

Introduction: User Information

(Ord. 117570 § 4, 1995; Ord. 110381 § 1(part), 1982.)

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 describe the general provisions of 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 ordinance and environmentally critical areas ordinance are also set forth in Title 25. (Ord. 110381 § 1(part), 1982.)

Subtitle I General Provisions**Chapter 23.02
TITLE AND PURPOSE****Sections:****23.02.010 Title.****23.02.020 General purpose.****23.02.010 Title.**

This title shall be known as the Land Use Code of The City of Seattle.
(Ord. 110381 § 1(part), 1982.)

23.02.020 General 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 are consistent with and implement the City's Comprehensive Plan. 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.

**Chapter 23.04
APPLICABILITY****Sections:****23.04.010 Transition to the Land Use Code.****23.04.040 Major Institution transition rule.****23.04.010 Transition to the Land Use Code.**

A. General Rules of Interpretation. 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 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.

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.¹ 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 to the Council for an extension of time for completion of PUDs. Upon completion of the PUDs, the provisions of Title 23, including all use and development standards, shall apply. (Ord. 117570 § 5, 1995; 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: Ordinance 112303 was adopted on June 10, 1985.

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,¹ 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.¹

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,¹ or for which an application was filed before the effective date of this ordinance¹ 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 ordinance¹ shall remain in effect unless amended.

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;¹ 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;¹ 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;¹ 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 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 23.12
LAND USE POLICIES**

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23.12.025 Use of land use policies.

The policies contained and incorporated by reference in this chapter shall be considered, as appropriate, whenever the Land Use Code or other City code or policies require such consideration. Appropriate policies also shall be considered by the Director in promulgating rules, in issuing interpretations related to the Land Use Code and in recommending changes to the Land Use Code. Some policies are included to describe the basis for existing development regulations and zoning. (Ord. 117929 § 3, 1995.)

23.12.050 Single Family Residential Areas Policies.

Purpose

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

Single Family Residential Areas should contain housing which offers diversity in housing opportunities, including low cost subsidized housing.

Policy 1: Area Designation

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.

Through neighborhood planning, options shall be made available to rezone single family zoned areas to certain more intensive zones, subject to limitations designed to limit impacts and protect neighborhood character.

Policy 2: Single Family Residential Use

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

Residential use by one household is affirmed and encouraged as the principal use in Single Family Residential Areas, and is the primary use permitted outright. Accessory housing shall be permitted subject to restrictions designed to limit impacts and protect neighborhood character.

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 general welfare of its citizens.

The edges 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.

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.

Policy 3: Institutions and Facilities In Single Family Residential Areas

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

Institutions and facilities may be established or expanded within Single Family Residential Areas through a conditional use authorization process. Siting of permitted public projects and City facilities shall be subject to approval by the City Council.

The following standards and requirements shall be met in order to grant a conditional use authorization for establishment or expansion of an institution or facility within a Single Family Residential Area.

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

Bulk and Siting: The bulk of institutions and facilities shall be compatible with the surrounding community. Specific bulk and siting requirements shall be at least as restrictive as those applied to single family residences. Screening and landscaping shall be required.

Public facilities that do not meet the bulk requirements 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.

Traffic and Parking: In making the application for a conditional use authorization, the institution or facility shall provide a transportation plan to mitigate traffic impacts and to describe 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 a blighting influence on the neighborhood. The negative impacts of traffic and parking may be mitigated by locating structures and parking lots to avoid drawing traffic through residential streets, joint use of existing parking with adjacent non-residential uses, or practical programs for use of public or private mass transportation.

The number of required parking spaces 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 policy 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.

Policy 4: Minimum Lot Size

In order to preserve the character of single family residential areas and maintain a low-density residential environment, minimum lot size requirements shall be established in the Land Use Code.

Exceptions to minimum lot area shall be permitted in order to recognize separate building sites which were created in the public records under previous codes, to allow the consolidation of very small lots into larger lots, to adjust lot lines to permit more orderly development patterns, and to provide housing opportunity through the creation of additional buildable sites which are compatible with surrounding lots and do not result from the demolition of existing housing.

Policy 5: Joint Use or Reuse of Public Schools In Single Family Residential Areas

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.

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 process shall ensure the participation of representatives from the Seattle School District, the City of Seattle and the neighborhood involved.

Joint use or reuse of public school buildings shall be permitted subject to a review process 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.

The above criteria may allow exceptions to existing land use policies and zoning for joint use or reuse of a school site which may be permitted only when the principal school structures are retained. If the school building is demolished, that site shall meet the existing land use policies and zoning requirements.

Policy 6: Bulk and Siting

Land Use Code bulk and siting regulations shall recognize and preserve the streetscape character of individual clusters of housing units in city neighborhoods. The citywide pattern of open spaces between single family residential structures in Single Family Residential Areas shall be maintained by requiring minimum side and rear yards and limiting lot coverage. The height and front yards of existing adjacent single family residences shall be used to determine bulk and siting patterns for future construction.

The intent of height limitations in single family residential areas is to establish predictable maximum heights, maintain a consistent height limit throughout the building envelope, maintain scale relationships between a structure and its site, address varying topographic conditions, reduce view blockage and encourage pitched roofs. Established height limits shall prevent structures from achieving height advantages due to artificial grade.

Policy 7: Non-Conforming Uses and Structures In Single Family Residential Areas

Because much of Seattle was developed before the 1957 Zoning Code took effect, and because some downzones have occurred since, some legal non-conforming higher density residential structures are presently located in Single Family Residential Areas. These structures shall be permitted to remain in residential use.

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 other applicable standards may be legalized

upon request to the Department of Construction and Land Use.

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

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

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. Except existing legal higher density residences, structures which are in nonconforming use, although conforming in bulk, cannot be expanded in any way except to remove barriers to elderly and disabled persons, and except as otherwise required by applicable laws.

Policy 8: Parking

Offstreet 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. In order to maintain an attractive environment at street level, continue the existing pattern of landscaped front yards, facilitate traffic flow and sustain on-street parking, parking in front yards is generally prohibited.

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.

When the front yard is more than 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 a required yard, provided that the curbcut and parking bay do not exceed the width needed for one car.

Where 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. Parking of automobiles, motorcycles and similar vehicles on access to parking in required yards is permitted.

Policy 9: Planting Strips

It is the policy of the City that planting strips shall be planted with living materials in order to preserve greenery in Single Family Residential Areas. Maintenance of planting strips shall be the responsibility of property owners.

Planting strips shall be surfaced either with living materials (such as grass, ground covers or shrubs) or with other porous materials and trees and shall not be paved. Planting strips shall not be used for parking of boats or vehicles. Planting strips shall be provided when curbs and sidewalks are developed.

Policy 10: Planned Developments

In order to encourage quality design that is compatible with the single family character of the area, to enable the enhancement and preservation of natural features, to allow for development and design flexibility and to encourage the construction of affordable housing, variations from established standards in single family areas shall be permitted for Clustered Housing Planned Developments and Planned Residential Developments on large sites.

