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Summary Report
On
Seattle's Land Use Code
For
Single Family Residential Areas

February, 1981

Discussion Draft

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INTRODUCTION

This Discussion Draft of the Land Use Code for Single Family Residential Areas is Seattle's first step to enact zoning regulations which carry out the intent of our newly adopted Land Use Policy Catalog. Although this Discussion Draft represents a major revision effort, in a way it is still a small step. The new policies for different land uses are being developed one at a time, and zoning language is to be formulated after each policy is adopted. This allows work to begin immediately on new zoning language. It will also allow future policy development to take into consideration what is learned during the drafting of the initial sections of the Land use Code. Later sections of the Land Use Code will benefit greatly from the feedback and experience gained in drafting earlier sections. As a result, this Discussion Draft only covers single family residential areas. The Multi-Family Land Use Policies are scheduled for adoption by the City Council within the next couple of months. Land Use Code language which implements them will be circulated in late Summer. Other sections, Commercial, Business, Downtown, Open Space, Manufacturing and Industrial will follow in future months.

This sequential process of rewriting the City's Land Use Code will present some complex situations to be overcome as the transition from the old Zoning Code to the new Land Use Code takes place. During this transition period, applicants and City personnel must use both Codes to address a variety of uses.

City Departments responsible for developing as well as administering the changing Code have been working closely together to identify and anticipate problems resulting from this transition. This will insure a workable Code throughout the transition and ultimately a new Land Use Code which will better address citizens' concerns and changing land use needs.

A copy of the Single Family Residential Area Policies (Attachment A) is enclosed to assist you in the review process.

FORMAT

Prior to summarizing the substantive sections of the draft Land Use Code, special attention should be directed to the format. The organization or format, used to present the text of the Single Family Land Use regulations is an important element of the Land Use Code which reflects a major concern that the Code be understandable

and user-oriented. Two research papers prepared and circulated last year evaluated a number of formats and recommended that Seattle use a "catalog" format. The "catalog" format is essentially a referencing system which enables a land use document to easily accommodate modification, community diversity, a variety of techniques for land use regulation, and the intent of present and future land use policy. It should significantly lessen the need for extensive technical knowledge or expertise to locate information in the Code. A citizen desiring information about a parcel of land or a specific land use should be able to find all applicable regulations with a minimum of effort.

The catalog format divides provisions of the Land Use Code into eight separate sections as follows:

- I. Preface and Maps:

Establishes a title for the document, lists the zones and special districts in the City, and other legal language necessary for the Ordinance. Includes a map of City zones.
- II. Land Use Zones:

Presents the City's basic land use policy categories, policies, uses allowed, and development standards of the zone (height, lot, size, etc.).
- III. Special Districts:

Identifies geographic areas of the City where special conditions exist in addition to basic zoning requirements.
- IV. Measurements:

Explains the use and calculation of the measurements required in the catalog (height, lot coverage, yards, etc.).
- V. Exceptions for certain Site and structural Features:

Presents a table which lists the physical property characteristics and architectural features for which basic development standards can be modified. Includes specific provisions for those modifications.
- VI. Uses:

Provides in chart form an alphabetical listing of the City's land uses. Specific reference to a land use and where it is permitted.

VII. Administration and Procedures:

All administrative and procedural requirements of the catalog common to all zones and uses.

VIII. Definitions:

An alphabetical listing of the defined land use regulatory terms used in the Code.

The remainder of this report provides a summary of the rationale behind each section of the Single Family Residential Area Land Use Code. Because the Land Use Code is based on new policies, few attempts are made to compare the substance of these sections with their counterparts in the current City Zoning Code. Instead, this discussion should be used as a general guide to reviewing the Code text, pointing out the most important elements for closer attention.

PREFACE AND MAPS

This Subtitle generally serves the same purpose as the "Mapped Zones" and "Purpose and Scope" sections of the current Zoning Code. It establishes the zones and special districts which are needed to carry out the intent of the land use policies.

There are two significant additions to this Subtitle which should be noted. The first is the establishment of Special Districts as well as zones in order to better coordinate the regulation of land use in Seattle's unique districts with City-wide land use concerns. Secondly, as with other Subtitles of the Land Use Code, actual policy language will be included to allow a more consistent and definite interpretation of land use regulations.

Perhaps, the most important element of this Subtitle is the recommendation that Seattle's existing single family zoning designations remain unchanged.

The Single Family Residential Area Policies are silent on this issue. No direction is provided on the extent to which zoning regulations should distinguish between different types of single family areas. The Department of Community Development position is that Seattle can most readily implement its' policy to "preserve and maintain the physical character of single family residential areas" by continuing the basic pattern of development which has emerged through the use of the RS 9600, RS 7200 and RS 5000 zones. The single family policies also encourage a "diversity in housing opportunities." Rather than addressing this intent through a potentially disruptive change to traditional minimum single family lot sizes, a number of

more subtle changes are recommended for specific provisions which have been unusually restrictive in the past. These changes include a new definition for "lot" provisions for the use and creation of undersized lots, and relaxations of yard requirements for certain non-conforming structures. Discussions of these changes can be found in the Subtitles for Definitions and Exceptions for Certain Site and Structural Features.

There is one exception to the Department of Community Development's (DCD) recommendation which maintains existing single family zoning classifications. The Waterfront Residence zone (RW) need not be retained. The provisions set forth in the RW zone are generally still valid, but they are much more appropriately the focus of the Shoreline Master Program Special District. Provisions of the RW zone which are not already included in the Shorelines regulations will be included in the new Land Use Zones Subtitle in conjunction with their related single family uses.

The Map distributed with the Discussion Draft indicates Single Family Residential Zones only. Other zones will be mapped as their related land use policies are adopted. Many areas which have been zoned as single family or otherwise in the past such as designated greenbelts, parks and playgrounds, have been depicted on this Map as "Open Space." This is to indicate that such area will be treated under the Open Space zone when it is developed later in the Code revision process. Until that time, proposed development in these areas will be reviewed according to the underlying zone provisions. If the underlying zone is single family, these Land Use Code provisions shall apply. If a more intensive zone is involved, the appropriate section of the existing Zoning Code shall apply.

The Map also indicates areas which are proposed for "downzoning" to single family residential areas since they meet the designation criteria set forth in the Single Family Residential Area Policies. The minimum lot size designation for such areas shall be determined based on the existing lot pattern in the area prior to submittal of this proposal to the City Council in March.

LAND USE ZONES (SINGLE FAMILY RESIDENTIAL)

This Subtitle is really the heart of the new catalog format since it will eventually contain all provisions regarding uses allowed in Seattle.

