

22.900.220 Miscellaneous and special fees.

A. The Building Official is authorized to charge such fees as he/she may deem necessary for the furnishing of special services or materials requested by the public which are not ordinarily provided under permit or during the approval process. Such services and materials may include but are not limited to the following:

1. Examination, testing, or inspection of particular plans, construction, equipment, or material which may be related to, but not directly covered by, a specific building permit or approval process;

2. Reproduction and/or search of records and documents;

3. Furnishing or certification of affidavits, reports, data, or similar documentation;

4. Product Approvals. The Department of Construction and Land Use shall charge a flat fee of Two Hundred Fifty Dollars (\$250.00) at the time of application for a product approval. The fee is not refundable unless the request for a product approval is withdrawn before any work has been done by the Department on the application. If the request is withdrawn prior to any work being done, then Two Hundred Twenty Dollars (\$220.00) may be refunded. The fee for the renewal of a product approval shall be the same as for a new product approval.

B. The Building Official or his/her authorized representative shall have full authority to specify the terms and conditions upon which such services and materials shall be made available, and such fees as determined by him/her shall be consistent with the reasonable estimated cost to the city for furnishing such services or materials.

(Ord. 110264 § 19, 1981.)

22.900.230 Fees imposed January 1, 1982—  
Ratification and confirmation.

The fees imposed by this chapter shall take effect January 1, 1982. Any act pursuant to the authority and prior to the effective date of this chapter is hereby ratified and confirmed.<sup>1</sup>

(Ord. 110264 § 22, 1981.)

1. Editor's Note: Ordinance 110264 was passed by the City Council on November 30, 1981.

Chapter 22.910

MAINTENANCE OF HEALTHFUL  
TEMPERATURES

Repealed by Ordinance 110152.

Title 24

ZONING AND SUBDIVISIONS

Subtitle I Zoning Regulations

Chapter 24.08

DEFINITIONS

Sections:

24.08.050 "D."

24.08.090 "H."

24.08.130 "L."

24.08.200 "S."

24.08.220 "U."

24.08.230 "V."

24.08.050 "D."

12. "Drive-in bank" means a bank or financial institution having five or more drive-in lanes served by windows and/or machines through which a customer is permitted or encouraged to carry on banking business while seated in a motor vehicle, whether or not such drive-in banking activity is accessory to a bank or financial institution permitted outright as a principal use.

(Ord. 109810 § 1, 1981; Ord. 109126 § 2, 1980; Ord. 107075 § 2, 1978; Ord. 106862 § 2, 1977; Ord. 106775 § 1, 1977; Ord. 102290 § 1, 1973; Ord. 101285 § 1, 1972; Ord. 99872 § 1, 1972; Ord. 98606 § 2, 1970; Ord. 98426 § 1, 1969; Ord. 96539 § 1, 1968; Ord. 96278 § 1, 1967; Ord. 88516 § 1, 1959; Ord. 86300 § 3.05, 1957.)

24.08.090 "H."

10. "Heat-recovery incinerator" means an accessory facility designed for the conversion of at least one ton per day of solid waste into useful energy, together with storage and

handling bins and machinery required for its operation.

(Ord. 109844 § 1, 1981; Ord. 106090 § 1, 1976; Ord. 100100 § 1, 1971; Ord. 96031 § 2, 1967; Ord. 89796 § 1, 1960; Ord. 86300 § 3.09, 1957.)

24.08.130 "L."

16. "Lot, through" means a lot having frontage on two parallel streets or on two streets being within fifteen degrees of parallel with each other.

(Ord. 109836 § 1, 1981; Ord. 100542 § 3, 1971; Ord. 98608 § 3, 1970; Ord. 97998 § 1, 1969; Ord. 96252 § 1, 1967; Ord. 87225 § 4, 1958; Ord. 86300 § 3.13, 1957.)

24.08.200 "S."

17. "Solid waste processing facility" means a principal-use facility, other than a heat-recovery incinerator, for the conversion of solid waste into useful products or preparation of solid waste for intermediate or final disposal, including, but not limited to, reclamation and salvage by hand or mechanical segregation, shredding, air classification and burning of waste.

(Ord. 109837 § 1, 1981; Ord. 109126 § 3, 1980; Ord. 98608 § 5, 1970; Ord. 96252 § 3, 1967; Ord. 94036 § 6, 1965; Ord. 86300 § 3.20, 1957.)

24.08.220 "U."

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

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

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

a. Direct access from such a plaza or arcade;

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

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

4. "Use, non-conforming" means a lawful use of land or structure in existence on the effective date of this subtitle<sup>1</sup> or at the time of any amendments thereto and which does not conform to the use regulations of the zone in which such use is located.

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

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

7. "Use or structure, conditional" means uses permitted in this subtitle as principal or accessory uses when authorized by the Director, the Hearing Examiner upon appeal, or by the Council, and subject to specified conditions. (Ord. 109737 § 1, 1981; Ord. 107075 § 4, 1978; Ord. 106862 § 4, 1977; Ord. 96202 § 5, 1967; Ord. 91700 § 1, 1962; Ord. 86300 § 3.22, 1957.)

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

24.08.230 "V."

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

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

1981 updates to the  
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3. "Voluntary building setback area, landscaped" means a voluntary building setback area having seventy-five percent or more of its qualifying area landscaped. (Ord. 109737 § 2, 1981; Ord. 100542 § 6, 1971; Ord. 94970 § 1, 1966; Ord. 94036 § 7, 1965; Ord. 86300 § 3.23, 1957.)

## Chapter 24.10

### ADMINISTRATION AND ENFORCEMENT

#### Sections:

- 24.10.010 Administration generally.
- 24.10.020 Establishment or change of use.
- 24.10.030 Right of appeal.
- 24.10.040 Notice of appealable rulings and interpretations.
- 24.10.060 Appeal procedure.
- 24.10.070 Hearing Examiner's consideration.
- 24.10.080 Hearing Examiner's decision.
- 24.10.090 Rules.

#### 24.10.010 Administration generally.

A. It shall be the duty of the Director of Construction and Land Use (Director) to enforce this subtitle. The Director may call upon the Police and Fire and Health and other appropriate city departments to assist in the enforcement of this subtitle.

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

(Ord. 109737 § 49, 1981; Ord. 91138 § 10, 1962; Ord. 86300 § 25.1, 1957.)

#### 24.10.020 Establishment or change of use.

A. It shall be unlawful for an owner to permit the establishment or change of use of any structure, buildings or premises, or any part thereof, until a master use permit shall have been issued by the Director in accordance with the provisions of the Master Use Permit Ordinance (109438).<sup>1</sup>

B. The Director shall authorize a use only if he or she is satisfied that the plans filed in accordance with subsection C of this section conform to the requirements of this subtitle, and other pertinent laws and ordinances.

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

(Ord. 109737 § 50, 1981; Ord. 104795 § 1, 1975; Ord. 86300 § 25.2, 1957.)

1. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.

#### 24.10.030 Right of appeal.

Written rulings or interpretations of the Director as to the meaning, application or intent of any provision of the Zoning Ordinance<sup>1</sup> shall be subject to review by the Hearing Examiner. (Ord. 109737 § 52, 1981; Ord. 106438 § 1, 1977; Ord. 106340 § 1, 1977; Ord. 104795 § 2(part), 1975; Ord. 86300 § 25.40, 1957.)

1. Editor's Note: The Zoning Ordinance is codified in Subtitle I of Title 24 of this Code.

#### 24.10.040 Notice of appealable rulings and interpretations.

The Director shall compile a list of the appealable rulings or interpretations made by him and publish such list in the city official newspaper, stating the nature of the proposed work, the street address where such work is proposed, its estimated cost, and the action taken by the Director within seven days after such action has been taken. Said list shall also be posted in a conspicuous place on the fifth floor of the Municipal Building convenient to the public, and

shall be mailed to the main and all branch public libraries of the city.  
(Ord. 109737 § 53, 1981: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.41, 1957.)

**24.10.060 Appeal procedure.**

Any individual partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in any appealable ruling or interpretation of the Director may demand that the same be reduced to writing and may file an appeal in writing with the Hearing Examiner within a period extending to five p.m. of the fourteenth day following the date of publication of such ruling or interpretation, stating explicit exceptions and objections thereto. The appeal shall be accompanied by a receipt from the City Treasurer showing payment by the appellant of a filing fee of Twenty-five Dollars (\$25.00).  
(Ord. 109737 § 55(part), 1981: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.43, 1957.)

**24.10.070 Hearing Examiner's consideration.**

The Hearing Examiner shall consider the appeal in accordance with the procedures established for hearing contested cases in the Administrative Code of the city (Ordinance 102228),<sup>1</sup> provided that notice shall be given not less than twenty days prior to hearing. Appeals shall be considered de novo and the decision thereon shall be made upon the same basis as was required of the Director, provided that the ruling or interpretation of the Director shall be given substantial weight, and the burden of establishing the contrary shall be upon the appellant. The Hearing Examiner shall summarily dismiss an appeal without hearing which is determined to be without merit on its face, frivolous, or brought merely to secure a delay.  
(Ord. 109737 § 55(part), 1981: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.44, 1957.)

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

**24.10.080 Hearing Examiner's decision.**

Decisions of the Hearing Examiner shall be made in accordance with the procedures established for deciding contested cases in the Administrative Code of the city (Ordinance 102228),<sup>1</sup> and the ruling or interpretation of the Director may be affirmed or reversed in whole or in part. If the ruling or interpretation

of the Director is reversed or substantially modified, the Hearing Examiner shall direct that the filing fee be returned to the appellant by the City Treasurer. The decision of the Hearing Examiner shall be final, the applicant, appellant and Director shall be bound thereby.  
(Ord. 109737 § 55(part), 1981: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.45, 1957.)

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

**24.10.090 Rules.**

The Hearing Examiner shall promulgate rules from time to time to implement the provisions of this chapter, which rules shall be submitted to the City Council for approval, and shall include time limits for filing by the Director of a written response to appellant's exceptions and objections, and for hearing the appeal. All appeals shall be decided within fourteen days of the close of the record made before the Hearing Examiner.  
(Ord. 109737 § 55(part), 1981: Ord. 104795 § 2(part), 1975: Ord. 86300 § 25.46, 1957.)

**Chapter 24.14**

**GENERAL PROVISIONS**

**Sections:**

- 24.14.030 Continuation of nonconforming building or use.
- 24.14.040 Buildings nonconforming as to bulk.
- 24.14.050 Termination of certain nonconforming uses.
- 24.14.060 Limitations on nonconforming buildings and uses.
- 24.14.070 Existing automobile service stations.

**24.14.030 Continuation of nonconforming building or use.**

Any nonconforming building or use may be continued, subject, however, to provisions of Sections 24.14.030 through 24.14.070.  
(Ord. 109770 § 1(part), 1981: Ord. 109737 § 3(part), 1981: Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051

§ 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6(part), 1958: Ord. 86300 § 5.31, 1957.)

**24.14.040 Buildings nonconforming as to bulk.**

Any building conforming as to use but which is a building nonconforming as to bulk as of the effective date of the ordinance codified in this subtitle<sup>1</sup> may be altered, repaired or extended; provided, that such alteration, repair or extension does not cause such building to further exceed the bulk provisions of this subtitle. (Ord. 109770 § 1(part), 1981: Ord. 109737 § 3(part), 1981: Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6(part), 1958: Ord. 86300 § 5.32, 1957.)

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

**24.14.050 Termination of certain nonconforming uses.**

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

B. All advertising signs in R and BN Zones which have been nonconforming uses for a period of three or more years prior to July 1, 1962, shall be discontinued by July 1, 1963, and all other nonconforming advertising sign uses in R and BN Zones shall be discontinued within three years of the date such sign became or becomes a nonconforming use; provided, that such time limitations may be extended for periods of not to exceed two years at a time by the Director, upon application by the owner of such sign and payment of a Twenty-five Dollar (\$25.00) filing fee, if said Director finds that

such nonconforming use is on a lot with or adjacent to and fronting on the same street with uses (other than another advertising sign) which are first permitted in BC or more intensive zones or that such nonconforming use is on a lot separated from the nearest portion of an existing R or BN use by a grade equal to the height of the sign above the ground, and further finds that continuance of such nonconforming sign will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the sign is located, and is not otherwise inconsistent with the spirit and purpose of this subtitle and that such advertising sign has been and will be properly maintained. Decisions of the Director hereunder shall be final, subject to review by the City Council upon application.

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

D. Adult motion picture theaters which are nonconforming in the R or B zones shall be discontinued within ninety days of the date the use became or becomes nonconforming. (Ord. 109770 § 1(part), 1981: Ord. 109737 § 3(part), 1981: Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6(part), 1958: Ord. 86300 § 5.33, 1957.)

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

**24.14.060 Limitations on nonconforming buildings and uses.**

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

shall prevent the restoration of a nonconforming building destroyed by fire or other act of God.

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

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

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

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

F. In any R zone, a nonconforming business use may change an existing business sign to another business sign, subject to the limitations contained in Section 24.40.050B and Chapter 49 of the Seattle Building Code (Sign Ordinance),<sup>1</sup> (Ord. 109770 § 1(part), 1981: Ord. 109737 § 3(part), 1981: Ord. 107074 § 1(part), 1977: Ord. 105565 § 2(part), 1976: Ord. 104971 § 1(part), 1975: Ord. 104660 § 1(part), 1975: Ord. 102817 § 1(part), 1973: Ord. 99051 § 1(part), 1970: Ord. 91201 § 1(part), 1962: Ord. 87225 § 6(part), 1958: Ord. 86300 § 5.34, 1957.)

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

**24.14.070 Existing automobile service stations.**

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

(Ord. 109770 § 1(part), 1981: Ord. 109737 § 3(part), 1981: Ord. 107074 § 1(part), 1977:

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

**Chapter 24.16**

**RS 9600 SINGLE-FAMILY RESIDENCE  
LOW DENSITY ZONE**

**Sections:**

- 24.16.040 Principal conditional uses permitted by Director.
- 24.16.050 Accessory uses permitted outright.
- 24.16.055 Accessory conditional uses.
- 24.16.060 Accessory conditional uses incidental to principal conditional uses.
- 24.16.070 Accessory conditional uses permitted by Director.

**24.16.040 Principal conditional uses permitted by Director.**

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

- A. Children's resident home, provided such is operated under standards established in accordance with state laws governing child welfare;
- B. Day care center subject to the following conditions:

- 1. Such use shall be instituted and operated under standards established in accordance with state laws governing child welfare,
- 2. No lot so used shall be less than five thousand square feet in area plus two hundred fifty square feet per child over ten in number,
- 3. A fenced outdoor play area shall be provided on the lot. When more than ten children are accommodated, such play area shall be located no closer than fifteen feet from any other lot in an R Zone;

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

- 1. Such institution shall be operated by public or nonprofit charitable organization or instituted and operated under standards established in accordance with state laws governing child welfare,
- 2. No lot so used shall be less than fifteen thousand square feet plus one thousand square feet for each child over fifteen in number,

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

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

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

6. Border screen planting shall be provided as specified by the Director;

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

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

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

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

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

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

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

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

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

H. (Reserved);

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

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

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

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

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

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

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

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

5. Border screen planting and fencing shall be provided as specified by the Director;

K. Halfway houses subject to the following conditions:

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

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

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

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

5. Authorization for such use shall be

reviewed by the Director one year after occupancy as a halfway house. Such permit may be withdrawn by the Director for cause following such review;

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

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

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

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

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

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

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

3. No exterior structural alterations to accommodate such use shall be permitted. (Ord. 109737 § 4, 1981: Ord. 106090 § 2, 1976: Ord. 105408 § 1(part), 1976: Ord. 101985 § 1 (part), 1973: Ord. 101285 § 4 (part), 1972: Ord. 100383 § 1(part), 1971: Ord. 100232 § 1(part), 1971: Ord. 100100 § 2(part), 1971: Ord. 99368 § 1(part), 1970: Ord. 98426 § 3(part), 1969: Ord. 98066 § 1(part), 1969: Ord. 97652 § 1(part), 1969: Ord. 93617 § 1 (part), 1965: Ord. 86300 § 6.22, 1957.)

**24.16.050 Accessory uses permitted outright.**

The following accessory uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright, such as private garages containing in total not more than one thousand square feet, or parking areas for noncommercial vehicles only, not including any business, trade or industry in accordance with provisions set forth in Chapter 24.64; areas for storage of tightly covered garbage cans and

detachable containers for collection of refuse and recyclable materials maintained in good condition; rectories or other similar church residence, Sunday schools, and similar customary accessory uses;

Q. Sale and consumption of beer and wine with meals served in a restaurant facility in Woodland Park, provided, however, that only one such use shall be permitted within the boundaries of the park, shall be located no closer than one hundred ten feet from any lot in an R zone and shall be separated from other public activity areas and zoo buildings by at least fifty feet.

(Ord. 109801 § 1, 1981; Ord. 109717 § 1, 1981; Ord. 109084 § 2, 1980: Ord. 102684 § 1, 1973: Ord. 101285 § 5, 1972: Ord. 101169 § 1, 1972: Ord. 96668 § 1, 1968: Ord. 92059 § 2, 1963: Ord. 90722 § 3, 1961: Ord. 88920 § 2, 1960: Ord. 87225 § 7, 1958: Ord. 86300 § 6.31, 1957.)

**24.16.055 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.16.060 and 24.16.070 of this chapter.

(Ord. 109737 § 5(part), 1981: Ord. 86300 § 6.40, 1957.)

**24.16.060 Accessory conditional uses incidental to principal conditional uses.**

Uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 5(part), 1981: Ord. 109274 § 1 (part), 1980: Ord. 100100 § 3(part), 1971: Ord. 91700 § 2(part), 1962: Ord. 89796 § 2(part), 1960: Ord. 86300 § 6.41, 1957.)

**24.16.070 Accessory conditional uses permitted by Director.**

The following accessory conditional uses are permitted when authorized by the Director in accordance with Chapter 24.70:

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

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

C. Parking areas accessory to permitted uses when not located on the lot of the principal

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Chapter 24.18

RS 7000 SINGLE-FAMILY RESIDENCE MEDIUM DENSITY ZONE

Sections:

- 24.18.015 Principal conditional uses.
- 24.18.020 Principal conditional uses permitted by Council.
- 24.18.030 Principal conditional uses permitted by Director.
- 24.18.045 Accessory conditional uses.
- 24.18.050 Accessory conditional uses permitted by Council.
- 24.18.060 Accessory conditional uses permitted by Director.

24.18.015 Principal conditional uses.

Principal conditional uses shall be as set forth in Sections 24.18.020 and 24.18.030. (Ord. 109737 § 6(part), 1981: Ord. 86300 § 7.20, 1957.)

24.18.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord. 109737 § 6(part), 1981: Ord. 106090 § 3(part), 1976: Ord. 100383 § 2(part), 1971: Ord. 100232 § 2(part), 1971: Ord. 100100 § 4(part), 1971: Ord. 93617 § 2(part), 1965: Ord. 86300 § 7.21, 1957.)

24.18.030 Principal conditional uses permitted by Director.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

1. All structures shall be located twenty feet or more from any lot line,
2. Any heating plant or chimney shall be located fifty feet or more from any other lot in an R Zone,
3. No retail sales shall be permitted on the premises,
4. No advertising sign shall be permitted,
5. The number of employees on the

building, under conditions specified in Section 24.64.160;

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

E. Sale and consumption of beer during daylight hours on public park premises, in a building or within fifty feet of the building on an adjoining terrace, provided however, that such use shall be in a completely enclosed building or enclosed portion of building when within one hundred feet of any lot in an R Zone;

F. Sale and consumption of alcoholic beverages under a Class H liquor license on municipal golf course premises during the established hours of operation of the golf course, in a building or within fifty feet of the building on an adjoining terrace, provided, however, that such use shall be in a completely enclosed building or enclosed portion of building when within one hundred feet of any lot in an R Zone;

G. Heat-recovery incinerator, when located on the same lot as the principal use, subject to the following conditions:

1. The use shall be located no closer than one hundred feet to any property line unless completely enclosed within a building,

2. If not within a building, the use shall be enclosed by a view-obscuring fence of sufficient strength and design to resist penetration by children,

3. Adequate control measures for insects, rodents and odors shall be maintained continuously.

(Ord. 109844 § 1, 1981; Ord. 109737 § 2, 1981; Ord. 109274 § 1 (part), 1980: Ord. 100100 § 3(part), 1971: Ord. 91700 § 2(part), 1962: Ord. 89796 § 2(part), 1960: Ord. 86300 § 6.42, 1957.)

premises shall not exceed five in number;

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

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

(Ord. 109737 § 6(part), 1981: Ord. 106090 § 3 (part), 1976: Ord. 100383 § 2(part), 1971: Ord. 100232 § 2(part), 1971: Ord. 100100 § 4 (part), 1971: Ord. 93617 § 2(part), 1965: Ord. 86300 § 7.22, 1957.)

**24.18.045 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.16.050 and 24.16.060. (Ord. 109737 § 7(part), 1981: Ord. 86300 § 7.40, 1957.)

**24.18.050 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 7(part), 1981: Ord. 91700 § 3 (part), 1962: Ord. 86300 § 7.41, 1957.)

**24.18.060 Accessory conditional uses permitted by Director.**

The following uses permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

(Ord. 109737 § 7(part), 1981: Ord. 91700 § 3 (part), 1962: Ord. 86300 § 7.42, 1957.)

**Chapter 24.20**

**RS 5000 SINGLE-FAMILY RESIDENCE HIGH DENSITY ZONE**

**Sections:**

**24.20.015 Principal conditional uses.**

**24.20.020 Principal conditional uses permitted by Council.**

**24.20.030 Principal conditional uses permitted by Director.**

**24.20.045 Accessory conditional uses.**

**24.20.050 Accessory conditional uses permitted by Council.**

**24.20.060 Accessory conditional uses permitted by Director.**

**24.20.015 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.20.020 and 24.20.030.

(Ord. 109737 § 8(part), 1981: Ord. 86300 § 8.20, 1957.)

**24.20.020 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

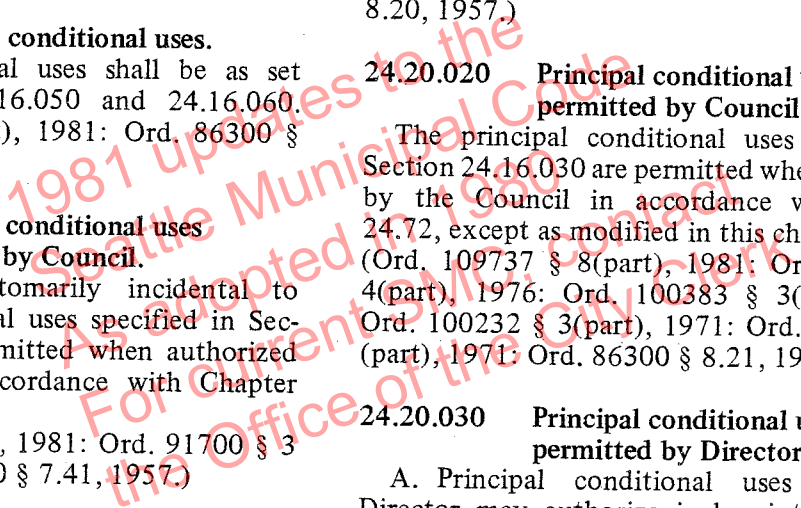
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**24.20.030 Principal conditional uses permitted by Director.**

A. Principal conditional uses which the Director may authorize in less intensive zones are permitted when authorized by the Director in accordance with Chapter 24.74, except as modified in this chapter;

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

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



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and two hundred square feet for each child in excess of ten.

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**24.20.045 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.20.050 through 24.20.060. (Ord. 109737 § 9(part), 1981: Ord. 86300 § 8.40, 1957.)

**24.20.050 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord. 109737 § 9(part), 1981: Ord. 91700 § 4 (part), 1962: Ord. 86300 § 8.41, 1957.)

**24.20.060 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

(Ord. 109737 § 9(part), 1981: Ord. 91700 § 4 (part), 1962: Ord. 86300 § 8.42, 1957.)

**Chapter 24.22**

**RW RESIDENCE WATERFRONT ZONE**

**Sections:**

**24.22.010 Principal uses permitted outright.**

**24.22.015 Principal conditional uses.**

**24.22.020 Principal conditional uses permitted by Council.**

**24.22.030 Principal conditional uses permitted by Director.**

**24.22.045 Accessory conditional uses.**

**24.22.050 Accessory conditional uses permitted by Council.**

**24.22.060 Accessory conditional uses permitted by Director.**

**24.22.010 Principal uses permitted outright.**

The following uses are permitted:

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

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

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

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

3. On-shore toilet facilities shall be provided,

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

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

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

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

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

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

have a structure higher than sixteen feet from the water line,

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

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

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

C. Houseboats, subject to the following conditions:

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

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

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

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

(Ord. 109737 § 10, 1981: Ord. 87225 § 8, 1958: Ord. 86300 § 9.11, 1957.)

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

**24.22.015 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.22.020 through 24.22.030.

(Ord. 109737 § 11(part), 1981: Ord. 86300 § 9.20, 1957.)

**24.22.020 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord. 109737 § 11(part), 1981: Ord. 86300 § 9.21, 1957.)

**24.22.030 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

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

(Ord. 109737 § 11(part), 1981: Ord. 86300 § 9.22, 1957.)

**24.22.045 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.22.050 and 24.22.060. (Ord. 109737 § 12(part), 1981: Ord. 86300 § 9.40, 1957.)

**24.22.050 Accessory conditional uses permitted by Council.**

The accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 12(part), 1981: Ord. 91700 § 5(part), 1962: Ord. 86300 § 9.41, 1957.)

**24.22.060 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.22.030 except as modified in this chapter;

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

(Ord. 109737 § 12(part), 1981: Ord. 91700 § 5(part), 1962: Ord. 86300 § 9.42, 1957.)

**Chapter 24.24**

**RD 7200 DUPLEX RESIDENCE MEDIUM DENSITY ZONE**

**Sections:**

**24.24.025 Principal conditional uses.**

**24.24.030 Principal conditional uses permitted by Council.**

**24.24.040 Principal conditional uses permitted by Director.**

**24.24.055 Accessory conditional uses.**

**24.24.060 Accessory conditional uses permitted by Council.****24.24.070 Accessory conditional uses permitted by Director.****24.24.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.24.030 and 24.24.040. (Ord. 109737 § 13(part), 1981: Ord. 86300 § 10.20, 1957.)

**24.24.030 Principal conditional uses permitted by Council.**

The uses set forth in Section 24.16.030 when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 13(part), 1981: Ord. 106090 § 5(part), 1976: Ord. 101285 § 6(part), 1972: Ord. 100100 § 6(part), 1971: Ord. 99368 § 2(part), 1970: Ord. 96031 § 4(part), 1967: Ord. 86300 § 10.21, 1957.)

**24.24.040 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with the provisions of Chapter 24.74:

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

B. (Reserved);

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

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

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

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

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

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

6. Any other condition which the Director may impose for the protection of adjacent properties and in the public interest;

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

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

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

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

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

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

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

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

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

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

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

(Ord. 109737 § 13(part), 1981: Ord. 106090 § 5(part), 1976: Ord. 101285 § 6(part), 1972: Ord. 100100 § 6(part), 1971: Ord. 99368 § 2(part), 1970: Ord. 96031 § 4(part), 1967: Ord. 86300 § 10.22, 1957.)

**24.24.055 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.24.060 and 24.24.070. (Ord. 109737 § 14(part), 1981: Ord. 86300 § 10.40, 1957.)

**24.24.060 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 14(part), 1981: Ord. 91700 § 6(part), 1962: Ord. 86300 § 10.41, 1957.)

**24.24.070 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

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

(Ord. 109737 § 14(part), 1981: Ord. 91700 § 6(part), 1962: Ord. 86300 § 10.42, 1957.)

**Chapter 24.26**

**RD 5000 DUPLEX RESIDENCE  
HIGH DENSITY ZONE**

**Sections:**

- 24.26.010 Principal uses permitted outright.**
- 24.26.015 Principal conditional uses.**
- 24.26.020 Principal conditional uses permitted by Council.**
- 24.26.030 Principal conditional uses permitted by Director.**

**24.26.045 Accessory conditional uses.**

**24.26.050 Accessory conditional uses permitted by Council.**

**24.26.060 Accessory conditional uses permitted by Director.**

**24.26.010 Principal uses permitted outright.**

The following uses are permitted:

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

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

The minimum lot area shall be six thousand five hundred square feet, and Section 24.62.050 shall not apply;

C. Townhouse structures, subject to the following conditions:

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

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

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

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

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

6. No townhouse dwelling shall exceed a height of thirty-five feet and Sections 24.62.030 and 24.62.040 shall not apply,

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

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

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

10. Required parking with connecting permanent pedestrian access shall be located within two hundred feet of the townhouse dwelling that it serves,

11. Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design by the Community Development Director prior to issuance of a building or master use permit. The proposal will be judged as to design on the following criteria:

- a. Efficient and harmonious grouping of structures and space encouraging individuality of separate townhouse dwellings within a unifying design concept,
- b. Efficient parking for occupants and guests with adequate space for maneuvering,
- c. Provision for short-term parking of service and delivery vehicles,
- d. Provision for common open space,
- e. Space for children's play space with allowance for visual supervision,
- f. Access points from all townhouse dwellings to common space separated from moving vehicles,
- g. Separation of pedestrians, common open spaces, and children's play spaces from moving vehicles,
- h. Clear definition between the private domain of the townhouse dwelling,
- i. Screening of private spaces, as appropriate; and the Community Development Director may authorize fences exceeding the height limits established in Section 24.62.090 C where necessary to achieve privacy,
- j. Adequate light and air,
- k. Provision for emergency access of escape, fire, ambulance and service,
- l. Enclosed garbage storage and collection area,
- m. Provision of space for control and maintenance of public utilities,
- n. Preservation of natural vegetation and topography to the greatest extent possible,
- o. Undergrounding of utilities,
- p. Due consideration for the impact of the townhouse dwelling proposal on the

vicinity or zone in which the property is located. (Ord. 109737 § 15, 1981; Ord. 109266 § 1, 1980; Ord. 109155 § 9, 1980; Ord. 109126 § 4, 1980; Ord. 106057 § 1(part), 1976; Ord. 98608 § 8(part), 1970; Ord. 96539 § 2(part), 1968; Ord. 93617 § 3(part), 1965; Ord. 89229 § 1(part), 1960; Ord. 86300 § 11.11, 1957.)

#### 24.26.015 Principal conditional uses.

Principal conditional uses shall be as set forth in Sections 24.26.015 through 24.26.030. (Ord. 109737 § 16(part), 1981; Ord. 86300 § 10, 1957.)

#### 24.26.020 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 16(part), 1981; Ord. 87225 § 10(part), 1958; Ord. 86300 § 11.21, 1957.)

#### 24.26.030 Principal conditional uses permitted by Director.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

B. Fraternity, sorority or group student house, provided that all principal buildings are located twenty feet or more from any other lot in an R Zone except when the side of a lot adjoins a lot occupied by a fraternity, sorority, or group student house. (Ord. 109737 § 16(part), 1981; Ord. 87225 § 10(part), 1958; Ord. 86300 § 11.22, 1957.)

#### 24.26.045 Accessory conditional uses.

Accessory conditional uses shall be as set forth in Sections 24.26.050 through 24.26.060. (Ord. 109737 § 17(part), 1981; Ord. 86300 § 11.40, 1957.)

#### 24.26.050 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 17(part), 1981; Ord. 91700 § 7(part), 1962; Ord. 86300 § 11.41, 1957.)

**24.26.060 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

C. Access driveway or walk not more than twenty feet in width to premises in an RM, RMH, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone. (Ord. 109737 § 17(part), 1981: Ord. 91700 § 7(part), 1962: Ord. 86300 § 11.42, 1957.)

**Chapter 24.28**

**RM 1600 MULTIPLE RESIDENCE  
LOWEST DENSITY ZONE**

**Sections:**

**24.28.015 Principal conditional uses.**

**24.28.020 Principal conditional uses permitted by Council.**

**24.28.030 Principal conditional uses permitted by Director.**

**24.28.045 Accessory conditional uses.**

**24.28.050 Accessory conditional uses permitted by Council.**

**24.28.060 Accessory conditional uses permitted by Director.**

**24.28.015 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.28.020 and 24.28.030. (Ord. 109737 § 18(part), 1981: Ord. 86300 § 11A.20, 1981.)

**24.28.020 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 21.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 18(part), 1981: Ord. 98608 § 1 (part), 1970: Ord. 86300 § 11A.21, 1981.)

**24.28.030 Principal conditional uses permitted by Director.**

Principal conditional uses which the Director may authorize in less intensive zones unless modified in this chapter.

(Ord. 109737 § 18(part), 1981: Ord. 98608 § 11(part), 1970: Ord. 86300 § 11A.22, 1981.)

**24.28.045 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.28.050 through 24.28.060. (Ord. 109737 § 19(part), 1981: Ord. 86300 § 11A.40, 1981.)

**24.28.050 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 19(part), 1981: Ord. 98608 § 13(part), 1970: Ord. 86300 § 11A.41, 1957.)

**24.28.060 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

C. Access driveway or walk not more than twenty feet in width to premises in an RM 800, RMH 350, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone.

(Ord. 109737 § 19(part), 1981: Ord. 98608 § 13(part), 1970: Ord. 86300 § 11A.42, 1957.)

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Chapter 24.30

RM MULTIPLE LOW DENSITY ZONE

Sections:

- 24.30.045 Principal conditional uses.
- 24.30.050 Principal conditional uses permitted by Council.
- 24.30.060 Principal conditional uses permitted by Director.
- 24.30.070 Principal conditional uses permitted twenty feet from R Zone.
- 24.30.080 Accessory uses permitted outright.
- 24.30.085 Accessory conditional uses.
- 24.30.090 Accessory conditional uses permitted by Council.
- 24.30.100 Accessory conditional uses permitted by Director.