Clustered Housing Planned Developments (CHPDs) may be permitted by the Director, after public notice and review, subject to conditions and criteria established in the Land Use Code.

Planned Residential Developments (PRDs) may be permitted as a Council Conditional Use, after review and recommendation by the Director, subject to conditions and criteria established in the Land Use Code.

Zoning for sites developed as Clustered Housing Planned Developments, Planned Residential Developments or existing planned unit developments shall continue to be single family and shall not be deemed a changed circumstance to justify future rezones of the site or adjacent single family zoned properties; further, in future rezone petitions all structures on such sites shall be counted as single family units.

(Ord. 117929 § 4(part), 1995.)

23.12.060 Multifamily land use policies.

Policy 1: Multifamily Designation

In designating areas for the various multifamily classifications, a match shall be sought between the physical characteristics of areas and the locational criteria established for the multifamily classifications in the Land Use Code. 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.

Policy 2: Multifamily Residential Classifications

The multifamily classifications specify the types of housing permitted in the different multifamily 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 multifamily 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 multifamily classifications allows all housing types permitted in a less intense classification.

- **Lowrise Duplex/Triplex (LDT)**

Purpose of the Zone: The intent of the Lowrise Duplex/Triplex (LDT) zone is to provide opportunities for limited infill housing development, both through new construction and the conversion of existing single-family structures to duplexes and triplexes, in areas that do not meet the single-family criteria, but where, in order to preserve the character of the neighborhood, the recycling of existing structures to a slightly higher density and small-scale infill development is preferable to single-family zoning or to the development of townhouses or higher density apartments. Areas appropriate for designation as Lowrise Duplex/Triplex maintain a single-family character, but do not meet the criteria for designation as a single-family area under the Single-family Policies, and include a mix of single-family dwellings, duplexes, triplexes, and single-family structures already converted to multiple units. Council-adopted neighborhood plans may allow locating the LDT zone in an area otherwise meeting the criteria for designation as a single family zone in limited circumstances.

Development standards for the zone are intended to ensure that new and converted structures are not only compatible with existing development, but are also reflective of the character of that development in terms of scale, open space, setbacks, siting, unit orientation, and provision of ground-level open space.

• **Lowrise 1 (L1)**

Purpose of the Zone: The intent of the Lowrise 1 zone is to provide areas for multifamily development of low height and small bulk where units have direct access to private, landscaped yards, thereby increasing housing opportunities for families with children and others seeking ground-related housing. The primary objective is the development of townhouses that are generally compatible in scale, siting, and landscaping with single family areas. Council-adopted neighborhood plans may allow locating the L1 zone in an area otherwise meeting the criteria for designation as a single family zone under limited circumstances. This zone is intended to provide a transition in intensity, rather than scale, between single-family and other multifamily areas.

• **Lowrise 2 (L2)**

Purpose of the Zone: The intent of the Lowrise 2 zone is to encourage a variety of multifamily housing types with less emphasis on ground-related units, while remaining at a scale compatible with single-family structures. Limits on height and bulk ensure a building scale that is consistent with the development of single lots and with the lower building heights characteristic of most lower density residential areas.

• **Lowrise 3 (L3)**

Purpose of the Zone: The intent of the Lowrise 3 zone is to provide additional housing opportunities in multifamily neighborhoods where it is desirable to limit development to infill projects and conversions compatible with the existing mix of houses and small to moderate scale apartments. To accommodate greater density allowed in the zone, L3 designations should be located in areas with adequate alley access and on-street parking.

• **Lowrise 4 (L4)**

Purpose of the Zone: The intent of the Lowrise 4 zone is to provide for higher density infill development in residential neighborhoods already characterized by larger, high density residential structures. To accommodate greater density allowed in the zone, L4 should be located in areas with good vehicular circulation, adequate alley access and on-street parking. In addition to housing types permitted in less intensive zones; new housing types appropriate for Lowrise 4 are four-story apartments.

• **Midrise (MR)**

Purpose of the Zone: The intent of the Midrise zone is to allow for higher density residential development in

neighborhoods where significant concentrations of housing are desired and where services are available to accommodate such growth. This classification allows multifamily housing of a medium to large scale, fairly high density and heights greater than those in the lowrise zones. The development standards for the Midrise zone are intended to provide for larger scale structures while maintaining the livability of these high density residential areas. Development standards should include measures which minimize the appearance of bulk. Ground floor commercial use in apartment buildings is allowed in blocks adjacent to healthy commercial areas.

• **Highrise (HR)**

Purpose of the Zone: The intent of the Highrise zone is to allow very high-density residential development in areas where concentrations of such housing are desired and can be accommodated. This most intense residential classification allows development of highrise structures.

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 and greater bulk may be permitted in the base of highrise structures.

In order to provide public open spaces, preserve or provide low and moderate cost housing, preserve historically or architecturally significant buildings, or provide more space between towers to decrease view blockage and shadows on adjacent structures and open spaces, additional height beyond the height limit may be granted to structures in the Highrise zone.

Policy 3: Density Limits

The purpose of establishing limits on density is to provide greater predictability about the allowed intensity of development by specifying a maximum number of units achievable on sites in each lowrise multifamily classification. The density limits shall provide for a wide range of housing types and achieve development that is compatible with the predominant character of multifamily areas.

Permitted density shall be determined on a lot area per dwelling unit basis. Each zone classification shall establish the minimum amount of lot area required for each permitted unit. Density limits for housing for low-income elderly and low-income disabled persons shall be established to provide for the special needs of these families. In the Lowrise Duplex/Triplex zone, new lots created for the construction of single family dwelling units

shall comply with the minimum lot area requirements for Single Family 5000 zones.

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

Implementation Guideline: Density Limits for Housing for Low-income Elderly or Low-income Disabled Persons

Implementation Guideline 2: Modulation Requirements

In order to reduce costs and provide sufficient density to make the development of housing for low-income elderly and low-income disabled persons feasible, maximum density limits shall be increased for such housing in the L3 and L4 zones. The density limits reflect the fact that low-income elderly and low-income disabled families create less impacts than the general population, and that it is the City's policy to facilitate the development of housing for these families.

Modulation requirements are established to reduce the appearance of bulk. Modulation shall be required along the front facade of a building to allow increases in the building width. The width of modulation shall vary by zoning classification and housing type.

Policy 4: Height of Buildings

Implementation Guideline 3: Lot Coverage

The intent of this policy is to establish predictable maximum heights, maintain a consistent height limit throughout the building envelope, maintain scale relationships with adjacent buildings under varying topographic conditions, reduce view blockage, and encourage pitched roofs. The appropriate height for an area shall be determined according to the locational criteria for the multifamily classifications. In order to encourage a residential character and to accommodate appropriate mechanical equipment, additional height exceptions may be permitted for pitched roofs and special rooftop features.

