁴)) ²
E. Parks and playgrounds including customary uses	P	P
F. Ground floor commercial uses(⁵)	RC	P ³
G. Medical Service Uses other than permitted ground floor commercial uses	P/X((⁶)) ⁴	P/CU/X((⁶)) ⁴
H. Uses not otherwise permitted in landmark structures	CU	CU
I. Cemeteries	P/X((⁷)) ⁵	P/X((⁷)) ⁵
J. Community Gardens	P	P
K. All other uses	X	X
<p><u>Footnotes to Table A for 23.45.504</u></p> <p>1. Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.</p> <p>((2. These public facilities are subject to the same use regulations and development standards that govern the similar use.))</p> <p>((3. These public facilities may be permitted pursuant to Section 23.51A.004.))</p> <p>((4))². Prohibited in Station Area Overlay Districts; otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506.</p> <p>((5))³. Subject to subsection 23.45.504.E.</p> <p>((6))⁴. Subject to subsection 23.45.504.G and 23.45.506.F.</p> <p>((7))⁵. Subject to subsection 23.45.504.F.</p> <p>P = Permitted outright CU = Permitted as an Administrative Conditional Use RC = Permitted in areas zoned Residential Commercial (RC) ((zones)), and subject to the provisions of the RC zone, Chapter 23.46((-)) X = Prohibited</p>		

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

1. Private garages and carports;
2. Private, permanent swimming pools, hot tubs and other similar uses;
3. Solar collectors, including solar greenhouses;
4. Open wet moorage accessory to residential structures;

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1 5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;

2 6. Bed and breakfasts in a dwelling unit that is at least five years old;

3 7. Recycling collection stations (~~(and)~~);

4 8. Urban farms with planting area not more than 4,000 square feet. Urban farms
5 with greater than 4,000 square feet of planting area may be allowed as an administrative
6 conditional use to any use permitted outright or as a conditional use. The Director may grant,
7 condition or deny a conditional use permit in accordance with subsection 23.42.051.B; and

8 9. Accessory dwelling units.

9
10 * * *

11 Section 28. Section 23.45.006 of the Seattle Municipal Code, which section was last
12 amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.

13 Section 29. Subsections C and F of Section 23.45.506 of the Seattle Municipal Code,
14 which section was last amended by Ordinance 123209, are amended as follows:

15 **Section 23.45.506 Administrative ~~(C)~~ conditional ~~(U)~~ uses**

16
17 * * *

18 C. Institutions other than public schools not meeting the development standards of
19 23.45.570, Institutions, and Major Institution uses as provided in Chapter 23.69, may be
20 permitted subject to the following:

21 1. Bulk and Siting. In order to accommodate the special needs of the proposed
22 institution, and to better site the facility with respect to its surroundings, the Director may modify
23 the applicable development standards (~~for modulation, landscaping, provision of open space,~~
24 ~~and structure width, depth and setbacks~~). In determining whether to allow such modifications,
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1 the Director shall balance the needs of the institution against the compatibility of the proposed
2 institution with the residential scale and character of the surrounding area.

3 2. Dispersion Criteria. An institution that does not meet the dispersion criteria of
4 Section 23.45.570 may be permitted by the Director upon determination that it would not
5 substantially worsen parking shortages, traffic safety hazards, and noise in the surrounding
6 residential area.

7 3. Noise. The Director may condition the permit in order to mitigate potential
8 noise problems. Measures the Director may require for this purpose include, but are not limited
9 to the following: landscaping, sound barriers, fences, berms, adjustments to yards or the location
10 of refuse storage areas, location of parking areas and access, structural design modifications, and
11 regulating hours of use.

12 4. Transportation Plan. A transportation plan is required for proposed new
13 institutions and for those institutions proposing to expand larger than 4,000 square feet of floor
14 area and/or required to provide 20 or more new parking spaces. The Director may condition a
15 permit to mitigate potential traffic and parking impacts pursuant to a Transportation Management
16 Plan or Program as described in directors rules governing such plans or programs. The Director
17 will determine the level of detail to be disclosed in the transportation plan based on the probable
18 impacts and/or scale of the proposed institution.

19 ***

20 F. In addition to medical service uses permitted as ground floor commercial uses
21 pursuant to subsection 23.45.504.E, medical service uses occupying over 4,000 square feet may
22 be permitted in Highrise zones as administrative conditional uses on lots that are at least 25,000
23

1 square feet in size, have not been in residential use since January 1, 1989, and are located on a
2 block that abuts a Neighborhood Commercial zone on at least two entire sides of the block
3 (defined for the purpose of this subsection 23.45.506.F as an area((s)) bounded by street lot
4 lines).

5 1. In order to approve a medical service use, the Director must determine that the
6 medical service use is an expansion of an existing medical service business establishment in the
7 immediate vicinity that is not a major institution.

8 2. Design review is required.

9 3. The development standards in Sections 23.45.510, 23.45.514, 23.45.516,
10 23.45.518, 23.45.520, and 23.45.536 do not apply to the portion of the structure occupied by
11 medical service uses, except as specified in this subsection 23.45.506.F. Portions of the structure
12 occupied by medical service uses shall meet the following development standards:

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

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

18 4. Setbacks

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

20 **Table A for 23.45.506: Setback Requirements for Medical Office Uses (all measurements in**
21 **feet)**

22 Elevation of Facade or Portion 23 of Facade from Existing Grade	24 Setback on Street 25 Frontages	26 Setback on Alley 27 Frontages	28 Setback on shared lot lines
45((')) or less	7((')) average, 5(('))	0(('))	7((')) average,

	minimum		5(?) minimum
More than 45(?) up to 108(?)	10(?) average, 7(?) minimum	10(?)	15(?) average, 10(?) minimum

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

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

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

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

a. Area in the public right-of-way of a neighborhood green street designated in Section 23.45.516 abutting the lot that is improved according to a plan approved by the Director, in consultation with the Director of the Seattle Department of Transportation; except that the Director may waive the requirement that the neighborhood green street abut the lot and allow the improvements to be made to a neighborhood green street located in the general

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1 vicinity of the project, if such an improvement is determined to be beneficial to the occupants of
2 the project; and

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

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

8 7. Parking shall be required as provided in Chapter 23.54.

9 8. The Director shall determine the location of access to parking. In order to
10 promote pedestrian safety and comfort, ~~((the))~~ access via an alley is preferred. Where street
11 access is deemed appropriate, due to safety hazards, topography, or other special conditions of
12 the lot, the number of curb cuts and the width of curb cuts, driveways, and garage openings shall
13 be minimized.
14

15 9. No surface area parking shall be provided, and no parking shall be located at or
16 above grade, unless it is separated from all street lot lines by another use.
17

18 10. The preferred access to loading berths shall be from an alley if the lot abuts an
19 alley. Loading berths shall be located so that access to any residential parking is not blocked.
20

21 11. The Director shall determine the location of passenger load zones, based on
22 safety considerations, minimizing conflicts with automobile and pedestrian traffic, reducing
23 impacts on any nearby residential uses, and the efficient operation of the medical service use.
24

25 12. Identifying signs shall be permitted according to Chapter 23.55, Signs.
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1. 13. For mixed use structures containing both medical service uses and residential
2. uses, the portion of the structure in residential use shall meet the requirements of the HR zone,
3. except as modified by the following:

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

6. b. ~~((Residential amenity))~~ Amenity areas shall be provided according to
7. the provisions of Section 23.45.522. Open space required at ground level pursuant to subsection
8. 23.45.506.F.5 may be ~~((included))~~ counted as ~~((residential))~~ amenity area if it meets the
9. applicable development standards of ~~((subsection))~~ Section 23.45.522~~((B))~~.

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

12. * * *

13. Section 30. Section ~~23.45.508~~ of the Seattle Municipal Code, which section was last
14. amended by Ordinance 123378, is amended as follows:

15. **23.45.508 General provisions**

16. A. Except for structures related to an urban farm, a structure occupied by a permitted use
17. other than a residential use may be partially or wholly converted to a residential use even if the
18. structure does not conform to the development standards for residential uses in multifamily
19. zones.
20.

21. B. Off street parking shall be provided pursuant to ~~((if required in))~~ Section 23.54.015~~((;~~
22. ~~except that one residential unit may be added to a residential structure without a parking space~~
23. ~~pursuant to subsection 23.54.020.A.)~~)
24.

1 C. Expansions of nonconforming converted structures and conversions of structures
2 occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

3 D. Methods for measurements are provided in Chapter 23.86. Requirements for streets,
4 alleys and easements are provided in Chapter 23.53. Standards for parking and access and
5 design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage
6 space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.

7
8 E. Assisted living facilities, congregate housing, and nursing homes shall meet the
9 development standards for apartments unless otherwise specified.

10 F. Single-family dwelling units. In Lowrise zones, single-family dwelling units shall
11 meet the development standards for townhouse developments, except that Section 23.45.529,
12 Design standards, does not apply. In MR and HR zones, single-family dwelling units shall meet
13 the development standards of the zone.

14
15 ~~((2))~~G. Proposed uses in all multifamily zones are subject to the transportation
16 concurrency level-of-service standards prescribed in Chapter 23.52.

17 ~~((E))~~H. ~~((Development standards))~~ Lots with no street frontage. For purposes of structure
18 width, depth, and setbacks, multifamily zoned lots that have no street frontage are subject to the
19 following:
20

21 ~~((a))~~1. For lots that have only one alley lot line, the alley lot line ~~((may))~~
22 shall be treated as a front lot line.

23 ~~((b))~~2. For lots that have more than one alley lot line, ~~((only))~~ the Director
24 shall determine which ~~((one))~~ alley lot line ~~((may))~~ shall be treated as ~~((a))~~ the front lot line.
25
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1 ((e))3. For lots that have no alley lot lines, the applicant may choose the
2 front lot line provided that the selected front lot line length is at least 50 percent of the width of
3 the lot.

4 ~~((2. Proposed uses in all multifamily zones are subject to the transportation
5 concurrency level of service standards prescribed in Chapter 23.52.))~~

6
7 ((3))I. All use provisions and development standards applicable to MR zones, except
8 maximum height, also apply in the MR/85 zone.

9 J. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is not
10 entitled to a permit for any use or development on a lot in a Lowrise zone that would be
11 inconsistent with any term, condition, or restriction contained either in any recorded agreement
12 that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1, L2,
13 L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to LDT, L1,
14 L2, L3, or L4 conditioned on a recorded agreement prior to the effective date of the ordinance
15 introduced as Council Bill 117014.

16
17 ~~((F. Solid Waste and Recyclable Materials Storage Space.~~

18
19 ~~1. Storage space for solid waste and recyclable materials containers shall be~~
20 ~~provided for all new and expanded multifamily structures as indicated in Table A for 23.45.508.~~
21 ~~For the purposes of this subsection, "expanded multifamily structure" means expansion of~~
22 ~~multifamily structures with ten or more existing units by two or more units.~~

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

24

Multifamily Structure Size	Minimum Area for Storage Space	Container Type
7-15 units	75 square feet	Rear loading containers
16-25 units	100 square feet	Rear loading containers

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26-50 units	150 square feet	Front loading containers
51-100 units	200 square feet	Front loading containers
More than 100 units	200 square feet plus 2 square feet for each additional unit	Front loading containers

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

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

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

- a. ~~The storage space shall be located on the lot of the structure it serves and, if located outdoors, it shall not be located between a street facing I of the structure and the street;~~
- b. ~~The storage space shall not be located in any required driveways, parking aisles, or parking spaces for the structure;~~
- c. ~~The storage space shall not block or impede any fire exits, public rights of ways or any pedestrian or vehicular access; and~~
- d. ~~The storage space shall be located to minimize noise and odor to building occupants and neighboring developments.~~

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

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

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

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

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

7 1) Direct access shall be provided from the alley or street to the
8 containers,

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

11 3) When accessed directly by a collection vehicle into a structure, a
12 21 foot overhead clearance shall be provided.

13
14
15 5. The Director, in consultation with the Director of Seattle Public Utilities, shall
16 have the discretion to modify the requirements of subsections 23.45.508.F.1 through F.4 under
17 the following circumstances:

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

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

23 c. When the applicant proposes alternative, workable measures that meet
24 the intent of this Section 23.45.508.
25
26

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

4 Section 31. Nine sections of the Seattle Municipal Code, Section 23.45.009 Structure
5 Height, which section was last amended by Ordinance 123209; Section 23.45.010 Lot Coverage
6 Limits, which section was last amended by Ordinance 118794; Section 23.45.011 Structure
7 width and depth, which section was last amended by Ordinance 114888; 23.45.012 Modulation,
8 which section was last amended by Ordinance 120117; Section 23.45.014 Setbacks, which
9 section was last amended by Ordinance 123209; Section 23.45.015 Screening and Landscaping,
10 which section was last amended by Ordinance 121477; Section 23.45.016 Open Space
11 Requirements, which section was last amended by Ordinance 123046; Section 23.45.017 Light
12 and Glare, which section was last amended by Ordinance 115043; and Section 23.45.018,
13 Parking and Access, which section was last amended by Ordinance 120611; all for Lowrise
14 zones, as shown in Attachment A to this ordinance, are repealed.
15

16 Section 32. Section 23.45.510 of the Seattle Municipal Code, which section was enacted
17 by Ordinance 123209, is amended as follows:
18

19 **23.45.510 Floor area ratio (FAR) limits ((in Midrise and Highrise Zones))**
20

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

23 A. General provisions.

24 1. All gross floor area not exempt under subsection 23.45.510.~~((B))E~~ counts
25 toward the maximum gross floor area allowed under the floor area ratio (FAR) limits.
26

2. The applicable FAR limit applies to the total non-exempt gross floor area of all structures on the lot (~~(, subject to subsection 23.45.510.A.3)~~).

3. ~~((When))~~ 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, and ~~((for the entire lot is the sum of the limits that would apply to the portion of the lot located in each zone, but))~~ the floor area on the portion of the lot with the lower FAR limit may not exceed the amount that would be permitted if it were a separate lot.

B. FAR limits in LR zones

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

Table A for 23.45.510: Floor Area Ratios in Lowrise Zones

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

Footnotes for A for 23.45.510:

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

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

THIS VERSION IS NOT ADOPTED

1 C. In LR zones, in order to qualify for the higher FAR limit shown in Table A for
2 23.45.510, the following standards shall be met:

3 1. Applicants shall make a commitment that the structure will meet green
4 building performance standards by earning a Leadership in Energy and Environmental Design
5 (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King
6 and Snohomish Counties, except that an applicant who is applying for funding from the
7 Washington State Housing Trust Fund and/or the Seattle Office of Housing to develop new
8 affordable housing, may elect to meet green building performance standards by meeting the
9 Washington Evergreen Sustainable Development Standards (ESDS). The standards referred to
10 in this subsection 23.45.510.C.1 are those identified in Section 23.45.526, and that section shall
11 apply as if the application were for new development gaining extra residential floor area.

12 2. For all categories of residential use, if the lot abuts an alley and the alley is
13 used for access, improvements to the alley shall be required as provided in subsections
14 23.53.030.E and F, except that the alley shall be paved rather than improved with crushed rock,
15 even for lots containing fewer than ten dwelling units.

16 3. Parking location if parking is provided.

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

20 b. For apartments, parking may either:

21 1) be located in an enclosed area that is below grade or that
22 projects a maximum of 4 feet above finished grade; or

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

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

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

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

2. The floor area contained in a ~~((designated Seattle))~~ landmark structure subject to controls and incentives imposed by a designating ordinance, ~~((when))~~ if the owner of the landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A.

