

## **Introduction: User Information**

The Land Use Code contains provisions typically associated with determining what use may be made of a person's property. It is organized in subtitles which enunciate the transition from Title 24 to Title 23 (Subtitle I), set forth the Land Use Policies as they are adopted (Subtitle II), incorporate City approvals necessary for the division of land (Subtitle III), detail the establishment of zones and the use regulations and development standards applicable within zones (Subtitle IV) and coordinate the administrative and enforcement procedures necessary to implement the land use regulations (Subtitle V).

While the provisions of Title 23 are integrated and extensive, they do not include all requirements conceivably related to development. For example, with the exception of the coordination of environmental review requirements in the Master Use Permit process, those regulations detailing construction specifications, i.e., building, grading, drainage, etc., are set forth in Title 22, "Building and Construction Codes." Landmark districts and landmark preservation provisions are found in Title 25. The City's SEPA ordinances are also set forth in Title 25.

(Ord. 110381 § 1(part), 1982.)

## **Subtitle I General Provisions**

### **Chapter 23.02 TITLE AND PURPOSE**

#### **Sections:**

#### **23.02.010Title.**

#### **23.02.020General purpose.**

#### **23.02.010Title.**

This title shall be known as the Land Use Code of The City of Seattle.

(Ord. 110381 § 1(part), 1982.)

#### **23.02.020General purpose.**

The purpose of this Land Use Code is to protect and promote public health, safety and general welfare through a set of regulations and procedures for the use of land which conform to the City's land use policies. Procedures are established to increase citizen awareness of land use activities and their impacts and to coordinate necessary review processes. The Land Use Code classifies land within the City into various land use zones and overlay districts which regulate the use and bulk of buildings and structures. The

provisions are designed to provide adequate light, air, access, and open space; conserve the natural environment and historic resources; maintain a compatible scale within an area; minimize traffic congestion and enhance the streetscape and pedestrian environment. They seek to achieve an efficient use of the land without major disruption of the natural environment and to direct development to sites with adequate services and amenities.

(Ord. 110381 § 1(part), 1982.)

### **Chapter 23.04 APPLICABILITY**

#### **Sections:**

#### **23.04.010Transition to the Land Use Code.**

#### **23.04.030Seattle Shoreline Master Program transition rule.**

#### **23.04.040Major Institution transition rule.**

#### **23.04.010Transition to the Land Use Code.**

##### **A. General Rules of Interpretation.**

1. The Land Use Code is being drafted and adopted in phases and will ultimately replace all of what is now Title 24. Provisions of Title 24, as amended, which are not specifically repealed, will continue to have full force and effect until the Land Use Code is adopted in its entirety.

2. If, during the transition period, the application of a provision of the Land Use Code and a retained provision of Title 24 creates, in the Director's judgment, an irreconcilable conflict, the provision of the Land Use Code shall control.

3. Except as otherwise provided, all permits and land use approvals lawfully issued pursuant to repealed provisions of Title 24 or pursuant to a Title 24 zoning classification no longer applicable to the property shall remain in full force and effect for two (2) years from the effective date of repeal or zoning reclassification or until the expiration date of the respective permit or approval if the date is less than two (2) years from the effective date of repeal or zoning reclassification; provided, that permits issued after the effective date of repeal or zoning reclassification pursuant to subsection D shall remain in full force and effect for two (2) years from the date the permit is approved for issuance as described in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

4. Except as otherwise provided, all applications for permits and land use approvals filed before the effective date of Ordinance 109438, April 30, 1981 (the effective date of the Master Use Permit Ordinance) shall expire six (6)

months from the effective date of adoption of the amendatory ordinance codified in this section.<sup>1</sup>

B. Existing Contract Rezones. Contract rezones approved under Title 24 shall remain in effect until the date specified in the rezone property use and development agreement. If no expiration date is specified, the rezone shall remain in effect for two (2) years from the effective date of Title 23 zoning for the property or, in the case of downtown, from the effective date of Ordinance 112303 adopting permanent Title 23 zoning for downtown.<sup>2</sup> When Title 23 zoning goes into effect, the property may, at the election of the property owner, be developed pursuant to either the existing rezone property use and development agreement or Title 23. When the contract rezone expires the property shall be regulated solely by the requirements of Title 23.

C. Existing Planned Unit Developments. Planned unit developments (PUDs) in an SF or multi-family zone regulated under Title 23 which were authorized pursuant to Section 24.66.040 et seq. shall be permitted to develop according to the specific terms of such authorizations. This shall include the opportunity to apply for an extension of time for completion of PUDs as provided in SMC 24.66.050 F. Upon completion of the PUDs, the provisions of Title 23, including all use and development standards, shall apply.

D. Special Transition Rule.

1. The following transition rule shall apply only to provisions of the Land Use Code which are initiated by the City and become effective as part of a defined phase during the transition from Title 24 to Title 23 and during the transition from interim Chapter 23.49 to permanent Chapter 23.49. Once such a phase of the Land Use Code is adopted by the Council, any amendments to provisions included in the particular phase shall not invoke this transition rule.

2. Any proposal which is substantially underway on the date new Land Use Code provisions become effective shall be subject to either the new substantive provisions or to corresponding repealed or modified substantive provisions of Title 24 or repealed Chapter 23.49, at the discretion of the applicant, provided that:

a. The applicant may elect only one (1) set of standards which shall apply as appropriate to the entire proposal;

b. The election shall be irrevocable and shall be made in writing at the time of application; and

c. The applicant shall have no election as to procedural requirements; provided, that an applicant for a proposal which is substantially underway on the effective date of the ordinance

codified in this section<sup>1</sup> may elect to be subject to the procedural requirements in effect at the time of application, provided further, that when notices remain to be provided, they shall be provided according to requirements of this chapter.

3. A proposal shall be considered by the Director to be substantially underway if:

a. A master use permit application has been completed and filed; provided, that if an applicant has elected under Section 23.76.010 B to file separate applications, only those specific approvals which are sought prior to the effective date of applicable provisions shall be subject to this rule; or

b. A building permit application including, if appropriate, an environmental checklist, has been filed; or

c. A draft environmental impact statement (EIS) has been approved by the Director for publication.

E. Implementation.

1. The Director may prepare and issue rules consistent with this chapter to further detail the transition rules.

2. There shall be no administrative appeal of any determinations made by the Director pursuant to this chapter regarding which Code provisions are applicable.

(Ord. 112522 § 3, 1985; Ord. 112303 § 2, 1985; Ord. 112519 § 1, 1985; Ord. 111390 § 1, 1983; Ord. 110669 § 1, 1982; Ord. 110381 § 1(part), 1982.)

1.Editor's Note: The amendatory ordinance is Ordinance 112522, adopted on October 28, 1985.

2.Editor's Note: Ordinance 112303 was adopted on June 10, 1985.

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**23.04.030 Seattle Shoreline Master Program transition rule.**

A. Any proposal which is substantially underway on the date Chapter 23.60, the Seattle Shoreline Master Program, becomes effective<sup>1</sup> shall be subject to either the new substantive provisions or to corresponding repealed or modified substantive provisions of repealed Chapter 24.60 at the discretion of the applicant, provided that:

1. The applicant may elect only one (1) set of standards which shall apply as appropriate to the entire proposal; and

2. The election shall be irrevocable and shall be made in writing at the time of application.

B. A proposal shall be considered substantially underway if:

1. A master use permit application including all shoreline components necessary for the project has been completed and filed;

2. A building permit application including, if appropriate, an environmental checklist has been filed; or

3. A draft environmental impact statement (EIS) has been approved by the Director for publication.

(Ord. 113466 § 3, 1987.)

Editor's Note: Chapter 23.60, the Seattle Shoreline Master Program, became effective on December 31, 1987.

**23.04.040 Major Institution transition rule.**

The following transition rules shall apply only to major institution master plans and major institution projects:

A. The development program component, as described in subsections C and D of Section 23.69.030, of a master plan which was adopted before the effective date of this ordinance,<sup>1</sup> or for which an application was filed before the effective date of this ordinance and which was subsequently adopted, shall remain effective through its adopted expiration date. If no expiration date was adopted for a development program, it shall expire ten (10) years from the effective date of this ordinance.<sup>1</sup>

B. The development standards component, as described in Section 23.69.030 B, of a master plan which was adopted before the effective date of this ordinance,<sup>1</sup> or for which an application was filed before the effective date of this ordinance and which was subsequently adopted, shall remain in effect unless amended.

C. A transportation management program, as described in Section 23.69.030 E, which was approved before the effective date of this ordinance<sup>1</sup> shall remain in effect unless amended.

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D. Master Plan Proceeding Under Code in Effect at Time of Filing. When an application and applicable fees have been filed for a master plan prior to November 1, 1989, the master plan shall be subject either to the procedures and provisions in effect at the time of filing (i.e., recently repealed SMC Sections 23.81.040 and 23.81.050) or to the newly adopted procedures and provisions (i.e., SMC Sections 23.69.030 and 23.69.032), at the discretion of the applicant, provided that:

1. The applicant may elect only one (1) set of procedures and provisions which shall apply throughout the process; and

2. The election of applicable procedures and provisions shall be made within sixty (60) days following the effective date of this ordinance;<sup>1</sup> and

3. The election shall be irrevocable and shall be made in writing on a form provided by the Director;

4. If no election is made, the master plan shall be subject to the procedures and provisions in effect at the time of filing;

5. If an applicant elects to be subject to the procedures and provisions in effect at the time of filing, technical assistance to the advisory committee shall be provided by the Department of Construction and Land Use, the Engineering Department, and the Department of Neighborhoods.

E. A master use permit may be issued by the Director prior to the adoption of a master plan by the Council for applications which do not require preparation of a master plan according to Chapter 23.69.

F. A master use permit for development requiring a master plan according to the revised regulations may be issued by the Director as an administrative conditional use, subject to the criteria of Section 23.69.012, prior to adoption of the master plan, if the following conditions are met:

1. Applications are filed and applicable fees are paid for a master use permit and master plan no later than sixty (60) days following the effective date of this ordinance;<sup>1</sup> and

2. The master plan is prepared according to the new procedures and provisions (i.e., SMC Sections 23.69.030, 23.69.032 and 23.69.033), except that it shall not be required that a notice of intent be filed in advance of filing for an application as required by Section 23.69.032; and

3. The proposed development is located within the applicable Major Institution overlay district; and

4. The cumulative proposed development does not exceed twenty-five thousand (25,000) square feet; and

5. The sum of development since June 1, 1983 and the cumulative proposed development would not increase the gross floor area or the total lot coverage of uses by more than twenty percent (20%) above the gross floor area or total lot coverage encompassed by such uses within the same overlay district on June 1, 1983; and

6. Proposed structure heights do not exceed the applicable limits established for major institutions in Section 23.69.004; and

7. The proposed development conforms with all development standards for institutions of the applicable underlying zone, except structure height and dispersion; and

8. If the project is subject to environmental review under the State Environmental Policy Act, the review has been completed; and

9. The proposed development is consistent with the concept plan submitted with the master plan application; and

10. The major institution's advisory committee has reviewed the project and transmitted its comments to the Director; and

11. The proposed use is a major institution use according to Section 23.69.008 A.

G. A master use permit for development at a medical major institution with less than four hundred twenty-five thousand (425,000) square feet of gross floor area as of the date of application, which would otherwise require a master plan according to the revised regulations, may be issued by the Director as an administrative conditional use, subject to Section 23.69.012, prior to the adoption of the master plan, if the following conditions are met:

1. Applications are filed and applicable fees are paid for a master use permit no later than the effective date of this ordinance;<sup>1</sup> and

2. The proposed development is located within the applicable Major Institution overlay district; and

3. The sum of development since June 1, 1983 and the cumulative proposed development would not increase the gross floor area or the total lot coverage of uses by more than twenty percent (20%) above the gross floor area or total lot

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coverage encompassed by such uses within the same overlay district on June 1, 1983; and

4. The proposal conforms with the development standards of recently repealed SMC Sections 23.48.008 through 23.48.014; and

5. If the project is subject to environmental review under the State Environmental Policy Act, the review has been completed; and

6. The proposed use is a Major Institution use according to Section 23.69.008 A; and

7. The Director shall assess whether the proposal represents a reasonable balance of the public benefits of development and change with the need to maintain the livability and vitality of adjacent neighborhoods; and

8. A transportation management program is prepared and implemented according to the Director's Rule.

(Ord. 116744 § 1, 1993; Ord. 115002 § 2, 1990.)

1. Editor's Note: Ordinance 115002 was passed by the Council on March 21, 1990 and became effective thirty days after signature by the Mayor on April 2, 1990.

### **Chapter 23.06**

## **AMENDMENTS TO THE LAND USE CODE**

### **Sections:**

#### **23.06.010 Text amendment procedures.**

#### **23.06.010 Text amendment procedures.**

Amendments to the text of this Land Use Code may be approved pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

(Ord. 112522 § 4, 1985.)

**Subtitle II Land Use Policies**

**Chapter 23.16  
ADOPTED POLICIES**

**Chapter 23.12  
GENERAL PROVISIONS**

**Sections:**

- 23.12.010** Replacement of Comprehensive Plan.  
**23.12.020** Basis for land use regulations.  
**23.12.030** Basis for discretionary decisions.  
**23.12.040** Policies are not regulations.

**23.12.010** Replacement of Comprehensive Plan.

The land use policies are adopted in defined phases to replace the City's Comprehensive Plan. As each phase is adopted by resolution of the Council, it supersedes for all purposes of this subtitle its corresponding Comprehensive Plan component.  
 (Ord. 110381 § 1(part), 1982.)

**23.12.020** Basis for land use regulations.

The land use policies shall be used to guide the drafting of the text of the land use regulations, Subtitle IV.  
 (Ord. 110381 § 1(part), 1982.)

**23.12.030** Basis for discretionary decisions.

The land use policies or Comprehensive Plan component, as applicable, shall be considered in making all discretionary land use decisions in residential zones regulated under Title 23 and in all other zones where reliance on the land use policies is specifically made a criterion in the decisions. They shall also be considered by the Director in the promulgation of rules, decisions upon request for an interpretation and the determination of what constitutes a similar use where authorized.  
 (Ord. 110669 § 2, 1982; Ord. 110381 § 1(part), 1982.)

**23.12.040** Policies are not regulations.

Except as expressed in the prior subsections, the land use policies are not regulations in themselves and may not be the basis for enforcement action pursuant to the provisions of this Land Use Code.  
 (Ord. 110381 § 1(part), 1982.)

**Sections:**

**23.16.002** Residential areas policies

**A. Single Family Residential Areas Policies**

**Purpose**

**Area Designation Policy**

**Use Policies**

**B. Multi-Family Residential Areas Policies**

**1. Multi-Family Designation**

**2. Residential Rezones**

**3. Multi-Family Residential Classifications**

**4. Height of Buildings**

**5. Bulk Requirements**

**6. Open Space**

**7. Setback Requirements**

**8. Quantity of Required Off-Street Parking**

**9. Location and Appearance of Required Off-Street Parking**

**10. Design Departure**

**11. Expansion or Renovation of Existing Residential Structures**

**12. Adding Residential Units to Existing Structures With Non-Conforming Uses**

**13. Street and Alley Vacations in Multiple Family Residential Areas**

**14. Principal Use**

**15. Accessory Uses**

**16. Special Residences**

**17. Small Institutions and Public Facilities**

**18. Joint Use or Re-Use of Public Schools**

**23.16.006** Planned developments policy

**23.16.020** Neighborhood Commercial Area land use policies

**23.16.050** Pike/Pine.

**23.16.060** Northgate Overlay District.

Cases: Under the vested rights doctrine, policies first apply to applications filed after the date that the policies were adopted. *Victoria Tower Partnership v. Seattle*, 49 Wn.App. 755, 745 P.2d 1328 (1987).

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**23.16.002 Residential areas policies**

A. Single Family Residential Areas Policies  
[Resolution 25968 as modified by Resolution  
26684]

**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 Chapter 23.84, Definitions) with at least seventy percent of the existing structures in single family residential use; or

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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 seventy percent of the existing structures in single family residential use but show an increasing trend toward such development. For example:

- 1.The construction of single-family residential homes in the last five 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;
- 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 fifteen 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 fifteen 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.

23.12.010 — 23.12.040 OF THIS CODE THESE ARE POLICY STATEMENTS ONLY, NOT REGULATIONS — SEE §§

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**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 nonresidential 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

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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 use 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 (sic) 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 [Department of Construction and Land Use]. 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 activities 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

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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 nonresidential uses, or a 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.

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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 twenty percent 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 twenty percent but not more than fifty 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 facilities, 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 site 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 [Department of Construction and Land Use] shall determine which adjacent residences should be considered. When adjacent existing single family residences set the pattern for bulk and siting re-

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quirements of construction the following guidelines shall 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 front yard setbacks but not in required side yard setbacks.

### Lot Coverage.

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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.

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**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 offstreet 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.

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**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 a City department. The Hearing Examiner makes decisions and recommendations after holding public hearings, considering the recommendations of the Building Department [Department of Construction and Land Use] 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, nonprofit housekeeping unit...”

**Housing Code:** The Housing Code is adopted by City Council ordinance (Ordinance #106319), and establishes minimum standards to protect public health, safety and welfare in buildings used for human habitation. It is administered by the Building Department [Department of Construction and Land Use], 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 nonconforming 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 to 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 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.

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**B. Multi-Family Residential Areas Policies.  
(Resolution 26579)**

**Policy 1: Multi-Family Designation**

In designating areas for the various multi-family classifications, a match shall be sought between the physical characteristics of areas and the location criteria established for the multi-family classifications in Policy 3. One objective is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character.

The achievement of both of these objectives will mean sensitively increasing the scale and intensity of development while attempting to minimize the impacts on existing character. The locational criteria are established so that new development will maintain a compatible scale in an area, preserve views, and enhance the streetscape and pedestrian environment, while achieving an efficient use of the land without major disruption of the natural environment.

**Implementation Guideline 1 — Locational Criteria**

The locational criteria for each multi-family classification describe area characteristics, including prevailing building sizes (height and bulk), topography and views, edges, proximity to transit and arterials, and proximity to business areas and open space. These characteristics shall be used to determine the appropriateness of one classification versus another for any given multi-family area. In order to make the best match between classification and specific area, no single location shall be expected to meet all the criteria, nor shall the criteria be ranked in importance, one higher than the others. Depending on the characteristics of a given location, the criteria will vary in importance.

**Implementation Guideline 2 — Policy Map**

The Policy Map, adopted with these policies, shows how the locational criteria apply. The Policy Map will guide the revision of the Land Use

Code and Zoning Map. The Policy Map will become obsolete once the Zoning Map is adopted.

**Implementation Guideline 3 — Shorelines**

Multi-family areas along shorelines shall be regulated by both the Land Use Code which implements these Land Use Policies, and the requirements of the Shoreline Master Program (SMP). The development standards of the multi-family classification shall apply; in addition, regulations of the SMP shall apply for setbacks, height above 35 feet, view corridors, public access, and for the method of measuring building height.

**Policy 2: Residential Rezones**

The designation criteria for the Single Family Residential Areas Policies and the Multi-Family Land Use Policies (Policy 1) shall be the basis for evaluating residential rezone requests.

In evaluating rezone requests under this policy, the basic test shall be whether the locational criteria for the proposed designation more closely match the characteristics of the area proposed for rezone than the locational criteria of the designation currently in place.

Rezones may also be considered under the provision of the Single Family Policies which states that areas of vacant land of five acres or more may be excluded from Single Family designation. In evaluating rezones for such vacant parcels, the test will be: (1) whether the area is more appropriate for a single or multi-family designation, and (2) if multi-family is more appropriate, whether the relevant locational criteria of the multi-family designation which is proposed more closely match the particular characteristics of the area than do the locational criteria of any other multi-family designation.

This policy shall be used for rezones between residential classifications. As policies for business and commercial and industrial areas are developed, policies for rezones between residential and non-residential areas will be developed. In the interim, all rezones other than those between residential classifications will be evaluated under existing ordinances and procedures.

Planned development projects shall follow the procedures of the planned development policy, SPECIAL CASES: ALL LAND USE CATEGORIES — PLANNED DEVELOPMENTS.

**Implementation Guideline — Rezone Criteria**

In evaluating requests for zoning changes, the following factors shall be considered:

a. **Match between locational criteria and area characteristics:** In order to ensure compatibility of new and existing development, the characteristics of the area to be rezoned should closely fit the locational criteria for the proposed land use category, following Policy 1, Implementation Guideline 1: Locational Criteria.

b. **Zone boundaries:** In the determination of zone boundaries, zoning principles relating to size, configuration and recognition of platted lot lines shall be considered.

c. **Impact evaluation:** The decision as to whether to grant the rezone shall take into account the possible negative impacts on the area proposed for rezone and its surroundings. Factors which will be examined include, but are not limited to, the effects on transportation, parking, housing, public services, and environmental factors such as noise, air and water quality, and energy conservation.

d. **Zoning history and neighborhood planning efforts:** Previous zoning changes both in and around the area proposed for rezone, and adopted neighborhood plans or recommendations which apply to the area proposed for rezone, if any, shall be taken into consideration.

e. **Changed circumstances:** If part of the justification for the rezone is changed conditions in the area proposed for rezone since the adoption of the Zoning Map, evidence of the change shall be taken into consideration. Such evidence might include changes in building height and bulk, addition of new uses, traffic patterns and transit routes, and demographic changes.

f. **Single family areas:** (1) If the proposed rezone is of five or more acres of vacant land currently zoned single family, evidence of the compatibility of the proposed multi-family designation with the surrounding area shall be considered; (2) if the proposed rezone is

for single family to multi-family, the applicant must first demonstrate that the area is not appropriate for single family, following the designation criteria of the Single Family Residential Areas Policies, and then demonstrate which multi-family classification is appropriate, following Policies 1 and 3 of these policies.

g. **Greenbelts:** If the area is located in a designated Greenbelt, the objectives and boundaries of the Urban Greenbelt Plan (Resolution 25670) shall be considered.

**Policy 3: Multi-Family Residential Classifications**

The multi-family classifications specify the types of housing permitted in the different multi-family areas. The housing types are defined in terms of: (1) height, bulk and setbacks, (2) the amount of usable open space and the physical relationship of the open space to individual units, and (3) the location and appearance of parking and access to parking. Development standards regulating these elements are intended to provide for a transition in scale between multi-family and single family areas, facilitate an attractive pedestrian environment at the street level, conform with the topography to maintain natural hills and valleys and preserve views, encourage new development which is compatible with existing neighborhood character, and enhance the livability of new housing. Cluster development is also encouraged in all classifications. A greater variety of housing types is encouraged, particularly in the lower classifications. Each of the multi-family classifications allows all housing types permitted in a less intense classification.

Policy 3 summarizes the development standards for each of the five classifications; Policies 4 through 9 describe the requirements relating to each element such as open space, height, etc., for all classifications, in greater detail.

**Lowrise 1 (Single Family Attached)**

The lowest multi-family classification features housing of low height and small bulk with private, landscaped open space directly accessible to each unit. The primary objective is the development of housing that fits in with the scale, siting and landscaping of single family areas, and the provision

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of transition in intensity rather than scale between single family and other multi-family areas. Bulky buildings are discouraged by limiting the width of structures.

Housing types to be encouraged in Low 1 would include ground related structures such as duplexes, triplexes, townhouses and tandem houses. (Figure 1)

#### **Locational Criteria**

- a. Areas where structures of consistently low heights (25 feet to 30 feet) and small bulk establish the pattern of development, such as a mix of single family dwellings and small scale ground-related housing.
- b. Areas which border on single family detached areas where no transition to greater scale is desirable, and which lack physical edges, such as topographical breaks, buffering uses, arterials, institutions, parks or open space which might otherwise provide the necessary transition between areas of different scale.
- c. Areas where topography and prevailing building heights require a 30-foot height limit to retain views. Topographic and view conditions include:
  - Flat areas with views which are adjacent to areas with prevailing building height of 30 feet.
  - Moderate sloping areas (less than 16%) with views parallel or oblique to the slope.
  - Areas with a prevailing building height of 30 feet, on the downside of a slope where upland views could be blocked by greater height.
- d. Areas which are overlooked from public open spaces and scene routes, where public views would be blocked by buildings over 30 feet in height.
- e. Areas which are not directly served by an arterial or where substantial portion of the traffic generated by new development would travel through single family residential areas.
- f. Areas where there is poor access to services and transit.

#### **Height**

30 feet maximum.

(See Policy 4 for full explanation of height measurement and related guidelines.)

#### **Bulk**

Without modulation:

Width: 30 feet maximum

Depth: Maximum 50% of the depth of the lot (Figure 2)

With modulation:

Width: 60 feet maximum

Depth: 60% of the depth of the lot (Figure 3)

(See Policy 5 of this subsection for full explanation of bulk requirements, modulation requirements, and related guidelines.)

#### **Open Space**

A minimum of 300 square feet of private landscaped open space at ground level must be provided and made directly accessible to each unit. The entire 300 square feet of open space shall be provided in one contiguous area.

(See Policy 6 for full explanation of open space requirements and related guidelines.)

#### **Setbacks**

Front yard: The average of the setbacks of buildings on lots abutting the site, but is not required to exceed 2 feet.

Side yard: Five feet minimum.

When a row of townhouse units is oriented towards the side of the lot, a minimum 10-foot side yard setback is required along the side of the lot towards which the entrance of the units face.

Rear yard: Ten feet minimum.

(See Policy 7 for full explanation of setback requirements and related guidelines.)

#### **Parking and Access**

Access to parking with platted and improved alleys:

Access to parking shall be from the alley except where topographic changes make access infeasible or where the alley borders on a single

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family zoned area, in which case access may be from the alley or the street.

Access to parking in areas without alleys or with platted but unimproved alleys:

Access to parking may be from the street. Where the alley is platted but unimproved, alley improvement and alley access to parking are encouraged and may be required by the Department of Construction and Land Use (DCLU) as part of the routine project review, following guidelines to be developed.

In all cases where there is access from the street, curb cut widths shall be limited as provided in Policy 9, Guideline 5.

Location of parking:

Where access is allowed only from an alley, parking shall be located to the rear or to the side of the structure.

Where access is allowed from the street front, parking may be located in the front of the building, provided it is built into the building, with either garage doors or screening and landscaping, as described in Policy 9, Implementation Guidelines 3 and 4.

(See Policy 9 for full explanation of requirements related to design and location of parking, and related guidelines.)

**Lowrise 2**

As in the Lowrise 1 classification, this classification encourages low height and small bulk multi-family housing which provides landscaped, usable open space at ground level. The 30-foot height limit is the same as Low 1, but additional width is allowed for townhouse construction. The classification provides a transition between single family structures and multi-family buildings of moderate size.

Housing types to be encouraged in Low 2 include duplex, triplex, fourplex, townhouse, small-scale terraced housing, and walk-up apartments (Figure 4).

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**Location Criteria**

- a.Areas which feature a mix of single family dwellings, duplex, and small to medium size apartment buildings with a prevailing height of 25 to 30 feet (two to three stories).
- b.Areas which are located between areas of single family homes and medium scale multi-family housing, suggesting the need for a gradual transition between areas.
- c.Areas where the prevailing scale is small but where there is proximity to transit, open space, neighborhood business areas, and other amenities.
- d.Areas where the topography and prevailing building heights require a 30-foot height limit to retain views. Topographic and view conditions include:
  - Flat areas with views which are adjacent to areas with a prevailing building height of 30 feet.
  - Moderate sloping areas (less than 16%) with views parallel or oblique to the slope.
  - Areas with prevailing building height of 30 feet, on the downside of a slope where upland views could be blocked by greater height.
- e.Areas which are overlooked from public open spaces and scenic routes, where important views would be blocked by bulky buildings over 30 feet in height.
- f. Areas which are not in close proximity to an arterial and where a substantial portion of the traffic generated by new development would travel through large parts of lower intensity areas.

**Height**

30 feet maximum.  
(See Policy 4 for full explanation of height measurements, and related guidelines.)