To ensure that there is an adequate proportion of open area on a site relative to the area occupied by structures, and to provide residents of multifamily areas with sufficient access to light and air, a maximum limit on lot coverage shall be established for apartment and townhouses structures in lowrise zones. In order to encourage development of ground-related housing, greater lot coverage shall be allowed for townhouses in lowrise zones.

The height measurement technique shall assure predictable maximum heights consistent with the maximum height limit permitted in these zones and shall reflect the natural contours of the land. Artificially created grades to gain height advantages shall be prohibited. Height measurement techniques implementing these policies shall be established in the Land Use Code.

Policy 6: Open Space

Policy 5: Bulk Requirements

Multifamily developments shall be required to provide open space for the use of the residents, in order to maintain existing street patterns of landscaped front yards, encourage permeable surfaces and vegetation and mitigate the cumulative effects of development.

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 each classification, there are established two sets of width limits: more restrictive limitations for unmodulated buildings and less restrictive limits for buildings which minimize the appearance of bulk through modulation.

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. 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.

Implementation Guideline 1: Width and Depth Limitations

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.

Width and depth limits are established in multifamily classifications to ensure the scale of development is

Apartments shall have usable ground level open space for the residents of the building. Some required open 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 located above ground level but are not higher than the roof of the base structure.

Policy 7: Setback Requirements

Setback requirements are established to ensure light and air to residents of multifamily structures, and compatibility

of new development with the existing pattern of multifamily areas. Front setbacks shall maintain existing setback patterns and view corridors parallel to streets. 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, within limits, be allowed to project over the required front setback. Minimum side and rear setback requirements shall be established to provide light, air, solar access, and privacy of units. Side setback requirements shall vary depending on the height and depth of the building.

Implementation Guideline 1: Front Setbacks

Front setbacks shall be required of new development. To ensure that new development is compatible with the existing pattern in the area, the minimum depth of the required front setback shall generally be determined by the average of the setback of buildings on adjoining lots, measured from the front property line to the closest wall.

Implementation Guideline 2: Side Setback Requirements

In order to provide a minimum sense of privacy, openness, light and air, to gain solar access, and to mitigate shadows cast on adjacent sites, side setbacks shall be required. The required side setback shall vary depending on the height and depth of a structure. Averaging the required setback shall be allowed to encourage modulation and visual interest of side facades.

Implementation Guideline 3: Rear Setback Requirements

In order to ensure light and air and privacy to residents of multifamily structures, to maintain the pattern of existing rear setbacks, and to provide adequate transition between zones of differing intensity, rear setbacks shall be established. The greater the width and height of the structure, the greater the setback.

Implementation Guideline 4: Projections Into Setbacks

To encourage features that add visual interest to buildings, additional provisions shall allow specific architectural features such as decks, open balconies, and bay or oriel windows to project into required setbacks, provided they are at a specified distance from the property lines and do not adversely affect neighboring lots.

Policy 8: Quantity of Required Off-Street Parking

Off-street parking shall be required for new housing developments. In establishing the parking ratio, a balance shall be sought between the need for new developments to meet approximate parking demand on site to avoid adding to the congestion of parked cars on surrounding streets, against the countervailing need 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 required parking ratio for multifamily residential units shall reasonably mitigate the most significant parking impacts, ensuring the ratio is an adequate amount when considered against the needs to keep housing costs low. Therefore, the parking ratio shall vary according to the type of housing, the project and unit size and the number of bedrooms.

In order to respond to those situations in which the parking demand of the occupants may be significantly different than those of the general population, exceptions shall be made for special occupant groups, in certain situations where new units are added to existing development, and in apartments containing units with multiple bedrooms.

These parking ratios shall be established in the Land Use Code. Additional mitigation of parking impacts may be required under the State Environmental Policy Act (SEPA) where on-street parking is already at capacity as defined by the Seattle Engineering Department or where the development itself would cause on-street parking to reach capacity as so defined, provided that parking impact mitigation in multifamily zones under SEPA may not include reduction in development density. Mitigation under any other administrative review procedure shall not be required.

To ensure that this policy reflects as accurately as possible automobile ownership patterns and parking demand in Seattle, the City shall monitor the implementation of this policy and conduct a study to evaluate parking demand.

Implementation Guideline 1: Quantity of Required Parking

The overall off-street parking provided for new development of multifamily housing shall approximate the city's average parking demand, by establishing parking at ratios that reflect the likely demand of the unit's occupants. In order to ensure mitigation of significant parking impacts, the requirement shall increase as unit and project size increase. Additional parking shall be required for structures with a significant number of units with three or more bedrooms. However, to encourage infill development of family-type housing, the minimum parking requirement of one off-street space per unit shall be maintained for small ground-related projects.

Implementation Guideline 2: Parking Overlays

In order to ensure that new housing development will not increase on-street parking congestion or to acknowledge areas in which parking demand may be less than the requirement, parking overlays may be established to alter the minimum ratio of parking spaces per unit.

Policy 9: Location and Appearance of Required Off-Street Parking

Off-street parking for multifamily 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 multifamily 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. Where parking would be 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.

Off-site accessory use parking shall be prohibited in Lowrise and Midrise areas.

In order to encourage shared parking facilities and to provide the flexibility to develop parking separate from residential structures in Highrise areas, 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.

Policy 10: 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 multifamily 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, fire exits and other features required by applicable laws shall be allowed.

Policy 11: 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 multifamily uses by allowing alterations or expansions to structures as long as such alterations or expansions conform to the development standards of the particular multifamily classification. The intent of this policy is to promote additions to multifamily housing stock while controlling physical expansion, in order to maintain the pattern of development in the surrounding area.

Policy 12: Principal Use

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

Policy 13: 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 multifamily 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 multifamily areas.

Policy 14: 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 multifamily 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 multifamily 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 multifamily areas.

Implementation Guideline 1: General Development Standards

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

- 1) Building Height, Bulk and Setbacks;
- 2) 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 of 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 multifamily development.

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

- 1) 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.
- 2) 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 multifamily zone classification.

3) 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 accommodated 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 carpools, and other considerations of need and impact.

Implementation Guideline 2: Administrative Review

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

Implementation Guideline 3: Concentration of Institutions and 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 4: 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 non-required parking lot. Any building which is on the City, State or National Historic Register shall be preserved whenever possible.

Implementation Guideline 5: 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 increase the structure's non-conformity and is within the development standards of the zone.

Implementation Guideline 6: Public Facilities

Public facilities which do not meet the definition of a small institution may be located in multifamily 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 15: 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 multifamily areas. Nonresidential uses otherwise not permitted in multifamily 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 consistent 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 14, Small Institutions and Public Facilities.

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. 117929 § 4(part), 1995.)