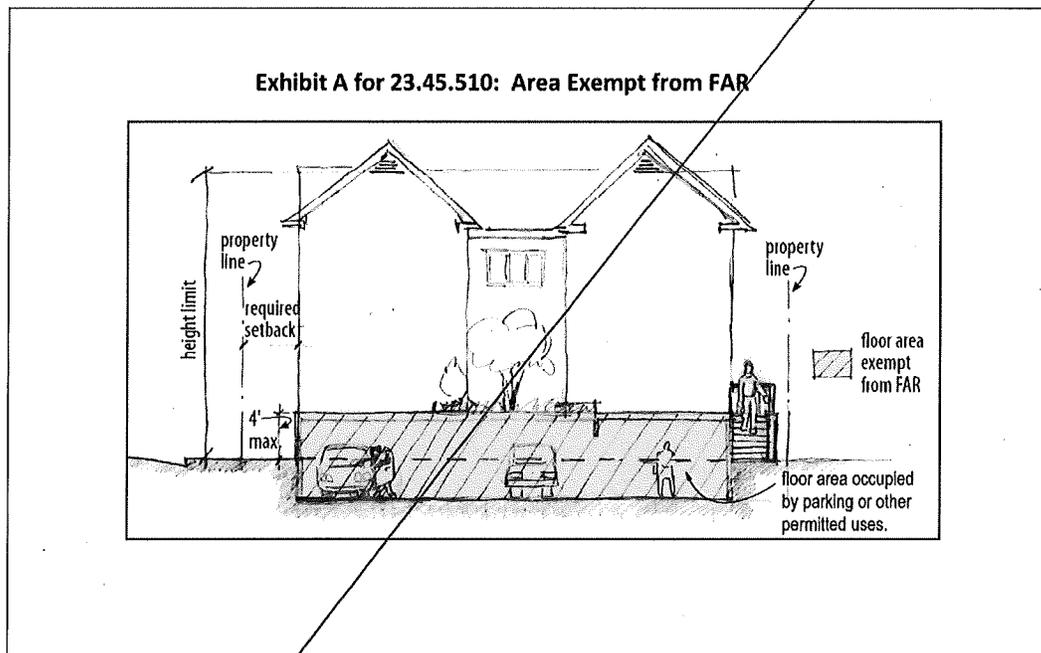
3. Structures built prior to January 1, 1982 as single-family dwelling units that will remain in residential use, provided that:

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

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

3 4. For apartments in LR zones that qualify for the higher FAR limit shown in
4 Table A for 23.45.510, and for all multifamily structures in MR and HR zones, portions of a
5 story that extend no more than 4 feet above existing or finished grade, whichever is lower. See
6 Exhibit A for 23.45.510.

7
8
9 **Exhibit A for 23.45.510: Area Exempt from FAR**



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

24 a. The average height of the exterior walls enclosing the floor area does
25 not exceed 4 feet, measured from existing or finished grade, whichever is lower;
26

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

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

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

7
8 ~~((3))~~6. Enclosed common ~~((residential))~~ amenity ~~((space))~~ area in Highrise zones.

9 ~~((4))~~7. As an allowance for mechanical equipment, in any structure more than 85
10 feet in height, 3.5 percent of the gross floor area that is not exempt under this subsection~~((s~~
11 ~~((B))~~D.1 through ~~((B))~~D.3 of this Section)) 23.45.510.E.

12 ~~((5))~~8. In HR zones, ground floor commercial uses meeting the requirements of
13 Section 23.45.532, if the street level of the structure containing the ~~((exempt space))~~commercial
14 uses has a minimum floor to floor height of 13 feet and a minimum depth of 15 feet.

15
16 ~~((C))~~E. If TDP is transferred from a lot pursuant to Section 23.58A.018, the amount of
17 non-exempt floor area that may be permitted is the applicable base FAR, plus any net amount of
18 TDP previously transferred to the lot, minus the sum of the existing non-exempt floor area on the
19 lot and the amount of TDP transferred.

20
21 Section 33. Sections 23.45.008 of the Seattle Municipal Code, which section was last
22 amended by Ordinance 123046, is recodified and amended as follows:

23 ~~((23.45.008))~~ **23.45.512 Density limits—Lowrise zones**

24
25 A. There shall be a minimum lot area per dwelling unit in LR zones for cottage housing
26 developments, townhouse developments, and apartments, as shown on Table A for 23.45.512,

except as provided in subsections B, C, D, E, ~~((and F))~~, and G of this ~~((s))~~Section 23.45.512~~((, as follows:))~~

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

Table A for 23.45.512: Density Limits in Lowrise Zones

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

Footnotes for Table A for 23.45.512

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

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

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

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

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

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

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

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

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

15 ~~C. ((In the Lowrise Duplex/Triplex zone, the minimum lot area per dwelling unit for~~
16 ~~cottage housing developments shall be one (1) dwelling unit per one thousand six hundred~~
17 ~~(1,600) square feet of lot area. In Lowrise Duplex/Triplex and Lowrise 1 zones, the minimum lot~~
18 ~~area for cottage housing developments shall be six thousand four hundred (6,400) square feet.))~~

19 Carriage houses, nursing homes, congregate housing, assisted living facilities, and accessory
20 dwelling units that meet the standards of Section 23.45.545, are exempt from the density limit set
21 in Table A for 23.45.512.

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

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

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

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

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

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

19 Section 34. Section 23.45.514 of the Seattle Municipal Code, which section was last
20 amended by Ordinance 123378, is amended as follows:

21 **23.45.514 Structure height ~~((in Midrise and Highrise zones))~~**

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

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

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

Footnotes for Table A for 23.45.514:

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

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

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

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

	<u>MR</u>	<u>MR/85</u>	<u>HR</u>

THIS VERSION IS NOT ADOPTED

Base height limit	60	85	160
Maximum height limit if extra residential floor area is gained under Chapter 23.58A and Section 23.45.516	75	85	240 or 300

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

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

10
11 2. The height limit is 20 feet for an accessory structure that contains an accessory
12 dwelling unit for a rowhouse or townhouse unit. The height limit for an accessory dwelling unit
13 that is accessory to a single-family dwelling unit shall be set according to Section 23.44.041.

14
15 3. Freestanding flagpoles and religious symbols for religious institutions are
16 exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay
17 District, provided they are no closer to any lot line than 50 percent of their height above existing
18 grade.

19 D. Exceptions for ((P))pitched ((R))roofs in LR zones that are not shed or butterfly roofs.
20 Pitched roofs that are not shed or butterfly roofs may extend above the height limits set in Table
21 A for 23.45.514 subject to the following limits, provided that all parts of the roofs above the
22 height limit have a minimum slope of 6:12, except as provided in subsection 23.45.514.D.5:

23
24 1. For cottage housing developments in all LR zones, the ridge of pitched roofs on
25 principal structures may extend up to 7 feet above the height limit.

1 2. In LR1 and LR2 zones, for structures subject to a 30 foot height limit, the ridge
2 of pitched roofs on principal structures may extend up to 5 feet above the height limit if the
3 height exception in subsection 23.45.514.F is not used.

4 3. In LR3 zones, for structures subject to a 30 foot height limit, the ridge of
5 pitched roofs on principal structures may either:

6 a. extend up to 10 feet above the height limit, if the height exception
7 provided in 23.45.514.F is not used, and the number of full stories above grade is limited to
8 three; or

9 b. extend up to 5 feet above the height limit, if the height exception
10 provided in 23.45.514.F is used.

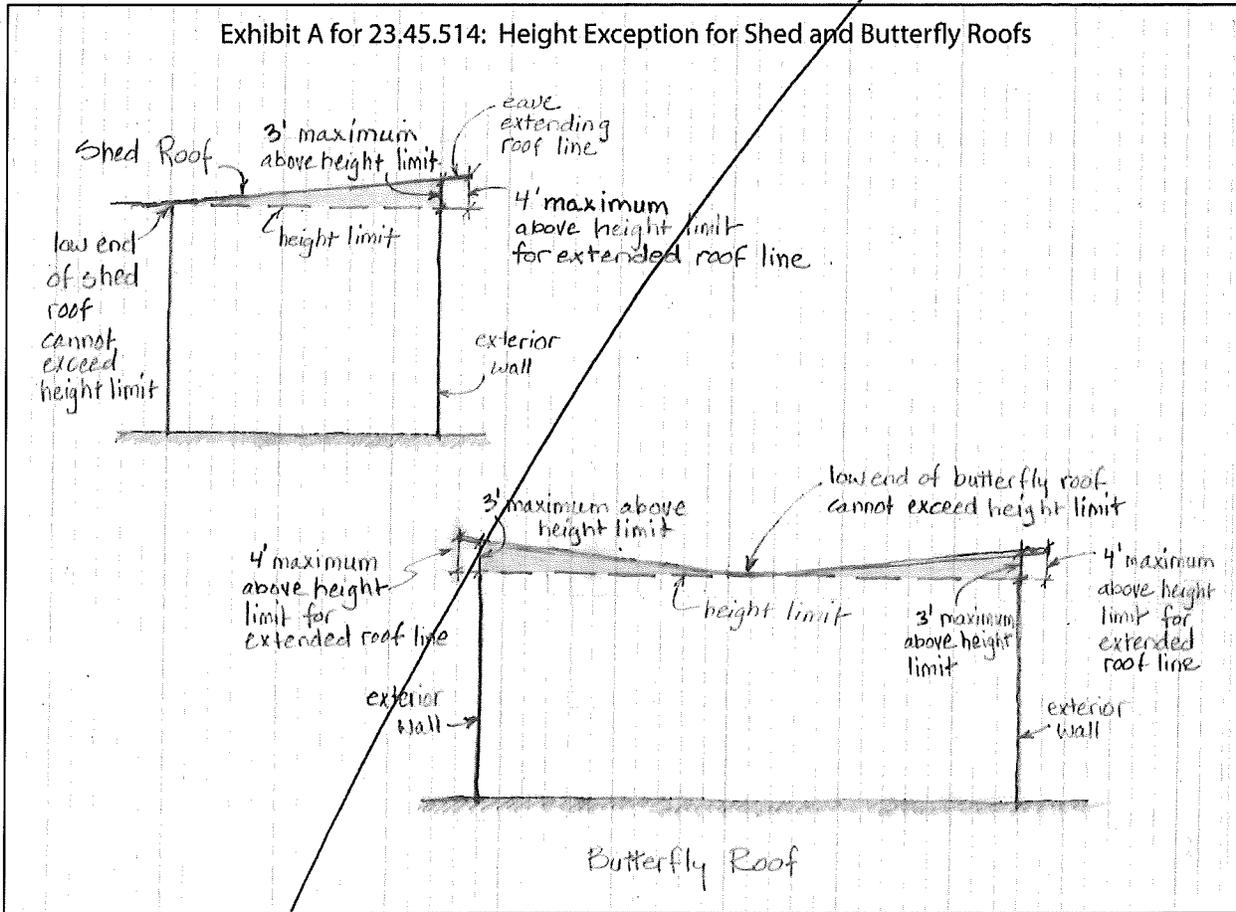
11 4. In LR3 zones, for structures subject to a 40 foot height limit, the ridge of
12 pitched roofs on principal structures may extend up to 5 feet above the height limit provided that
13 the height exception in subsection 23.45.514.F is not used.

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

17 E. Shed and butterfly roofs in LR zones.

18 1. In LR zones, the high side(s) of a shed or butterfly roof may extend 3 feet
19 above the height limits set in Table A for 23.45.514, provided that the low side(s) of the shed or
20 butterfly roof are no higher than the height limit (see Exhibit A for 23.45.514).

1 2. The roof line of a shed or butterfly roof may be extended in order to
2 accommodate eaves and gutters, provided that the highest point of the roof extension is no more
3 than 4 feet above the height limit.



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

23 1. This height exception does not apply to portions of lots that are within 50 feet
24 of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family
25 zoned lot by a street;
26

THIS VERSION IS NOT ADOPTED

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

4 3. On the street-facing façade(s) of the structure, the story above the partially
5 below-grade story is at least 18 inches above the elevation of the street, except that this
6 requirement may be waived to accommodate units accessible to the disabled or elderly,
7 consistent with the Seattle Residential Code, Section R322, of the Seattle Building Code,
8 Chapter 11; and

9 4. The average height of the exterior facades of the portion of the story that is
10 partially below-grade does not exceed 4 feet, measured from existing or finished grade,
11 whichever is less.

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

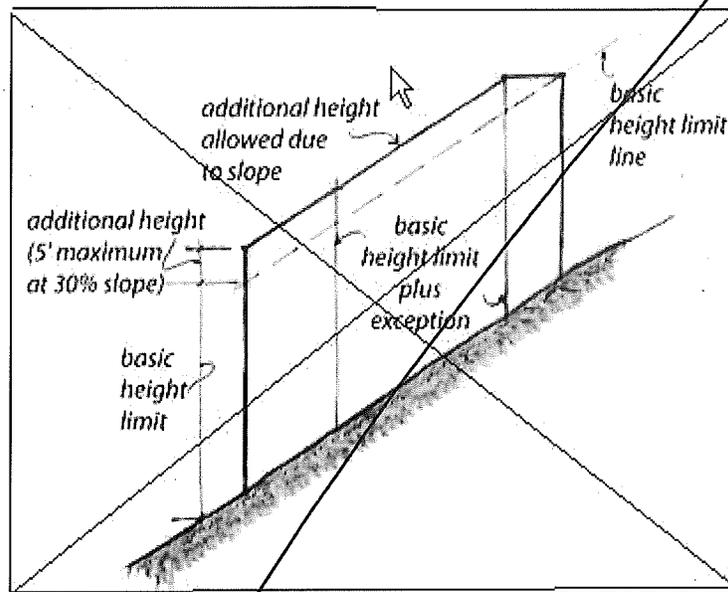
15 1. The FAR exemption provided in Section 23.45.510.((B.1))E.4 is used;
16 2. ((The structure has)) All stories in the structure, except stories used only for
17 parking, have floor to ceiling heights of ((~~more than nine~~)) 9 feet or more; or
18

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

22 ((C. Sloped Lots. In zones with height limits that are less than 85 feet, additional height
23 is permitted for sloped lots, at the rate of 1 foot for each 6 percent of slope, to a maximum
24

1 additional height of 5 feet. The additional height is permitted on the down slope side of the
2 structure only, as described in Section 23.86.006.D. See Exhibit A for 23.45.514.)

3 ~~((Exhibit A for 23.45.514: Sloped Lot Height Allowance))~~



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

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

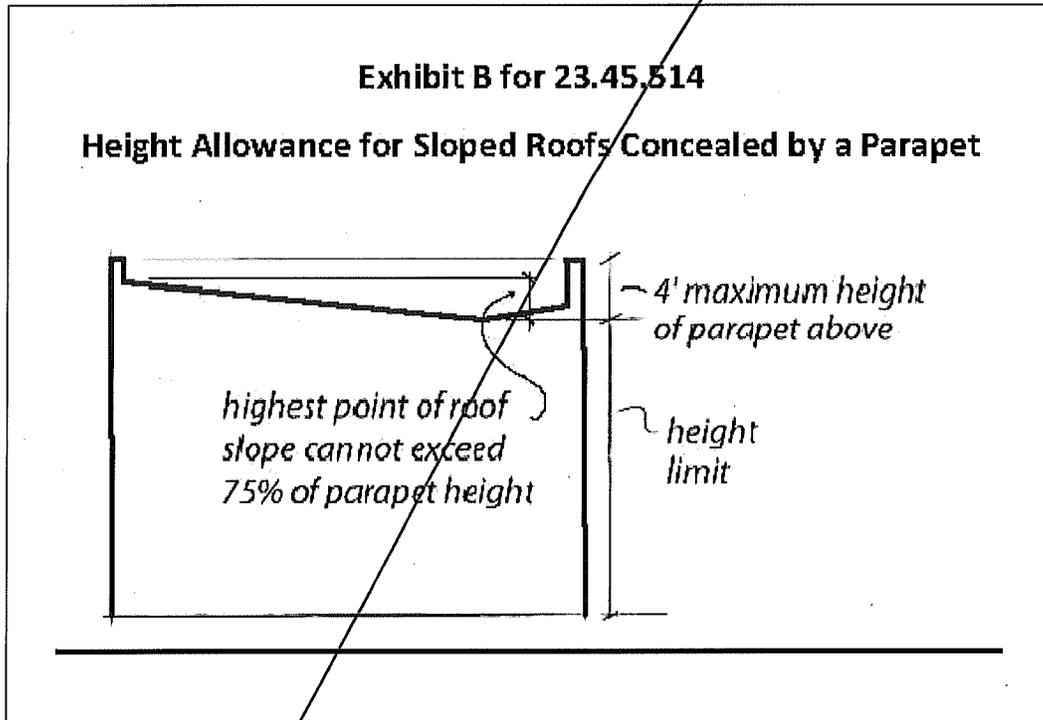
21 height of 65 feet or more.))