**Bulk**

Without modulation:  
Width:30 feet maximum

Depth: Maximum 50% of the depth of the lot (Figure 5)

With modulation:

Apartments:

Width: 60 feet maximum

Depth: Maximum 60% of the depth of the lot (Figure 6)

Ground-related Housing:

Width: 75 feet maximum

Depth: Maximum 65% of the depth of the lot (Figure 7)

(See Policy 5 for full explanation of bulk requirements, modulation requirements, and related guidelines.)

### Open Space

Apartments: 30% of the lot as usable, landscaped open space at ground level.

Ground-related

Housing: A minimum of a total of 300 square feet per unit of private, landscaped open space directly accessible to each unit and at ground level. It may be divided, but no area shall be less than 120 square feet.

Terraced

Housing: 40% of the lot area shall be landscaped, usable open space, directly accessible to each unit. Usable open space at ground level may be reduced to 20% of the lot area if 30% of the lot area is provided as open space above the ground as decks directly accessible to each unit.

(See Policy 6 for full explanation of open space requirements and related guidelines.)

### Setbacks

Front yard: Average of the setbacks of buildings on lots abutting the site, but is not required to exceed 20 feet.

Side yard: Five feet minimum.

Rear yard: Ten feet minimum.

(See Policy 7 for full explanation of setback requirements and related guidelines.)

### Parking and Access

Access to parking in areas with platted and improved alleys:

Access to parking shall be from the alley, except where topography makes alley access infeasible and where the alley borders on a single family zoned area, in which case access may be from the alley or the street.

Access to parking in areas without alleys or with platted but unimproved alleys:

Access to parking may be from the street. Where the alley is platted but unimproved, alley improvements and alley access to parking is encouraged and may be required by DCLU as part of the routine project review, following guidelines to be developed.

In all cases where there is access from the street, curb cut widths shall be limited as provided in Policy 9, Guideline 5

Location of parking:

Ground-related and terraced housing:

When access is allowed from the street front, parking may be located in the front, provided it is built into the building with either garage doors or screening and landscaping, as provided in Policy 9, Implementation Guidelines 3 and 4.

Apartments:

Parking shall not be located in front of the building or in the required front yard. When parking is built into or under the building, the front facade of the building shall screen the parking. When parking is located on the side or rear of the building, so that it is directly visible from the street, it shall be screened and landscaped as provided in Policy 9, Implementation Guideline 4.

(See Policy 9 for full explanation of requirements related to location and design of parking and related guidelines.)

### Lowrise 3

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This classification permits multi-family housing of medium bulk but maintains a low height of 37 feet. Lowrise 3 provides the opportunity for a variety of medium scale multi-family residential developments, but controls the appearance of bulk by modulating the facade, breaking the rooflines according to the facade modulation pattern, and relating building height to the topography. Townhouses and terraced housing are encouraged by allowing additional width and depth for these types of developments.

Housing types to be encouraged in Low 3 include medium size walk-up apartments, townhouses, and terraced housing (Figure 8).

**Locational Criteria**

- a. Areas where a variety of scale patterns exist, but where there is a prevailing pattern of medium bulk and moderate height (30-40 foot heights).
- b. Areas where edge conditions, topographic breaks, separation by arterials, and open spaces create a break from smaller scale development which allows greater bulk and permits a variety of building widths.
- c. Areas where topography and prevailing building heights require a 37-foot height limit to retain views. Topographic and view conditions include:
  - Areas with steep slopes (168 and more) with views parallel or oblique to the slope.
  - Moderate sloping areas (less than 16%) with views perpendicular to the slope.
  - Flat areas downslope from areas with moderate slopes, especially those where the view is oblique to the slope.
  - Areas on the downside of a slope from areas characterized by 30-foot to 37-foot heights.
- d. Areas which are overlooked from public open spaces and scenic routes where important views would be blocked by bulky buildings over 37 feet in height.
- e. Areas which are well served by public transit and in close proximity to arterials.

- f. Areas which are adjacent to business and commercial areas with comparable or greater height and bulk, or where a transition in scale between areas of smaller and larger sized housing and commercial buildings is desirable.

**Height**

37 feet maximum  
(See Policy 4 for full explanation of height measurements, and related guidelines.)

**Bulk**

Without modulation:

Width: 30 feet maximum

Depth: 50% of the depth of the lot (Figure 9)

With Modulation:

Width:

Apartments: 90 feet maximum

Ground-related

Housing: 150 feet maximum

Terraced

Housing: 150 feet maximum

Depth:

Apartments: 60% of the depth of the lot  
(Figure 10)

Ground-related

Housing: 65% of the depth of the lot  
(Figure 11)

Terraced

Housing: 70% of the depth of the lot  
(Figure 12)

(See Policy 5 for full explanation of bulk requirements, modulation requirements, and related guidelines.)

**Open Space**

Apartments:

A minimum of 25% of the lot area as usable landscaped open space. A percentage of the required open space may be provided above ground level according to the provisions of Policy 6.

Ground-related Housing:

A minimum of 300 square feet per unit of private, landscaped open space at ground level, directly accessible to each unit. It may be divided, but no area shall be less than 120 square feet.

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**Terraced Housing:**

40% of the lot area shall be landscaped, usable ground level open space, directly accessible to each unit. The ground level open space may be reduced to 20% of the lot area if 30% of the lot area is provided as open space above the ground as decks directly accessible to each unit.

(See Policy 6 for full explanation of open space requirements, particularly for trade-offs of ground level space for above ground space, and related guidelines.)

**Setbacks**

**Front yard:** Average of the setbacks of buildings on lots abutting the site, but is not required to exceed 2 feet.

**Side yard:** Five feet minimum.

**Rear yard:** Ten feet minimum.

(See Policy 7 for full explanation of setback requirements and related guidelines.)

**Parking and Access**

Access to parking in areas with platted and improved alleys:

Access to parking shall be from the alley except where topography makes alley access infeasible and where the alley borders on a single family zoned area, in which case access for apartments shall from the street, and access for ground related and terraced housing may be from the street or the alley.

Access to parking in areas without alleys or with platted but unimproved alleys:

Access to parking may be from the street. Where the alley is platted but unimproved, alley improvement and alley access is encouraged and may be required by DCLU as part of routine project review, following guidelines to be developed.

In all cases where there is access from the street, curb cut widths shall be limited as provided in Policy 9, Guideline 5.

**Location of parking:**

Ground-related and terraced housing:

When access is allowed from the street front, parking may be located in the front, provided it is built into the building with either garage doors or screening and landscaping, as provided in Policy 9, Implementation Guidelines 3 and 4.

Apartments:

Parking shall not be located in front of the building or in the required front yard.

When parking is built into or under the building, the front facade of the building shall screen the parking. When parking is located on the side or rear of the building, so that it is directly visible from the street, it shall be screened and landscaped as provided in Policy 9, Implementation Guideline 4.

(See Policy 9 for full explanation of requirements related to design and location of parking and related guidelines.)

#### **Midrise**

This classification allows multi-family housing of a medium to large scale and fairly high density. In lower classifications in these policies, height limits are 37 feet or less; the height for Midrise is a maximum of 60 feet (approximately six stories); or 85 feet (for properties which are designated in a neighborhood plan as suitable for an 85-foot height limit, and which meet the additional development standards specified below); however, the maximum width is the same as for Lowrise 3. In order to minimize the appearance of bulk, building facades are required to be modulated, with rooflines breaking according to the modulation pattern of the facade.

Ground floor commercial use in apartment buildings is allowed in blocks adjacent to healthy commercial areas. (See Policy 15, Implementation Guideline 2.)

The housing types to be encouraged include midrise apartments and terraced housing. (Figure 13)

#### **Locational Criteria: Midrise 60'**

- a.Areas which are adjacent to business and commercial areas with comparable height and bulk.
- b.Areas which are served by major arterials and where transit service is good to excellent, and street capacity could absorb the traffic generated by midrise development.
- c.Areas which are in close proximity to major employment centers.

- d.Areas which are in close proximity to open space and recreational facilities.
- e.Areas along arterials where topographic changes either provide an edge or permit a transition in scale with surroundings.
- f.Flat areas where the prevailing building height is greater than 37 feet or where, due to a mix of heights, there is no established height pattern.
- g.Areas with moderate slopes and views oblique or parallel to the slope where the height and bulk of existing buildings have already limited or blocked views from within the multi-family area and upland areas.
- h.Areas with steep slopes and views perpendicular to the slope where upland developments are of sufficient distance or height to retain their views over new developments up to 60 feet high.
- i.Areas where topographic conditions allow the height of the buildings to be obscured. Generally, these are steep slopes 16% or more, with views perpendicular to the slope.

#### **Locational Criteria: Midrise 85'**

The 85' height limit is intended for areas which have been designated in an adopted neighborhood plan as suitable for development to 85', and where the following criteria are met:

- a.Areas which are bounded on at least two sides by zoning which permit heights of 85' or greater;
- b.A height of 85' could be accommodated without significantly blocking views;
- c.Development authorized by the zoning is unlikely to exceed the ability of transit, sewers and other utilities to serve the area, and parking will be available to accommodate demand;
- d.Where the rezone will result in 1) a gradual transition in height and scale between adjacent zones, when the difference in height between the proposed zone and adjacent zones exceeds 20 feet, or 2) a major physical edge is present which buffers the transition between such zones. These physical edges may be:
  - (i)Natural features such as topographic breaks, lakes, rivers and ravines;

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- (ii) Freeways, expressways, and other major arterials;
- (iii) Street grid and block orientation;
- (iv) Open spaces and greenbelts.

**Height**

60 or 85'

(See Policy 4 for full explanation of height measurements, and related guidelines.)

**Bulk**

Without modulation:

Width: 40 feet maximum

Depth: Maximum of 50% of depth of lot (Figure 14)

With modulation:

Width: 90 feet maximum

Depth: Maximum of 60% of depth of lot (Figure 15)

Townhouses and Terraced Housing:

For townhouses and terraced housing which exceed 90 feet in width as allowed in Lowrise 3, all the development standards set out in Lowrise 3 shall apply.

(See Policy 5 for full explanation of modulation requirements, bulk requirements and related guidelines.)

**Open Space**

A minimum of 30% of the lot area shall be devoted to landscaped, usable open space at ground level, or 20% at ground level if 15% of lot area is provided as usable open space above ground level.

(See Policy 6 for full explanation of open space requirements, particularly for trade-offs of ground level space for above ground space, and related guidelines.)

**Setbacks**

Front yard: Average of the setbacks of buildings on lots abutting the site, but is not required to exceed 20 feet.

Side yard: For buildings up to 37 feet high: Five feet minimum. For buildings up to 60 feet high: Eight feet minimum.

Rear yard: Ten feet minimum.

(See Policy 7 for full explanation of setback requirements, and related guidelines.)

**Parking and Access**

Access to parking in areas with platted and improved alleys:

Access to parking shall be from the alley except where topographic changes make alley access infeasible and when the alley borders on a Single Family, Lowrise 1 or 2 area, in which cases it shall be from the street.

Access to parking in areas without alleys or with platted but unimproved alleys:

Access to parking may be from the street. Where the alley is platted but unimproved, alley improvement and alley access is encouraged and may be required by DCLU as part of routine project review, following guidelines to be developed.

In all cases where there is access from the street, curb cut widths are limited as provided in Policy 9, Guideline 5.

Location of parking:

Parking shall not be located in front of the building or in the required front yard. When parking is built into or under the building, the front facade of the building shall screen the parking. When parking is located on the side or rear of the building, so that it is directly visible from the street it shall be screened and landscaped as provided in Policy 9, Implementation Guideline 4.

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(See Policy 9 for full explanation of requirements related to design and location of parking, and related guidelines.)

### **Highrise**

The most intense classification allows highrise structures, providing for increased concentration of residential development. Highrise structures may be developed in combination with lowrise housing.

Residential and/or retail use is permitted at street level in order to add activity and visual interest to the street environment and contribute to the neighborhood's livability; ground floor commercial use in residential buildings is permitted throughout Highrise areas.

Greater bulk is allowed for the first 37 feet of the highrise structure. Maximum height is 160 feet; additional height — to maximum of 240 feet — is permitted if the development provides public open spaces, preserves or provides low and moderate cost housing, preserves historically or architecturally significant buildings, or provides more space between towers to decrease view blockage and shadows on adjacent structures and open spaces. If demolition of housing is necessary for the development, no height above 160 feet shall be allowed unless that housing is replaced with an equivalent amount of housing in a comparable price range.

Housing types to be encouraged are residential towers and towers in combination with lowrise base structures (Figure 16).

### **Locational Criteria**

- a. Areas which are served by arterials where transit service is good to excellent and street capacity is sufficient to accommodate traffic generated by highrise development.
- b. Areas which are adjacent to a concentration

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of residential services or a major employment center.

c.Areas which have excellent pedestrian or transit access to downtown.

d.Areas which have close proximity to open space, parks and recreation facilities.

e.Areas where no uniform scale of buildings establishes the character and where highrise development would create a focal point and help define the character.

f. Flat areas on the tops or hills or in lowland areas away from hills, where views would not be blocked by highrise buildings.

g.Sloping areas with views oblique or parallel to the slope where the height and bulk of existing buildings have already limited or blocked views from within the multi-family area and upland areas where the hillform has already been obscured by development.

**Height**

160 feet maximum.

Additional height up to a maximum of 240 feet may be allowed through an administrative review. In order to qualify, the applicant must comply with the provisions below:

a.If the construction of the proposed development will involve the demolition of housing, no height above 160 feet shall be allowed unless the new development includes at least an equivalent amount of housing in a comparable price range as the housing which is demolished. Guidelines as to what constitutes an equivalent amount of housing and a comparable price range will be developed in the Land Use Code.

b.If the construction does not involve the demolition of housing, or if the provisions of (a) above have been met, additional height above 160 feet may be allowed in return for the provision of one or more of the following public benefits:

—Usable public open space with recreational facilities is provided.

—Low and/or moderate cost housing is preserved or provided (this provision may be in addition to housing provided to meet (a) above, or where no housing is demolished).

—Historically or architecturally significant buildings are preserved.

—Provisions are made for adequate spacing between existing and proposed towers to decrease or avoid view blockage or shadows on adjacent structures and open spaces.

Following criteria to be developed in the Land Use Code, the administrative review shall determine whether the benefits proposed under the conditions above merit additional height, and shall determine the amount of additional height to be allowed.

(See Policy 4 for full explanation of height measurement, and related guidelines.)

**Bulk**

Base structures:

No maximum width or depth shall be established for walls or facades below 37 feet in height, except for limitations established by the required setbacks. Modulation along street fronts shall be required.

Towers:

Facades shall not exceed 100 feet in width or depth.

(See Policy 5 for full explanation of bulk and modulation requirements, and related guidelines.)

**Open Space**

A minimum of 50% of total lot area shall be landscaped, usable open space at ground level. Open space at ground level may be reduced to 25% of lot area if an additional 30% of lot area is provided as usable open space above ground level, but not higher than 37 feet above existing grade (usually on the roof of the base structure).

(See Policy 6 for a full explanation of open space requirements and related guidelines.)

**Setbacks**

Front yard:Base structures: Average of setbacks of buildings on abutting lots, but not required to exceed 10 feet. Where

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street facade is in retail use, no setback is required.

Towers: Minimum of 20 feet from the property line.

Side yard: For base and towers shall vary depending on the height of the wall, according to the following chart.

**REQUIRED MINIMUM SETBACKS**

Combined Total of Both Side Yard Setbacks Must Be at Height of Wall	Neither Side Yard May Be Less Than ...	
	Least ...	Less Than ...
37'	10'	5'
60'	16'	8'
90'	25'	10'
120'	30'	14'
160'	40'	16'

Rear yard: A minimum of 10 feet for buildings up to 60 feet.

A minimum of 20 feet for buildings higher than 60 feet.

When two or more principal buildings are located on one lot, the required setback between buildings shall follow Policy 7, Implementation Guideline 7.

(See Policy 7 for full explanation of setback requirements, and related guidelines.)

**Parking and Access**

Access to parking in areas with platted and improved alleys:

Access to parking shall be from the alley, except where topographic changes make alley access infeasible and when the alley borders on a Single Family, Lowrise 1 or 2 area, in which cases it shall be from the street.

Access to parking in areas without alleys or with platted but unimproved alleys:

Access to parking may be from the street. Where the alley is platted but unimproved, alley

improvement and alley access is encouraged and may be required by DCLU as part of routine project review, following guidelines to be developed.

In all cases where there is access from the street, curb cut widths are limited as provided in Policy 9, Guideline 5.

Location of parking:

Parking shall not be located in front of the building or in the required front yard, if any. When parking is built into or under the building, the front facade of the building shall screen the parking. When parking is located on the side or rear of the building, so that it is directly visible from the street, it shall be screened and landscaped as provided in Policy 9, Implementation Guideline 4.

A maximum of 50% of the ground floor may be used for parking. If retail use is provided along the street front, this may be increased to 60%.

Offsite accessory use parking is permitted in Highrise areas subject to the provisions of Policy 15, Guideline 3.

(See Policy 9 for full explanation of requirements related to design and location of parking, and related guidelines.)

**Use of Street Front Facades** The street front facade or facades shall be devoted to residential, retail, or a mix of residential-commercial services, and shall be designed to provide activities at the sidewalk level and enhance the street environment.

**Policy 4: Height of Buildings** Height limits are established for each of the five multi-family classifications, providing for the construction of lowrise, midrise and highrise development in multi-family areas. The appropriate height for an area shall be determined according to the locational criteria for the multi-family classifications.

The intent of this policy is to establish maximum heights, maintain a consistent height limit throughout the building envelope, require that the

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building heights reflect the topography of the site, reduce view blockage, encourage pitched roofs, and facilitate rooftop recreation and solar energy development.

There shall be no allowance to increase the maximum height under Design Departure, Policy 10, or any other administrative review procedure. The only exceptions to the height limits are the exemptions for pitched roofs and special rooftop features.

In order to facilitate the placement of functional rooftop features, and encourage the use of rooftops for the development of solar systems and recreational purposes, rooftop features shall be allowed additional height above the height limit for the particular classification, under regulations which limit additional height, placement, coverage, and, to a limited extent, design.

The height of buildings shall be measured to reflect the natural contours of the land and to maintain a consistent maximum height throughout the building envelope in order to maintain scale relationships with adjacent buildings and under varying topographic conditions, and protect views. The height measurement technique shall assure predictable maximum heights. The height of the building envelope shall follow the existing grade of a site; artificially created grades to gain height advantages shall be prohibited.

**Implementation Guideline 1 — Height Limits**

Height limits for the multi-family classifications are as follows:

- Lowrise 1:30 feet
- Lowrise 2:30 feet
- Lowrise 3:37 feet
- Midrise:60 feet
- Highrise:160 feet; or up to 240 feet if certain benefits or amenities are provided (see Policy 3, Highrise)

No portion of the structure shall project above the maximum building envelope, except for pitched roofs and exempt rooftop features (Guideline 3 below).

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**Implementation Guideline 2 — Height Measurement Technique**

**a. Building Envelope**

The maximum building envelope shall reflect the ground surrounding the envelope (Figure 20). This envelope shall have a maximum height throughout, equal to the height limit for the particular classification. When the slope is parallel or perpendicular to the street in front of the building, the top of the building envelope shall “step” (Figure 20) or follow the land contours (Figure 21).

**b. Height Measurement from Existing Grade**

Heights shall be measured from existing grade. Grades which are artificially created to gain height or hide actual height of buildings that would otherwise exceed the height limit shall be prohibited (Figure 22). In these cases, height shall be measured from the original grade.

**Implementation Guideline 3 — Exemptions to Height Limits**

**a. Pitched Roof Provision**

The ridge of pitched roofs, with a minimum of three in twelve pitch, shall be allowed to extend up to five feet above the maximum building envelope (Figure 23). While pitched roofs may be combined with rooftop features allowed in Section (b) of this Guideline, the additional five feet allowed in this provision may not be added to any additional height allowed under Section (b) of this Guideline.

**b. Control of Rooftop Features**

- (i) Objects categorically exempt from height control shall be limited to aerials, spires for religious institutions, and flagpoles, provided that they are a minimum distance (to be established in the Land Use Code) from adjoining lots.
- (ii) Up to four feet of additional height above the height limit set by the development standards shall be allowed for the following rooftop features: solar collectors, open rails, planters, skylights, smokestacks, clerestories and greenhouses.



(iii) In Midrise and Highrise areas, solar collectors shall be allowed up to seven feet above the height limit, with unlimited roof coverage. Solar collectors using this exemption should be placed to minimize view blockage while still providing adequate sun exposure to the collector.

(iv) Features for which up to 10 feet additional height shall be allowed, so long as they do not cover or enclose more than 15%, for all features, of the roof area, shall include:

In Lowrise 1, 2, and 3 areas:

- stair and elevator penthouses;
- mechanical equipment (may cover 20% of roof area, if screened);
- recreation facilities and open mesh fencing which encloses it, if the fencing is a minimum distance from the roof edge.

In Midrise and Highrise areas:

- all features allowed in Lowrise areas;
- sun and wind screens;
- penthouse pavilions for common use;
- greenhouses.

(v) Administrative review for retrofitting solar collectors:

An administrative review shall be provided for those situations in which retrofitting solar collectors on existing buildings cannot be accomplished within the limits of this Guideline. In order to authorize an exemption, the Director of DCLU shall determine that there is no economically feasible alternative solution to placing the collectors on the roof, and that the proposed positioning

of the collectors would minimize view blockage, while still providing adequate sun access to the collectors.

(vi) Any rooftop feature exempted under Sections (b, (ii, iii, iv and v)) of this Guideline shall be placed so as not to shade property to the north on January 21, at noon, any more than would a structure built to the maximum permitted height and bulk. An exception shall be made for open rails which block no more than 10% of the light.

#### **Implementation Guideline 4 — Height Limits in Shoreline Areas**

The development standards of the Residential Areas Policies shall apply in shoreline areas; however, the height limit shall not exceed 35 feet, as stipulated in the Shoreline Master Program. Therefore, the height limit in Lowrise 1 and 2 is 30 feet, in accordance with the multi-family development standards, but the height limit in Lowrise 3 shoreline areas shall be 35 feet rather than 37 feet, as allowed in Lowrise 3 areas which are not within the shoreline district.

Height in shoreline areas shall be defined according to the State requirements, as described in the Shoreline Master Program regulations.

#### **Policy 5: Bulk Requirements**

Bulk limits are established to conform with the prevailing pattern of development in the surrounding area, to prevent the development of wide buildings which block views, and to encourage infill development. In order to minimize the appearance of bulk, modulation techniques shall be used which allow buildings to be wider than their neighbors while appearing compatible in horizontal scale. In each classification except Highrise, there are established two sets of width and depth limits: more restrictive limitations for unmodulated buildings and less restrictive limits for buildings which minimize the appearance of bulk through modulation.

#### **Implementation Guideline 1 — Width and Depth Limitations for All Classifications Except Highrise**

Width and depth limits are established in all multi-family classifications to ensure the scale of

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development is generally compatible with existing character, to maintain light and air, and encourage single lot development.

- a. Width and depth for each structure on a lot in Lowrise 1, 2, and 3, and Midrise areas shall be limited according to the chart on the following page.
- b. Exception to the maximum depth of structure

In order to provide more flexibility in the siting and design of apartment structures in L2, L3, and MR zones, as an alternative to the requirements of (a) above, the maximum depth of apartment buildings may be increased beyond the 60% depth of lot, subject to the following conditions:

- The maximum footprint area, as determined by the width, depth and setback requirements for the appropriate designation, shall be maintained.
- The minimum front and rear yard setbacks shall be maintained.
- In no case may the depth exceed the maximum building width for buildings with modulation for the appropriate classification (see chart in Guideline 1(a) above).
- Buildings designed according to these provisions shall be modulated along the side yards. (See Figure 24)
- In Lowrise 3 and Midrise, the required open space shall be increased to 30 percent of the area of the lot. No more than one-third of the open space may be provided as decks or balconies.

**Implementation Guideline 2 — Bulk Limitation for Highrise Areas**

- a. **Facades below 37 feet in height:** No maximum width or depth except for limitations established by required setbacks shall be imposed. Modulation shall be required along street fronts.

- b. **That portion of a facade above 37 feet in height:** Facades above 37 feet in height shall not exceed 100 feet in width or depth.

**Implementation Guideline 3 — Modulation Requirements**

Modulation requirements are established to reduce the appearance of bulk, and encourage the provision of decks and balconies. The intent is to encourage multi-family housing that has amenities for the residents.

- a. Modulation shall be required along the front facade of a building when the width of the building exceeds that specified in the column titled “Maximum Building Bulk Without Modulation” in Implementation Guideline 1. Modulation shall be required along the rear facade of a building when the width of the building exceeds that specified in the column entitled “Maximum Bulk Without Modulation” in Implementation Guideline 1, and when the average of the rear setback is less than 15 feet.
- b. Modulation shall not be required along the sides of a building except:
  - (i) On corner lots, where two sides of the building facing the street shall modulate; however, for ground-related housing on the side street, the

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**BULK REQUIREMENTS**

	<b>Max. Building Bulk Without Modulation</b>	<b>Max. Building Bulk With Modulation</b>
Single Family Attached (all ground-related units)	Width:30' or 40' maximum Depth:50% depth of lot maximum	Width:60' maximum Depth:60% depth of lot maximum 65% depth of lot if units face side of lot
Lowrise 2	Width:30' or 40' maximum Depth:50% depth of lot maximum	Apartments — Width:60' Depth:60% depth of lot maximum  Ground-related and Terraced Housing— Width:75' maximum Depth:65% of lot maximum; terraced housing — no limit to depth
Lowrise 3	Width:30' or 40' maximum Depth:50% depth of lot maximum	Apartments — Width:90' or 110' or 150' maximum Depth:65% depth of lot maximum  Ground-related Housing— Width:150' maximum Depth:65% depth of lot maximum  Terraced Housing — Width:150' maximum Depth:No limit to depth
Midrise (all housing types)	Width:40' maximum Depth:50% depth of lot maximum	Width:150' maximum Depth:65% depth of lot maximum; terraced housing — no limit to depth

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unmodulated facade may extend to 40 feet. (See Figure 25)

Low 2	8 feet	40 feet
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(ii) Where a row of townhouse units faces the side of the lot.

Low 3	10 feet	45 feet
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(iii) When the maximum depth of an apartment building exceeds 60% of the depth of a lot, according to Guideline 1(b) above.

Midrise	12 feet	50 feet
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Highrise (base structures)

(ii) In all classifications except Low 1, the width of modulation may be increased as the distance of the wall from the street is increased, according to guidelines to be developed in the Land Use Code.

c. The minimum depth of modulation shall be four feet for Lowrise 1, 2, and 3, and for base structures in Highrise; and eight feet for Midrise. When balconies are set into the modulation and have a minimum area of 60 square feet with a minimum dimension of six feet, the depth of modulation may be reduced by two feet.

d. Modulation may start above the ground floor, but shall be maintained from the second floor to the roof. Features such as balconies, usable terraced setbacks, exterior projecting chimneys, and stairways qualify as modulation techniques, so long as they meet the minimum depth standards.

e. In Lowrise 1 areas, the modulation shall emphasize the identity of the individual units. The width of modulation shall not be less than five feet nor exceed 30 feet.

f. Modulation alternatives for all classifications except Low 1:

(i) The width of the unmodulated facade may be increased as the depth of modulation is increased, according to the following chart:

**MODULATION VARIATION**

Depth of Modulation Up to ...	Width of Unmodulated Facade Up to ...

**Policy 6: Open Space**

Multi-family developments shall be required in multi-family developments in order to provide open space for the use of the residents, to maintain existing street patterns of landscaped front yards, to encourage permeable surfaces and vegetation, and to mitigate the cumulative effects of development. Open spaces shall be landscaped to enhance the livability of the units and the character of new development.

Ground-related housing shall have ground level open space which is directly accessible to each unit and is for the private use of the residents of that unit.

Usable open space for terraced housing must be directly accessible to each unit but may be located above ground level on the rooftop of units below.

Apartments shall have usable ground level open space for the residents of the building. Some of that space may be provided as private decks and balconies.