23.12.070 Commercial area land use policies (including Neighborhood Commercial and Commercial zones).

Policy 1: Commercial and Neighborhood Commercial Zones

Commercial land shall be assigned one of five commercial zone classifications (NC1, NC2, NC3, C1 or C2) according to rezone criteria which include the area's commercial function, its existing and desired character and the physical conditions of the area and its surroundings.

Neighborhood Commercial zones (NC1, NC2, NC3 and NC/R) are generally pedestrian-oriented areas, compatible with their surrounding neighborhoods. General Commercial zones (C1 and C2) accommodate the broadest range of commercial activity, particularly those highly dependent on automobile access, and are thus

generally incompatible with pedestrian-oriented residential and mixed use environments.

Policy 2: Uses

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.

Implementation Guideline 1: Permitted Uses

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. 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.

Implementation Guideline 2: Conditional Uses

Uses are made conditional uses in these policies if the severity of their impact is especially dependent on the individual character of surrounding business and residential areas, or if the cumulative impacts of more than one of the particular uses in an area may be unacceptable.

Implementation Guideline 3: 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.

Implementation Guideline 4: Accessory Uses

A use which is clearly incidental to a principal use shall be considered an accessory use and generally shall be permitted. Uses that are incompatible with the permitted uses shall not be permitted as accessory uses in any commercial zone.

Implementation Guideline 5: Public Facilities

Public facilities provide a valuable service to the community and shall be allowed in commercial areas.

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

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 by the Land Use Code. These public facilities shall meet the development standards of the zone in which they are located. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity.

Implementation Guideline 6: Heavy Traffic Generators

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.

Implementation Guideline 7: Non-Conforming Uses

Non-conforming uses shall be allowed to continue, but shall not be expanded. A non-conforming use may be replaced by a similar or less detrimental non-conforming use of the same or smaller size as determined by administrative review.

Policy 3: Size of Use

Size limits shall be established in NC1 and NC2 areas for 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.

In order to allow limited growth of permitted uses compatible with the function of the zone and compatible with surrounding areas, increases in the size limits for existing businesses shall be allowed as an administrative conditional use.

Policy 4: Outdoor Activities

Outdoor uses and activities shall be prohibited, or shall be limited in location and size in specified commercial areas according to the function 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.

Policy 5: Drive-In Business

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 shall vary according to the function of the area.

Drive-in facilities and the maximum number of lanes allowed shall be limited in specified commercial areas. 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.

Policy 6: Housing

Residential use is allowed in neighborhood commercial areas to provide a built-in clientele for nearby commercial businesses and to encourage housing in close proximity to convenience shopping services and employment opportunities. To ensure healthy business districts which provide essential goods and services and employment to the residents of the city, residential development shall be encouraged to occur primarily in mixed-use development. Generally, in order to conserve the limited amount of commercially zoned land for commercial uses, single-purpose residential development may be allowed in

cases where an administrative conditional use review or a neighborhood planning process determines that such development will not disrupt or significantly change the commercial character of the area or undermine its long-term commercial potential.

In addition, in C2 zones, residential use in mixed- or single-purpose structures, shall be subject to conditional use approval to reduce the possibility of conflict between uses and to conserve a portion of the limited commercially zoned land for commercial purposes.

To maintain compatibility with the scale and character of commercial areas and their surroundings and to reduce the impact on views, the lot coverage of structures containing residential uses shall be limited above the ground level. Development standards for cluster development, usable open space, and acoustical separation for mixed-use structures shall be established in commercial areas to ensure light and air and open space amenities for residents and appropriate sound-proofing for dwelling units.

To ensure open space amenities are available to residents, open space shall be provided as part of mixed-use and single-purpose residential developments in commercial areas. The open space shall be usable to the residents and may be provided at ground level or above ground in the form of gardens, patios, balconies, decks or rooftop gardens.

Policy 7: Density Limits

In order to ensure that the intensity of new development is compatible with uses in the nearby area and to reduce the potential for adverse impacts, density limits may be established for certain commercial uses and for residential uses in single-purpose residential developments in commercial areas. In commercial zones where higher height limits are established, density limits for development shall be established in order to ensure compatible scale of development and control such impacts as shadows, bulk and traffic associated with high-rise development.

Policy 8: Required Off-Street Parking

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.

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 subject to

conditions in the Land Use Code. For large residential developments the Director of DCLU may require parking in excess of the established parking ratios, up to a maximum and under limited circumstances.

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.

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 parking reductions subject to a written agreement among cooperating parties.

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 the Department of Construction and Land Use (DCLU). In no case shall the reductions allowed exceed 40 percent of adjusted parking requirements.

Relationship to 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.

Bicycle Parking: In order to encourage energy conservation by promoting alternatives to the private auto, bicycle parking facilities shall be required in NC1, NC2, NC3 and C1 areas.

Policy 9: Location and Design of Parking

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 curb cuts 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.

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. In NC1, NC2 and NC3 zones, 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. In urban villages when the higher of alternative residential or office density limits are used, the location of parking for projects in C1 and C2 zones may be required to meet similar conditions.

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. Parking access from the alley may be limited if the alley is used for loading purposes.

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

Compact Car Spaces: Recognizing the level of use 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.

Policy 10: Loading Facilities

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.

Required Off-Street Loading Space: In order to accommodate commercial delivery needs without disrupting traffic and surrounding commercial or other activity, off-street loading space shall be required for commercial, institutional and manufacturing uses when over a certain size. Standards, including those standards for location, access, landscaping, and surface treatment shall be established for the loading spaces. Requirements shall be established which vary according to the level of need for loading space of each use.

Policy 11: Signs

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 its area. 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.

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 a freestanding sign. 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.

Local Option Sign District: In order to help ensure that individualized sign regulations reflect a consensus of the property owners, business operators, and residents in an area, the standard rezone procedure may be used to establish a Local Option Sign District. Once adopted, the regulations developed for a specific commercial area will become part of the Land Use Code. The local option sign standards may be more or less restrictive than the underlying 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-premise signs.

Policy 12: Noise Control

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.

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 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.

Policy 13: Airborne Emissions and Odors

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 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.

Policy 14: Light and Glare Control

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.

Policy 15: Setbacks

Ground level 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 to properties in abutting residential areas.

Policy 16: Screening and Landscaping

Screening, landscaping and street trees shall be required in commercial areas. The intent of this policy is to enhance the business and pedestrian 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. Minimum standards for landscaping of parking in commercial areas shall be established, including provisions to reduce or waive those standards under conditions described in the Land Use Code.

Policy 19: Landmark District

Policy 17: Heights

The intent of this policy is to establish under varying topographical conditions predictable maximum heights, maintain a consistent height limit throughout the building envelope, maintain compatible scale relationships with adjacent buildings, and minimize view blockage.