Because so much information regarding the zones and uses allowed in them appears here, a chart is provided as a basic reference tool for the Subtitle.

Uses

The first major change apparent from this chart is that the use provisions apply equally to all single family zones. Bulk provisions are similarly constant for all single family zones. This is consistent with the Single Family Residential Policies since they do not imply that use provisions should vary from one single family zone to another, as in Seattle's current Zoning Code. The important distinction is that the new single family zones will differ only in the minimum lot requirement (9600 square feet, 7200 square feet, or 5000 square feet).

The adopted single family policies which appear in this Subtitle generally state that the types and numbers of non-residential uses in the single family zones will be subject to more stringent restrictions than is now the case.

Translating such policies into zoning language means that some uses allowed in the past will no longer be allowed. Such uses which already exist will become non-conforming uses. The following uses are affected in this manner:

A. Neighborhood Development Project Site Office -

Will no longer be permitted since all such offices have been phased out.

B. Commercial greenhouse (nursery) -

Will no longer be allowed as an administrative conditional use inconsistent with the Single Family Residential Area policies. Expansion of existing commercial greenhouses would occur at the expense of single family residential lots.

C. Riding academies -

Will no longer be permitted since none currently exist and there is no anticipated demand for new facilities of this type.

D. Art galleries and museums -

Will no longer be permitted as Council conditional uses since the location or expansion of such facilities in a single family zone would be inconsistent with the Single Family Residential Area Policies.

The single family policies also state that many uses previously allowed outright in single family zones shall be allowed in the future only through an administrative review process. This change primarily affects a variety of educational, recreational and religious facilities such as churches, schools, and public community centers.

The single family policies are silent on the treatment of accessory uses. A review of the current Zoning Code reveals those accessory uses which are "customarily incidental" to other principal uses. Such accessory uses will continue to be allowed under the same provisions which relate to the principal use except that signs and solar energy collectors will be permitted as an outright use in all cases. This exception is proposed to avoid an involved administrative review process for established conditional uses which want to erect an identification sign (the size of which is limited through other provisions), or for the erection of solar energy collectors.

Development Standards

The Single Family Residential Area Policies strongly emphasize the use of development standards in the Land Use Code to control the impact of uses in the single family zones. At their most basic level, these development standards are simply the collection of lot coverage, height, yards and parking requirements which apply in the zone. However, the Single Family Residential Area Policies state that such development standards shall also be established to address specific uses in the single family areas. In such cases, the development standards will effectively act as the discrete criteria to be used in evaluating proposals for conditional uses. These criteria will vary according to the related uses, but in all cases they will replace the more general criteria currently used to evaluate conditional uses. (Such uses currently must not be in "materially detrimental to the public welfare or injurious to the property in the zone or vicinity.")

The most extensive development standards appear for the categories of institutions and facilities, special residences, and planned residential developments, since these uses were the focus of much attention in the Single Family Residential Area Policies. Separate reports have been prepared to analyze the complex issues related to the regulation of institutions and facilities and special residences in the single family residential zones. Copies of these reports can be obtained by contacting DCD's Zoning Research and Development at 625-4541.

Single Family Residential Area Policies direct that major facilities be allowed only through a conditional use process which culminates with a City Council decision. Development standards designed for nearly all single family zone institutions and facilities will apply through the administrative conditional use process and will effectively limit the size of such uses to be compatible with nearby single family uses. The proposed Multi-Family Land Use policies state that proposed developments which will in effect "create their own environments" be allowed in a single family zone only through a rezoning process (see Multi-Family Policy Number 4). There remains, however, a few public facility uses which, because of a public necessity, should appropriately be allowed to locate in a single family zone without a rezone. Such uses are fire stations, public libraries, or police precinct stations.

Due to the large scale typical of such projects, development standards proposed for less intensive administrative conditional uses would seem irrelevant unless the Council chose to modify them on a case-by-case basis. Another option would be to treat these few Council conditional uses with the guidelines developed in the Multi-Family Land Use Policy Number 19 on Institutions, which are soon to be adopted by the City Council. These guidelines may better handle public facilities of this size.

It should be noted that a Council conditional use process is required of such facilities only if it represents the only Council action to be taken. If the proposal is subject to any other Council decision process (site selection, bonding, etc.), that process shall substitute for the Council conditional use process.

The last sections of the Land Use Zone Subtitle concerns non-conforming uses and structures in single family zones and the criteria to be used in rezoning single family zones to other, presumably more intensive, land use zones. The regulations relating to the continued use of non-conforming structures have been generally relaxed in line with the Single Family Residential Area Policies. Several new distinctions of non-conformity would essentially prevent a structure from modifying only with respect to that development standard with which it did not comply. Modifications pursuant to other development standards would be permitted.

The rezone criteria proposed for the single family Land Use Zones have been inserted from the proposed Multi-Family Land Use Policies

now awaiting City Council adoption. These criteria have the effect of incorporating the Single Family and Multi-Family Land Use Policies designation criteria into the rezone process.

Special Districts

Since this first installment of the Land Use Code concerns only single family residential areas, the Special Districts Subtitle is relatively empty, since most Special Districts contain little, if any single family zoned land. The intent is that this Subtitle would eventually receive the land use regulations for all Special Review Districts, Historical Districts, or Landmark Districts. These provisions would apply in addition to all the basic Land Use Zone provisions and where conflicts arose, the more restrictive regulation would apply. The actual text for the three districts adopted into this Subtitle has not yet been incorporated due to a number of revision efforts which are currently underway. The Shoreline Master Program is in the process of revision and will be incorporated into the Land Use Code when this process is complete. The role of Special Review Districts and other special districts will be re-evaluated in upcoming land use policy revision work. The procedures related to these districts will be the subject of the second phase of the City's Master Use Permit work program. Until work has progressed further on such revision projects, the Special Districts Subtitle will adopt appropriate districts only by reference.

MEASUREMENTS

Subtitle IV is an entirely new section of the Land Use Code. The section is fairly self-explanatory; it describes how to measure such features as parking spaces, height and required yards.

The most important change from current practice involves the manner in which height is calculated. Height has been measured in the past from the "average" elevation of a building site. This has created structures which may actually be much higher than the height limit, as long as its average height is below the height limit. To insure that maximum heights will be no greater than the allowed height limits for a zone, heights will be measured in the future from "existing grade" rather than from "average grade". Each side of a building will be measured separately. The change represents a more accurate way of calculating the true height of a building.