22
23 ((E))H. Roofs enclosed by a parapet. ((To promote adequate drainage, portions
24 of a roof)) Roof surfaces that are completely surrounded by a parapet may exceed the applicable
25 height limit to allow for a slope, provided that the height of the highest ((point)) elevation of the
26 ((slope)) roof surface does not exceed 75 percent of the parapet height, and provided that the

THIS VERSION IS NOT ADOPTED

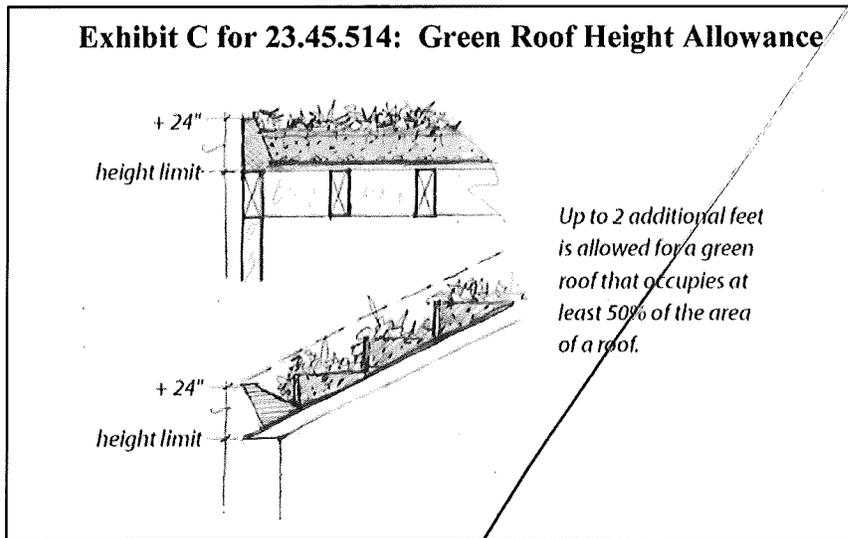
lowest elevation of the roof surface is no higher than the applicable height limit ((the height limit by more than 75 percent of the height of the parapet)). See Exhibit B for 23.45.514.

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



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

Exhibit C for 23.45.514: Green Roof Height Allowance



~~((G))~~J. Rooftop ~~((F))~~features.

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

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

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

THIS VERSION IS NOT ADOPTED

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

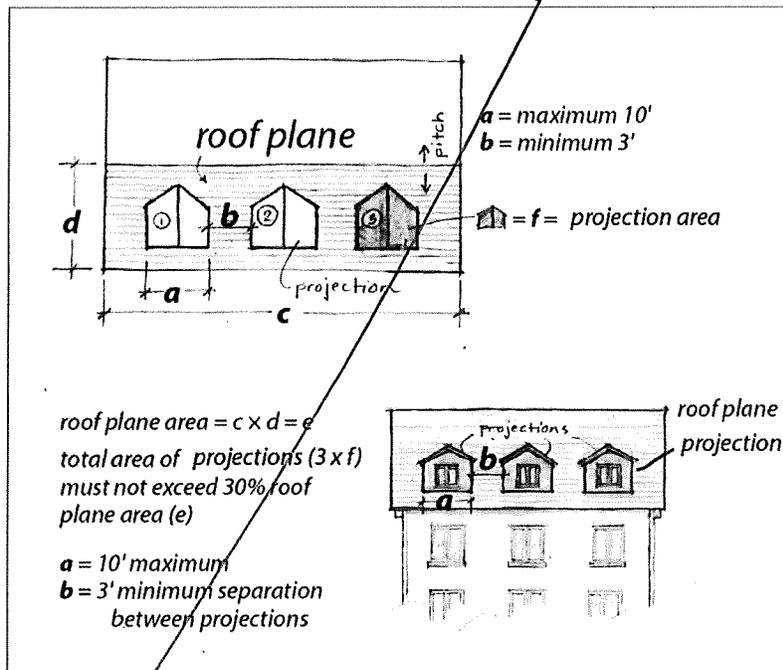
3 b. the projections are limited to 10 feet in width; and

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

5 (see Exhibit D for 23.45.514).

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

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



21 ((3))4. In LR zones, the following rooftop features may extend 10 feet above the
22 height limit set in subsections 23.45.514.A and F, if the combined total coverage of all features
23 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes
24 screened mechanical equipment:

25 a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

1 b. Mechanical equipment;

2 c. Play equipment and open-mesh fencing that encloses it, if the fencing
3 is at least 5 feet from the roof edge;

4 d. Chimneys;

5 e. Wind-driven power generators; and

6 f. Minor communication utilities and accessory communication devices,
7 except that height is regulated according to the provisions of Section 23.57.011.

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

12 a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

13 b. Mechanical equipment;

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

16 ~~((e))~~d. Chimneys;

17 ~~((d))~~e. Sun and wind screens;

18 ~~((e))~~f. Penthouse pavilions for the common use of residents;

19 ~~((f))~~g. Greenhouses and solariums, in each case that meet minimum
20 energy standards administered by the Director;

21 ~~((g))~~h. Wind-driven power generators; and

THIS PROVISION IS NOT ADOPTED

1 ((h))i. Minor communication utilities and accessory communication
2 devices, except that height is regulated according to the provisions of Section 23.57.011.

3 ((4))6. ~~((Stair and))~~ Subject to the roof coverage limits in subsections
4 23.45.514.J.4 and 5, elevator penthouses may extend above the applicable height limit up to 16
5 feet. ~~((When))~~ If additional height is needed to accommodate energy-efficient elevators in HR
6 zones ~~((with height limits of 160 feet or greater))~~, elevator penthouses may extend the minimum
7 amount necessary to accommodate energy-efficient elevators, up to 25 feet above the applicable
8 height limit. Energy-efficient elevators ~~((shall be))~~ are defined by Director's Rule. ~~((When~~
9 ~~additional height is allowed for an energy-efficient elevator, stair))~~ Stair penthouses may be
10 ~~((granted))~~ the same ~~((additional))~~ height as an elevator penthouse if ~~((they))~~ the elevator and
11 stairs are co-located within a common ~~((the elevator))~~ penthouse structure.
12

13 ((5))7. For height exceptions for solar collectors, see Section 23.45.545~~((D))~~.

14 ((6))8. In order to protect solar access for property to the north, the applicant
15 shall either locate the rooftop features listed in this subsection 23.45.514.~~((G))~~J at least 10 feet
16 from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed
17 location of such rooftop features would shade property to the north on January 21st at noon no
18 more than would a structure built to maximum permitted bulk:
19

- 20
- 21 a. Solar collectors;
 - 22 b. Planters;
 - 23 c. Clerestories;
 - 24 d. Greenhouses and solariums ~~((which))~~ that meet minimum energy
25 standards administered by the Director;
 - 26

1 e. Minor communication utilities and accessory communication devices,
2 permitted according to the provisions of Section 23.57.011;

3 f. ~~((Nonfirewall parapets;~~

4 ~~g.))~~ Play equipment;

5 ~~((h))~~g. Sun and wind screens;

6 ~~((i))~~h. Penthouse pavilions for the common use of residents.

7
8 ~~((7))~~9. For height limits and exceptions for communication utilities and devices,
9 see Section 23.57.011.

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

15
16 ~~((9))~~11. Additional height in HR zones. A structure may exceed the applicable
17 height limit in the HR zone as follows:

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

23
24 b. If the applicable height limit is 300 feet, the height of a structure may be
25 increased (1) by 30 feet if the area bounded by the facades of the portion of the structure above
26

1 300 feet is no greater than 6,500 square feet, or (2) by 45 feet if the area bounded by the facades
2 at an elevation that is halfway between 300 feet and the height of the structure is no greater than
3 50 percent of the area bounded by the facades at a height of 300 feet.

4 c. In all cases the area bounded by the facades extending above the height
5 limit may be occupied only by those uses or features otherwise permitted in this Section
6 23.45.514 as an exception above the height limit, although any limits on the height or coverage
7 of those uses or features totally screened by the facades extending above the applicable height
8 limit shall not apply. Height exceptions permitted for screening ~~((and))~~ of rooftop features under
9 other provisions of this subsection 23.45.514.~~((F))~~ are not permitted above the height gained by
10 a structure under this ~~((provision))~~ subsection 23.45.514.J.11.

11
12 Section 35. Subsection C of Section 23.45.516 of the Seattle Municipal Code, which
13 section was enacted by Ordinance 123209, is amended as follows:

14
15 **23.45.516 Additional height and extra residential floor area in Midrise and Highrise zones**

16 * * *

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

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

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

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

3 2. Structure ~~((H))~~ height.

4 a. Structures 240 feet or less in height. The applicable height limit in an
5 HR zone under subsection 23.45.514.~~((A))~~B is 240 feet if the applicant satisfies the conditions
6 for extra floor area but not all of the conditions in subsection C.2**b** of this Section 23.45.516 are
7 met.
8

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

12 1) For any structure above a height of 85 feet, the average
13 residential gross floor area per story above a height of 45 feet does not exceed 9,500 square feet;
14 and
15

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

18 3) At least 25 percent of the lot area at grade is one or more
19 landscaped areas, each with a minimum horizontal dimension of 10 feet, or at least 20 percent of
20 the lot area at grade is landscaped, common ~~((residential))~~ amenity area meeting the standards of
21 Section 23.45.522.
22

23 * * *

24 Section 36. Section 23.45.518 of the Seattle Municipal Code, which section was last
25 amended by Ordinance 123209, is amended as follows:
26

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

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

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

<u>All LR Zones</u>	<u>Category of Residential Use</u>			
	<u>Cottage Housing Developments and Single-Family Dwelling Units</u>	<u>Rowhouse Developments</u>	<u>Townhouse Developments</u>	<u>Apartments</u>
<u>Front</u>	<u>7 average; 5 minimum</u>	<u>5 minimum</u>	<u>7 average; 5 minimum</u>	<u>5 minimum</u>
<u>Rear</u>	<u>0 with Alley; 7 if no Alley</u>	<u>0 with Alley; With no alley: 7 average; 5 minimum</u>	<u>7 average; 5 minimum</u>	<u>10 minimum with alley; 15 minimum if no alley</u>
<u>Side Setback for Facades 40 feet or less in length¹</u>	<u>5</u>	<u>0, except that on side lot lines that abut a single-family zone, the setback is 5</u>	<u>5</u>	<u>5</u>
<u>Side Setback for Facades greater than 40 feet in length¹</u>	<u>5 minimum</u>	<u>0, except that on side lot lines that abut a single-family zone, the setback is 7 average; 5 minimum</u>	<u>7 average; 5 minimum</u>	<u>7 average; 5 minimum</u>

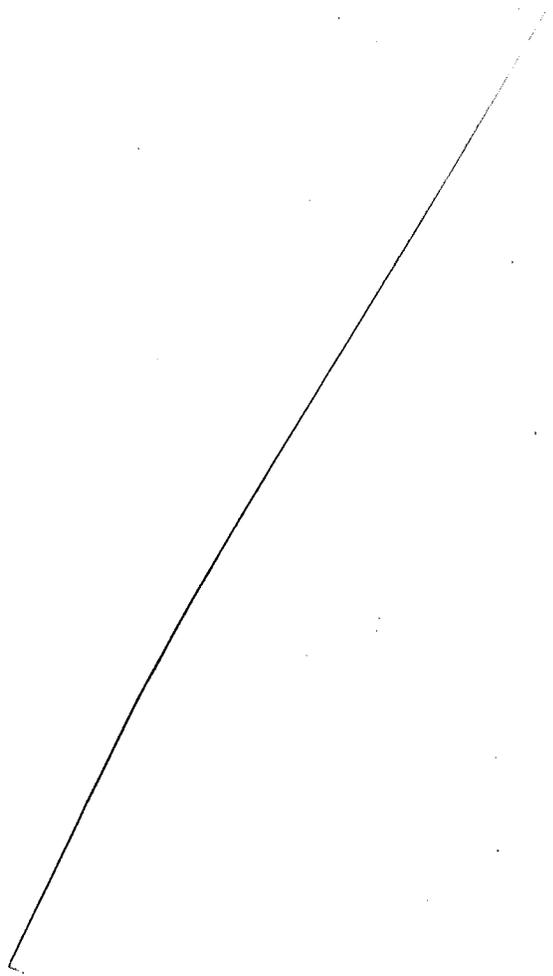
Footnote to Table A for 23.45.518
¹Portions of structures that qualify for the FAR exemption in subsection 23.45.510.E.5 are not considered part of the facade length for the purposes of determining the side setback requirement.