Highrise apartments shall have a significant portion of the lot area as usable open space for the use of the residents. Some of the open space requirements may be met with areas which are

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located above ground level but are not higher than the roof of the base structure.

**Implementation Guideline 1 — Open Space for Ground-Related Units**

The open space of a ground-related unit shall be adjacent to the unit and have direct access from the unit. The open space may be located at the front, sides or rear of the building, or one story (10 feet maximum) below the unit, provided the access to the open space does not go through or over common circulation areas, common or public open spaces, or the open space of another unit. In order to ensure the privacy of the open space, openings (windows, doors, etc.) on walls adjacent to the open space which are part of a different unit or common areas shall be prohibited.

Ground-related units such as townhouses, duplexes, etc., shall have a minimum of 300 square feet, with no horizontal dimension less than 10 feet. In Lowrise 1, all 300 square feet shall be in one contiguous piece. In Lowrise 2 and above, the areas may be divided, but no area shall be less than 120 square feet.

Terraced housing shall have 40% of the lot area as open space, or a minimum of 10% at ground level if 30% of lot area is provided as usable, directly accessible open space above ground level. No horizontal dimension shall be less than 10 feet, nor any area less than 120 square feet.

**Implementation Guideline 2 — Open Space for Apartments**

a. The open space for apartments shall be at ground level and landscaped to provide usable open space for the residents of the building. In Lowrise 2 zones, 30% of the lot area must be provided as usable open space. In Lowrise 3 and Midrise zones, 25% of the lot area shall be usable open space at ground level, or the open space may be provided above ground in the form of balconies, roof gardens, etc. Open

space may be reduced at ground level to 20% of the lot area if 10% of the lot area is provided as open space as decks or balconies directly accessible to the units.

No horizontal dimensions of any open space area at ground level shall be less than 10 feet for Lowrise 2 and 3 and Midrise, and 15 feet for Highrise.

When open space areas are provided above ground level in the form of decks and balconies, no dimension shall be less than six feet and no area less than 60 square feet.

b. Open Space for Highrise Apartments: The open space for highrise apartments shall be ground level, landscaped space, which provides usable space for the residents of the building. Fifty percent of the lot shall be provided as usable open space, or a percentage of this space may be provided as usable open space for the residents of the building above ground level but not higher than the roof of the base structure, with a minimum of 25% at ground level. Increased height may be granted for usable open space dedicated to the public in addition to the required open space for the use of the residents. No area shall be less than 225 square feet.

**Implementation Guideline 3 — General Requirements for Open Space**

Open space may be located in the required yards, but driveways and access may not be counted as open space (except access for the physically disabled). All horizontal dimensions must be at least 10 feet, except in Highrise areas, where the minimum horizontal dimension is 15 feet. Decks and balconies providing required open space shall have 60 square feet in area and all horizontal dimensions must be at least six feet.

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Policy 9, Implementation Guideline 7, allows a 5% reduction in open space if all uncovered surface parking and access are covered in permeable surfaces. This allowance may be combined with the reduction in ground level open space for decks and balconies.

To ensure suitability of open space, landscaping standards shall be established.

#### **Implementation Guideline 4 — Walls and Screening of Open Space**

Walls and screening of a maximum of six feet in height will be permitted and in many cases may be necessary to provide private open space. Such walls or fences may be built at the property line in order to maximize the amount of open space usable by the residents of the building.

#### **Implementation Guideline 5 — Open Space in Shoreline Areas**

In shoreline areas, when determining the amount of open space required, no land waterward of the ordinary high water mark shall be included in the calculation.

#### **Policy 7: Setback Requirements**

Front yard setbacks shall maintain established setback patterns. In order to encourage courtyards, adequate location of usable open space, and to facilitate the modulation of front facades, allowances shall be made for averaging the required front yard of any site for all the multi-family classifications. Infill development that is compatible in scale and siting with surrounding buildings and maintains the pattern of landscaping along the street frontage shall be encouraged. Open balconies, decks and bay windows shall be allowed to project over the required front yard. Minimum side yard and rear yard requirements shall be established for light, air, solar access, and privacy of units. Side yard requirements shall vary

depending on the height of the building and depth of the walls along adjacent lots.

#### **Implementation Guideline 1 — Front Yard Setbacks**

a. Front yard setbacks shall be required of new development. The minimum depth of the required front yard shall generally be determined by the average of the setback of buildings on adjoining lots. The depth shall be measured from the front property line to the closest wall comprising 20% or more of the front facade of the structure. However, no front yard shall be required to exceed 20 feet (Figure 26) in Lowrise 1 and 2 zones, or 15 feet in Lowrise 3 or Midrise zones. No set back shall be required to be more than five feet in excess of the setback of the adjacent structure which is closest to the street.

b. Multi-family buildings along arterials which have units oriented away from the arterial to mitigate the arterial negative impacts (noise, pollution) may reduce the front yard setback by 50%, or be equal to the setback of the adjacent building closest to the property line, whichever is closer to the street. In these cases, the units shall be oriented towards the required open space provided along the side or rear of the building. (Criteria for this allowance are to be developed in the Land Use Code.)

c. Front yard setbacks of corner lots which face the block front shall be treated like interior lots (lots not on corners). On corner lots facing the side street, the side yard facing the block front shall be a minimum of half the depth of the front yard of the building to the rear, but shall not be required to exceed 20 feet (Figure 27).

d. Where one or both adjoining lots are vacant, the front yard setback requirements shall be a minimum of 10 feet.

e. Highrise Areas:

(i) **Base Structures:** In highrise development, the front setback of the base structure of 37 feet or less in height shall be equal to the average of the setbacks of abutting lots, but shall not be required to exceed 10 feet. Where the street front is used for retail, no front yard setback shall be required.

(ii) **Towers:** Any elevation above a height of 37 feet shall be set back a minimum of 20 feet from the front property line (Figure 28).

**Implementation Guideline 2 — Averaging Front Yard Setbacks**

In order to provide design flexibility, encourage modulated front walls to minimize the appearance of bulk, and to promote courtyards and openings of interior spaces to obtain light, air, and views to the street front, averaging of the front yard shall be allowed. A projection of the facade which begins at ground level may be no closer than five feet from the front lot line or equal to a facade projection of the structure on the nearest adjoining lot, whichever is closer to the property line (Figure 29).

**Implementation Guideline 3 — Projections of Architectural Features**

Additional provisions shall be allowed for specific architectural features such as decks, open balconies, and bay windows. The intent is to encourage such features to project over the front yard, provided they are above the first floor and are at least three feet from the front property line (Figure 30). Projections at ground level are allowed as part of the averaging of the front yard, according to Implementation Guideline 2, above.

Cornices, eaves, sun shades, gutters and other architectural features shall be permitted to project 18 inches into the required yards, provided that

they are no closer than three feet to any side or rear lot line.

**Implementation Guideline 4 — Walls and Screening in the Required Front Yards**

Walls and screening of no more than six feet in height shall be permitted in the required front yard for the purpose of screening parking and common or private outdoor open space. Where parking is screened, a minimum of three feet of landscaping shall be required on the street side of such walls or screening. (Figure 31)

**Implementation Guideline 5 — Side Yard Setback Requirements**

a. In order to provide a minimum sense of privacy, openness, light and air, to gain solar access, and to mitigate shadows to adjacent sites, side yards shall be required. The required side yard shall vary depending on the building's height and depth. The minimum required side yards are as follows (See Figure 32):

**MINIMUM REQUIRED SIDE YARDS**

Height	Combined Total of Both Setbacks Must Be At Least ...	Neither Side Yard May Be Less Than ...
37'	10'	5'
60'	16'	8'
70'	20'	9'
80'	22'	10'
90'	25'	11'
120'	30'	14'
160'	40'	16'

For Highrise areas only:

When properties adjacent to the site are developed to the property line, the base structure of the

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proposed development may be joined to the existing building.

b. When the length of a wall along the side of the lot exceeds 60 feet in Lowrise 2 or Lowrise 3, or 65 feet in Midrise, the required setback shall be increased as the height or depth of the wall is increased. The setback may be averaged along the side of the building, provided the minimum setback is at least five feet. As the required average setback is increased, the minimum setback shall also be increased. Balconies, decks and chimneys may extend up to three feet from the lot line (Figure 32).

c. When a row of townhouse units is oriented towards the side of the lot, the minimum side setback is five feet, with no averaging permitted; entrances must be set back at least 10 feet from the lot line (Figure 33).

**Implementation Guideline 6 — Rear Yard Setback Requirements**

A minimum rear yard setback of 10 feet shall be established for buildings up to 60 feet in height which are modulated along the rear facade, or an average of 15 feet for structures which are not modulated, provided that no part of the setback shall be less than ten feet; a minimum of 20 feet shall be required of buildings higher than 60 feet. An exception shall be made for lots less than 5,000 square feet with a maximum of two units per lot which back onto an alley. In that case, zero rear yard setback shall be allowed if the structure is no taller than 10 feet and no wider than 50 percent of the width of the lot along the rear property line (Figure 34).

**Implementation Guideline 7 — Setbacks for Cluster Development of a Group of Buildings**

Where two or more principal buildings are located on one lot, the required setbacks between buildings shall vary depending on the facades length

and the height of the buildings. The purpose is to provide a sense of privacy, open space, light, and air and safety, to gain solar access, and to mitigate shadows between buildings. The minimum setback between buildings shall be equal to the total side yard setback required according to Implementation Guideline 5 of this policy. The required setback shall increase as the depth and height of the buildings increase. To provide flexibility for cluster development, the required setback may be averaged. Generally, wider setbacks shall be provided towards the street and lot lines when averaging, in order to reduce the appearance of bulk and reduce shadows.

The required minimum setback between principal buildings in a single lot shall be as follows:

**MINIMUM SETBACKS FOR CLUSTER DEVELOPMENT**

Facing Walls Facades	Setback Between	Facing
Depth (feet)	Height up to 40 in height (feet)	41 to 65
40	10	15
41-60	15	20
61-80	20	25
81-100	25	30
101-150	30	40
151 +	40	50

The setbacks along the street front for any building or buildings on the site shall be determined by the average of the setbacks of buildings on abutting lots (Implementation Guideline 1). The side and rear yard requirement along the property line shall be the same as required in Guidelines 5 and 6 of this policy (Figure 34).

**Implementation Guideline 8 — Setbacks in Shoreline Areas**

For current SMC, contact the Office of the City Clerk

**Front Yard:** A minimum three-foot planting area shall be required along street fronts in order to maintain or enhance the landscaped character of the residential area.

**Side Yard:** There shall be no minimum side yard setback required, provided the view corridor provision of the Shoreline Master Plan (SMP) and yard requirements of the Building Code are met.

**Rear Yards:** Rear yard setbacks in shoreline areas shall conform to the SMP. Therefore, residential structures and accessory structures shall be located at least 25 feet landward of the ordinary high water mark unless other residential structures are located within 100 feet, in which case the required setback from the shoreline shall be determined by the Director of DCLU. The determination shall be based on the goals set forth in Resolution 25173, the regulations of the SMP, and the Shoreline Management Act, taking into account irregular topography and shorelines, as well as the configuration of lots and views from adjacent residences.

**Policy 8: Quantity of Required Off-street Parking**

The purpose of this policy is to balance the need for new developments to meet approximate parking demand in order to avoid adding to the congestion of parking cars on surrounding streets against the countervailing needs to minimize the costs of housing associated with required off-street parking, and to recognize the City's energy policies which encourage the use of public transit and discourage the use of automobiles.

In recognition of these countervailing needs and policies, the City-wide parking ratio shall be one off-street space per housing unit, an adequate minimum when considered against the need to keep housing costs low and to discourage the use and ownership of private automobiles. This ratio is a minimum; there is no maximum so long as appearance and locational standards are met.

In order that this policy reflect as accurately as possible current automobile ownership patterns in Seattle, the City shall review this ratio when new census data are available.

In order to respond to those situations in which one space per unit is not the appropriate ratio, exceptions shall be made for special occupant groups, in certain situations where new units are added to existing development, and in large developments containing larger units. These exceptions are described in the Guidelines to this policy.

In most of these exceptions, the Director of DCLU shall make the determination as to what the appropriate ratio shall be, balancing parking demand against the need to maintain housing costs which are as low as possible and the City's energy policies.

**Implementation Guideline 1 — Quantity of Required Parking**

- a. The City-wide parking ratio for all development in multi-family areas shall be one offstreet per unit minimum. There is no maximum. The exceptions to this requirement are listed below:
- b. Minimum parking requirements for specially defined occupant groups shall be as follows:
  - (i) Subsidized housing for low-income elderly — one space per six units (1:6).
  - (ii) Subsidized housing for low-income physically and mentally disabled: one space per four units (1:4).
  - (iii) Boarding, lodging or rooming houses, fraternities and sororities, group homes, and other congregate housing, except special residences other than group homes, shall be required to provide one space for every three sleeping rooms, or for every six beds, whichever amount is greater. (This applies to

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multi-family housing units which have a sizeable number of sleeping/living rooms served by one kitchen.)

(iv) The Director of DCLU may allow less than one space per unit for special groups which can demonstrate that they will own fewer automobiles, and that the building will be occupied by the same population over a long term.

c. **Future reduction:** In 1982, when the results of the 1980 Census are available, the Executive shall analyze the data, collect additional data if necessary, and recommend appropriate revisions to the off-street parking requirement consistent with the City's energy and environmental objectives.

### **Implementation Guideline 2 — Determination of Required Parking for Large Apartment Developments**

The Director of DCLU may, after a special review of the parking conditions in the surrounding area and consideration of environmental impacts and the cost of housing, require parking in excess of the 1:1 parking ratio, up to a maximum of 1.25 spaces per unit.

If a proposed project meets all of four of the following criteria, it shall be reviewed and may be conditioned by the Director for adequacy of parking:

1. The proposed housing not be ground-related (see glossary).
2. The development will have more than 20 units.
3. Forty percent or more of the units will be more than 1200 square feet.
4. The development is proposed to provide less than 1.25 spaces per unit.

In these cases, the Director shall be responsible for studying parking congestion in the area. The Director may require that a study be performed at the expense of the applicant, using DCLU-approved methodology and with DCLU

approval of the study product. The purpose of the study shall be to determine the level of parking congestion in the area. The Director shall examine indications of parking congestion, including whether 85% of existing curbside spaces within the area are occupied during the eight-hour period of maximum residential use, and shall consider all other factors he deems necessary.

Following the survey, the Director shall determine whether parking in excess of the 1:1 ratio, up to a maximum of 1.25 spaces per unit, shall be required. In making this determination, the Director shall take into account the following factors, in addition to his determination of parking congestion:

1. The effect of requiring additional parking on the economic feasibility of the project and the cost of housing to the consumers.
2. The effect of requiring additional parking on the appearance and livability of the housing units, from the perspective of the provision of usable open space, access to the housing, preservation of a pedestrian-oriented streetscape, etc.
3. City and regional goals to increase the use of public transit and decrease dependence on the private automobile.
4. Opportunities for shared-use parking, which comply with other related policies.

If the Director determines that more than one space per unit, up to a maximum of 1.25 spaces per unit, is necessary, he may, in addition to requiring the additional spaces, also require that the additional spaces be provided as guest parking, accessible outside of the secured parking area.

### **Implementation Guideline 3 — Parking Requirements When Adding Units to Existing Buildings**

a. Structures which do not meet development standards for parking:

If the structure to be expanded lacks required parking, or the parking does not meet the development standards for location and

design, the deficit or non-conformity may be continued, so long as the parking provided for the units to be added meets development standards for quantity, location, and design, and the existing parking is screened and landscaped according to Policy 9, Implementation Guideline 4.

b. Structures with parking which meet development standards:

If the existing structure has parking which meets the development standards, and the addition does not add to the existing lot area, one additional unit may be added without additional parking. If two units are added, one space will be required; three units will require two spaces, etc. Additional parking must meet all development standards for the applicable multi-family classification.

c. Small lots (under 5000 square feet), where a second unit is added to a lot on which there is an existing structure:

In this situation, in order to encourage the addition of units and discourage demolition of existing units, only one parking space will be required.

**Implementation Guideline 4 — Parking Requirements When Buildings Are Converted to Residential Use**

a. The parking requirement may be reduced or waived through an administrative review process for non-residential uses which are converted to residential use. Guidelines shall be developed which specify conditions for granting the reduction or waiver.

b. Buildings in which residential use is being added to a nonconforming use shall be required to meet the minimum parking ratio, except that one unit may be allowed without the required parking.

(See Policy 12, Implementation Guideline 2).

**Implementation Guideline 5 — Use of Required Parking Spaces for Recycling Collection**

A maximum of two required parking spaces may be used as recycling collection centers for the residents of the building.

**Policy 9: Location and Appearance of Required Off-street Parking**

The location and appearance of off-street parking for multi-family structures shall maintain an attractive environment at street level, continue the existing pattern of landscaped front yards, facilitate traffic flow, and sustain on-street parking capacity.

In order to achieve these goals, the location of parking in the front of multi-family buildings shall be prohibited except as specified below. Parking shall be located in the rear or side of the lot or built into or under the structure. Access to parking shall be required to be from the alley, where alleys are improved and accessible, except in specified cases where a high intensity area borders on a lower density area. Alley improvement is encouraged but not generally required. Width of curb cuts is limited. When parking is directly visible from the street side, it shall be screened and landscaped along the street side.

Exceptions to these guidelines shall be permitted in order to encourage and facilitate development of ground-related housing, avoid creating additional construction costs, and to buffer areas of low intensity development. These exceptions are described in the following Implementation Guidelines.

Off-site accessory use parking shall be prohibited in Lowrise and Midrise areas; it shall be permitted in Highrise areas, subject to administrative review. Criteria for approval shall ensure that such parking is compatible with the residential character of the area. Development standards for curb cuts, screening and landscaping, setbacks,

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height, access, signs, and lighting shall be met. The intent of this policy is to encourage shared parking facilities and to provide the flexibility to develop parking separate from residential structures in Highrise areas.

**Implementation Guideline 1 — Access to Parking in Areas with Platted and Improved Alleys**

Access to parking shall be from the alley, unless specifically allowed from the street (Figure 35). Where a higher intensity area borders across the alley on an area designated for lower intensity use, access to parking shall be required to be from the street or alley, or the choice will be optional, according to the chart on the following page.

**Implementation Guideline 2 — Access to Parking in Areas Without Alleys or With Platted But Unimproved Alleys**

Access to parking may be from the street, provided that curb cut widths are limited as detailed in Implementation Guideline 5 of this policy. Where the alley is platted but unimproved, alley improvement is encouraged and may be required by DCLU as part of routine project review, following guidelines to be developed.

**Implementation Guideline 3 — Location of Parking**

a. **Apartments:** Parking shall not be located in front of the building or in the required front yard. When parking is built into or under the building, the front facade of the building shall screen the parking. When parking is located on the side or rear of the building, so that it is directly visible from the street, it shall be screened and landscaped as provided in Guideline 4 of this Policy. (Figure 36)

b. **Ground-related housing:** When access is allowed from the street front, parking may be located in the front, provided that it is built into the building. In such cases, parking shall either: (1) be enclosed with garage doors with a minimum of three feet of landscaping on the street side, or (2) have no garage doors and be screened and land-

scaped as provided in Implementation Guideline 4. Parking located in the side or rear of the building which is directly visible from the street shall be screened and landscaped as provided in Implementation Guideline 4 (Figure 37).

Where access is allowed only from an alley, parking shall be located to the rear or to the side of the structure.

c. Special conditions:

(i) **Through Lots:** When a lot faces a street to the front and the back, one street must be designated as the front, and parking must be located on the street designated as the rear, and be screened and landscaped as provided in Implementation Guideline 4.

(ii) **Corner Lots:**

**Apartments:** Parking must be located in the rear or interior lot side of the building, either built into or under the

**ACCESS TO PARKING IN AREAS WITH ALLEYS**

Area Across Alley Areas in Which Building Is Being Constructed

	Lowrise 1	Lowrise 2	Lowrise 3	Midrise	Highrise
Single Family	Optional	Optional	Apartments: Street Ground-related: Optional	Street	Street
Lowrise 1	Alley	Alley	Alley	Street	Street
Lowrise 2	Alley	Alley	Alley	Street	Street

building, or in the rear yard or rear part of the side yard. Parking located in the rear that is directly visible from the street must be screened as provided in Implementation Guideline 4 (Figure 38).

**Ground-related housing:** When access is allowed from the street, parking may be located in front of the building along one street side only, provided it is built into or under the building. In such cases, parking may be enclosed with garage doors with a minimum of three feet of landscaping on the street side or have no garage doors and be screened and landscaped as provided in Implementation Guideline 4. If the parking bay or access to parking is visible from the street, it shall be screened as provided in Implementation Guideline 4.

(iii)Shoreline Areas:

Parking may be located in the front of the building, provided it is built into the building with either garage doors or screening and landscaping as described in Implementation Guidelines 3 and 4 of this policy.

d.Administrative review for alternative parking solutions for ground-related housing: In cases where there is a lot with no alley access with frontage less than 80 feet and/or depth less than 100 feet, the Director of DCLU shall have discretion to permit variations from these rules regarding location and design. In such cases the Director must find that the proposed alternative parking solution meets the objectives of these policies with regard to maintaining an attractive environment at street level, landscaped front yards, facilitation of traffic flow, and maintenance of on-street parking capacity, and shall review this in accordance with Guideline 9 of this policy. The quantity of required parking shall not be altered through this administrative review.

#### **Implementation Guideline 4 — Screening and Landscaping of Parking**

Parking must be screened from the street view by a fence or wall between five and six feet in height. When the fence or wall runs along the street front, there shall be a minimum three-foot deep landscaped strip along the street side. The three feet may be averaged along the length of the wall. Such screening must be outside the sight triangle of the driveway. (Figure 39)

#### **Implementation Guideline 5 — Curb Cuts**

On lots with street frontage of 80 feet or less, curb cuts shall be limited to one 10-foot curb cut per development. On lots with street frontage greater than 80 feet, curb cuts shall be limited to one 20-foot curb cut or two 10-foot curb cuts per development. Driveways shared by two projects on their common side lot lines are encouraged. (Figure 40)

#### **Implementation Guideline 6 — Sidewalk and Planting Strips**

Sidewalks shall be required for all new multi-family developments, unless unusual circumstances prevent such construction in certain individual cases.

Planting strips shall be provided on all new development sites. They shall be surfaced either with living materials (such as grass, ground cover or shrubs) or with other porous materials (such as bark or pebbles) and trees. Planting strips shall not be paved and their use for off-street parking or the storage of recreational vehicles, boats or trailers is prohibited.

#### **Implementation Guideline 7 — Surfacing of Parking and Access**

Where all uncovered surface parking and access are surfaced in permeable materials, a reduction of five percent of the required ground level open space may be awarded.

#### **Implementation Guideline 8 — Percentage of Small Car Spaces**

All parking areas must be striped to accommodate a minimum of 60% compact cars. Parking layout

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shall be designed to discourage large cars from gaining access to small car spaces. This figure may be increased in the future through administrative ruling as small car ownership in Seattle increases.

**Implementation Guideline 9 — Administrative Rulings**

Administrative rulings made by City departments on curb cuts, access, and other design or locational standards for parking shall be based on the conditions of this policy and shall further objectives of: (1) maximizing the amount of land area available for housing and usable open space; (2) maintaining attractive streetscapes; and (3) retaining on-street curbside parking.

**Policy 10: Design Departure**

Departure from maximum building width and depth, setbacks and modulation requirements, and design and location of parking may be allowed through an administrative review procedure. The overall objective is to produce a better project than would be possible by following the development standards for the applicable multi-family classification, so long as the intent of these policies is met. Departure may be allowed for the following reasons:

- a. To improve solar access, energy conservation, or use of passive energy systems.
- b. To provide better amenities on the site for common use of residents such as:
  - Well-furnished open spaces (playground equipment, benches, picnic tables, play courts);
  - Increased quality and quantity of landscaped open space in order to protect significant trees.
- c. To provide amenities for public use.
- d. To minimize view obstruction.
- e. To use techniques other than modulation (see Glossary), to reduce the appearance of bulk.
- f. To preserve existing housing.
- g. To preserve a desirable existing architectural and siting pattern in an area.

- h. To preserve historically or architecturally significant buildings.
- i. To provide a parking solution uniquely suited to the location.

Design departure shall not be granted to increase the building height, or change the quantity of parking required or uses allowed.

**Implementation Guideline 1 — Procedure**

Design departure shall be a voluntary procedure administered by DCLU. This process shall be in addition to the current hardship variance procedure. Both procedures may be used to modify the application of the Land Use Code's regulations for a specific proposal. Neither procedure may be used to establish a use which would otherwise be prohibited. Design departure shall not be granted to increase building height or change the quantity of parking required. A design departure, however, may be granted for creative design solutions which result in a better development than under the development standards of the designated classification, while a variance may be granted only if an "undue and unnecessary hardship" can be demonstrated.

**Implementation Guideline 2 — Evaluation of Entire Project**

In order to gain approval for a design departure, the entire project shall be considered, not just the elements for which the departure is being sought. The proposed project shall be reviewed in the context of its surroundings, in order to ensure compatibility and continuity. As a result of this review, design alterations to other elements of the project, in addition to those elements for which the departure is sought, may be required.

Once a departure has been granted based on certain modifications to a project's design, the applicant will have the choice of whether to meet the departure conditions or to proceed under the development standards of the applicable classification.

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**Implementation Guideline 3 — Proposal Evaluation**

The Director of DCLU shall determine the acceptability of a project's design departure according to the following guidelines:

a. Departure from the development standards shall not permit a housing type which is not allowed in the appropriate classification (i.e., it shall not allow apartments or terraced housing in Lowrise I where only ground-related housing is permitted), and shall be consistent with the locational criteria of the multi-family classification in terms of:

- (i) Compatibility with surrounding areas;
- (ii) Provision of edges where transition in scale is appropriate;
- (iii) Accessibility to amenities such as open spaces, views and commercial services;
- (iv) Accessibility to transit and arterials.

b. Design departure may allow increasing the width or depth of structures, decreasing or eliminating modulation, decreasing the amount of required open space, and varying the minimum setbacks and the location and design of parking. The Director shall develop administrative guidelines for evaluating the acceptable limits of the extent of departure, according to the following:

(i) Existing Bulk and Setbacks:

—The width, depth or setbacks of the proposed development are compatible with the scale of the buildings in the immediate neighborhood.

—The color, texture, fenestrations (windows, doors, etc.), and design of the structure effectively reduce the appearance of bulk so that the structure appears to be of similar scale to the buildings in the immediate neighborhood.

—The provisions of open space and landscaping treatment effectively reduce the appearance of bulk to make the structure compatible in scale to the surrounding area and consistent with the locational criteria of the respective classification.

—The siting of the building takes advantage of topographic changes in the site to reduce the appearance of bulk.

—The setbacks of the proposal encourage courtyards, adequate location of usable open space, and encourage privacy between adjacent structures.

(ii) Open Space:

Minor reductions to the quantity and minimum dimensions for open space requirements may be allowed where such reductions provide better topographic siting of the structures and improve the privacy and quality of the open space.

(iii) Location of Parking:

Parking may be located in other places than the rear, below the structure or underground, provided the parking is not visible from the street, the front yard is landscaped, and a pleasant pedestrian environment is maintained at street level.

**Policy 11: Expansion or Renovation of Existing Residential Structures**

The expansion and renovation of existing residential structures, and addition of new residential units to existing residential structures in multi-family areas shall be allowed. Any new part of the structure shall conform to the development standards. No expansion, renovation or addition

allowed under this policy shall increase any existing non-conformity. The intent of this policy is to encourage increases in the existing housing supply and encourage improvements to existing residential structures. Expansions of non-conforming structures to provide access for the elderly and physically disabled and for fire exits shall be allowed.

**Implementation Guideline 1 — Adding Units to Existing Residential Structures**

Existing residential structures may be expanded, renovated, or the number of units may be increased, so long as this does not create or increase any non-conformity to the development standards of the applicable classification, except as provided in Guidelines 2 and 3 below.