Height limits shall be assigned to commercial areas independently of the commercial zone designations. Different areas within a zone may be assigned different height limits. The appropriate height limit for an area shall be determined according to rezone criteria. Changing the height limit in a commercial area shall require a rezone. The height limit shall apply to every structure in the area regardless of use. However, in order to facilitate development of mixed-use structures and to enable structures to function appropriately, additional height exceptions may be permitted within limits to be established in the Land Use Code to accommodate ground-floor commercial uses and special rooftop features.

The height measurement technique shall assure predictable maximum heights consistent with the maximum height limit permitted in these zones and shall reflect the natural contours of the land. Artificially created grades to gain height advantages shall be prohibited.

Policy 18: Pedestrian Districts

In order to preserve and encourage an intensely retail and pedestrian-oriented shopping districts where non-auto modes of transportation to and within the district are strongly favored two pedestrian districts shall be established — P1 and P2. These designations may be applied based on the characteristics and conditions set forth in the Land Use Code.

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 architecturally significant structures, and to maintain and enhance the character of the district.

Uses: The use regulations of the underlying zone shall apply unless otherwise specified in the adopted guidelines for a specific landmark district.

Development Standards: Development standards and design review may be adopted specifically for a designated landmark district. These 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.

(Ord. 117929 § 4(part), 1995.)

23.12.080 Downtown policies.

The following Sections or subsections of the Land Use and Transportation Plan for Downtown, as adopted by Resolution 27281 and last amended by Resolution 29139 and as they may be amended in the future, to the extent that they relate to matters within the scope of the Land Use Code, are hereby incorporated by reference as land use policies. These policies are to be used as specified in Section 23.12.025. Where a policy is specified without associated implementation guidelines, all guidelines associated with that policy are incorporated. Where implementation guidelines are specified, only those specified guidelines are incorporated.

I Framework Policies

II Land Use Policies:

Policy 1: Land Use Regulation

Policy 2: Uses

Policy 6: Pedestrian Circulation,

Implementation Guideline 3: Pedestrian Skybridges, Aerial Trams and Tunnels

Policy 7: Bicycle Circulation

Policy 8: Street Classification

Policy 9: Parking

- Policy 11: Housing Preservation
Implementation Guideline 3: DR
- Policy 12: Housing Development
Implementation Guideline 1: Housing Bonus Program (Paragraphs A-E only)
Implementation Guideline 2: Mixed Use Residential District Housing Bonus Program
- Policy 13: Human Services
Implementation Guideline 1: Land Use Regulation
Implementation Guideline 2: Floor Area Bonus
Implementation Guideline 3: Child Care Public Benefit Feature
Implementation Guideline 4: Downtown Health and Human Services Fund
Implementation Guideline 5: Expenditure of Public Funds
Implementation Guideline 6: Dispersion of Services
Implementation Guideline 7: Advisory Task Force/Monitoring System
- Policy 14: Historic Preservation
- Policy 15: Building Height
- Policy 16: Building Scale
- Policy 17: Street Level Views
- Policy 18: Street Level Development Standards
- Policy 19: Uses at Street Level
- Policy 20: Use of Street Space
- Policy 21: Signs
- Policy 22: Open Space
Implementation Guideline 2: Open Space in New Public Projects
Implementation Guideline 3: Green Streets
Implementation Guideline 4: Open Space Public Benefit Features
Implementation Guideline 5: Residential Open Space Requirement
- Policy 23: Floor Area Bonus System
- Policy 24: Transfer of Development Rights
- Policy 27: Downtown Classifications and Overlay Districts
- Policy 28: Downtown Office Core 1 (DOC1)
- Policy 29: Downtown Office Core 2 (DOC2)
- Policy 30: Downtown Retail Core (DRC)
- Policy 31: Downtown Mixed Commercial (DMC)
- Policy 32: Downtown Mixed Residential (DMR)
- Policy 33: Pioneer Square Mixed (PSM) and Special Review District
- Policy 34: International District Mixed (IDM) and Special Review District
- Policy 35: International District Residential (IDR) and Special Review District
- Policy 36: Downtown Harborfront 1 (DH1) and Shoreline Environment
- Policy 37: Downtown Harborfront 2 (DH2)
- Policy 38: Pike Market Mixed (PMM)
- Policy 45: Existing Public Benefit Features
- Policy 47: Planned Community Development

(Ord. 117929 § 5, 1995.)

23.12.090 Industrial area land use policies.

Policy 1: Purpose of the Land Use Policies

The primary purpose of the Industrial Area Land Use Policies shall be to provide opportunities for industrial activity, including manufacturing uses, advanced technology industries and a wide range of industrial-related commercial functions, such as warehouse and distribution activities. The intent of these policies is to allow existing businesses to expand, facilitate locational opportunities for

new businesses, and provide some measure of protection to viable marine and rail related industries from uses competing for scarce resources. In addition, uses that may negatively affect the availability of land for industrial activity, or that conflict with the character and function of industrial areas, shall be restricted or prohibited. Development standards shall be designed to provide for the needs of industrial activity and reduce major land use conflicts between industrial development and abutting residential or pedestrian oriented commercial areas,

without placing unnecessary restrictions on manufacturing uses.

Policy 2: General Industrial Zones

The General Industrial zones shall be established to promote the full range of industrial activities and related support uses. The General Industrial designation shall include those areas most suited to industrial activity, where the separation from residential and pedestrian-oriented commercial areas is sufficient to reasonably mitigate the impacts associated with industrial uses. The designation as General Industrial shall recognize the goal of protecting healthy, established marine and rail related industrial areas from the intrusion of substantial amounts of unrelated retail and commercial uses. This goal shall be recognized by having the General Industrial zones differ according to the density permitted for commercial uses not directly related to industrial activity and by establishing size of use limits on certain uses.

Implementation Guideline 1: Zoning Classifications for Designated General Industrial Areas

Two separate zoning classifications, General Industrial-1 (IG-1) and General Industrial-2 (IG-2), shall apply to designated general industrial areas. The distinction between these areas shall be in the density permitted for commercial uses not related to industrial activity, including single-purpose office development, entertainment facilities, and retail sales and services uses (except “non-household sales and services”). The purpose of the IG-1 Zone is to protect marine and rail related industrial areas from an inappropriate level of unrelated retail and commercial uses by limiting these uses to a density or size limit lower than that allowed for industrial uses. Size limits shall be established for specified commercial uses in the IG2 Zone. The intent is to allow a broader range of uses where the industrial function of an area is less established, and where additional commercial activity could improve employment opportunities and the physical condition of the area, without conflicting with industrial activity.

Implementation Guideline 2: Uses

General: Use provisions are established for the General Industrial Zones to ensure that land is available for the widest possible range of industrial development and that other uses are permitted in these areas to the extent that they reinforce the industrial character of these areas and do not conflict with industrial activity.

Uses Permitted Outright: Manufacturing and commercial uses which encourage development and employment opportunities in industrial areas shall be permitted outright. Public facilities and utilities which directly serve

or are compatible with industrial activity shall be permitted outright.