EXCEPTIONS FOR CERTAIN SITE AND STRUCTURAL FEATURES

This section of the catalogue identifies permitted exceptions to the standard bulk and siting requirements for structures. These exceptions affect such features as lot size, front side and rear yard and lot coverage. They allow for certain modifications of architectural features (such as eaves and porches) and for those related to the physical characteristics of the property (such as steep slopes, corner

lots and small lots).

Under the proposed code there are several changes from the exceptions allowed under the present code. Some changes involve clarification of presently permitted exceptions, while others are new, reflecting new City policies. Examples of new provisions include exceptions for height to encourage pitched roofs and modifications for solar collectors, as well as those for yard size to allow for modifications to incorporate solar heating systems. One further change of note details provisions for allowing additional lot coverage by a structure on lots under 5,000 sq. ft. This exists because Single Family Residential Area policy has directed that language be included to permit undersized lots to be developed. Under the present code, restrictions on lot coverage do not encourage the construction of single family residences on small lots. The new provisions will add greater flexibility to those desiring to construct or expand homes on small lots.

ADMINISTRATION AND PROCEDURES

The provisions in this subtitle are scheduled for further revision in the near future. The Master Use Permit process which will be effective on April 30th will address all administrative Land use decisions. The substantive sections of the Master Use Permit Ordinance appear as a section of this subtitle. The second phase of the Master Use Permit project, coordinated by the Department of Construction and Land Use, will concern all other land use decisions, including those requiring City Council action. Procedural revisions to the Land Use Code will be adopted to reflect decisions resulting from the Master Use Permit project.

Definitions

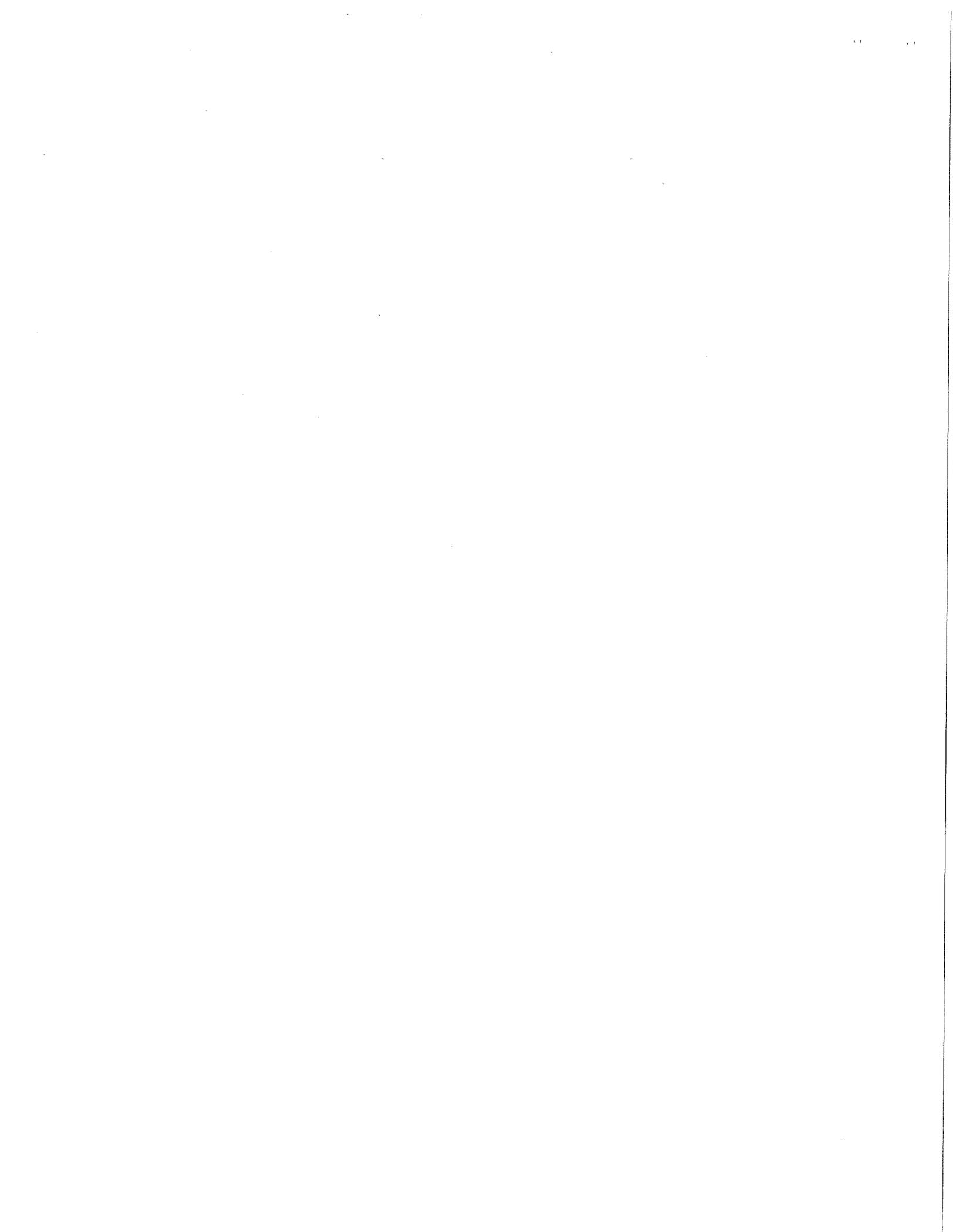
Although this section comes at the end of the Land Use Code, its importance cannot be overemphasized. A major work item of the Land Use Code drafting process was a complete and methodical review of every definition used in the Single and Multi-Family Residential Policies and the current Zoning Code. Many changes were made to insure consistency between these documents and the definitions which appear in this subtitle are intended to supersede all others for land use regulatory purposes.

One of the principal objectives for the revision of definitions was to remove substantive or procedural provisions from definitions wherever possible. These substantive provisions now appear throughout the appropriate sections of the Land Use Code. Because the definitions which now remain are now simply defined terms, rather than additional provisions for a variety of proposals, variances to defined terms are specifically prohibited.

SUPPLEMENTAL REPORTS

During the course of the revision work which went into the Discussion Draft of the Single Family Residential Area Land Use Code, a number of special reports were prepared to address issues requiring a more detailed analysis. Copies of the reports listed below can be obtained by contacting DCD's Zoning Research and Development Section (625-4541) on the second floor of the 400 Yesler Building, Seattle 98104.