**Implementation Guideline 2 — Parking Requirements for Additional Units in Residential Structures**

a. Structures which do not meet development standards for parking:

If the structure to be expanded lacks required parking, or the parking does not meet the development standards for location and design, the deficit or non-conformity may be continued, so long as the parking provided for the units to be added meets development standards for quantity, location and design, and the existing parking is screened and landscaped according to Policy 9, Implementation Guideline 4.

b. Structures with parking which meets development standards:

If the existing structure has parking which meets the development standards, and the lot area is not increased, one unit may be added without additional parking. If two units are added, one space will be required; three units will require two spaces, etc. Additional parking must meet all develop-

ment standards for the particular multi-family classification.

**Implementation Guideline 3 — Provision for Accessibility and Safety In Existing Structures**

Setbacks and open space requirements may be reduced, and non-conforming structures allowed to increase their nonconformity, in order to make structures more accessible to the physically disabled and elderly, and in order to allow safe fire exiting.

**Policy 12: Adding Residential Units to Existing Structures With Non-conforming Uses**

The City shall encourage the conversion of buildings containing non-conforming uses to ones which contain multi-family uses by allowing alterations or expansions to structures as long as such alterations or expansions conform to the development standards of the particular multi-family classification. The intent of this policy is to promote additions to multi-family housing stock while controlling physical expansion, in order to maintain the pattern of development in the surrounding area.

Expansion of non-conforming structures to allow for elderly and physically disabled access and safe fire exits shall be permitted.

**Implementation Guideline 1 — Adding Units to Existing Structures with Non-conforming Uses**

Structures which contain non-conforming uses may be converted to residential uses, or residential units may be added to the non-conforming uses, even if the building is non-conforming as to bulk, height, and/or siting. Such structures may be altered or expanded within the development standards for the particular classification, so long as the expansion does not increase any non-conformity as to the development standards, except as provided in Guidelines 2 and 3, below.

**Implementation Guideline 2 — Parking Requirements for Additional Units in Structures Containing Non-conforming Uses**

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a. Structures in which the only use will be residential:

If the non-conforming use is being converted to residential use, and there is no feasible way to provide the required parking, such parking requirement may be reduced or waived through an administrative review process, under guidelines to be developed in the Land Use Code.

b. Structures in which residential use is being added to a non-conforming use:

Parking for the residential units will be required to meet development standards for quantity, location and design, except that one unit will be allowed without required parking, as in Policy 11, Guideline 2(b).

**Implementation Guideline 3 — Provision for Accessibility and Safety in Existing Structures with Non-conforming Uses**

Setbacks and open space requirements may be reduced, for non-conforming structures allowed to increase the non-conformity, in order to make structures more accessible to the elderly and physically disabled, and in order to allow safe fire exiting.

**Implementation Guideline 4 — Structures with Continued Non-conforming Uses**

Structures which continue to be occupied by non-conforming uses are not permitted to expand, except as allowed in Guideline 1 above, and in order to make the structure more accessible to the elderly and physically disabled and to allow safe fire exiting as provided in Guideline 3 above.

**Policy 13: Street and Alley Vacations in Multi-family Residential Areas**

Streets and alleys are dedicated for the benefit of the public. Streets and alleys provide the public the rights to circulation, access, public views

down streets, and open space, and the abutting owners the rights to light, air, access and view.

Developed or undeveloped street and alley rights-of-way or portions thereof may be vacated when they are not needed for access or circulation, provided the public open space, public views, and light and air which they offer to the surrounding area can be retained, or if these public needs or benefits are not present.

Where a public purpose is served by the vacation, and the right of-way is not needed for access or circulation, the vacation may be granted. The City Council shall balance any negative impacts on public views down streets, open space, and light and air with the benefits provided by the vacation to determine whether the proposed vacation would be in the public interest.

**Implementation Guideline 1 — Process for Petitioning for a Street or Alley Vacation**

The process for petitioning for a vacation of a street or alley shall follow the general guidelines outlined below, although the procedure may be changed as the Master Use Permit is developed:

- a. A petition is submitted to the City Council; the Council committee refers the petition to the Board of Public Works (BPW) for review.
- b. The BPW conducts its review and makes recommendations to the Council committee.
- c. The developer submits schematic development plans, if any, to the City Council committee for consideration with the BPW recommendation, to assist the committee in determining what public purpose may be served by the proposed vacation.
- d. The Council committee holds a public hearing and considers the BPW recommendation, proposed plans, and public input.
- e. The Council committee makes a recommendation on the petition to the full Council; the Council votes on the petition.
- f. If the petition is granted by the Council, the Engineering Department ensures that any

conditions required by the Council are complied with by the petitioner, then prepares and submits the ordinance vacating the right-of-way.

g. The Council committee holds the ordinance until final development plans are approved and conditions are met; then it refers the ordinance to full Council for a final vote.

**Implementation Guideline 2 — Zoning Designation for Vacated Streets or Alleys**

Vacated streets or alleys shall be zoned consistently with the abutting property.

**Implementation Guideline 3 — Street Ends Shorelines Zones**

Multi-family residential shorelines area street ends shall not be vacated, except for the limited purposes listed in Shorelines Master Program RCW 35.79.030, for port purposes, boat moorage, recreational or educational purposes, or other public purposes.

**Policy 14: Principal Use**

The principal or primary use of multi-family areas shall be multi-family residential. The intent is to help preserve the character of multi-family residential areas, discourage the demolition of residences and displacement of residents, and preserve land and development opportunities for multi-family use. In order to protect multi-family residential areas from negative impacts of incompatible uses, the number and type of non-residential uses permitted in these areas shall be limited to those specified in these policies.

**Implementation Guideline 1 — Residential Use**

Residential use is affirmed and encouraged as the principal use in multi-family areas, and is the principal use permitted outright. Development of two or more residential uses per site shall be allowed in all multi-family classifications.

**Implementation Guideline 2 — Other Uses**

Uses other than residential shall be allowed only under the conditions stated in the following poli-

cies: Policy 15 — Accessory Uses; Policy 16 — Special Residences; Policy 17 — Small Institutions and Public Facilities; Policy 18 — Joint Use and Re-use of Public Schools.

**Policy 15: Accessory Uses**

In order to allow greater flexibility within permitted uses, accessory uses clearly incidental to the permitted use, such as home occupations or offices in religious institutions, shall be permitted as detailed in the Land Use Code.

An exception to this general rule will be made for neighborhood-oriented business and commercial uses, which may be established on the ground floor of apartment buildings. Such ground floor commercial use will be permitted in Midrise areas in close proximity to healthy business and commercial districts and throughout Highrise areas. The intent of this provision is to allow a mix of multi-family housing with business and commercial uses that may help reinforce commercial areas, while remaining compatible with the residential use, and to provide services to the multi-family areas.

In order to encourage shared parking facilities, off-site accessory use parking structures shall be permitted in Highrise areas, subject to administrative review. Criteria for approval shall ensure that such parking is compatible with the residential character of the area. Development standards for curb cuts, screening and landscaping, setbacks, height, access, signs, and lighting shall be met. The intent of this policy is to encourage shared parking facilities and to provide the flexibility to develop parking separate from residential structures in Highrise areas.

**Implementation Guideline 1 — Home Occupations**

In order to encourage pedestrian access to limited business services and to allow residents greater flexibility in the use of their homes, home occupations shall be permitted in multi-family residential areas as accessory uses. Such uses shall be clearly

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incidental to the residential use and shall not alter the residential character of the area.

Conditions which must be met in order to qualify as a home occupation shall be specified in the Land Use Code. These shall include the requirement that the business person live in the residence, that the use is clearly incidental to the residential use, that no sales of goods or merchandise shall be made on the premises except by prior arrangement or referral, that the structure not require exterior alteration, and that there is no evidence of such occupation from the exterior of the building. Additional provisions shall be included in the Land Use Code in order to establish the number of employees allowed and how the parking shall be accommodated.

#### **Implementation Guideline 2 — Ground Floor Commercial Use**

a. Location of ground floor commercial use:

- (i) **Midrise areas:** Commercial uses shall be allowed to locate in multi-family buildings in Midrise zones adjacent to a healthy business zone within a radius of one block in each direction from the boundaries of a business zone. A healthy business zone is one which shows evidence of low vacancy rates and in which the building are in good to excellent physical condition or there is evidence of a high level of investment in renovation of business structures. This expansion of business and commercial uses is limited to healthy zones, because in the less active areas the new business or commercial uses are needed to support the existing business area, and should not be allowed to spill over into multi-family areas when opportunities exist for them to locate and upgrade business areas (Figure 41).
- (ii) **Highrise areas:** Ground floor commercial use shall be permitted throughout Highrise areas.

b. Development standards:

Performance standards regulating potential impacts of business and commercial uses in the ground floor areas of apartment buildings shall ensure compatibility with the multi-family character of the area. Standards shall include such elements as noise, signage, lighting, traffic and parking, and hours of operation. The intent is to have multiple use buildings, with business uses at the ground floor or below and housing above, and to ensure that such buildings fit in with the character of residential areas.

#### **Implementation Guideline 3 — Off-site Accessory Use Parking Structures**

Off-site parking in Highrise areas may be permitted through an administrative review process. Such parking shall be accessory to a multi-family building which previously had no or inadequate parking, although it may include parking for a new residential development when developed jointly. Off-site parking shall be limited to one off-site location per development.

Such parking shall be developed according to the following standards:

- a. **Curb Cuts:** On lots with street frontage of 80 feet or less, curb cuts shall be limited to one 10-foot curb per site. With street frontage of more than 80 feet, one 20-foot curb cut or two 10-foot curb cuts will be permitted. These limits may be changed through administrative review.
- b. **Screening and Landscaping:** Where parking is visible from the street, it shall have screening between five and six feet in height. Such screening must be set back a minimum of three feet from the street, with landscaping in the setback area. Likewise, when parking is in an enclosed building, there shall be landscaping in the setback area between the structure and the street.

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- c. **Setbacks:** The front yard setbacks shall follow the rules of Policy 7, Guideline 1.
- d. **Height:** 37 feet maximum.
- e. **Access:** Access shall be from the alley wherever possible, provided that the alley does not border on an area of a lower-intensity designation.
- f. **Signs:** No signs of any kind, other than to designate entrances, exits or conditions of use, shall be maintained on a parking structure which faces any residential zone. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for each entrance or exit.
- g. **Lighting:** Any lighting used to illuminate a parking area shall be arranged so as to reflect the light away from residences or adjoining premises in any residential zone.

**Policy 16: Special Residences**

Special care group living facilities or special residences (e.g. nursing homes, group homes, halfway houses), licensed or certified by the appropriate State agency, shall be permitted in multi-family areas. These group living facilities serve as a home for the residents, and therefore, should be allowed in a residential setting so long as the facility is compatible in scale and appearance with other residences in the area. It is recognized that special residences may range from small to large facilities. While no maximum size or limit on the number of residents shall be prescribed, such limitations may properly be considered as part of an administrative review process. Group homes shall be permitted outright while other special residences shall be subject to dispersion criteria and an administrative review procedure.

Non-conforming facilities shall be allowed to expand or make structural changes, provided that such expansion does not increase the non-conformity. It is the intent of this policy to accommodate the establishment of these alternative living facilities.

**Implementation Guideline 1 — Group Homes Permitted Outright**

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Group homes (see glossary) shall be permitted outright in all multi-family areas. Such facilities shall be required to meet the development standards relating to height, bulk, setbacks, etc., of the multi-family classification of the area in which they are located.

**Implementation Guideline 2 — Dispersion Criteria**

All special residences except group homes shall be permitted to locate in all residential areas on a dispersed basis. Dispersion criteria shall be developed in the Land Use Code to ensure 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. A routine administrative procedure shall be developed to enable the applicant to determine whether the proposed site meets the dispersion requirement.

**Implementation Guideline 3 — Administrative Review**

Special residences (other than group homes) which house more than eight people shall be subject to an administrative review procedure in order to assure compatibility with the surrounding area. Structures may be allowed to vary somewhat from development standards established for multi-family structures; however, height limits shall be consistent with that of multi-family development. Review criteria based on the multi-family development standards dealing with parking, bulk and siting, and landscaping, as well as additional criteria concerning noise and traffic generation, shall be contained in the Land Use Code. These criteria must be met in addition to meeting the dispersion criteria.

In addition, if a special residence is determined through the routine administrative procedure of Guideline 2 of this Policy, to be in excess of the number of special residences permitted in an area, DCLU may make an exception to the dispersion criteria if it is determined that the intent of the

dispersion requirement would be met by allowing the special residence to locate on the proposed site.

**Implementation Guideline 4 — Expansion of Non-conforming Uses and Structures.**

The intent of this policy is to encourage the continued use of non-conforming special residences; therefore, rather than restricting work on these structures to normal maintenance only, allowances for expansion or structural changes are allowed. Special residences in non-conforming structures shall be allowed to expand as long as such expansion does not increase the structure's non-conformity as to bulk and is within the development standard of the zone.

Special residences which have been determined to be non-conforming as to the locational criteria shall be allowed to expand so long as the expansion does not create or expand non-conformity as to bulk, is within the development standards of the area, and does not increase the number of beds in the facility. If an expansion of the number of beds is sought, it shall be reviewed by the same administrative procedure as is used in Guideline 3 of this Policy.

**Policy 17: Small Institutions and Public Facilities**

The City recognizes the positive contribution many institutions and public facilities have made to the residential areas in which they are located, respecting community needs and providing necessary services. Therefore, small institutions and public facilities shall be allowed to establish or expand in multi-family areas, provided they are compatible with the residential character and scale of the area. Small institutions of five or more acres which wish to expand outside their existing campus, and small institutions which find that the development standards of the multi-family standards of the multi-family classification in which they are located are inadequate to their development needs, may be considered for Major Institution status.

The provisions of this policy shall apply to all small institutions and public facilities located in multi-family areas.

**Implementation Guideline 1 — Definitions**

An institution is defined in these policies as a structure and related grounds, etc., used for the operation of a public or private organization providing educational, medical, religious or recreational services to the community. This includes retail and professional services and clinics which are accessory to the principal use, but excludes independent retail services, commercial recreational activity, and professional offices.

A public facility is a facility owned, operated, or franchised by a unit of general or special purpose government for public purposes. Examples would include a school, a Metro base, a police station, etc.

**Implementation Guide 2 — Small Institutions vs. Major Institutions**

A small institution of five or more acres, or which would become more than five acres through the proposed expansion, which seeks to expand by developing land not in institutional use as of the date of the adoption of these policies, shall be recommended by the Director of DCLU for Major Institution status, and shall have boundaries set and an Institutional designation assigned, according to the provisions of the Major Institutions Policy.

A small institution which finds that the development standards of the multi-family classification in which it is located are inadequate to its development needs may apply to the City for reclassification to Major Institution status.

**Implementation Guideline 3 — General Development Standards**

The following development standards for institutional and public facility development shall be included in the Land Use Code:

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- a. Building Height, Bulk and Setbacks;
- b. Open Space, Landscaping and Screening.

These standards shall be similar to those required of housing, but should be allowed to vary somewhat because of the special structural requirements of some institutional uses. Criteria shall be established, limiting variation in order to achieve design compatibility with scale and character with the surrounding area. Height limits, however, with the exception of spires on religious institutions, shall not be allowed to vary from the height limit for multi-family development.

Additional standards, not required of residential uses, shall also be established for institutions and public facilities in multi-family areas. They include:

- c. Light and Glare: Non-reflective surfaces shall be used to help reduce glare; lighting of structures, signing and parking shall be reflected away from adjacent uses.
- d. Noise: Standards for noise, based on traffic and hours of operation, shall be included in the Land Use Code. The standards may vary with the intensity of the multi-family zone classification.
- e. Parking and Transportation: Standards for required off-street parking shall be established in the Land Use Code. The intent of this policy is **not** to require institutions and public facilities to satisfy all parking demands generated by their staffs, clients, and visitors. Institutions or facilities which generate sufficient traffic and parking to adversely impact the surrounding residential area shall be required to prepare and implement a transportation plan which demonstrates how they will reduce traffic impacts and aggressively pursue the use of public transit, carpools and/or vanpools. Number of employees and anticipated clientele shall be an indication of the need to require such a plan (specific criteria shall be established.) Parking needs which cannot be met by alternative transportation modes shall be ac-

commodated by an on-site parking facility provided by the institution or facility.

Increased traffic and parking expected to occur due to the establishment or expansion of the institution or facility shall not be permitted to create a serious safety problem or be a blighting influence on the surrounding neighborhood. The negative impacts of traffic and parking may be mitigated by locating parking facilities to avoid drawing traffic through residential streets, or establishing joint use of existing parking with adjacent uses.

Standards for required off-street parking associated with uses which require administrative review may be modified through the review process. The number of required parking spaces for a given institution or facility shall be based on the anticipated use of the facility, size of meeting or assembly areas, hours of use, anticipated effects of parking on the surrounding community, information contained in the transportation plan, access to public transportation and car pools, and other considerations of need and impact.

**Implementation Guideline 4 — Administrative Review**

Development standards for institutions shall be used whenever possible to reduce the need for an

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administrative review, thus shortening the development process and providing more certainty and predictability for land owners, local residents, and developers. However, departures from the development standards shall be allowed through an administrative review process, which will evaluate the proposal for consistency with multi-family objectives and intent. This review process assures neighboring areas that the unique features of the use and the area will be considered when determining the acceptability of a use for a given location. Public notification and opportunity for comment shall be a part of the review process.

increase the structure's non-conformity and is within the development standards of the zone. An exception to this shall be when a structure is part of an already adopted

**Implementation Guideline 5 — Concentration of Institutions of Public Facilities**

Institutions and public facilities shall not be concentrated if that concentration creates or further aggravates parking shortages, traffic congestion, and noise in or near residential areas. Standards relating to concentration shall be developed in the Land Use Code.

**Implementation Guideline 6 — Demolition or Conversion of Residential Structures**

Residential structures may be demolished or converted if necessary for the expansion of the facility. However, no residential structure shall be demolished in order to develop a nonrequired parking lot. Any building which is on the City, State or National Historic Register shall be preserved whenever possible. An environmental assessment shall be made prior to consideration of a Certificate of Approval for demolition of historic structures.

**Implementation Guideline 7 — Expansion of Non-conforming Structures**

The intent of this policy is to encourage the continued use of non-conforming institutional facilities; therefore, rather than restricting work on the structures to normal maintenance only, allowances for expansion or structural changes are allowed. Institutions and public facilities in non-conforming structures shall be allowed to expand as long as such expansion does not

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PUD, in which case the provisions of the PUD are to be followed.

**Implementation Guideline 8 — Public Facilities**

Public facilities which do not meet the standards listed under Guideline 2 above may be located in multi-family areas for reasons of public necessity. However, relationship with surrounding uses shall be a consideration in the design, siting, landscaping and screening of such facilities. Parking and transportation considerations shall also be evaluated. Such facilities are unique and are not provided by the private sector. Their location and expansion shall be determined by specific public service delivery needs. If a City facility and site have been approved by ordinance through a public process which includes notice and discussion of land use and environmental issues, an additional administrative review shall not be required.

**Policy 18: Joint Use or Re-Use of Public Schools**

The continued use of public school buildings which are no longer fully utilized as schools shall be encouraged in order to retain the facility for possible future school use. Therefore, the joint use or re-use of public school facilities shall be allowed in multi-family areas. Non-residential uses otherwise not permitted in multi-family areas shall be allowed to locate in school buildings as long as specific criteria for such re-use are met.

**Implementation Guideline 1 — Criteria for Proposed Uses**

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. The specific criteria for each school shall be determined by a process which insures the participation of representatives from the Seattle School District, the City of Seattle, and the neighborhood involved.

**Implementation Guideline 2 — Review Process**

Joint use or re-use of public school buildings shall be permitted subject to a review process described in the Land Use Code to assure the use is consis-

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tent 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 Policy 17, Small Institutions and Public Facilities.

ted with the planned development request must be sufficiently specific to evaluate impacts and benefits.

**Implementation Guideline 3 — Retention of School Structure**

Exceptions to existing land use policies and zoning for joint use or re-use of a school site will be allowed only when the principal school structures are retained. If the school building is demolished, that site shall be subject to the adopted land use policies and zoning requirements of that area classification.

(Ord. 116770 § 2, 1993; Ord. 113041 § 25, 1986; Ord. 110570 § 4(part), 1982; Ord. 110381 § 1(part), 1982.)

**23.16.006 Planned developments policy.**

**Policy: Special Cases — All Land Use Categories: Planned Developments**

In cases where a major development on a large site is proposed which would change the character of the site and would be of special benefit to Seattle, a request for a planned development will be considered. The intent of this policy is to allow for flexibility in grouping, placement, size, and use on relatively large sites in order to ensure a better development plan than would otherwise result from strict application of the Land Use Code, and to allow the City to respond to opportunities as they arise, such as the development of new neighborhoods, institutions, special residences, housing for the elderly, or employment complexes. Planned developments shall be permitted in any zone. Since these planned developments may involve major departures from existing land use patterns, the City will consider the public benefit and may impose conditions which would mitigate any negative impacts.

**Implementation Guideline 1 — Planning**

The planned development must be planned as a total concept, and the development plans submit-

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**Implementation Guideline 2 — Procedure**

An administrative procedure shall be developed to enable the applicant and City to initially determine whether a proposed project on a specific site should be developed as a planned development, or whether another procedure would be preferable.

which the City finds necessary to justify the planned development on the basis of public benefit. These conditions may be negotiated with the applicant and may be imposed on the planned

**Implementation Guideline 3 — Size**

Although no minimum area will be established for such rezones, the proposed project should be large enough to create its own environment, i.e., to create its own scale and character, yet provide a transition which is sensitive to the uses and scale of the surrounding area. Generally, two acres would be a minimum, but an applicant with a smaller site will be given an opportunity to demonstrate that the proposed development meets the intent of this policy.

**Implementation Guideline 4 — Public Benefit**

A major development proposed as a planned development under this policy shall be evaluated on the basis of the public benefit it would provide in the form of housing, services, jobs, and/or revenue, versus the impacts it would create. The impacts considered should include effects on transportation, parking, energy and public services, as well as such environmental factors as noise, air, and water quality.

**Implementation Guideline 5 — Edges**

When planned developments are not separated by strong edges such as breaks in topography, a major arterial, or shoreline, the difference in scale and use from the surrounding area shall be considered. Development on the edges of these proposed projects shall be compatible with the character of the surrounding area.

**Implementation Guideline 6 — Conditioning and Mitigation of Negative Impacts**

After reviewing the proposed planned development, the City may determine that conditions should be imposed on the project in order to mitigate negative impacts which the project may create in order to accomplish public objectives

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development as part of the approval process.

**Implementation Guideline 7 — Administration/Revisions.**

A planned development will be approved for the purposes of the proposed development only. The Director of DCLU shall have the authority to approve variations from the plans and conditions which may become necessary, provided that such changes do not affect the reasons why the project was approved or the intent of the conditions imposed, and so long as the desired mitigating effect is achieved. Significant changes which may affect such reasons or intent must be approved in the same manner as the original project was approved.

If an authorized planned development does not show substantial progress towards completion within five years from approval, or if the Director determines that the plans for the proposed development have changed to the extent that the intent of the approval would no longer be met, he may recommend that the approval be abrogated.

(Ord. 110570 § 4(part), 1982.)

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**!!!FIGURES 1 THRU 41 (14 PAGES) AND 3 PAGES OF UNNUMBERED FIGURES GO HERE!!!**

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**23.16.020 Neighborhood commercial area land use policies.****I. GOALS**

The purpose of these Neighborhood Commercial Area Policies is to further the vision of our City contained in the report of the Seattle 2000 Commission. Central to that vision is Seattle's commitment to the preservation of its neighborhoods. Strong, healthy neighborhoods enhance the liveability of Seattle and give the City's residents a sense of place and belonging. Strong, healthy business districts which are compatible with their neighborhoods reinforce that sense of belonging while providing essential goods, services and livelihoods for the residents of the City.

A. Among the goals of the Seattle 2000 report which are incorporated into these policies are the following (the goals are not listed in order of priority):

1. Maintain business districts which conform in size and scale to the communities they serve;
2. Encourage the careful location of residences, institutions and businesses in order to maintain the integrity of neighborhoods;
3. Ensure the stability of the local economy and encourage stable economic growth;
4. Establish a healthy business climate for the creation, retention and expansion of businesses;
5. Locate intense, traffic-generating businesses where access to adequate transportation corridors is maximized;

6. Encourage entrepreneurship and small business and service activity by individuals; generate jobs and help small firms to expand;

7. Preserve and improve existing commercial areas in preference to creating new business districts;

8. Encourage residential development in combination with new business structures in existing business districts;

9. Encourage a diversity of employment and economy and provide employment for the widest possible range of skills;

10. Encourage reducing the impact of the automobile and increasing alternative forms of transportation;

11. Promote the pedestrian character of neighborhood commercial areas;

12. Preserve employment within the City for Seattle residents;

13. Accord to citizens the continuing right and opportunity to participate in planning and control of City growth and change as it affects the use of land.

B. In addition to the above, these policies emphasize the following goals (the goals are not listed in order of priority):

1. Reinforce the objectives of the adopted Single Family Policies and Multi-Family Policies;

2. Preserve the neighborhood-serving character of small neighborhood-oriented business districts while permitting the flexibility of business activity in business districts with regional markets;

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3. Encourage compact, concentrated commercial areas in preference to diffuse commercial sprawl;
4. Avoid zoning which exceeds the overall economic potential of an area;
5. Encourage an efficient use of commercially zoned land;
6. Expand employment within the City for Seattle residents;
7. Encourage landscaping and quality design in the development of commercial areas in order to create a "pedestrian-friendly" streetscape;
8. Discourage encroachment of commercial development into residential areas;
9. Provide for a transition in scale and use between residential and commercial areas, buffering residential areas from the impacts of heavier commercial uses, wherever possible;
10. Coordinate land use development with transportation by discouraging development whose transportation impacts cannot be accommodated by practical, cost-effective improvements in the City's transportation system;
11. Protect residential and retail commercial areas from the public safety hazards associated with hazardous and toxic materials and dangerous industrial processes;
12. Preserve the distinctive character of different neighborhoods and their business districts;

13. Create public processes which permit response to the cumulative impacts of development and which accommodate the changing needs of neighborhoods and their business districts over time;
14. Reflect community objectives as contained in the neighborhood and business district development plans;
15. Emphasize enforceability of requirements and standards;
16. Emphasize predictability, clarity, simplicity and practicality.

## II. GENERAL COMMERCIAL AREA DESIGNATION POLICIES

### A. Summary of Designation Policies

Areas of the City shall be designated commercial as opposed to noncommercial, based on the criteria in Part II.B. below. All commercially zoned land shall be assigned a commercial zone designation according to the locational criteria in Part V and a height designation according to the locational criteria in Part VI. Larger commercial areas may be assigned several zone designations and several height designations. In addition, a commercial area may be assigned one or more special district overlays according to the criteria in Part VII.

### B. Designation of Commercial Areas

Sections 1 and 2 below apply during the legislative mapping process. Sections 1 and 3 will apply after completion of mapping and Code approval for individual rezone applications.

1. General Criteria for Legislative Mapping and Rezones

The determination as to whether an area should be given a commercial as opposed to a noncommercial designation shall be made according to the Goals of these Policies (Part I). The following objectives shall be given particular consideration:

- a. The encroachment of commercial development into residential areas shall be discouraged.
- b. Preferred configuration of commercial zones will not conflict with the preferred configuration and edge protection of residential zones as established in the Single Family Policies.
- c. Whenever possible, commercial zones shall be located where the impacts on other zones can be minimized by the use of transition zones and/or the presence of buffers. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when the presence of physical buffers can provide a more effective separation between uses. The following elements shall be considered as buffers:

- Natural features such as topographic breaks, lakes, streams, ravines and shorelines;
- Freeways, expressways and other major traffic arterials;

- Street layout and block orientation;
- Open spaces and greenbelts.