Administrative Conditional Uses: Certain uses shall require conditional use review to ensure compatibility with the primary industrial function of the zone; and to require mitigation of any impacts on industrial activity, the immediate surroundings, and the environment in general. In addition, because of the nature of industrial uses certain non-industrial uses shall be classified as conditional uses in order to protect public safety and welfare on the non-industrial site.

Council Conditional Uses: Certain uses having potential for significant impact on surrounding areas shall require approval as Council conditional uses to ensure that such facilities will provide a public benefit and that significant impacts on both the surrounding area and the environment in general are adequately mitigated. If a proposed City facility and site otherwise requiring a Council conditional review have been approved by ordinance through a public process including notice, discussion and review of land use and environmental issues, no additional review shall be required.

Prohibited Uses: Certain uses shall be prohibited to preserve land for industrial activity or to minimize conflict between the use and industrial activity. The conflict may occur because the use attracts large numbers of people to the area for non-industrial purposes, or because the use would be incompatible with typical industrial area impacts (noise, truck movement, etc.).

Implementation Guideline 3: Density

Floor Area Ratio: A floor area ratio shall be established to limit the density of development to a level compatible with industrial activity and to ensure that new development can be accommodated without major redevelopment of transportation and utility systems, or without creating other substantial negative impacts. Reflecting the need to provide parking for employees and business users, the portion of a structure devoted to accessory parking shall not be included in the FAR determination.

FAR by Zone: In order to preserve industrial shorelines for industrial marine activity and to preserve access to major rail corridors the density permitted for commercial uses not directly related to industrial activity shall vary by industrial zone. The permitted density for these uses shall be more limited in the General Industrial 1 (IG1) zone where it is desirable to protect healthy industrial marine and major rail areas from the intrusion of unrelated commercial activity. In the General Industrial 2 (IG2) zone, where greater densities for commercial development can be accommodated without adversely affecting industrial activity, density limits shall be less restrictive than in the IG1 zone.

Implementation Guideline 4: Height

Height Limits Established: In order to encourage industrial growth and development, there shall be no maximum height limit for industrial activity. Maximum building height limits of 30 feet, 45 feet, 65 feet, and 85 feet shall be established for office, entertainment, institutional and retail uses in order to maintain the industrial character of an area by preventing large scale non-industrial development and to direct these uses to downtown and other commercial areas. To provide flexibility in zoning specific areas, the height limits for the non-industrial uses shall be assigned independently of the industrial designation. Different areas within zone may be assigned different height limits.

Policy 3: Industrial Buffer Zone

The Industrial Buffer Zone shall be established to provide an appropriate transition between industrial areas and adjacent residential zones, or commercial zones having a residential orientation and/or a pedestrian character. The Industrial Buffer Zone shall permit the widest possible range of manufacturing uses and related industrial and commercial activities, while ensuring compatibility with the activity and physical character of abutting, less intensive zones. To protect the livability of adjacent residential areas, the Industrial Buffer Zone shall include development standards which shall be applied only where existing conditions do not adequately separate industrial activity from less intensive zones. The zone shall also include performance standards based on acceptable levels of impact relative to uses in the less intensive zone.

Implementation Guideline 1: Uses

General: Use provisions are established in the Industrial Buffer zone to ensure that these areas continue to support industrial activity, but that permitted uses are compatible with development in the abutting zone, or can be made compatible through development standards, performance standards, or special conditions.

Uses Permitted Outright: Light and medium manufacturing and most commercial uses shall be permitted outright to encourage development and employment opportunities in these areas. Most smaller utilities and those public facilities and institutions that directly serve industrial areas shall also be permitted outright. Existing legally established dwelling units and caretaker quarters shall be permitted.

Administrative Conditional Uses: Certain uses shall require conditional use review to ensure compatibility with uses located in abutting, less intensive zones; and to ensure consistency with Council-adopted neighborhood plans.

Council Conditional Uses: Certain uses having potential for significant impact on surrounding areas shall require Council conditional use review to determine the need for such a facility at a particular location and to evaluate the impacts on development in abutting, less intensive zones. To evaluate the impacts of public facilities on industrial development, those facilities which do not meet the Buffer Zone development standards and are not similar to other uses permitted in the zone, shall require Council conditional use review.

Prohibited Uses: Certain uses shall be prohibited for purposes of preserving land for industrial activity and limiting incompatible uses.

Implementation Guideline 2: Density

A floor area ratio of 2.5 shall be established to limit the density of development to a level compatible with industrial activity and ensure that new development can be accommodated without major redevelopment of transportation and utility systems, or without creating other negative impacts. Reflecting the need to provide parking for employees and business users, the portion of a structure devoted to accessory parking shall not be included in the FAR determination.

Implementation Guideline 3: Height

Special height provisions shall be established for the edge of the Buffer Zone to ensure visual compatibility and a transition in scale between industrial areas and less intensive abutting zones. Where streets provide an adequate separation based upon street width, traffic, noise and topography, the height limit shall not apply. Compatibility in scale shall be maintained by varying the height limits of the buffer zone according to the height limit of the zone on lots abutting or across an alley or street from the buffer area. The height limit shall be lower and be applied for greater depth of the zone where across from a Single Family or Lowrise multifamily residential zone.

Implementation Guideline 4: Screening, Landscaping, and Setback Requirements

Screening, landscaping and setback standards similar to those found in the Neighborhood Commercial Area Code shall be required on the edge of the Industrial Buffer zone to improve the street environment, reduce dust, reduce light and glare, improve the visual appearance of the area, and maintain compatibility with the landscaped character of adjacent, less intensive zones.

General Screening, Landscaping, and Setback Requirements: Standards for screening, landscaped areas, curbs and sidewalks, setbacks, and street trees shall be established to improve the appearance of, or obscure,

outdoor activity, to maintain continuity along a street front, and to, in general, enhance the environment and safety of the buffer area and maintain compatibility with adjacent areas.

Special Setback Requirements Across the Street From Residential Zones: To maintain a compatible scale of development along opposing industrial and residential streets, setback requirements shall be established for lots across the street from a residentially zoned lot. Due to the separation provided by wide streets, the increased requirements shall not apply where an industrial lot is separated from a residentially zoned lot by an unusually wide public right-of-way.

Special Screening, Landscaping and Setback Requirements for Specific Uses: Because of the visual impacts associated with outdoor and auto-related activities, special measures shall be required to ensure compatibility with these uses and less intensive zones.

Signs: In order to minimize impacts on the surrounding area, sign standards shall be the same as those for the C1 zone in the Neighborhood Commercial Area Code.

Implementation Guideline 5: Performance Standards

The Industrial Buffer Zone shall incorporate performance standards to protect abutting, less intensive areas from hazards, nuisances, and objectionable impacts associated with activities permitted in the industrial zone. These standards are intended to protect specific industries from exclusion in a zone based solely on impacts generally associated with certain activities in the past, but which may no longer be a problem or can be mitigated through special measures.