1. Proposed Structure for Seattle's New Zoning Code Feb. 1980
2. Discussion Paper and Model for Seattle's New Land Use Code Catalog, June 1980
3. "A Transition Report" August 1980
4. Recommended Performance Standards for Institutions, Facilities, and Special Residences in Single Family Zones, Nov. 1980
5. Special Residences in Single Family Zone, January 1981
6. Institutions and Facilities in Single Family Zones, Jan. 1981



RESOLUTION 25968

A RESOLUTION adopting land use policies for Single Family Residential Areas, the first section of Seattle's Land Use Policy Plan, ~~adopting a Neighborhood Modification Process~~ and establishing the basis for the implementation of policies and their use in discretionary decisions. *Jm*

WHEREAS, Resolution 24282 called for the development of a "Comprehensive Policy Plan" to be based on the Seattle 2000 Commission's Goals for Seattle; and

WHEREAS, Resolution 24975 recognized that the City's Comprehensive Policy Plan should be a practical and useful guide for administration of City activities; address those critical, imminent issues and decisions needed to insure the orderly development and preservation of the City's physical, economic and human resources; and be consistent with the adopted Seattle 2000 Goals; and

WHEREAS, Resolution 24283 adopted goals for the City of Seattle in the year 2000, establishing the basic future directions for the City, and calling for revisions of the City's land use regulations so that they would be consistent with these directions; and

WHEREAS, by Resolution 25533, the City Council adopted Seattle's Growth Policies, further establishing the City's policies for population growth and economic development; and

WHEREAS, the State Environmental Policy Act (SEPA) has provided the City discretion to approve and deny building permits, and required the City to adopt policies in order to exercise that substantive authority; and

WHEREAS, the City's existing Comprehensive Plan is a map illustrating land use designations, transportation corridors and public facility locations, as well as some of the City's general goals, policies and plans; and

WHEREAS, the City's current Comprehensive Plan is deficient because: (1) it does not provide adequate policy guidance for the City to exercise its substantive authority under SEPA, nor for the Hearing Examiner to review zoning decisions, including zoning text amendments, conditional use permits, variances and rezone requests; (2) it is not consistent with the directions established by Seattle 2000 and Seattle's Growth Policies; and (3) it contains public facility and transportation elements which are not consistent with the City's annual Capital Improvement Policy Plan; and

WHEREAS, the City Council and the Mayor intend to replace the City's existing Comprehensive Plan with a comprehensive land use plan, to be known as Seattle's Land Use Policies; and

WHEREAS, there have been numerous meetings and hearings sponsored by the Executive, the City Council, the Planning Commission and citizen and neighborhood organizations during the last eighteen months, at which issues involving Single Family Residential Areas Policies were discussed and debated; and

WHEREAS, the Single Family Residential Areas Policies were the subject of a joint public hearing before the Urban Development and Housing Committee of the Seattle City Council and the Planning Commission on August 10, 1978; and

WHEREAS, the Urban Development and Housing Committee held a second public hearing on February 14, 1979, to receive additional comment on the Single Family Residential Areas Policies; and

WHEREAS, the Urban Development and Housing Committee has held a series of sixteen public meetings during which Committee members discussed and recommended Single Family Residential Areas Policies; Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING:

That

1. The Single Family Residential Areas Policies in Attachment A are adopted, and shall be used to guide the revision of Seattle's Zoning Code (Ordinance 86300), and shall be the basis for all land use decisions not controlled by the Zoning Ordinance, including rezones, the granting or denial of conditional use permits, and variances; and

2. When there is conflict between the Single Family Residential Areas Policies and the existing Comprehensive Plan, the Single Family Residential Areas Policies shall be the City's policy; and

BE IT FURTHER RESOLVED:

That

1. The Executive shall proceed to implement the Single Family Residential Areas Policies by revising the format of the Zoning Ordinance, drafting Zoning Ordinance text changes, preparing amendments to other ordinances as necessary for policies in Attachment A; and

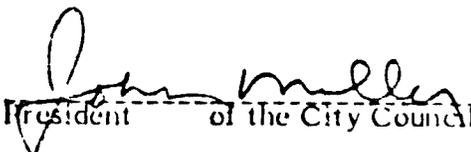
2. The Designation Policies shall be used to identify new zone boundaries after all land use policies are completed; and

3. The revised Zoning Ordinance shall contain provisions for variances and appeals; and

4. The Executive shall submit by June 30, 1979, a schedule for accomplishing these revisions in a timely fashion; and

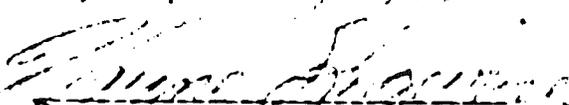
5. The City shall not initiate rezones based on the Single Family Residential Areas Policies until all the sections of the Land Use Policy Plan are adopted;

ADOPTED by the City Council of the City of Seattle the 14 day of May, 1979, and signed by me in open session in authentication of its adoption this 14 day of May, 1979.