- d. Compact, concentrated commercial areas, or nodes, shall be preferred over diffuse commercial sprawl.
  - e. The preservation and improvement of existing commercial areas shall be preferred over the creation of new business districts.
  - f. The cumulative impact of development in the area should not exceed the capacity of infrastructure such as streets, utilities and sewers.
  - g. Community objectives as contained in City Council adopted neighborhood and business district development plans shall be given careful consideration.
  - h. Changes in commercial boundary, zone designation, height or special district overlay shall occur in an orderly, equitable and predictable fashion.
2. Areas with the following characteristics may be considered for commercial designation during the legislative mapping process:
- a. The area does not meet the test for single-family residential classifications; and
  - b. The area is currently zoned Commercial and is predominantly developed in commercial use or shows a trend toward predominant commercial development; or

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- c. The area is designated “Commercial” in a Neighborhood Improvement Plan adopted by the City Council; or
- d. The area is on the edge of a Commercial zone and consists primarily of lots with structures in commercial use, vacant land and/or parking areas, and a continued Residential designation is not needed to buffer impacts on the adjacent residential area; or
- e. The area is zoned residential but was set aside by the City Council during the residential land use process to be considered for possible commercial or mixed-use designation during the commercial areas policy process; or
- f. The area is a closed public school which has been declared surplus by the Seattle School District and which is within or immediately adjacent to a business commercial area, to the extent that such designation would not result in the intrusion of commercial use into a residential neighborhood; or
- g. The area is zoned residential and is separated from commercial areas but consists of at least three adjacent lots in commercial use at street level and functions as a small commercial node; or
- h. The area is zoned Manufacturing or Industrial but shows a strong trend toward predominantly commercial use, particularly where Commercial zoning would help to buffer residential zones from more intense manufacturing and industrial zones.
3. Rezone Evaluation (subsequent to the completion of the legislative mapping process)
- a. In addition to general criteria in Section B.1. above, the following shall be evaluated for all rezone applications considered subsequent to the completion of the legislative mapping process.
- (i) Potential of the area to contribute to the function identified in the locational criteria for the proposed zone or overlay;
  - (ii) Potential of the area to contribute to the desired character identified in the locational criteria for the proposed zone or overlay and for adjacent zones;
  - (iii) Consistency of the physical characteristics of the area with the characteristics identified in the locational criteria for the proposed zone or overlay;
  - (iv) The effects on transportation, parking, housing and public services in the area and surrounding areas;
  - (v) General impacts on the environment, including but not limited to noise, air and water quality, safety and energy conservation;

(vi) Recommendations of City Council adopted neighborhood improvement plans or business district plans which apply to the area proposed for rezone.

environmental impacts. Also included are previous zoning changes in and around the area proposed for rezone.

b. In addition, the following principles shall be followed:

(i) If the area is zoned single-family residential, it shall not be zoned commercial if it meets the test for single-family residential classifications;

(ii) Changed circumstances since the adoption of the zoning map need not be shown to justify a proposed rezone, particularly for an area which was not permitted to be considered for commercial designation during the legislative mapping process. However, changed circumstance is an important factor to be considered along with the factors listed in sections B.1. and B.3.a. above. Evidence of changed circumstance may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics, intensity and type of development (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability and

### III. GENERAL COMMERCIAL AREA USE POLICIES

#### A. Policy Intent

Whether a use is permitted outright, allowed as a conditional use, or prohibited in a zone shall depend on the function of the commercial zone and the impacts the uses can be expected to have on the zone and on surrounding residential neighborhoods. It is the intent of these policies to encourage business creation and expansion by permitting flexibility of business activity which is compatible with the neighborhood-serving character of business districts and with the residential character of surrounding residential neighborhoods.

#### B. Permitted Uses

1. Uses which contribute directly to the function of the commercial zone as indicated in the zone's Locational Criteria are Preferred Uses and will generally be permitted outright subject to development standards.
2. Other uses which are compatible with the Preferred Uses and with the character of the surrounding neighborhood are Acceptable Uses and will also be permitted subject to development standards.

#### C. Conditional Uses

1. Uses are made conditional uses in these policies if the severity of their impacts is especially dependent on the individual character of surrounding

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business and residential areas, or if the cumulative impacts of more than one of the particular uses in an area may be unacceptable.

2. Specific criteria are established for each type of conditional use listed in Section C.3. below. Further, the following criteria shall apply to all conditional use decisions:

a. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

b. In authorizing a conditional use, adverse negative impact may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.

3. The conditional use process is required in the following circumstances.

a. **Increases in size:** Maximum size-of-use restrictions in NC1, NC2 and NC3 zones may be exceeded. See Part IV.A. Size of Use Policy for maximum size in each zone.

b. **Housing:** Housing in C2 is a conditional use. See Part IV.D. Housing Policy.

c. **Public facilities:** Public facilities that do not meet all development standards in a zone are conditional

uses. See Part IV.E. Public Facilities Policy.

d. **Heavy traffic generators:** Special analysis and review is required for heavy traffic generators. See Part IV.F Heavy Traffic Generators Policy.

e. **Bus bases:** Bus bases with size restrictions shall be Council conditional uses in C1 and C2. See Appendix A and Part III.C.4.

f. **Helistops:** Helistops as accessory uses shall be Council conditional uses in NC3, C1, and C2 zones. See Part III.C.4.

g. **Parking waivers:** In Pedestrian 1 and Pedestrian 2 zones, additional parking waivers for certain uses may be granted as conditional uses. (See Part VII.A. and B., Pedestrian Districts 1 and 2.)

h. **Taverns and Brew Pubs:** Taverns and brew pubs are conditional uses in NC 1 and NC2. See Part III.C.4.

4. a. In C1 or C2 zones, new bus bases for one hundred and fifty or fewer buses, or existing bus bases for one hundred and fifty or fewer buses which are proposed to be expanded may be permitted as Council conditional uses, according to the following criteria.

(1) The bus base has vehicular access suitable for use by buses to a designated arterial improved to City standards.

(ii) The lot is of sufficient size to that the bus base includes adequate buffer space from the surrounding area.

Mitigating measures include the following:

(i) Noise mitigation measures, such as keeping maintenance building doors closed except when buses are entering or exiting; acoustic barriers; and noise-reducing operating procedures, shall be required when necessary.

(ii) An employee ridesharing program shall be established and promoted to reduce the impact of employee vehicles on streets in the vicinity of the bus base.

(iii) Landscaping and screening, noise mitigation, vehicular access controls, and other measures may be required to insure the compatibility of the bus base with the surrounding area and to mitigate any adverse impacts.

b. Helistops in NC3, C1 and C2 zones may be permitted by the Council as accessory uses according to the following standards and criteria:

(i) The helistop is located so as to minimize impacts, such as noise and dust impacts, on lots in the surrounding area.

(ii) The lot is of sufficient size that the operations of the helistop are buffered from the surrounding area.

(iii) The helistop is an integral element of the service provided by the business establishment to which it is accessory.

(iv) Open areas and landing pads shall be hardsurfaced.

(v) The helistop shall meet all federal requirements including those for safety, glide angles and approach lanes.

c. Taverns and brewpubs in NC1 and NC2 zones shall be evaluated according to the following criteria:

(i) Size, design of the structure, and signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern of style has been established.

(ii) The location, access, and design of parking shall be compatible with any adjacent residential zones.

(iii) Special consideration shall be given to the location and design of the doors and windows, in order to ensure that noise standards would not be exceeded. The Director may require

additional setbacks and/or restrict openings on lots which abut residential zones.

(iv)The establishment of the tavern or brewpub will not generate an adverse amount of traffic which would create or further aggravate spillover parking on residential streets or traffic congestion.

d.Park and ride lots in NC3, C1 and C2 zones may be permitted as a conditional use, according to the following criteria:

(i)The park and ride lot has direct vehicular access to a designated arterial improved to City standards.

(ii)If the proposed park and ride lot is located on a lot containing accessory parking for other uses, there shall be no substantial conflict in the principal operating hours of the park and ride lot and the other uses.

(iii)Landscaping and screening in addition to that required for surface parking areas, noise mitigation, vehicular access controls, signage restrictions, and other measures may be required to provide comfort and safety for pedestrians and bicylists and to insure the compatibility of the park and ride lot with the surrounding area.

**5.Termination of conditional use**

Should a conditional use lapse for a period of more than a year, or if a conditional use permit is granted but not acted upon for two years or more, a new conditional use authorization shall be required before the use can be reestablished.

**D.Prohibited Uses**

Uses which cannot reasonably be made compatible with the preferred uses in a zone or with the surrounding neighborhood through development standards, size restrictions or conditional use mechanisms are prohibited.

**E.Accessory Uses**

A use which is clearly incidental to a principal use shall be considered an accessory use and shall be permitted. The following uses shall not be permitted as accessory uses in any commercial zone: Adult motion picture theaters, industrial uses, junkyards and auto wrecking yards, outdoor kennels, and jails.

**F.Nonconforming Uses**

1.Nonconforming uses shall be allowed to continue, but shall not be expanded. A structure or portion of a structure containing a nonconforming use may be maintained or structurally altered, but shall not be expanded to increase the size of the nonconforming use.

2.A nonconforming use may be replaced by a similar or less detrimental nonconforming use of the same or smaller size as determined by administrative review. If a nonconforming use is discontinued for more than a year and no permit application has been filed or

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construction for a replacement use begun within the year, the use shall be replaced only by conforming uses.

venience stores and gas stations or car washes), medical clinics: 10,000 square feet maximum.

IV.COMMERCIAL AREA DEVELOPMENT STANDARDS

A.Size of Use Policy

POLICY INTENT

Size limits shall be established in NC1 and NC2 areas for all nonresidential uses allowed in these areas and for specific uses in NC3 and C1 areas. The intent of this policy is to ensure that the scale of uses is compatible with the character and function of the commercial area, encourage uses to locate where traffic impacts can best be handled, promote compatible land use and transportation patterns, and foster healthy commercial development.

1.Maximum Size of Use

Size limits, as specified below, apply to individual business establishments, rather than structures (see Appendix A for a detailed listing of permitted uses and maximum size limits). Accessory uses or areas permanently devoted to outdoor sales, or outdoor display of rental equipment, shall be included in determining the size of a business (see Part IV.B. Outdoor Activities Policy). Accessory parking shall not be included in determining the size of a business.

a.Classification NC1:

i.Maximum size: 4,000 square feet, except as follows:

—Multi-purpose convenience stores (this does not include combinations of con-

ii.Existing uses may expand up to 10,000 square feet through conditional use.

iii.Fast-food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review.

iv.Recycling collection station: 500 square feet maximum.

b.Classification NC2:

i.Maximum size: 15,000 square feet, except as follows:

—Multi-purpose convenience stores (this does not include combinations of convenience stores and gas stations or car washes): 25,000 square feet maximum.

—Custom and craft work, food processing and light manufacturing: 5,000 square feet maximum.

ii.Existing uses may expand through conditional use:

—To 10,000 square feet if the threshold limit is 5,000 square feet;

-To 25,000 square feet if the threshold limit is 15,000 square feet.

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iii. Fast-food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See Part IV.F.

iv. Recycling collection station: 1,000 square feet maximum.

c. Classification NC3:

i. Maximum size: No maximum size, except as follows:

- Building materials, fuel sales, construction, farm and industrial equipment, indoor participant sports and recreation, passenger terminals: 25,000 square feet maximum.

— Warehouse, miniwarehouse, wholesale showroom: 15,000 square feet maximum.

— Custom and craft work, food processing and light manufacturing: 10,000 square feet maximum.

ii. Existing uses with threshold size limits less than 20,000 square feet may expand through conditional use to 20,000 square feet.

iii. Fast-food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See Part IV.F.

iv. Recycling collection station: 1,000 square feet maximum.

d. Classification C1:

i. Maximum size: No maximum size, except as follows:

— Mini-warehouses: 40,000 square feet maximum.

— Warehouse and wholesale showroom: 25,000 square feet maximum.

— General manufacturing: 15,000 square feet maximum.

ii. Fast-food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See Part IV.F.

e. Classification C2:

— No maximum size limit.

— Fast-food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See Part IV.F.

2. Size of Combined.

Businesses which include more than one principal use activity shall be allowed provided each use is permitted and the total size of the business does not exceed the maximum size allowed for the use with the largest size limit. The size of each use shall not exceed the size limit for the individual use.

3. Increase in Size

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In order to allow limited growth of permitted uses which is compatible with the function of the zone and compatible with surrounding areas, increases in the size limits for existing businesses shall be allowed as indicated in 1(a—e) above subject to administrative conditional use approval. In deciding whether to permit, condition or deny an increase in size, the following factors shall be taken into account:

- a. Traffic and parking impacts;
- b. Availability of commercial space in the zone for Preferred Uses;
- c. Variety of uses present in the zone;
- d. Compatibility with the character and scale of the business district and its surrounding neighborhood;
- e. Impact on the Desired Characteristics for the zone;
- f. Length of time in operation as a basis for evaluation of impacts.

## B. Outdoor Activities Policy

### POLICY INTENT

Outdoor uses and activities shall be prohibited, or shall be limited in location and size in specified commercial areas according to the functions of the area and proximity to residentially zoned lots. The intent is to maintain and improve the continuity of the commercial street front, to reduce the visual and noise impacts which may result from such outdoor activities, and to maintain compatibility with adjacent residential areas.

#### 1. Permitted Outdoor Activities

The following activities, whether a principal or an accessory use, shall be permitted as specified below:

#### a. Outdoor sales

In order to provide flexibility for the display of retail merchandise, outdoor sales shall be permitted in all classifications. The outdoor sales area shall be included in determining the size of business and shall be limited as follows:

- (i) Classification NC1: 40 percent of the lot area or 1,500 square feet, whichever is less.
- (ii) Classification NC2: 40 percent of the lot area or 10,000 square feet, whichever is less.
- (iii) Classification NC3, C1 and C2: No size restrictions.

#### b. Outdoor Display of Rental Equipment

Rental equipment may be permanently stored outdoors in all classifications. Maximum size shall be more restrictive than for outdoor sales, since the rental of an item is less dependent on the range of items available or customer accessibility than is the sale of an item. The outdoor display area shall be included in determining the size of business, and shall be limited as follows:

- (i) Classification NC1: 10 percent of the lot area or 500

square feet, whichever is less.

(ii) Classifications NC2 and NC3: 15 percent of the lot area or 1,000 square feet, whichever is less.

(iii) Classifications C1 and C2: No size restrictions.

c. Outdoor Storage, Including the Off-street Parking of Two or More Fleet Vehicles in Excess of 10,000 Pounds Gross Vehicle Weight (GVW).

Outdoor storage areas are a necessary part of the operation of certain businesses and shall be permitted in C1 and C2 areas with no maximum size limit. Outdoor storage areas are not allowed in NC1, NC2 and NC3 areas. This is because breaks caused by outdoor storage would be detrimental to the function and established character of the commercial area, and land could be used more efficiently for sales and service activities which might better contribute to the success of the commercial area.

d. Outdoor Storage of Recyclable Materials

In order to encourage conservation of natural resources by providing convenient locations for accessory recycling collection stations, such outdoor activities shall be permitted in all classifications. Recyclable materials shall be kept in sturdy, weather-resistant containers maintained in good condition.

(i) Classification NC1: Limited to 10 percent of the lot or 500 square feet, whichever is less.

(ii) Classifications NC2 and NC3: Limited to 10 percent of the lot or 1,000 square feet, whichever is less.

(iii) Classifications C1 and C2: Limited to 10 percent of the lot or 1,000 square feet, whichever is less. Larger storage areas shall be allowed if they comply with the screening and landscaping standards for outdoor storage.

2. Relationship to Surrounding Residential Zones.

Where permitted, the following outdoor activities shall be located at least 50 feet from a lot in a residential zone, except when the topography is such that the residential property is at least 15 feet above or below the commercial property at the property line.

—Outdoor sales/service of food and beverages.

—Outdoor storage, including the off-street parking of two or more fleet vehicles in excess of 10,000 pounds gross vehicle weight.

—Outdoor storage of recyclable materials.

—Outdoor sports and recreation.

—Outdoor loading berths.

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3. Screening and Landscaping

Specific screening and landscaping standards for outdoor activities are included in Part IV.P. Screening and Landscaping Policy.

4. Nonconformity

Nonconforming uses as to outdoor activities shall be allowed to continue but shall not be expanded. A structure or portion of a structure containing a nonconforming use may be maintained or structurally altered but shall not be expanded to increase the size of the nonconforming use. Businesses with nonconforming outdoor storage areas shall be allowed to maintain, structurally alter, and expand their building, but shall be required, at the time of the expansion, to screen and landscape all nonconforming outdoor storage areas.

**C. Drive-in Business Policy**

**POLICY INTENT**

Development standards for drive-in businesses and accessory drive-in facilities are established in order to minimize traffic impacts and pedestrian-vehicle conflicts, avoid disruption of an area's business frontage, and improve the appearance of the commercial area. These standards vary according to the function of the area.

1. Permitted Drive-in Facilities

Drive-in facilities and the maximum number of lanes allowed shall be limited in specified commercial areas. An exception shall be made for auto service stations. This exception recognizes that auto service stations are

needed by the general public on a regular basis and their functions cannot be fulfilled in any other manner than by having the individual auto drive to the business.

a. Classification NC1: Drive-in businesses shall be prohibited, except for auto service stations which shall be limited to a maximum of four lanes.

b. Classification NC2: Drive-in businesses shall be permitted with up to two lanes; auto service stations shall be limited to a maximum of four lanes.

c. Classification NC3: Drive-in businesses shall be permitted with up to four lanes; auto service stations shall be permitted without restriction in number of lanes.

d. Classifications C1 and C2: Drive-in businesses shall be permitted without restriction in number of lanes.

2. Screening and Landscaping

Drive-in businesses shall be screened and landscaped according to the provisions in Part IV.P. Screening and Landscaping.

3. Queuing Provisions

Due to the traffic peaking characteristics of certain drive-in businesses, and the potential demand for queuing space for customers awaiting service while remaining in their cars, queuing spaces shall be required for specified drive-in businesses. The number of spaces required for a fast-food restaurant may

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be determined during the conditional use review process (see Part IV.F. Heavy Traffic Generators Policy).

a. Banks with drive-in facilities and car washes shall be required to provide queuing space according to the following provisions:

(i) Banks with one or two drive-in lanes: A minimum of five spaces per lane.

(ii) Banks with three or more drive-in lanes: A minimum of three spaces per lane.

(iii) Car washes: A minimum of 10 spaces.

b. If the drive-in bank or car wash is located along either a major arterial, a heavily traveled minor arterial (average daily traffic > 7,000) or along a street with only one lane for moving traffic in each direction (with or without parking), the Seattle Engineering Department shall determine whether additional queuing spaces are necessary or whether access should be restricted. Based on the Engineering Department's determination, the Director of the Department of Construction and Land Use may restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

(i) Banks with one or two drive-in lanes: Eight spaces per lane.

(ii) Banks with three or more drive-in lanes: Six spaces per lane.

(iii) Car washes: 20 spaces.

c. The Director of the Department of Construction and Land Use may determine at some future time that a minimum number of queuing spaces are needed for activities which are not listed above. Such an activity may be added to the list.

**D. Housing Policy**

**POLICY INTENT**

Housing in neighborhood commercial areas shall meet the zone's development standards for height, setbacks and location of parking. Additional development standards for open space, and acoustical separation for residential use within mixed-use buildings are established in commercial areas in order to encourage housing that is compatible with commercial development, and ensure open space amenities for residents.

1. Housing in NC1, NC2, NC3 and C1 Areas

Single-purpose housing in NC1, NC2, NC3 and C1 areas is permitted outright.

2. Housing in C2 Areas

Housing in C2 areas shall require conditional use approval. The intent is to preserve land especially suited for heavy commercial activity, and to reduce the possibility of conflict between uses. In determining whether housing should be permitted, the following factors shall be considered:

a. Availability of suitable land for C2 activities: Housing shall generally

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be discouraged in areas which have limited amounts of vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development.

b. Relationship to transportation systems: Housing shall generally be discouraged in areas with direct access to major transportation systems such as freeways, State routes and rail lines.

c. Compatibility with surrounding areas: Housing shall not be allowed in areas where allowed nonresidential uses may create a nuisance or adversely affect the desirability of the area for living purposes.

### 3. Housing in Structures Over 85 Feet in Height.

In order to ensure that commercial activity is maintained and to encourage commercial development at street level, single-purpose residential buildings over 85 feet in height shall be prohibited. In order to be considered a mixed-use building, a minimum of 40 percent of the building footprint shall be devoted to commercial use at the street level. Commercial area in excess of 40 percent of the building footprint may be provided above and/or below the street level.

### 4. Open Space

Residential development in neighborhood commercial areas shall be required to provide open space for the use of the residents. The open space shall be

landscaped, usable to the residents, and can be provided at ground level or above in the form of gardens, patios, balconies or decks. However, in NC1 and NC2 zones, single-purpose residential development shall provide at least 60 percent of the required open space at ground level. (Figure IV.D.I.)

### 5. Landscaping Standards

The required open space shall be landscaped with trees, shrubs, and ground cover or grass. A minimum of one tree per 250 square feet of open space shall be provided.

6. For screening and landscaping of parking areas for single-purpose residential development, see Part IV.P.3.

### 7. Acoustical Separation Between Uses

**Figure IV.D.1  
for Section 23.16.020  
OPEN SPACE REQUIREMENT**

Building Type	Height of Building		
	Up to 40'	41' to 85'	86' to 160'
Single purpose residential use	25% of lot area	35% of lot area	Single purpose residential not allowed
Mixed Use			
40% of building foot-print in commercial use	20% of lot area	30% of lot area	40% of lot area
80% of building foot-print in commercial use	15% of lot area	20% of lot area	30% of lot area



The Department of Construction and Land Use shall determine the appropriate requirements for acoustical separation between residential and commercial uses in mixed-use buildings and recommend amendments to the Building Code accordingly. The standards shall provide reasonable protection for residential uses in mixed-use buildings against noise generated by commercial uses.

#### **E. Public Facilities Policy**

Public facilities provide a valuable service to the community and shall be allowed in all commercial areas, according to the following:

##### **1. Permitted Public Facilities**

a. Public facilities which are similar to those provided by the private sector such as offices, athletic facilities, or medical service uses shall be permitted or prohibited in all commercial zones according to the use regulations for the particular type of use. These public facilities shall meet the development standards for the use to which they are similar. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity.

b. Public facilities which are not similar to those provided by the private sector, such as police and fire stations, shall be permitted unless specifically prohibited in Appendix A. These public facilities shall meet the development standards of the zone in which they are located. If the develop-

ment standards cannot be met, the City Council may waive or change the standards for reasons of public necessity.

#### **F. Heavy Traffic Generators Policy**

##### **POLICY INTENT**

An administrative review shall be required for the establishment or expansion of uses which are identified as heavy traffic generators, in order to control traffic impacts associated with such uses and ensure that the use is compatible with the character of the commercial area and its surroundings. A heavy traffic generator is a type of use (not an individual business establishment) which typically relies on high business volume and rapid turnover of customers. Such uses generate a high ratio of trips per square feet of space compared with the uses which are likely to occur in a commercial area. Fast-food restaurants are identified as heavy traffic generators. In the future, any other use which is identified as a heavy traffic generator shall be subject to the provisions established in this policy.

##### **1. Administrative Review Provisions**

In deciding whether to permit, condition or deny a heavy traffic generator, the following factors shall be taken into account.

a. **Compatibility of development:** The design of the structure, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.

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b. Traffic, circulation and parking analysis: The Director of the Department of Construction and Land Use may require that a study, at the expense of the applicant, be performed which may include an analysis of traffic, circulation, and parking impacts, to be reviewed by the Seattle Engineering Department.

c. The applicant must demonstrate that the use will not:

(i) Disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts;

(ii) Interrupt established retail or service frontages designed to serve pedestrians;

(iii) Cause a significant amount of additional traffic to circulate through adjacent residential neighborhoods;

(iv) Create traffic or access problems which will require the expenditure of City funds to mitigate such impacts;

(v) Cause cars waiting to use the facility to queue across the sidewalk or onto the street; and

(vi) Interfere with peak hour transit operations by causing its auto traffic to cross a designated high-occupancy vehicle lane adjacent to the site or by causing its auto

traffic to queue into a nearby bus stop.

d. In designated pedestrian districts, the applicant must also demonstrate, in addition to the consideration in c. above, that the use will not provide accessory parking which will attract a significant amount of customers driving to the pedestrian district for the primary purpose of stopping at the business. This shall be demonstrated by a report from a traffic consultant which is based on a transportation analysis of travel modes and patterns of customers of a similar type of business in the same or a similar commercial area.

e. Control of litter: Appropriate measures to control litter shall be provided.

2. Exemption from Administrative Review.

a. Uses which have a gross floor area of less than 750 square feet shall be exempt from the administrative review provision and, therefore, shall be permitted outright.

b. In pedestrian districts, fastfood restaurants up to 2,500 square feet in size which provide indoor dining area and do not provide off-street parking shall be permitted outright according to the applicable development standards of the zone. (See Parts VII.A., VII.B.)

3. Determination of Heavy Traffic Generators.

In determining whether or not a particular use should be added to the list of

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heavy traffic generators, evidence of traffic generation from local or national transportation studies of similar uses should be considered.

(for Pedestrian Districts see Part VII. Special District Overlays):

4. Drive-in Businesses

Heavy traffic generators which are drive-in businesses shall also be required to comply with the drive-in business policy.

a. No parking shall be required for the first 2,500 square feet (gross floor area) of commercial use per structure. This waiver shall not apply to fast-food restaurants, motion picture theaters, and offices. When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver shall be prorated based on area among the commercial uses for which the waiver is permitted.

**G. Required Off-street Parking Policy**

**POLICY INTENT**

Minimum parking requirements for uses allowed in commercial areas are established in order to ensure customer and employee parking nearby, reduce congestion on adjacent streets, and minimize spillover parking into adjacent residential areas. The requirements are set to discourage underused parking facilities, which may mean tolerating occasional spillover parking.

b. The minimum parking requirement may be reduced up to 20 percent when a proposed use is located within 800 feet of a street with midday transit service headways of 15 minutes or less in each direction.

1. Minimum Off-street Parking Requirements in Commercial Zones

Each use shall provide a minimum number of accessory off-street auto parking spaces as outlined in Figure IV.G.1. Parking may be provided either on-site or within 800 feet of the use in a commercial zone. (See Figure IV.G.1.)

2. Waivers and Reductions

In order to encourage pedestrian activity and a variety of services in commercial areas through the maintenance and development of small commercial uses, minimum accessory parking requirements may be waived according to the following

For current SMC, contact the Office of the City Clerk

**Seattle Municipal Code  
March, 1995 code update file  
Text provided for historic reference only.**

**See ordinances creating and amending  
sections for complete text, graphics,  
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ADOPTED POLICIES 23.16.002

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**Figure IV.G.1  
for Section 23.16.020  
MINIMUM PARKING REQUIREMENTS**

**ONE SPACE PER**

100 sq. ft.*	200 sq. ft.*	350 sq. ft.*	1000 sq. ft.*	2000 sq. ft.*	OTHER**
Fast-food Restaurants	Restaurants (excluding fast-food restaurants)	Personal and Household Goods Retail Sales and Service (except Major Durables)	Offices	Automotive Retail Sales	Hotel - 1 space/4 units
Passenger Terminals/Waiting Area		Medical Services	Research and Development	Major Durables sales and service	Motel - 1 space/unit
Dance Halls/dance floor and table area		Branch Banks	Processing and Craft Work	Heavy Retail Goods sales and service	Bed and Breakfast - 1 space for the dwelling, plus 1 space/unit
Skating Rink/rink area		Video Game Parlors	Manufacturing	Warehouses	Motion Picture Theater - 1 space/8 fixed seats
Swimming Pools/water area		Pool and Billiard Halls		Wholesale Showrooms	Bowling Alley - 1 space/5 alleys
Places of Public Assembly (unless otherwise specified) auditorium floor area or 1 space/10 fixed seats		Private Physical Fitness Club (excluding ball courts)		Heavy Commercial Services	Sport Range - 1 space/2 stations
				Cargo Terminals	Miniature Golf - 1

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Seattle Municipal Code  
March, 1995 code update file  
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ADOPTED POLICIES 23.16.002

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sections for complete text, graphics,  
and tables and to confirm accuracy of  
this source file.

space/2 holes

Ball Courts - 1  
space/court

Vocational or Fine Arts  
School - 1 space for  
each 2 faculty members  
and full-time employ-  
ees, plus 1 space/5 stu-  
dents (based on the  
maximum number at-  
tending at any one  
time).