**24.30.045 Principal conditional uses.**  
Principal conditional uses shall be as set forth in Sections 24.30.050 through 24.30.070. Reference in other sections of the Zoning Ordinance to "Section 12.2" shall mean and include Sections 24.30.045 through 24.30.070, inclusive. (Ord. 109737 § 20(part), 1981; Ord. 86300 § 12.20, 1957.)

**24.30.050 Principal conditional uses permitted by Council.**  
The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 20(part), 1981; Ord. 107579 § 1(part), 1978; Ord. 107186 § 3(part), 1978; Ord. 107024 § 1(part), 1977; Ord. 106090 § 9(part), 1976; Ord. 102685 § 1(part), 1973; Ord. 92059 § 3(part), 1963; Ord. 90722 § 4(part), 1961; Ord. 87225 § 12(part), 1958; Ord. 86300 § 12.21, 1957.)

**24.30.060 Principal conditional uses permitted by Director.**  
The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

- A. Principal conditional uses which the Director may authorize in less intensive zones unless modified in this chapter;
- B. Motels, subject to the following conditions:

- 1. The property so used shall abut upon a major arterial as defined by city ordinance,
- 2. Separate sanitary facilities shall be provided for each motel unit,
- 3. No business, other than the renting of rooms shall be conducted on the premises,
- 4. Motels shall be subject to all bulk provisions of this chapter except that the minimum lot area required shall be no less than one thousand square feet for each motel unit,
- 5. When the motel consists of detached buildings, the minimum distance between such buildings shall be ten feet,
- 6. Signs shall be limited to nonilluminated, illuminated or self-illuminated business signs not exceeding thirty square feet and not exceeding one in number;

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

D. Trailer parks, subject to the following conditions:

- 1. The property so used shall abut upon a major arterial street as defined by city ordinance,
- 2. No business other than the rental of house trailer space shall be conducted on the premises,
- 3. A screening shall be provided as specified for parking lots in Section 24.64.160A except on that side of the lot which adjoins or faces premises used for a motel or trailer park or a B, C, M, or I Zone,
- 4. Except where abutting upon a lot occupied by a motel or trailer park, minimum side yards of ten feet shall be provided when adjoining any lot in any R Zone. No house trailer shall encroach upon any required yard space,
- 5. Each house trailer space shall include one thousand square feet;

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

arterial as defined by city ordinance; provided further, that offices and clinics of physicians, surgeons, psychiatrists, psychologists, dentists, chiropractors, chiropodists, osteopaths, and optometrists, which are part of an existing hospital and which either abut or are directly across a street or alley from such hospital, shall not be required to front upon an arterial;

F. Halfway houses as specified and regulated in Section 24.16.040 K, except that there shall be not more than thirty persons in residence and no lot so used shall be less than five thousand square feet in area for up to twenty persons in residence, exclusive of required staff, plus two hundred fifty square feet for each non-staff person in residence over twenty in number;

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

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

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

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

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

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

I. Professional pharmacies when located within a medical office building, hospital or clinic, subject to the following conditions: No exterior display or advertising may be used except for an illuminated or nonilluminated identifying sign, not exceeding three square feet in area and not exceeding one in number. Any such sign shall be installed flush against the wall of the principal building.

(Ord. 109737 § 20(part), 1981: Ord. 107579 § 1(part), 1978: Ord. 107186 § 3(part), 1978: Ord. 107024 § 1(part), 1977: Ord. 106090 § 9(part), 1976: Ord. 102685 § 1(part), 1973: Ord. 92059 § 3(part), 1963: Ord. 90722 § 4 (part), 1961: Ord. 87225 § 12(part), 1958: Ord. 86300 § 12.22, 1957.)

**24.30.070 Principal conditional uses permitted twenty feet from R Zone.**

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

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

B. Trade or business school, excluding mechanical equipment not customarily used in dwellings for professional offices.

(Ord. 109737 § 20(part), 1981: Ord. 107579 § 1(part), 1978: Ord. 107186 § 3(part), 1978: Ord. 106090 § 9(part), 1976: Ord. 102685 § 1 (part), 1973: Ord. 92059 § 3(part), 1963: Ord. 90722 § 4(part), 1961: Ord. 87225 § 12(part), 1958: Ord. 86300 § 12.23, 1957.)

**24.30.080 Accessory uses permitted outright.**

C. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area.

(Ord. 109844 § 3(part), 1981: Ord. 98608 § 17, 1970: Ord. 86300 § 12.31, 1957.)

**24.30.085 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.30.090 and 24.30.100. (Ord. 109737 § 21(part), 1981: Ord. 86300 § 12.40, 1957.)

**24.30.090 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by Council in accordance with Chapter 24.72.

(Ord. 109737 § 21(part), 1981: Ord. 91700 § 8(part), 1962: Ord. 86300 § 12.41, 1957.)

**24.30.100 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

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

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

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

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

F. Heat recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109737 § 21(part), 1981; Ord. 91700 § 8(part), 1962; Ord. 86300 § 12.42, 1957.)

**Chapter 24.32**

**RMH MULTIPLE RESIDENCE  
HIGH DENSITY ZONE**

**Sections:**

- 24.32.045 **Principal conditional uses.**
  - 24.32.050 **Principal conditional uses permitted by Council.**
  - 24.32.060 **Principal conditional uses permitted by Director.**
  - 24.32.075 **Accessory conditional uses.**
  - 24.32.080 **Accessory conditional uses permitted by Council.**
  - 24.32.090 **Accessory conditional uses permitted by Director.**
- 24.32.045 **Principal conditional uses.**  
Principal conditional uses shall be as set forth in Sections 24.32.050 through 24.32.060. (Ord. 109737 § 22(part), 1981; Ord. 86300 § 13.20, 1957.)
- 24.32.050 **Principal conditional uses permitted by Council.**  
The principal conditional uses set forth in

Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 22(part), 1981; Ord. 92059 § 5(part), 1963; Ord. 90722 § 6(part), 1961; Ord. 86300 § 13.21, 1957.)

**24.32.060 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

B. Hotels;

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

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

(Ord. 109737 § 22(part), 1981; Ord. 92059 § 5(part), 1963; Ord. 90722 § 6(part), 1961; Ord. 86300 § 13.22, 1957.)

**24.32.075 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.32.080 and 24.32.090. (Ord. 109737 § 23(part), 1981; Ord. 86300 § 13.40, 1957.)

**24.32.080 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 23(part), 1981; Ord. 92886 § 1(part), 1964; Ord. 91700 § 9(part), 1962; Ord. 86300 § 13.41, 1957.)

**24.32.090 Accessory conditional uses permitted by Director.**

The following uses are permitted when

authorized by the Director in accordance with Chapter 24.74:

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

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

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

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

E. Serving of alcoholic beverages incidental to the serving of meals in a public restaurant operated as specified in Section 24.32.070 D;

F. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109737 § 23(part), 1981; Ord. 92886 § 1(part), 1964; Ord. 91700 § 9(part), 1962; Ord. 86300 § 13.42, 1957.)

Chapter 24.34

RMV 200 MULTIPLE RESIDENCE HIGH DENSITY VARIABLE HEIGHT ZONE

Sections:

- 24.34.025 Principal conditional uses.
- 24.34.030 Principal conditional uses permitted by Council.
- 24.34.040 Principal conditional uses permitted by Director.
- 24.34.055 Accessory conditional uses.
- 24.34.060 Accessory conditional uses permitted by Council.
- 24.34.070 Accessory conditional uses permitted by Director.

24.34.025 Principal conditional uses.

Principal conditional uses shall be as set forth in Sections 24.34.030 and 24.34.040.

(Ord. 109737 § 24(part), 1981; Ord. 86300 § 13A.20, 1957.)

24.34.030 Principal conditional uses permitted by Council.

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 24(part), 1981; Ord. 96202 § 10(part), 1967; Ord. 86300 § 13A.21, 1957.)

24.34.040 Principal conditional uses permitted by Director.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

Principal conditional uses which the Director may authorize in less intensive zones unless modified in this chapter.

(Ord. 109737 § 24(part), 1981; Ord. 96202 § 10(part), 1967; Ord. 86300 § 13A.22, 1957.)

24.34.055 Accessory conditional uses.

Accessory conditional uses shall be as set forth in Sections 24.34.060 and 24.34.070. (Ord. 109737 § 24(part), 1981; Ord. 86300 § 13A.40, 1957.)

24.34.060 Accessory conditional uses permitted by Council.

Accessory uses customarily incidental to the principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 24(part), 1981; Ord. 96202 § 12(part), 1967; Ord. 86300 § 13A.41, 1957.)

24.34.070 Accessory conditional uses permitted by Director.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

B. RMH 350 accessory conditional uses listed under 24.32.090 B, C, D and E, unless modified in this chapter;

C. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109737 § 24(part), 1981; Ord. 96202 § 12(part), 1967; Ord. 86300 § 13A.42, 1957.)

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**Chapter 24.36**

**RMV 150 MULTIPLE RESIDENCE  
HIGHEST DENSITY VARIABLE  
HEIGHT ZONE**

**Sections:**

- 24.36.025 Principal conditional uses.**
- 24.36.030 Principal conditional uses permitted by Council.**
- 24.36.040 Principal conditional uses permitted by Director.**
- 24.36.055 Accessory conditional uses.**
- 24.36.060 Accessory conditional uses permitted by Council.**
- 24.36.070 Accessory conditional uses permitted by Director.**

**24.36.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.36.030 and 24.36.040. (Ord. 109737 § 25(part), 1981: Ord. 86300 § 13B.20, 1957.)

**24.36.030 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 25(part), 1981: Ord. 96202 § 16(part), 1967: Ord. 86300 § 13B.21, 1957.)

**24.36.040 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

Principal conditional uses which the Director may authorize in less intensive zones unless modified in this chapter.

(Ord. 109737 § 25(part), 1981: Ord. 96202 § 16(part), 1967: Ord. 86300 § 13B.22, 1957.)

**24.36.055 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.36.060 and 24.36.070.

(Ord. 109737 § 26(part), 1981: Ord. 86300 § 13B.40, 1957.)

**24.36.060 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the

principal uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 26(part), 1981: Ord. 97085 § 1(part), 1968: Ord. 96202 § 18(part), 1967: Ord. 86300 § 13B.41, 1957.)

**24.36.070 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.34.070 except as modified in this chapter;

B. RMV 200 accessory conditional uses listed under 24.34.070, unless modified in this chapter;

C. Accessory parking garages on a lot other than the principal use lot, in accordance with the provisions of Sections 24.64.040 and 24.64.180.

(Ord. 109737 § 26(part), 1981: Ord. 97085 § 1(part), 1968: Ord. 96202 § 18(part), 1967: Ord. 86300 § 13B.42, 1957.)

**Chapter 24.38**

**RM-MD MULTIPLE RESIDENCE-MIXED  
DENSITY ZONE**

**Sections:**

- 24.38.025 Principal conditional uses.**
- 24.38.030 Principal conditional uses permitted by Council.**
- 24.38.040 Principal conditional uses permitted by Director.**
- 24.38.060 Accessory conditional uses.**
- 24.38.070 Bulk regulations—Gross floor area.**

**24.38.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.38.030 through 24.38.040.

(Ord. 109737 § 27(part), 1981: Ord. 86300 § 13C.20, 1957.)

**24.38.030 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 27(part), 1981: Ord. 105876 § 2(part), 1976: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.21, 1957.)

**24.38.040 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Nursing or convalescent homes;

B. Commercial parking lots or structures for private passenger vehicles only, subject to Sections 24.64.030 and 24.64.160A and following review and report by the Engineering Department concerning the impact on adjacent streets, on existing and proposed development, and on pedestrian corridors as defined in Section 24.38.200K.

(Ord. 109737 § 27(part), 1981: Ord. 105876 § 2(part), 1976: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.22, 1957.)

**24.38.060 Accessory conditional uses.**

A. Accessory uses customarily incidental to the principal conditional uses specified in Sections 24.38.030 and 24.38.040 are permitted except as modified in this chapter, when authorized by the Council or the Director, as appropriate.

B. Heat-recovery incinerators under the conditions specified in Section 24.16.070, subsection G are permitted when authorized by the Director in accordance with Chapter 24.70. (Ord. 109844 § 5, 1981: Ord. 109737 § 28, 1981: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.4, 1957.)

**24.38.070 Bulk regulations—Gross floor area.**

A. The gross floor area of any nonresidential structure, not including the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of the total structure used exclusively for mechanical equipment such as heating, ventilating, or air conditioning equipment shall not exceed two times the lot area. Hotels shall be regarded as residential uses for purposes of the bulk provisions of this chapter.

B. The gross floor area of any residential development, mixed residential and nonresidential development in which at least half the space provided is used for residential purposes, excluding the floor area used for accessory

parking or floor area not to exceed six percent of the gross floor area of the total structure used exclusively for mechanical equipment such as heating, ventilating or air conditioning equipment, shall not exceed three times the lot area, provided the ratio may be increased to a maximum of five times the lot area as follows:

1. For each square foot of interior common community space provided on the lot, the gross floor area may be increased by four square feet;

2. For each square foot of landscaped common community space provided on the lot, the gross floor area may be increased six square feet;

3. For each square foot of private usable open space provided on the lot, the gross floor area may be increased four square feet;

4. For each square foot of pedestrian-oriented retail street level floor space provided on the lot which is visually and physically accessible from an adjacent public sidewalk, the gross floor area may be increased by four square feet;

5. For each square foot of arcade provided on the lot, the gross floor area may be increased by six square feet; and provided further that the gross floor area may be increased not to exceed a maximum of ten times the lot area with the approval of the Community Development Director as provided in Section 24.38.140.

(Ord. 109694 § 1, 1981: Ord. 109126 § 5, 1980: Ord. 104271 § 1(part), 1975: Ord. 86300 § 13C.51, 1957.)

**Chapter 24.40**

**BN NEIGHBORHOOD BUSINESS ZONE**

**Sections:**

- 24.40.010 Required conditions.
- 24.40.020 Principal uses permitted outright.
- 24.40.025 Principal conditional uses.
- 24.40.030 Principal conditional uses permitted by Council.
- 24.40.040 Principal conditional uses permitted by Director.
- 24.40.050 Accessory uses permitted outright.
- 24.40.055 Accessory conditional uses.
- 24.40.060 Accessory conditional uses permitted by Council.

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**24.40.070 Accessory conditional uses permitted by Director.****24.40.010 Required conditions.**

All uses permitted in this chapter shall be subject to the following conditions:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and off-street loading, commercial moorages, automobile service stations and outside storage of radiator fluids, motor oils and similar merchandise, provided that such storage shall include only those quantities used in a day's operation, and outdoor storage of recyclable materials in sturdy, weather-resistant containers maintained in good condition.

(Ord. 109801 § 2, 1981: Ord. 96395 § 4, 1968: Ord. 89983 § 1, 1961: Ord. 87225 § 14, 1958: Ord. 86300 § 14.1, 1957.)

**24.40.020 Principal uses permitted outright.**

The following uses are permitted:

K. Recycling station, subject to the following provisions:

1. The gross floor area of the building shall be no greater than one thousand five hundred square feet.

2. All buildings shall be fifty feet or more from any lot in an R Zone,

3. Processing shall be limited to sorting, compaction and transfer of materials between the hours of 7:00 a.m. and 6:00 p.m., and

4. A six-foot-high view-obscuring fence or wall shall be erected and maintained on all sides of any storage area which abuts upon or faces across a street or alley any lot in any zone other than an M or I Zone. Such fence or wall shall be set back five feet or more from any lot in an R Zone.

5. A collection station may be located on the same lot as a recycling station, subject to the provisions of 24.40.050C.

(Ord. 109801 § 3, 1981; Ord. 108984 § 1, 1980: Ord. 107537 § 4, 1978: Ord. 107109 § 2, 1978: Ord. 106950 § 1, 1977: Ord. 105408 § 3, 1976: Ord. 104695 § 1, 1975: Ord. 102817 § 2, 1973: Ord. 101285 § 8, 1972: Ord. 100890 § 3, 1972: Ord. 96395 § 5, 1968: Ord. 91700 § 10, 1962: Ord. 91138 § 1, 1962: Ord. 89983 § 2, 1961: Ord. 88921 § 1, 1960: Ord. 86300 § 14.21, 1957.)

**24.40.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.40.030 and 24.40.040.

(Ord. 109737 § 29(part), 1981: Ord. 86300 § 14.30, 1957.)

**24.40.030 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified by this chapter.

(Ord. 109737 § 29(part), 1981: Ord. 108137 § 3(part), 1979: Ord. 105260 § 1(part), 1976: Ord. 104675 § 2(part), 1975: Ord. 102817 § 3(part), 1973: Ord. 91700 § 11(part), 1962: Ord. 88283 § 3(part), 1959: Ord. 86300 § 14.31, 1957.)

**24.40.040 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

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

B. Automobile service station, including accessory towing service limited to two tow trucks subject to the following conditions:

1. At least six percent of the lot area shall be landscaped, including all lot lines except for necessary walkways and driveways,

2. Driveway access lanes to abutting property in the C, M or I Zones shall not exceed thirty feet in width,

3. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between the automobile service station and any abutting lot in an R Zone except adjacent to the front or street yard of said abutting lot where the fence or wall shall be three feet in height;

C. Shops of home builders and renovators, provided such use is completely enclosed within a building when located within fifty feet of any lot in an R Zone;

D. Restaurants serving alcoholic beverages, subject to the following conditions:

1. The property so used shall front upon an arterial as defined by city ordinance,

2. There shall be no visible evidence from the outside and no interior advertising of

the sale or serving of alcoholic beverages,  
3. No alcoholic beverage shall be served without meals or in any room or area where meals are not served.

(Ord. 109737 § 29(part), 1981: Ord. 108137 § 3(part), 1979: Ord. 105620 § 1(part), 1976: Ord. 104675 § 2(part), 1975: Ord. 102817 § 3(part), 1973: Ord. 91700 § 11(part), 1962: Ord. 88283 § 3(part), 1959: Ord. 86300 § 14.32, 1957.)

**24.40.050 Accessory uses permitted outright.**

The following uses are permitted:

C. Collection stations for secondhand goods and recyclable materials subject to the following provisions:

1. The use shall occupy no more than eight percent of the lot area to a maximum area of eight hundred square feet,

2. No processing of secondhand goods or recyclable materials shall be permitted,

3. The use shall be located fifty feet or more from any lot in an R Zone, or shall be screened by a six-foot view-obscuring fence or wall on all sides which abut upon or face across a street or alley any lot in an R Zone;

D. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area. (Ord. 109844 § 3(part), 1981: Ord. 109801 § 4, 1981: Ord. 93424 § 1, 1964: Ord. 86300 § 14.41, 1957.)

**24.40.055 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.40.060 and 24.40.070. (Ord. 109737 § 30(part), 1981: Ord. 86300 § 14.50, 1957.)

**24.40.060 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter. (Ord. 109737 § 30(part), 1981: Ord. 103064 § 1(part), 1974: Ord. 86300 § 14.51, 1957.)

**24.40.070 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with the provisions of Chapter 24.74:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.40.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.44, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;

C. Repealed by Ordinance 109801;

D. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981: Ord. 109801 § 5, 1981: Ord. 109737 § 30(part), 1981: Ord. 103064 § 1(part), 1974: Ord. 86300 § 14.52, 1957.)

**Chapter 24.42**

**BI INTERMEDIATE BUSINESS ZONE**

**Sections:**

- 24.42.010 Required conditions.
- 24.42.020 Principal uses permitted outright.
- 24.42.025 Principal conditional uses.
- 24.42.030 Principal conditional uses permitted by Council.
- 24.42.040 Principal conditional uses permitted by Director.
- 24.42.050 Accessory uses permitted outright.
- 24.42.055 Accessory conditional uses.
- 24.42.060 Accessory conditional uses permitted by Council.
- 24.42.070 Accessory conditional uses permitted by Director.

**24.42.010 Required conditions.**

All uses permitted in this chapter shall be subject to the following conditions:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and off-street loading, commercial moorages, automobile service stations and outside storage of radiator fluids, motor oils and similar merchandise, provided that such storage shall



include only those quantities used in a day's operation, and outdoor storage of recyclable materials in sturdy, weather-resistant containers maintained in good condition.  
(Ord. 109801 § 6, 1981; Ord. 99368 § 4, 1970; Ord. 96395 § 6, 1968; Ord. 86300 § 14A.1, 1957.)

**24.42.020 Principal uses permitted outright.**

The following uses are permitted:

E. Recycling station, subject to the following provisions:

1. The gross floor area of the building shall not be greater than three thousand square feet,

2. All buildings shall be fifty feet or more from any lot in an R Zone,

3. Processing shall be limited to sorting, compaction and transfer of materials between the hours of 7:00 a.m. and 6:00 p.m., and

4. A six-foot-high view-obscuring fence or wall shall be erected and maintained on all sides of any storage area which abuts upon or faces across a street or alley any lot in any zone other than an M or I Zone. Such fence or wall shall be set back five feet or more from any lot in an R Zone;

(Ord. 109801 § 7, 1981; Ord. 107109 § 3, 1978; Ord. 100890 § 4, 1972; Ord. 100216 § 1, 1971; Ord. 99872 § 2, 1971; Ord. 96395 § 7, 1968; Ord. 86300 § 14A.21, 1957.)

**24.42.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.42.030 and 24.42.040.

(Ord. 109737 § 31(part), 1981; Ord. 86300 § 14A.30, 1957.)

**24.42.030 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter.

(Ord. 109737 § 31(part), 1981; Ord. 105294 § 1(part), 1976; Ord. 101266 § 1(part), 1972; Ord. 100276 § 1(part), 1971; Ord. 97652 § 2(part), 1969; Ord. 96395 § 8(part), 1968; Ord. 86300 § 14A.31, 1957.)

**24.42.040 Principal conditional uses permitted by Director.**

The following uses are permitted when

authorized by the Director in accordance with Chapter 24.74:

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

B. Restaurants with Class H liquor licenses, package liquor stores, and taverns; provided, however, such uses shall be located five hundred feet or more from the grounds of any school for academic instruction other than a university or college campus, or from any publicly designated play area for children measured along the most direct route over or across established public walks, streets, or other public passageways from the outer property line of the school or play area to the nearest public entrance of the restaurant, package liquor store or tavern; and provided further that such uses shall be in a completely enclosed building or completely enclosed portion of a building when the lot devoted to such use is within fifty feet of any lot in an R Zone.

(Ord. 109737 § 31(part), 1981; Ord. 105294 § 1(part), 1976; Ord. 101266 § 1(part), 1972; Ord. 100276 § 1(part), 1971; Ord. 97652 § 2(part), 1969; Ord. 96395 § 8(part), 1968; Ord. 86300 § 14A.32, 1957.)

**24.42.050 Accessory uses permitted outright.**

C. Drive-in business activity, including drive-in banking facilities on the principal use lot or on a lot abutting across an alley from the principal use lot, subject to the following conditions:

1. Not more than four drive-in service lanes shall be established,

2. Each lane shall have the capacity to stack a minimum of three cars,

3. The site shall be located in an auto-oriented portion of a business zone,

4. Vehicular access to the premises shall be located so as to minimize conflict with pedestrian walkways and to not interrupt established retail or service frontages,

5. Landscaping and screening shall be provided in accordance with plans approved by the Director. Drive-in banking facilities located on property adjacent to R-Zoned areas shall be screened from the R Zone by a fence or wall between five and six feet in height. In addition, there shall be a landscaped strip at least three feet in width on the side of the screen facing the R-Zoned area. The three-foot width may be

averaged along the length of the screen;

D. Collection stations for secondhand goods and recyclable materials subject to the following provisions:

1. The use shall occupy no more than eight percent of the lot area to a maximum area of eight hundred square feet,

2. No processing of secondhand goods or recyclable materials shall be permitted,

3. The use shall be located fifty feet or more from any lot in an R Zone, or shall be screened by a six-foot view-obscuring fence or wall on all sides which abut upon or face across a street or alley any lot in an R Zone;

E. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area. (Ord. 109844 § 3(part), 1981; Ord. 109810 § 2, 1981; Ord. 109801 § 8, 1981; Ord. 100890 § 5, 1972; Ord. 99872 § 3, 1971; Ord. 96395 § 9, 1968; Ord. 86300 § 14A.41, 1957.)

**24.42.055 Accessory conditional uses.**

Accessory conditional uses shall be as set in Sections 24.42.060 and 24.42.070. (Ord. 109737 § 32(part), 1981; Ord. 86300 § 14A.50, 1957.)

**24.42.060 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as modified in this chapter. (Ord. 109737 § 32(part), 1981; Ord. 96395 § 10(part), 1968; Ord. 86300 § 14A.51, 1957.)

**24.42.070 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with the provisions of Chapter 24.74:

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.42.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.44 but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;

C. Heat-recovery incinerator under the conditions specified in Section 24.16.040, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109737 § 32(part), 1981; Ord. 96395 § 10(part), 1968; Ord. 86300 § 14A.52, 1957.)

**Chapter 24.44**

**BC COMMUNITY BUSINESS ZONE**

**Sections:**

**24.44.030 Principal uses permitted outright—Designated.**

**24.44.065 Principal conditional uses.**

**24.44.070 Principal conditional uses permitted by Council.**

**24.44.080 Principal conditional uses permitted by Director.**

**24.44.090 Accessory uses permitted outright.**

**24.44.095 Accessory conditional uses.**

**24.44.100 Accessory conditional uses permitted by Council.**

**24.44.110 Accessory conditional uses permitted by Director.**

**24.44.030 Principal uses permitted outright—Designated.**

The following uses are permitted:

A. B1 principal uses as specified and regulated in Chapter 24.42 unless modified in this chapter and not limited to uses primarily serving the surrounding neighborhood;

B. Retail store and personal service establishments, banks and financial institutions, business and professional offices, hotels, catering establishments, trade or business school, experimental or testing laboratory which does not employ machinery or equipment not permitted in the BC Zone, taxidermy shop, locksmith, appliance repair shops, convalescent homes, homes, homes for the retired, dance and music studios, antique shops and second hand shops;

C. Frozen food lockers, retail ice dispensary, not including ice manufacture, motel, mortuary, storage building for household goods;

D. Automobile laundry subject to the following conditions:

1. When located one hundred feet or more from any lot in an R Zone,

2. When located one hundred feet or more from the entrance of any retail store

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Adopted in 1980  
The current City Clerk

serving pedestrians, other than a store selling automobile supplies and accessories,

3. When located on a lot containing at least ten thousand square feet,

4. When stacking space for at least twenty-five cars is provided;

E. Residential tower structures and dormitory tower complexes when located three hundred feet or more from any lot in a zone with a height limit of thirty-five feet and also located within a BC Zone which is either within one thousand five hundred feet of the campus of a four-year state university, or which abuts an RMV 200 or RMV 150 Zone on at least sixty percent of its perimeter, subject to the following conditions:

1. The bulk requirements of Sections 24.34.080 through 24.34.130 shall apply to a residential tower structure or dormitory tower complex except where the lot is in a BC Zone which abuts an RMV 150 Zone on sixty percent or more of its perimeter, in which case the bulk requirements of Sections 24.36.080 through 24.36.130 shall apply,

2. Any base structure which covers more than fifty percent of the lot shall not exceed three stories, including mezzanines. No yards shall be required for base structures. Nonresidential uses located in a base structure shall be excluded in computing the permitted number of dwelling units or amount of floor area devoted to residential uses,

3. The street level floor space shall be occupied only by those business uses specified in Section 24.46.030 with the exception of adult motion picture theaters which shall be prohibited;

F. Radio or television studio, subject to the following conditions:

1. The principal building shall be located one hundred feet or more from any lot in an R Zone,

2. Any transmitting tower located on the lot shall conform to the provisions of Section 24.62.040A;

G. Artist's studio/dwelling. Such use is exempted from compliance with Section 24.44.010B.

(Ord. 109770 § 2, 1981: Ord. 107109 § 4, 1978: Ord. 104735 § 1, 1975: Ord. 104423 § 1 (part), 1975: Ord. 102817 § 4(part), 1973: Ord. 101362 § 1(part), 1972: Ord. 101266 § 2 (part), 1972: Ord. 100890 § 6(part), 1972:

Ord. 100612 § 1(part), 1972: Ord. 100276 § 2(part), 1972: Ord. 99872 § 5(part), 1971: Ord. 99368 § 5(part), 1970: Ord. 98426 § 6 (part), 1969: Ord. 98216 § 1(part), 1969: Ord. 98067 § 1(part), 1969: Ord. 96395 § 13 (part), 1968: Ord. 92886 § 2(part), 1964: Ord. 91138 § 2(part), 1962: Ord. 89983 § 3 (part), 1961: Ord. 89859 § 2(part), 1960: Ord. 89229 § 4(part), 1960: Ord. 88921 § 2 (part), 1960: Ord. 87225 § 15(part), 1958: Ord. 86300 § 15.21, 1957.)

**24.44.065 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.44.070 and 24.44.080.

(Ord. 109737 § 33(part), 1981: Ord. 86300 § 15.30, 1957.)

**24.44.070 Principal conditional uses permitted by Council.**

The principal conditional uses set forth in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72, except as provided in Section 24.40.020 C.

(Ord. 109737 § 33(part), 1981: Ord. 108137 § 5(part), 1979: Ord. 106848 § 3(part), 1977: Ord. 99872 § 6(part), 1971: Ord. 98426 § 7 (part), 1969: Ord. 98216 § 2(part), 1969: Ord. 96031 § 5(part), 1967: Ord. 92886 § 3 (part), 1964: Ord. 91700 § 12(part), 1962: Ord. 91345 § 1(part), 1962: Ord. 89796 § 3 (part), 1960: Ord. 89229 § 5(part), 1960: Ord. 86300 § 15.31, 1957.)

**24.44.080 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Principal conditional uses which the director may authorize in less intensive zones are permitted unless modified in this chapter;

B. Automobile sales area subject to the requirements of Section 24.44.010F;

C. Repair garage for automobile repair, major, including accessory towing service limited to three two trucks;

D. Uses permitted, provided, however that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty feet of any lot in an R Zone: pleasure craft servicing and repair, sail making

and allied canvas goods, limited to sale of products on the premises, manufacture of pleasure craft up to forty feet overall length, all when located on a lot having frontage on navigable water; sheet metal shops; carpenter shops, plumbing or heating shop;

E. Helistops, subject to the provisions of Section 24.54.060 for heliports and provided further:

1. That no landing area shall be developed or continue to be used within a horizontal distance of two hundred feet from the nearest wall of any other building constructed to a height which exceeds that of the landing area,

2. That the authorization for such conditional use shall be subject to annual review by the Director and, for cause, may be withdrawn by the Director following any such annual review;

F. Hospitals and sanitariums predominantly for psychiatric care, epileptics, spastics, care of the mentally retarded, drug or liquor addicts, provided that all principal buildings shall be located twenty-five feet or more from any other lot in an R Zone;

G. Residential tower structures and dormitory tower complexes when located and regulated as provided in Section 24.44.030E, in which all or any part of the street level floor space is occupied by permitted uses other than those specified in Section 24.46.030;

H. Drive-in restaurants, subject to the following conditions:

1. Site shall be located in an auto-oriented portion or on the fringe of a business zone,

2. Vehicular access to the premises shall not conflict with high volume pedestrian walkways nor interrupt established retail or service frontages designed to serve pedestrians,

3. Adequate refuse receptacles shall be provided on site,

4. Design of the use, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other uses and structures in the vicinity;

I. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. As a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a distinct and definite pattern or style has been established;

J. Drive-in bank, subject to the following conditions:

1. The site shall be located in an auto-oriented portion of a business zone,

2. Vehicular access to the premises shall be located so as to minimize conflict with pedestrian walkways or parking access and to not interrupt established retail or service frontages designed to serve pedestrians,

3. Landscaping and screening shall be provided in accordance with plans approved by the Director. Drive-in banking facilities located on property adjacent to R-Zoned areas shall be screened from the R-Zone by a fence or wall between five and six feet in height. In addition, there shall be a landscaped strip at least three feet in width on the side of the screen facing the R-Zoned area. The three-foot width may be averaged along the length of the screen;

4. Walk-up banking service, which may include electronically operated customer service stations, shall be provided on site during regular daytime banking hours when there is no interior banking service.

(Ord. 109810 § 3, 1981; Ord. 109737 § 33 (part), 1981; Ord. 108137 § 5(part), 1979; Ord. 106848 § 3(part), 1977; Ord. 99872 § 6 (part), 1971; Ord. 98426 § 7(part), 1969; Ord. 98216 § 2(part), 1969; Ord. 96031 § 5(part), 1967; Ord. 92886 § 3(part), 1964; Ord. 91700 § 12(part), 1962; Ord. 91345 § 1(part), 1962; Ord. 89796 § 3(part), 1960; Ord. 89229 § 5 (part), 1960; Ord. 86300 § 15.32, 1957.)

**24.44.090 Accessory uses permitted outright.**

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright in this chapter, except of a type prohibited in Section 24.44.160;

B. Amateur radio transmitting tower;

C. Sale of alcoholic beverages for consumption on the premises;

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Chapter 24.46

BM METROPOLITAN BUSINESS ZONE

Sections:

- 24.46.055 Principal conditional uses.
- 24.46.060 Principal conditional uses permitted by Council.
- 24.46.070 Principal conditional uses permitted by Director.
- 24.46.080 Accessory uses permitted outright.
- 24.46.085 Accessory conditional uses.
- 24.46.090 Accessory conditional uses permitted by Council.
- 24.46.100 Accessory conditional uses permitted by Director.
- 24.46.110 Floor area ratio.