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

THIS VERSION IS NOT ADOPTED

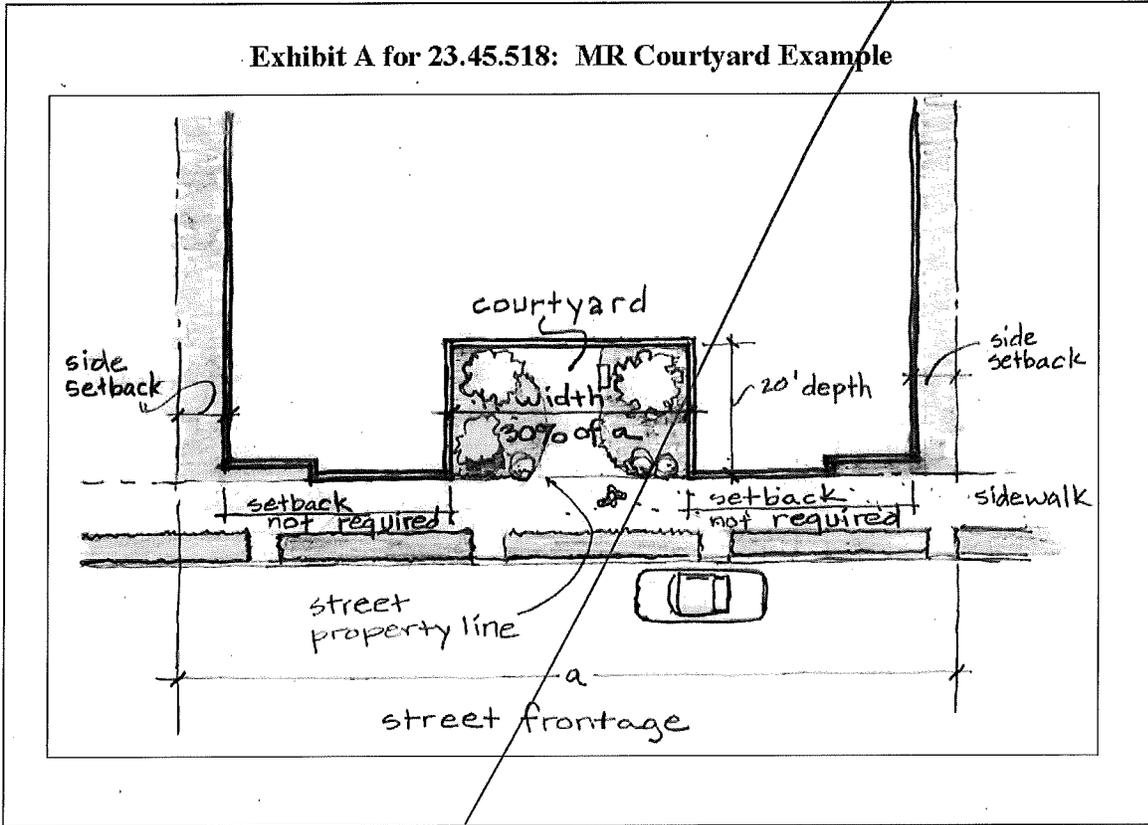
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Table ((A))B for 23.45.518: MR Setbacks	
Setback Location	Required Setback Amount
Front and side setback from street lot lines	<p>7((?))foot average setback; 5((?))foot minimum setback</p> <p>No setback is required ((when))if a courtyard ((is provided))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



THIS VERSION IS NOT ADOPTED

Exhibit A for 23.45.518: MR Courtyard Example



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

THIS VERSION IS NOT ADOPTED

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

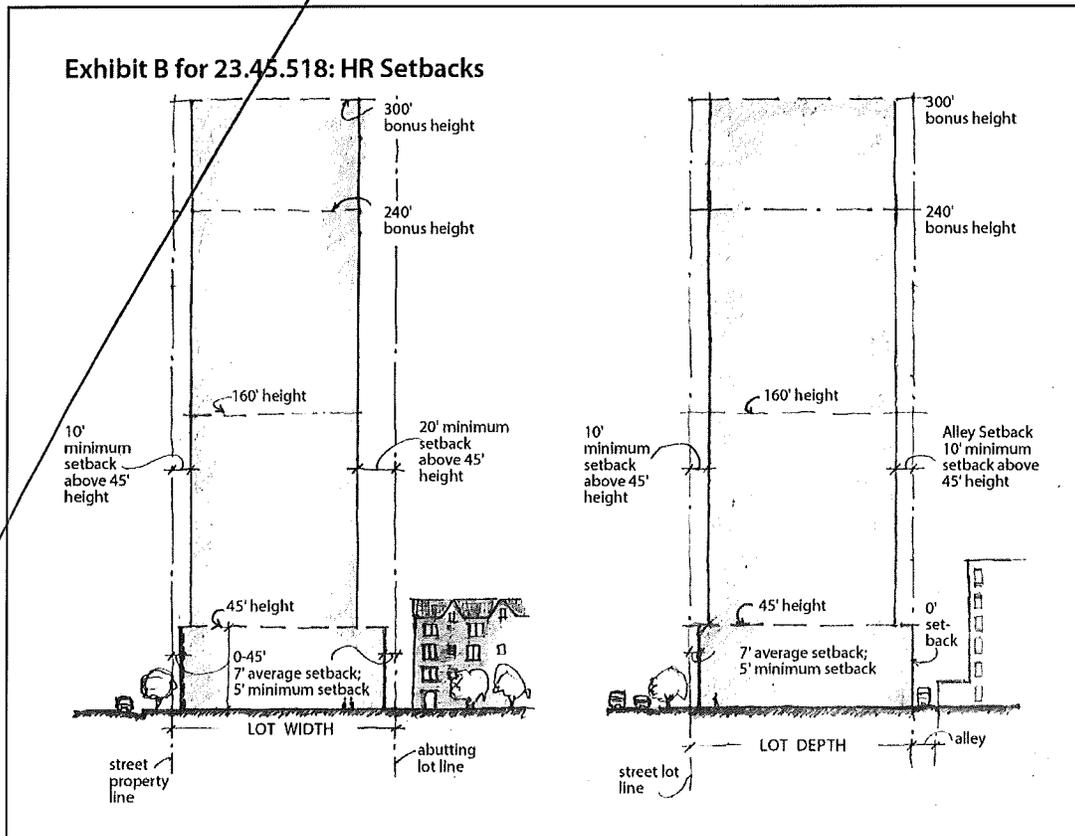
Setbacks for structures ((~~eighty-five~~) 85 feet in height or less

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

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

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

Exhibit B for 23.45.518: HR Setbacks



THIS VERSION IS NOT ADOPTED

1 ((E))D. Through ((L))lots. In the case of a through lot, each setback abutting a street
2 except a side setback shall be a front setback. Rear setback requirements shall not apply to the
3 lot.

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

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

7
8 1. In LR and MR zones, ((a. Where two or more principal structures are located
9 on a lot,)) the minimum required separation between ((the)) principal structures at any two points
10 on different interior facades is 10 feet, except for cottage housing developments, and principal
11 structures separated by a driveway or parking aisle. ((as follows: 1) When))

12
13 2. In LR and MR zones, if ((the)) principal structures are separated by a driveway
14 or parking aisle, the minimum required separation between the principal structures ((from
15 finished grade to a height of 9 feet above finished grade)) is 2 feet greater than the required width
16 of the driveway or parking aisle, provided that the separation is not required to be any greater
17 than 24 feet ((to accommodate a parking aisle)). If principal structures are separated by a
18 driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet
19 into the required separation if they are at least 8 feet above finished grade.

20
21 3. Cottage housing developments in LR and MR zones:

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

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

3 ~~((2) The enclosed floor area of a structure may extend a~~
4 ~~maximum of 3 feet over driveways and parking aisles, subject to this subsection~~
5 ~~23.45.518.((E))F; and))~~

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

9
10 ~~((2))4. HR zones. Where two or more structures or portions of a structure above~~
11 ~~85 feet in height are located on one lot, the minimum horizontal separation between interior~~
12 ~~facades in each height range is as provided in Table ((C))D for 23.45.518.~~

13
14
15 **Table ((C))D for 23.45.518: HR Façade Separation for Structures on the Same Lot**

16 Height Range	17 Minimum separation required between interior facades
18 0 to 45 feet	No minimum
19 Above 45 feet up to 160 feet	30 feet
20 Above 160 feet	40 feet

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

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

THIS VERSION IS NOT ADOPTED

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

5 2. Garden windows and other features that do not provide floor area may project
6 a maximum of 18 inches into required setbacks and separations if they are:
7 a. a minimum of 30 inches above the finished floor;
8 b. no more than 6 feet in height and 8 feet wide; and
9 c. combined with bay windows and other features with floor area, make up
10 no more than 30 percent of the area of the façade.

11 3. Bay windows and other features ~~((with))~~ that provide floor area may project a
12 maximum of ~~((18 inches))~~ 2 feet into required setbacks and separations if they are:
13 a. no closer than 5 feet to any lot line;
14 b. no more than 10 feet in width; and
15 c. combined with garden windows and other features included in
16 subsection 23.45.518.H.2, make up no more than 30 percent of the area of the façade.

17
18 ~~((4. Unenclosed decks and balconies may project a maximum of 4 feet into
19 required setbacks or separations if they are:
20 a. no closer than 5 feet to any lot line; and
21 b. no more than 20 feet wide and are separated from other decks and
22 balconies on the same façade of the structure by a distance equal to at least one half the width of
23 the projection)).~~

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

- 3 1. no closer than 5 feet to any lot line;
4 2. no more than 20 feet wide; and
5 3. separated from other decks and balconies on the same façade of the structure by
6 a distance equal to at least one-half the width of the projection.

7
8 ~~((G))~~ J. Structures in ~~((R))~~ required ~~((S))~~ setbacks or separations.

9 1. Detached garages, carports or other accessory structures ~~((are permitted))~~ may
10 be located in required separations and required rear or side setbacks, ((provided that any
11 accessory structure located between a principal structure and the side lot line shall provide the
12 setback required for the principal structure)) subject to the following requirements:

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

15 b. Any portion of an accessory structure located more than 25 feet from a
16 rear lot line shall meet the side setback requirement for a principal structure;

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

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

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

1 c. Accessory structures shall be set back at least 7 feet from any lot line

2 that abuts a street; and

3 d. Accessory structures shall be separated by at least 3 feet from all

4 principal structures, including the eaves, gutters, and other projecting features of the principal
5 structure.

6 2. Ramps or other devices necessary for access for the disabled and elderly((~~7~~))
7 that meet the Seattle Residential Code, Section R322 or Seattle Building Code, Chapter 11-
8 Accessibility, are permitted in any required setback or separation.

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

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

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

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

18 7. Fences,

19 a. Fences no greater than ((~~six~~)) 6 feet in height are permitted in any
20 required ((~~front, side or rear~~)) setback or separation, except that fences in the required front
21 setback extended to side lot lines or ((~~side~~)) in street side setbacks extended to the front and rear
22 lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall

1 are also limited to 4 feet. ~~((The permitted height may be averaged along a sloping grade for each~~
2 ~~6 foot long segment of the fence, but in no case may any portion of the fence exceed 6 feet in~~
3 ~~height.)) If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the~~
4 ~~maximum combined height is limited to 9.5 feet.~~

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

9 c. ~~((If located in shoreline setbacks or in view corridors in the Shoreline~~
10 ~~District as regulated in Chapter 23.60, structures shall not obscure views protected by Chapter~~
11 ~~23.60, and the Director shall determine the permitted height.)) Fence height may be averaged~~
12 ~~along sloping grades for each 6 foot long segment of the fence, but in no case may any portion of~~
13 ~~the fence exceed 8 feet in height when the height permitted by subsection 23.45.518.J.7.a is 6~~
14 ~~feet, or 6 feet in height when the height permitted by subsection 23.45.518.J.7.a is 4 feet.~~

17 8. Bulkheads and retaining walls.

18 a. Bulkheads and retaining walls used to raise grade may be placed in each
19 required setback ~~((when))~~ if they are limited to 6 feet in height, measured above existing grade.
20 A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall
21 existing as of January 3, 1997. ~~((If a fence is placed on top of a new bulkhead or retaining wall,~~
22 ~~the maximum combined height is limited to 9.5 feet.))~~

23 b. Bulkheads and retaining walls used to protect a cut into existing grade
24 may not exceed the minimum height necessary to support the cut or 6 feet measured from the
25

1 finished grade on the low side, whichever is greater. ~~((When))~~ If the bulkhead is measured from
2 the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle
3 Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or
4 retaining wall. ~~((A fence must))~~ Any fence shall be set back a minimum of 3 feet from such a
5 bulkhead or retaining wall.

6
7 9. ~~((Arbors.))~~ Arbors may be permitted in required setbacks or separation under
8 the following conditions:

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

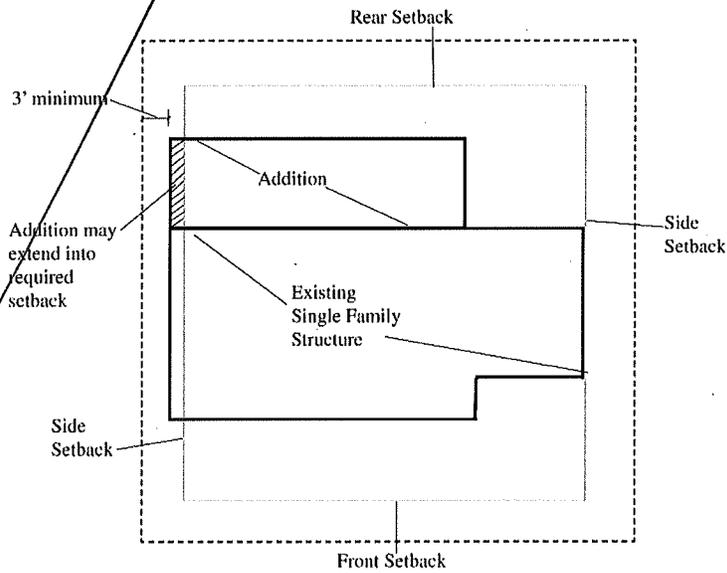
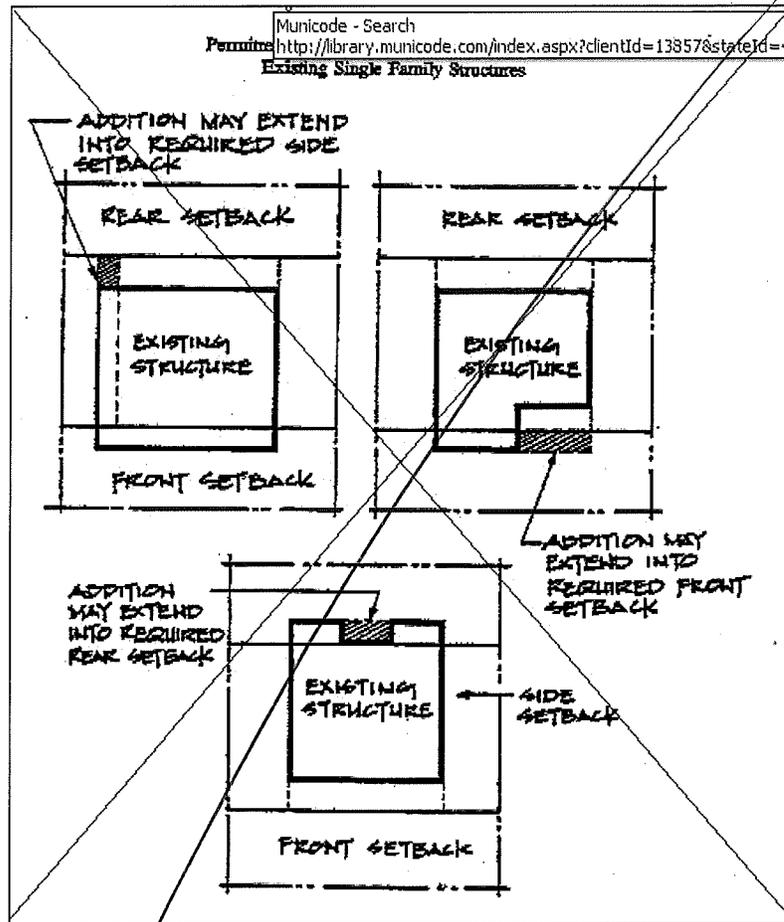
14 b. In each required setback abutting a street, an arbor over a private
15 pedestrian walkway with no more than a 30 square foot footprint, measured on the horizontal
16 roof plane and inclusive of eaves, may be erected to a maximum height of 8 feet. ~~((The))~~ At least
17 50 percent of the sides of the arbor shall ~~((be at least 50 percent))~~ open, or, if latticework is used,
18 there ~~((must))~~ shall be a minimum opening of 2 inches between crosspieces.

19
20
21 ~~((10. Structures built as single family dwelling units prior to 1982((,)) that will~~
22 ~~remain in residential use((,)) are permitted in required setbacks or separations provided that~~
23 ~~nonconformity to setback or separation requirements is not increased.~~

1 ~~11. Front and rear setbacks or separations on lots containing certain~~
2 ~~environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and~~
3 ~~25.09.300.))~~

4 K. In all multifamily zones, certain additions to a single-family dwelling unit may extend
5 into a required side setback if the structure is already nonconforming with respect to that setback,
6 and if the presently nonconforming section is at least 60 percent of the total width of the
7 respective facade of the structure prior to the addition. The line formed by the nonconforming
8 wall of the structure shall be the limit to which any additions may be built, which may extend up
9 to the height limit and may include basement additions (Exhibit D for 23.45.518), provided that
10 additions shall be at least 3 feet from the side lot line.