\* Based on total floor area unless otherwise specified.

\*\* Housing and Institutions shall be required to provide parking in accordance with the parking requirements for these uses in residential zones.

c.Existing parking deficits of legally established uses shall be allowed to continue even if a change of use occurs, unless the use is changed to one defined as a “Heavy Traffic Generator” pursuant to IV.F.

d.Additional parking spaces shall not be required for the expansion of existing uses if their minimum parking requirement does not increase by more than 10 percent. If the expansion is greater than 10 percent, parking spaces required for the full expansion shall be provided.

3.Shared Parking

To avoid unneeded parking facilities, and to maintain land for principal uses, shared parking by two or more uses shall be allowed to satisfy all or a portion of the City's off-street minimum parking requirements. Either a. or b. below may apply, but not both.

a.Shared Parking for Different Categories of Uses

Due to the different periods of peak parking demand for different categories of uses, the following reductions in the total parking requirement may be allowed. Maximum permissible reductions in the parking requirements for shared use are as follows:

(i)Twenty percent of the sales/service parking requirement when shared with office parking, not to exceed the number of spaces required for office use.

(ii)Thirty percent of the residential parking requirement when shared with daytime retail sales and service uses, not to exceed the number of spaces required for the retail sales and service use.

(iii)Fifty percent of the residential parking requirement for shared residential and office parking not to exceed the number of spaces required for the office use.

b.Shared Parking for Businesses with Different Hours of Operation

In order to use parking facilities more efficiently, parking spaces may be shared by businesses having different hours of operation.

Up to 90 percent of the parking required for a nighttime or weekend use may be supplied by off-street parking facilities provided by daytime or weekday uses, if there is no substantial conflict in the principal operating hours of the uses for which shared parking is proposed. When authorized by the Director of the Department of Construction and Land Use, daytime uses may include uses such as banks, business offices, retail stores, personal service shops, and manufacturing and wholesale buildings; nighttime uses may include uses such as bowling alleys, dance halls, theaters, taverns, and restaurants.

c.The conditions required for shared parking shall include:

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(i) The shared parking facility shall be located within 800 feet of the use and adequate pedestrian access shall be provided.

(ii) An agreement providing for shared use of such parking facilities shall be filed with the Director of DCLU. Shared-use parking shall continue only so long as such agreement, binding on all parties, remains in force. If such agreement becomes legally ineffective, then parking shall be provided as otherwise required.

4.Cooperative Parking Facilities

Due to the greater efficiency of parking which results when several businesses are located in close proximity so that customers may park once and walk to numerous businesses, the Director of the Department of Construction and Land Use may authorize the following parking reductions subject to a written agreement among cooperating parties: 10 percent reduction in the number of required parking spaces for two uses, 15 percent for three uses, and up to 20 percent for four or more separate uses. The parking facility shall be located within 800 feet of the cooperating uses.

5.Substitution of Alternative Transportation for a Portion of the Minimum Parking Requirement.

For new or expanding office or manufacturing uses which require 40 or more

spaces, the required number of parking spaces may be reduced by the substitution of alternative transportation programs which reduce off-street parking demand. These shall include provision of carpool parking, vanpools, transit passes or extra bicycle parking for employees, guaranteed in a form and for a time suitable to the Director of DCLU. In no case shall the reductions allowed exceed 40 percent of adjusted parking requirements.

6.Relationship to the Seattle Comprehensive Transportation Plan

Based on the findings of the Seattle Comprehensive Transportation Plan, the City may review or establish parking management provisions in selected commercial areas. The provisions may include locally sensitive measures such as cooperative parking, shared parking, restricted access, or special measures to meet the parking requirements established in these policies, such as carpools, vanpools, parking incentives or transit pass subsidies.

7.Fleet Vehicles

In order to avoid spillover parking and to maintain adequate on and off-street customer parking, businesses which have four or more small fleet vehicles or two or more large fleet vehicles used in conjunction with business operation shall provide separate off-street storage for these vehicles, in addition to the minimum accessory parking requirements.

8.Bicycle Parking

In order to encourage energy conservation by promoting alternatives to the

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private auto, bicycle parking facilities shall be required in NC1, NC2, NC3 and C1 areas as follows: Uses with required parking greater than 20 spaces shall be required to provide one bicycle space for every 10 automobile spaces. Automobile service stations, automotive services, and other drive-in uses except fast-food restaurants shall have no bicycle parking requirement.

In C2 areas, bicycle parking is not required.

9.Determination of Required Parking for Large Residential Developments

In specific circumstances, which are spelled out in adopted Multi- Family Land Use Policies (Policy 8, Implementation Guideline 2), the Director of the Department of Construction and Land Use, after a special review of the parking conditions in the surrounding area and consideration of environmental impacts and the cost of housing, may require parking in excess of the parking ratio up to a maximum of 1.25 spaces per unit.

H.Location and Design of Parking Policy

POLICY INTENT

The location of and access to off-street parking in commercial zones shall be regulated in order to maintain and improve the continuity of business frontage, to facilitate pedestrian and vehicular traffic circulation and to minimize adverse impacts on adjacent residential areas. The number and size of curbcuts shall be restricted or regulated in order to preserve on-street parking spaces, to reduce pedestrian/auto conflicts, and to protect the commercial character of an area. (See Part VII.A. and B. for parking location and access in Pedestrian Districts.)

1.Location of Parking

The location of off-street parking facilities on a lot shall be regulated according to the functions and characteristics of the commercial zone.

a.Classifications NC1, NC2, and NC3:

Parking facilities shall be located to the rear or side of the building, below grade, or built into the building if screened from the street front (see IV.P., Screening and Landscaping Policy); provided that the Director may permit parking in front of structures in NC2 zones as a special exception if the Director finds that while most of the characteristics of an NC2 area are present. the development of a pedestrian-oriented shopping area is very unlikely and the placement of parking on the side or in back of commercial structures is infeasible or undesirable. Such a conclusion would be appropriate only where all or most of the following circumstances are present.

- (i)There are extensive curbcuts, a lack of sidewalks, intense auto traffic and/or a pattern of parking in front of businesses which creates an unfriendly environment for pedestrians, increasing the likelihood that customers will drive from one business establishment to another;
- (ii)The lots are narrow and alley access is infeasible, so that a disproportionate amount of the lot would have to be

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devoted to a driveway if parking is not located in front;

(iii) The zone in which the lot is located lacks strong edges to buffer adjacent low-density residential areas from parking areas.

b. Classifications C1 and C2: The location of parking facilities shall not be restricted.

## 2. Access to Parking

Location of access to off-street parking should consider impacts on traffic and pedestrian circulation and compatibility with surrounding uses. Where a site is bounded by more than one street, access to parking shall be encouraged from the street with the least amount of commercial frontage. The Director of DCLU may specifically limit parking access from the alley if the alley is used for loading purposes as specified by the Seattle Engineering Department.

## 3. Curbcuts

In order to preserve on-street parking capacity, reduce pedestrian/auto conflicts and minimize excessive curbcuts which both reduce the number of on-street parking spaces and detract from the commercial character of an area, the width and number of curbcuts shall generally be limited.

a. Classifications NC1, NC2 and NC3: One two-way traffic curbcut not exceeding 25 feet in width or two one-way traffic curbcuts not exceeding 15 feet in width shall be

allowed on lots with street frontage of 80 feet or less. On lots with street frontage greater than 80 feet, up to two 25-foot curbcuts for every 240 feet of street front shall be allowed.

b. Classifications C1 and C2: The Director of Engineering shall review and approve the location, number and size of traffic curbcuts. The maximum width of curbcuts shall generally be 25 feet.

c. In parking areas where the following conditions all apply, the Director of the Department of Construction and Land Use may require up to 30-foot-wide curbcuts, provided the Seattle Engineering Department determines that such curbcut dimensions are necessary for operational safety of access and egress:

(i) The abutting street has a single lane, on that side of the centerline;

(ii) The curb lane is less than 11 feet;

(iii) It is off a major arterial; and

(iv) Off-street loading is required.

## 4. Surface Treatment

In order to control the noise and dust which result from unsurfaced areas, off-street parking areas shall be surfaced and maintained with a durable and dustless surface and shall be graded and drained as necessary to dispose of all surface water in accordance with the Seattle Drainage Control Ordinance.

5. Screening and Landscaping

Parking facilities or structures shall be screened and landscaped according to the provisions in Part IV.P., Screening and Landscaping Policy.

6. Compact Car Spaces

In recognition of the trend toward ownership of smaller, more energy-efficient automobiles and to minimize the amount of land consumed by parking, a portion of the required parking spaces shall be striped for compact cars. In addition, developers may increase the percentage according to the following provisions:

- a. At least 35 percent of the stalls shall be striped and designated for compact cars for new projects requiring 20 or more parking spaces. For lots requiring 11 to 19 spaces, a minimum of 25 percent of the stalls shall be striped for compact cars. All spaces designated and constructed for compact car use shall be clearly identified.
- b. To permit flexibility in parking-lot layout and design, up to 65 percent of the required stalls may be designated for compact car parking, at the discretion of the applicant.

Parking areas for existing uses may be restriped in conformance with this policy. New spaces thus created may be used to meet additional parking needed for expansion, or leased to meet all or a portion of the parking requirements of new uses locating within 800 feet of the restriped lot. Existing lots which do not meet minimum requirements must first correct

parking deficiencies before any surplus spaces created by restriping can be leased.

7. Bicycle Parking

a. Bicycle parking facilities either off-street or in the street right-of-way shall be provided for new buildings which meet the conditions of G.8. above. All bicycle parking facilities in the street right-of-way shall conform to guidelines developed by the Seattle Engineering Department.

b. Bicycle parking facilities shall be located within 800 feet of the commercial use. Bicycle parking facilities shared by more than one commercial use are encouraged. When located off-street, bicycle and auto parking areas shall be separated by a barrier or painted lines to minimize the possibility of a car hitting a cycle.

c. Where covered automobile parking is provided, bicycle parking shall also be covered.

**I. Loading Facilities Policy**

**POLICY INTENT**

Off-street loading space shall be required in order to accommodate delivery needs. All off-street loading spaces provided shall be located and designed to minimize adverse impacts on surrounding uses.

1. Required Off-street Loading Space

In order to accommodate commercial delivery needs without disrupting traffic and surrounding commercial or

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other activity, off-street loading space shall be required for commercial, institutional and manufacturing uses when over a certain size. Two sets of requirements shall be established, one for uses with a relatively high demand for loading space, and the other for uses with low demand.

60,001 to 160,000	2
160,001 to 264,000	3
264,001 to 388,000	4
388,001 to 520,000	5
520,001 to 652,000	6
652,001 to 784,000	7
784,001 to 920,000	8
For each additional 140,000	1 additional

a.High Demand for Loading Space

Retail sales and services, warehouses, cargo terminals, manufacturing uses, and hospitals shall be required to provide truck loading and unloading berths as follows:

Number of Berths	Square Feet of Aggregate Gross Floor Area	Required Number of Berths
	10,000 to 16,000	1
	16,001 to 40,000	2
	40,001 to 64,000	3
	64,001 to 96,000	4
	96,001 to 128,000	5
	128,001 to 160,000	6
	160,001 to 196,000	7
additional	For each additional 36,000	1

b.Low Demand for Loading Space

Lodging, entertainment activities, offices, and sports and recreation shall be required to provide truck loading and unloading berths as follows:

Number of Berths	Square Feet of Aggregate Gross Floor Area	Required Number of Berths
	40,000 to 60,000	1

2.Location of and Access to Loading Berths

Each off-street loading or unloading berth, whether required or not, shall be subject to the following minimum standards:

- a.Each berth shall be not less than 10 feet in width and 25 feet in length.
- b.No berth shall be located closer than 50 feet to an abutting lot in any residential zone unless wholly within an enclosed building.
- c.No berth accessory to a manufacturing use or to a warehouse or cargo terminal shall be located across a street or alley from a residential zone unless wholly within an enclosed building.
- d.No berth shall be located in a required front setback.
- e.Direct access to a loading berth from a street shall be permitted only when no usable alley is available.
- f.Where access to an off-street loading berth is from an alley, and truck loading occurs parallel to the alley, the berth shall be set back a minimum distance of 12 feet from the center of the alley in order to provide enough room for vehicular

circulation while loading is taking place.

g.Landscaping of off-street loading space shall conform with the landscaping standards for off-street parking.

3.Surface Treatment

In order to control the noise and dust which result from unsurfaced areas, off-street loading areas shall be surfaced and maintained with a durable and dustless surface and shall be graded and drained as necessary to dispose of all surface water in accordance with the Seattle Drainage Control Ordinance.

4.Nonconformity

Existing deficits in the number of required loading berths shall be allowed to continue if a change of use occurs, except when the change is a food processing or manufacturing use, warehouse, or cargo terminal.

J.Sidewalk Policy

In order to improve the appearance of the commercial area and to encourage pedestrian activity, sidewalks shall be required for all new developments unless unusual circumstances prevent such construction in certain individual cases.

K.Signs Policy

POLICY INTENT

Sign provisions are established in order to facilitate adequate identification of businesses, as well as to reduce visual clutter and enhance the appearance and safety of commercial areas. Sign provisions shall

correspond to the character and scale of the commercial area. Thus, standards governing the size, number and location of signs are established for the smaller and/or pedestrian-oriented neighborhood commercial areas, while standards governing the number of signs and height for freestanding signs shall be included in more intense and/or auto-oriented commercial areas. In addition, a local option shall be provided whereby a local community may request that individualized sign provisions be established in their area (see Part VII.D. Local Option Sign District). In the event that these policies are in conflict with the regulations for Advertising and Business Signs Adjacent to Certain Public Highways, the latter shall control.

1.Sign Standards for All Commercial Zones

a.Each individual business fronting upon a street, court or other public right-of-way shall be allowed one sign for each 300 feet of individual business frontage or portion thereof. The sign may be a pole, ground, roof, projecting or combination sign, referred to hereafter as Type A signs.

b.Each individual business shall be permitted one additional sign for each 30 lineal feet of property frontage, or portion thereof which the business occupies. The sign may be a wall, marquee, under-marquee, or canopy sign, referred to hereafter as Type B signs.

c.Each shopping center, multiple business center or drive-in business establishment may have one pole sign for each 300 feet, or portion thereof, of frontage on a street, court or other public right-of-way.

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d. In addition to the signs permitted in a., b. and c., each business shall be allowed an under-marquee sign not to exceed 10 square feet in size.

e. Special consideration shall be given by the Director to applications for signs which use a comprehensive design plan to encourage the integration of signage into the design of the building or site where it is located. This may be done on an existing building or new building, or for freestanding signs. The Director's review may, in some cases, result in allowances of height or total area in excess of those limitations specified for particular zones. The purpose is to create visual harmony between the sign, the building and the site where it is located through the use of a consistent design theme. The Director's decision shall be appealable to the Hearing Examiner.

f. All standards relating to size, type and number of signs, definitions, exceptions, and special provisions, which are currently included in the Building Code, shall be included in the Land Use Code and deleted from the Building Code.

## 2. Standards for On-premises Signs

a. In NC1 and NC2 classifications, the following standards shall apply:

(i) Type of sign: Permitted signs shall be limited to stationary, and permanent signs. Rotating, chasing and flashing signs shall be

prohibited; changing-message signs shall be permitted.

### (ii) Maximum Sign Dimensions

— Individual sign size: Type A — 72 square feet; Type B — 185 square feet.

— Total sign per business: 185 square feet.

(iii) Height of sign above ground level: Type A — 25 feet; Type B — 20 feet or height of cornice, whichever is higher.

b. In NC3, C1 and C2 classifications, the following standards shall apply:

(i) Type of sign: All types of signs shall be permitted, except flashing signs and signs rotating faster than seven revolutions per minute.

(ii) Maximum sign dimensions: Maximum sign dimensions for Type A signs in the NC3 classification shall be 72 square feet plus two square feet for each foot of street frontage over 36 feet up to a maximum size of 300 square feet. There shall be no size limit on Type B signs. There shall be no limit on sign dimensions in C1 and C2 classifications.

(iii) Height of sign above ground level: The highest point of

Type A signs shall not exceed the height limit of the zone or 65 feet, whichever is less, except that freestanding signs for individual businesses shall have a maximum height of 30 feet above ground level, and freestanding signs for shopping centers shall have a maximum height of 40 feet above ground level. Type B signs shall not be higher than 20 feet or the height of the cornice, whichever is higher.

- Height: 25 feet
- Length: 50 feet
- Maximum number of signs within 660 feet: Four
- Minimum distance between signs: 100 feet
- Distance from residentially zoned lot: 50 feet
- Distance from public school grounds and parks: 100 feet

3. Billboards and Off-Premises Signs

a. Present Building Code provisions concerning billboards, and other off-premises signs shall be continued and included in the Land Use Code. This shall include the present policy of limiting the issuance of permits for new billboards in commercial areas to the replacement of existing billboards. Off-premises roof signs shall be prohibited.

(ii) New off-premises directional sign standards

- Maximum sign dimensions:
- Individual sign size: 100 square feet
- Maximum vertical dimension: 10 feet
- Maximum length: 20 feet

b. Billboards and off-premises signs are prohibited in NC1 and NC2 areas, and pedestrian districts. They shall be permitted in NC3, C1 and C2 areas according to the following standards:

(iii) Height of sign above ground level: The highest point of a sign shall not exceed the height of the zone or 65 feet, whichever is less. No sign shall be located on the roof of a structure.

(i) Billboard and other off-premises (nondirectional) sign standards

—Maximum sign dimensions:

Size: 672 square feet

c. Each business district shall be permitted up to two identification signs which may list businesses located in the district, as long as the sign is located on commercially zoned land and the total size is within the limits allowed for off-premises signs.

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4. Signs Facing Residential Zones

When located within 50 feet of an abutting lot in a residential zone, an electric sign face shall be directed away from the adjoining residentially zoned lot.

5. Shoreline Master Program

In shoreline areas, provisions of the Shoreline Master Program (SMP) shall apply. In addition, provisions concerning size and number of permitted signs as established by the underlying zoning classification shall also apply.

6. Nonconforming Signs

Signs, including billboards, which become nonconforming by this policy shall be allowed to continue and be maintained, but they shall not be expanded. Nonconforming signs shall be brought into conformity when a sign permit is required; sign permits are required for structural alterations, but not when only the message is changed.

L. Noise Control Policy

POLICY INTENT

Uses in commercial areas shall be required to comply with maximum permitted noise levels in order to reduce health hazards and nuisance factors associated with noise generated by some commercial uses.

1. Maximum Permitted Noise Levels

The maximum permitted noise level for any use in a commercial area shall be the standards established by the Seattle-King County Noise Ordinance

(Municipal Code Chapter 25.08). Permitted noise levels shall be set according to the zone of the receiving property, measured at the property line.

Noise standards shall be most stringent when the receiving property is located in a residential or NC1 zone; stringent when the receiving property is located in any other commercial zone — NC2, NC3, C1 or C2; and less stringent when the receiving property is located in an industrial zone. The maximum acceptable levels shall be reduced at night and on weekends for uses which are adjacent to property within a residential or NC1 commercial zone.

When a major institution zone is the receiving property, maximum permitted noise levels shall be set according to the noninstitutional classification of its dual zoning.

2. Enclosure Standards

In order to reduce the impacts of noise, all processing activities, which shall include manufacturing, fabricating, repairing, refuse compacting, and recycling, shall be conducted wholly within an enclosed structure in an NC1, NC2 or NC3 zone. In a C1 or C2 zone, total enclosure shall only be required when a lot is located within 50 feet of a residential zone.

3. Major Noise Generators

In order to ensure the maintenance of permitted noise levels in commercial areas, uses which have been identified as major noise generators shall be required to take additional measures to reduce noise to a level which meets

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the standards prior to issuance of a use permit. These have been identified as major noise generators due to the type of equipment used or to the nature of the business.

a. Identification of Major Noise Generators

Major noise generators shall include:

- (i) External heat exchangers or other similar devices (e.g., ventilation, air conditioning, refrigeration); the installation of energy-efficient heat pumps in existing structures shall only be conditioned under this policy to the extent that the conditions are economically feasible.
- (ii) Machine shops, and light and general manufacturing.
- (iii) Auto body, boat and aircraft repair shops.
- (iv) Similar major noise generators as determined by the Director of the Department of Construction and Land Use on the basis of complaints received and citations issued under the Seattle/King County Noise Ordinance.

b. Review of Major Noise Generators

A report from an acoustical consultant shall be required to indicate the measures to be taken by the applicant in order to meet noise standards for the area. Such mea-

asures may include the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setback, use of specified construction techniques/building materials, etc. Measures to be used shall be indicated on the development plans which are submitted to DCLU for a use permit. Once the structure has been completed, the applicant/occupant shall be responsible for maintaining the measures which are necessary to keep the establishment within the acceptable noise levels.

When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which indicates how the noise generated from the new portion will meet the specified noise standards for the area.

4. Nonconformity

Existing uses which are nonconforming as to noise come under the provisions of the Noise Ordinance and shall be dealt with on a complaint basis. Uses which are found to be in violation shall be required to take corrective action within a specified time.

M. Airborne Emissions and Odors Policy

POLICY INTENT

In order to maintain and encourage successful commercial activities while protecting employees, clients, nearby residents and the general public from the impacts which may occur from odors and airborne pollutants, certain uses and activities shall be regulated

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in all commercial zones. To this end, the City shall cooperate with the Puget Sound Air Pollution Control Agency to identify and review potential sources of odors or other airborne emissions to lessen their potential impacts.

1.General Conditions

No use may employ processes or store goods which cause detriment to the health, safety or welfare of any persons, or cause damage to property of any business by reason of the emission of an air contaminant, water vapor, odor, dust, smoke, cinders, gas, or fumes. All uses shall be required to comply with the Seattle Building and Fire Codes for fire and life safety and the handling of all hazardous substances.

2.Major Odor Sources

a.Review of Major Odor Sources

Recognizing that some uses allowed in commercial areas may emit odors, a review by the Department of Construction and Land Use in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA) shall be established. From this review the Director shall determine appropriate measures to be taken by the applicant in order to reduce the potential impacts of odors.

b.Identification of Major Odor Sources

(i)Uses which employ the following odor-emitting processes or activities shall be considered major odor sources:

- Animal food processing
- Lithographic, rotogravure or flexographic printing
- Film burning
- Fiberglassing
- Sale of gasoline and/or storage of gasoline in tanks larger than 260 gallons
- Handling of heated tars and asphalts
- Incinerating (commercial)
- Tire buffing
- Metal plating
- Vapor degreasing
- Wire reclamation
- Use of boilers greater than 10<sup>6</sup> British Thermal Units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower.

(ii)The following uses shall be considered major odor sources except when the entire activity is provided on a retail or on-site customer service basis:

- Cooking of grains
- Smoking of food or food products
- Fish or fishmeal processing
- Coffee or nut roasting
- Deep fat frying
- Dry cleaning.

(iii)The Director of the Department of Construction and Land Use, in consultation with the Puget Sound Air Pollution Control Officer, may determine at some future time that other processes used in commercial areas create a nuisance or health hazard due to odor or air pollutant

emissions. Such a process may be added to this list.

3.Venting of Vapor, Fumes and Odors

The venting of odors, fumes and vapors shall be at least 10 feet above the ground and away from residential uses in order to ensure a safe and pleasant pedestrian environment at street level.

4.Compliance

All existing uses which are determined to be major odor sources will be permitted to continue to operate until a complaint is filed with the City. If the use is found to be in violation of this policy, measures to significantly reduce the potential for odor and air-borne pollutant emissions shall be taken as determined according to the procedure in 2.c. above. The use shall be brought into compliance within a maximum of two years from the determination of a violation, with length of time to be determined by the Director of DCLU depending upon the complexity of the measures to be taken.

**N.Light and Glare Control Policy**

**POLICY INTENT**

The direction and maximum height of exterior lighting or interior lighting of a parking structure, and the glare from reflective materials used on the exterior of structures located in commercial areas shall be controlled in order to reduce light and glare on surrounding uses, enhance the commercial environment, and encourage energy conservation. The intent of this policy is to facilitate adequate illumination of structures, parking areas, outdoor storage areas, and

lighting directed toward signs and/or outdoor advertising, while ensuring that reflective surfaces and lighting do not create excessive glare.

1.Lighting

a.Exterior lighting and interior lighting of parking structures shall be shielded from adjacent uses through directed lighting and use of hidden light sources (bulbs shall be totally within the light casing).

b.Exterior lighting on poles shall be permitted up to a height of 30 feet from existing grade. In areas with a 40foot height limit or greater, exterior lighting on poles shall be permitted up to a height of 40 feet from existing grade, provided that watts per square feet are at least 20 percent below the maximum exterior lighting level allowed under the Energy Code.

2.Glare Diagram Requirement

In order to reduce the adverse impacts of light and glare on surrounding residential areas and major arterials, new development and expansion of existing structures greater than 65 feet tall shall be evaluated in terms of glare impacts. Structures may be required to use glare-reducing techniques such as altering the amount of reflective materials, the type of materials, or the angle of reflective surfaces. Glare diagrams, which clearly identify potential adverse glare impacts on residentially zoned areas and on major arterials, shall be require when:

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a.A structure is proposed to be surfaced with highly reflective materials; or

b.A structure is proposed to have more than 30 percent glass surface.

3.Nonconformity

Existing uses which are nonconforming as to the requirements of this policy shall be allowed to continue operating with the nonconformity. Because of costs involved, existing uses shall not be required to conform to the provisions of this policy. When remodelling or building expansion occurs, only the new portion of the development shall be required to conform to these provisions. However, if the lighting is to be replaced, all new lighting shall be shielded and shall conform to the maximum height limit.

O.Setbacks Policy

POLICY INTENT

Setbacks shall not be required in commercial areas except for lots adjacent to a residential zone. The intent is to allow flexibility in siting, permit full use of a site for development permitted in commercial zones, and maintain and encourage contiguous building facades that provide an attractive commercial environment at street level. Setbacks shall be required for lots abutting or across an alley from a residential zone in order to provide light, air, and solar access and privacy standards shall be applied to all development in commercial areas, except for side setback requirements for structures containing only residential uses.

1.Commercial Lots Abutting or Across an Alley from Nonresidentially Zoned Lots.

No setbacks shall be required for structures in commercial areas abutting or across an alley from nonresidentially zoned lots.

2.Commercial Lots Abutting or Across an Alley from Residentially Zoned Lots.

a.Adjacent to the side and/or rear property line of a residentially zoned lot:

(i)For commercial or mixed-use structures, setbacks shall be provided for structures on lot abutting or across an alley from the side or rear lot line of a residentially zoned lot. The setback required shall vary according to the building height as follows (see Figure O-1).

—No setback shall be required for that portion of a structure under 12 feet in height.

!!!FIGURE O-1 GOES HERE!!!

—A 10-foot setback shall be required for any portion of a structure between 12 and 65 feet in height. An additional one-foot setback shall be required for each additional 10 feet in height for portions of a structure over 65 feet in height.

(ii)For structures containing only residential uses, a setback

shall be provided on lots abutting the side property line of a residentially zoned lot. The setback shall be 5 feet for structures up to 40 feet in height and 8 feet for structures 40 feet or more in height. An additional one-foot setback shall be provided for each additional 10 feet in height for portions of a structure over 65 feet in height. Setbacks shall also be provided on lots abutting or across an alley from the rear lot line of a residentially zoned lot according to subsection 2.a.(i) above.

(iii) In order to protect the privacy of abutting residential properties, no opening or window shall be permitted within 5 feet of the property line of a residentially zoned lot. Also, although decks and balconies shall be allowed to extend into required setback areas, no such open space area shall be permitted within five feet of the property line of a residentially zoned lot.