**24.46.055 Principal conditional uses.**  
Principal conditional uses shall be as set forth in Sections 24.46.060 and 24.46.070. (Ord. 109737 § 35(part), 1981: Ord. 86300 § 16.30, 1957.)

**24.46.060 Principal conditional uses permitted by Council.**  
The following principal conditional uses are permitted when authorized by the Council in accordance with Chapter 24.72:  
Microwave or line-of-sight transmission station.  
(Ord. 109737 § 35(part), 1981: Ord. 109155 § 10(part), 1980: Ord. 106848 § 4(part), 1977: Ord. 105876 § 7(part), 1976: Ord. 102817 § 5(part), 1973: Ord. 94036 § 12(part), 1965: Ord. 92886 § 4(part), 1964: Ord. 91700 § 13(part), 1962: Ord. 86300 § 16.31, 1957.)

**24.46.070 Principal conditional uses permitted by Director.**  
The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:  
A. Outdoor ice-skating rink;  
B. Apartment hotel, apartment house, or home for the retired on other than street level floor space, following review and report by the Engineering Department concerning impact on adjacent streets and the Central Business District Comprehensive Plan;  
C. Helistop, subject to the provisions of Sections 24.44.080E and 24.54.060;  
D. Automobile service station under the conditions provided in Section 24.40.040B;

D. Drive-in banking facilities, subject to the requirements of Section 24.42.050;

E. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area.  
(Ord. 109844 § 3(part), 1981; 109810 § 4, 1981: Ord. 88921 § 3, 1960: Ord. 86300 § 15.41, 1957.)

**24.44.095 Accessory conditional uses.**  
Accessory conditional uses shall be as set forth in Sections 24.44.100 and 24.44.110. (Ord. 109737 § 34(part), 1981: Ord. 86300 § 15.50, 1957.)

**24.44.100 Accessory conditional uses permitted by Council.**  
Accessory uses customarily incidental to the principal conditional uses specified in Section 24.16.030 are permitted when authorized by the Council in accordance with Chapter 24.72. (Ord. 109737 § 34(part), 1981: Ord. 86300 § 15.41, 1957.)

**24.44.110 Accessory conditional uses permitted by Director.**  
The following uses are permitted when authorized by the Director in accordance with the provisions of Chapter 24.74:  
A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.44.080 unless modified in this chapter;  
B. Any principal use permitted outright in Chapter 24.46, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;  
C. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G. (Ord. 109844 § 4(part), 1981; Ord. 109737 § 34(part), 1981: Ord. 86300 § 15.52, 1957.)

E. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five nor more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. At a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a distinct and definite pattern or style has been established;

F. Drive-in bank, subject to the conditions set forth in Section 24.44.080, subsection J. (Ord. 109810 § 5, 1981; Ord. 109737 § 35 (part), 1981; Ord. 109155 § 10(part), 1980; Ord. 106848 § 4(part), 1977; Ord. 105876 § 7 (part), 1976; Ord. 102817 § 5(part), 1973; Ord. 94036 § 12(part), 1965; Ord. 92886 § 4(part), 1964; Ord. 91700 § 13(part), 1969; Ord. 86300 § 16.32, 1957.)

**24.46.080 Accessory uses permitted outright.**

G. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area.

(Ord. 109844 § 3(part), 1981; Ord. 99368 § 6, 1970; Ord. 94036 § 13, 1965; Ord. 86300 § 16.41, 1957.)

**24.46.085 Accessory conditional uses.**

Accessory conditional uses shall be as set forth in Sections 24.46.090 and 24.46.100. (Ord. 109737 § 36(part), 1981; Ord. 86300 § 16.50, 1957.)

**24.46.090 Accessory conditional uses permitted by Council.**

Accessory uses customarily incidental to the principal conditional uses specified in Section 24.46.055 through 24.46.070 are permitted when authorized by the Council in accordance with Chapter 24.72.

(Ord. 109737 § 36(part), 1981; Ord. 99368 § 7 (part), 1970; Ord. 94036 § 14(part), 1965; Ord. 86300 § 16.51, 1957.)

**24.46.100 Accessory conditional uses permitted by Director.**

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

A. Accessory uses customarily incidental to the principal conditional uses specified in Section 24.46.070 except as modified in this chapter;

B. Any principal use permitted in Sections 24.54.040 and 24.54.050 but only when necessary as an accessory use to a principal use permitted in this chapter, and only when located in other than street level floor space; or permitted when occupying street level floor space providing that such use shall be separated from the street by a space occupied or intended to be occupied by uses permitted in Section 24.46.030, and also separated by a view-obscur- ing wall located across the rear of such permitted uses as specified in Section 24.46.030;

C. Accessory off-street parking spaces within a principal building when such use is over ten percent of the building gross floor area, and when located in other than street level floor space and following review and report and recommendation by both the Commission and Engineering Department concerning impact on adjacent streets and Central Business District Comprehensive Plan;

D. Drive-in banking facilities, subject to the requirements of Section 24.42.050;

E. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109810 § 6, 1981; Ord. 109155 § 11(part), 1980; Ord. 99368 § 7(part), 1970; Ord. 94036 § 14(part), 1965; Ord. 86300 § 16.52, 1957.)

**24.46.110 Floor area ratio.**

A. The gross floor area of any structure, not including the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of the structure used exclusively for mechanical equipment such as heating, ventilating and air conditioning equip- ment shall not exceed ten times the lot area except as modified in Section 24.46.110B and in Sections 24.64.030 and 24.64.040. However, for the purpose of computing the gross floor area ratio, adjacent properties and properties located across an abutting alley under com- mon ownership or linked for this purpose by

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appropriate legal agreements and deed restrictions may be considered together so that one structure may exceed the ten-to-one ratio, provided that the other properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. 1. The Director shall review the design of any plazas, shopping plazas, shopping arcades and voluntary building setback areas to determine whether these elements, as designed, provide a public benefit. The Director shall consider the following objectives in determining what constitutes a public benefit as appropriate for each element being considered:

a. To provide open spaces, landscaping and pedestrian amenities at appropriate locations to enhance the downtown environment;

b. To ensure that the location of public open spaces and pedestrian routes relate well to the street and contribute to a desirable street environment;

c. To provide additional pedestrian circulation areas adjacent to the sidewalks and create alternative routes between streets through buildings or open spaces;

d. To provide shopping services and activities of interest for pedestrians at the sidewalk level and around plazas and open spaces;

e. To ensure that public pedestrian areas and open spaces have maximum exposure to sunlight and are protected from wind and rain.

2. For time to time the Director shall promulgate rules setting forth design principles to be followed in determining whether or not a particular design provides a public benefit consistent with the objectives identified in subsection B1.

3. If the Director determines that the design of the plazas, shopping plazas, arcades, shopping arcades and voluntary building setback areas provide a public benefit, the floor area may be increased in the following amounts:

a. For each square foot of plaza provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

b. For each square foot of shopping plaza provided on a lot, the gross floor area permitted in subsection A may be increased fourteen square feet. However, shopping plazas containing permitted consumer shopping uses

other than within the principal building shall be reviewed by the Director to ensure that open and uncovered portions are usable and that such uses are properly oriented to passing pedestrians.

c. For each square foot of arcade provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet.

d. For each square foot of shopping arcade provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

e. For each square foot of voluntary building setback area provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet. Where an arcade bonus is taken, a voluntary building setback area bonus cannot also be taken for the area above the arcade.

(Ord. 110303 § 1, 1981; Ord. 109694 § 2, 1981; Ord. 107075 § 5(part), 1978; Ord. 106862 § 5(part), 1977; Ord. 96153 § 1(part), 1967; Ord. 94036 § 15(part), 1965; Ord. 86300 § 16.61, 1957.)

Chapter 24.48

CM METROPOLITAN COMMERCIAL ZONE

Sections:

24.48.045 Principal conditional uses.

24.48.050 Principal conditional uses permitted by Council.

24.48.060 Principal conditional uses permitted by Director.

24.48.070 Accessory uses permitted outright.

24.48.080 Accessory conditional uses permitted by Director.

24.48.100 Floor area ratio.

24.48.045 Principal conditional uses.

Principal conditional uses shall be as set forth in Sections 24.48.050 and 24.48.060.

(Ord. 109737 § 37(part), 1981; Ord. 86300 § 17.30, 1957.)

24.48.050 Principal conditional uses permitted by Council.

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

A. Work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility,

2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 109737 § 37(part), 1981: Ord. 107537 § 6(part), 1978: Ord. 86300 § 17.31, 1981.)

**24.48.060 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

- A. Homes for the retired;
- B. Helistop, subject to provisions of Sections 24.44.080E and 24.54.060;
- C. Steam manufacture;
- D. Drive-in bank, drive-in dry cleaning establishment;
- E. Automobile service station under the conditions provided in Section 24.40.040B;
- F. Parking garage and automobile rental garage, commercial parking lot for private passenger vehicles only, open structures for parking of private passenger vehicles only, except in Area "A" of the "Downtown Area" as shown on Plate IV, following Chapter 24.64 of this Code;
- G. Fast-food restaurant, subject to the following conditions:

1. A view-obscuring fence or wall not less than five or more than six feet in height shall be established and maintained between a fast-food restaurant and any abutting R-Zoned lot and any R-Zoned lot facing across an alley except for alley access openings,

2. Access to an abutting alley shall be limited to a maximum of two driveways, each not to exceed twenty-four feet in width,

3. At a minimum, exterior litter containers shall be provided at a ratio of one for every five off-street parking stalls,

4. Such uses shall be compatible with the character of existing structures in areas where a distinct and definite pattern or style has been established;

H. Drive-in restaurants, subject to the following conditions:

1. The site shall be located in an auto-oriented portion or on the fringe of a business zone;

2. Vehicular access to the premises shall not conflict with high volume pedestrian walkways nor interrupt established retail to service frontages designed to serve pedestrians;

3. Adequate refuse receptacles shall be provided on site;

4. Design of the use, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other uses and structures in the vicinity;

I. Drive-in bank, subject to the conditions set forth in Section 24.44.080, Subsection J. (Ord. 109810 § 7, 1981; Ord. 109737 § 37(part), 1981: Ord. 107537 § 6(part), 1978: Ord. 107069 § 1, 1977: Ord. 106848 § 5, 1977: Ord. 105876 § 10, 1976: Ord. 103105 § 2, 1974: Ord. 102817 § 7, 1973: Ord. 99053 § 4, 1970: Ord. 98426 § 8, 1969: Ord. 94036 § 19, 1965: Ord. 91700 § 14, 1962: Ord. 86300 § 17.32, 1957.)

**24.48.070 Accessory uses permitted outright.**

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright except of a type prohibited in Section 24.48.130;

B. Accessory off-street loading space;

C. Drive-in banking facilities, subject to the requirements of Section 24.42.050;

D. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area. (Ord. 109844 § 3 (part), 1981; Ord. 109810 § 8, 1981: Ord. 99368 § 8, 1970: Ord. 94036 § 20, 1965: Ord. 86300 § 17.41, 1957.)

**24.48.080 Accessory conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.48.060 except as modified in this chapter;

B. Any principal use permitted outright in Sections 24.52.050A, 24.54.040 and 24.54.050, but only when necessary as an accessory use to a principal use permitted in this chapter;

C. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.



(Ord. 109844 § 4(part), 1981; Ord. 109737 § 38, 1981; Ord. 99368 § 9, 1970; Ord. 94036 § 21, 1965; Ord. 86300 § 17.52, 1957.)

**24.48.100 Floor area ratio.**

A. Except as provided in subsection C, the gross floor area of any structure, not including the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of total structure used exclusively for mechanical equipment such as heating, ventilating, or air conditioning equipment shall not exceed ten times the lot area except as modified in subsection B and in Sections 24.62.030 and 24.62.040. However, for the purpose of computing the gross floor area ratio, adjacent properties and properties located across an abutting alley, under common ownership or linked for this purpose by appropriate legal agreements and deed restrictions, may be considered together so that one structure may exceed the ten-to-one ratio, provided that the other properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. 1. The Director shall review the design of plazas, shopping plazas, shopping arcades and voluntary building setback areas to determine whether these elements, as designed, provide a public benefit. The Director shall consider the following objectives in determining what constitutes a public benefit as appropriate for each element being considered;

a. To provide open spaces, landscaping and pedestrian amenities at appropriate locations to enhance the downtown environment;

b. To ensure that the location of public open spaces and pedestrian routes relate to the street and contribute to a desirable street environment;

c. To provide additional pedestrian circulation areas adjacent to the sidewalks and create alternative routes between streets through buildings or open spaces;

d. To provide shopping services and activities of interest for pedestrians at the sidewalk level and around plazas and open spaces;

e. To ensure that public pedestrian areas and open spaces have maximum exposure to sunlight and are protected from wind and rain.

2. From time to time the Director shall

promulgate rules setting forth design principles to be followed in determining whether or not a particular design provides a public benefit consistent with the objectives identified in subsection B 1.

3. If the Director determines that the design of the plazas, shopping plazas, arcades, shopping arcades and voluntary building setback areas provides a public benefit, the floor area may be increased in the following amounts:

a. For each square foot of plaza provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

b. For each square foot of shopping plaza provided on a lot, the gross floor area permitted in subsection A may be increased by fourteen square feet. However, shopping plazas containing permitted consumer shopping uses other than within the principal building shall be reviewed by the Director to ensure that open and uncovered portions are usable and that such uses are properly oriented to passing pedestrians.

c. For each square foot of arcade provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet.

d. For each square foot of shopping arcade provided on a lot, the gross floor area permitted in subsection A may be increased by ten square feet.

e. For each square foot of voluntary building setback area provided on a lot, the gross floor area permitted in subsection A may be increased by six square feet. Where an arcade bonus is taken, a voluntary building setback area bonus cannot also be taken for the area above the arcade.

C. The gross floor area of any residential structure or of any structure containing both residential and nonresidential uses, excluding the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of the structure used exclusively for heating, ventilating, air conditioning or other mechanical equipment, shall not exceed ten times the lot area, provided the ratio may be increased to a maximum of thirteen times the lot area as follows:

1. For each square foot of landscaped plaza provided on a lot, the gross floor area may be increased by ten square feet;

2. For each square foot of arcade provided on a lot, the gross floor area may be increased by six square feet;

3. For each square foot of landscaped voluntary building setback area provided on a lot, the gross floor area may be increased by six square feet. Where an arcade bonus is taken, a landscaped voluntary building setback area bonus cannot be taken for the area above the arcade;

4. For each square foot of roof or deck garden provided on a lot, the gross floor area may be increased by six square feet.

Floor area bonuses for landscaped plazas, arcades and landscaped voluntary building setbacks shall be allowed only if the Director determines that the design provided is a public benefit. In no case shall the gross floor area of nonresidential use in a structure containing both residential and nonresidential uses exceed ten times the lot area.

(Ord. 110303 § 2, 1981: Ord. 109694 § 3, 1981; Ord. 107194 § 1, 1978: Ord. 107075 § 6, 1978: Ord. 106862 § 6, 1977: Ord. 104213 § 2(part), 1975: Ord. 103105 § 3(part), 1974: Ord. 96153 § 2(part), 1967: Ord. 94036 § 22(part), 1965: Ord. 86300 § 17.61, 1957.)

Chapter 24.50

CMT METROPOLITAN COMMERCIAL ZONE TEMPORARY

Sections:

- 24.50.070 Principal conditional uses.
- 24.50.080 Accessory uses permitted outright.
- 24.50.090 Accessory conditional uses.
- 24.50.100 Floor area ratio.

24.50.070 Principal conditional uses.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Principal conditional uses which the Director may authorize in a less intensive zone unless modified in this chapter; (Ord. 109737 § 39(part), 1981: Ord. 94036 § 29, 1965: Ord. 86300 § 17A.32, 1957.)

24.50.080 Accessory uses permitted outright.

The following uses are permitted:

A. Accessory uses customarily incidental to a principal use permitted outright except of a type prohibited in Section 24.50.130;

B. Drive-in banking facilities, subject to the requirements of Section 24.42.050;

C. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area.

(Ord. 109844 § 3(part), 1981; Ord. 109810 § 9, 1981: Ord. 94036 § 30, 1965: Ord. 86300 § 17A.41, 1957.)

24.50.090 Accessory conditional uses.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to principal conditional uses specified in Section 24.50.070 except as modified in this chapter;

B. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.

(Ord. 109844 § 4(part), 1981; Ord. 109737 § 39(part), 1981: Ord. 94036 § 31, 1965: Ord. 86300 § 17A.52, 1957.)

24.50.100 Floor area ratio.

A. The gross floor area of any nonresidential structure, not including the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of the total structure used exclusively for mechanical equipment such as heating, ventilating, or air conditioning equipment shall not exceed ten times the lot area except as modified in Sections 24.62.030 and 24.62.040. However, for the purpose of computing the gross floor area ratio, adjacent properties under common ownership or linked for this purpose by appropriate legal agreements and deed restrictions, may be considered together so that one structure may exceed the ten to one ratio provided the other property or properties fall sufficiently short of this ratio so that their combined bulk does not exceed ten times the area of all the lots taken together.

B. The gross floor area of any residential structure or of any structure containing both residential and nonresidential uses, excluding the floor area used for accessory parking or floor area not to exceed six percent of the gross floor area of the total structure used exclusively for heating, ventilating, air conditioning or other mechanical equipment, shall be subject to provisions of Section 24.48.100C.

(Ord. 109694 § 4, 1981: Ord. 103105 § 5(part), 1974: Ord. 100542 § 2(part), 1971: Ord. 97394 § 2(part), 1969: Ord. 94036 § 32(part), 1965: Ord. 86300 § 17A.61, 1957.)

1981 updates to the Santa Municipal Code As adopted in 1980 For current CMC, contact the Office of the City Clerk

Section 24.50.070 24.50.080 24.50.090 24.50.100 Th by ti 24.72 A. lots v CMT replac ject to other not o affect purpo usurp suited attrib of est. dentia develo 800 Z B. therec scapec surfac C. ing co other would the fa

## Chapter 24.52

## CG GENERAL COMMERCIAL ZONE

## Sections:

- 24.52.095 Principal conditional uses.  
 24.52.100 Principal conditional uses permitted by Council.  
 24.52.110 Principal conditional uses permitted by Director.  
 24.52.120 Accessory uses permitted outright.  
 24.52.130 Accessory conditional uses.

## 24.52.095 Principal conditional uses.

Principal conditional uses shall be as set forth in Sections 24.52.100 and 24.52.110. (Ord. 109737 § 40(part), 1981; Ord. 86300 § 18.30, 1957.)

## 24.52.100 Principal conditional uses permitted by Council.

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

A. Dwelling units, except when located on lots within eighteen hundred feet of a CM or CMT Zone, and houseboats, not including the replacement of individual houseboat units, subject to the following additional conditions:

1. When nearby or associated uses and other conditions in the immediate environs are not of the type to create a nuisance or adversely affect the desirability of the area for living purposes,

2. When residential development will not usurp land which is needed for and better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development,

3. When structural bulk incident to residential use will not adversely affect surrounding development; provided that in no event may RM 800 Zone bulk regulations be exceeded;

B. Trailer park, provided that any portion thereof not permanently maintained in landscaped condition shall be graded, drained and surfaced as provided in Section 24.64.150C;

C. Work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility,

2. When the facility will not usurp land

which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 109737 § 40(part), 1981; Ord. 107537 § 8(part), 1978; Ord. 106832 § 3(part), 1977; Ord. 103106 § 2(part), 1974; Ord. 102686 § 1(part), 1973; Ord. 98839 § 1(part), 1970; Ord. 86300 § 18.31, 1957.)

## 24.52.110 Principal conditional uses permitted by Director.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Principal conditional uses which the Director may authorize in a less intensive zone unless modified in this chapter;

B. Circus, rodeo, or similar amusement enterprise when two hundred feet or more from any lot in an R Zone as a temporary use as provided in Section 24.74.020B subject, however, to location as herein provided;

C. Animal control shelter. (Ord. 109737 § 40(part), 1981; Ord. 107537 § 8(part), 1978; Ord. 106832 § 3(part), 1977; Ord. 103106 § 2(part), 1974; Ord. 102686 § 1(part), 1973; Ord. 98839 § 1(part), 1970; Ord. 92492 § 3(part), 1963; Ord. 91700 § 15, 1962; Ord. 86300 § 18.32, 1957.)

## 24.52.120 Accessory uses permitted outright.

D. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area. (Ord. 109844 § 3(part), 1981; Ord. 103517 § 2, 1974; Ord. 94034 § 1, 1965; Ord. 86300 § 18.41, 1957.)

## 24.52.130 Accessory conditional uses.

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to principal conditional uses specified in Sections 24.52.095 through 24.52.110 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.54, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;

C. Heat-recovery incinerator under the

conditions specified in Section 24.16.070, subsection G.  
(Ord. 109844 § 4(part), 1981; Ord. 109737 § 41, 1981; Ord. 86300 § 18.52, 1957.)

**Chapter 24.54**

**M MANUFACTURING ZONE**

**Sections:**

- 24.54.030 Principal uses permitted outright—Designated.
- 24.54.110 Principal conditional uses permitted by Director.
- 24.54.120 Accessory uses permitted outright.
- 24.54.130 Accessory conditional uses.

**24.54.030 Principal uses permitted outright—Designated.**

F. Drive-in bank.  
(Ord. 109810 § 10, 1981; Ord. 106848 § 6, 1977; Ord. 104012 § 1(part), 1974; Ord. 103106 § 3(part), 1974; Ord. 98426 § 9(part), 1969; Ord. 94383 § 1(part), 1965; Ord. 92492 § 4(part), 1963; Ord. 89796 § 4(part), 1960; Ord. 86300 § 19.21, 1957.)

**24.54.110 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Principal conditional uses which the Director may authorize in a less intensive zone unless modified in this chapter.  
(Ord. 109737 § 42(part), 1981; Ord. 104012 § 2(part), 1974; Ord. 91700 § 16, 1962; Ord. 86300 § 19.32, 1957.)

**24.54.120 Accessory uses permitted outright.**

C. Heat-recovery incinerator under conditions specified in Section 24.16.070, subsection G, provided that no lot so used shall be less than two acres in area, or if the lot is an entire block, no less than sixty thousand square feet in area.  
(Ord. 109844 § 3(part), 1981; Ord. 106662 § 1, 1977; Ord. 86300 § 19.41, 1957.)

**24.54.130 Accessory conditional uses.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to

the principal conditional uses specified in Section 24.54.110 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.56, but only when necessary as an appurtenant accessory use to a principal use permitted in this chapter;

C. Heat-recovery incinerator under the conditions specified in Section 24.16.070, subsection G.  
(Ord. 109844 § 4(part), 1981; Ord. 109737 § 42(part), 1981; Ord. 86300 § 19.52, 1957.)

**Chapter 24.56**

**IG GENERAL INDUSTRIAL ZONE**

**Sections:**

**24.56.020 Principal uses permitted outright.**

**24.56.025 Principal conditional uses.**

**24.56.030 Principal conditional uses permitted by Council.**

**24.56.040 Principal conditional uses permitted by Director.**

**24.56.060 Accessory conditional uses permitted by Director.**

**24.56.020 Principal uses permitted outright.**

B. Acid manufacture except those specified in Chapter 24.58

- Animal control shelter
- Airplane hangar
- Airplane manufacture
- Ammonia, chlorine or bleaching powder manufacture
- Asbestos manufacture
- Asphalt manufacture or refining
- Assaying
- Boiler works
- Brewery, distillery, or winery
- Brick, tile or terra cotta manufacture
- Candle manufacture
- Carbon manufacture
- Celluloid or similar cellulose material manufacture
- Charcoal manufacturing or pulverizing
- Chemicals manufacture except those specified in Chapter 24.58
- Coke ovens
- Cupola or metal reduction furnace for aluminum, gold, silver and platinum

Disinfectants manufacture  
 Dyestuff manufacture  
 Electricity production  
 Emery cloth or sandpaper manufacture  
 Enameling  
 Exterminators or insect poisons manufacture  
 Fertilizer manufacture by cold compounding of nonodorous materials  
 Flour or grain mill  
 Foundry, provided that gross floor area of all buildings does not exceed twenty-five thousand square feet in area  
 Gas (illuminating or heating) manufacture or storage  
 Glass or glass products manufacture  
 Glucose manufacture  
 Grain drying or feed manufacture  
 Japanning  
 Kelp reduction and the extraction of its byproducts  
 Lampblack manufacture  
 Lime manufacturing from fossils or shells  
 Lubricating grease manufacturing or oil compounding  
 Machinery manufacture  
 Machine shops  
 Match manufacture  
 Meat packing  
 Metal fabrication including extrusion and cold rolling  
 Motels, subject to the following conditions:  
 1. The use shall abut upon a major arterial as designated in the Comprehensive Plan of Seattle,  
 2. Motels shall be subject to all bulk provisions of this chapter except that the minimum lot area shall be twenty-thousand square feet and the minimum lot area per unit shall be eight hundred square feet,  
 3. Screening six feet in height shall be provided along all property lines except the principal frontage and driveways,  
 4. Off-street parking shall be provided as required in Sections 24.64.120, 24.64.130 and 24.64.150,  
 5. The use shall be part of an industrial park which is owned or controlled by one developer and which is planned and advertised as such with streets, utility easements, and restrictive covenants usual to industrial park development (i.e., setbacks, building lines, off-street parking, types of industries, types of construction, landscaping) and having utilities such

as water, sewer and power installed or planned  
 Nitrating processes  
 Oilcloth or linoleum manufacture  
 Oxygen manufacture  
 Paint, oil, shellac, varnish or turpentine manufacture  
 Paper manufacture, not including pulp  
 Perfume manufacture  
 Petroleum storage and refining by the continuous process or other processes not using acid or emitting offensive odors  
 Plaster or wallboard manufacture  
 Poison manufacture  
 Printing ink manufacture  
 Railroad yard or roundhouse  
 Reducing or refining aluminum, copper, tin or zinc  
 Refuse transfer station or solid waste processing facility subject to the following provisions:  
 1. Adequate control measure for insects, rodents and odors shall be maintained continually,  
 2. All trailers and trucks, when containing garbage, shall be completely closed and shall be stored or parked no closer than two hundred feet to any lot in an R Zone,  
 3. A view-obscuring eight-foot-high fence or wall shall be erected and maintained on all sides which abut upon or face across a street or alley any lot in other than an M or I Zone. Such fence or wall shall be located twenty feet or more from any lot line. Areas between fencing and lot lines shall be landscaped with trees and with grass, hardy shrubs or evergreen ground-cover and shall be maintained in good condition,  
 4. Adequate surfaced off-street areas shall be provided on the site for all trucks and trailers, and for the number of passenger cars determined by the Director of Engineering  
 Rock or stone crusher mill  
 Rope manufacture  
 Rubber or caoutchouc manufacture from crude materials  
 Salt works  
 Shoddy manufacture  
 Shoeblicking manufacture  
 Soap manufacture  
 Soda and compound manufacture  
 Sperm oil manufacture  
 Starch, glucose and dextrine manufacture  
 Stoneware or earthenware manufacturing  
 Stove polish manufacture  
 Sugar refining

- Tar roofing or tar waterproofing  
manufacture or similar products of  
chemical composition
- Textile mills
- Tobacco (chewing) manufacture
- Vegetable oil or other oil manufacture,  
refining or storage
- Vinegar manufacture
- Yeast, production of.

(Ord. 109837 § 2, 1981; Ord. 109126 § 14, 1980; Ord. 106832 § 2, 1977; Ord. 101267 § 1, 1972; Ord. 98426 § 10, 1969; Ord. 94383 § 2, 1965; Ord. 91138 § 4, 1962; Ord. 86300 § 20.21, 1957.)

**24.56.025 Principal conditional uses.**

Principal conditional uses shall be as set forth in Sections 24.56.030 and 24.56.040. (Ord. 109737 § 43(part), 1981; Ord. 86300 § 20.30, 1957.)

**24.56.030 Principal conditional uses permitted by Council.**

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

A. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility;

B. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

(Ord. 109737 § 43(part), 1981; Ord. 107537 § 10(part), 1978; Ord. 86300 § 20.31, 1957.)

**24.56.040 Principal conditional uses permitted by Director.**

The following uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Principal conditional uses which the Director may authorize in a less intensive zone unless modified in this chapter.

(Ord. 109737 § 43(part), 1981; Ord. 107537 § 10(part), 1978; Ord. 101985 § 2, 1973; Ord. 86300 § 20.32, 1957.)

**24.56.060 Accessory conditional uses permitted by Director.**

The following accessory conditional uses are permitted when authorized by the Director in accordance with Chapter 24.74:

A. Accessory uses customarily incidental to principal conditional uses specified in Sections 24.56.025 through 24.56.040 except as modified in this chapter;

B. Any principal use permitted outright in Chapter 24.58 but only when necessary as an appurtenant accessory use to a permitted principal use in this chapter.

(Ord. 109737 § 44, 1981; Ord. 86300 § 20.5, 1957.)

**Chapter 24.58**

**IH HEAVY INDUSTRIAL ZONE**

**Sections:**

**24.58.030 Principal conditional uses permitted by Director.**

**24.58.030 Principal conditional uses permitted by Director.**

Principal conditional uses permitted when authorized by the Director in accordance with the provisions of Chapter 24.74 are the following uses:

- A. Acid manufacture; hydrochloric, nitric, picric, sulphurous, or sulphuric acid;
- B. Explosives, storage as permitted by the Fire and Explosion Ordinance;<sup>1</sup>
- C. Extraction of animal or fish fats and oils;
- D. Incineration or reduction of garbage, offal, dead animals, or refuse;
- E. Hog farm;
- F. Pulp manufacture;
- G. Rendering of fat, tallow or lard;
- H. Slaughterhouse;
- I. Smelting ore;
- J. Stockyards.
- K. Yeast drying.

(Ord. 109737 § 45, 1981; Ord. 91700 § 17, 1962; Ord. 91138 § 5, 1962; Ord. 86300 §§ 21.3 and 21.31, 1957.)

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

## Chapter 24.60

SHORELINE MASTER PROGRAM  
REGULATIONS

## Sections:

- Subchapter VI Permit Procedures**  
**24.60.425** Procedures for obtaining  
substantial development permits.  
**24.60.430** Criteria for substantial  
development permit.

- Subchapter VII Conditional Uses,  
Variances and Planned Unit Developments**  
**24.60.485** Public hearing—Shoreline  
conditional use and shoreline  
variances.

- Subchapter VI Permit Procedures**  
**24.60.425** Procedures for obtaining  
substantial development permits.  
 No substantial development shall be under-  
taken on shorelines of the city without first  
obtaining a substantial development permit from  
the Director in accordance with the permit  
procedure provisions of the Master Use Permit  
Ordinance (109438).<sup>1</sup> The Director shall refer  
a copy of said application to any Shoreline  
Advisory Council established for the area pur-  
suant to Section 24.60.320.  
(Ord. 109737 § 46(part), 1981: Ord. 109126  
§ 18, 1980: Ord. 106200 § 1(part), 1977: Ord.  
86300 § 21A.50, 1957.)

1. Editor's Note: The Master Use Permit Ordinance is codified  
in Chapter 24.84 of this Code.

- 24.60.430** Criteria for substantial  
development permit.  
 A. Unless otherwise provided in this chapter,  
a substantial development permit shall be issued  
only when the development proposed is con-  
sistent with the Shoreline Master Program of the  
city, as defined in Section 24.60.180 which con-  
sists of the general statement of shoreline goals  
and policies in Resolution 25173 and specific  
regulations of this chapter, and with the  
provisions of the Shoreline Management Act of  
1971 as expressed in RCW 90.58. The burden  
of proving that the proposed substantial  
development is consistent with the foregoing  
criteria shall be on the applicant. The Director

shall make a decision on the application within  
sixty days following publication of the second  
notice required in Section 24.60.425, or within  
fifteen days after issuance of a final environ-  
mental impact statement by the Director, if  
required. Such time limitation shall not apply  
where:

1. The Director has requested additional  
information from the applicant as provided in  
Section 24.60.435; or
2. The applicant modifies the applica-  
tion as provided in Section 24.60.435; or
3. A public hearing on the application is  
held pursuant to Section 24.60.440;
4. Other land use approvals are included  
in the application.

B. The Director may require and attach to  
the permit such conditions regarding the loca-  
tion, character and other features of the pro-  
posed structure or use, including provision of a  
performance bond for a term not to exceed five  
years, as are deemed necessary to carry out the  
spirit and purpose of and assure compliance with  
this chapter.

(Ord. 109737 § 46(part), 1981: Ord. 109126 §  
19, 1980: Ord. 106200 § 1(part), 1977: Ord.  
86300 § 21A.51, 1957.)

- Subchapter VII Conditional Uses, Variances  
and Planned Unit Developments**  
**24.60.485** Public hearing—Shoreline  
conditional use and shoreline  
variances.

Prior to authorizing a shoreline conditional  
use or shoreline variance, the Director or the  
Director's designee may conduct a public hear-  
ing on the application after notice and in the  
manner provided in Section 24.60.440. After  
taking action on a substantial development  
application which includes a shoreline condi-  
tional use or variance, the permit shall be  
submitted by the Director to the Department  
of Ecology for its approval, approval with  
conditions (with concurrence of the Director)  
or denial.

(Ord. 109737 § 46(part), 1981: Ord. 109126  
§ 26, 1980: Ord. 106200 § 1(part), 1977: Ord.  
86300 § 21A.62, 1957.)