Policy 4: Industrial Commercial Zone

The Industrial Commercial zone shall be established to promote development of businesses which incorporate a mix of industrial and commercial activities, including light manufacturing and research and development, while accommodating a wide range of other employment activities. Development density shall be limited to reflect transportation and other infrastructure constraints and shall consider locational features of an area. In addition, development standards of the zone shall be designed to create an environment attractive to business, while recognizing the economic constraints facing new development.

Implementation Guideline 1: Uses

General: Use provisions are established for the Industrial Commercial zone to ensure that land is available for a wide range of employment activities and that areas will exist to accommodate the needs of developing new businesses.

Uses Permitted Outright: Light and general manufacturing and most commercial uses shall be permitted outright to encourage development and employment opportunities in these areas. Most smaller utilities and those public facilities and institutions that function similarly to permitted industrial uses, directly serve industrial areas, and/or reinforce emerging new technology-oriented businesses shall also be permitted outright. Caretaker's quarters, existing legally established dwelling units and recreational marinas shall also be permitted.

Administrative Conditional Uses: Certain uses shall require conditional use review to ensure compatibility with uses located in abutting, less intensive zones; and ensure safety and compatibility with other uses within the zone.

Council Conditional Uses: Certain uses having the potential for significant impact on surrounding areas shall require Council conditional use review to determine the need for such a facility at a particular location and to evaluate the impacts on development in abutting, less intensive zones. Council conditional use review shall be required to determine the public necessity of public facilities which do not meet the development standards of the Industrial Commercial zone, and are not similar to other uses permitted in the zone and are not prohibited uses.

Activities Prohibited Outdoors: To maintain an attractive environment for new industrial activities, outdoor manufacturing activities shall not be permitted.

Prohibited Uses: To retain land for new development and ensure a quality environment attractive to new technology industries, to prevent the encroachment of uses that conflict with the desired character of the zone and its ability to support and attract emerging new manufacturing and industrial activity, certain uses shall be prohibited.

Implementation Guideline 2: Density

Floor Area Ratio: Because of the unique characteristics of the South Lake Union Planning Area, such as its location midway between downtown and the University of Washington, immediate access to I-5, and the City's focus on economic redevelopment of the area, two separate density schedules shall be established, one applicable to areas zoned IC within the South Lake Union Planning Area and one for all other areas zoned IC. Within the South Lake Union Planning area the floor area ratio shall

vary with the height limit. Zones with higher limits in this area are able to accommodate higher densities than areas with similar height limits elsewhere in the city.

Implementation Guideline 3: Height

Height Limits Established: Maximum building height limits of 30 feet, 45 feet, 65 feet, and 85 feet shall be established for all uses to protect the special amenities that attract new technology industrial development, such as views of water, shoreline access, and the scale and character of neighboring development, so that these amenities will continue to be enjoyed, both within the zone and from the surrounding area. To provide flexibility in zoning specific areas, the height limits shall be assigned independently of the zoning designation.

Different areas within a zone may be assigned different height limits, according to the locational criteria.

Implementation Guideline 4: Development Standards

The Industrial Commercial zone shall include development standards intended to create an attractive environment for new industry and ensure compatibility with surrounding development without being so restrictive as to inhibit more traditional industrial activity or the expansion of smaller firms already located in the area. Generally screening, landscaping and setback standards, similar to those found in the Neighborhood Commercial code, shall be required in the Industrial Commercial zone to promote an attractive setting for new industries.

Implementation Guideline 5: Performance Standards

The Industrial Commercial zone shall incorporate performance standards to maintain a high quality environment within the zone and to protect abutting, less intensive areas from hazards, nuisances, and objectionable impacts associated with permitted activities, while preventing exclusion of certain industries from a zone based solely on impacts generally associated with certain activities in the past, but which are no longer a problem or can be mitigated through special measures.

Policy 5: Manufacturing Center Overlay

The manufacturing center overlay (MCO) is established to promote and encourage new industrial development, particularly advanced technology manufacturing and research and development laboratories, to locate in Seattle's industrial areas by providing well maintained and physically attractive settings.

Implementation Guideline 1: Location

The MCO may be established in locations where a well maintained and physically attractive setting is desired to

promote and encourage new manufacturing and related commercial activities.

Rezone Required: A rezone procedure in accordance with Policy 2: Industrial Areas Designation shall be required to establish the overlay.

Implementation Guideline 2: General Development Plan

To ensure orderly development consistent with the intent of the Industrial Area Policies and the integration of existing circulation and planned improvements in the area, a General Development Plan shall be submitted for review along with the request for a rezone. The General Development Plan shall provide guidance for density and height limit departures and shall outline key features of the development, including amount of manufacturing development, staging of development, circulation, relationship to adjacent areas, and location of buildings, parking and loading layout, landscaping plan, and other amenities.

Implementation Guideline 3: Overlay Provisions

To provide greater flexibility to accommodate the changing needs of industrial areas, encourage the development of manufacturing uses, and provide incentives for high quality environments, the use, development standards, and other requirements of the underlying zoning may be modified by the overlay as follows:

Permitted Uses: To provide for a mix of uses that may be desirable for new industrial development, certain uses, which may otherwise be restricted in the industrial areas, shall be permitted.

Prohibited Uses: To ensure an attractive environment and to preserve land for industrial development certain uses shall be prohibited, in addition to any uses prohibited by the underlying industrial zone.

Administrative Conditional Uses: Certain uses, such as fast food restaurants, shall be subject to administrative conditional review procedures to ensure compatibility with the primary industrial function of the zone and to require mitigation of any negative impacts on industrial activity, the immediate surroundings, and the environment in general.

Council Conditional Uses: Certain uses having the potential for significant impact on surrounding areas, such as helistops, shall be subject to Council Conditional review procedures to provide Council oversight. The review criteria will ensure compatibility with the primary industrial function of the zone and provide for mitigation of any negative impacts on industrial activity, the immediate surroundings, and the environment in general.

Landscaping and Screening: Screening, landscaping, street trees, and other site improvements shall be required in the overlay to improve the street environment, reduce dust, reduce light and glare, and improve the visual appearance and character of the area.

Implementation Guideline 4: Density and Height Limit Departures

To provide flexibility for mixed use as well as manufacturing developments and to encourage elements that will add to the aesthetic quality of the area, density and height limit departures may be allowed.

Density: To ensure flexibility the Council may consider a higher floor area ratio than otherwise permitted in the underlying zone, provided a percentage of the development is in manufacturing or physical research and development use. To maintain a strong industrial character in the IG1 zone, a higher percentage shall be in manufacturing and research and development use than in IG2 or IB, to be considered for an increase in floor area ratio.

Height: The height limit for offices, retail, and entertainment uses may be increased beyond the basic limits of the underlying zone for the portions of the project to allow flexibility in the design of mixed use structures, to provide more open space and amenities for workers within the project, and to reduce shadows and view blockage on public rights-of-way and public open spaces.