11
12
13 **Exhibit D for 23.45.518: Permitted Additions Into Required Setbacks for Existing**
14 **Single-Family ((Structures)) Dwelling Units**



THIS VERSION IS NOT ADOPTED

1 Section 37. Section 23.45.522 of the Seattle Municipal Code, which section was enacted
2 by Ordinance 123209, is amended as follows:

3 **23.45.522 ((Residential amenity)) Amenity area((s in Midrise and Highrise zones))**

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

9 A. Amount of amenity area required for rowhouse and townhouse developments and
10 apartments in LR zones.

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

13 2. A minimum of 50 percent of the required amenity area shall be provided at
14 ground level, except that amenity area provided on the roof of a structure that meets the
15 provisions of subsection 23.45.510.E.5 may be counted as amenity area provided at ground level.

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

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

20 B. Amenity area requirements for cottage housing developments in all multifamily zones.

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

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

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

2 a. Half of the amenity area required for each cottage, and all of the
3 amenity area required for each carriage house, shall be provided as common amenity area; and

4 b. Half of the amenity area required for each cottage shall be provided as
5 private amenity area for that unit.

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

8 a. have cottages or carriage houses abutting on at least two sides;

9 b. be in a location central to the cottage housing development; and

10 c. have no horizontal dimension of less than 10 feet.

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

13 C. Amount of amenity area required in MR and HR zones.

14 The required amount of amenity area in MR and HR zones is equal to 5 percent of the
15 total gross floor area of a structure in residential use, except that cottage housing developments
16 shall meet the standards in subsection B of this Section 23.45.522.

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

18 Required amenity areas shall meet the following conditions:

19 1. All ~~((residents))~~ units shall have access to ~~((at least one))~~ a common or private
20 ~~((residential))~~ amenity area.

21 2. Enclosed amenity area.

22 a. In LR zones, an amenity area shall not be enclosed within a structure.

THIS VERSION IS NOT APPROVED

1 b. In MR and HR zones, except for cottage housing, ((No)) no more than
2 50 percent of the ((residential)) amenity area may be enclosed, and this enclosed area shall be
3 provided as common ((space)) amenity area.

4 3. Projections into amenity areas. Structural projections that do not provide floor
5 area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least 8
6 feet above finished grade.

7
8 4. Private amenity area.

9 a. There is no minimum dimension for private amenity areas, except that if
10 a private amenity area abuts a side lot line that is not a side street lot line, the minimum
11 horizontal dimension measured from the side lot line is 10 feet.

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

15 5. Common amenity area for rowhouse and townhouse developments and
16 apartments shall meet the following conditions:

17 a. No common amenity area shall be less than 250 square feet in area, and
18 common amenity areas shall have a minimum horizontal dimension of 10 feet.

19 b. Common amenity area shall be improved as follows:

20 1) At least 50 percent of common amenity area provided at ground
21 level shall be landscaped with grass, ground cover, bushes and/or trees.
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1 **23.45.524 Landscaping ~~((and screening))~~ standards ~~((in Midrise and Highrise zones))~~**

2 A. Landscaping requirements.

3 1. Standards. All landscaping provided to meet requirements under this Section
4 23.45.524 ~~((must))~~ shall meet standards promulgated by the Director to provide for the long-term
5 health, viability, and coverage of plantings. ~~((The Director may promulgate standards relating to
6 landscaping matters that))~~ These standards may include, but are not limited to, the type and size
7 of plants, number of plants, ~~((concentration))~~ spacing of plants, depth~~((s))~~ and quality of soil, use
8 of drought-tolerant plants, and access to light and air for plants.

9 2. Green Factor ~~((R))~~ requirement.

10 a. Landscaping that achieves a Green Factor score of 0.6 or greater,
11 determined as set forth in Section 23.86.019, is required for any lot with development containing
12 more than one dwelling unit in Lowrise zones. Vegetated walls may not count towards more than
13 25 percent of a lot's Green Factor score.

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

17 B. Street tree requirements.

18 1. Street trees are required ~~((when))~~ if any type of development is proposed,
19 except as provided in subsection 23.45.524.B.2 and B.3 below and Section 23.53.015. Existing
20 street trees shall be retained unless the Director of Transportation approves their removal. The
21 Director, in consultation with the Director of the Department of Transportation, ~~((will))~~ shall

1 determine the number, type, and placement of additional street trees to be provided, based on the
2 following considerations:

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

11 2. Exceptions to street tree requirements.

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

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

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

18 ~~(((2)))~~ 1) changing a use ~~((or establishing a temporary use or~~
19 ~~intermittent use)); ((or))~~

20 ~~(((3)))~~ 2) expanding a structure by 1,000 square feet or less; ~~((or))~~

21 ~~(((4)))~~ 3) expanding surface ~~((area))~~ parking by less than 10 percent
22 in area or in number of spaces; or

THIS VERSION IS NOT ADOPTED

4) establishing a temporary or intermittent use pursuant to Section

23.42.040.

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

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

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

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

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

1 Section 39. Subsection A of Section 23.45.526 of the Seattle Municipal Code, which
2 section was enacted by Ordinance 123209, is amended as follows:

3 **23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards**

4 A. Applicants for all new development gaining extra residential floor area pursuant to this
5 Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510, except
6 additions and alterations, shall make a commitment that the structure will meet green building
7 performance standards by earning a Leadership in Energy and Environmental Design (LEED)
8 Silver rating or a Built Green 4-star rating of the Master Builders Association of King and
9 Snohomish Counties, except that an applicant who is applying for funding from the Washington
10 State Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable
11 housing, as defined in subsection 23.45.526.D, may elect to meet green building performance
12 standards by meeting the Washington Evergreen Sustainable Development Standards (ESDS).
13
14

15 * * *

16 Section 40. A new Section 23.45.527 is added to the Seattle Municipal Code as follows:

17 **23.45.527 Structure width and façade length limits in LR zones**

18 A. Structure width in LR zones may not exceed the width indicated on Table A for
19 23.45.527.
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Table A for 23.45.527: Maximum Structure Width in LR zones in feet

Zone	Width in feet by Category of Residential Use		
	Cottage Housing and Rowhouse Developments	Townhouse Developments	Apartments
LR1	No limit	60	45
LR2	No limit	90	90
LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts	No limit	120	120
LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts	No limit	150	150

B. Maximum façade length in Lowrise zones.

1. The maximum combined length of all portions of façades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line shall not exceed 65 percent of the length of that lot line, except as specified in subsection 23.45.527.B.2.

2. For a rowhouse development on a lot that abuts the side lot line of a lot in a single-family zone, the maximum combined length of all portions of facades within 15 feet of the abutting side lot line is 40 feet.

Section 41. Section 23.45.528 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

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

THIS VERSION IS NOT ADOPTED

1 The width and depth limits of this Section 23.45.528 apply to lots in MR zones that are
2 greater than 9,000 square feet in lot area.

3 A. The width of principal structures shall not exceed 150 feet.~~((may not exceed~~
4 ~~the applicable limits shown in Table A for 23.45.528.~~

5 **Table A for 23.45.528: Width Limits**

	MR
Maximum width	150')

6
7
8
9 B. Structure ~~((D))~~ depth.

10 1. The depth of principal structures shall not exceed 75 percent of the
11 depth of the lot.~~((;))~~ ~~((exceed the limits shown in Table B for 23.45.528, except as provided in~~
12 ~~subsection 23.45.528.~~~~((B.2))~~ B.2.

13
14 **((Table B for 23.45.528: Depth Limits**

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

15
16 2. Exceptions to structure depth limit. To allow for front setback
17 averaging and courtyards as provided in ~~((subsection))~~ Section 23.45.518((-A)), structure depth
18 may exceed the limit ~~((shown in Table B for 23.45.528))~~ set in subsection 23.45.528.B.1 if the
19 total lot coverage resulting from the increased structure depth does not exceed the lot coverage
20 that would have otherwise been allowed without use of the courtyard or front setback averaging
21 provisions.
22

23 ~~((C. Accessory structures are counted in structure width and depth if they are less than 3~~
24 ~~feet from the principal structure at any point.))~~

25
26 Section 42. A new section 23.45.529 of the Seattle Municipal Code is added as follows:
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28

THIS VERSION IS NOT ADOPTED

1 **23.45.529 Design standards**

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

3 1. Enhance street-facing facades to provide visual interest, promote new
4 development that contributes to an attractive streetscape, and avoid the appearance of blank walls
5 along a street;

6 2. Foster a sense of community by integrating new pedestrian-oriented
7 multifamily development with the neighborhood street environment and promoting designs that
8 allow easy surveillance of the street by area residents;

9 3. Promote livability in multifamily areas by providing a sense of openness and
10 access to light and air; and

11 4. Encourage the compatibility of a variety of housing types with the scale and
12 character of neighborhoods where new multifamily development occurs.

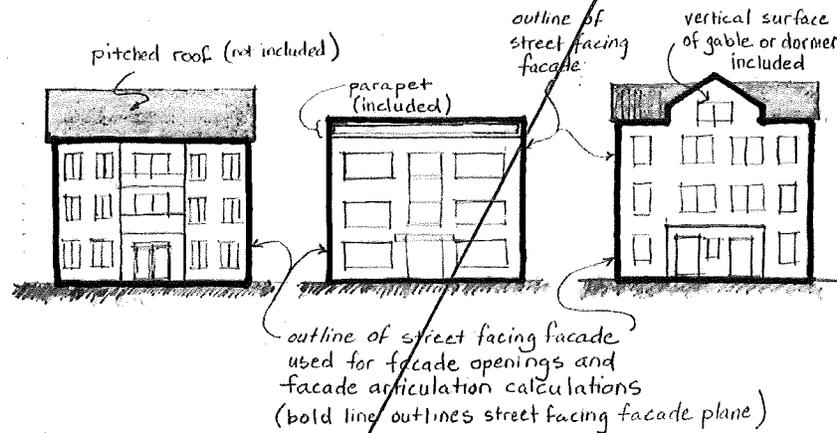
13 B. Application of provisions. The provisions of this Section 23.45.529 apply to all
14 residential uses that do not undergo any type of design review pursuant to Chapter 23.41, except
15 single-family dwelling units.

16 C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C,
17 a street-facing facade includes all vertical surfaces enclosing interior space, including gables and
18 dormers, as shown in Exhibit A for 23.45.529.
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20
21

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

THIS VERSION IS NOT ADOPTED

Exhibit A for 23.45.529: Measurement of Street-facing Facades



1. Façade openings.

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

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

2. Façade articulation.

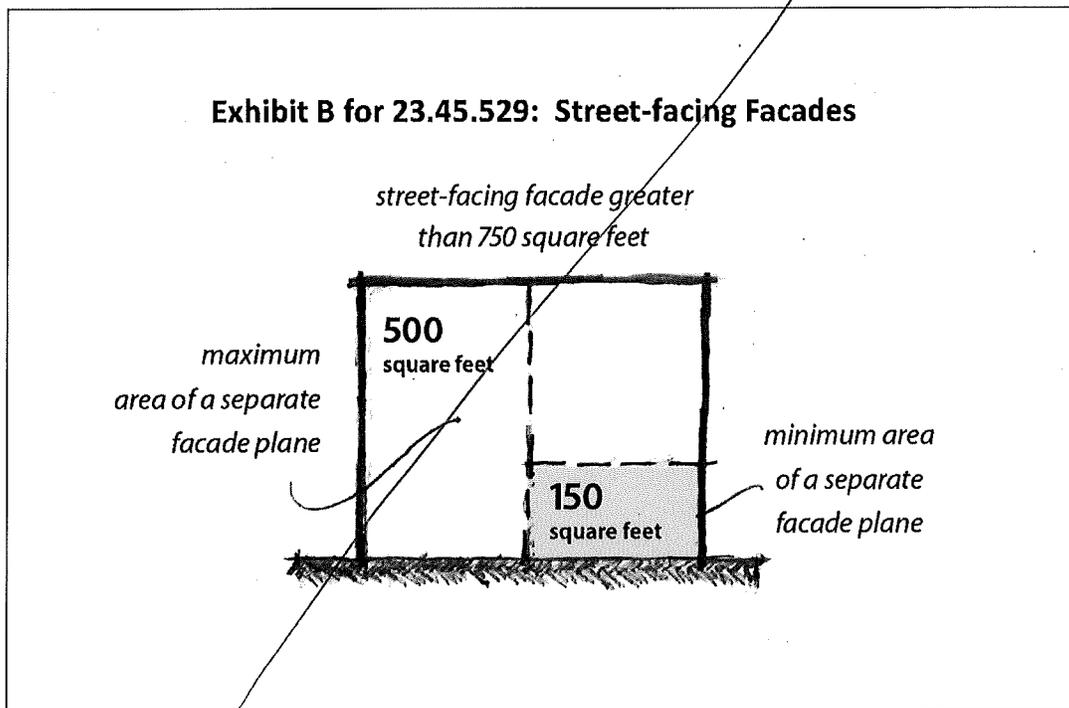
a. If a street-facing facade or portion of a street-facing façade is not vertical, the Director shall determine whether the façade is substantially vertical and required to comply with this subsection 23.45.529.C.

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

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

5 d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is
6 required to mark roof lines, porches, windows and doors on all street-facing facades.
7

8 **Exhibit B for 23.45.529: Street-facing Facades**



21 e. The Director may allow exceptions to the façade articulation
22 requirements in this subsection 23.45.529.C.2, if the Director determines that the street-facing
23 façade will meet the intent of subsection 23.45.529.A.1, and the intent of subsections
24 23.45.529.D.2, E.3, and F.4 for cottage housing developments, rowhouse developments, and
25
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1 townhouse developments, respectively, through one or more of the following street-facing façade
2 treatments:

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

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

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

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

13 D. Design standards for cottage housing developments.

14 1. Pedestrian entry. Each cottage with a street-facing façade that is located
15 within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the
16 use of covered stoops, porches, or other architectural entry features. For cottages on corner lots
17 that have more than one street-facing façade within 10 feet of the street lot line, a visually
18 prominent pedestrian entry is required on only one of the street-facing facades. Access to these
19 entrances may be through a required private amenity area that abuts the street.

20 2. Architectural expression. Cottage housing developments shall include
21 architectural details that reduce the visual scale of the units. Each cottage shall employ one or
22 more of the following design techniques to reduce visual scale of the units:
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- a. Attached covered porch
- b. Roofline features such as dormers or clerestories
- c. Bay windows
- d. Variation in siding texture and materials
- e. Other appropriate architectural techniques demonstrated by the

applicant to reduce the visual scale of cottages.

E. Design standards for rowhouse developments.

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

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

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

F. Design Standards for townhouse developments.

THIS VERSION IS NOT APPROVED

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

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

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

10 2. A clear pedestrian pathway from the street to the entrance of each
11 townhouse unit shall be provided. The pedestrian pathway may be part of a driveway, provided
12 that the pathway is differentiated from the driveway by pavement color, texture, or similar
13 technique. Signage identifying townhouse unit addresses and the directions to the unit
14 entrance(s) from the street shall be provided.

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

19 4. Architectural expression. Architectural detail or composition shall be
20 provided to visually identify each individual townhouse unit, as seen from the public street.
21 Design elements such as trim or molding, modulation, massing, color and material variation or
22 other similar features may be used to achieve visual identification of individual units. Rooftop
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1 features such as dormers or clerestories, or roofline variation may be used to visually identify
2 individual townhouse units.