Chapter 24.62

BULK REGULATION MODIFICATIONS

Sections:

- 24.62.080 Exceptions permitting accessory buildings in certain required yards in R Zones.
  - 24.62.100 Front yard requirements for special conditions.
  - 24.62.110 Exceptions to front yard requirements.
  - 24.62.150 Exceptions to rear yard requirements.
- 24.62.080 Exceptions permitting accessory buildings in certain required yards in R Zones.

A. A one-story garage, carport or other permitted accessory building, not over twelve feet in height and not over one thousand square feet in area may be erected in a rear yard, provided, however, that said accessory building shall be five feet or more from the principal building and shall be twelve feet or more from the centerline of an alley where the alley entrance to said garage or carport is facing the alley. In the case of a reversed corner lot, such building, if in the required rear yard of such lot, shall be located no closer to the side street lot line than the required front yard of the adjoining key lot. Accessory buildings exceeding one thousand square feet in area and/or twelve feet in height shall provide minimum required side yards for principal buildings in the zone.

B. An accessory one-story private garage or carport for not more than three cars may be located in any required yard, provided that the finished grade which shall not be artificially created, on both sides of such garage or carport at and beyond a point ten feet back from the lot line along the street on which such garage or carport faces is not more than two feet below the highest part of such garage or carport.

C. An accessory one-story private garage or carport for not more than three cars the highest part of which garage or carport is not more than ten feet above the street curb elevation at the centerline of such garage or carport, may be located in any required yard, provided that the finished grade slopes downward from the street lot line on which such garage or carport faces in a ratio of at least twenty feet vertically to sixty feet horizontally, and provided that a similar

condition exists along the adjacent street for the full block or for two hundred feet or more.

D. Automobiles, trailers, boats and similar equipment shall not be stored in any required yard abutting a street for more than three consecutive days, and temporary removal for a period less than twenty-four hours shall not be construed as an interruption of the period of storage.

(Ord. 109836 § 2, 1981; Ord. 109686 § 1, 1981; Ord. 103839 § 1(part), 1974; Ord. 103120 § 1(part), 1974; Ord. 101240 § 1(part), 1972; Ord. 97394 § 3(part), 1969; Ord. 96252 § 4(part), 1967; Ord. 91138 § 6(part), 1962; Ord. 90722 § 8(part), 1961; Ord. 90110 § 3(part), 1961; Ord. 89983 § 4(part), 1961; Ord. 89229 § 8(part), 1960; Ord. 88921 § 5(part), 1960; Ord. 88283 § 5(part), 1959; Ord. 87225 § 23(part), 1958; Ord. 86300 § 22.41, 1957.)

24.62.100 Front yard requirements for special conditions.

B. In the case of a through lot, a front yard shall be provided for each yard abutting a street, and rear yard requirements shall not apply. Where a through lot is less than one hundred feet in depth, a two-stall garage may be located in the front yard which the Director determines is most appropriate, after considering existing development and setback patterns in existence on each block front.

(Ord. 109836 § 2, 1981; Ord. 103839 § 1(part), 1974; Ord. 103120 § 1(part), 1974; Ord. 101240 § 1(part), 1972; Ord. 97394 § 3(part), 1969; Ord. 96252 § 4(part), 1967; Ord. 91138 § 6(part), 1962; Ord. 90722 § 8(part), 1961; Ord. 90110 § 3(part), 1961; Ord. 89983 § 4(part), 1961; Ord. 89229 § 8(part), 1960; Ord. 88921 § 5(part), 1960; Ord. 88283 § 5(part), 1959; Ord. 87225 § 23(part), 1958; Ord. 86300 § 22.43, 1957.)

24.62.110 Exceptions to front yard requirements.

A. In any RS Zone when, on lawfully improved lots comprising fifty percent or more of the total frontage in any one block front, the distance from the front lot lines to the principal buildings is less than the depth of the basic front yard, then the required depth of the front yard for any unimproved lot in that block front shall be the average of the distance between the principal buildings and the front lot lines of the first improved lots on either side, provided that the

greater shall

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D. (Ord. 1974: 10124 1969: § 6(p: Ord. § (part), 89921 1959: 86300

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greater depth used in computing such average shall not exceed twenty-five feet.

B. On any lot where the natural gradient or slope, as measured from the front lot line along the centerline of the lot for a distance of sixty feet is in excess of thirty-five percent, then the required front yard may be reduced one foot for each one percent of gradient or slope in excess of thirty-five percent, provided, however, that the provisions of Section 24.64.100A shall prevail when also applicable.

(Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4(part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 88921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23(part), 1958: Ord. 86300 § 22.44, 1957.)

**24.62.150 Exceptions to rear yard requirements.**

D. Repealed by Ordinance 109836. (Ord. 109836 § 3, 1981; Ord. 103839 § 1(part), 1974: Ord. 103120 § 1(part), 1974: Ord. 101240 § 1(part), 1972: Ord. 97394 § 3(part), 1969: Ord. 96252 § 4(part), 1967: Ord. 91138 § 6(part), 1962: Ord. 90722 § 8(part), 1961: Ord. 90110 § 3(part), 1961: Ord. 89983 § 4(part), 1961: Ord. 89229 § 8(part), 1960: Ord. 89921 § 5(part), 1960: Ord. 88283 § 5(part), 1959: Ord. 87225 § 23(part), 1958: Ord. 86300 § 22.48, 1957.)

**Chapter 24.64**

**OFF-STREET PARKING AND LOADING REQUIREMENTS**

**Sections:**

- 24.64.030 Access and minimum dimensions.
- 24.64.100 Joint use.
- 24.64.130 Downtown parking area spaces permitted.

**24.64.030 Access and minimum dimensions.**

A. Any required off-street parking facility providing five or less parking spaces shall be developed in accordance with the following:

1. Each parking space shall be at least eight and one-half feet in width and nineteen feet in length, exclusive of access drives or aisles.

No wall, post, guard rail, or other obstruction which would restrict car door opening shall be permitted within five feet of the centerline of a parking space.

2. Access aisles and driveways shall be not less than eleven feet in width, and shall conform to the minimum turning path width for one-way traffic as shown on Plate III, following this chapter. Adequate ingress to and egress from each parking space, and except as to those serving single-family residences shall be provided without the necessity of moving another vehicle or of backing more than fifty feet.

3. Maximum grade curvature of any area used for automobile travel or storage shall not exceed that specified in Plate II, following this chapter.

B. Any required off-street parking facility which includes more than five parking spaces shall be developed in accordance with the following. For the purposes of this subsection, any driveway or approach to a parking area shall be considered a traffic aisle and shall conform to the aisle width, grade curvature and turning path width requirements of Plates I, II, and III respectively, which follow this chapter.

1. Minimum parking area dimensions shall be provided as shown in Plate I, following this chapter, except that the dimensions indicated therein as for use with compact cars only shall apply only to parking areas containing more than twelve parking spaces and to not more than thirty-three percent of such parking spaces. Minimum turning widths shall be provided as shown in Plate III, following this chapter. Maximum grade curvature of any area used for automobile travel or storage shall not exceed that specified in Plate II, following this chapter.

2. Adequate ingress to and egress from each parking space shall be provided without moving another vehicle and without backing more than fifty feet. All parking spaces shall be so arranged that ingress and egress is possible without backing over a sidewalk or sidewalk area unless specifically approved as to safety by the Director of Engineering. All parking spaces shall be internally accessible to one another without reentering adjoining public streets.

3. Turning and maneuvering space shall be located entirely on private property except that the usable portion of an alley may be credited as aisle space subject to approval as to safety by the Director of Engineering.

4. No wall, post, or other obstruction

which would restrict car door opening shall be permitted within five feet of the centerline of a parking space.

C. Any required off-street parking facility providing more than five parking spaces where automobiles are parked solely by attendants employed for the purpose shall have parking spaces at least eight feet in width. The grade curvature of any area used for automobile travel or storage shall not exceed that specified in Plate II, and Plates I and III shall not apply.<sup>1</sup> Should attendant operation be discontinued, the provisions of subsection B of this section shall thereafter apply to such facility.

D. In cases where the strict application of this subtitle would unreasonably limit full utilization of a site for parking, the Director may authorize a reduction up to three percent of any minimum dimension required in this section, except where such reduction would substantially restrict ease of travel or maneuverability of vehicles using the parking facility.

E. Required bus parking spaces shall be thirteen feet in width and forty-two feet in length. Buses parked en masse shall not be required to have ingress and egress from each bus parking space.

(Ord. 109696 § 2, 1981; Ord. 109126 § 31, 1980; Ord. 106436 § 1(part), 1977; Ord. 106119 § 1(part), 1976; Ord. 101413 § 1(part), 1972; Ord. 99368 § 10(part), 1970; Ord. 98608 § 19(part), 1970; Ord. 92059 § 6(part), 1963; Ord. 91138 § 8(part), 1962; Ord. 89712 § 1(part), 1960; Ord. 87225 § 25(part), 1958; Ord. § 86300 § 23.21, 1957.)

1. Editor's Note: Plates I, II and III are located at the end of this chapter.

#### 24.64.100 Joint use.

G. Repealed by Ordinance 109737.  
(Ord. 109737 § 47, 1981; Ord. 109440 § 1, 1980; Ord. 106626 § 2, 1977; Ord. 106436 § 1(part), 1977; Ord. 106119 § 1(part), 1976; Ord. 101413 § 1(part), 1972; Ord. 99368 § 10(part), 1970; Ord. 98608 § 19(part), 1970; Ord. 92059 § 6(part), 1963; Ord. 91138 § 8(part), 1962; Ord. 89712 § 1(part), 1960; Ord. 87225 § 25(part), 1958; Ord. 86300 § 23.28, 1957.)

#### 24.64.130 Downtown parking area spaces permitted.

A. The "Downtown Area" as shown on Plate IV is established as an area where

unlimited off-street parking is discouraged and a maximum number of parking spaces is specified to minimize traffic generation and congestion. Individual parking developments within an urban renewal area shall be exempted from the requirements of this section provided:

1. The urban renewal area has a plan adopted by ordinance including a parking element designed to meet the intent of the city's downtown parking policies;

2. Said individual parking developments are identified in the adopted plan.

B. Off-street parking spaces may be established in Area "A" of the Downtown Area as follows:

1. Principal use parking facilities will be permitted as a conditional use in accordance with 24.74.010 and the following additional conditions:

a. The use shall be located and operated in such a manner as to serve a demonstrated need for short-term parking;

b. The use shall be located in a multi-level garage structure where street level frontage is devoted to retail uses or similar pedestrian-oriented activity;

c. Adequate screening and landscaping shall be provided.

An analysis shall accompany such proposal and shall include an evaluation of impacts of the use on the transportation system, specifically surface street capacity, transit operation, pedestrian spaces, and impacts on air quality.

2. Accessory parking shall be permitted outright as an accessory use to uses in buildings which are erected, enlarged or expanded after October 1, 1976, or as accessory to a rehabilitated building existing prior to October 1, 1976 and where at least fifty percent of the building is rehabilitated after October 1, 1976, if the Director determines that the parking spaces are in fact accessory to the rehabilitated building and the rehabilitation is evidenced by an expenditure in any twelve-month period of at least Twenty Dollars (\$20.00) per square foot of gross floor area being rehabilitated. In all other cases, accessory parking will be permitted only as an accessory conditional use.

3. Accessory parking spaces not located on the same site as the principal use shall be authorized only as an accessory conditional use in accordance with 24.74.010.

4. New open parking lots are prohibited except as accessory uses for rehabilitated

buildings meeting the requirements set forth for such in 24.64.130B2.

C. Within the "Retail Core" of Area "A" of the "Downtown Area" as shown on Plate IV,<sup>1</sup> bounded by University Street, First Avenue, Stewart Street and Seventh Avenue, accessory parking spaces shall be authorized in excess of the maximum number provided in 24.64.130E if the Director determines that the ratio of all parking spaces to gross floor area devoted to retail uses in the Retail Core is less than the ratio of such spaces to such area as of October 1, 1976, and that the proposed spaces do not cause said ratio to exceed the total as of October 1, 1976; and that such proposed spaces will be located in a multi-level garage structure, the ground or street-level frontage of which is devoted to retail uses or similar pedestrian-oriented activity. New retail uses, restaurants and places of assembly may aggregate their maximum number of permitted accessory parking spaces in the same parking facility provided the facility is located not more than 1,200 feet from each of the participating uses.

D. Off-street parking may be established in Area "B" of the Downtown Area as follows:

1. Principal use parking on open lots or in structures shall be permitted as a conditional use in accordance with 24.74.010 if the proposed use does not have a significant adverse effect upon traffic flow or surface street capacity, particularly at peak hours.

2. Accessory parking shall be permitted outright as an accessory use for uses in buildings which are erected, enlarged or expanded after October 1, 1976, or as accessory to a rehabilitated building existing prior to October 1, 1976 and where at least fifty percent of the building is rehabilitated after October 1, 1976, and the Director determines that the parking spaces are in fact accessory to the rehabilitated building and the rehabilitation is evidenced by an expenditure in any twelve-month period of at least Twenty Dollars (\$20.00) per square foot of gross floor area being rehabilitated.

3. Required accessory parking shall be permitted outright in a building or on an open lot when the principal use is located in a zone where parking is required by this chapter. All such parking shall be located in the same zone as the principal use.

4. In all other cases accessory parking, whether located on the same or on a lot other than the principal use, shall be permitted in a

building or on an open lot only as an accessory conditional use in accordance with 24.74.010.

E. Maximum permitted spaces:

1. The maximum number of parking spaces permitted as accessory to principal uses in the Downtown Area shall be the same as the minimum number of parking spaces specified for such uses in 24.64.120, each space being calculated as having a maximum area of three hundred fifty square feet, subject to the following exceptions in Area "A":

1980 Amendments to the  
Portland Municipal Code  
Effective January 1, 1980  
For a copy of SMC, contact  
the Office of the City Clerk

Use	Maximum Parking Spaces Permitted
Banks, businesses or professional offices in buildings where such uses occupy at least 80% of the gross floor area devoted to lobby, parking and mechanical equipment.	One for each 1,000 square feet of gross floor area of the entire building in the CM Zone; one for each 1,500 square feet of gross floor area of the entire building in the BM and M Zones.
Banks, businesses or professional offices where mixed with other uses and constituting less than 80% of the gross floor area of the building exclusive of floor area devoted to lobby, parking and mechanical equipment.	One for each 1,200 square feet of gross floor area of such uses in the CM Zone; one for each 2,000 square feet of gross floor area of such uses in the BM and M Zones, in addition to spaces permitted for other uses in the building.
Transient accommodations such as hotels, motels, and motor hotels.	One for each two units.
Restaurants.	One for each 200 square feet of gross floor area.
Retail stores.	One for each 300 square feet of gross floor area.
Heliports.	One for each helistop pad.
Trade or business schools.	One for each 1,000 square feet of gross floor area.
Residential dwellings.	Two for each dwelling unit.

2. In those parts of the Downtown Area where both minimum and maximum parking requirements result from application of zoning regulations, the maximum parking limit shall be not less than one-hundred-ten percent of the minimum parking requirement.

3. Parking spaces in excess of the maxi-

imum number allowed in this section may be authorized by the Director only as a variance as provided in 24.74.030. (Ord. 109915 § 1, 1981.)

1. Editor's Note: Plate IV is located at the end of this chapter.

1981 updates to the Seattle Municipal Code adopted in 1980. For current SMC, contact the Office of the City Clerk

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## Chapter 24.66

## SPECIAL PROVISIONS

## Sections:

**24.66.020 Transitional uses in R Zones.**

**24.66.150 Special provisions for certain lots reduced below minimum lot area requirement.**

**24.66.020 Transitional uses in R Zones.**

A. In any R Zone, a lot, the side lot line of which adjoins directly a more intensive R Zone or a B, C, M, or I Zone, may be devoted to any of the uses permitted in the next more intensive R Zone provided that:

1. No such use shall extend further than sixty feet from such R, B, C, M, or I Zone;

2. Any structure so used shall be limited to the bulk regulations of the zone in which it is located;

3. The lot to which this provision may apply shall be in a zone, the classification of which is at least two classifications less intensive than the zone which it adjoins;

4. The use is authorized as a conditional use by the Director in accordance with Chapter 24.74.

For the purpose of applying this provision, any RS Zone shall be considered as a RW Zone, and the RD 7200 Zone shall be considered as a RD 5000 Zone.

B. Offices, or clinics of physicians, surgeons, dentists, architects, engineers, lawyers, or certified public accountants may be established on any RS or RD Zoned lot which adjoins directly a BN, BI, BC, C, M or I Zone and has frontage on the same street upon which such BN, BI, BC, C, M, or I Zone has its principal frontage, provided that:

1. Said use shall not extend further than sixty feet from such BN, BI, BC, C, M or I Zone;

2. Such clinic or office building shall be limited to the bulk regulations of the zone in which it is located;

3. Such clinic or office use shall not occupy more than the first two stories of a building or a cellar of a building and the story next above;

4. In the case of a lot adjoining a BN Zone, such clinic or office may be established only when the BN Zone, or BN Zone in com-

ination with a more intensive zone, consists of five hundred feet or more of continuous frontage along the street frontage where such clinic or office use shall be located.

(Ord. 109737 § 48, 1981: Ord. 105359 § 1, 1976: Ord. 96395 § 14, 1968: Ord. 94970 § 2, 1960: Ord. 90722 § 9, 1961: Ord. 88283 § 7, 1959: Ord. 86300 § 24.2, 1957.)

**24.66.150 Special provisions for certain lots reduced below minimum lot area requirement.**

A. The Council may authorize reduction in lot area below the minimum required by this subtitle when such reduction is the result of the dedication or sale of a portion of the lot to the city or the state for street or highway purposes, so that said lot may be utilized as a lot meeting minimum lot area requirements, following report and recommendation by the Director. Before making its recommendation to the Council, the Director shall consider the matter at public hearing. Notice of this hearing shall be given by mail not less than ten days prior to the date of such hearing to the owners of all property within three hundred feet thereof, using for this purpose the real property tax roll as issued annually on microfiche by the County Comptroller and the addresses listed in the latest edition of Polk's Directory, or its successor publication. Failure to send notices by mail to any property owner, where the address of such owner is not included in the county records, shall not invalidate any proceedings in connection therewith. In considering requests for such authorization, the Director and Council shall consider the nature and condition of adjacent uses and structures and no authorization shall be made unless it is found that:

1. The authorization will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located;

2. The lot area remaining after reduction is sufficient to provided a reasonable building site, consistent with the purpose of this subtitle.

B. Such authorization, if made, shall be permanent and will run with the land to which it applies.

(Ord. 109696 § 3, 1981: Ord. 109155 § 15, 1980: Ord. 94035 § 1, 1965: Ord. 86300 § 24.7, 1957.)

Chapter 24.68

SPECIAL REVIEW DISTRICTS

Sections:

Subchapter I General Provisions

- 24.68.030 Development regulations.
- 24.68.050 Certificates of approval.
- 24.68.060 Certificate of approval—  
Application and review procedure,  
recommendations, appeals.
- 24.68.080 Enforcement and penalties.

Subchapter II Pioneer Square  
Preservation District

- 24.68.100 Legislative findings and purpose.
- 24.68.110 Responsible agency.
- 24.68.120 Development regulations  
generally.
- 24.68.130 Prohibited principal uses.
- 24.68.140 Prohibited accessory uses.
- 24.68.160 Bulk regulations.
- 24.68.170 Conditions imposed on  
permitted uses.
- 24.68.180 Signs.
- 24.68.190 Exterior building design.

Subchapter III International Special  
Review District

- 24.68.270 Prohibited principal uses.

Subchapter I General Provisions

24.68.030 Development regulations.

A. The Council may include development regulations in the ordinance which establishes a special review district. If development regulations are not included, the special review board may consider and, after at least one public hearing, recommend development regulations for the special review district to the Community Development Director, which shall make further recommendations to the Council. If the special review board fails to recommend development regulations within ninety days after having been appointed and organized, the Community Development Director shall prepare proposed development regulations and recommend such controls to the Council, except where the ordinance establishing the special review district includes such development regulations. The Council shall consider proposed development regulations in the same manner as provided in Section 24.72.070 for Zoning Ordinance text amend-

ments. Development regulations shall be adopted by ordinance, and may thereafter be amended in the same manner as provided in Chapter 24.72 for Zoning Ordinance text amendments.

B. The development regulations shall identify the unique values of the district, shall include a statement of purpose and intent, and shall be consistent with the purposes of the special review district. The regulations may identify uses, structures and design characteristics which either have a positive or negative effect upon said values and may specifically modify bulk and use regulations and other provisions of the Zoning Ordinance in order to allow and encourage or to limit or exclude such structures, designs, and uses. Unless specifically modified by the development regulations, all provisions of the Zoning Ordinance shall apply in the special review district. If uses, structures or designs are limited, the development regulations must specify the standards by which said uses, structures or designs will be evaluated. If provisions of the Zoning Ordinance are modified, the development regulations shall specify the conditions upon which such modifications are allowed.

C. Development regulations shall be consistent with the purposes stated in establishing the special review district. Development regulations shall not be construed to limit the use of any materials, forms or designs otherwise permitted by law unless such limitations are expressly stated.

D. These provisions pertaining to development regulations shall not preclude the adoption of any rule by the Community Development Director in accordance with Chapter 3.02 of this Code. (Ord. 110058 § 2, 1981; Ord. 109155 § 16, 1980; Ord. 109126 § 41, 1980; Ord. 105338 § 1, 1976; Ord. 102455 § 3, 1973; Ord. 86300 § 24.83, 1957.)

24.68.050 Certificates of approval.

A. Unless specifically modified by the ordinance establishing a special review district, no person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material and visible change in the exterior appearance of any existing structures or in the public rights-of-way or other public spaces in a special review district where a city permit is required or development regulations govern, or construct new structures or remove or substantially alter

1981 updates to the Code  
As adopted in 1980  
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any existing sign or erect or place any new sign or change the principal use of any building, structure or lot; and no permit for same shall be issued except pursuant to a certificate of approval issued by the Community Development Director.

B. The Community Development Director shall issue, issue with conditions, or deny the certificate of approval after review of the recommendation from the review district board, if any, and after a determination has been made by the Community Development Director on the consistency of the proposed work or changes with the development regulations for the district. In no case shall a review district board recommend approval, or the Community Development Director grant a certificate, for a proposal that is not consistent with the district development regulations.

C. The fee for such certificate of approval shall be according to the current Permit Fee Ordinance.<sup>1</sup>

(Ord. 110058 § 3, 1981; Ord. 109126 § 43, 1980; Ord. 106985 § 5, 1977; Ord. 105338 § 3, 1976; Ord. 102455 § 5, 1973; Ord. 86300 § 24.85, 1957.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

**24.68.060 Certificate of approval—  
Application and review procedure,  
recommendations, appeals.**

A. 1. An application for a certificate of approval may be filed with the review district board staff, if any, in the Department of Community Development; or upon permit application to the Director or to the Director of Engineering. If an application is made to the Director or to the Director of Engineering for a permit for which a certificate of approval is required, the Director shall promptly refer such application to the review district board staff, if any, or the Community Development Director, and such application shall be deemed an application for a certificate of approval. The Director shall continue to process such permit until the certificate of approval has been approved or denied.

2. After the review district board has commenced proceedings for the consideration of any application for certificate of approval, by giving notice of a meeting pursuant to this section or otherwise, no other application for

the same alteration or change or change of use may be made until such proceedings and all appeals therefrom have been concluded.

B. 1. Where no special review district board exists, the Community Development Director shall, within thirty days of receipt of the application, make a determination regarding the consistency of the proposed work or changes with the development regulations and, within no more than fifteen additional days, issue a certificate of approval with or without conditions, or issue a denial of the certificate by serving a copy thereof upon the owner and the applicant by mailing a copy to them at their addresses as provided on the application, and upon the responsible public official.

2. Where a special review district board has been established, the Board shall recommend to the Community Development Director granting, granting with conditions, or denying a certificate of approval not later than thirty days after receipt by Board staff of the application for a permit from the Director, or after the filing of an application for a certificate of approval with the Board staff, and the Community Development Director shall, within no more than fifteen additional days, issue a certificate of approval, issue a certificate of approval with conditions, or issue a denial of certificate by serving a copy thereof upon the owner and the applicant by mailing a copy to them at their addresses as provided on the application, and upon the Director.

3. A decision denying a certificate of approval shall contain an explanation of the reasons for the Community Development Director's decision and specific findings with respect to this subtitle and adopted development regulations for the District.

C. Appeal to Hearing Examiner.

1. Any interested person or party of record may appeal to the Hearing Examiner on the decision of the Community Development Director to grant, deny or attach conditions to a certificate of approval by serving written notice of appeal upon the Community Development Director and filing such notice and a copy of the Community Development Director's decision with the Hearing Examiner within twenty days after such grant, denial or conditional grant. The Hearing Examiner shall hear and determine the appeal de novo and in accordance with the standards and procedures established for appeals to the Hearing Examiner

by Chapter 3.02 of this Code. Appeals shall be limited to the issues cited in the notice of appeal. The determination appealed from shall be accorded substantial weight and the burden of establishing the contrary shall be upon the appealing party.

2. The Hearing Examiner may affirm, reverse, or modify the Community Development Director's decision. If the presentation to the Hearing Examiner is substantially different from the previous presentation to the Board or Community Development Director, or if the Hearing Examiner determines that additional information must be provided, the Hearing Examiner shall remand the appeal to the Community Development Director for a further hearing before the Board, if established, or for additional consideration by the Director.

3. The decision of the Hearing Examiner shall be final and copies thereof shall be mailed to all parties of record and transmitted to the Community Development Director, the Board, the City Historical Preservation Officer, and the property owner.

D. The Community Development Director shall refer copies of petitions for amendments to the Official Zoning Map, copies of applications for planned unit development, and copies of applications for conditional use, special exception, and variance, which affect property within the special review district to the applicable special review district board for its recommendation. The special review district board shall submit any recommendations in writing prior to the hearing thereon or within thirty days.

(Ord. 110058 § 4, 1981; Ord. 109126 § 44, 1980; Ord. 105338 § 4, 1976; Ord. 102455 § 6, 1973; Ord. 86300 § 24.86, 1957.)

#### 24.68.080 Enforcement and penalties.

Anyone violating or failing to comply with any of the provisions of Sections 24.68.010 through 24.68.070 shall, upon conviction thereof, be punished only by imposition of a fine in a sum not exceeding Five Hundred Dollars (\$500.00), and each day that anyone shall continue to violate or fail to comply with any of the provisions of Section 24.68.010 through 24.68.070 shall be considered a separate offense.

(Ord. 110058 § 5, 1981; Ord. 105338 § 6, 1976; Ord. 86300 § 24.88, 1957.)

### Subchapter II Pioneer Square Preservation District

#### 24.68.100 Legislative findings and purpose.

A. During the city of Seattle's relatively brief history, it has had little time in which to develop many areas of consistent historical or architectural character, and it is recognized that the Pioneer Square area of Seattle contains many of these rare attributes that do exist and consequently is an area of great historical and cultural significance. Further, the King County domed stadium (Kingdome), recently constructed near the Pioneer Square area, and the traffic and activities which it generates have the potential for creating adverse impacts upon the social, cultural, historic and ethnic values of the Pioneer Square area and the economic well-being of the Pioneer Square Preservation District. Therefore, to preserve and enhance the Pioneer Square area and the buildings therein; to return unproductive structures to useful purposes; to attract visitors to the city; to avoid a proliferation of vehicular parking and vehicular-oriented uses; to provide regulations for existing on-street and off-street parking; to stabilize existing and encourage a variety of new and rehabilitated housing types related to all income groups; to encourage the use of transportation modes other than the private automobile; to protect existing commercial vehicle access; to improve visual and urban relationships between existing and future buildings and structures, parking spaces and public improvements within the area, to encourage pedestrian uses; and in order that a reasonable degree of preservation and protection may be encouraged, developed and exercised over the site development and architecture of the private and public buildings and space therein, there is hereby established the Pioneer Square Preservation District as a special review district pursuant to Chapter 24.68, in the following described area:

Beginning at the intersection of Occidental Avenue South and Railroad Way South, then south along the centerline of Occidental Avenue South to the north line of South Royal Brougham Way, then west to the west line of First Avenue South, then north to the east line of Railroad Way South, then northwest to the south line of South King Street, then west to the west line of Alaskan Way South, then north to the south line of South Washington Street, then west to the



Inner Harbor line of Elliott Bay, then north to the north line of South Washington Street, then east to the west line of Alaskan Way South, then northwest to the centerline of Columbia Street, then northeast to the east line of the alley between First Avenue and Second Avenue, then southeast to the centerline of Cherry Street, then northeast to the east line of the alley between Second Avenue and Third Avenue, then southeast to the north line of James Street, then northeast to the east line of Third Avenue, then southeast to the north line of Jefferson Street, then northeast to the east line of Fourth Avenue, then southeast to the north line of Terrace Street, then northeast to the centerline of Fifth Avenue, then southeast and south to the south line of Yesler Way, then west to a line midblock between Fourth Avenue South and Fifth Avenue South, then south to the south line of South Washington Street, then west to the centerline of Fourth Avenue South, then south to the north line of South Jackson Street, then east to the centerline of Fifth Avenue South, then south of a line one hundred twenty feet south of and parallel to the south line of South King Street, then west to the centerline of Fourth Avenue South, then south to the centerline of South Dearborn Street, then west and to the north of the King County domed stadium site to the point of beginning;

all in the city of Seattle, King County, state of Washington and illustrated on the following map, Exhibit C, codified at the end of this subchapter. All properties within said District, whether publicly or privately owned, shall be subject to the controls, procedures, and standards hereinafter set forth or provided for.

B. Implementation of Development Regulations. As shown on the preceding map,<sup>1</sup> within the District there shall be an historic core supplemented by a buffer zone. All property within the District shall be developed and used only in accordance with the development regulations set forth in Sections 24.68.120 through 24.68.190 and formulated pursuant to Section 24.68.030. In addition, and within six months from the appointment of the Preservation Board, the Community Development Director after receiving the Board's recommendations shall formulate detailed rules, to be adopted at public hearing pursuant to Chapter 3.02 of this Code, which will clarify

the development regulations pertaining to exterior building design for all remodeling, rehabilitation, restoration, and new construction within the historic core and the buffer zone of the District.

C. Unique Values of and Criteria for Designating Pioneer Square Preservation District.

1. Historic Significance. The Pioneer Square Preservation District is unique because it is the site of the beginning of the city of Seattle. The area also retains much of the original architecture and artifacts of its early history. The District has played a significant role in the development of Seattle, the Puget Sound Region and the state of Washington as the place of the beginning of Seattle; it was the place of first industry, business and homes, the focus of commerce and transportation for more than a half century, and the area that was rebuilt after the fire of 1889.

2. Architectural Merit. As a collection of late nineteenth- and early twentieth-century buildings of similar materials, construction techniques and architectural styles, the District is unique, not only to the city, but to the country as well. Most of the buildings within the District embody the distinctive characteristics of the Late Victorian style and some are the work of one architect, Elmer H. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area in Seattle which is significant and distinguishable in style, form, character, and construction, representative of its era.

3. Social Diversity. The District represents an area of unique social diversity where people from many income levels and social strata live, shop, and work. Social services, including missions, low-income housing and service agencies exist.

4. Business Climate/Economic Impact. The District is an area of remarkable diversity of businesses. The street level of the historic core is pedestrian-oriented, with its storefronts occupied primarily by specialty retail shops, art galleries, restaurants and taverns. The upper floors of buildings in the historic core are occupied by professional offices, various types of light manufacturing, and housing for persons of many income levels. The buffer zone is predominantly made up of light manufacturing and warehousing. The ongoing restoration and sensitive rehabilitation of many District structures, combined with proposed and compatible new

construction will continue to enhance the District's economic climate.

5. Educational Value. The restoration and preservation of the District will yield information of educational significance regarding the way of life and the architecture of the late nineteenth century as well as adding interest and color to the city. Restoration of the District will preserve the environment which was characteristic of an important era of Seattle's history. The board review of the buildings, structures and public spaces located throughout the District can provide the continuity to create a more meaningful and significant restoration.

6. Geographic Location. The District is uniquely situated adjacent to Seattle's waterfront, the central business district, the International District, and the King County domed stadium.

(Ord. 10058 § 7, 1981; Ord. 107453 § 1, 1978; Ord. 104660 § 7, 1975; Ord. 102455 § 8, 1973; Ord. 86300 § 24.91, 1957.)

1. Editor's Note: The "preceding map," Exhibit C, is codified at the end of this subchapter.

#### 24.68.110 Responsible agency.

A. The special review district board for the Pioneer Square Preservation District shall be known as the "Pioneer Square Preservation Board" (also "Preservation Board") and shall be composed of nine members, all of whom shall be appointed by the Mayor, subject to Council confirmation, and shall consist of two architects, two owners of property in the District, one District retail business owner, one attorney, two at-large members, and one historian or architectural historian. Appointments shall be for terms of three years each, except that initial appointments shall be staggered, three being for three years, three for two years, and three for one year each. All appointed and elected members of the Pioneer Square Historic Preservation Board established by Ordinance 98852<sup>1</sup> and the Pioneer Square Special Review Board established under the Zoning Ordinance are appointed and confirmed as interim members of the Pioneer Square Preservation Board and shall serve until appointments under this chapter have been completed and confirmed. The Mayor shall make all appointments within sixty days after signing the amendatory ordinance codified in this Section.<sup>2</sup> Members of the Preservation Board shall serve without compensation.

B. The Director shall provide adequate staff and clerical support to the Pioneer Square Preservation Board, and shall assign a member of the Department's staff to act as Board Coordinator. The Coordinator shall be the custodian of the Board's records, conduct official correspondence, and organize and supervise the clerical and technical work of the Board to the extent required to administer this chapter. The Coordinator also shall recommend such actions, policies, rules and regulations for adoption by the Board as are deemed necessary to carry out the purposes of this chapter.