President of the City Council

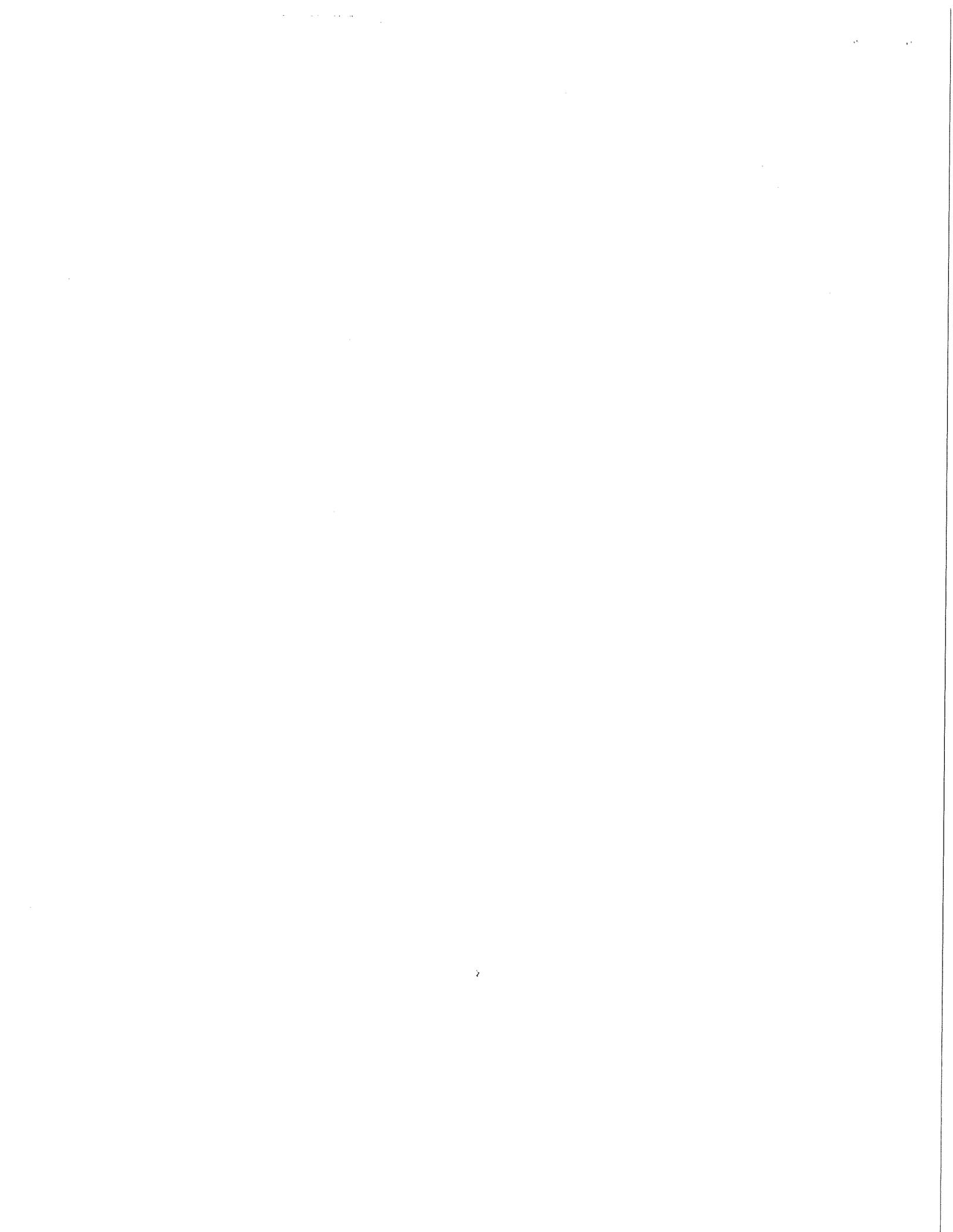
Filed by me this 14 day of May, 1979.

ATTEST: 
City Comptroller and City Clerk

BY: 
Deputy

I CONCUR:

Charles Royer, Mayor



ATTACHMENT A

SEATTLE'S LAND USE POLICIES: SINGLE FAMILY RESIDENTIAL AREAS

SINGLE FAMILY RESIDENTIAL POLICIES

PURPOSE

The purpose of these policies is to preserve and maintain the physical character of Single Family Residential Areas in a way that encourages rehabilitation and provides housing opportunities throughout the City for all residents.

Single Family Residential Areas should contain housing which offers diversity in housing opportunities, including low cost and subsidized housing. Housing provided specifically for low-income people should be dispersed, similar in character to market rate housing in the area and in conformance with the goals of Seattle's Housing Assistance Plan.

AREA DESIGNATION POLICY

POLICY INTENT: It is the responsibility of the City to preserve and protect areas which are currently in predominantly single family residential use. These areas should have a minimum size so that the sense of low-density residential environment can be maintained. Small areas which are vacant or in uses other than single family should be included if they are surrounded by single family residential uses. The purpose is to limit the potential location or expansion of incompatible uses in Single Family Residential Areas. Likewise the edges of Single Family Residential Areas should be protected from similar intrusions of non-single family residential uses nearby.

Implementation Guideline 1: Areas with the following use characteristics shall be considered for single family residential designations:

- A. Areas which consist of blocks (see Definitions) with at least 70% of the existing structures in single family residential use, or
- B. Areas which are now designated by Neighborhood Improvement Plans (N.I.P.s) as Single Family Residential Areas, or
- C. Areas which consist of blocks with less than 70% of the existing structures in single family residential use but show an increasing trend toward such development. For example:

The city will begin to draft and adopt Zoning Code text changes based on these policies after the policies are adopted. The City will not initiate rezones based on these policies until policies for all other land uses are adopted. Citizen-initiated rezones will continue to be considered.

When changes in zone boundaries are proposed by the City or by citizens, they will be acted upon through the rezone process after legally required publication, notification, disclosure and hearings, and will be subject to appeal.

1. The construction of single family residential homes in the last 5 years has been increasing proportionately to the total number of constructions for new uses in the area; or,
2. The area shows an increasing number of single family residential home improvements, or rehabilitation efforts; or
3. The number of existing single family residential uses has been very stable in the last 5 years; and
4. The area's location is topographically and environmentally suitable for single family residential developments.

Implementation Guideline 2: Areas meeting Implementation Guideline 1 should also satisfy the following size criteria in order to be designated for single family residential use:

- A. The area should be comprised of 15 contiguous acres. Tracts of vacant land, generally larger than 5 acres, may be excluded, or
- B. The area is now designated by a Neighborhood Improvement Plan (N.I.P.) as a Single Family Residential Area, or
- C. An area containing less than 15 contiguous acres must demonstrate strong or stable single family trends or potentials such as:
 1. That the construction of single family homes in the last 5 years has been increasing proportionately to the total number of constructions for new uses in the area; or
 2. That the number of existing single family residential uses has been very stable in the last 5 years; or
 3. That the area's location is topographically and environmentally suitable for single family residential developments; or
 4. That the area shows an increasing number of home improvements or rehabilitation efforts.

Implementation Guideline 3: Small areas generally of 5 acres or less, which are completely contained within Single Family Residential Areas and are currently vacant or in other use, shall be designated single family residential. Neighborhood Business Zones will be designated based on Commercial Area Policies and are excepted from inclusion in Single Family Residential Areas.

Implementation Guideline 4: In establishing boundaries for Single Family Residential Areas, the following elements shall be considered:

- A. Natural features such as lakes, streams, ravines and shorelines;
- B. Freeways, expressways and other major traffic arterials;
- C. Platted lot lines;

- D. Half-blocks at the edges of Single Family Residential Areas which have more than 50% single family residential uses, or portions of blocks on an arterial which have a majority of single family residential uses shall generally be included. This shall be decided on a case-by-case basis, but the policy will be to favor including them.

USE POLICIES

SINGLE FAMILY RESIDENTIAL USE

POLICY INTENT: The City shall preserve the character of Single Family Residential Areas, discourage the demolition of single family residences and displacement of residents. In order to protect Single Family Residential Areas from the negative impacts of incompatible uses, the City shall limit the number and types of non-residential uses permitted in these areas.

Implementation Guideline 1: Residential use by one household (see Definitions) is affirmed and encouraged as the principal use in Single Family Residential Areas, and is the primary use permitted outright. Many of the principal uses which were permitted under previous zoning provisions are no longer allowed, or shall be allowed only under the conditions stated in these land use policies.