3 G. Building entry orientation standards for apartments.

4 1. For each apartment structure, a principal shared pedestrian entrance is
5 required that faces either a street or a common amenity area, such as a landscaped courtyard, that
6 abuts and has direct access to the street. Additional pedestrian entrances to individual units are
7 permitted.
8

9 2. If more than one apartment structure is located on a lot, each apartment
10 structure separated from the street by another principal structure shall have a principal entrance
11 that is accessible from a common amenity area with access to the street.
12

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

16 Section 43. Section 23.45.005 of the Seattle Municipal Code, Development standards for
17 single-family structures, which section was last amended by Ordinance 123210, as shown in
18 Appendix A to this ordinance, is repealed.
19

20 Section 44. A new Section 23.45.531 is added to the Seattle Municipal Code as follows:

21 **23.45.531 Development standards for cottage housing developments and carriage house**
22 **structures**

23 A. Size limit for dwelling units.

24 1. The maximum gross floor area of each cottage in a cottage housing
25 development is 950 square feet.
26

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

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

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

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

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

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

15 Section 45. Section 23.45.534 of the Seattle Municipal Code, which section was enacted
16 by Ordinance 123209, is amended as follows:

17 **23.45.534 Light and glare standards ((in Midrise and Highrise zones))**

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

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

21 C. To prevent vehicle lights from affecting adjacent properties, driveways and parking
22 areas for more than two vehicles shall be screened from ((adjacent)) abutting properties by a
23

1 fence or wall between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm
2 at least 5 feet in height. If the elevation of the lot line is different from the finished elevation of
3 the driveway or parking surface, the difference in elevation may be measured as a portion of the
4 required height of the screen so long as the screen itself is a minimum of 3 feet in height. The
5 Director may waive the requirement for the screening if it is not needed due to changes in
6 topography, agreements to maintain an existing fence, or the nature and location of adjacent
7 uses.
8

9 Section 46. Section 23.45.536 of the Seattle Municipal Code, which section was enacted
10 by Ordinance 123209, is amended as follows:

11 **23.45.536 Parking ~~((and))~~ location, access, and screening ~~((in MR and HR zones))~~**

12 A. Off-street parking spaces are required ~~((pursuant))~~ to the extent provided in Chapter
13 23.54, Quantity and design standards for access and off-street parking.

14 B. Location of parking.

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

17 ~~((+))~~2. ~~((Parking shall))~~ Except as otherwise provided in this subsection
18 23.45.536.B, surface parking may be located anywhere on a lot except:

19 a. between a principal structure and a street lot line ~~((that is not a street lot~~
20 line,));

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

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

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

6 ~~((2))~~4. On a through lot, parking may be located between the structure and one
7 front lot line~~((; except that on lots 125 feet or greater in depth, parking shall not be located in~~
8 ~~either front setback))~~. The ~~((frontage))~~ front setback in which the parking may be located will be
9 determined by the Director based on the prevailing character and setback patterns of the block.

10 ~~((3))~~5. On waterfront lots in the Shoreline District, parking ~~((shall))~~ may be
11 located between the structure and the front lot line, if necessary to prevent blockage of view
12 corridors or to keep parking away from the edge of the water, ~~((pursuant to))~~ as required by
13 Chapter 23.60, Shoreline District.

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

- 16 a. the lot is not located in a single-family zone; and
17 b. the requirements of Section 23.54.025 are met.

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

19 1. ~~((Access to parking shall be from an improved alley, but not from the street, or~~
20 ~~from both the alley and the street, unless the Director permits access from the street according to~~
21 ~~subsection 23.45.536.D below.))~~ Alley access required. Except as otherwise expressly required

THIS VERSION IS NOT ADOPTED

1 or permitted in subsections C or D of this Section 23.45.536, access to parking shall be from the
2 alley if the lot abuts an alley and one of the conditions in this subsection 23.45.536.C.1 is met.

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

4 b. The development gains additional FAR pursuant to Section

5 23.45.510.C; or

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

9
10 2. ~~((If the lot does not abut an improved alley or street, access may be permitted~~
11 ~~from an easement meeting the provisions of Chapter 23.53, Requirements for Streets, Alleys, and~~
12 ~~Easements.))~~ Street access required. Access to parking shall be from the street if:

13 a. The lot does not abut an alley.

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

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

18 2) Topography makes alley access infeasible.

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

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

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

4 3. ~~((When access is provided to individual garages from the street pursuant to~~
5 ~~subsection 23.45.536.D, all garage doors facing the street shall be set back 15 feet from the street~~
6 ~~lot line.))~~ On corner lots, if street access is permitted pursuant to subsection 23.45.536.C.2, the
7 applicant may determine the street from which access is taken, unless the Director determines
8 that the use of the street chosen by the applicant would create a significant safety hazard.

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

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

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

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

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

THIS VERSION IS NOT ADOPTED

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

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

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

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

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

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

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

21 ~~5. whether the flow of vehicular or pedestrian traffic is not significantly~~
22 ~~impacted.))~~

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

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

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

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

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

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

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

18 b. Garage doors facing the street shall be set back at least 15 feet from the
19 street lot line, and shall be no closer to the street lot line than the street-facing facade of the
20 structure.

21 Section 47. Section 23.45.545 of the Seattle Municipal Code, which section was enacted
22 by Ordinance 123209, is amended as follows:
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Section 23.45.545 Standards for certain accessory uses

* * *

C. Solar collectors.

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

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

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

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

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

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

THIS VERSION IS NOT ADOPTED

1 3. The owner of the lot shall comply with the owner occupancy requirements of
2 subsection 23.44.041.C.

3 4. Maximum gross floor area:

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

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

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

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

14 a. Through the primary entry to the principal unit; or

15 b. Through a secondary entry on a different façade than the primary entry
16 to the principal unit; or

17 c. Through a secondary entry on the same façade as the primary entry to
18 the principal unit that is smaller and less visually prominent than the entry to the principal unit,
19 and does not have a prominent stoop, porch, portico or other entry feature.

20 7. Exterior stairs. Exterior stairs providing access to an accessory dwelling unit
21 may not exceed 4 feet in height, except for exterior stairs providing access to an accessory
22 dwelling unit located above a garage.

THIS VERSION IS NOT FOR PUBLIC COMMENT

1 8. Parking. Parking is not required for an accessory dwelling unit.

2 J. An accessory dwelling unit within an established single-family dwelling unit or on the
3 lot of an established single-family dwelling unit shall be considered an accessory use to the
4 single-family dwelling unit, shall meet the standards listed for accessory dwelling units in
5 Section 23.44.041, and shall not be considered a separate dwelling unit for any development
6 standard purposes in multifamily zones.

7
8 Section 48. Subsections A, B, C, D, F, and J of Section 23.45.570 of the Seattle
9 Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

10 **23.45.570 Institutions**

11 A. General Provisions.

12 1. The establishment of new institutions, such as religious facilities, community
13 centers, private schools, and child care centers in multifamily zones is permitted pursuant to
14 Section 23.45.504.

15 2. Public schools are permitted as regulated in Chapter 23.51B.

16 3. If the expansion of an existing institution meets all development standards of
17 this ((Chapter 23.45)) Section 23.45.570, it is permitted outright. Expansions not meeting
18 development standards may be permitted as administrative conditional uses subject to the
19 requirements of Section 23.45.506. Structural work that does not increase usable floor area or
20 seating capacity and does not exceed the height limit is not considered expansion. Such work
21 includes but is not limited to roof repair or replacement, and construction of uncovered decks and
22 porches, bay windows, dormers, and eaves. The establishment of a child care center in a legally
23 established institution devoted to the care or instruction of children that does not require
24
25
26

THIS VERSION IS NOT ADOPTED

1 expansion of the existing structure or violate any condition of approval of the existing
2 institutional use is not considered an expansion of the use.

3 4. The provisions of this Chapter 23.45 apply to Major Institution uses as
4 provided in Chapter 23.69, Major Institution Overlay District.

5 B. Institutions located in LR zones shall meet the development standards of this
6 Section 23.45.570. Institutions located in MR and HR zones shall meet the development
7 standards of the zone, and shall also meet the standards for parking, dispersion, and odors in
8 subsections G, J, and H of this Section 23.45.570.

9 C. Height ~~((L))~~ limits in Lowrise zones.

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

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

20 3. In ~~((the Lowrise 4))~~ LR3 zones, pitched roofs on an auditorium, gymnasium, or
21 wood shop with a slope of not less than 4:12 may extend 10 feet above the ~~((37-foot))~~ height

limit, ~~((No))~~ except that no portion of a shed roof is permitted to extend beyond ((37 feet)) the height limit.

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

1. The maximum permitted width for structures in institutional((s)) use in Lowrise zones is as shown in Table A for 23.45.570.

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.))~~

~~***~~

F. Setback Requirements in Lowrise zones.

1. Front Setback. The minimum depth of the required front setback is determined by the average of the setbacks of structures on adjoining lots, but is not required to exceed 20 feet. The setback shall not be reduced below an average of 10 feet, and no portion of the structure may be closer than 5 feet to a front lot line.

2. Rear Setback. The minimum rear setback is 10 feet.

3. Side Setback.

a. The minimum side setback is 10 feet from a side lot line that abuts any other residentially zoned lot. A 5 foot setback ~~((shall be))~~ are required in all other cases, except that the minimum side street side setback ~~((shall be))~~ is 10 feet.

b. When the depth of a structure exceeds 65 feet, an additional setback is required for that portion of the structure in excess of 65 feet. This additional setback may be

THIS VERSION IS NOT ADOPTED

averaged along the entire length of the wall. The side setback requirement for portions of walls subject to this provision shall be provided as shown in Table C for 23.45.570.

Table C for 23.45.570: Side Setback Requirements for Institutional Structures Greater than 65 Feet in Depth in Lowrise zones

Structure Depth in feet	Side Setback Requirement in feet				
	((#))Up to 20((')) in height	Greater than 20((')) up to 40((')) in height	Greater than 40((')) up to 60((')) in height	Greater than 60((')) up to 80((')) in height	Greater than 80((')) in height
Up to 70(('))	12(('))	14(('))	16(('))	18(('))	—
Greater than 70((')), up to 80(('))	13(('))	15(('))	17(('))	19(('))	21(('))
Greater than 80((')), up to 90(('))	14(('))	16(('))	18(('))	20(('))	22(('))
Greater than 90((')), up to 100(('))	15(('))	17(('))	19(('))	21(('))	23(('))
Greater than 100(('))	16(('))	18(('))	20(('))	22(('))	24(('))

4. Setbacks for Specific Items. The following shall be located at least 20 feet from any abutting residentially zoned lot:

- a. Emergency entrances;
- b. Main entrance door of the institutional structure;
- c. Outdoor play equipment and game courts;
- d. Operable window of gymnasium, assembly hall or sanctuary;
- e. Garbage and trash disposal mechanism;
- f. Kitchen ventilation;

THIS VERSION IS NOT ADJUSTED

g. Air-conditioning or heating mechanism;

h. Similar mechanisms and features causing noise and/or odors as determined by the Director.

5. Accessory structures and projections from principal structures are allowed in required setbacks on lots developed with institutional uses to the same extent that those accessory structures or projections would be allowed for apartments in the zone, except that no accessory structures other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to a side lot line abutting another lot in a residential zone.

* * *

J. Dispersion. The lot line of any new or expanding institution other than child care centers locating ~~((within a))~~ in legally established institutions shall be located 600 feet or more from any lot line of any other institution in a residential zone with the following exceptions:

1. An institution may expand even though it is within 600 feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.

2. A proposed institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of dispersion is achieved due to the presence of physical elements such as bodies of water, large open spaces or topographical breaks or other elements such as arterials, freeways or nonresidential uses, that provide substantial separation from other institutions.

Section 49. Section 23.45.574 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

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

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

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

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

7 ~~((2))~~1. Facility ~~((K))~~ kitchen. An on-site kitchen that serves the entire assisted
8 living facility is required.

9 ~~((3))~~2. Communal ~~((A))~~ area. Communal areas (e.g., solariums, decks and porches,
10 recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with
11 comfortable seating, and gardens or other outdoor landscaped areas that are accessible to
12 wheelchairs and walkers) with sufficient accommodations for socialization and meeting with
13 friends and family shall be provided:

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

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

18 b. No service areas, including, but not limited to, the facility kitchen,
19 laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas
20 and offices, and rooms used only for counseling or medical services, shall be counted toward the
21 communal area requirement; and
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1 c. A minimum of 400 square feet of the required communal area shall be
2 provided outdoors, with no dimension less than 10 feet. A departure from the required amount
3 and/or dimension of outdoor communal space may be permitted as part of the design review
4 process, pursuant to Section 23.41.012.A.

5 Section 50. Subsection B of Section 23.46.002 of the Seattle Municipal Code, which
6 section was last amended by Ordinance 118414, is amended as follows:

7 **Section 23.46.002 Scope of ~~((P))~~provisions~~((/))~~**

8 * * *

9
10 B. All RC zones are assigned a residential zone classification on the Official Land Use
11 Map. The development standards of the designated residential zone ~~((shall))~~ apply to all uses in
12 the RC zone except commercial uses. The development standards of the designated residential
13 zone shall apply to all structures in the RC zone, except that parking quantity ~~((shall be))~~ is
14 required as provided in Chapter 23.54. Commercial uses are subject to the FAR limits for
15 apartments in Section 23.45.510.

16 * * *

17
18 Section 51. Subsection C of Section 23.47A.002 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 123046, is amended as follows:

20 **23.47A.002 Scope of provisions**

21 * * *

22
23 C. Other regulations, including but not limited to, requirements for streets, alleys and
24 easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54);
25 standards for solid waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for
26

1 measurements (Chapter 23.86) may apply to development proposals. Communication utilities
2 and accessory communication devices, except as exempted in Section 23.57.002, are subject to
3 the regulations in this chapter and additional regulations in Chapter 23.57, Communications
4 Regulations.

5 Section 52. Section 23.47A.024 of the Seattle Municipal Code, which section was
6 enacted by Ordinance 122311, is amended as follows:

7 **23.47A.024 ((Residential)) Amenity ((A)) area((s))**

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

14 B. Required ((residential)) amenity areas ((must)) shall meet the following ((conditions))
15 standards, as applicable:

16 1. All residents ((must)) shall have access to at least one ((residential)) common
17 or private amenity area;

18 2. ((Residential amenity)) Amenity areas ((may)) shall not be enclosed;

19 3. Parking areas, vehicular access easements, and driveways((, and pedestrian
20 access to building entrances, except for pedestrian access meeting the Seattle Building Code,
21 Chapter 11 — Accessibility,)) do not count as ((residential)) amenity areas, except that a woonerf
22
23
24
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1 may provide a maximum of 50 percent of the amenity area if the design of the woonerf is
2 approved through a design review process pursuant to Chapter 23.41;

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

6 5. Private balconies and decks ~~((must))~~ shall have a minimum area of ~~((sixty~~
7 ~~))~~60~~(())~~ square feet, and no horizontal dimension shall be less than ~~((six-))~~6~~(())~~ feet.

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

11 Section 53. Subsection A of Section 23.47A.027 of the Seattle Municipal Code, which
12 section was last amended by Ordinance 122935, is amended as follows:

13 **23.47A.027 Landmark Districts and designated landmark structures**

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

20 ***

21 Section 54. Section 23.47A.029 relating to storage of solid waste materials in
22 commercial zones, and Section 23.48.031 relating to storage of solid waste materials in Seattle

1 Mixed zones, which sections of the Seattle Municipal Code were last amended by Ordinance
2 122311 and Ordinance 121782 respectively, as shown in Attachment A to this ordinance, are
3 repealed.

4 Section 55. Subsection A of Section 23.47A.035 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 122311, is amended as follows:

6 **SMC 23.47A.035 Assisted living facilities development standards((~~r~~))**
7

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

11 * * *

12 Section 56. Subsection B of Section 23.48.002, which section was last amended by
13 Ordinance 122835, is amended as follows:

14 **Section 23.48.002 Scope of provisions(~~r~~)**
15

16 * * *

17 B. Other regulations, such as requirements for streets, alleys and easements (Chapter
18 23.53); standards for parking quantity, access and design (Chapter 23.54); standards for solid
19 waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter
20 23.86) may apply to development proposals. Communication utilities and accessory
21 communication devices except as exempted in Section 23.57.002 are subject to the regulations in
22 this chapter and additional regulations in Chapter 23.57.
23

24 * * *

THIS VERSION IS NOT ADOPTED

1 Section 57. Section 23.48.020 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 121782, is amended to read as follows:

3 **23.48.020 ((Residential)) ((a)) Amenity area((:))**

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

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

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

10 ((2))1. The ((residential)) amenity area shall be available to all residents and may be
11 provided at or above ground level.