(Ord. 110058 § 8, 1981; Ord. 107453 § 2(part), 1978; Ord. 86300 § 24.911, 1957.)

1. Editor's Note: Ord. 98852 is codified in Chapter 25.28 of this Code.
2. Editor's Note: Ord. 110058 was passed by the City Council on August 10, 1981.

#### 24.68.120 Development regulations generally.

All property within the Pioneer Square Preservation District shall be developed and used only in accordance with the Development Regulations set forth in Sections 24.68.120 through 24.68.190 and adopted development regulations established for the District in accordance with Sections 24.68.030 and 24.68.100 B. Applications for a certificate of approval shall be reviewed by the Preservation Board which shall make written recommendations to the Community Development Director indicating the consistency or lack thereof with the development regulations.

(Ord. 110058 § 9, 1981; Ord. 109126 § 45, 1980; Ord. 107453 § 2(part), 1978; Ord. 86300 § 24.912, 1957.)

#### 24.68.130 Prohibited principal uses.

A. Vehicle-oriented Uses. Uses which are by design or function vehicle-oriented, including but not limited to motor hotels, motels, non-accessory parking lots not in existence at the time of the effective date of the amendatory ordinance codified in this section,<sup>1</sup> vehicle storage and sales, service stations, auto repair, and drive-in businesses are prohibited in that portion of the District included within the area bounded by the western boundary of the District from Columbia Street and Alaskan Way to the south line of South King Street, then east along the south line of South King

Street to the east line of Railroad Way South, then southeast along the east line of Railroad Way South to the centerline of Occidental Avenue South, then north along the centerline of Occidental Avenue South to the south line of South King Street, then east along the south line of South King Street to the centerline of Fifth Avenue South, then north along the eastern boundary of the District, then west along the northern boundary of the district to the point of beginning. (Exhibit C.1).<sup>2</sup>

B. Other prohibited Principal Uses. Frozen food lockers; retail ice dispensaries; plant nurseries; small animal clinics; retail building supply stores; bowling lanes; skating rinks; pleasure boat sales establishments; automobile rental and sales; dyeing and rug cleaning plants; branch telephone exchanges; microwave or line-of-sight transmission stations; acetylene manufacturing; automobile assembly; babbitt metal manufacturing; bag cleaning; battery manufacturing; bleach and dyeing plant; boat building and repair; bronze powder manufacturing; bulk station; coal, coke or wood yard; concrete mixing; concrete products manufacturing; crematory; felt manufacturing; grain elevator; heliport, manufacturing of excelsior, wood fiber or sawdust products not involving chemical treatment; poultry slaughterhouses; refuse transfer stations; sand blasting or cutting; stone-cutting yard or monument works; wire or rod drawing; nut, screw or bolt manufacturing; shipbuilding and repair; planing mill; sawmill; shingle mill or plywood manufacture; mushroom plant and cannery; feed and cereal mill; steam manufacturer; autowrecking or junk yard and other similar uses typically permitted in a more intensive zone than an M zone are prohibited as principal uses in all areas of the District.

#### C. At Street Level.

1. In order to encourage pedestrian orientation and to encourage economic stability within that area of the District bounded by the north line of South King Street from the east line of the alley between Alaskan Way South and First Avenue South to the extension of the west line of the alley between Second Avenue South and Second Avenue South Extension, then north along the extension of the west line of the alley between Second Avenue South and Second Avenue South Extension and the west line of the alley to the west line of Second Avenue South Extension, then northwest along the west line of Second Avenue South Extension

and Second Avenue to the centerline of Cherry Street, then west along the south line of Cherry Street to the east line of the alley between Second Avenue and First Avenue, then north along the east line of the alley between Second Avenue and First Avenue to the south line of Columbia Street, then west along the south line of Columbia Street to the east line of Post Avenue, then south along the east line of Post Avenue and the east line of the alley between First Avenue and Alaskan Way South to the north line of the lots fronting South Washington Street on the north side of the street, then west along South Washington Street, including the lots fronting the north and south sides of South Washington Street, to the east line of Alaskan Way South, then south along the east line of Alaskan Way South to the south line of the lots fronting South Washington Street on the south side of the street, then west to the east line of the alley between First Avenue South and Alaskan Way South, then south to the point of beginning. (Exhibit C.2),<sup>3</sup> the following uses shall be prohibited at street level:

Taxidermy shops; appliance repair shops; upholstery establishments; trade or business schools; art, dance and/or music schools or studios; warehouses or wholesale stores; wholesale offices, including wholesale storage of the following merchandise: jewelry, optical and photographic goods, pharmaceuticals and cosmetics, and other similar high-value, low-bulk articles; experimental or testing laboratories; radio and television studios.

2. Uses at street level which are pedestrian-oriented, where the use is highly visible from the street or where merchandise is displayed in a manner that contributes to the character and activity of the area, shall be preferred to other permitted uses.

(Ord. 110058 § 10(part), 1981: Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.913, 1957.)

1. Editor's Note: Ord. 110058 became effective on September 9, 1981.
2. Editor's Note: Exhibit C.1 is included at the end of this subchapter.
3. Editor's Note: Exhibit C.2 is included at the end of this subchapter.

#### 24.68.140 Prohibited accessory uses.

A. Accessory parking lots at street grades not in existence at the time of the effective date of the amendatory ordinance codified in this section<sup>1</sup> are prohibited in that portion of the

District north of the south line of South King Street (Exhibit C.3).<sup>1</sup>

B. Accessory parking shall be required within that portion of the District bounded by the south line of South King Street on the north, the west line of Occidental Avenue South on the east and the east line of Railroad Way South on the southwest (Exhibit C.3).<sup>1</sup>

(Ord. 110058 § 10(part), 1981; Ord. 107453 § 2(part), 1978; Ord. 86300 § 24.914, 1957.)

1. Editor's Note: Exhibit C.3 is included at the end of this subchapter.

#### 24.68.160 Bulk regulations.

A. Floor Area Ratio. In order that the area of the District bounded by the southline of South King Street on the north, the west line of Occidental Avenue on the east and the east line of Railroad Way South on the southwest be a transitional buffer area for the historic core of the District, floor area ratio shall not exceed seven times the lot area (Exhibit C.4).<sup>1</sup>

B. Yards. In order to retain continuity of streetscape in that portion of the District lying within the historic core of the Preservation District (Exhibit C),<sup>2</sup> a structure shall be located on a site so as to cover the full width of the lot along street property lines, and shall abut upon street property lines, although interior open spaces shall be permitted.

C. Height Limitations. All new structures and additions to existing structures shall in no case exceed the height limitations of this subsection. Height of structure is to be measured from mean street level fronting on the property to the mean roof line of the structure in accordance with Sections 24.62.030 and 24.62.040. Following report and recommendation by the Preservation Board, the Community Development Director may authorize rooftop facilities such as mechanical or electric equipment and elevator equipment, penthouses, stair enclosures, roof gardens and rooftop greenhouses, when treated in an architectural manner compatible with the surrounding area. (Exhibit C.5)<sup>3</sup>

##### 1. Maximum Height Limitations.

a. For the area north of the south line of South King Street from the west line of Alaskan Way South to the west line of Fourth Avenue South, then north along the west line of Fourth Avenue South to the west line of Second Avenue South Extension, then northeast along the west line of the Second Avenue

South Extension to the north line of Jefferson Street, then northeast along the north line of Jefferson Street to the District boundary along the east line of Third Avenue to the northern boundary of the District, then along the northern boundary of the District to the western boundary of the District, then along the western boundary of the district to the point of beginning, the maximum height of a structure shall be not more than fifteen feet higher than the highest adjacent structure or highest structure within adjacent block fronts, but shall in no case exceed a total height of one hundred feet. (Exhibit C.5)<sup>3</sup>

b. For the area bounded by the western line of Fourth Avenue South at the western line of Second Avenue South Extension, north along the western line of Fourth Avenue South to the north line of Jefferson Street, then southwest along the north line of Jefferson Street to the western line of Second Avenue South Extension, then southeast along the west line of Second Avenue South Extension to the point of beginning the maximum height of a structure shall not exceed one hundred twenty feet; provided that structures devoting seventy-five percent of the gross floor area to residential use may be authorized in excess of one hundred twenty feet but not more than one hundred fifty feet following report and recommendation of the Preservation Board on siting and design to insure reasonable view preservation from Kobe Terrace Park. (Exhibit C.5)<sup>3</sup>

c. For the area of the District bounded by the south line of South King Street on the north, the west line of Occidental Avenue on the east and the east line of Railroad Way South on the southwest, the maximum height of a structure shall not exceed one hundred feet. (Exhibit C.5)<sup>3</sup>

2. Minimum Height Limitations. In order to provide a sense of enclosure along streets, no structure shall be erected or permanent addition be added to an existing structure which would result in the height of the new structure being less than thirty feet.

(Ord. 110058 § 11, 1981; Ord. 109126 § 46, 1980; Ord. 107453 § 2(part), 1978; Ord. 86300 § 24.916, 1957.)

1. Editor's Note: Exhibit C.4 is included at the end of this subchapter.

2. Editor's Note: Exhibit C is included at the end of this subchapter.

3. Editor's Note: Exhibit C.5 is included at the end of this subchapter.

**24.68.170 Conditions imposed on permitted uses.**

A. The street level of parking garages or structures and other vehicular-oriented uses, where permitted, shall be regulated as to ingress and egress and view-obscuring screening approved by the Preservation Board in order to reduce adverse visual impact on the immediate area.

B. In that area of the District bounded by the north line of South King Street from the east line of the alley between Alaskan Way South and First Avenue South to the extension of the west line of the alley between Second Avenue South and Second Avenue South Extension, then north along the extension of the west line of the alley between Second Avenue South and Second Avenue South Extension and the west line that alley to the west line of Second Avenue South Extension, then northwest along the west line of Second Avenue South Extension and Second Avenue to the centerline of Cherry Street, then west along the south line of Cherry Street to the east line of the alley between Second Avenue and First Avenue then north along the east line of the alley between Second Avenue and First Avenue to the south line of Columbia Street, then west along the south line of Columbia Street to the east line of Post Avenue, then south along the east line of Post Avenue and the east line of the alley between First Avenue and Alaskan Way South to the north line of the lots fronting South Washington Street on the north side of the street then west along South Washington Street, including the lots fronting the north and south sides of South Washington Street, to the east line of Alaskan Way South, then south along the east line of Alaskan Way South, to the south line of the lots fronting South Washington Street on the south side of the street, then west to the east line of the alley between First Avenue South and Alaskan Way South, then south to the point of beginning (Exhibit C.2),<sup>1</sup> new street level uses shall be subject to the following conditions:

1. The street level of parking garages and structures shall be devoted to uses permitted in the area other than parking to a minimum depth of twenty feet along street frontages, and along alleys and malls designated for pedestrian use only.

2. No single establishment consisting of

only one use shall occupy over fifty percent of a square block's street frontage. Blocks smaller than twenty thousand square feet are excepted.

3. Personal-service establishments and business and professional offices shall not be permitted to occupy more than twenty-five percent of a single street level block frontage.

C. New access to underground areaways must be limited to access from within buildings. However, new access through the sidewalks will be permitted where stair access existed at any time prior to the effective date of the amendatory ordinance codified in this section.<sup>2</sup>

(Ord. 110058 § 12(part), 1981: Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.917, 1957.)

1. Editor's Note: Exhibit C.2 is included at the end of this subchapter.

2. Editor's Note: The effective date of Ord. 110058 is September 9, 1981.

**24.68.180 Signs.**

A. Prohibited. Freestanding signs (except those typically associated with uses located outside structures, such as on-grade parking, parks, plazas, etc.), roof signs, billboards, and miscellaneous product advertising of a permanent nature such as those made of wood, metal or plastic, are prohibited in the District.

B. Criteria for Approval. In order to insure that signs are of a scale, shape and type consistent with permitted uses, to insure that the message or communication of a sign is not lost through the proliferation and competition of other signs, and to enhance views and sight lines into and down streets, the following criteria will be used in the evaluation of individual sign applications. Final determinations as to appropriateness will be based on the following considerations:

1. The overall design of a sign including size, shape, texture, method of attachment, color and lighting, shall be compatible with the use to which the sign refers and the architecture of the building where it is to be installed, measured by:

a. Shape: the relationship of the shape of the proposed sign with the architecture and design motifs of the building for which the sign is proposed, and, with the shape of other signs approved for the building;

b. Texture: the relationship of the texture of the proposed sign (such as smooth painted surfaces, rough-cut wood, raised letters, etc.) with the texture of the building for which

it is proposed (such as rough-cut granite, textured concrete, finely detailed brickwork, baroque curvilinear terra cotta, etc.), and with the texture of other signs approved for the building;

c. Method of Attachment: the possibility of physical damage to the structure, the relationship of the method of attachment with design motifs and other accessory building elements (such as railings, light standards, and other approved signs) and with the design of the proposed sign;

d. Color: the relationship of the proposed colors with the colors of the building for which the sign is proposed and with other signs approved for the building;

e. Lighting: the relationship of lighting standards, light colors and number and type of lights proposed with the design of the proposed sign with the lighting of other approved signs on the building and with the architectural and design motifs of the building. The Preservation Board will also consider whether the proposed lighting would unnecessarily detract from the character of the building.

2. Painted wall signs, symbolic signs, raised manufactured letters and front-lighted signs mounted parallel to and integrated into the building facade shall be considered generally compatible with the predominant building type found in the District.

3. Projecting signs, neon signs, signs which appear to be in motion, and signs with flashing, running or chaser lights will be recommended only after the Preservation Board determines that all other criteria for permitted signs have been met and that historic precedent, locational or visibility concerns of the business for which the signing is proposed warrant such signing.

4. In considering the appropriate size of signs the Preservation Board shall take into account the general character of the signs and buildings in the immediate area, the scale of the building for which the sign is proposed, the proposed location of the sign on the building's exterior, the total number of signs proposed or existing on the building, as well as the type of sign proposed (such as informational, theatre marquees, building identification, business, identification, address or hours-open signing).

5. No sign shall be placed on a structure so that it would conceal or disfigure desirable architectural features or details of the structure.

6. Size, shape, colors, materials, lighting and location of proposed signs not attached to structures shall be reviewed for compatibility with adjacent structures and with the legislative findings and purpose for the District.

(Ord. 110058 § 12(part), 1981: Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.918, 1957).

#### 24.68.190 Exterior building design.

In order to complement and enhance the historic character of the Preservation District and retain quality and continuity of existing buildings, the following requirements for exterior building design shall apply:

A. Materials. Exterior building facades shall generally be restricted to brick, concrete when tinted a subdued or earthen color, sandstone or similar stone facing material commonly used in the District. Aluminum, painted metal, wood and other materials may be permitted for signs, window and door sash and trim and other similar uses when found compatible with adjacent or original uses and so recommended by the Preservation Board.

B. Scale. Exterior building facades shall be of a scale compatible with the surrounding structures. Window proportions, floor height, cornice line, street elevations and other elements of the building facades, shall relate to the scale of the buildings existing in the immediate area.

C. Awnings. Awnings, when used, shall be functional, serving as weather protection for pedestrians at street level or sun shades on upper floors. Awnings at street level over sidewalks shall overhang the sidewalk a minimum of five feet. All awnings shall be of a design compatible with the architecture of the area.

(Ord. 110058 § 12(part), 1981: Ord. 107453 § 2(part), 1978: Ord. 86300 § 24.919, 1957.)

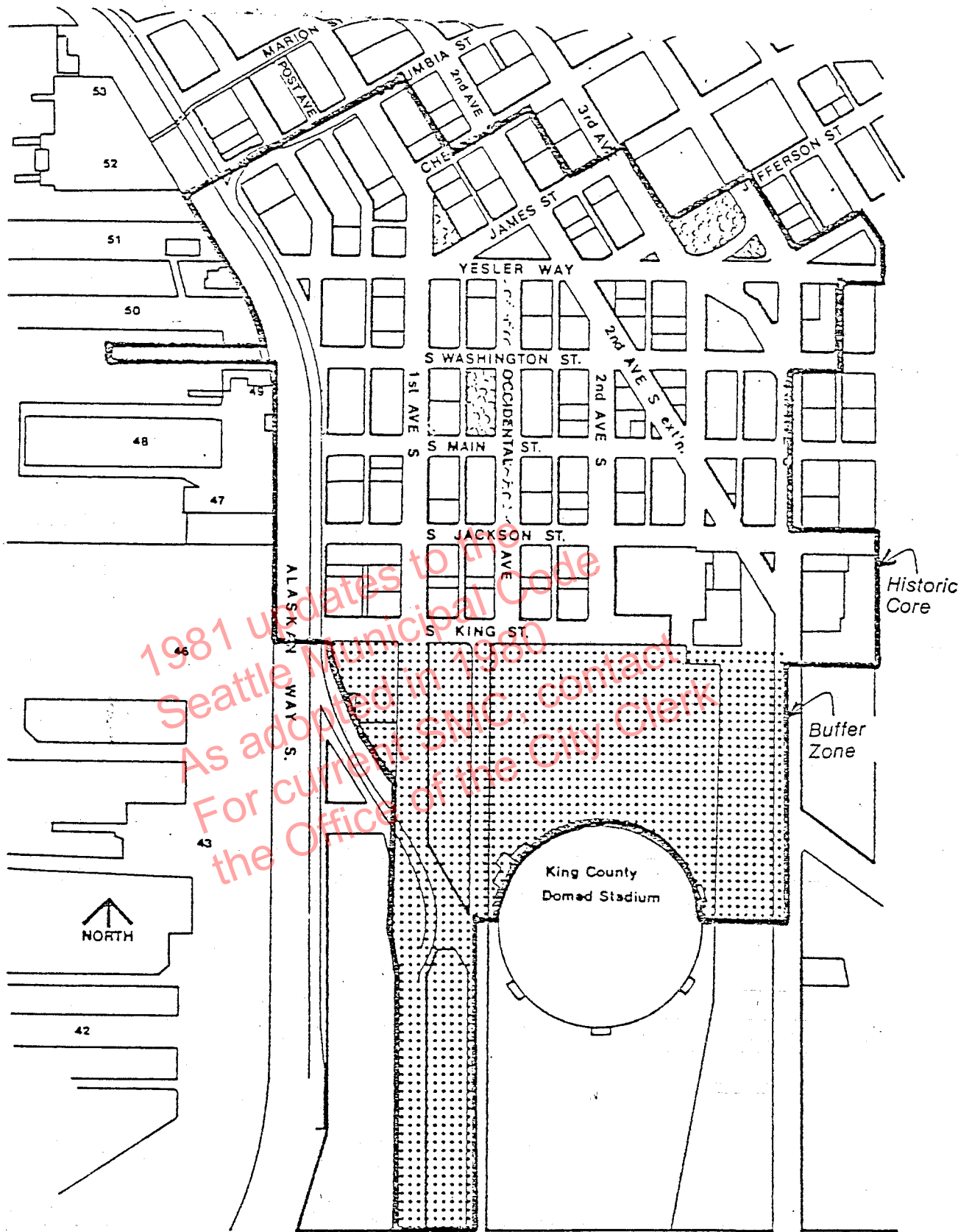


Exhibit C.

ZONING AND SUBDIVISIONS

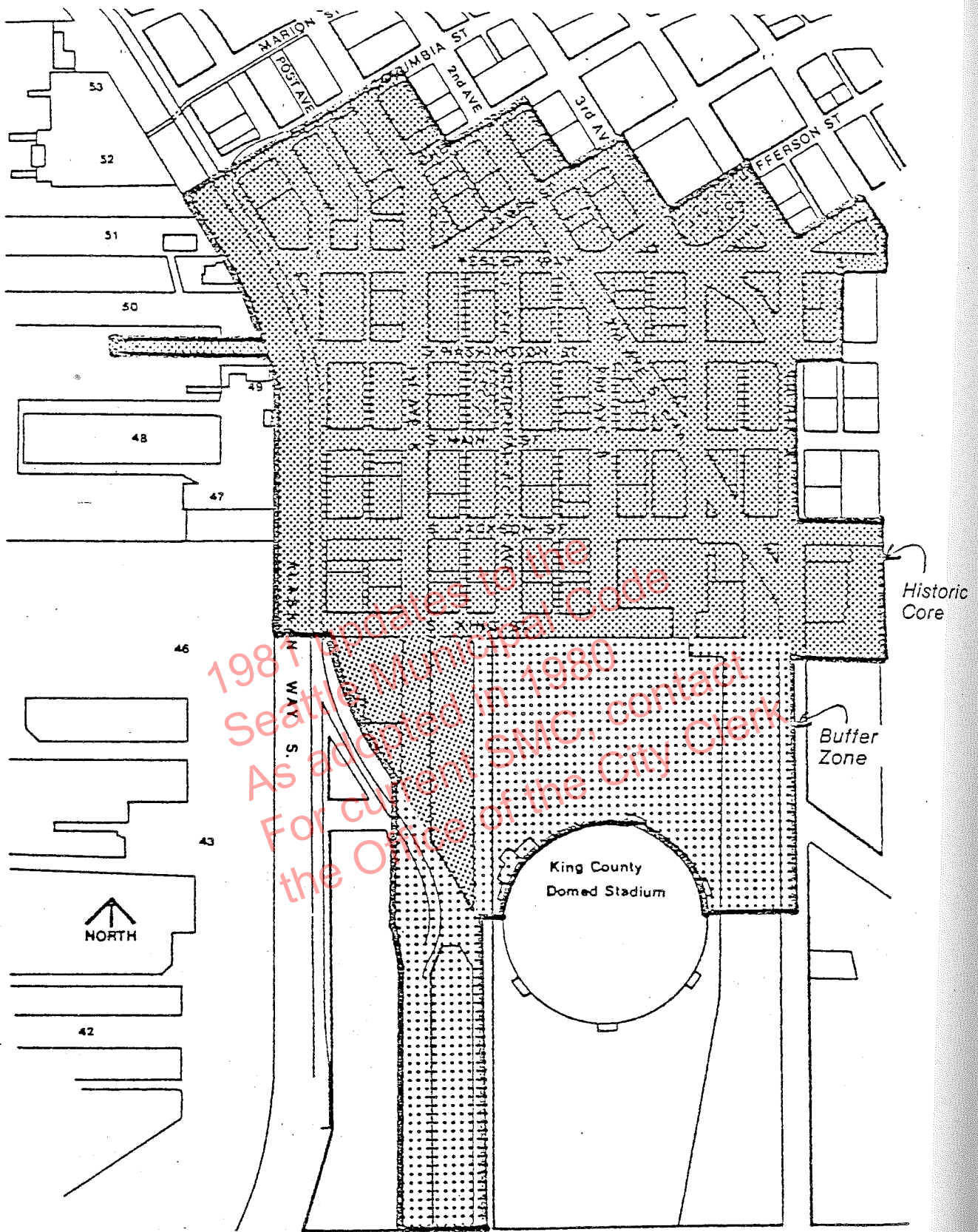



Exhibit C.1 Prohibited Vehicular Oriented Uses

 Prohibited as a Principal Use



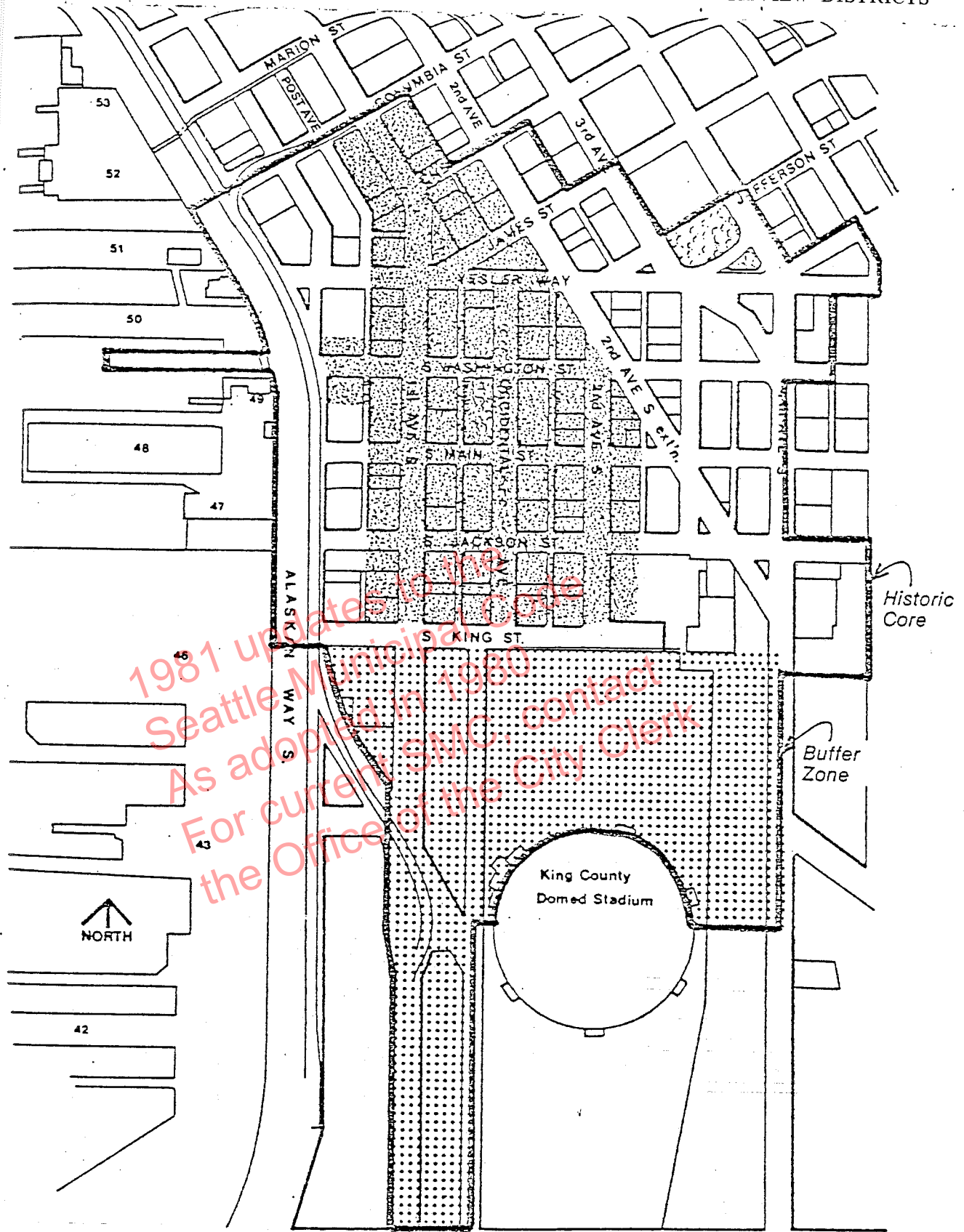



Exhibit C.2

 Prohibited Principal Uses at Streetlevel

ZONING AND SUBDIVISIONS

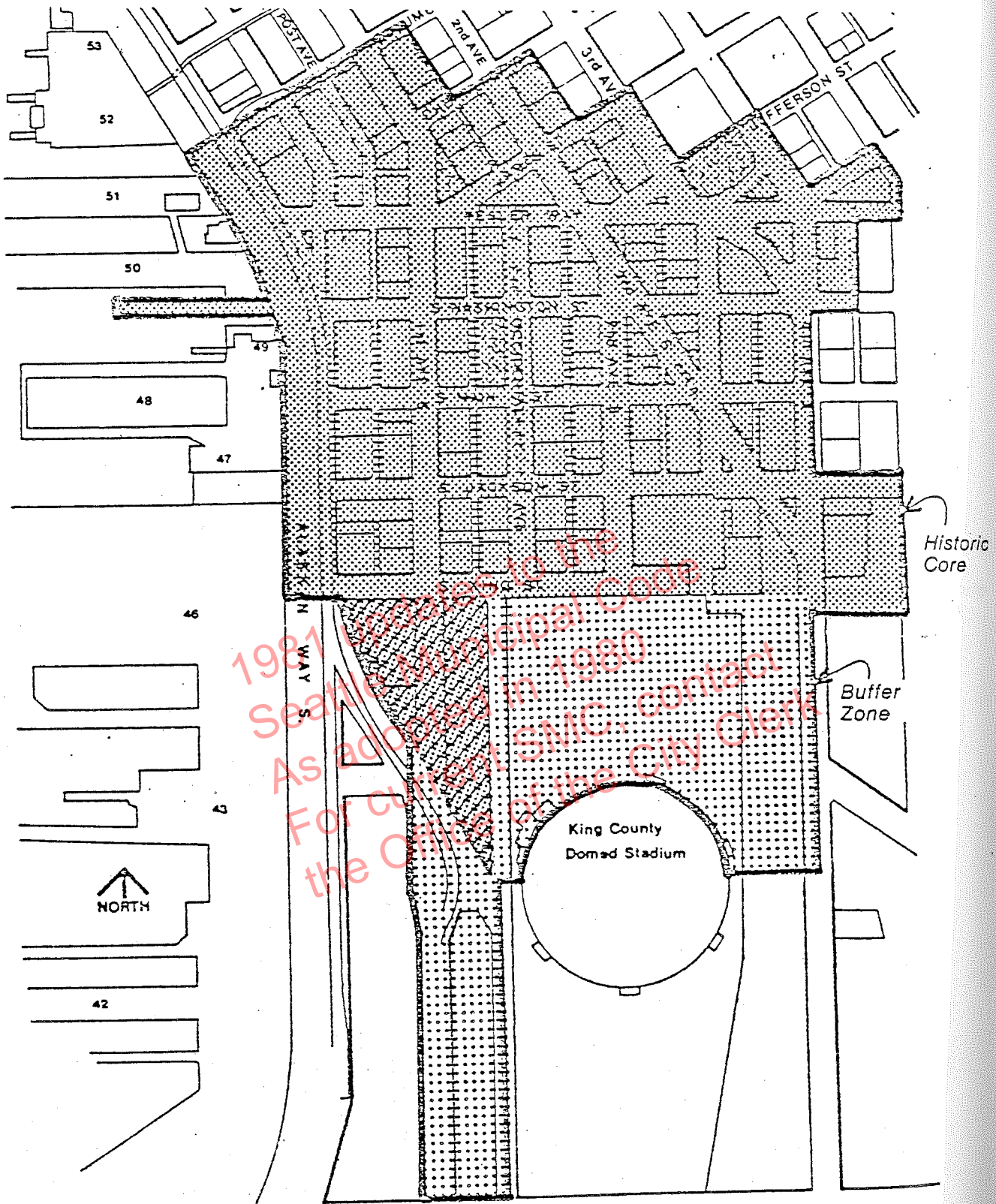




Exhibit C.3

-  Prohibited New Accessory Parking
-  Accessory Parking Not Required

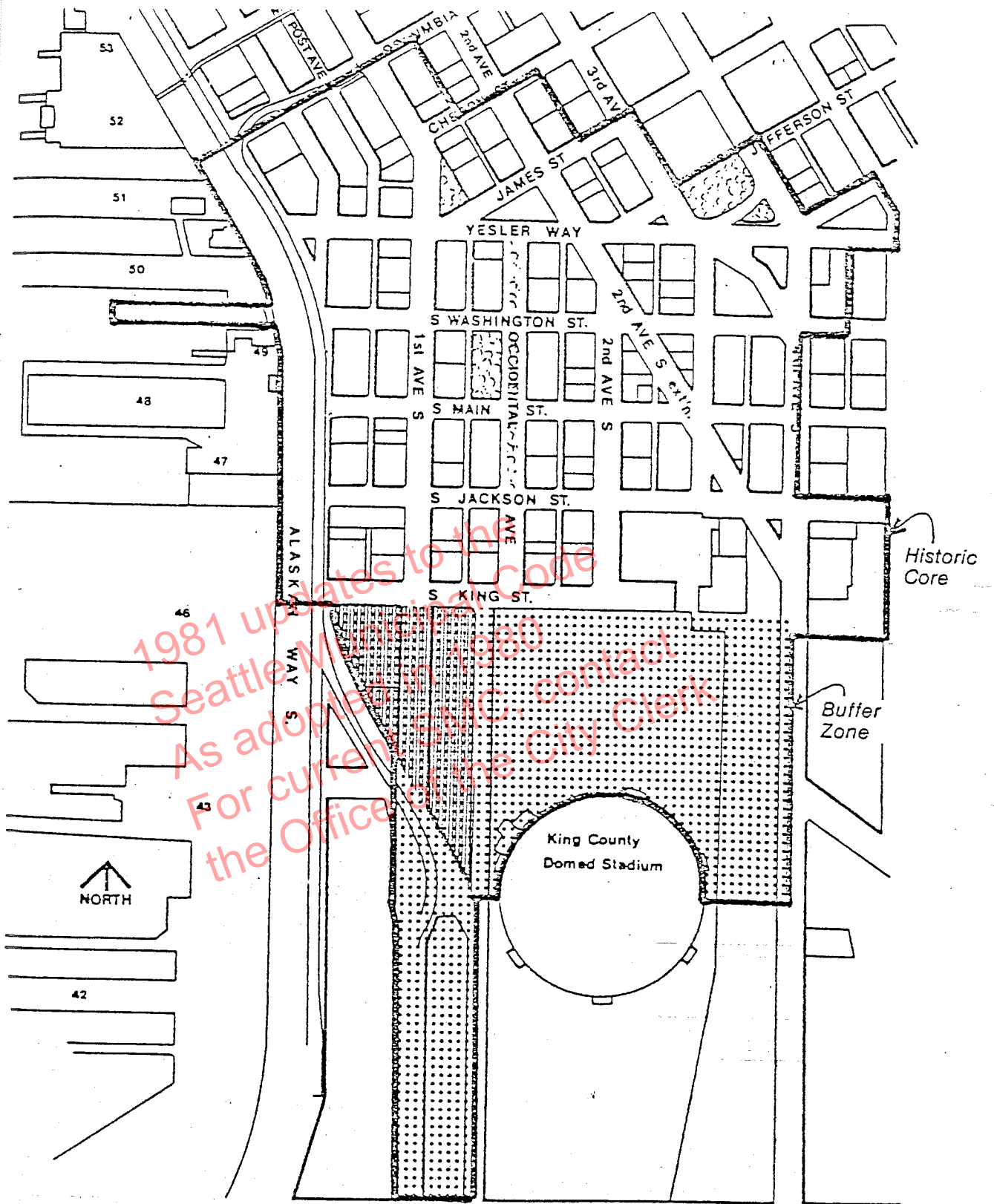


Exhibit C.4



Floor Ratio Not To Exceed 7.0

ZONING AND SUBDIVISIONS

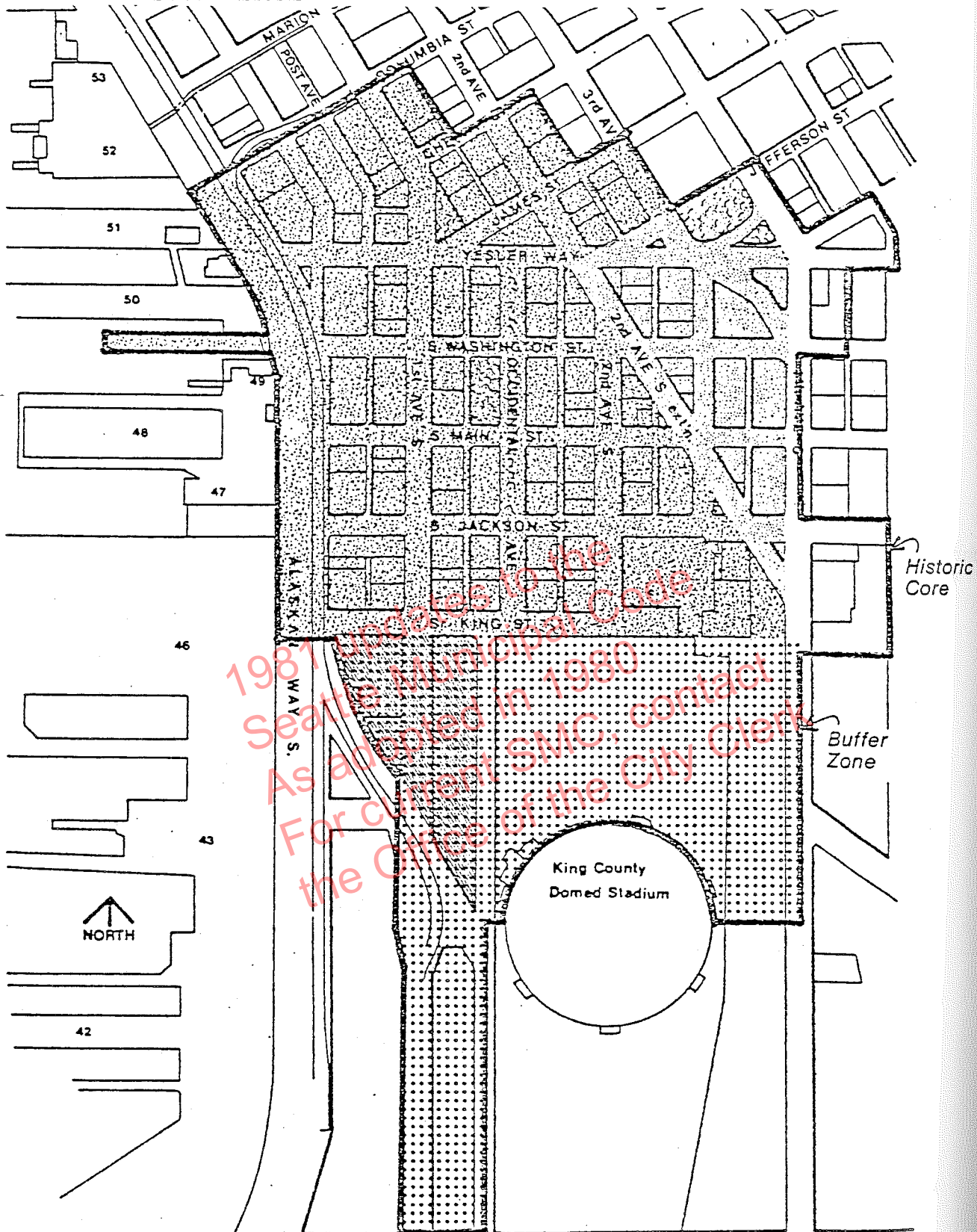





Exhibit C.5 Building Heights

-  (100) ft. Maximum
-  +(15) ft. of Adjacent Structure, but not to exceed (100) ft.
-  (120) ft. Maximum for Non-residential structures