Implementation Guideline 2: In order to allow residents of Single Family Residential Areas maximum flexibility in the use and enjoyment of their homes, the types of uses and activities associated with single household residential living shall be regulated primarily by performance standards and City ordinances protecting privacy, health, safety and rights of neighbors.

EDGES

Implementation Guideline 1: The edges (see Definitions) of Single Family Residential Areas shall be protected from encroachment by other uses. No special provisions for higher intensity use on the edges of Single Family Residential Areas shall be allowed except for residential uses which are physically compatible with the adjacent Single Family Residential Areas.

Implementation Guideline 2: Parking lots or other uses accessory to permitted uses in abutting higher intensity zones shall not be permitted to expand into Single Family Residential Areas.

HIGHER DENSITY RESIDENTIAL USE

POLICY INTENT: Because much of Seattle was developed before the 1957 Zoning Code took effect, and because some downzones have occurred since, some legal non-conforming higher density residential structures are presently located in Single Family Residential Areas. These structures shall be permitted to remain in residential use. New instances of such uses, except as otherwise provided for in these policies, shall continue to be prohibited because they would change the low-density character of these areas.

Implementation Guideline 1: Structures in legal higher density residential use may be improved, renovated and structurally altered. The bulk of the structure may not be expanded except as necessary to improve access for the elderly and handicapped. In no instance may such expansion increase the number of residential units.

Implementation Guideline 2: Any structure in higher density residential use which may have been legal under zoning in the past, has been continuously maintained in the same use and which complies with applicable Housing Code standards may be legalized upon request to the Building Department. Documented proof of the continuing higher density use such as tax records, utility records, building permits or equivalent proof shall be required. If a conditional use authorization or variance would have been required at the time of construction or conversion and was not obtained, the use shall not be legalized.

INSTITUTIONS AND FACILITIES IN SINGLE FAMILY RESIDENTIAL AREAS

POLICY INTENT: The City recognizes the positive contributions many institutions have made to the neighborhood in which they are located, respecting community needs and providing appropriate services. However, location, scale, access and development standards of institutions and facilities shall be controlled in order to reduce negative impacts such as noise, traffic and parking problems, and to protect Seattle's single family housing stock.

Implementation Guideline 1: Institutions and facilities may be established or expanded within Single Family Residential Areas through a Hearing Examiner (see Definitions) conditional use authorization process. Siting of major public facilities (see Definitions) shall be appealable to the City Council (Council Conditional Use). Petitions for new facilities or significant expansions shall be accompanied by a transportation plan. The following standards and requirements shall be met in order to grant a conditional use authorization for establishment or expansion of an institution or facility within a Single Family Residential Area.

Concentration of Institutions or Facilities

The establishment or expansion of an institution or facility shall not result in a concentration of institutions or facilities which would create or appreciably aggravate parking shortage, traffic congestion and noise, or physical scale and bulk incompatible with single family residences.

Traffic and Parking

In making the application for a conditional use authorization, the institution or facility shall provide a transportation plan which indicates traffic impact plans to mitigate that impact and access to public or private mass transportation.

Increased traffic and parking expected to occur with use of the proposed institution or facility shall not create a serious safety problem or be a blighting influence on the neighborhood. The negative impacts of traffic and parking may be mitigated by locating structures and parking lots to avoid drawing traffic through residential streets, joint use of existing parking with adjacent non-residential uses, or practical program for use of public or private mass transportation.

Standards for the required number of parking spaces shall be developed in the Zoning Code and may be modified on a case-by-case basis. The number of required parking spaces for a given institution shall be based on the anticipated use of the facility, size of meeting or assembly areas, hours of use, effects of parking on the surrounding community, information contained in the transportation plan, access to public or private mass transportation and other considerations of need and impact.

Demolition of Residential Structures

Residential structures, including those modified for non-residential use, shall not be demolished for facility or institution establishment, expansion or parking unless a need has been demonstrated for the services of the institution or facility in the surrounding community and no other practical alternative site is available. It is the intent through this standard to preserve housing in Single Family Residential Areas and permit conversion or demolition of housing only as a last resort when the public benefits clearly outweigh the loss of housing.

Bulk and Siting

The bulk of institutions and facilities shall be compatible with the surrounding community. Specific bulk and siting requirements are to be included in the Zoning Code and shall be at least as restrictive as those applied to single family residences. Screening and landscaping shall be required.

Implementation Guideline 2: Public facilities that do not meet the standards and requirements in Implementation Guideline 1 may be located in Single Family Residential Areas if there is a public necessity for their location there. If a City facility and site has been approved by ordinance through a public process, then a conditional use authorization is not required in order to locate the City facility on the site.

JOINT USE OF PUBLIC SCHOOLS IN SINGLE FAMILY RESIDENTIAL AREAS

POLICY INTENT: Public schools are a substantial public investment and a vital component of healthy neighborhoods. It is City policy to encourage the maintenance of school buildings for school use. In order to assist the school administration in meeting this goal, joint uses shall be allowed in public school buildings. Approval of such uses shall be subject to review to ensure that they do not create excessive noise, traffic or other negative impacts on the surrounding community. If it is no longer possible to maintain a school facility as a school, the first priority for reuse would be those uses which would retain the facility for some possible future school use.

Implementation Guideline 1: Criteria for judging the acceptability of proposed uses of school buildings shall be determined for each school and may differ from school to school. The criteria shall address the effects of the uses on students, teachers and residents of the surrounding area and traffic, parking and other land use impacts. A process for developing these criteria shall be described in the Zoning Code. The process shall ensure the participation of representatives from the Seattle School District, the City of Seattle and the neighborhood involved.

Implementation Guideline 2: Joint use or reuse of public school buildings shall be permitted subject to a review process described in the Zoning Code to assure their consistency with the criteria developed. This shall be the only review of the use; joint or new uses shall not be subject to additional review under the Institutions and Facilities Guidelines of these policies.

Implementation Guideline 3: The criteria referenced in Guidelines 1 and 2 above may allow exceptions to existing land use policies and zoning for joint use or reuse of a school site only when the principal school structures are retained. If the school building is demolished, that site shall be subject to the existing land use policies and zoning requirements.

SUBSIDIZED HOUSING

POLICY INTENT: Subsidized housing should be located throughout the City, particularly outside areas where it is currently concentrated, and avoiding the creation of future concentrations.

Implementation Guideline 1: Subsidized housing units shall be similar to the housing around them in density, and shall follow the same bulk and siting regulations as other residential uses. In Single Family Residential Areas, subsidy programs shall be used to build, rehabilitate and lease single family residences. It is the intent of the City to re-examine this policy after experience in implementing Seattle's Housing Assistance Plan.