12 ((3))2. A maximum of ((fifty)) 50 percent ((50%)) of the ((residential)) amenity area
13 may be enclosed. Examples of enclosed ((residential)) amenity area include atriums, greenhouses
14 and solariums.

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

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

20 6. Parking areas, vehicular access easements, and driveways ((and pedestrian access,
21 except for pedestrian access meeting the Washington State Rules and Regulations for Barrier
22 Free Design)), ((shall not be counted)) do not qualify as ((residential)) amenity area, except that

1 a woonerf may provide a maximum of 50 percent of the amenity area if the design of the
2 woonerf is approved through a design review process pursuant to Chapter 23.41.

3 Section 58. Subsection D of Section 23.49.025 of the Seattle Municipal Code, which
4 section was last amended by Ordinance 122504, is amended to read as follows:

5 **23.49.025 Odor, noise, light/glare, and solid waste recyclable materials storage space**
6 **standards((-))**

7 * * *

8
9 D. ~~((Solid))~~ The standards of Section 23.54.040 for solid waste and recyclable materials
10 storage space((-)) shall be met.

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

15
16 ~~2. The design of the storage space shall meet the following requirements:~~

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

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

21 ~~c. If located outdoors, the storage space shall be screened from public~~
22 ~~view and designed to minimize light and glare impacts.~~

23
24 ~~3. The location of the storage space shall meet the following requirements:~~

THIS VERSION IS NOT ADOPTED

1 a. ~~The storage space shall be located within the private property~~
2 ~~boundaries of the structure it serves and, if located outdoors, it shall not be located between a~~
3 ~~street facing facade of the structure and the street;~~

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

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

8 d. ~~The storage space shall be located to minimize noise and odor to~~
9 ~~building occupants and neighboring developments.~~

10 4. ~~Access to the storage space for occupants and service providers shall meet the~~
11 ~~following requirements:~~

12 a. ~~For rear loading containers:~~

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

15 (2) ~~Any gates or access routes shall be a minimum of six (6) feet~~
16 ~~wide; and.~~

17 b. ~~For front loading containers:~~

18 (1) ~~Direct access shall be provided from the alley or street to the~~
19 ~~containers,~~

20 (2) ~~Any proposed gates or access routes shall be a minimum of ten~~
21 ~~(10) feet wide, and~~

THIS VERSION IS NOT ADOPTED

		each additional unit	loading	
1	Commercial*	0—5,000 square feet	82 square feet	Rear loading
2		5,001—15,000 square feet	125 square feet	Rear loading
3		15,001—50,000 square feet	175 square feet	Front-loading
4		50,001—100,000 square feet	225 square feet	Front-loading
5		100,001—200,000 square feet	275 square feet	Front-loading
6		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 59. 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 23.48.03123.54.040.

* * *

Section 60. Section 23.51A.004 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.51A.004 Public facilities in multifamily zones

THIS VERSION IS NOT RECORDED

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

7
8 B. The following uses in public facilities are permitted outright in all multifamily zones if
9 the development standards for institutions in Section 23.45.570, other than dispersion
10 requirements, are met:

11 1. Police precinct stations;

12 2. Fire stations;

13 3. Public boat moorages;

14 4. Utility service uses; and

15 5. Other uses similar to any of the uses listed in this subsection 23.51A.004.B.

16
17 ~~((B))~~C. Unless specifically prohibited in ~~((Section 23.45.504))~~ subsection D of this
18 Section 23.51A. 004, new public facilities not specifically listed in subsection A or B of this
19 Section 23.51A.004 ((in Table A for 23.45.504)), or that are listed in subsection A or B of this
20 Section 23.51A.004 ((Table A for 23.45.504)) but do not meet ((the)) applicable development
21 standards ((for institutions in Section 23.45.570)) or administrative conditional use criteria, may
22 be permitted by the City Council according to the provisions of Chapter 23.76, with public
23 projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V
24 legislative decisions. In making the decision, the Council may waive or grant departures from
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1 development standards or administrative conditional use criteria for public facilities, if the
2 following criteria are satisfied:

3 1. The location of the public facility addresses ~~((specific and unique))~~ public
4 service needs, and any waiver or departure from development standards or administrative
5 conditional use criteria is necessitated by those public service delivery needs; and

6 2. The impact of the public facility on surrounding properties has been addressed
7 in the design, siting, landscaping and screening of the facility.

8
9 D. The following public facilities are prohibited in all multifamily zones:

10 1. Jails;

11 2. Work-release centers;

12 3. Bus bases;

13 4. Park and ride lots;

14 5. Sewage treatment plants;

15 6. Animal control shelters; and

16 7. Post office distribution centers.

17
18 ~~((E))~~E. Expansion of ~~((U))~~uses in ~~((P))~~public ~~((F))~~facilities.

19
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
23 decisions and City facilities considered as a Type V land use decisions, subject to the criteria of
24 subsections ~~((B.1 and B.2))~~ C.1 and C.2 of this Section 23.51A.004. A major expansion of a
25 public facility occurs ~~((when))~~ if an expansion would not meet development standards or, except
26

1 for expansion of the Washington State Convention and Trade Center, the area of the expansion
2 would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is
3 greater. A major expansion of the Washington State Convention and Trade Center is one that is
4 12,000 square feet or more in size. For the purposes of this subsection ~~((23.51A.004.C.1))~~
5 23.51A.004.E.1, "area of the use" includes gross floor area and outdoor area devoted actively to
6 that use, excluding parking.

7
8 2. Minor ~~((E))~~ expansion. An expansion of a public facility that is not a major
9 expansion is a minor expansion. Minor expansions to uses in public facilities ~~((allowed pursuant~~
10 ~~to Section 23.45.504))~~ that are permitted by subsections A, B, or C of this Section 23.51A.004
11 are permitted ~~((according to the provisions of Chapter 23.76 for a Type I Master Use Permit))~~
12 outright.

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

14
15 ~~((E))~~ E. Essential public facilities will be reviewed according to the provisions of Chapter
16 23.80, Essential Public Facilities.

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

18 1. Child care centers, preschools, public or private schools, educational and
19 vocational training for the disabled, adult evening education classes, nonprofit libraries,
20 community centers, community programs for the elderly and similar uses are permitted in
21 existing or former public schools.

22 2. Other non-school uses are permitted in existing or former public schools
23 pursuant to procedures established in Chapter 23.78, Establishment of Criteria for Joint Use or
24 Reuse of Schools.
25
26

1 Section 61. Subsection E of Section 23.51B.002 of the Seattle Municipal Code, which
2 section was enacted by Ordinance 123209, is amended as follows:

3 **23.51B.002 Public schools in residential zones**

4 * * *

5 E. Setbacks.

6 1. General Requirements.

7
8 a. No setbacks are required for new public school construction or for
9 additions to existing public school structures for that portion of the site across a street or an alley
10 from, or abutting a lot in a nonresidential zone. If any portion of the site is across a street or an
11 alley from or abuts a lot in a residential zone, setbacks are required for areas facing or abutting
12 residential zones, as provided in subsections E.2 through E.5 of this Section 23.51B.002.

13 Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC)
14 zones are based upon the residential zone classification of the RC lot.

15
16 b. The minimum setback requirement may be averaged along the structure
17 facade with absolute minimums for areas abutting lots in residential zones as provided in
18 subsections E.2.b, E.3.b, and E.4.b of this Section 23.51B.002.

19
20 c. Trash disposals, operable windows in a gymnasium, main entrances,
21 play equipment, kitchen ventilators or other similar items shall be located at least 30 feet from
22 any single-family zoned lot and 20 feet from any multi-family zoned lot.

23
24 d. The exceptions of subsections 23.44.014.D.5, D.6, D.7, D.8, D.9, D.10,
25 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 ~~((R))~~ 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:

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

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

THIS VERSION IS NOT ADOPTED

35(0)				
Greater than 35(0) up to 50(0)	25(0)(10(0))	20(0)(10(0))	10(0)(5(0))	0(0)
Greater than 50(0)	30(0)(15(0))	25(0)(10(0))	15(0)(5(0))	0(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 ((1)) 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 ((1)) Residential ((2)) 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(0) or less	10(0)	5(0)	5(0)	0(0)
Greater than 20(0) up to 35(0)	10(0)	5(0)	5(0)	0(0)
Greater than 35(0) up to 50(0)	15(0)	10(0)	5(0)	0(0)
Greater than 50(0)	20(0)	15(0)	10(0)	0(0)

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 ((1)) height of the school and the designation of the abutting residential zone, as shown in Table D for 23.51B.002, whichever is less:

THIS VERSION IS NOT ADOPTED

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

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

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 ((#)) height of the school and the designation of the facing residential zone as shown in Table E for 23.51B.002, whichever is less:

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:				
Facade 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/(=)LR1	LR2/LR3(=)LR4	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:

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

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

THIS VERSION IS NOT ADOPTED

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

4 * * *

5 Section 62. Subsection D of Section 23.53.006 of the Seattle Municipal Code, which
6 section was last amended by Ordinance 123104, is amended as follows:

7 **23.53.006 Pedestrian access and circulation**

8 * * *

9 D. Outside Urban Centers and Urban Villages. Outside of Urban Centers and Urban
10 Villages, sidewalks are required on an existing street in any of the following circumstances,
11 except as provided in subsection 23.53.006.F:
12

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

16 2. On streets designated on the Industrial Streets Landscaping Maps, Exhibits
17 23.50.016.A and 23.50.016.B, sidewalks are required whenever new lots are created through the
18 platting process, including full and short subdivisions and unit lot subdivisions, and whenever
19 development is proposed. Sidewalks are required only for the portion of the lot that abuts the
20 designated street.
21

22 3. On arterials, except in IG1 and IG2 zones and on lots in IB zones that are not
23 directly across the street from or abutting a lot in a residential or commercial zone, sidewalks are
24 required whenever new lots are created through the platting process, including full and short
25
26

1 subdivisions and unit lot subdivisions, and whenever development is proposed. Sidewalks are
2 required only for the portion of the lot that abuts the arterial.

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

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

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

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

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

17 23.53.006.D.6.a.

18 * * *

19 Section 63. Subsection B of Section 23.53.010 of the Seattle Municipal Code, which
20 section was last amended by Ordinance 122205, is amended as follows:

21 **23.53.010/Improvement requirements for new streets in all zones(~~(=)~~)**

22 * * *

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:

Zone Category	Required Right-of-Way Width
1. SF, ((LDT, L1)) 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))~~. If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum right-of-way width.

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

THIS VERSION IS NOT ADOPTED

1 Section 64. Subsections A and D of Section 23.53.015, which section was last amended
2 by Ordinance 123046, are amended as follows:

3 **23.53.015 Improvement requirements for existing streets in residential and commercial**
4 **zones**

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

6 1. If new lots are proposed to be created, or if any type of development is
7 proposed in residential or commercial zones, existing streets abutting the lot(s) are required to be
8 improved in accordance with this Section 23.53.015 and Section 23.53.006, Pedestrian access
9 and circulation. A setback from the lot line, or dedication of right-of-way, may be required to
10 accommodate the improvements. One or more of the following types of improvements may be
11 required under this Section 23.53.015:
12

- 13 a. Pavement;
- 14 b. Curb installation;
- 15 c. Drainage;
- 16 d. Grading to future right-of-way grade;
- 17 e. Design of structures to accommodate future right-of-way grade;
- 18 f. No-protest agreements; and
- 19 g. Planting of street trees and other landscaping.

20
21
22 ~~((A setback from the property line, or dedication of right of way, may be required to~~
23 ~~accommodate the improvements.))~~

24 2. Subsection 23.53.015.D ~~((of this section))~~ contains exceptions from the
25 standard requirements for street improvements, including exceptions for streets that already have
26

1 curbs, projects that are smaller than a certain size, and for special circumstances, such as location
2 in an environmentally critical area or buffer.

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

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

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

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

12 a. Arterials. The minimum right-of-way widths for arterials designated on
13 the Arterial street map, Section 11.18.010, are as specified in the Right-of-Way Improvements
14 Manual.
15

16 b. Nonarterial streets.

17 1) The minimum right-of-way width for an existing street that is
18 not an arterial designated on the Arterial street map, Section 11.18.010, is as shown on Table A
19 for 23.53.015.
20
21

22 **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

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24
25
26

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~~(r)~~

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:

- 1) All structures on the lot shall be designed and built to accommodate the grade of the future street improvements.
- 2) A no-protest agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County ~~(Department of Records and Elections))~~ Recorder.

1 3) Pedestrian access and circulation is required as specified in
2 23.53.006.

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

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

16 2) Grading ~~((R))~~requirement. If a setback is required, all structures
17 on the lot shall be designed and built to accommodate the grade of the future street, as specified
18 in the Right-of-Way Improvements Manual.

19 3) No-protest ~~((A))~~agreement ~~((R))~~requirement. A no-protest
20 agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The
21 agreement shall be recorded with the King County ~~((Department of Records and Elections))~~
22 Recorder.

4) Pedestrian access and circulation is required as specified in

Section 23.53.006.

2. Projects ~~((W))~~with ~~((R))~~reduced ~~((I))~~improvement ~~((R))~~requirements.

a. One or ~~((F))~~two ~~((D))~~dwelling ~~((U))~~units. If no more than two new dwelling units are proposed to be constructed, or no more than two new ~~((Single Family))~~ single-family zoned lots are proposed to be created, the following requirements shall be met:

1) If there is no existing hard-surfaced roadway, a crushed-rock roadway at least 16 feet in width is required, as specified in the Right-of-Way Improvements Manual.

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

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

4) Pedestrian access and circulation is required as specified in by Section 23.53.006.

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

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

i. Proposed developments that contain more than two but fewer than ten units in SF, RSL, ~~((LDT))~~ and LR1 zones, or fewer than six residential units in all

1 other zones, or proposed short plats in which no more than two additional lots are proposed to be
2 created;

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

5 iii. Nonresidential structures that have less than 4,000
6 square feet of gross floor area and that do not contain uses listed in subsection
7 23.53.015.D.2.b.1).ii that are larger than 750 square feet;

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

12 v. Remodeling and use changes within existing structures;
13 vi. Additions to existing structures that are exempt from
14 environmental review; and
15

16 vii. Expansions of surface parking, outdoor storage,
17 outdoor sales or outdoor display of rental equipment of less than 20 percent of the parking,
18 storage, sales or display area or number of parking spaces.
19

20
21 2) Paving ((R)) requirement. For the types of projects listed in
22 subsection 23.53.015.D.2.b.1), the streets abutting the lot shall have a hard-surfaced roadway at
23 least 18 feet wide. If there is not an 18 foot wide hard-surfaced roadway, the roadway shall be
24 paved to a width of at least 20 feet from the lot to the nearest hard-surfaced street meeting this
25 requirement, or 100 feet, whichever is less. Streets that form a dead end at the property to be
26

1 developed shall be improved with a cul-de-sac or other vehicular turnaround as specified in the
2 Right-of-Way Improvements Manual. ~~((The))~~ As a Type 1 decision, the Director, after
3 consulting with the Director of Transportation, shall determine whether the street has the
4 potential for being extended or whether it forms a dead end because of topography and/or the
5 layout of the street system.

6 3) Other ~~((R))~~ requirements. The requirements of subsection
7 23.53.015.D.1.b shall also be met.