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**Subchapter III International  
Special Review District**

**24.68.270 Prohibited principal uses.**

**A. Vehicular-Oriented uses.**

1. Uses which are by design or function vehicular-oriented, including but not limited to motor hotels, motels, nonaccessory parking lots, automobile storage and sales, and drive-in businesses, shall be prohibited in that portion of the Special Review District lying east of 5th Avenue South, north of South Lane, south of Yesler Way and west of the Central Freeway, as illustrated on Exhibit D.1 hereto.<sup>1</sup> Non-accessory parking lots shall be permitted as specified in subsection A3 below.

2. All of the uses listed in subsection A1 above, except motor hotels and motels, shall also be prohibited in that portion of the Special Review District which is bounded by 5th Avenue South, South Lane Street, the Central Freeway, and South Dearborn Street.

3. Nonaccessory parking lots in existence when the Special Review District was established shall comply with the provisions of this section and all other development guidelines for the Special Review District within three years from the date the district was established or applicable development guidelines were adopted, whichever is later, except that the following guidelines shall be applicable three months after the effective date of the amendatory ordinance codified in this section:<sup>2</sup>

a. Reserved nonaccessory parking shall be permitted only in accordance with the regulations set forth in Section 24.68.280 until January 1, 1983 on the blocks north of South Washington Street, the northern half of the block between 4th Avenue South and 5th Avenue South and South Washington Street and South Main Street, and the eastern half of the Central Freeway right-of-way between South Jackson Street and South King Street, all as illustrated on Exhibit D.2 hereto.<sup>3</sup>

b. Short-term, joint-use customer parking shall be permitted only in accordance with the regulations set forth in Section 24.68.280 until January 1, 1981 north of a line midblock between South Main Street and South Jackson Street between the alley east of Sixth Avenue South and the Central Freeway; on the western half of that portion of the Central Freeway lying between South Jackson Street on the north and South King Street on the south;

on the half block between South Weller Street and South Lane Street between the alley east of 6th Avenue South on the west and Maynard Avenue South on the east; and on the block between South Weller Street on the north and South Lane Street on the south between 7th Avenue South on the west and 8th Avenue South on the east, all as illustrated on Exhibit D.2 hereto.<sup>3</sup>

4. The street level of parking garages or structures shall be devoted to pedestrian-oriented uses permitted in the zone other than parking. However, in areas where abutting streets exceed a slope of eight percent this requirement may be waived by the Community Development Director with the advice of the Special Review Board. In addition, parking garages or structures shall also be regulated as to ingress and egress and view-obscuring screening by the Community Development Director with the advice of the Special Review Board, subject to appeal to the Hearing Examiner as provided in Section 24.68.060.

5. Accessory parking shall not be required within that portion of the district bounded on the west by 4th Avenue South between Yesler Way and South Jackson Street and 5th Avenue South between South Jackson Street and South Lane Street, Yesler Way on the north, the Central Freeway on the east, and South Lane Street on the south as illustrated on Exhibit D.2 hereto.<sup>3</sup>

6. No new advertising signs shall be erected within the International Review District. (Ord. 109900 § 1, 1981; Ord. 109126 § 47, 1980; Ord. 105936 § 2 (part), 1976; Ord. 104068 § 2 (part), 1974; Ord. 86300 § 24.922, 1957.)

1. Editor's Note: For Exhibit D.1, see Chapter 24.68 as set out in Volume II of the Seattle Municipal Code.
2. Editor's Note: Ordinance 109900 was passed by the City Council on May 18, 1981; Ord. 105936 became effective on November 28, 1976.
3. Editor's Note: For exhibit D.2, see Chapter 24.68 as set out in Volume II of the Seattle Municipal Code.

Chapter 24.70

HEARING EXAMINER AND BOARD OF ADJUSTMENT

Sections:

- 24.70.010 Duties and powers of Hearing Examiner.
- 24.70.020 Repealed.
- 24.70.030 Repealed.
- 24.70.040 Repealed.
- 24.70.050 Repealed.
- 24.70.060 Land use and zoning rules.
- 24.70.070 Noninterference.

24.70.010 Duties and powers of Hearing Examiner.

The Hearing Examiner shall hold hearings and make recommendations to the Council on petitions for map amendments to this subtitle as provided in Section 24.72.080 and on applications for conditional uses as provided in Section 24.72.150. The Hearing Examiner shall hear and decide appeals from decisions of the Director on applications for conditional uses, special exceptions and variances as provided in the Master Use Permit Ordinance (109438),<sup>1</sup> and shall hear and decide appeals from decisions of the Director on applications for sign variances, petitions to revoke sign variances and applications for extensions for nonconforming signs under Ordinance 90138.<sup>2</sup> (Ord. 109737 § 56, 1981; Ord. 103333 § 1, 1974; Ord. 102290 § 3, 1973; Ord. 97384 § 1, 1969; Ord. 86300 § 26.1, 1957.)

1. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.  
 2. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.

24.70.020 Creation of Board of Adjustment.  
 Repealed by Ordinance 109737.

24.70.030 Board duties and powers.  
 Repealed by Ordinance 109737.

24.70.040 Board procedure.  
 Repealed by Ordinance 109737.

24.70.050 Board meetings.  
 Repealed by Ordinance 109737.

24.70.060 Land use and zoning rules.

The Hearing Examiner, with the advice of the Director, shall from time to time present to the City Council written rules and procedures (herein called the "Rules") governing land use and zoning proceedings which shall govern all such proceedings by the Council and Hearing Examiner. Rules shall be adopted and thereafter amended, revised or abolished by the Hearing Examiner pursuant to Ordinance 102228<sup>1</sup> after first obtaining the written approval of the Department of Construction and Land Use, Department of Community Development and City Council as to those Rules applicable to each such agency. After adoption said Rules shall be printed and bound and, along with the Comprehensive Plan of Seattle and this subtitle, shall be made available for public distribution in the offices of the Department of Construction and Land Use, the Hearing Examiner, the City Council, all public libraries in the city and at other convenient places. Said Rules shall include but need not be limited to, provision for the following matters:

A. The form and content of applications for text amendments, map amendments, planned unit developments, conditional uses, special exceptions, variances, and applications relating to sign control, and the requirements for maps and exhibits to be filed by the applicant;

B. The form and content of the Director's reports, which reports shall include a study indicating the impact of the application or petition on the surrounding community and whether or not the proposal is consistent with this ordinance and the Comprehensive Plan of Seattle. Reports of the Director shall be mailed to the applicant and filed with the appropriate body;

C. Provisions for determining the circumstances under which community and other groups shall receive notice of proceedings, and for developing and maintaining current lists of such groups;

D. Provisions for posting copies of applications, staff reports, and other relevant materials in the Seattle Municipal Building and other places, as defined by the Rules;

E. The form and content of findings, conclusions, recommendations and decisions of the Director, Hearing Examiner and Council;

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Chapter 24.72

ZONING AMENDMENTS

Sections:

- 24.72.010 Filing amendments to Zoning Ordinance or Zoning Map.
- 24.72.170 Council hearing on city-wide map amendments.

24.72.010 Filing amendments to Zoning Ordinance or Zoning Map.

A. A petition to amend the text of the Zoning Ordinance or Official Zoning Map may be filed with the City Clerk by property owners, their authorized agents or other interested persons, and shall be transmitted to the Council. The form and content of the petition shall be established by the Rules.

B. A petition for an amendment to the Official Zoning Map shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee as described in the Permit Fee Ordinance,<sup>1</sup> to defray the cost of processing such petition. The application fee shall be deposited into the Construction and Land Use Fund. The Hearing Examiner may authorize a refund of such fee or a portion thereof when the amendment is required to correct an error or omission of the city or when the petition is withdrawn.

(Ord. 109760 § 1, 1981: Ord. 109511 § 2, 1980: Ord. 108653 § 1, 1979: Ord. 107448 § 1, 1978: Ord. 106015 § 2, 1976: Ord. 105433 § 1, 1976: Ord. 102290 § 10, 1973: Ord. 97499 § 5, 1969: Ord. 96252 § 6, 1967: Ord. 92998 § 1, 1964: Ord. 91138 § 11, 1962: Ord. 86300 § 27.1, 1957.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

24.72.170 Council hearing on city-wide map amendments.

A. The City Council shall itself conduct the public hearings on all proposals to amend the Official Zoning Map to implement the Comprehensive Land Use Policies, as contemplated by Resolution 25785.

B. Notice of such Council hearings shall be published in the city official newspaper and mailed to all news media, including community newspapers, and to interested community and civic groups at least thirty days prior to the

F. The content of the record prepared in each matter, including in each case the application, the Director's report, all exhibits and other materials filed at any hearing on the application, findings and conclusions, and recordings made on electronic recording equipment of all hearings on the application;

G. The format for hearings, the frequency of hearings, and the rules of evidence and procedure applicable to hearings; provisions for interested persons to testify, and for parties, when appropriate, to conduct reasonable cross-examination at public hearings;

H. Provisions governing ex parte contacts or discussions by or with any member of the Council or the Hearing Examiner and persons interested in pending matters;

I. Requirements for recording all hearings on land use and zoning;

J. Provisions for an attorney employed by the city to be available upon request for hearings before the Council, Hearing Examiner or Director to advise on matters of law and procedure.

(Ord. 109737 § 58, 1981: Ord. 105728 § 1, 1976: Ord. 102290 § 8, 1973: Ord. 94799 § 4, 1969: Ord. 89860 § 2, 1960: Ord. 89712 § 3, 1960: Ord. 89229 § 10, 1960: Ord. 88283 § 10, 1959: Ord. 86300 § 26.3, 1957.)

1. Editor's Note: Ord. 102228, the Administrative Code, is codified in Chapter 3.02 of this Code.

24.70.070 Noninterference.

No person shall interfere with or attempt to influence the Hearing Examiner in the performance of his or her designated duties except at a public hearing, nor shall the Hearing Examiner discuss the merits of pending cases with any other person except at a public hearing.

(Ord. 109737 § 59, 1981: Ord. 102290 § 9, 1973: Ord. 86300 § 26.4, 1957.)

hearing. A second such notice shall be so published and mailed at least fourteen days prior to the each hearing.  
(Ord. 109863 § 1, 1981.)

**Chapter 24.74**

**ADMINISTRATIVE DETERMINATION**

**Sections:**

- 24.74.010 Conditional uses.
- 24.74.020 Special exceptions—Generally.
- 24.74.021 Special exceptions—Height limits.
- 24.74.022 Special exceptions—Temporary uses.
- 24.74.023 Special exceptions—Stone quarry, sand, gravel or clay pits.
- 24.74.024 Special exceptions—Platted lots separated by an alley.
- 24.74.025 Special exceptions—Off-street parking requirements for designated “Landmarks” or “Landmark Districts.”
- 24.74.026 Special exceptions—Uses permitted within buildings designated as “Landmarks.”
- 24.74.027 Special exceptions—Artist’s studio/dwelling.
- 24.74.028 Special exceptions—Nonschool uses of school buildings.
- 24.74.030 Variances.
- 24.74.040 Applications.
- 24.74.050 Repealed.
- 24.74.060 Repealed.
- 24.74.070 Repealed.
- 24.74.080 Repealed.
- 24.74.090 Repealed.
- 24.74.100 Repealed.
- 24.74.110 Repealed.
- 24.74.120 Repealed.
- 24.74.130 Appeal of decisions and limitation on applications.

**24.74.010 Conditional uses.**

In specific cases the Director may authorize a conditional use if it is found that the authorizing of such conditional use will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located, and that the authorization of such conditional use will be consistent with the spirit and purpose of this

subtitle. In considering application for conditional uses, the Director shall consider the nature and condition of all adjacent uses and structures. In authorizing a conditional use, the Director may impose requirements and conditions, in addition to those expressly set forth in this subtitle with respect to location, installation, construction, maintenance and operation and extent of open spaces as may be deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

(Ord. 109737 § 60, 1981; Ord. 102290 § 26, 1973; Ord. 97499 § 6, 1969; Ord. 96372 § 2, 1968; Ord. 96252 § 7, 1967; Ord. 94970 § 3, 1960; Ord. 92998 § 2, 1964; Ord. 88920 § 4, 1960; Ord. 86300 § 28.1, 1957.)

**24.74.020 Special exceptions—Generally.**

In specific cases and subject to the considerations stipulated in Section 24.74.010, the Director may authorize special exceptions as set forth in Sections 24.74.021 through 24.74.027.<sup>1</sup>

(Ord. 109737 § 61(part), 1981; Ord. 109155 § 21, 1980; Ord. 109126 § 55, 1980; Ord. 107109 § 11, 1978; Ord. 106952 § 1, 1977; Ord. 106595 § 1, 1977; Ord. 105513 § 1, 1976; Ord. 102290 § 27, 1973; Ord. 86300 § 28.20, 1957.)

1. Editor’s Note: Provisions on special exceptions set out by Ord. 109737 in Sections 24.74.020 through 24.74.027 (Ord. 86300 §§ 28.20 – 28.27) take the place of special exceptions provisions formerly set out in Section 24.74.020 (Ord. 86300 § 28.2); legislative history for Ord. 86300 § 28.2 has been transferred only to current Section 24.74.020 (Ord. 86300 § 28.20).

**24.74.021 Special exceptions—Height limits.**

A. Industrial Structures. An industrial structure which by reason of its intended use requires exceptional height may be authorized; provided, however, that all such structures or portions of structures above the otherwise applicable height limit shall not occupy more than twenty-five percent of the lot area and shall be distant forty feet or more from every lot line not a street line, and, when within airport areas, shall not be inconsistent with the intent and purpose of Section 24.62.030.

B. Vertical Extension and Existing Buildings. Vertical extension of a building to the height shown by the original plans may be authorized,

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provided such building was actually designed and constructed to carry the additional stories and provided further that the building existed upon the effective date of this ordinance.<sup>1</sup>

C. Base Structures. Base structures may be authorized in the RMV 200 Zone in excess of four feet but not to exceed twenty feet above lot grade where topography and/or the nature of surrounding improvements justify a greater height.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.21, 1957.)

1. Editor's Note: Ord. 109737 became effective on April 30, 1981.

**24.74.022 Special exceptions—Temporary uses.**

A. A temporary use of premises in any zone not involving the erection of any permanent structure may be authorized by the Director by a revocable permit for a period of not more than six months.

B. A temporary use of premises in any zone not involving the erection of any permanent structure for the express purpose of sheltering the construction of boat-building projects by noncommercial home hobbyists may be authorized by the Director by a revocable permit for not more than one year except that, upon annual review, the Director may extend the permit annually for not to exceed four additional years. Such structures, though temporary, shall be sturdy enough to withstand inclement weather conditions and shall not detract from the general appearance of the neighborhood. Conditions for allowing such a permit, and the annual review of same, may be imposed in the discretion of the Director.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.22, 1957.)

**24.74.023 Special exceptions—Stone quarry, sand, gravel or clay pits.**

The use of premises in any zone for the excavation of stone, sand, gravel, clay or other natural deposits may be authorized by the Director for a period of one year, subject to the following provisions:

Plans for such excavations shall consist of two copies of a topographic map, with cross-sections as are necessary to show adequately the topography of the property in question and its

relation to streets, alleys, and surrounding property, together with two copies of a similar map showing the extent of the proposed excavation and the contours of the ground after the removal of the material. A copy of each map shall be submitted to the Director of Engineering who shall report his findings to the Director. Before authorizing such use, the Director shall determine whether the proposed excavation will interfere with logical future development of the tract for building or other purposes, and whether it will depreciate the value of nearby property. Authorization of such shall be subject to the posting by the applicant with the city of a performance bond of not less than Five Thousand Dollars (\$5,000.00) guaranteeing conformance with finished grades indicated by the approved plan.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.23, 1957.)

**24.74.024 Special exceptions—Platted lots separated by an alley.**

Platted lots within the same block and same zone, but separated by a public alley, may be authorized by the Director as a single building site for purposes of calculating the number of dwelling units permitted in a structure to be erected on one side of the alley, subject to the following requirements:

A. Each portion of the property shall abut a minimum one hundred feet upon the alley;

B. The two portions of the property shall be directly opposite for a distance representing at least fifty percent of the width of the portion of the property not to be occupied by the proposed building;

C. The portion of the property not occupied by the building shall not be sold, segregated or used for building purposes so long as the building remains on the portion of property on the opposite side of the alley.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.24, 1957.)

**24.74.025 Special exceptions—Off-street parking requirements for designated "Landmarks" or "Landmark Districts."**

The Director may reduce or waive the minimum accessory off-street parking requirements of Chapter 24.64 with respect to a "Landmark" or "Landmark District" designated as such

pursuant to the Landmarks Preservation Ordinance (106348);<sup>1</sup> provided, that in making any such reduction or waiver, the Director shall be guided by parking needs and policies in the surrounding area.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.25, 1957.)

1. Editor's Note: The Landmarks Preservation Ordinance is codified in Chapter 25.12 of this Code.

**24.74.026 Special exceptions—Uses permitted within buildings designated as “Landmarks.”**

The Director may authorize a use not otherwise permitted in the zone within a building designated as a “Landmark,” pursuant to the Landmarks Preservation Ordinance (106348),<sup>1</sup> subject to the following requirements:

A. Such use shall be compatible with the existing design and/or construction of the building without significant alteration; and

B. Such use shall be allowed only when it is demonstrated that uses permitted by the zone are impractical because of the building design and/or that no such permitted use can provide adequate financial support necessary to sustain the “Landmark” in a reasonably good physical condition; and

C. Such use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.26, 1957.)

1. Editor's Note: The Landmarks Preservation Ordinance is codified in Chapter 25.12 of this Code.

**24.74.027 Special exceptions—Artist’s studio/dwelling.**

In any M or I Zone, notwithstanding the prohibition of new dwelling units other than for a watchman or caretaker, a combination working studio and living quarters for an artist may be authorized by revocable permit for a period of not more than two years, renewable by the Director upon the showing to his satisfaction that the occupant continues to be a bona fide working artist, and subject to the following conditions:

A. The nature of the artist’s work shall be such that there is a genuine need for the space involved;

B. The nature of the artist’s work shall be similar to the types of uses permitted in the zone.

(Ord. 109737 § 61(part), 1981: Ord. 86300 § 28.27, 1957.)

**24.74.028 Special exceptions—Nonschool uses of school buildings.**

In specific cases and subject to the considerations in Section 24.74.010 and the School Use Advisory Committee’s recommendations the Community Development Director, or the Hearing Examiner on appeal, may authorize a use not otherwise permitted in a zone within an existing or former public school building by promulgating school use criteria. Such criteria shall be developed pursuant to rules promulgated by the Department of Community Development, and shall be used by the Director of Construction and Land Use to grant or deny use permits as provided in Chapter 24.10 or other permits that may be necessary. School use criteria may differentiate between shared uses (in an operating public school) and re-uses (in a closed public school building). However, if the school building has been demolished, use of the site shall be as otherwise provided in that zone. School use criteria shall be developed to enhance and facilitate the following purposes:

A. To increase the economic feasibility of continued operation of the public school;

B. In a specific school building, to establish conditions for nonschool use which are designed to minimize and mitigate any adverse impacts, including changes in parking demand, of such use on the health and safety of the neighborhood;

C. To maintain buildings and school properties in such condition that they may revert to school use; and

D. To increase the range of community and social services, and educational, cultural, social and housing opportunities.

(Ord. 109737 § 62, 1981: Ord. 109084 § 4, 1980: Ord. 86300 § 28.28, 1957.)

**24.74.030 Variances.**

A. In specific cases the Director may authorize variances from the provisions or requirements of this subtitle which will not be contrary to the public interest; but only where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict

application of the provisions or requirements of this subtitle would cause undue and unnecessary hardship. No variance shall be granted to permit the establishment of a use otherwise prohibited in the zone in which the property concerned is located, and applications for such variance shall not be accepted for filing. No variance from the provisions or requirements of this subtitle shall be authorized by the Director unless all of the following facts and conditions are found to exist:

1. Because of unique conditions applicable to subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this subtitle will deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and

2. The contemplated grant of variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and

3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and

4. The authorization of such variance will not adversely affect the Comprehensive Plan of Seattle.

B. In authorizing a variance, the Director may attach thereto such conditions regarding the location, character and other features of a proposed structure or use as may be deemed necessary to carry out the spirit and purposes of this subtitle and in the public interest. A variance so authorized shall become void after the expiration of one year, or longer period of specified at the time of action by the Director, if no building permit has been issued in accordance with the plans for which such variance was authorized, except that the Director may extend the period of variance authorization upon a determination that there has been no basic change in pertinent conditions surrounding the property at the time of original approval. (Ord. 109737 § 63, 1981; Ord. 102290 § 28, 1973; Ord. 86300 § 28.3, 1957.)

#### 24.74.040 Applications.

A. Applications for conditional uses, variances, and special exceptions under this subtitle and sign variances, petitions to revoke sign variances, and time extensions for nonconforming signs under Ordinance 90138<sup>1</sup> shall be filed with the Director in accordance with the procedures established by the Master Use Permit Ordinance (109438)<sup>2</sup> and may be made by any property owner, tenant, authorized agent or any government office, department, board or bureau affected and shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee, as described in the Permit Fee Ordinance,<sup>3</sup> to defray the cost of processing such application. The Director may authorize a refund of such fee or portion thereof when the application is occasioned by an error or omission on the part of the city or when the application is withdrawn.

B. On receipt of an application for special exception for nonschool use of an existing or former public school building, the Community Development Director shall convene a School Use Advisory Committee to secure the comments of the public and make recommendations for school use criteria. The Committee shall operate pursuant to rules promulgated by the Department of Community Development. The committee shall consist of the following:

1. A representative of the city, selected by the Community Development Director, to act as chairperson;

2. A representative of the Seattle School District, or if the building is no longer owned by the Seattle School District, a representative of the building owner;

3. Two persons residing or owning property within three hundred feet of the school site, selected by community organization(s) as designated by the Community Development Director;

4. A representative of the PTSA or parents' group, selected by the organization, if "joint use" (both public school classrooms and nonschool uses) is contemplated by the application; or a representative of the neighborhood, selected by community organization(s) as designated by the Community Development Director, if joint use is not contemplated by the application;

5. A representative of the neighborhood,

selected by the Community Development Director; and

6. A representative at large selected by the Joint Advisory Commission on Education (JACE). (Ord. 109737 § 64, 1981: Ord. 107448 § 3, 1978: Ord. 106015 § 4, 1976: Ord. 105433 § 3, 1976: Ord. 103294 § 1, 1974: Ord. 102290 § 29, 1973: Ord. 86300 § 28.4, 1957.)

- 1. Editor's Note: Ord. 90138 is codified in Chapter 24.80 of this Code.
- 2. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.
- 3. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

**24.74.050 Report of Director.**  
Repealed by Ordinance 109737.

**24.74.060 Notice of Hearing Examiner's hearing.**  
Repealed by Ordinance 109737.

**24.74.070 Hearing before Hearing Examiner.**  
Repealed by Ordinance 109737.

**24.74.080 Appeal to the Board of Adjustment.**  
Repealed by Ordinance 109737.

**24.74.090 Notice of Board hearing.**  
Repealed by Ordinance 109737.

**24.74.100 Board appeal limited.**  
Repealed by Ordinance 109737.

**24.74.110 Board consideration.**  
Repealed by Ordinance 109737.

**24.74.120 Board decisions.**  
Repealed by Ordinance 109737.

**24.74.130 Appeal of decisions and limitation on applications.**

The Director's decision to grant, grant with conditions or deny an application for a conditional use, variance or special exception shall be subject to an appeal to the Hearing Examiner pursuant to the provisions of the Master Use Permit Ordinance (109438).<sup>1</sup> The decision of the Director, if not appealed, or of the Hearing Examiner upon appeal, shall be final. No application for a conditional use, variance,

special exception or decision relating to signs under Ordinance 90138<sup>2</sup> shall again be considered by the Director where substantially the same application has been denied by the Director, or Hearing Examiner upon appeal, within the twelve-month period immediately preceding the filing of the new application. (Ord. 109737 § 66, 1981: Ord. 102290 § 38, 1973: Ord. 86300 § 28.55, 1957.)

- 1. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.
- 2. Ord. 90138 is codified in Chapter 24.80 of this Code.

1981 updates to the Seattle Municipal Code As adopted in 1980 For current SMC, contact the Office of the City Clerk

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Zoning Cross-Reference Table

This table provides the user with the disposition of the sections of Zoning Ordinance 86300. Thus, Section 2.1 of Ordinance 86300 appears in this Code as Section 24.06.020. The information was derived from Ordinance 86300, as published on June 24, 1957, and its amendments.

The designation "Rx" used in this table means "repealed by."

Ord. 86300 Section	Herein
1	24.06.010
2.1	24.06.020
2.21	24.06.030
2.22	24.06.040
2.23	24.06.050
2.24	24.06.060
2.3	24.06.070
2.4	24.06.080
2.5	24.06.090
3.01	24.08.010
3.02	24.08.020
3.03	24.08.030
3.04	24.08.040
3.05	24.08.050
3.06	24.08.060
3.07	24.08.070
3.08	24.08.080
3.09	24.08.090
3.10	24.08.100
3.11	24.08.110
3.12	24.08.120
3.13	24.08.130
3.14	24.08.140
3.15	24.08.150
3.16	24.08.160
3.17	24.08.170
3.18	24.08.180
3.19	24.08.190
3.20	24.08.200
3.21	24.08.210
3.22	24.08.220
3.23	24.08.230
3.24	24.08.240
3.25	24.08.250
3.26	24.08.260
3.27	24.08.270
4.10	24.12.010
4.11	24.12.020
4.12	24.12.030
4.13	24.12.040
4.21	24.12.050

Ord. 86300 Section	Herein
4.22	24.12.060
5.1	24.14.010
5.2	24.14.020
5.31	24.14.030
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64.250	25.40	24.10.030
64.260	25.41	24.10.040
64.270	25.42	24.10.050
64.280	25.43	24.10.060
66.010	25.44	24.10.070
66.020	25.45	24.10.080
66.030	25.46	24.10.090
66.040	26.1	24.70.010
66.050	26.2	Rx 109737
66.060	26.21	Rx 109737
66.070	26.22	Rx 109737
66.080	26.23	Rx 109737
66.090	26.3	24.70.060
66.100	26.4	24.70.070
66.110	27.1	24.72.010
66.120	27.11	24.72.020
66.130	27.12	24.72.030
66.140	27.2	24.72.040
66.150	27.3	24.72.050
68.010	27.4	Rx 109126, 109155
68.020	27.41	24.72.070
68.030	27.5	24.72.080
68.040	27.51	24.72.090
68.050	27.6	24.72.100
68.060	27.7	24.72.110
68.070	27.8	24.72.120
68.080	27.81	24.72.130
68.100	27.82	24.72.140
68.110	27.83	24.72.150
68.120	27.84	24.72.160,
68.130		24.72.170
68.140	28.1	24.74.010
68.150	28.2	24.74.020-24.74.027
68.160	28.20	24.74.020
68.170	28.21	24.74.021
68.180	28.22	24.74.022
68.190	28.23	24.74.023
68.250	28.24	24.74.024
68.260	28.25	24.74.025
68.270	28.26	24.74.026
68.280	28.27	24.74.027
68.290	28.28	24.74.028
68.300	28.3	24.74.030
68.310	28.4	24.74.040
68.320	28.41	Rx 109737

Ord. 86300	Herein
Section	Section
28.42	Rx 109737
28.43	Rx 109737
28.5	Rx 109737
28.51	Rx 109737
28.52	Rx 109737
28.53	Rx 109737
28.54	Rx 109737
28.55	24.74.130
29	Severability headnote
30	24.10.100
30.1	24.10.110

1981 update to the  
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ZONING MAPS

Including Changes made by Ordinances through  
Ordinance No. 110109, passed September 8, 1981,  
with the exception of maps changed by  
Ordinances 110033 and 110109.