(iv) On lots across an alley from a residentially zoned lot, the width of the alley shall count as part of the required setback area since the alley provides separation between commercial and residential areas.

b. Adjacent to the front setback of a residentially zoned lot:

In order to provide a smooth transition between residential and commercial areas, and preserve a sense of openness and visual access to the street from a residential lot, the following setback shall be required: No development shall be allowed within a triangular area located in the front of a commercially zoned lot abutting the front setback of a residentially zoned lot. Two sides of this triangular area shall extend a minimum of 15 feet along the street and side lot lines of the commercially zoned lot. (Examples in Figure O-2.)

### 3. Expansion of Existing Structures into Required Setbacks

**!!!FIGURE O-2 GOES HERE!!!**

Expansion or extension of an existing structure to provide access for the elderly or disabled shall be permitted even when the expansion would extend into a required setback.

### 4. City Light Setback Requirements

State of Washington electrical safety requirements stipulate that a 10-foot distance be maintained in every direction between overhead electrical conductors and buildings over 25 feet in height. If the 10-foot setback is not maintained, the wiring must be placed underground. This requirement shall be enforced either through the establishment of a setback greater than would otherwise be required by the setback development standards con-

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tained in this policy or by payment of a fee by the developer to cover the cost of undergrounding the electrical wiring.

when abutting or across from property in a residential zone.

## P.Screening and Landscaping Policy

### POLICY INTENT

Screening, landscaping and street trees shall be required in commercial areas. The intent of this policy is to enhance the business environment and maintain compatibility with surrounding residential areas. Thus, development standards are established to improve the street environment of commercial areas, to reduce light and glare, and to maintain compatibility with the landscaped character of adjacent residential areas.

#### 1.General Screening and Landscaping Standards

The following general screening and landscaping standards are established. The application of these standards is described in paragraphs 2 through 8 below.

a.Three-foot High Screening: A three-foot high fence, wall or hedge shall be provided along the street property line(s). The purpose of this screening is to soften the appearance of outdoor activities, and to maintain continuity along the street front, yet still allow visibility into and out of the area.

b.Six-foot high Screening: A six-foot high fence, wall or hedge shall be provided along the property line(s). The purpose of this screening is to obscure the view of outdoor activities, particularly

c.Five-foot Deep Landscaped Area: A five-foot deep landscaped area, consisting of a combination of trees, shrubs and groundcover, shall be provided along specified property lines. The purpose of such a landscaped setback is to improve the appearance of a fence, wall or outdoor activity, to provide greenery in commercial areas, and to separate specified activities from abutting residentially zoned lots.

d.Street Trees: Street trees shall be provided in the planting strip along the street front, in order to provide partial screening and visual relief, particularly when outdoor activities are located across from a residential zone. Street trees shall be planted in accordance with the street tree planting standards which supplement the Street Use Ordinance 90047, Section 35. These standards cover such items as types of trees recommended, and spacing requirements and restrictions. If these standards cannot be met or if the City's landscape architect determines that such plantings are not appropriate for a given area, a five-foot deep landscaped setback shall be required along the street property line(s). If a landscaped area is already required, the trees shall be planted in such an area if they cannot be located in the planting strip.

e.Interior Landscaping of Parking Areas: One canopy tree per 10 parking spaces shall be provided

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within large parking areas in such a manner that the expanse of pavement and cars is visually broken and softened.

2.Screening and Landscaping Provisions for Parking Lots, Parking Structures, and Off-street Loading Spaces

a.Open parking areas, including access to parking and loading spaces:

When abutting or across an alley from a property in a residential zone, six-foot high screening and five-foot deep landscaped area inside the fence shall be provided, except that the Director may reduce or waive part or all of the screening and/or landscaping requirements when required parking can only be provided at the rear lot line and the alley is necessary to provide aisle space. In making the determination to waive or reduce the landscaping and screening requirements, the Director shall consider the following criteria:

Criteria:

- (i)Whether or not the lot width and depth permits a viable plan for the building and parking which would preserve the screening and landscaping; and
- (ii)The character of use across the alley, such as facing windows of apartments or homes, on the one hand, or multi-family parking structures on the other;

(iii)Whether the property is located in a Pedestrian zone and therefor access to parking from the street is not feasible or is undesirable;

(iv)Whether a topographic break between the alley and the residential zone makes screening less necessary.

b.Open parking areas for 10 or fewer vehicles: Three-foot high screening shall be provided along the street front in all commercial areas. When across the street from a property in a residential zone, street trees shall also be provided.

c.Open parking areas for more than 10 vehicles: Three-foot high screening and street trees shall be provided along the street front in all commercial areas.

d.Open parking areas for more than 50 vehicles: Three-foot high screening and street trees shall be provided, as well as interior landscaping in all commercial areas.

e.Parking within structures: Parking shall be screened either by the building facade or a six-foot high screen. In addition, a five-foot deep landscaped area along the street property line(s) and all property lines abutting a residential zone shall be provided. This shall apply to both parking structures and parking at ground level of buildings. Windows shall not be required in the parking facades.

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4. Screening and Landscaping Provisions for Outdoor Sales and Service Activities, Including the Outdoor Display of Rental Equipment

a. When abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided.

b. When across the street from a property in a residential zone, three-foot high screening and street trees shall be provided along the street front.

5. Screening and Landscaping Provisions for Drive-in Businesses

a. Drive-in Businesses:

(i) When abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided. A five-foot deep landscaped area inside the fence shall also be provided when the drive-in facility or its access area is along the side which abuts the residential zone.

(ii) When the drive-in facility is across the street from a property in a residential zone, three-foot high screening and street trees shall be provided along the street front.

b. Auto Service Stations:

(i) In NC1, NC2 and NC3 areas, and in C1 and C2 areas when across the street from

a residentially zoned lot, threefoot high screening along the street property line(s) and street trees shall be required.

(ii) In all classifications, when abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided along the property line(s) abutting or across the alley from the residential zone.

6. Screening and Landscaping Provisions for Outdoor Storage Areas

a. In C1 areas, outdoor storage shall be located behind a building or shall include sixfoot high screening between the storage area and all property lines. A five-foot deep landscaped area shall be provided on the street side of the screening along the property line(s). When across the street from a residentially zoned lot, street trees shall also be provided.

b. In C2 areas when across the street from a residentially zoned lot, outdoor storage shall be located behind a building or shall include sixfoot high screening along the street property line(s) and street trees shall be provided. (See Figure P-1.)

7. Landscaping Provisions for Blank Facades

In NC1, NC2 and NC3 areas, and C1 and C2 areas which are across the street from a residentially zoned lot, street trees shall be provided along the street front of blank building facades. (See Figure P-2.)

8. Screening and Landscaping Provisions for Mobile Home Parks

A landscaped setback of five feet shall be provided along the street front to protect the privacy of the mobile home park residents; where conditions permit, a five-foot planting strip with street trees may be substituted for the landscaped setback. Six-foot high screening shall be provided along all other property lines.

**Q. Hazardous Materials Policy**

All permitted uses which use materials defined as hazardous by the Seattle Building or Fire Codes must meet appropriate standards of those Codes for fire and life safety. However, storage or manufacturing of substances classified as hazardous under Group H occupancy in the Seattle Building Code shall be prohibited in all commercial zones in order to protect the health and safety of those living and working in the area.

**R. Nonconforming Structures Policy**

Unless otherwise specified in these policies, existing nonconforming structures shall be allowed to continue, be maintained, and structurally altered or expanded, as long as the nonconformity is not increased. An exception shall be allowed for expansions, extensions, or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled, even if such alterations increase the structure's nonconformity.

**!!!FIGURE P-1 GOES HERE!!!**

**!!!FIGURE P-2 GOES HERE!!!**

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V. COMMERCIAL AND RESIDENTIAL/COMMERCIAL ZONES

**A. Overview**

1. Commercial land shall be assigned one of five commercial zone classifications (NC1, NC2, NC3, C1 or C2) according to locational criteria which include the areas's commercial function, its existing and desired character, and the physical conditions of the area and its surroundings. In determining the appropriate zone designation, each of the locational criteria must be considered.

2. Regulation of uses and development standards are specified in this part for each zone; general use policies and development standards which apply to all the commercial zones are found in Parts III and IV respectively.

**B. Neighborhood Commercial 1 (NC1)**

1. Locational Criteria

a. Function

A small area composed primarily of businesses providing convenience retail sales and services to the adjoining residential neighborhood.

b. Character

(i) Existing

Small commercial area surrounded by low density residential areas.

(ii) Desired Characteristics

For current SMC, contact the Office of the City Clerk

—Variety of small neighborhood serving businesses

See Part III for General Commercial Areas Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

—Continuous storefronts with commercial use, built to the front property line

3.Development Standards Summary for NC1 Zones

—Pedestrian-friendly atmosphere

See Part IV for the specific statements on development standards for all zones.

—Shoppers can drive to the area, but walk from store to store

a.Maximum Size of Use:

—4,000 square feet

c.Physical Conditions Favoring Designation as NC1

—Exception: Multi-purpose convenience store, medical clinics = 10,000 square feet

(i)Surrounded by lowdensity residential areas

—Existing uses may expand up to 10,000 square feet through Council conditional use

(ii)No physical edges to buffer the residential area

b.Outdoor Activities:

(iii)Lack of vacant land or land appropriate for additional commercial development within the commercial area

—Outdoor Sales:

—Permitted; limited to 40% of the lot or 1,500 square feet, whichever is less

(iv)Accessed through lowdensity residential neighborhoods (i.e., commercial area will draw traffic through neighborhood)

—Rental Equipment:

—Permitted; limited to 10% of the lot or 500 square feet, whichever is less

(v)Generally, limited street capacity

—Outdoor Storage:

—Prohibited

(vi)Limited transit service

—Recyclable Materials:

—Permitted; limited to 10% of the lot or 500 square feet, whichever is less

(vii)Limited off-street parking capacity

2.Uses

c. Drive-in Businesses:

—Prohibited; except gas stations up to four lanes

d. Parking Location:

—Rear and/or side of building

e. Curbscuts:

—One 2-way up to 25' or two 1-way up to 15' each

f. Bicycle Parking Spaces:

—When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces

g. Signs:

—Limited number, size, and type of signs; billboards prohibited

h. Enclosure to Reduce Noise:

—All processing activities conducted within enclosed structure

i. Screening/Landscaping

—Citywide standards, plus screening/landscaping required for parking areas, gas stations, blank facades

A pedestrian-oriented shopping area which provides a full range of household and personal goods and services, including convenience and specially goods, to the surrounding neighborhoods.

b. Character

(i) Existing

The NC2 zone may be appropriate for any of the following types of areas:

—Medium-sized node generally surrounded by low- to medium-density residential areas; or

—Small commercial area located at the edge of a larger business area, which provides a transition between intense commercial activity and surrounding areas; or

—Area in the core of an established commercial district characterized by a concentration of small retail and service uses; or

—Commercial area along major arterial where lots are generally small and shallow, and are surrounded by lowdensity residential areas.

**C. Neighborhood Commercial 2 (NC2)**

1. Locational Criteria

a. Function

(ii) Desired Characteristics

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—Variety of small to medium-sized neighborhood-serving businesses parking area for supermarket or other larger use

—Continuous storefronts with commercial use, built to the front property line

2.Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

—Pedestrian-friendly atmosphere

3.Development Standards Summary for NC2 Zones

—Shoppers can drive to the area, but walk from store to store

See Part IV for the specific statements on development standards for all zones.

c.Physical Conditions Favoring Designation as NC2

a.Maximum size of use:

(i)Surrounded by low- to medium-density residential areas

—15,000 square feet

(ii)Lack of strong edges to buffer the residential area

—Exceptions: Multi-purpose convenience stores = 25,000 square feet

(iii)Lack of vacant land or land appropriate for additional commercial development within the commercial area

—Exception: Custom/ craft work, food processing, light manufacturing = 5,000 square feet

(iv)Access through low and medium-density residential areas

—Existing uses may expand through Council conditional use up to 25,000 square feet if threshold limit is 15,000 square feet, and to 10,000 square feet if threshold limit is 5,000 square feet

(v)Located on streets with good capacity (major traffic streets and minor arterials), but generally not on major transportation corridors

b.Outdoor Activities:

(vi)Limited transit service (i.e., a few routes)

—Outdoor Sales:

(vii)Limited off-street parking capacity—may include a

—Permitted; limited to 40% of the lot or 10,000 square feet, whichever is less

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—Rental Equipment:

—Permitted; limited to 15% of the lot or 1,000 square feet, whichever is less

—Outdoor Storage:

—Prohibited

—Recyclable Materials:

—Permitted; limited to 10% of the lot or 1,000 square feet, whichever is less

c. Drive-in Businesses:

—Permitted up to two lanes; gas stations up to four lanes

d. Parking Location:

—Rear and/or side of building

e. Curbscuts:

—One 2-way up to 25' or two 1-way up to 15' each

f. Bicycle Parking Spaces:

—When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces

g. Signs:

—Limited number, size and type of signs; billboards prohibited

h. Enclosure to Reduce Noise:

—All processing activities conducted within enclosed structure

i. Screening/Landscaping:

—Citywide standards, plus screening/landscaping required for gas stations, blank facades

**D. Neighborhood Commercial 3 (NC3)**

1. Locational Criteria

a. Function

A pedestrian-oriented shopping district serving the surrounding neighborhood and a larger community or citywide clientele. The area provides for comparison shopping with a wide range of retail goods and services. The area also provides offices and business support services that are compatible with the retail character of the area and may also include residences

b. Character

(i) Existing

The NC3 zoning may be appropriate for either of the following types of areas:

—Major commercial nodes surrounded by medium- to high-density residential areas or other commercial areas; or

—Commercial, retail-oriented strip along a major arterial with significant amounts of

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retail frontage and generally surrounded by medium-density residential areas

- (v)Excellent transit service
- (vi)Presence of large, perhaps shared, off-street parking lots; land available for additional parking, or other means to accommodate parking demand

(ii)Desired Characteristics

- Variety of retail businesses at street level
- Continuous storefronts built to the front property line
- Intense pedestrian activity
- Shoppers can drive to the area, but will walk around from store to store
- Cycling and transit are important means of access

2.Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3.Development Standards Summary for NC3 Zones

See Part IV for the specific statements on development standards for all zones.

c.Physical Conditions Favoring Designations as NC3

a.Maximum Size of Use:

- (i)Served by principal arterial
- (ii)Separated from lowdensity residential areas by physical edges, less-intense commercial areas, or more-intense residential areas
- (iii)Highly accessible for large numbers of people (considering present and anticipated congestion) so that intense activity of a major commercial node can be accommodated
- (iv)Circulation system accommodates commercial traffic without drawing traffic through residential areas

- No maximum size
- Exceptions: Building materials, fuel sales, construction, farm and industrial equipment, indoor participant sports and recreation, passenger terminals = 25,000 square feet
- Exception: Warehouse, mini-warehouse, wholesale showroom = 15,000 square feet
- Exception: Custom/ craft work, food processing, light manufacturing = 10,000 square feet
- Existing uses with threshold size limits less than 20,000

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square feet may expand through Council conditional use to 20,000 square feet

bicycle parking space for every 10 auto spaces

g.Signs:

b.Outdoor Activities:

—Limited number and size of signs; billboards permitted

—Outdoor Sales:

—Permitted without size limit

h.Enclosure to Reduce Noise:

—Rental Equipment:

—All processing activities conducted within enclosed structure

—Permitted; limited to 15% of the lot or 1,000 square feet, whichever is less

i.Screening/Landscaping:

—Outdoor Storage:

—Citywide standards, plus screening/landscaping required for gas stations, blank facades

—Prohibited

—Recyclable Materials:

**E.Commercial 1 (C1)**

—Permitted; limited to 10% of the lot or 1,000 square feet, whichever is less

1. Locational Criteria

c.Drive-in Businesses:

a.Function

—Permitted up to four lanes; gas stations unlimited lanes

An auto-oriented commercial area, primarily retail/ service in nature, which serves surrounding neighborhoods and the larger community or citywide clientele. The area provides a wide range of commercial services, including retail, offices and business support services, and may also provide for residential uses.

d.Parking Location:

—Rear and/or side of building

e.Curbcuts:

—One 2-way up to 25' or two 1-way up to 15' each

b.Existing Character

—Shopping centers; or

f.Bicycle Parking Spaces:

—When more than 20 parking spaces required, provide 1

—Shopping areas along arterials where customers drive from one individual business to another

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See Part IV for the specific statements on development standards for all zones.

c.Physical Conditions Favoring Designation as C1

(i)Readily accessible from a principal arterial

(ii)Presence of edges which buffer low-density residential areas, such as more-intense residential areas, less-intense commercial, or changes in street layout or platting pattern which tend to define boundaries

(iii)Predominance of large lots which can accommodate a wide range of commercial activity

(iv)Limited pedestrian access on the public right-of-way, curbcuts, auto movement or parking lots create an environment which is unfriendly to pedestrian activity

(v)Presence of large, perhaps shared, off-street parking lots; readily accessible from major transportation corridors or arterials

2.Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3.Development Standards Summary for C1 Zones

a.Maximum Size of Use:

—No maximum size

—Exception: Mini-warehouses = 40,000 square feet

—Exception: Warehouse, wholesale showroom = 25,000 square feet

—Exception: General manufacturing = 15,000 square feet

b.Outdoor Activities:

—Outdoor Sales:

—Permitted without size restriction

—Rental Equipment:

—Permitted without size restriction

—Outdoor Storage:

—Permitted with out size restriction

—Recyclable Materials:

—Permitted; limited to 10% of the lot or 1,000 square feet; if larger, must comply with outdoor storage standards

c.Drive-in Businesses:

—Permitted without restriction in number of lanes

For current SMC, contact the Office of the City Clerk

d. Residential:

—Permitted outright

e. Parking Location:

—No restriction on location

f. Curbcuts:

—Engineering Department review; maximum width generally 25'

g. Bicycle Parking Spaces:

—When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces

h. Signs:

—Limited number, limited height; no limit on size and type of signs, billboards permitted

i. Enclosure to Reduce Noise:

—All processing activities conducted within enclosed structure if within 50 feet of residential zone

j. Screening/Landscaping:

—Citywide standards, plus screening/landscaping required for outdoor storage; required when gas station, blank facade abut/across street from residentially zoned lot

**F. Commercial 2 (C2)**

1. Locational Criteria

a. Function

An auto-oriented, primarily nonretail commercial area which provides a wide range of commercial activities serving a citywide function. These areas provide employment opportunities, business support services and locations for light manufacturing uses.

b. Existing Character

(i) Major commercial nodes characterized by heavy commercial activity, often including a few major employers; or

(ii) A commercial strip located along a major arterial characterized by heavy commercial activity

c. Existing Conditions Favoring Designation as C2

(i) Readily accessible from a principal arterial

(ii) Possibly adjacent to manufacturing/industrial zone

(iii) Presence of edges which buffer low-density residential areas, such as more-intense residential areas, less-intense commercial areas, or changes in street layout or platting pattern which tend to define boundaries

(iv) Predominance of large lots which can accommodate a wide range of heavy com-

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commercial and light manufacturing activity

if larger, must comply with outdoor storage standards

(v)Limited pedestrian access

c.Drive-in Businesses:

2.Uses

—Permitted without restriction in number of lanes

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

d.Residential:

—All residential development = conditional use

3.Development Standards Summary for C2 Zones

e.Parking Location:

See Part IV for the specific statements on development standards for all zones.

—No restriction on location

a.Maximum Size of Use:

f.Curbcuts:

—No maximum size

—Engineering Department review; maximum width generally 25'

b.Outdoor Activities:

g.Bicycle Parking Spaces:

—Outdoor Sales:

—No requirement

—Permitted without size restriction

h.Signs:

—Rental Equipment:

—limited number; limited height; no limit on size and type of signs; billboards permitted

—Permitted without size restriction

i.Enclosure to Reduce Noise:

—Outdoor Storage:

—All processing activities conducted within enclosed structure if within 50 feet of residential zone

—Permitted; screening/landscaping required when across residentially zoned lot

j.Screening/Landscaping:

—Recyclable Materials:

—Citywide standards, plus screening/landscaping required for outdoor storage, gas stations, blank facades

—Permitted; limited to 10% of the lot or 1,000 square feet;

abutting or across street from residentially zoned lot

where a pattern of mixed residential/commercial development is present; or

**G. Residential-Commercial (RC)**

**1. Locational Criteria**

**a. Function**

A residential-commercial (RC) designation may be appropriate in any of the following circumstances:

- (i) As a means to downzone strip commercial areas which have not been extensively developed in commercial use
- (ii) As a means to downzone small commercial areas which have not been extensively developed in commercial use and where commercial services are available nearby
- (iii) To provide opportunities for needed parking areas where spillover parking is a major problem
- (iv) As a means to support an existing commercial node

**b. Character**

- (i) Existing
  - Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but

—Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas

**(ii) Desired Characteristics**

- Physical appearance of adjacent residential areas
- Mixed use with small commercial uses at street level

**c. Physical Factors Favoring Designation as RC**

- (i) Lack of edges or buffer between residential and commercial uses
- (ii) Lack of buffer between major arterial and residential uses
- (iii) Streets with adequate access and circulation
- (iv) Insufficient parking in adjacent commercial zone results in parking spillover on residential streets

**2. Uses**

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a. All uses permitted in the multi-family residential classification of the RC zone shall be permitted according to the residential zone standards for such uses. In addition, all uses permitted in NC1 shall be permitted at ground level or below, except for the following which shall be prohibited, due to possible impacts (noise, traffic and incompatible hours of operation) which may detract from the residential character of the area:

- (i) Gas stations
- (ii) Fast-food restaurants
- (iii) Taverns
- (iv) Entertainment

b. Parking at grade or below, which is accessory to uses in adjacent commercial zones shall be

- (i) Permitted as a conditional use in all multifamily zones.

c. Single-purpose parking structures shall be prohibited.

d. Conditional Use Criteria

In order to approve conditional use requests for parking lots, the Director must find that:

- (i) The proposed parking area is necessary to meet parking requirements, or the proposed parking area will be used as a shared parking facility;

(ii) The proposed parking area is necessary to avoid the worsening of congestion of the commercial area;

(iii) The proposed parking is necessary to avoid creation or worsening of excessive spillover parking in the adjacent residential areas;

(iv) Other parking options such as shared parking have been considered and found to be unavailable in the adjacent commercial zone; and

(v) The proposed parking area does not encourage traffic to pass through adjacent residential areas.

### 3. Development Standards for RC

The RC designation shall be combined with a multi-family designation, i.e., L1/RC, L2/RC, L3/RC, MR/RC or HR/RC. The following development standards shall apply.

a. The development standards for height, setbacks (including required landscaping), open space, bulk, location and appearance of off-street parking, and curbcuts, shall be the same as development standards for the multi-family residential classification of the RC zone, unless specified below.

#### b. Maximum Size of Commercial Use

Maximum size of an individual business establishment shall be 4,000 square feet, except in MR/RC and HR/RC zones, mul-

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ti-purpose convenience stores shall be permitted up to 10,000 square feet.

multi-family residential classification of the RC zone.

c. Location of Principal Commercial Use

Ground level or below; no new single-purpose commercial buildings shall be allowed.

(ii) Parking Facility Accessory to Uses in Adjacent Commercial Zone: The following minimum standards shall be met. Additional screening and landscaping may be required in order to ensure compatibility with surrounding scale and streetscape:

d. Outdoor Activities

Outdoor activities shall generally be prohibited; an exception shall be for the following accessory uses:

—**Screening and Landscaping:** A minimum of 15 percent of the lot shall be landscaped. The following specific landscaped areas shall be required, and may count toward the 15 percent requirement:

(i) The sale of fruits, vegetables, flowers and plants. The outdoor sales area shall be limited to 1,000 square feet, and shall be included in determining the maximum size of business.

A minimum 10-foot deep landscaped setback shall be provided along the front property line (consistent with the front setbacks of adjacent residential or residential/commercial development). A minimum five-foot deep landscaped setback shall be provided along all other street property lines.

(ii) Recyclable material collection centers located in parking areas according to the development standards for the multifamily residential classification of the RC zone.

e. Drive-in Businesses

All drive-in business shall be prohibited, including gas stations.

When abutting a property in a residential zone, six-foot high screening and a five-foot deep landscaped area inside the screening shall be provided

f. Parking Location, Access and Appearance

(i) Mixed Residential/ Commercial Development: Same as the development standards for the location and appearance of parking for the

When across the street from a residential zone, three-foot

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high screening shall be provided between the parking area and the landscaped setback along all street property lines.

—**Access:** Whenever possible, access to parking shall be from the commercial area.

—**Curbscuts:** Curbscuts shall be limited to one two-way curbscut with a maximum width of 25 feet, or two one-way curbscuts with a maximum width of 15 feet each.

g.Signs

(i)Maximum Dimensions:  
Individual sign size — 85 square feet; total sign area per business — 170 square feet; height of individual sign — 15 feet.

(ii)Type: Wall signs only, located on the commercial portion of the structure

(iii)Signs for Parking Facilities Accessory to Uses in Adjacent Commercial Zone: No signs of any kind other than to designate entrances, exits or conditions of use, shall be allowed. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for entrance or exit.

VI.COMMERCIAL HEIGHT

A.Overview

The following height limits shall be established for commercial areas: 30 feet; 40 feet; 65 feet; 125 feet; and 160 feet. Height limits shall be assigned to all commercial areas independently of the commercial zone designation. Different areas within a zone may be assigned different height limits. The appropriate height limit for an area shall be determined according to the locational criteria in Section B below. The height limit shall apply to every structure in the area regardless of use.

Areas with height limits of 85 feet or higher shall be subject to maximum floor area ratio (FAR) provisions. Changing the height limit in a commercial area shall require a rezone. The only exceptions to the height limits shall be for sloping sites, pitched roofs and for special rooftop features.

B.Locational Criteria

The height limit for a commercial area shall be assigned, taking into account the Goals of these Policies (Part I, particularly Goals A-1, A-4, A-7, A-8, B-2, B-3, B-4, B-5, B-9, B-10 and B-12) and the following factors:

1.Function of the zone

The height limit shall provide development potential for commercial activity which directly serves or is compatible with the function of the zone. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.

2.Community recommendations

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Particular attention shall be given to business and community recommendations as contained in existing or future Neighborhood Plans adopted by the Council.

3. Service capacities

The development which can reasonably be anticipated based on the permitted development potential shall not exceed the service capacities which can reasonably be anticipated for in the area including:

- Street access to the area. Development shall be limited where arterial access capacity is insufficient
- Street capacity in the area
- Transit service
- Parking capacity
- Sewer capacity

4. Topography of the area and its surroundings

The height limit shall reinforce the natural topography of the area and its surroundings and the likelihood of view blockage shall be considered.

5. Height and scale of the area

- a. The height limits established by current zoning in the area shall be given consideration.
- b. In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a

good measure of the area's overall development potential.

6. Height and scale of the surrounding area

a. The height limits for an area shall be compatible with actual and zoned heights in surrounding areas, provided that buildings developed under Major Institutions height limits shall not be considered and height limits assigned to the underlying zone, rather than the Major Institutions designation, shall be considered.

b. A gradual transition in height and scale and level of activity between zones shall be provided unless major physical edges are present. These edges may be:

- Natural features such as topographic breaks, lakes, rivers and ravines;
- Freeways, expressways, and other major traffic arterials;
- Street layout and block orientation;
- Open spaces and greenbelts.

7. Environmental impacts such as air pollution, glare, noise, odor, shadows and pedestrian safety shall be considered.

**C. Height Rezone Evaluation Criteria:** (subsequent to completion of the legislative mapping process). Changes in height shall be based on:

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1. Consideration of the locational criteria for commercial heights listed in VI.B. above, provided that existing structures with non-conforming heights shall not be considered; and
2. Zoning history, including previous zoning changes both in and around the area proposed for rezone.
3. Changes in circumstances since the adoption of the zoning. Changed circumstances since the adoption of the zoning map need not be shown to justify a proposed rezone. However, changed circumstances is an important factor to be considered along with the factors listed in Sections C1 and C2 above. Evidence of such changes may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability, and environmental impacts.
4. Changes in height limit(s) recommended in a Neighborhood Plan or Business District Plan adopted by the Council subsequent to adoption of the zoning map.