8 3. Exceptions from ~~((R))~~ required ~~((S))~~ street ~~((F))~~ improvements. ~~((The))~~ As a Type
9 1 decision, the Director, in consultation with the Director of Transportation, may waive or
10 modify the requirements for paving and drainage, dedication, setbacks, grading, no-protest
11 agreements, landscaping, and curb installation if one or more of the following conditions are
12 met. The waiver or modification shall provide the minimum relief necessary to accommodate site
13 conditions while maximizing access and circulation.

14 a. Location in an environmentally critical area or buffer, disruption of
15 existing drainage patterns, or removal of natural features such as significant trees or other
16 valuable and character-defining mature vegetation makes widening and/or improving the right-
17 of-way impractical or undesirable.

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

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

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

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

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

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

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

18 Section 65. Subsection A of Section 23.53.025 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 122205, is amended as follows:

20 **23.53.025 Access easement standards((+))**

21 When access by easement has been approved by the Director, the easement shall meet the
22 following standards. Surfacing of easements, pedestrian walkways required within easements,
23
24
25
26

1 and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements
2 Manual.

3 A. Vehicle ~~((A))~~access ~~((E))~~easements ~~((S))~~erving ~~((O))~~ne ~~((4))~~ or ~~((F))~~two ~~((2))~~
4 ~~((S))~~single-~~((F))~~family ~~((D))~~dwelling ~~((U))~~units or ~~((One (1) Duplex))~~ one multifamily
5 residential use with a maximum of two units~~((:))~~ shall meet the following standards:

6 1. Easement width shall be a minimum of ~~((ten (10)))~~10~~((9))~~ feet, or ~~((twelve~~
7 ~~((12)))~~12~~((9))~~ feet if required by the Fire Chief due to distance of the structure from the easement.

8 2. No maximum easement length shall be set. If easement length is more than
9 ~~((one hundred fifty (150)))~~150~~((9))~~ feet, a vehicle turnaround shall be provided.

10 3. Curbcut width from the easement to the street shall be the minimum necessary
11 for safety and access.

12 * * *

13
14
15 Section 66. Subsections A, B, C, and D of Section 23.53.030 of the Seattle Municipal
16 Code, which section was last amended by Ordinance 123046, are amended as follows:

17 **23.53.030 Alley improvements in all zones**

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

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

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

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

6 B. New Alleys.

7
8 1. New alleys created through the platting process shall meet the requirements of
9 Subtitle III of this title, Platting Requirements.

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

12
13 **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

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15
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18
19 3. ~~((When))~~ If an alley abuts lots in more than one ((4)) zone category, the
20 minimum alley width shall be determined based on the requirements in Table A for Section
21 23.53.030 for the zone category with the most frontage excluding Zone Category 1 ((the zone
22 category with the most frontage on that block, excluding Zone Category 1, along both sides of
23 the alley determines the minimum width on the table)). If the zone categories have equal
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1 frontage, the one with the wider requirement shall be used to determine the minimum alley
2 width.

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

6 23.53.030.C.

7
8 1. Right-of-~~((W))~~way ~~((W))~~width~~((:))~~

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

11

12 Table B for Section 23.53.030:	
13 Right-of-Way Width for Alleys Considered to be Improved	
14 Zone Category	15 Right-of-Way Width
16 1. SF, ((LDT, L1)) LR1, LR2, LR3, NC1	17 10 ((:)) <u>feet</u>
18 2. ((L4,)) MR, HR, NC2	19 12 ((:)) <u>feet</u>
20 3. NC3, C1, C2 and SM	21 16 ((:)) <u>feet</u>

22 b. If an alley abuts lots in more than one ~~((F))~~ zone category, the
23 minimum alley width shall be determined based on the requirements in Table B for the zone
24 category with the most frontage excluding Zone Category 1 ~~((the zone category with the most~~
25 frontage on that block along both sides of the alley, excluding Zone Category 1, determines the
26 minimum width on ~~((the table))~~. If ~~((the))~~ ~~((z))~~Zone ~~((e))~~Categories 2 and 3 have equal frontage,
27 ~~((the one with the wider requirement shall be used to determine))~~ the minimum alley width shall
28 be 16 feet.

2. Paving. To be considered improved, the alley shall be paved.

D. Minimum ~~((W))~~widths ~~((E))~~established.

1. The minimum required width for an existing alley right-of-way shall be as shown on Table C for Section 23.53.030.

Table C for Section 23.53.030: Required Minimum Right-of-Way Widths for Existing Alleys

Zone Category	Right-of-Way Width
1. SF and ((LDT)) LR1	No minimum width
2. ((L1,)) LR2, NC1	12 ((')) feet
3. ((L3, L4)) LR3, MR, HR, NC2	16 ((')) feet
4. NC3, C1, C2, SM, all downtown zones	20 ((')) feet
5. All industrial zones	20 ((')) feet

2. ~~((When))~~ If an alley abuts lots in more than one ~~((L1))~~ 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 67. Tables A, B, and C for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, are amended as follows:

23.54.015 Parking

* * *

THIS VERSION IS NOT ADOPTED

**Table A for Section 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
<u>I. General Nonresidential Uses (other than institutions)</u>		
A.	AGRICULTURAL USES	1 space for each 2,000 square feet
B.	COMMERCIAL USES	
B.1.	Animal shelters and kennels	1 space for each 2,000 square feet
B.2.	Eating and drinking establishments	1 space for each 250 square feet
B.3.	Entertainment Uses, general, except as noted below (1)	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
B.3.a	Adult cabarets	1 space for each 250 square feet
B.3.b	Sports and recreation uses	1 space for each 500 square feet
B.4.	Food processing and craft work	1 space for each 2,000 square feet
B.5.	Laboratories, research and development	1 space for each 1,500 square feet
B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in single family and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
B.7.	Medical services	1 space for each 500 square feet
B.8.	Offices	1 space for each 1,000 square feet
B.9.	Sales and services, automotive	1 space for each 2,000 square feet
B.10.	Sales and services, general, except as noted below	1 space for each 500 square feet
B.10.a.	Pet Daycare Centers (2)	1 space for each 10 animals or 1 space for each staff member, which((-))ever is greater; plus 1 loading and unloading space for each 20 animals.
B.11.	Sales and services, heavy	1 space for each 2,000 square feet
B.12.	Sales and services, marine	1 space for each 2,000 square feet
C.	HIGH IMPACT USES	1 space for each 2,000 square feet
D.	LIVE-WORK UNITS	0 spaces for units with 1,500 square feet

THIS VERSION IS NOT APPROVED

				or less; 1 space for each unit greater than 1,500 square feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use
E.	MANUFACTURING USES			1 space for each 2,000 square feet
F.	STORAGE USES			1 space for each 2,000 square feet
G.	TRANSPORTATION FACILITIES			
	G.1.	Cargo terminals		1 space for each 2,000 square feet
	G.2.	Parking and moorage		
		G.2.a.	Principal use parking	None
		G.2.b.	Towing services	None
		G.2.c.	Boat moorage	1 space for each 2 berths
		G.2.d.	Dry storage of boats	1 space for each 2,000 square feet
	G.3.	Passenger terminals		1 space for each 100 square feet of waiting area
	G.4.	Rail transit facilities		None
	G.5.	Transportation facilities, air		1 space for each 100 square feet of waiting area
	G.6.	Vehicle storage and maintenance uses		1 space for each 2,000 square feet
H.	UTILITIES			1 space for each 2,000 square feet
II. Nonresidential Use Requirements with Locational Criteria				
I.	<u>Nonresidential uses (other than institutions) in urban centers or the Station Area Overlay District (3)</u>			<u>No minimum requirement</u>
J.	<u>Nonresidential uses (other than institutions) permitted in on the ground floor in MR and HR zones pursuant to Section 23.45.504.</u>			<u>No minimum requirement</u>

Footnotes for Table A for Section 23.54.015

(1) Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact

1 that administrative or maintenance personnel are present. The Director may reduce the required parking
 2 for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less
 3 of the facility's seating capacity, to an amount not less than that required for the certified projected
 4 attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An
 5 application for reduction and the certification shall be submitted to the Director at least 15 days prior to
 6 the event. When the event is one of a series of similar events, such certification may be submitted for the
 7 entire series 15 days prior to the first event in the series. If the Director finds that a certification of
 8 projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as
 9 past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such
 10 submittal, notify the facility operator that a reduced parking requirement has been approved, with any
 11 conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance
 12 should change. The parking requirement reduction may be applied for only if the goals of the facility's
 13 Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking
 14 requirement reduction approval during a series, if projected attendance is exceeded.

(2) The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.

(3) The general requirements of lines A through H of Table A for Section 23.54.015 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 nonresidential use fits within more than one line in Table A for Section 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of nonresidential 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.

Table B for ((Section)) 23.54.015: PARKING FOR RESIDENTIAL USES

Use	Minimum parking required
((A))I. 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 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.

THIS VERSION IS NOT ADOPTED

Table B for ((Section))23.54.015: PARKING FOR RESIDENTIAL USES

Use	Minimum parking required
((F))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
((H))K. Single-family ((residences)) dwelling units	1 space for each dwelling unit
((B))II. 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))III. 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 the building (1)</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>
<u>Q. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its</u>	<u>0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</u>

THIS VERSION IS NOT ADOPTED

Table B for ~~((Section))~~23.54.015: PARKING FOR RESIDENTIAL USES

Use	Minimum parking required
<u>initial occupancy of between 30 and 50 percent of the median income (3), for the life of the building (1)</u>	
((O))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 in the Station Area Overlay District))	1 space for each 5 dwelling units

Footnotes for Table B for Section 23.54.015:

(1) The general requirement of line ~~((H)) I~~ of Table B for Section 23.54.015 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.

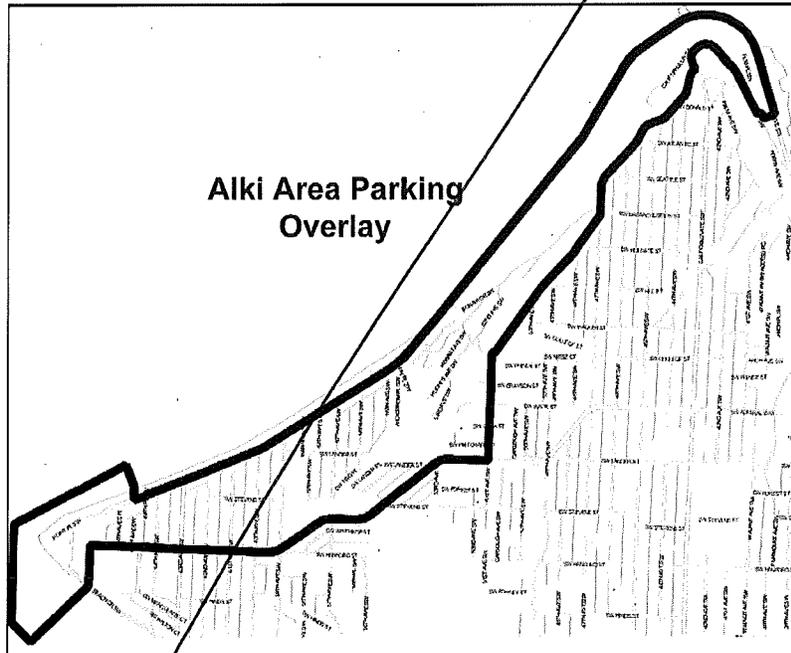
(2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, 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.

(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.

THIS VERSION IS NOT ADOPTED

Map B for 23.54.015: Alki Area Parking Overlay

Map B for 23.54.015: Alki Area Parking Overlay



**Table C for Section 23.54.015
PARKING FOR PUBLIC USES AND INSTITUTIONS**

THIS VERSION IS NOT APPROVED

Use	Minimum parking required
<u>I. General Public Uses and Institutions</u>	
A. Adult care centers (1), (2)	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
B. Child care centers (1), (2), (3)	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C. Colleges	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D. Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) (1), (4)	1 space for each 555 square feet; or For family support centers, 1 space for each 100 square feet
E. Community clubs, and community centers not owned and operated by DOPAR (1), (5)	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
F. Hospitals	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
G. Institutes for advanced study, except as provided in line H below	1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
H. Institutes for advanced study in single family zones (existing) (1)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional

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1		building footprint to house and support conference center activities; or
2		37 spaces for each 1,000 square feet of conference room space, whichever is greater
3	I. Libraries (1) (6)	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus
4		1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
5		
6	J. Museums	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus
7		1 space for every 10 fixed seats for floor area containing fixed seats; plus
8		1 space for each 250 square feet of other gross floor area open to the public
9		
10	K. Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or
11		1 space for every 8 fixed seats for floor area containing fixed seats; or
12		if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
13		
14	L. Religious facilities (1)	1 space for each 80 square feet of all auditoria and public assembly rooms
15		
16	M. Schools, private elementary and secondary (1)	1 space for each 80 square feet of all auditoria and public assembly rooms, or
17		if no auditorium or assembly room, 1 space for each staff member
18		
19	N. Schools, public elementary and secondary (7) (8)	1 space for each 80 square feet of all auditoria or public assembly rooms, or
20		1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
21		
22	O. Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus
23		1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus
24		1 space for each 5 students, based on the maximum number of students that the school is designed to
25		
26		

THIS VERSION IS NOT APPROVED

		accommodate
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II. General Public Uses and Institutions with Locational Criteria

P.	<u>General public uses and institutions in urban centers or the Station Area Overlay District (9)</u>	<u>No minimum requirement</u>
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Footnotes for Table C for Section 23.54.015:

- (1) When this use is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.
- (2) The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.
- (3) A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.
- (4) When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of ~~((fifteen (-)))15((+))~~ percent, pursuant to Section 23.54.020~~((-))~~.I.
- (5) Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one ~~((+))~~ parking space for every eight ~~((8))~~ fixed seats. Each ~~((twenty (-)))20((+))~~ inches of width of bleachers shall be counted as one ~~((+))~~ fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one ~~((+))~~ space for each ~~((three hundred fifty (-)))350((+))~~ square feet.
- (6) When a library is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements according to Section 23.44.022~~((-))~~.L.
- (7) For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ~~((ten (-)))10((+))~~ percent or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.
- (8) Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.
- (9) The general requirement of lines A through O of Table C for Section 23.54.015 for general public uses and institutions, 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)

THIS VERSION IS NOT ADOPTED

1 under any other provision. To the extent that a general public use or institution fits within more
2 than one line in Table C for Section 23.54.015, the least of the applicable parking requirements
3 applies. The different parking requirements listed for certain categories of general public uses or
4 institutions shall not be construed to create separate uses for purposes of any requirements
5 related to establishing or changing a use under this Title 23.

6 * * *

7 Section 68. Subsections A, F, M, and N of Section 23.54.020 of the Seattle Municipal
8 Code, which section was last amended by Ordinance 123029, are amended as follows:

9 **23.54.020 Parking quantity exceptions**

10 A. Adding Units to Existing Structures in Multifamily and Commercial Zones.

11 1. For the purposes of this Section 23.54.020, "existing structures" means those
12 structures that were established under permit, or for which a permit has been granted and has not
13 expired as of the applicable date, as follows:

14 a. In multifamily zones, August 10, 1982;

15 b. In commercial zones, June 9, 1986.

16 2. In locations in a multifamily or commercial zone where there is a minimum
17 parking requirement, one dwelling unit may either be added to an existing structure (~~in a~~
18 ~~multifamily or commercial zone~~) or may be built on a lot that contains an existing structure
19 without additional parking if both of the following requirements are met:

20 a. Either the existing parking provided on the lot meets development
21 standards, or the lot area is not increased and existing parking is screened and landscaped to the
22 greatest extent practical; and

23 b. Any additional parking shall meet all development standards for the
24 zone.