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Map



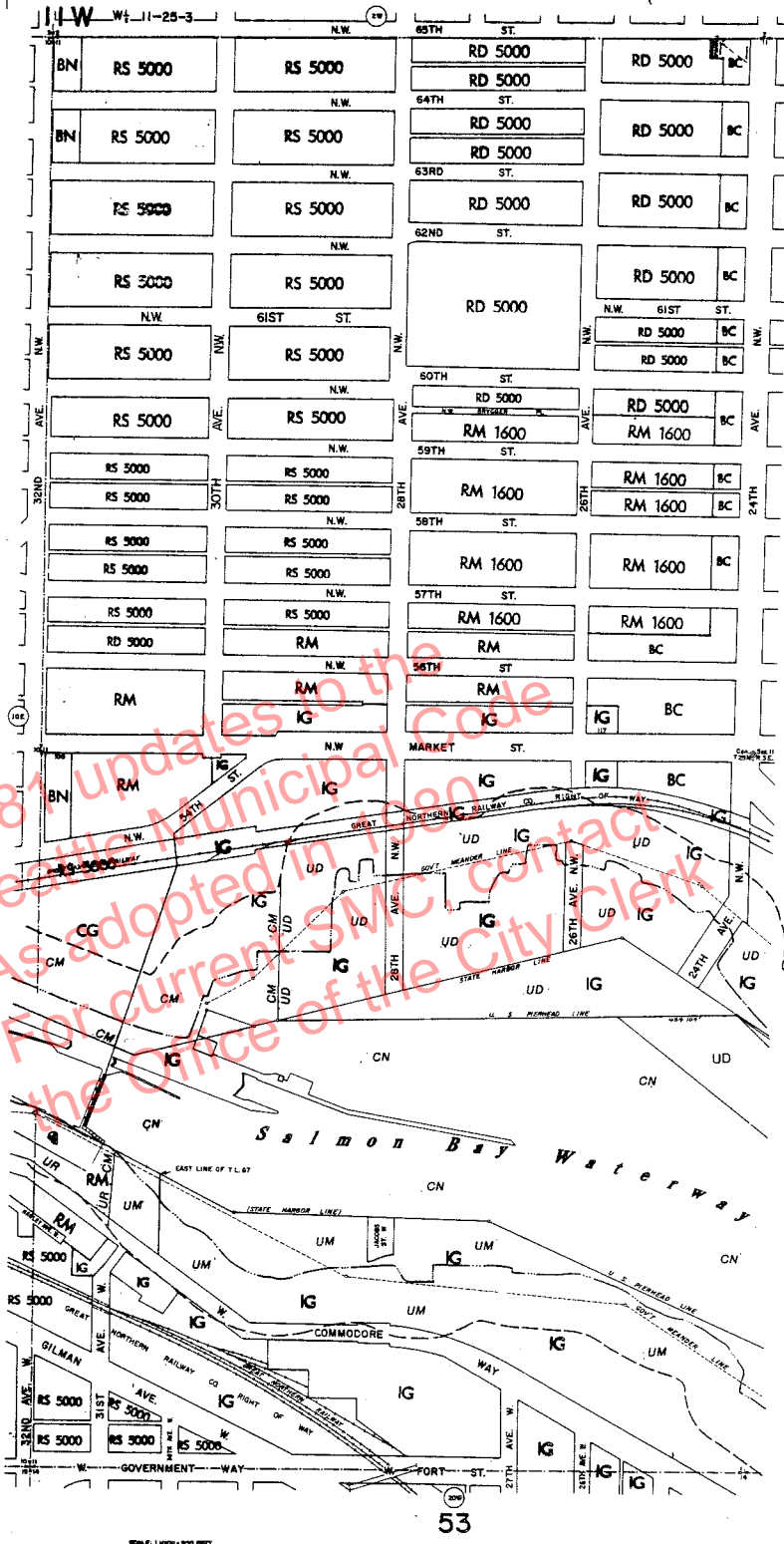
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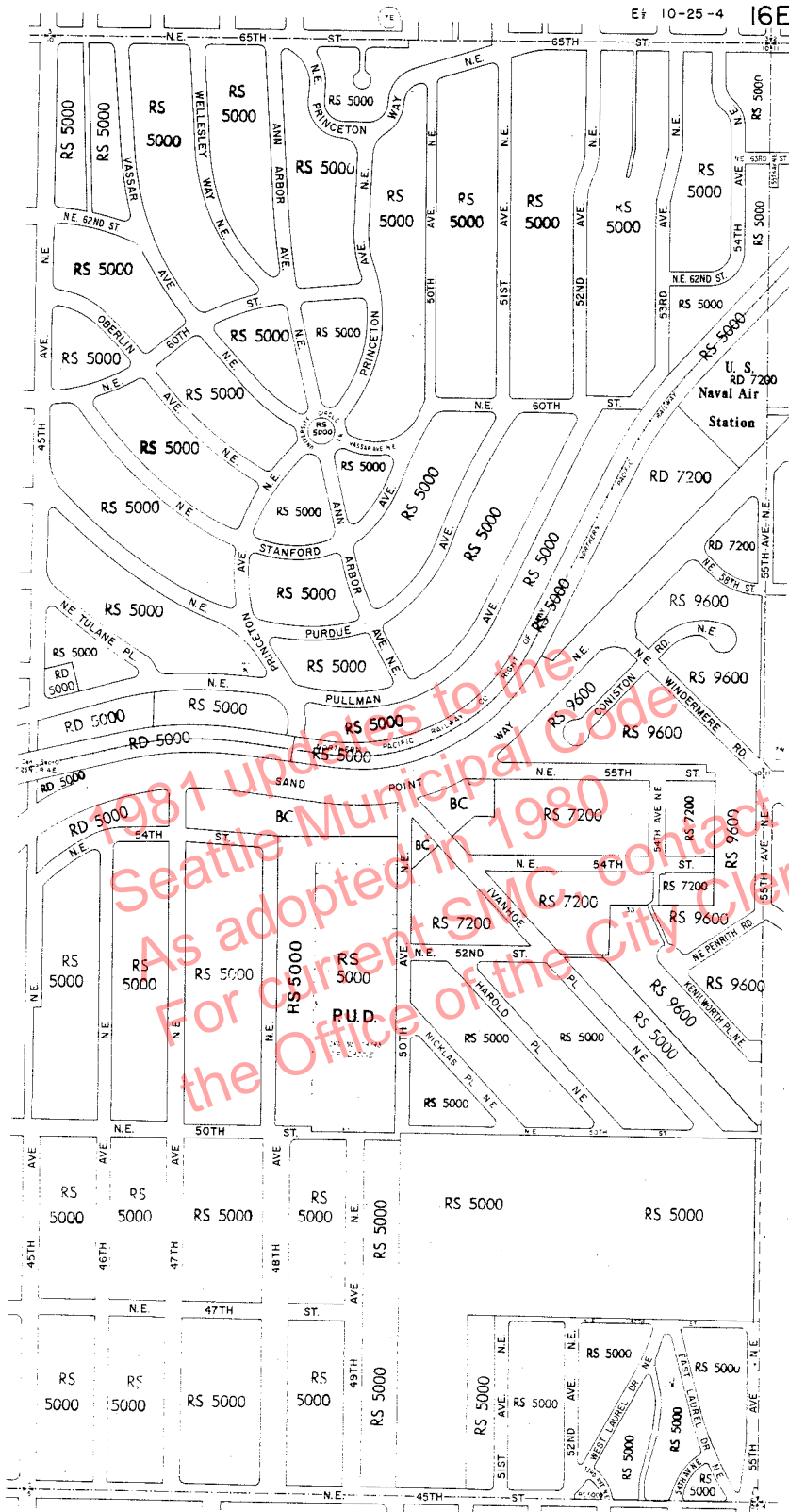
# ZONING AND SUBDIVISIONS

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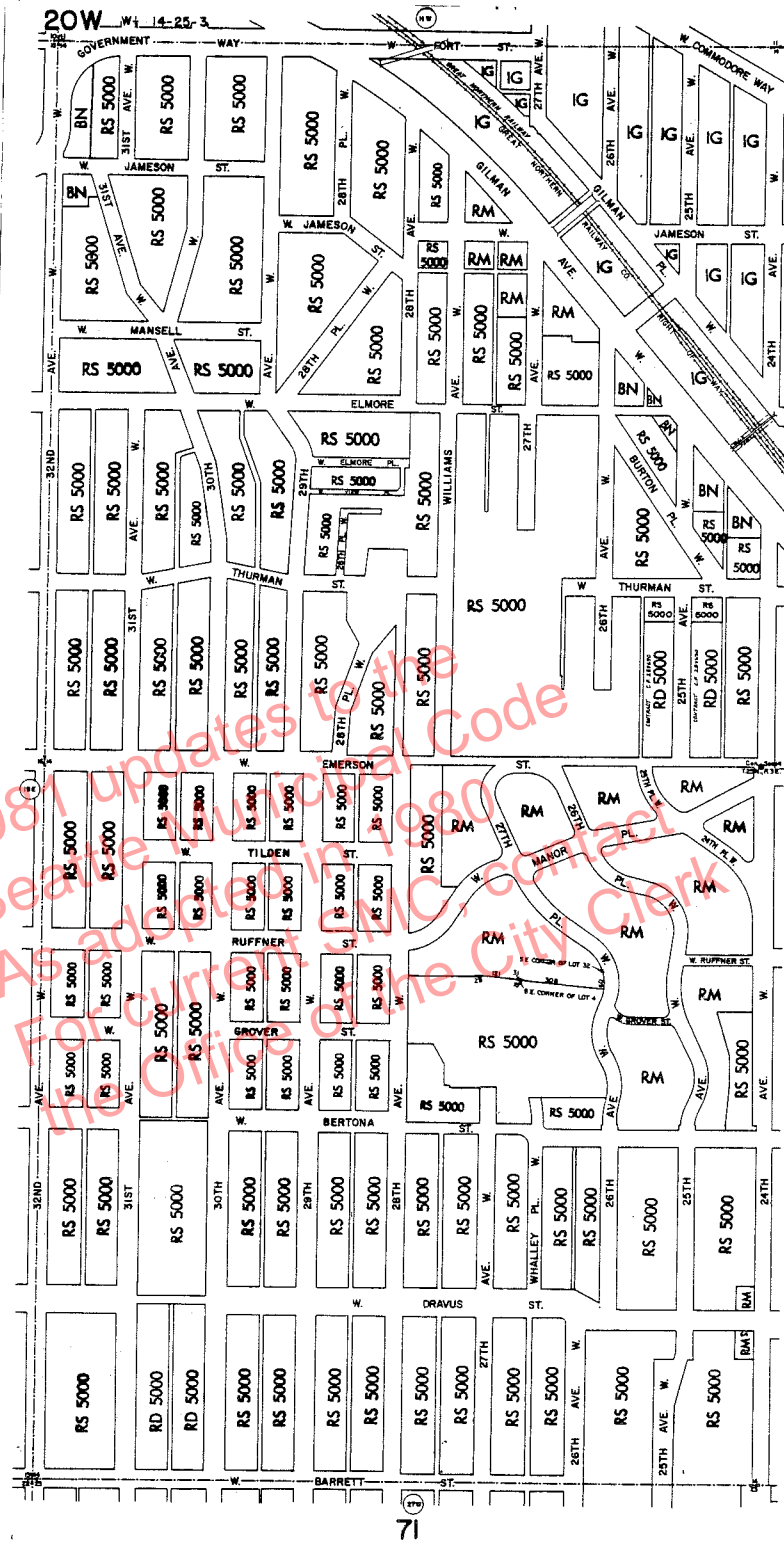
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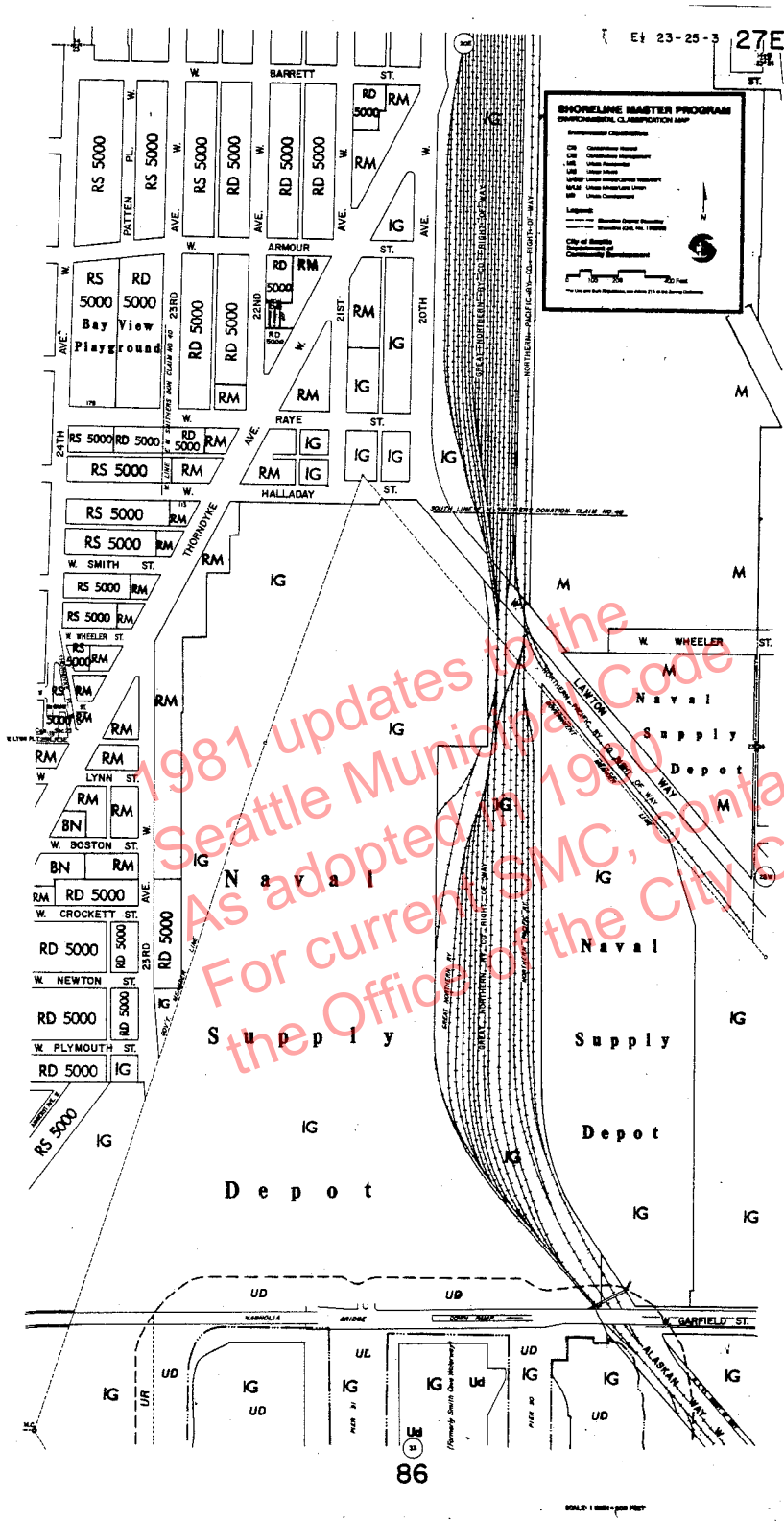
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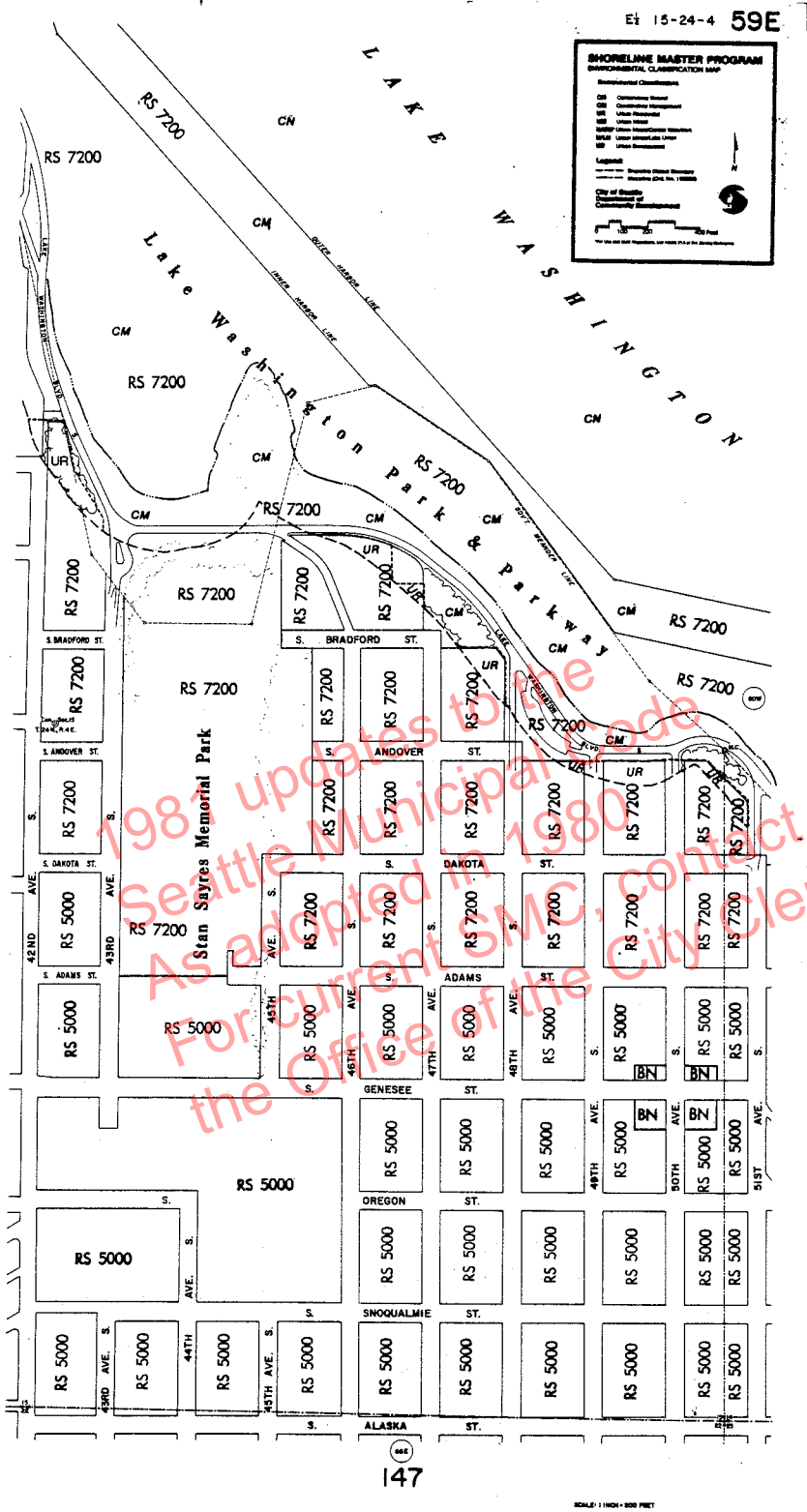
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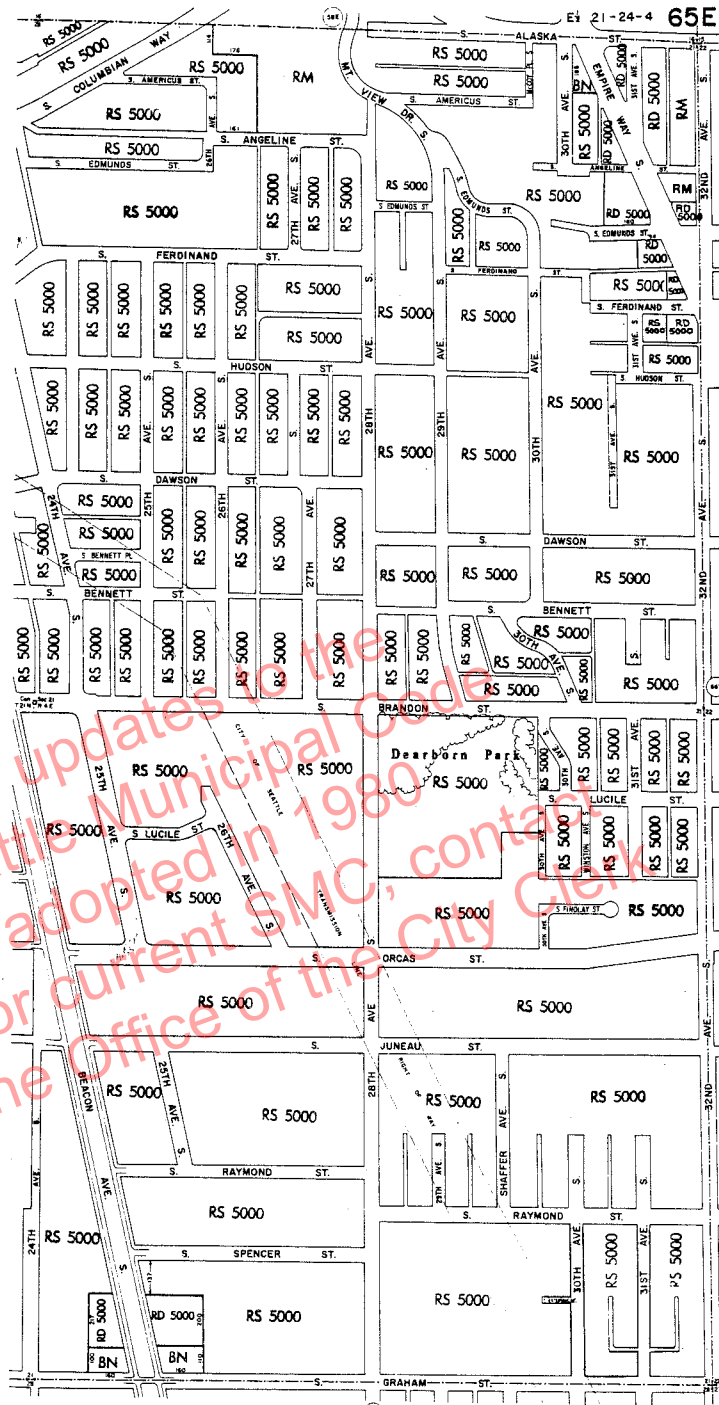
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# ZONING AND SUBDIVISIONS

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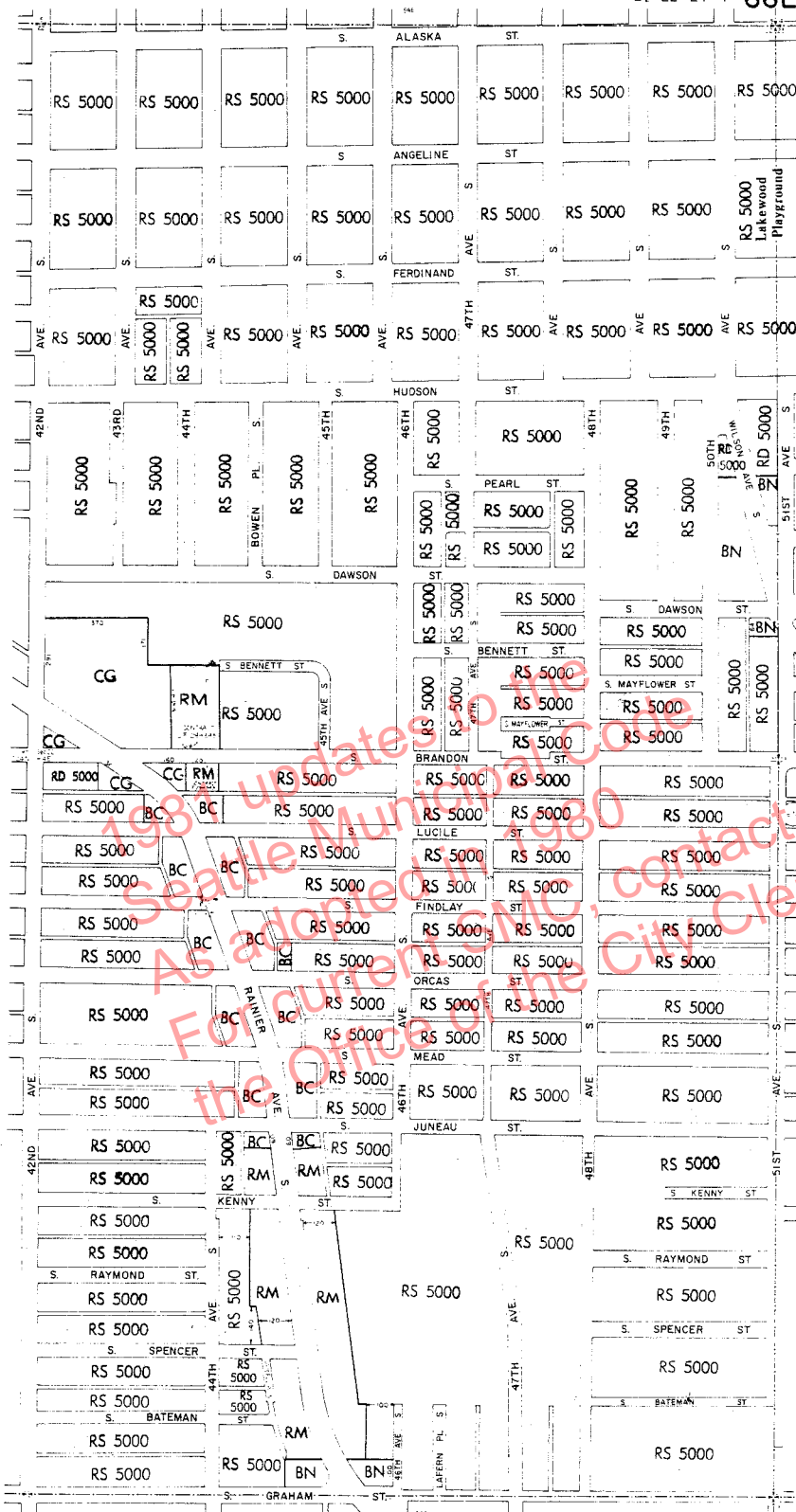
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SCALE: 1" = 100' = 300 FEET

E: 22-24-4 66E



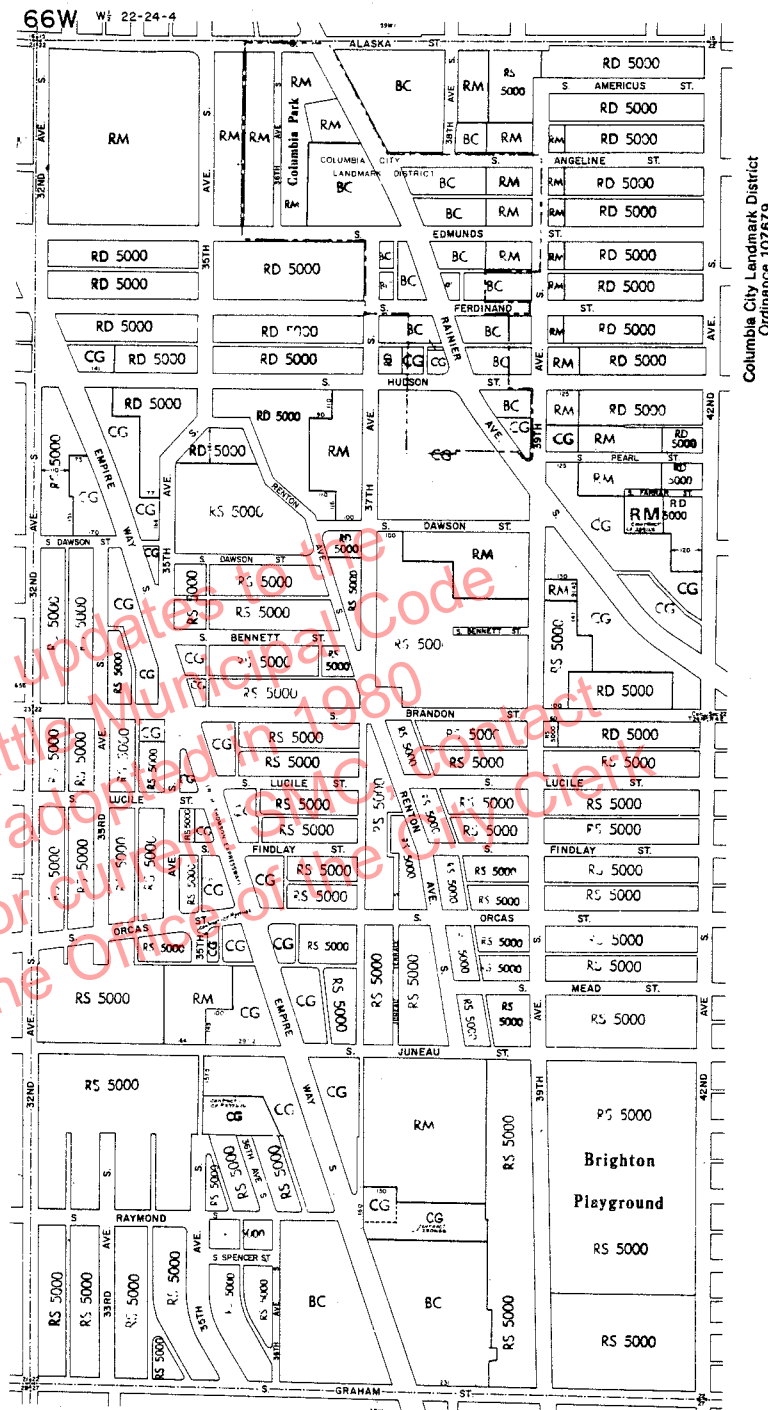
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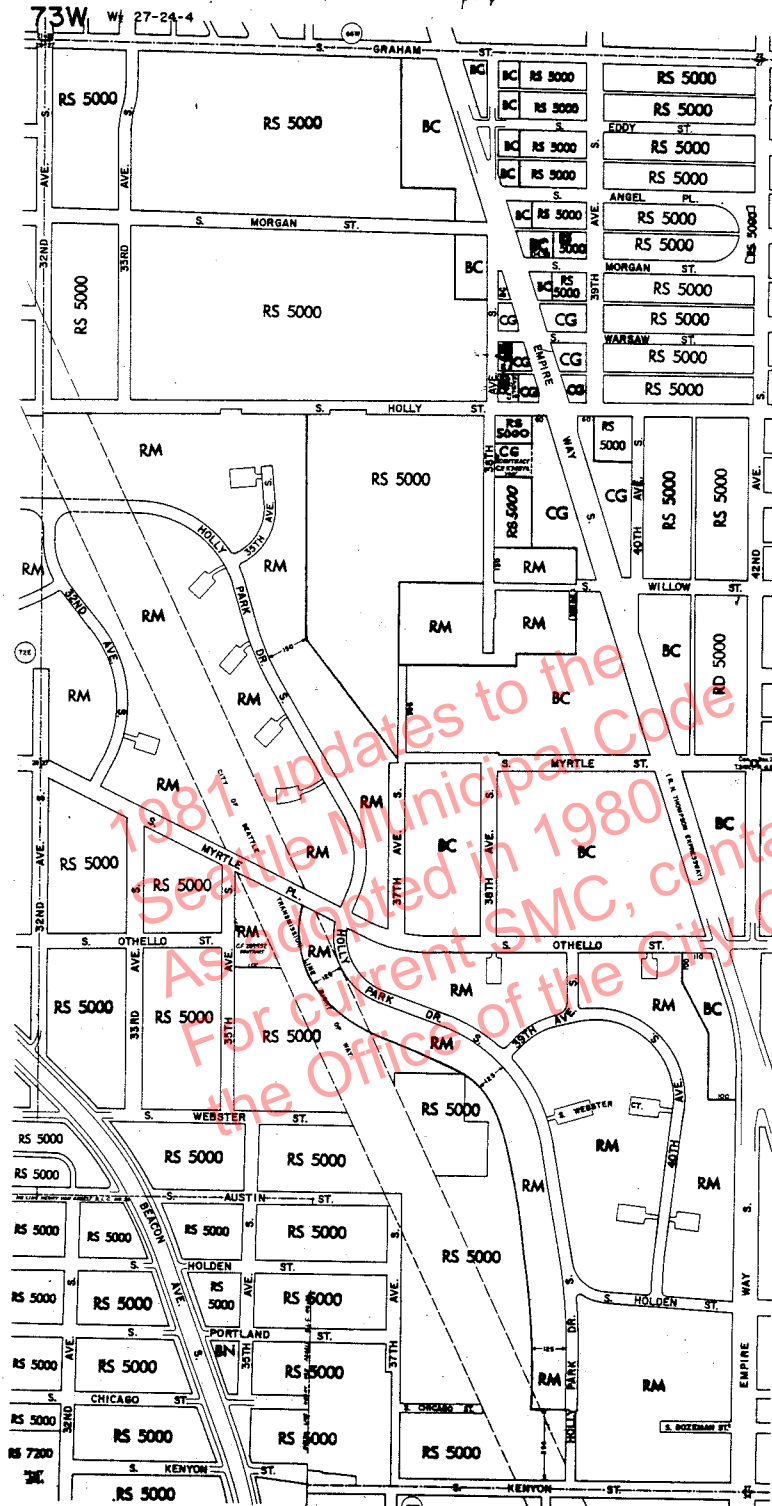