Implementation Guideline 2: A bonus of 20% more units than would otherwise be allowed shall be awarded to the developer of a Planned Unit Development (PUD), as described in these policies, if at least 20% but not more than 50% of the units are leased to a public housing authority for a period of ten years or more, and if the PUD is in an area designated in the City's most recent housing assistance plan as appropriate for subsidized housing.

SPECIAL RESIDENCES

POLICY INTENT: In order to provide for an adequate supply of locational opportunities, special care group living facilities or special residences, licensed or certified by the appropriate state agency, shall be allowed in and dispersed throughout a variety of residential neighborhoods. These facilities shall be designed to be reasonably compatible in scale and appearance with other residences in the area, and shall conform to the bulk and setback requirements for single family residential structures.

Implementation Guideline 1: Special residences shall be permitted to locate in all residential areas, and be dispersed throughout the City. Dispersion criteria shall be developed to assure that special residences are not concentrated by block, neighborhood or area. These criteria shall apply to special residences as a group, not to each type of special residence individually, and shall apply to all facilities regardless of the number of people they house.

Implementation Guideline 2: Special residences for more than 8 persons shall be subject to a discretionary review process to assure compatibility with neighborhood surroundings. Criteria based on performance standards and requirements dealing with noise, parking, traffic generation, bulk and siting and design shall be contained in the Zoning Ordinance. Maximum lot or building size requirements shall be established.

BULK AND SITING

POLICY INTENT: Zoning Code bulk and siting regulations shall recognize and preserve the streetscape character of individual clusters of housing units in City neighborhoods. The City-wide pattern of open spaces between single family residential structures in Single Family Residential Areas shall be maintained by requiring minimum side and rear yard setbacks (see Definitions). Height regulations shall encourage sloped roofs. The height and front yard setbacks of existing adjacent single family residences shall be used to determine bulk and siting patterns for future construction.

In cases where there are steep slopes or winding streets, the Superintendent of Buildings shall determine which adjacent residences should be considered. When adjacent existing single family residences set the pattern for bulk and siting requirements of construction the following guidelines apply:

Required Yard Setbacks

Implementation Guideline 1: A minimum side yard setback of 1.5 meters (5 feet) shall be maintained except as described in Implementation Guideline 3 below, even when existing siting patterns indicate smaller side yard setbacks.

Implementation Guideline 2: Minimum rear yard setbacks shall be no less than 7.6 meters (25 feet). Rear yard setbacks where there is a dedicated alley shall be determined by using the center line of the alley.

Implementation Guideline 3: An exception to the required yard setbacks shall be made for modification to existing single family residences. When an existing single family residence has a wall, 60% or more of which extends into the required yard setback, the line formed by the non-conforming wall shall be the delineation of the required yard setback if the following conditions are met:

1. When it is a side wall, it is at least .9 meters (3 feet) from the side property line;
2. When it is a rear wall, it is at least 4.9 meters (20 feet) from the rear property line; or
3. When it is a front wall, it is at least 6.5 meters (15 feet) from the front property line.

Implementation Guideline 4: Front yard setbacks shall be at least as great as the average front yard setback of the adjacent single family residences.

Implementation Guideline 5: Uncovered decks, access bridges, patios or similar outdoor areas, on grade or close to grade, shall be permitted in the required front and back yard setbacks but not in required side yard setbacks.

Lot Coverage

Implementation Guideline 1: Single family residences on a standard lot shall not exceed 35% lot coverage. Yard setbacks from property lines must be maintained.

Implementation Guideline 2: On lots smaller than 465 square meters (5000 square feet), a sliding scale shall be established in the Zoning Code which allows for greater lot coverage by single family residences for smaller lots, to a maximum of 42%. In all cases, yard setbacks applicable for lots of 465 square meters (5000 square feet) shall be maintained.

Implementation Guideline 3: Uncovered decks, patios, access bridges and other similar outdoor areas, on grade or close to grade, shall not be used to compute lot coverage.

Height

Implementation Guideline 1: The height limit for single family residences is 7.6 meters (25 feet) unless the structure is between two residences exceeding 7.6 meters (25 feet), in which case the average height of the adjacent residences is the height limit.

Where there are too few characteristic single family residences to determine bulk and siting patterns the following Guidelines shall apply:

Required Yard Setbacks (see Definitions)

Implementation Guideline 1: A minimum side yard setback of 1.5 meters (5 feet) is to be maintained except as stated elsewhere.

Implementation Guideline 2: Minimum rear yard setbacks shall be no less than 7.6 meters (25 feet). Rear yard setbacks where there is a dedicated alley shall be determined by using the center line of the alley.

Implementation Guideline 3: Uncovered decks, access bridges, patios or similar outdoor areas on grade or close to grade shall be permitted in the required back and front yard setbacks but not in required side yard setbacks.

Lot Coverage

Implementation Guideline 1: On a standard size lot a single family residence shall not exceed 35% lot coverage. Required yard setbacks from property lines shall be maintained.

Implementation Guideline 2: Uncovered decks, patios, access bridges and other similar outdoor areas, on grade or close to grade, shall not be used to compute lot coverage.

Height

Implementation Guideline 1: The maximum height allowable for single family residences on level or moderate slopes is 7.6 meters (25 feet). When the land is steeply sloped, the maximum height may be as high as 10.7 meters (35 feet). Computation of height shall take into account sloped roofs and grade variations. In no case shall the residence exceed 7.6 meters (25 feet) above the highest property line.

NON-CONFORMING STRUCTURES IN SINGLE FAMILY RESIDENTIAL AREAS

POLICY INTENT: The City shall encourage the conversion of existing non-conforming structures to single family housing.

Implementation Guideline 1: Structures which were built for uses other than single family residences may be used as single family residences even if they are non-conforming as to bulk.

Implementation Guideline 2: The configuration and bulk of converted structures may be altered provided that the alteration meets bulk and siting provisions for Single Family Residential Areas.

POLICY INTENT: Except as otherwise provided in these policies, structures occupied by uses which are not allowed in Single Family Residential Areas by these policies are not permitted to be expanded in bulk or altered in structure.

Implementation Guideline 1: Except existing legal higher density residences, structures which are in non-conforming use, although conforming in bulk, cannot be expanded or structurally altered in any way except to remove barriers to the elderly and the handicapped.

PARKING

POLICY INTENT: Off street parking is mandatory, and the City shall regulate its location in order to reduce the impact created on the streetscape by the location of accessory parking structures, vehicles and curbcuts. Parking in front yards is generally prohibited.