#### D. Measurement of Height

1. Height measurement techniques are intended to endure predictable maximum height under varying topographic conditions, so that the extent to which views will be preserved can be determined and so that scale which is compatible with adjacent buildings can be maintained.

2. The height of buildings shall be measured to reflect the natural contours of the land and to maintain a consistent maximum height throughout the building envelope. The building envelope shall follow the existing grade of a site; measurements from artificially created grades to gain height advantages shall be prohibited. The maximum building envelope shall reflect the ground surrounding the envelope. This envelope shall have a maximum height throughout, equal to the height limit for the area, except on sloping sites where an additional one foot in height on the downhill wall shall be allowed for every six percent of slope up to a maximum of five feet. (See Figure D-1.)

#### E. Floor Area Ratio

Maximum floor area ratios (FAR's) shall be established for structures built at 85 feet or higher in commercial areas in order to control the density of development. The intent is to ensure compatible scale of development and control such impacts as shadows, bulk, and traffic associated with highrise development.

##### 1. 85-foot height limit areas

The maximum floor area ratio allowed in 85-foot height limit areas shall not exceed 4.5 times the area of the lot for developments of single-purpose commercial uses; and six times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use — commercial or residential — in a mixed-use development shall not exceed 4.5 FAR.

##### 2. 125-foot height limit areas

The maximum floor area ratio allowed in 125-foot height limit areas shall not exceed five times the area of the lot for developments of single-purpose commercial uses, and six times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use — commercial or residential — in a mixed-use development shall not exceed 5.0 FAR.

3.160-foot height limit areas

The maximum floor area ratio allowed in 160-foot height limit areas shall not exceed five times the area of the lot for developments of single-purpose commercial uses, and seven times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use — commercial or residential — in a mixed-use development shall not exceed 5.0 FAR.

**F.Height Limits in Shoreline Areas**

The development standards of the commercial areas policies shall apply in shoreline areas; however, building heights shall not exceed the height maximums established in the Shoreline Master Program. Height in shoreline areas shall be measured according to the State requirements, as described in the Shoreline Master Program regulations.

**G.Exceptions to Height Limits**

1.Objects categorically exempt from height control shall be limited to aerials (excluding dishes), transmission towers, smokestacks, spires for religious institutions, and flagpoles provided that they are a minimum dis-

tance from adjoining lots. These objects are necessary for the normal operation of the use, and cannot be expected to meet the height limit.

2.Pitched Roof Provision

In order to encourage pitched rather than flat roofs in commercial areas with 30- and 40-foot height limits, the ridge of pitched roofs, with a minimum of three-in-twelve pitch shall be allowed to extend up to five feet above the maximum building envelope allowed. Pitched roofs are more consistent with Seattle's residential character and reinforce the City's land form.

**!!!FIGURES D-1 AND D-2 GO HERE!!!**

While pitched roofs may be combined with rooftop features allowed in Item 3 below, the additional five feet allowed in this provision may not be added to any additional height allowed under Item 3.

3.Control of Rooftop Features

Exceptions for rooftop features shall be provided to allow nominal functions and operation of the building and the development of solar energy. The height, placement, coverage and, to a limited extent, design of rooftop features shall be regulated in order to maintain predictable heights, and control elements which block or detract from views.

Features included are:

- a.Parapet walls
- b.Stair and elevator penthouses

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c. Mechanical equipment

eas and/or major activity centers

d. Recreation facilities and open-mesh fencing which encloses it

(ii) Excellent access for transit, bicycle and pedestrian

e. Solar collectors

(iii) Availability of on- and off-street parking which can accommodate those who drive to the area

VII. SPECIAL DISTRICT OVERLAYS

A. Pedestrian District 1 (P1)

1. Locational Criteria

a. Function

To preserve and encourage an intensely retail and pedestrian-oriented shopping district where non-auto modes of transportation to and within the district are strongly favored.

(iv) Commercial areas with sufficient depth to accommodate off-street parking away from the principal pedestrian street

(v) Alleys or side streets allow access to parking areas by means other than curbcuts on principal pedestrian street

b. Desired Characteristics

(i) Intense pedestrian interest and activity at street level

(vi) Strong existing pedestrian character substantially reduces impact of parking waiver on surrounding areas

(ii) Wide variety of retail/service activities

(iii) Large number of shops and services per block

(iv) Built to the front property line with a minimum of auto-oriented uses

(v) Minimal pedestrian-auto conflicts

c. Physical Conditions Favoring Designation as P1

(i) Pedestrian district generally surrounded by medium- to high-density residential ar-

2. Uses

Uses shall be the same as the underlying classifications with the following exceptions:

a. Permitted Uses

Fast-food restaurants up to 2,500 square feet, which provide indoor dining areas and do not provide off-street parking, shall be permitted outright. Not requiring conditional use approval recognizes first that such restaurants do not have the trip generation impacts of other fast-food restaurants, and

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second that in pedestrian zones, such restaurants will serve primarily pedestrian traffic and therefore will not generate significant parking impacts.

b. Conditional Uses

(See minimum parking requirements 3.6 below.)

c. Prohibited Uses

Drive-in businesses including auto service stations

3. Development Standards

a. Permitted Street Front Retail and Service Uses

In order to maintain pedestrian activity and interest, only the retail and service uses listed below are permitted along the principal pedestrian street front. An exception shall be made for limited pedestrian access to other uses located behind or above the street front uses. Permitted street front uses shall be limited to those uses permitted in the underlying classification which are within the following use categories (See Appendix A):

- Personal and household retail sales and services
- Eating and drinking establishments
- Customer service offices
- Entertainment

b. Minimum Parking Requirement

(i) Permitted street front retail and service uses (See 3.a. above):

—Restaurants, taverns: Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet; additional waiver may be granted through a conditional use procedure.

—Motion picture theaters: Parking waived for first 150 seats. Parking required to extent that use exceeds 150 seats; additional waiver may be granted through a conditional use procedure.

—Other permitted street front retail and service uses: Parking waived for first 4,000 square feet in NC1, 15,000 square feet in NC2 and 25,000 square feet in NC3. Parking required to extent that use exceeds 4,000 square feet in NC1, 15,000 square feet in NC2, and 25,000 square feet in NC3; additional waiver may be granted through a conditional use procedure.

(ii) Other nonresidential uses (excluding b(i) above): Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet.

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(iii) Residential: Full parking required.

(iv) No additional parking reduction shall be allowed for uses located within 800 feet of a street with excellent transit service. (See IV.G.2.b., Minimum off-street parking policy.)

c. Blank Facades

No use shall have a blank facade which is greater than 30 feet in width along the principal pedestrian street front.

d. Parking Location

Parking must be located to the rear of the building, within the building, or within 800 feet of the use; no parking shall be permitted along the principal pedestrian street front.

e. Auto Access and Curbcuts

Auto access and curbcuts shall be prohibited along the principal pedestrian street front; access to parking shall be from the alley, or from the side street when on a corner lot.

If there is no alley and the site is not a corner lot, access for residential parking may be from the principal pedestrian street and shall be limited to one two-way curbcut, or the residential parking may be provided off-site within 800 feet of the property.

f. Signs

Sign regulations shall be the same as the underlying classification, except: In NC3, billboards and other off-premises signs shall be prohibited, except for business district identification signs (see Part IV.K.3.c. Signs Policy).

g. Criteria for Conditional Use Waiver of Parking Requirements

(i) In order to determine whether to permit, condition or deny additional parking waivers as described in 3.b.(i) above, the Director of the Department of Construction and Land Use (DCLU) may require that a transportation study be submitted by the applicant for review by the Seattle Engineering Department and the DCLU. The decision on whether or not such a study is needed shall depend on the magnitude of the proposal, the magnitude of the requested parking waiver, and the anticipated impacts which might result from the proposal.

(ii) Conditional use approval shall be based on:

(a) Anticipated parking demand;

(b) The extent to which an additional parking waiver is likely to create or add significantly to spillover park-

ing in adjacent residential areas;

(c)The availability of shared parking opportunities within 800 feet of the business;

(d)The availability of land for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial.

areas along the principal pedestrian street front.

c.Physical Conditions Favoring Designation as P2

(i)The area is surrounded by low-to medium-density residential areas

(ii)Pedestrian access from residential areas is good, and/or excellent transit service exists

(iii)On- and off-street parking capacity is limited, and full parking waiver (as in Pedestrian 1) could create unacceptable spillover parking in surrounding residential areas

(iv)The commercial area is shallow so that there is limited opportunity to provide accessory parking away from the principal pedestrian street front

**B.Pedestrian District 2 (P2)**

**1.Locational Criteria**

**a.Function**

To preserve and encourage a pedestrian-oriented retail shopping area where non-auto modes of transportation within the district are strongly favored but where many of the conditions favoring designation as PI are not present.

**b.Desired Characteristics**

(i)A variety of retail/service activities and interest along the street front, with limited breaks for parking

(ii)Primarily built to the front property line

(iii)Minimal pedestrian-auto conflicts

(iv)Commercial frontage uninterrupted by housing, drive-in facilities, or large parking

**2.Uses**

Uses shall be the same as the underlying classification with the following exceptions:

**a.Permitted Uses**

Fast-food restaurants up to 2,500 square feet, which provide indoor dining areas and do not provide off-street parking, shall be permitted outright. Not requiring conditional use approval recognizes first that such restaurants do not have the trip generation im-

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pacts of other fast-food restaurants, and second that in pedestrian zones, such restaurants will serve primarily pedestrian traffic and therefore will not generate significant parking impacts.

b. Conditional Use

(See minimum parking requirement 3.b. below.)

c. Prohibited Uses

Drive-in businesses including auto service stations

3. Development Standards

a. Permitted Street Front Retail and Service Uses

In order to maintain pedestrian activity and interest, retail and service uses are required along the principal pedestrian street front. An exception shall be made for limited pedestrian access to other uses located behind or above the street front uses. Permitted street front uses shall be limited to those uses permitted in the underlying classification which are within the following use categories (see Appendix A):

- Personal and household retail sales and services
- Eating and drinking establishments
- Customer service offices
- Entertainment

b. Minimum Parking Requirement

(i) Permitted street front retail and service uses (see 3.a. above)

— Restaurants, taverns: Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet; additional waiver up to a maximum of 5,000 square feet may be granted through a conditional use procedure.

—Motion picture theaters: Parking waived for first 150 seats. Parking required to extent that use exceeds 150 seats; additional waiver may be granted through a conditional use procedure up to a maximum of 300 seats.

—Other permitted street front retail and service uses: Parking waived for first 5,000 square feet. Parking required to extent that use exceeds 5,000 square feet.

(ii) Other nonresidential uses (excluding b.(i) above): Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet.

(iii) Residential: Full parking required

(iv) No additional parking reduction shall be allowed for

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uses located within 800 feet of a street with excellent transit service. (See IV.G.2.b., Minimum off-street parking policy.)

c. Blank Facade

No use shall have a blank facade which is greater than 30 feet in width along the principal pedestrian street front.

d. Parking Location

Parking shall be located to the rear of the building, within the building, or within 800 feet of the use if possible without demolition of an existing commercial facility or the displacement of a commercial use. Otherwise, parking may be located to the side of the building, but shall be limited to a maximum of 60 feet along the principal pedestrian street front.

e. Auto Access and Curbcuts

Auto access and curbcuts shall be in the following order of preference:

- (i) If located on a corner lot (with or without an alley), access shall be from the side street.
- (ii) If an alley is present, access shall be from the alley.
- (iii) If no alley and not on a corner lot, access may be from the principal pedestrian street front and shall be limited to one two-way curbcut.

f. Signs

Sign regulations shall be the same as the underlying classification, except: In NC3, billboards and other offpremises signs shall be prohibited, except for business district identification signs, (see Part IV.K.3.c.).

g. Criteria for Conditional Use Waiver of Parking Requirements

(i) In order to determine whether to permit, condition or deny additional parking waivers as described in 3.b.(i) above, the Director of the Department of Construction and Land Use (DCLU) may require that a transportation study be submitted by the applicant for review by the Seattle Engineering Department and DCLU. The decision on whether or not such a study is needed shall depend on the magnitude of the proposal, the magnitude of the requested parking waiver, and the anticipated impacts which might result from the proposal.

(ii) Conditional use approval shall be based on:

- (a) Anticipated parking demand;
- (b) The extent to which an additional parking waiver is likely to create or add significantly to spillover

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parking in adjacent residential areas;

(c)The availability of shared parking opportunities within 800 feet of the business;

(d)The availability of land for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial.

guidelines may specify design-related features which will be allowed, encouraged, limited or excluded from the district. Adopted guidelines may modify, exempt or supersede the standards of the underlying commercial zone. However, for elements which are not included in the landmark district guidelines, the standards of the existing commercial designation shall continue to apply.

#### 4.Procedure

The Seattle Landmarks Preservation Ordinance, adopted in 1977, creates a Landmarks Preservation Board and establishes a procedure for the designation and preservation of objects, sites, improvements and elements having historical, cultural, architectural, engineering or geographic importance. This procedure may be revised as part of the Procedural Reform Project being undertaken by the Department of Construction and Land Use.

### C.Landmark District

#### 1.Locational Criteria

A commercial area may be designated as a landmark district in order to protect, enhance and perpetuate the individual historical or architectural identity of the area. Landmark designations help protect significant buildings and qualities that distinguish these areas, and encourage stability, restoration and planned development. The intent is to provide the flexibility necessary to retain historically and architecturally significant structures, and to maintain and enhance the character of the district.

#### 2.Uses

The use regulations of the underlying zone shall apply unless otherwise specified in the adopted guidelines for a specific landmark district.

#### 3.Development Standards

Development standards and design review may be adopted specifically for a designated landmark district. These

### D.Local Option Sign District

#### 1.Locational Criteria

At the request of local area representatives, specific regulations creating special sign characteristics may be established where it is desired to maintain or create a unified, and perhaps unique, commercial area.

#### 2.Development Standards

The local option sign standards may be more or less restrictive than the underlying sign regulations. In some cases, the local option may establish a complete set of standards; in others, it

might only waive some existing sign regulations. Standards established for a particular area might relate to format and sign material, in addition to the usual regulations governing size, type and number of signs; however, qualitative design standards requiring discretionary review by City sign inspectors shall not be included. Local option sign regulations shall not be applied to billboards and other off-premises signs.

3.Procedure

In order to help ensure that individualized sign regulations reflect a consensus of the property owners, business operators, and residents in the area, the standard rezone procedure shall be followed for establishing a Local Option Sign District. Once adopted, the regulations developed for a specific commercial area will become part of the Land Use Code.

VIII.TRANSITION TO THE LAND USE CODE

A.Discretionary Decisions

The Land Use Policies for Commercial Areas shall be considered immediately upon their adoption in making certain discretionary decisions in commercial zones regulated by Title 24, until the sections of Title 23 implementing these policies are enacted. In particular, when a special approval process such as a conditional use or variance is required under existing zoning, and under these policies, the use would be permitted outright in all zones; the intent of these policies shall be given great weight in considering the special approval. These policies may also be considered by agencies other than the City in considering whether Seattle's Land Use Policies and

Code permit a given activity or use. The discretionary decisions to which these policies apply are as follows:

- Variances
- Conditional Uses
- Temporary Subdivisions
- Short Subdivisions
- Special Exceptions
- Appealable Street Use Decisions
- Council Conditional Uses
- Rezones
- Subdivisions
- Planned Unit Developments

B.Environmental Review under SEPA

With the exception stated below these policies shall apply for SEPA purposes to projects in commercial zones whose DNS or DEIS is published subsequent to the enactment of the sections of the Land Use Code, Title 23, which implement these policies.

Exception: The Commercial Heights Policy shall apply immediately upon adoption to any project whose height is proposed to exceed 60 feet pursuant to the provisions of Title 24, Sections 24.52.140 and 24.62.040 C.

C.Other Decisions

These policies shall also be used by the Director immediately upon their adoption in the promulgation of rules, interpretations of the Zoning Code, and the determination

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ADOPTED POLICIES 23.16.002

of what constitutes a similar use. (Ord.  
112777 § 31A, 1986.)

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**Appendix A for Section 23.16.020  
COMMERCIAL LAND USE POLICIES**

I. COMMERCIAL USE	NC1	NC2	NC3	C1	C2
<b>A. Retail Sales and Service</b>					
1. Personal and Household Sales and Service					
— Multi-purpose convenience store	A 10,000	A 25,000	A	A	A
— Major Durables - sales and service	A 4,000	A 15,000	A	A	A
— General sales and service	A 4,000	A 15,000	A	A	A
— Specialty food stores	A 4,000	A 15,000	A	A	A
2. Medical Services	A 10,000	A 15,000	A	A	A
3. Animal Services					
— Animal Health Services	A 4,000	A 15,000	A	A	A
— Kennels	P	P	P	P	P
— Animal Shelters	P	P	P	P	P
4. Automotive Retail Sales and Service					
— Gas Station	A 4,000	A 15,000	A	A	A
— Sales and Rental	P	A 15,000	A	A	A
— Repair, minor	A 4,000	A 15,000	A	A	A
— Repair, major	P	A 15,000	A	A	S
— Car Wash	P	A 15,000	A	A	A
— Towing	P	P	P	A	A
— Parts Sales	A 4,000	A 15,000	A	A	A
5. Principal Use Parking	P	A 15,000	A	A	A
6. Marine Retail Sales and Service					
— Sales and Rental	P	A 15,000	A	A	A
— Repair, minor	A 4,000	A 15,000	A	A	A

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ADOPTED POLICIES 23.16.002

— Repair, major	P	P	P	S	S
— Sale of fuel	A 4,000	A 15,000	A	A	A
— Dry Storage	P	A 15,000*	A	A	A
— Marinas	S	S	S	S	S
— Parts Sales	A 4,000	A 15,000	A	A	A

A - Permitted  
 A 4,000 - Permitted with 4,000 sq. ft. maximum  
 P - Prohibited  
 CU - Conditional Use  
 CCU - Council Conditional Use  
 \* - In existing structures  
 S - As regulated by Shorelines

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**Appendix A for Section 23.16.020 (Continued)**  
**COMMERCIAL LAND USE POLICIES**

	NC1	NC2	NC3	C1	C2
7. Eating and Drinking Establishments					
— Restaurants w/o cocktail lounge	A 4,000	A 15,000	A	A	A
— Restaurants w/ cocktail lounge	P	A 15,000	A	A	A
— Fast-food restaurant (under 750)	A 750	A 750	A 750	A 750	A 750
— Fast-food restaurant (over 750)	CU 4,000	CU 8,000	CU	CU	CU
— Tavern	CU 4,000	CU 15,000	A	A	A
— Brewpub	CU 4,000	CU 15,000	A	A	A
8. Non-Household Retail Sales and Services					
— Business Support Services	A 4,000	A 15,000	A	A	S
— Office Equipment	P	A 15,000	A	A	A
— Fuel Sales	P	P	A 25,000	A	A
— Construction Equipment and Materials	P	P	A 25,000	A	A
— Farm and Industrial Equipment	P	P	A 25,000	A	A
— Heavy Commercial Services	P	P	P	A	A
9. Lodging					
— Hotel	P	P	A	A	A
— Motel	P	P	A	A	A
— Bed and Breakfast	A*	A*	A	A	A
<b>B. Offices</b>	A 4,000	A 15,000	A	A	A
<b>C. Entertainment</b>					

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1.	Places of Public Assembly					
	— Motion Picture Theaters	P	A 15,000	A	A	A
	— Performing Arts Theater	P	A 15,000	A	A	A
	— Lecture Hall	P	A 15,000	A	A	A
	— Adult Motion Picture Theater	P	P	P	P	P
and	Adult Panorams					
	— Spectator Sports Facilities	P	A 15,000	A	A	A
2.	Participants Sports and Recreation	A 4,000	A 15,000	A	A	A
				25,000		
	— Indoor	P	P	P	A	A
	— Outdoor					

A - Permitted  
 A 4,000 - Permitted with 4,000 sq. ft. maximum  
 P - Prohibited  
 CU - Conditional Use  
 CCU - Council Conditional Use  
 \* - In existing structures  
 S - As regulated by Shorelines

**Appendix A for Section 23.16.020 (Continued)**  
**COMMERCIAL LAND USE POLICIES**

	NC1	NC2	NC3	C1	C2
<b>D. Wholesaling, Storage and Distribution</b>					
Wholesale Showroom	P	P	A 15,000	A 25,000	A
Mini-Warehouse	P	P	A 15,000	A 40,000	A
Warehouse	P	P	A 15,000	A 25,000	A
Outdoor Storage	P	P	P	C1	C2
<b>E. Utilities</b>					
1. Communication Utilities	CU	CU	CU	A	A
2. Utility Service Uses	A 4,000	A 15,000	A	A	A
3. Solid Waste Transfer Station	P	P	P	P	P
4. Power Plants	P	P	P	P	P
5. Sewage Treatment Plants	P	P	P	P	P
<b>F. Off-Premises Signs</b>					
1. Directional Signs	A	A	A	A	A
2. Billboards	P	P	A	A	A
<b>G. Transportation Facilities</b>					
1. Taxi Services	P	P	A	A	A
2. Ambulance Services	P	P	A	A	A
3. Passenger Terminals	P	P	A 25,000	A	A
4. Cargo Terminals	P	P	P	PS	A
5. Bus Bases	P	P	P	CCU*	CCU*
6. Park and Ride Lots	P	P	CU	CU	CU
7. Park and Pool Lots	A	A	A	A	A
8. Helistops as accessory use	P	P	CCU	CCU	CCU

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9. Heliports	P	P	P	P	P
10. Airports	P	P	P	P	P

**H. Food Processing and Craft Work**

1. Food Processing for Human Consumption	A 4,000	A 5,000	A 10,000	A	A
2. Custom and Craft Work	A 4,000	A 5,000	A 10,000	A	A

A - Permitted

A 4,000 - Permitted with 4,000 sq. ft. maximum

P - Prohibited

CU - Conditional Use

CCU - Council Conditional Use

PS - Prohibited except in Shoreline areas

\* - Bus bases used by 150 or fewer buses are permitted as Council conditional uses. Existing bus bases may be

expanded for use by more than 150 buses by Council conditional use.

**Appendix A for Section 23.16.020 (Continued)**  
**COMMERCIAL LAND USE POLICIES**

	NC1	NC2	NC3	C1	C2
<b>II. MANUFACTURING</b>					
A. Light Manufacturing	P	A 5,000	A 10,000	A	A
B. General Manufacturing	P	P	P	A 15,000	A
C. Heavy Manufacturing	P	P	P	P	P
D. High-Impact Uses	P	P	P	P	P
<b>III. SALVAGE AND RECYCLING</b>					
A. Recycling Collection Station	A 500	A 1,000	A 1,000	A	A
B. Recycling Center	P	P	P	A	A
C. Solid Waste Transfer Station	P	P	P	P	P
D. Junkyard	P	P	P	P	P
E. Auto Wrecking Yard	P	P	P	P	P
<b>IV. INDUSTRIAL</b>					
A. General Industrial	P	P	P	P	P
B. Heavy Industrial	P	P	P	P	P
<b>V. INSTITUTIONS</b>					
<b>VI. PUBLIC FACILITIES**</b>					
A. City Facilities	A 4,000	A 15,000	A	A	A
B. Other Public Projects	A 4,000	A 15,000	A	A	A
C. Jails	P	P	P	P	P
<b>VII. RESIDENTIAL</b>					
A. Single-Family	A	A	A	A	CU
B. Multi-Family	A	A	A	A	CU
C. Special Residences	A	A	A	A	CU
D. Houseboats	A	A	A	A	CU
E. Mobile Home Park	P	P	P	P	CU

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and tables and to confirm accuracy of  
this source file.

F. Boarding Home	A	A	A	A	CU
A - Permitted					
A 4,000 - Permitted with 4,000 sq. ft. maximum					
P - Prohibited					
CU - Conditional Use					
CCU - Council Conditional Use					
* - Light manufacturing portion limited to 5,000 sq. ft. in NC2 and 10,000 sq. ft. in NC3.					
ACU - Residential uses and uses accessory to residential not permitted on ground floor without conditional use permit.					
AU - Permitted only as an accessory use.					
** - Public facilities which are similar to those provided by the private sector are regulated according to the use regulations for the particular type of use.					

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**Appendix A for Section 23.16.020 (Continued)**  
**COMMERCIAL LAND USE POLICIES**

	NC1	NC2	NC3	C1	C2
<b>VIII. OPEN SPACE</b>					
A. Parks	A	A	A	A	A
B. Playgrounds	A	A	A	A	A
<b>IX. AGRICULTURAL USES</b>					
A. Animal Husbandry	AU	AU	AU	AU	A
B. Horticultural Uses	A 4,000	A 15,000	A	A	A
C. Aquaculture	A 4,000	A 15,000	A	A	A

- A - Permitted
- A 4,000 - Permitted with 4,000 sq. ft. maximum
- P - Prohibited
- CU - Conditional Use
- CCU - Council Conditional Use
- \* - Light manufacturing portion limited to 5,000 sq. ft. in NC2 and 10,000 sq. ft. in NC3.
- ACU - Residential uses and uses accessory to residential not permitted on ground floor without conditional use permit.
- AU - Permitted only as an accessory use.

ADOPTED POLICIES

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THESE ARE POLICY STATEMENTS ONLY, NOT REGULATIONS — SEE §§  
23.12.010 — 23.12.040 OF THIS CODE

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23-74.80

**23.16.050 Pike/Pine.**

Within the boundaries of the area shown on Exhibit 23.16.050A, the following policy shall be considered as provided in SMC Chapter 23.12: "Enhance the area's pedestrian character."  
(Ord. 116752 § 1, 1993.)

**23.16.060 Northgate Overlay District.**

Within the boundaries shown on Exhibit 23.16.060A, the following policies and implementation guidelines from the Northgate Area Comprehensive Plan (1993), attached hereto as Attachment A<sup>1</sup> shall be considered as provided in SMC Chapter 23.12:

- Policy 2,  
Implementation Guideline 2.1: Rezones
- Policy 3,  
Implementation Guideline 3.2: Commercial Only Structures  
in R/C Multifamily zones
- Policy 4,  
Implementation Guideline 4.1: Density limits for residential  
only and mixed use in  
commercial zones
- Implementation Guideline 4.4: Create a new Midrise zone  
with an eighty-five-foot  
(85') height limit.
- Policy 5,  
Implementation Guideline 5.1: Setbacks and bulk provisions for lots abutting zone  
edges
- Policy 6,  
Implementation Guideline 6.2: Transportation Management  
Association
- Implementation Guideline 6.3: Bicycle facilities

- Policy 7,  
Implementation Guideline 7.3: Encourage Transit Access
  - Policy 8,  
Implementation Guideline 8.1: Pedestrian circulation system
  - Implementation Guideline 8.2: Designate Pedestrian Streets
  - Implementation Guideline 8.4: Develop Green Streets
  - Policy 9,  
Implementation Guideline 9.2: Permit Certain Exceptions  
To Parking Requirements
  - Implementation Guideline 9.3: Control the Amount of  
Surface Parking
  - Policy 12,  
Implementation Guideline 12.5: Open Space Fund
  - Implementation Guideline 12.6: Priorities for open space
- (Ord. 116770 § 1, 1993.)

1. Editor's Note: The Northgate Area Comprehensive Plan is available at the Office of Long Range Planning.

23.16.050 LAND USE CODE

!!!EXHIBIT 23.16.050 A PIKE/PINE PLAN-  
NING AREA GOES HERE!!!

**Seattle Municipal Code  
March 2023 code update file  
Text provided for historic reference only.**

**See ordinances creating and amending  
sections for complete text, graphics,  
and tables and to confirm accuracy of  
this source file.**

(Seattle 9-93)

**For current SMC, contact  
the Office of the City Clerk**

23-74.82