SCALE 1"=100' 0.00 FEET



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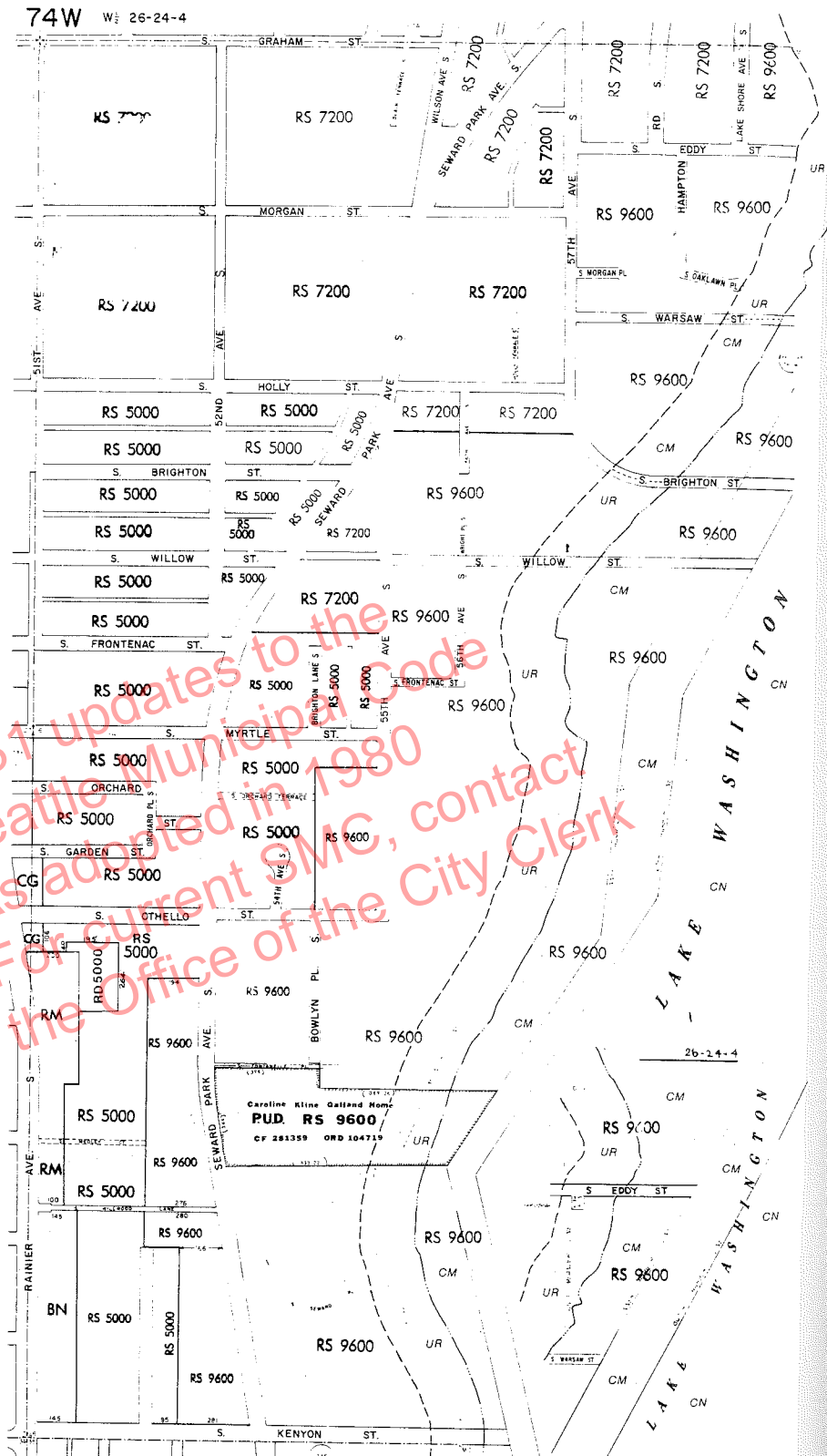


Columbia City Landmark District  
Ordinance 107679

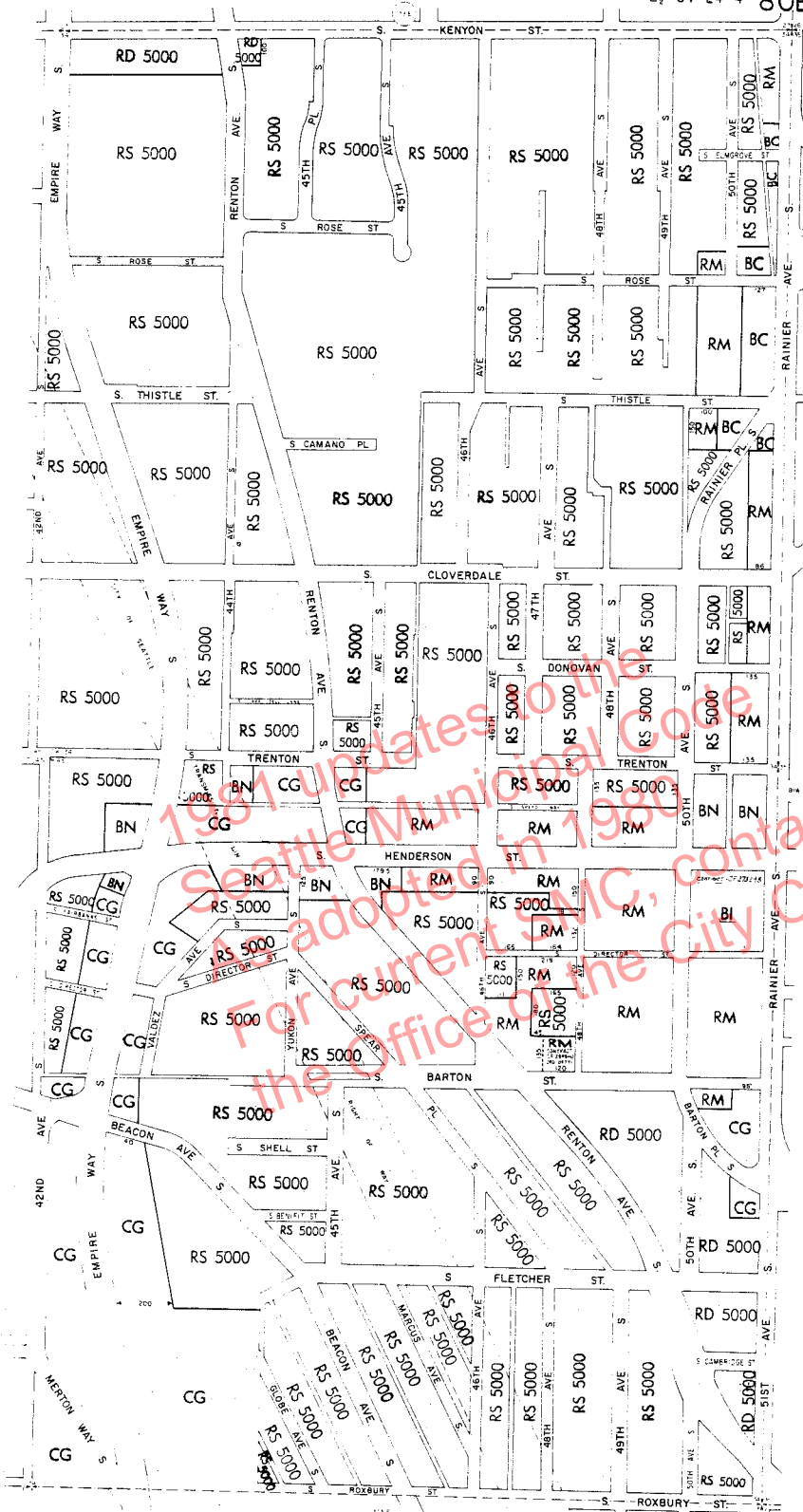
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For current SMC, contact  
the Office of the City Clerk



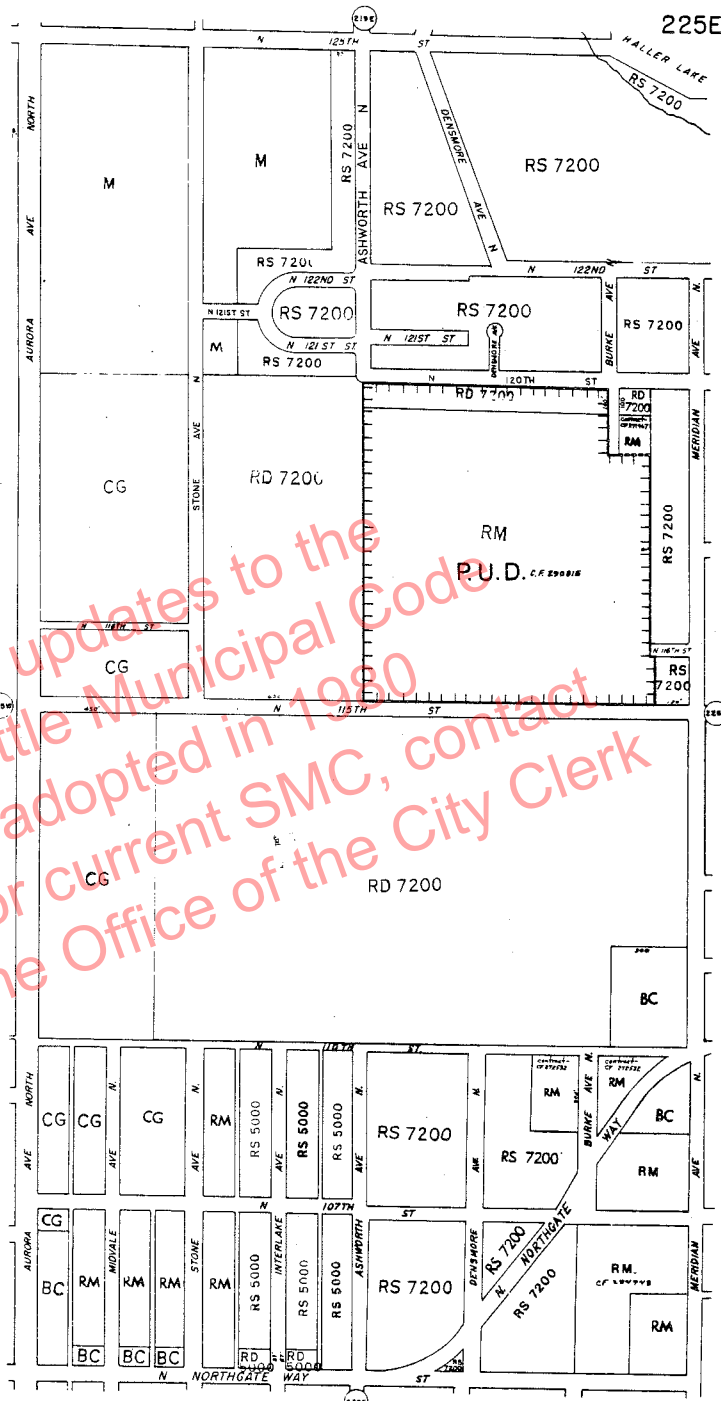
**LEGEND**

- RS 9600--  
Single Family Residence  
Low Density Zone.
- RS 7200--  
Single Family Residence  
Medium Density Zone.
- RS 5000--  
Single Family Residence  
High Density Zone.
- RW--  
Residence Waterfront  
Zone.
- RD 7200--  
Duplex Residence Me-  
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- RD 5000--  
Duplex Residence High  
Density Zone.
- RM 1600--  
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- RM--  
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- RMV 200--  
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- RMV 150--  
Multiple Residence High-  
est Density Variable  
Height Zone.
- RM-MD--  
Multiple Residence-  
Mixed Density Zone.
- BN--  
Neighborhood Business  
Zone.
- BI--  
Intermediate Business  
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- BC--  
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- BM--  
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- CM--  
Metropolitan Commercial  
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- CMT--  
Metropolitan Commercial  
Zone Temporary.
- CG--  
General Commercial  
Zone.
- M--  
Manufacturing Zone.
- IG--  
General Industrial Zone.
- IH--  
Heavy Industrial Zone.

# ZONING AND SUBDIVISIONS

## LEGEND

- RS 9600-  
Single Family Residence  
Low Density Zone.
- RS 7200-  
Single Family Residence  
Medium Density Zone.
- RS 5000-  
Single Family Residence  
High Density Zone.
- RW-  
Residence Waterfront  
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- RD 7200-  
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- IG-  
General Industrial Zone.
- IH-  
Heavy Industrial Zone.



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Subtitle II Miscellaneous Land Use Provisions

Chapter 24.80

ADVERTISING AND BUSINESS SIGNS ADJACENT TO CERTAIN PUBLIC HIGHWAYS

Sections:

- 24.80.020 Definitions.
- 24.80.070 Sign variances.
- 24.80.080 Nonconforming signs—Conformance or removal.
- 24.80.090 Nonconforming signs—Alteration—Maintenance.
- 24.80.100 Notice to repair or remove sign.
- 24.80.110 Application procedures.

24.80.020 Definitions.

The following words and terms used in this chapter, in addition to their ordinary meaning, shall mean and include the following:

1. "Abandoned business sign" means any business sign which is located on property which becomes vacant or unoccupied for a period of ninety days or more, or which was erected for an occupant or business unrelated to the present occupant or business, or which pertains to a time, event or purpose which no longer obtains.
2. "Advertising sign" means any sign, structure or device that is intended for advertising purposes, or on which letters, figures or pictorial matter are displayed, or are intended to be displayed, for advertising purposes, except a business sign or real estate sign.
3. (Reserved.)
4. "Business sign" means a sign, structure or device identifying the premises upon which it is located, or an occupant of the premises, or relating to goods or services manufactured, produced or available on the premises.
5. "Control of access" means the condition where the right of owners or occupants of abutting land or other persons to access, light, air or view in connection with a public street is fully or partially controlled by public authority.
6. "Control of access, full" means the condition where the authority to control access is exercised to give preference to through traffic by providing access connections with selected public streets only and by prohibiting

crossings at grade and direct driveway connections.

7. "Control of access, partial" means the condition where the authority to control access is exercised to give preference to through traffic to a degree that, in addition to access connections with selected public streets, there may be some crossings at grade and some direct connections.

8. "Double-faced sign" means a sign which has two display surfaces in approximately parallel planes backed against each other or against the same background, one face of which is designed to be seen from one direction and the other from the opposite direction.

9. "Entrance ramp" means any public road or turning roadway including acceleration lanes by which traffic enters the main traveled way of a limited access facility from the general street system; such designation applying to that portion of the roadway along which there is full control of access.

10. "Erect" means to place, construct, build, install, raise, attach, relocate, substantially alter, enlarge, suspend, post, paint, maintain or display; but not to repair, clean or change the message on the surface of a sign face designed for use with changeable copy.

11. "Exit ramp" means any public road or turning roadway including deceleration lanes by which traffic leaves the main traveled way of a freeway to reach the general street system within the city; such designation applying to that portion of the roadway along which there is full control of access.

12. "Expressway" means a divided arterial street for through traffic with full or partial control of access and generally with grade separations at intersections.

13. "Face of a building" means the elevation of a building as measured on flat projection from any side, excluding the roof and excluding any chimney, stack, structure or mechanical equipment on the roof.

14. "Flashing or moving sign" means any sign which has any actual or apparent flashing or moving, rotating or revolving parts actuated by electric, electronic, kinetic or mechanical devices or by wind currents and shall include but not be limited to banners, pennants, flags, balloons, ribbons, streamers, spinners, strings of light bulbs, and signs which change or appear to change color or light intensity.

15. "Freestanding sign" means any business sign standing on the ground with or without support braces and not attached to any building.

16. "Freeway" means an expressway with full control of access.

17. "Landscape section" means a section of the right-of-way of a freeway, expressway, parkway or scenic route, at least one side of which is improved by the planting, for other than the sole purpose of soil erosion control, of ornamental trees, shrubs, lawn or other vegetation, or at least one side of which is endowed by nature with native trees and shrubs that are reasonably maintained, and which has been so designated by this chapter.

18. "Multifaced sign" means any sign which has two or more display surfaces and is not a double-faced sign as defined in this section.

19. "Nonconforming sign" means a lawfully erected sign in existence on the effective date of the ordinance codified in this chapter<sup>1</sup> or at the time of any amendments thereto, and which thereafter would be prohibited by the provisions of this chapter.

20. "Parkway" means a thoroughfare located within a park, or including a park-like development and designated as a "parkway."

21. "Real estate sign" means a sign advertising for sale or rent the premises upon which it is located.

22. "Scenic route" means those streets designated by ordinance as scenic routes.

23. "Scenic view section" means a section of the traveled way of a freeway, expressway, parkway, or scenic route the daily traffic along which includes a large number of motorists entering, passing through or leaving the city and from which there is a view of scenic beauty or historical significance, or of an array of urban features or natural prospects, or of a public park, or of lakes, bays, mountains, the harbor or the city skyline, and which has been so designated by this chapter.

24. "Sign" means any medium including its structure and component parts which is used or is intended to be used out of doors to attract attention to the subject matter for advertising, identification or informative purposes.

25. "Sign variance" means a modification of the regulations of this chapter authorized by the Director of Construction and Land Use where, owing to special circumstances and

conditions pertaining to a sign, a less literal interpretation or strict application of the provisions and requirements of this chapter would be justifiable under certain criteria established by this chapter.

26. "Traveled way" means the paved portion of a freeway, expressway, parkway and their entrance or exit ramps, or scenic route, exclusive of shoulders, used for the movement of vehicles.

27. "Visible" means capable of being seen (whether or not legible) without visual aid by persons of normal visual acuity.

(Ord. 109754 § 7, 1981; Ord. 97025 § 2, 1968; Ord. 94586 § 2, 1966; Ord. 90138 § 2, 1961.)

1. Editor's Note: Ord. 109754 became effective on April 30, 1981; Ord. 90138 became effective on May 3, 1961.

#### 24.80.070 Sign variances.

A. Upon written application and payment of a filing fee as described in the Permit Fee Ordinance,<sup>1</sup> the Director of Construction and Land Use (herein "Director") is authorized to issue sign variances in the following instances, but only when the issuance of such sign variance is within the intent and purposes of this chapter and will not be contrary to the public interest, detrimental to the public welfare or safety, injurious to property in the vicinity, and will not make difficult the viewing and comprehending by motorists and pedestrians of official or nonconforming signs, or increase the density of signs along a designated landscaped and/or scenic view section to an extent tending to constitute a hazard to traffic safety or a detriment to the appearance of the neighborhood, or impinge upon a view of scenic interest:

1. Business signs composed of letters, numbers or designs individually painted or mounted directly on a building and measured by totalling the areas contained in the least rectangle enclosing all portions of each letter, number or design;

2. Business signs on a building which extend not more than twelve feet in height above the face of the building, provided that the maximum permitted area of such signs, except for oil company service station signs, shall be reduced by fifty percent;

3. Time, temperature and/or stock index recording devices as part of a business sign;

4. Business signs on a building face of five thousand square feet or more the area of

which exceeds two hundred fifty square feet but which in no case exceeds five percent of the face of the building;

5. Freestanding business signs on the same premises with business signs on the face of a building and not subject to being added together and limited to the area permitted on the face of the building as provided in Section 24.80.060, where such freestanding signs are more than one hundred feet from the face of the building and from each other, or where the business engaged in is outdoor merchandising and the grounds of the premises are more significant to the business than any structures on the premises;

6. Business signs of such increased height as may be necessary to provide reasonable identification to a business whose existing signs are obscured by subsequent construction, landscaping or natural vegetation;

7. Business signs of such increased area as may be necessary to incorporate such sign as an architectural element of a building;

8. Existing nonconforming advertising or business signs visible from but not primarily oriented to the traveled way of a designated landscaped and/or scenic view section;

9. New advertising signs or business signs which do not conform to the provisions of this chapter which are to be erected at an elevation significantly lower than the grade of the traveled way of a designated landscaped and/or scenic view section and visible therefrom, but to be primarily oriented to a roadway other than such designated section.

B. No sign variance shall be authorized for signs which flash or move, except for time, temperature and stock index recording devices. The Director may attach such conditions regarding the location, character, color and other features of the sign as the Director may deem necessary in the public interest to carry out the intent and purposes of this chapter. Sign variances authorized by the Director shall become void after the expiration of two years if no building permit has been issued in accordance with the plans for which such variance was authorized. Any sign variance granted under this chapter may be revoked by order of the Director when it is shown by satisfactory proof that:

1. The application for the sign variance contained any material misrepresentation of fact; or

2. The special conditions and circumstances originally justifying the granting of a sign

variance have changed or terminated in which case the sign shall be considered nonconforming. It shall be unlawful for the owner or lessee of the sign or the owner or operator of the premises upon which said sign is located to fail to remove such sign within thirty days after revocation of the sign variance, except where the sign becomes nonconforming.

(Ord. 109754 § 8, 1981; Ord. 106001 § 1, 1976; Ord. 103382 § 1, 1974; Ord. 97025 § 6, 1968; Ord. 90138 § 3-B, 1961.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

#### 24.80.080 Nonconforming signs— Conformance or removal.

All nonconforming signs shall either be made to conform with the provisions of this chapter or be removed within three years of the date such signs became or become nonconforming, and it shall be unlawful for the owner or lessee of such sign or the owner or operator of the premises upon which such sign is located to fail to remove such sign after said period of time has expired. The Director, upon written application therefor and payment of a filing fee as described in the Permit Fee Ordinance,<sup>1</sup> may extend the time for removal of such nonconforming signs for a period not to exceed an additional seven years upon finding that:

A. The extension of time will not be unduly detrimental to the intent and purposes of this chapter as set forth in Section 24.80.010; and

B. There is a substantial unamortized investment in the sign made prior to the effective date of any ordinance which would prohibit the erection of such sign; or

C. Construction or related activity on the proposed highways, or the Pike Plaza Redevelopment Project designated in Section 24.80.030, or other proposed redevelopment projects along the east side of the Alaskan Freeway from Union Street to South Connecticut Street, is not scheduled to begin for six or more months, provided that in such case the time extension shall not exceed the actual or anticipated delay. (Ord. 109754 § 9(part), 1981; Ord. 106001 § 2(part), 1976; Ord. 103382 § 2(part), 1974; Ord. 97456 § 1(part), 1969; Ord. 97025 § 7(part), 1968; Ord. 94586 § 5(part), 1966; Ord. 90138 § 4.1, 1961.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

**24.80.090 Nonconforming signs—Alteration—Maintenance.**

No nonconforming sign shall be in any manner altered, reconstructed or moved without being made to comply in all respects with the provisions of this chapter, provided that nothing herein shall prohibit the normal maintenance or repair of any nonconforming sign where no major structural alterations are made, nor the painting or repainting of the face thereof, nor the changing of the message on the surface of the sign face on signs designed for changeable copy. The cost of such maintenance, repair, painting or message changing shall not be cause for a request for an additional period of time to recover such costs. All business and advertising signs shall be maintained in a safe, presentable condition, including replacement of defective parts, painting, repainting, cleaning and other acts required to maintain the sign. All abandoned business signs shall be removed.

(Ord. 109754 § 9(part), 1981: Ord. 109125 § 5 (part), 1980: Ord. 106001 § 2(part), 1976: Ord. 103382 § 2(part), 1974: Ord. 97456 § 1(part), 1969: Ord. 97025 § 7(part), 1968: Ord. 94586 § 5(part), 1966: Ord. 90138 § 4.2, 1961.)

**24.80.100 Notice to repair or remove sign.**

From time to time, the Director of Construction and Land Use shall cause to be mailed to the owners of property upon which abandoned signs or signs in need of repair are located, notice of the existence of such sign, its non-compliance with the provisions of this chapter and the time within which the sign must be repaired or removed. At least sixty days before the termination of the period of time allowed for removal of nonconforming signs, the Director of Construction and Land Use shall cause to be mailed to the owners of property upon which a nonconforming sign is located notice of the existence of such sign and the time within which the sign must be made to conform or be removed. The mailing of such notice shall constitute a convenience to the owner, and the failure to give such notice or to receive the same shall in no way impair the enforcement of this chapter. It shall be unlawful for the owner or lessee of such sign or the owner or operator of the premises upon which such sign is located to fail to repair, conform or remove such sign within sixty days after such notification.

(Ord. 109754 § 9(part), 1981: Ord. 109125 § 5

(part), 1980: Ord. 106001 § 2(part), 1976: Ord. 103382 § 2(part), 1974: Ord. 97456 § 1(part), 1969: Ord. 97025 § 7(part), 1968: Ord. 94586 § 5(part), 1966: Ord. 90138 § 4.3, 1961.)

**24.80.110 Application procedures.**

Applications for sign variances, petitions to revoke sign variances, and the time extensions for nonconforming signs shall be filed with the Director of Construction and Land Use. Notices, public comment periods and procedures for appeal of the Director's decision on such applications shall be accomplished in the manner provided for master use permit applications by the applicable provisions of the Master Use Permit Ordinance (109438).<sup>1</sup> (Ord. 109754 § 10, 1981: Ord. 103382 § 3, 1974: Ord. 90138 § 4-A, 1961.)

1. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.

**Chapter 24.84**

**MASTER USE PERMITS**

**Sections:**

- 24.84.030 Definitions.
- 24.84.060 Notice of application.
- 24.84.065 Notice of projects subject to environmental review.
- 24.84.090 Master use permit review criteria.
- 24.84.120 Right of appeal.

**24.84.030 Definitions.**

A. "Department" is the Department of Construction and Land Use.

B. "Director" is the Director of the Department of Construction and Land Use.

C. "Downtown" is that area bounded by Denny Way on the north, the Interstate 5 freeway on the east, S. Royal Brougham Way on the south, and Elliot Bay on the west.

D. "General mailed release" is an informational mailing to the individuals or groups on a master mailing list as may be established by the Department.

E. "Large sign" is a sign four feet by eight feet constructed of a durable material.

F. "Mailed notice" for the downtown area projects is notice mailed to owners, lessees, and

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building managers on the project site and to property owners and building managers within three hundred feet of the subject property. Downtown projects shall also post two placards at each of the four intersections around a project site whenever "mailed notice" is required.

2. "Mailed notice" for all other areas of the city is notice mailed to all property owners, commercial lessees, and all residents of the area

within three hundred feet of the boundaries of the subject property.

For these purposes the real property tax roll as issued annually on microfiche by the County Comptroller and the addresses listed in the latest edition of Polk's Directory or its successor publication shall be used.

G. "Master use application" is the application required to be completed for the following components:

1. Land Use Approvals

Section No.

Temporary (3-week) use	27.74.020-24.74.028
New use or change of use	24.10.020
Shoreline substantial development, shoreline variance, shoreline conditional use	24.60.295
Variations	24.74.030
	24.80.070, 24.80.080
	108508, § 4927 <sup>1</sup>
Administrative conditional use	24.74.010
Special exception	24.74.020-24.74.028
Short subdivision	24.98.050
Certain street use decisions:	
All curb cuts (driveways)	15.04.010
Additional on-street parking	15.04.010
New proposals for structural building overhangs and areaways	15.04.010
New proposals for sidewalk cafes	15.16.010
All street landscaping associated with development proposals	15.04.010

2. Construction Approvals

(limited to compliance with Ordinance 105735 as amended and Ordinance 107678 as amended)<sup>1</sup>

Building	22.106.010
Demolition	22.106.010
Grading	22.804.030

H. "Master use permit" is the document issued to an applicant which records all Department decisions on a master use application. (Ord. 109833 § 1, 1981; Ord. 109438 § 3, 1980.)

notification of the decision may submit such comments in writing within fourteen days of the posting of notice, provided that, the public comment period for any application which includes a shoreline development approval shall be thirty days.

1. Editor's Note: Ord. 108508 is not set out in the Seattle Municipal Code.

B. Notice of the application shall be provided by the Director in the following manner:

24.84.060 Notice of application.

A. The Director shall provide notice of receipt of the application. Said notice shall include a statement that any interested person who desires to submit comments on the application or who requests

1. Short Plat. Four placards on or near site;

2. Variance, Administrative Conditional Use, Special Exceptions, Sidewalk Cafes, Building Overhangs, Areaways.

- a. Mailed notice,
  - b. General mailed release,
  - c. Four placards posted on or near site;
3. Substantial Development Permit, Shoreline Variances, Shoreline Conditional Use.
- a. Publish notice in city official newspaper, once each week for two consecutive weeks,
  - b. General mailed release,
  - c. Four placards posted on or near site.

C. Where a master use permit application includes one or more of the above, notice requirements shall be consolidated with the broadest applicable notice requirements imposed.  
(Ord. 109833 § 2, 1981: Ord. 109438 § 6, 1980.)

**24.84.065 Notice of projects subject to environmental review.**

For projects subject to environmental review, notice shall be included in a general mailed release and a large sign shall be posted on the site fourteen days prior to a threshold determination of significance or non-significance provided that when it is only interior remodeling or when it is only the location of a project, i.e., in an environmentally sensitive area or over water, that subjects it to environmental review, these provisions shall not apply.  
(Ord. 109833 § 3, 1981: Ord. 109438 § 6A, 1980.)

**24.84.090 Master use permit review criteria.**

The Director shall grant, deny, or condition approval of a master use permit based on the applicant's compliance with SEPA and with the substantive requirements established for a component in existing ordinances, provided that the Director's review of and action upon construction approvals shall be limited to environmental compliance. When an environmental impact statement has been required, the master use permit shall not be issued prior to seven days from the issuance of the final environmental impact statement.  
(Ord. 109833 § 4, 1981: Ord. 109438 § 10, 1980.)

**24.84.120 Right of appeal.**

Except as specified herein, all appealable

decisions of the Director on a master use permit shall be subject to only one consolidated appeal to the Hearing Examiner by any interested person or group.

B. Appeal of the Director's decision to issue, condition, or deny a shoreline substantial development permit, shoreline variance, or shoreline conditional use as a part of the master use permit decision must be filed by the appellant with the Shoreline Hearings Board in accordance with the provisions of the Shoreline Management Act of 1971 (RCW Chapter 90.58) and the rules established under its authority (WAC 173-14).

(Ord. 109833 § 5, 1981: Ord. 109438 § 12, 1980.)

**Subtitle III Subdivisions**

**Chapter 24.98**

**SUBDIVISIONS**

**Sections:**

**24.98.070 Short subdivision procedure— Notice.**

**24.98.080 Short plat procedure— Administrative determination— Approval and filing.**

**24.98.090 Short subdivision procedure— Appeal to City Hearing Examiner.**

**24.98.070 Short subdivision procedure— Notice.**

The Administrator shall give notice of an application for a short subdivision pursuant to the notice provisions of the Master Use Permit Ordinance (109438).<sup>1</sup>  
(Ord. 109754 § 13(part); 1981: Ord. 105636 § 7, 1976.)

1. Editor's Note: The Master Use Permit Ordinance is codified in Chapter 24.84 of this Code.

**24.98.080 Short plat procedure— Administrative determination— Approval and filing.**

A. The Administrator shall after conferring with appropriate officials, determine whether:

- 1. The proposed lots conform to the Comprehensive Plan and Zoning Ordinance<sup>1</sup> provisions;

For current SMC Code updates to the Seattle Municipal Code, contact the Office of the City Clerk.

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## Title 25

ENVIRONMENTAL PROTECTION AND  
HISTORIC PRESERVATION

## Chapter 25.04

## ENVIRONMENTAL POLICY

## Sections:

## Subchapter I SEPA Guidelines

- 25.04.130 Public awareness of Final  
Declarations of Nonsignificance  
(DNS).
- 25.04.160 Public awareness of draft and  
final EIS.
- 25.04.190 Substantive authority to  
condition or deny proposals.
- 25.04.200 Appeal to the Hearing Examiner.
- 25.04.210 Appeal to the City Council.

## Subchapter III City Policies

- 25.04.580 Housing.

## Subchapter I SEPA Guidelines

- 25.04.130 Public awareness of Final  
Declarations of Nonsignificance  
(DNS).

Notice of Final Declarations of Nonsignifi-  
cance shall be provided as follows:

A. The SEPA Public Information Center shall  
maintain a "Final Declaration of Nonsignificance  
Register" which shall contain a listing of all final  
DNSs. The register shall be maintained and used  
in accordance with the provisions of Section  
20.04.170.

B. The information in the register or update  
thereof, along with notice of the right to appeal  
a final DNS in accordance with Section  
25.04.200 shall be published once every week in  
the city official newspaper. In addition, notice  
of a final DNS and notice of the right to appeal  
a final DNS in accordance with Section  
25.04.200, shall be submitted in a timely  
manner to at least one community newspaper  
with distribution in the area impacted by the  
proposal for which the final DNS was adopted,  
and shall be posted in a conspicuous place in the  
Department of Construction and Land Use.  
(Ord. 109754 § 14(part), 1981: Ord. 107501  
§ 6, 1978: Ord. 105735 § 13, 1976.)

2. The proposed lots are served with  
adequate means of access for vehicles, utilities,  
fire protection, drainage, water supply and  
means of sanitary sewerage disposal;

3. The public use and interest will be  
served by permitting the proposed division of  
land.

B. If the Administrator determines that the  
requirements of this section are met, or may be  
met upon compliance with specified conditions,  
he shall inform the applicant in writing of his  
decision to approve the application and the  
conditions of his approval, if any, and may  
return the proposed short plat to the applicant  
for modification or correction. When the  
Administrator has determined that (1) the short  
plat contains the certificates and statements of  
approval required by state law and this chapter,  
and (2) the short plat and all legal descriptions  
are technically correct, the short plat shall, after  
expiration of the appeal period referenced in  
Section 24.98.090, be filed for record with the  
County Auditor. No short plat or short subdivi-  
sion granted approval by the Administrator  
after July 1, 1974 shall be deemed to have  
final approval until so filed.

C. If the short subdivision contains a pro-  
posed dedication, the Administrator shall refer  
the matter to the Director of Engineering for  
report and recommendation. The Administrator  
shall then transmit the proposed short plat to  
the Council together with his recommendation,  
and the recommendation of the Director of  
Engineering. In the event of Council approval by  
ordinance, the Administrator shall file said short  
plat with the County Auditor and deliver one  
copy to the Director of Engineering.  
(Ord. 109754 § 13(part), 1981: Ord. 105636  
§ 8, 1976.)

1. Editor's Note: The Zoning Ordinance is codified in Subtitle I  
of this Title.

**24.98.090 Short subdivision procedure—  
Appeal to City Hearing Examiner.**

Any person aggrieved by the decision of the  
Administrator to approve or disapprove a pro-  
posed short subdivision may appeal the decision  
to the City Hearing Examiner pursuant to the  
appeal provisions of the Master Use Permit Ordi-  
nance (109438).<sup>1</sup>  
(Ord. 109754 § 13(part), 1981: Ord. 105636 §  
9, 1976.)

1. Editor's Note: The Master Use Permit Ordinance is codified  
in Chapter 24.84 of this Code.