Implementation Guideline 1: When a surfaced alley is accessible to the rear yard, accessory parking shall be accessed from the alley, unless prevented by topography. Front yard driveways and curbcuts shall be prohibited under this circumstance.

Implementation Guideline 2: When the front yard is more than 1.8 meters (6 feet) above sidewalk grade, and where there is no accessible alley, a parking structure which is completely enclosed may be built into the hillside in the front yard, provided that the curbcut and parking bay do not exceed the width needed for one car.

Implementation Guideline 3: When there is no accessible surfaced alley, access through the front yard to parking shall be allowed. Curbcuts are not to exceed the width of one car, and there may not be more than one curbcut per principal structure. Parking shall not be permitted in the front yard portion of the access.

Implementation Guideline 4: In new development, surfaced alleys shall be provided where physically feasible.

PLANTING STRIPS

POLICY INTENT: It is the policy of the City that planting strips (see Definitions) shall be planted with living materials in order to preserve greenery in Single Family Residential Areas. The City considers the maintenance of planting strips to be the responsibility of property owners.

Implementation Guideline 1: Planting strips shall be surfaced either with living materials (such as grass, ground covers or shrubs) or with other porous materials and trees.

Implementation Guideline 2: Planting strips shall not be paved or developed with materials which enable their use for off-street parking or the storage of recreational vehicles, boats or trailers.

Implementation Guideline 3: Planting strips shall be provided when curbs and sidewalks are developed.

PLANNED UNIT DEVELOPMENT (PUD)

POLICY INTENT: In order to encourage quality design, to enable the enhancement and preservation of natural features, to allow for development and design flexibility and to provide an incentive for the dispersed construction of low income housing, variations from established standards shall be permitted for Planned Unit Developments (see Definitions) on large sites.

Implementation Guideline 1: Planned Unit Developments may be permitted subject to public notice and a design review with the following criteria used for review:

1. PUDs shall be large enough to achieve the above stated intent, but also shall be compatible in scale and design with the immediately surrounding area. The minimum size for a PUD shall be two acres.
2. In Single Family Residential Areas, it is preferable that PUDs consist of detached residential structures whenever physically possible, and that the character of the development and its design be compatible with single family residences. The flexibility afforded by PUDs shall not be used to permit the construction of apartment buildings or non-residential uses on land which is intended for single family residential use. Attached dwellings such as townhouses shall be permitted, provided that the design and placement of the structures is compatible with the adjacent area.
3. PUD provisions shall apply only to parcels of reasonable shape, except when shape is dictated by topography, to avoid the assembling of individual parcels in bizarre configurations solely to meet the minimum size requirements. The preservation of natural features such as streams and vegetation shall be encouraged in order to preserve open space and wildlife habitat in the City.
4. Land which is of steep slope and designated as Environmentally Sensitive (Ordinance 105735 as amended by Ordinance 107501) and is therefore undevelopable shall not be used to compute acreage for a PUD, unless it is appropriately incorporated in the proposed development.
5. A density bonus of 20% shall be awarded if at least 20% but not more than 50% of the units are leased to a public housing authority for a period of 10 years or more. No differences in exterior appearance shall be made between public and market rate units. The bonus shall apply only in those areas of the City designated as appropriate for subsidized housing under the City's most recent Housing Assistance Plan.

DEFINITIONS

Conditional Uses: Each zoning category specifies uses permitted outright and uses which may be conditionally authorized. Conditional uses are those which may negatively impact a zone. A property owner does not have the legal right to obtain a conditional use. A judgment on the granting of a conditional use must be made by the Hearing Examiner or by the City Council following a public hearing, and after considering the impacts and possible mitigating measures. The list of conditional uses varies from zone to zone.

Block: A block consists of two facing block faces bounded on two sides by alleys or rear property lines and on the other two sides by platted streets, with no side of the block exceeding 600 feet. However, a block will be defined by platted streets on all sides in those cases where it is indicated by existing development.

Block Face: A block face is one side of a platted street bounded on either side by other platted streets.

Edge: An edge is the boundary between two zones.

Hearing Examiner: The Hearing Examiner is an official appointed by the City Council who makes decisions on some conditional uses and on variances. In addition, the Hearing Examiner makes recommendations to the City Council on rezones and on certain conditional uses. This official also hears appeals of decisions on short plats and SEPA determinations made by any City department. The Hearing Examiner makes decisions and recommendations after holding public hearings, considering the recommendations of DCD and other departments, and examining City policies.

Household: As defined by the City Housing Code, a household is "any number of related persons, or up to eight related and non-related non-transient persons living as a single, non-profit housekeeping unit..."

Housing Code: The Housing Code is adopted by City Council ordinance (Ordinance # T06319), and establishes minimum standards to protect public health, safety and welfare in buildings used for human habitation. It is administered by the Building Department, and generally is enforced on a complaint basis. It applies to all residential structures except single family owner-occupied homes, which are exempt.

Lot Coverage: Lot coverage is that portion of a lot occupied by buildings, and is expressed by a percentage of total lot area.

Non-Conforming Structures: A non-conforming structure is one which does not fit the bulk and siting regulations of the zone in which it is located. A legal non-conforming structure is one that was legally constructed under previous zoning regulations but would be illegal to construct under current regulations.

Non-Conforming Use: A non-conforming use is one which existed before an area's current zoning was implemented, and which is not permitted under current regulations. An example of this is a grocery store located in a Single Family Residential Area. Even if the store is located on the first floor of a single family home, it is still considered a non-conforming use subject to minimum maintenance restrictions.

Performance Standards: Performance standards are measurable criteria which generally allow more flexibility than set rules.

Planned Unit Development (PUD): A PUD is a zoning mechanism that allows for flexibility in the grouping, placement and size of buildings in developments on fairly large tracts of land.

Planting Strip: A planting strip is the strip of land between the sidewalk and the street which, although in public ownership, must be maintained by private individuals.

Public Facilities: A public facility is one which is owned, operated or franchised by a unit of general or special purpose government for a public purpose.

Major Public Facilities: Major public facilities contain structures which are significantly larger in bulk than surrounding houses and/or attract substantial traffic.

Alley: An alley is a narrow lane running along rear property lines used for access and not for general traffic circulation.

Setback: The Zoning Code requires that buildings be a certain distance from lot lines. This distance is called the setback; it varies from zone to zone and for front, back and side yards.

Streetscape: The streetscape is the visual character of a street as determined by various elements such as structures, greenery, open space, view, etc.

Use: "Use" is a term used in the Zoning Code to describe the function of a piece of land or a building. Examples include single family residential use, church use and hospital use.

Single Family Residential Policies