Implementation Guideline 5: General Development Plan Evaluation

Project Review: In reviewing the General Development Plan the Council shall consider the following criteria:

- 1)The plan enhances or supports existing manufacturing uses in the area and surroundings;
- 2)The proposed plan is consistent with the Industrial Framework Policies;
- 3)The proposed development standards, such as additional height, combined with setbacks, reduced lot coverage, etc., will allow a design alternative that provides a better scale relationship with surrounding areas and increases amenities for the area;
- 4)The siting of buildings responds to the street activity and enhances the overall development and character of the areas;
- 5)The proposed development plan enhances the area's:
 - a)Circulation, both within the development and in relation to the general circulation of the surrounding area. This shall include considerations for truck and service vehicle access and storage, vehicular movement

and parking, transit access, and pedestrian and bicycle circulation;

- b)Integration of the development with surrounding areas, including pedestrian connections, visual and physical access to surrounding amenities and services, compatibility with adjacent activities, and impact of street vacations.

Policy 6: Parking and Loading

Minimum parking and loading requirements shall be established in industrial areas in order to provide for employee and customer parking near businesses, accommodate loading needs and maintain adequate vehicular circulation. In establishing off-street parking requirements, a balance shall be sought between the need to ensure an adequate supply of parking to meet industrial business demands and the need to encourage the use of transit, vanpools, carpools, and bicycles as alternatives to commuting by auto. Loading requirements shall reflect a balance between the goal of keeping loading on-site to maintain traffic circulation, and the goal of encouraging and providing for industrial activity. The intent is to ensure traffic safety, provide adequate parking and loading facilities to support business activity, promote air quality, encourage efficient use of the land in industrial areas, and discourage under-used parking facilities, while allowing some on-street loading and occasional spillover parking. Flexibility shall be provided to encourage reuse of existing structures, support business expansion, development of small sites, and preservation of historic landmark districts and structures.

Implementation Guideline 1: Parking Requirements in Industrial Zones

The industrial area parking requirements for manufacturing, warehouse and related uses shall reflect the parking demand of the uses, while furthering the intent of this policy. Waivers and reductions from the established requirements shall be provided to encourage the use of small sites, landmarks, and the reuse of existing structures. In this regard, existing parking deficits in most legally established uses shall be allowed to continue, even if a change of use occurs. The parking requirements for non-industrial uses shall be the same as the requirements established for the use in previously adopted policies. (For example, the requirements for commercial use in the industrial areas shall be the same as the requirements established for the use in previously adopted policies.) Required off-street parking may be provided either on-site, or within a reasonable distance to efficiently serve the site in the same zone or in a non-residential zone, if permitted in such zone.

Implementation Guideline 2: 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, both minimum and maximum percentages for compact car spaces shall be established.

Implementation Guideline 3: Reduction of Parking Requirement in Areas Well Served by Transit

Because of the reduction in parking demand which results from convenient access to transit, the minimum parking requirement may be reduced when a proposed use is accessible to peak commuter transit service.

Implementation Guideline 4: Substitution of Alternative Transportation for a Portion of the Minimum Parking Requirement

Where alternative transportation programs are provided that reduce off-street parking demand, a reduction in the required number of parking spaces may be allowed. These reductions shall only apply to new or expanding uses with substantial parking requirements. Programs which may substitute for some of the required parking include the provision of carpool parking, bicycle parking, vanpools, or transit passes, guaranteed in a form and for a time as determined by the Director of the Department of Construction and Land Use.

Implementation Guideline 5: 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 parking requirements. The shared parking facility shall be located within a reasonable distance to efficiently serve the uses, and adequate pedestrian access shall be provided. To ensure adequate parking the reductions for shared parking may not be used if the provisions for cooperative parking facilities (Implementation Guideline 6) are used. Shared parking shall be allowed between different categories of uses or between uses with different hours of operation, but not both:

- 1) Due to different periods of peak parking demand, a portion of the retail sales/service parking requirement may be reduced when shared with office parking, but not to exceed the number of spaces required for office use.
- 2) In order to use parking facilities more efficiently, parking spaces may be shared by businesses having different hours of operation. A significant 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.

Implementation Guideline 6: Cooperative Parking Facilities

Due to the greater efficiency of parking which results when several commercial 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 parking reductions subject to a written agreement among cooperating parties. The cooperative parking facility shall be located within a reasonable distance to efficiently serve the cooperating uses. To ensure adequate parking the reductions for cooperative parking may not be used if the provisions of shared parking are used.

Implementation Guideline 7: Park and Pool Lots

In order to prevent the use of industrial land for commuter parking for downtown workers, park and pool lots shall not be permitted if located within 3,000 feet of a downtown zone; this would not permit such lots north of Holgate Street, for example.

Implementation Guideline 8: Fleet Vehicles

To avoid spillover parking, ensure that public rights-of-way are available for truck and auto circulation, and maintain adequate on- and off-street customer parking, uses that have more than three small fleet vehicles or more than one large fleet vehicle used in conjunction with business operation shall provide separate off-street storage for these vehicles, in addition to the minimum accessory parking requirements. Fleet vehicles may be stored on or off-site as long as the storage is permitted in the zone.

Implementation Guideline 9: Minimum Loading Requirements in Industrial Zones

In order to accommodate delivery needs of business without major disruption of traffic and surrounding activity, off-street loading spaces shall be required for commercial, institutional and manufacturing uses above a certain minimum size depending upon their demand for loading space. Three sets of requirements shall be established for uses with high, medium and low demand for loading space. In order to accommodate small uses and sites, the loading berth requirement may be waived if there is on-street or alley loading space available. Existing loading deficits of legally established uses shall be allowed to continue even if a change of use occurs. The loading requirement for certain public and quasi-public facilities, utilities and institutions shall be determined by the Director of the Department of Construction and Land Use on a case-by-case basis. Loading demand and requirements for similar uses shall be considered.

Implementation Guideline 10: Design of Loading Areas

In order to protect the safe operation of traffic and neighboring businesses, minimum standards for the design of loading areas, including loading bays and maneuvering space, shall be established reflecting the type of street providing access to the loading area. Due to the difficulty in redesigning an existing loading area, existing loading bays that become non-conforming shall be allowed to continue even if a change of use occurs. Recognizing the development constraints of small sites, uses under 5,000 square feet shall be exempt from maneuvering space requirements.

Implementation Guideline 11: Access

To direct truck and service traffic associated with industrial uses away from streets serving residential uses, truck loading and service vehicle access shall be prohibited along street frontages opposite residentially zoned land, unless there is no access to the site from another street or alley within the industrial area.

Implementation Guideline 12: Curb Cuts

In order to balance the need to provide adequate maneuvering and loading areas with the goal of maintaining some on-street parking and safe pedestrian access, minimum and maximum standards for curb cuts and street driveways shall be established.

Policy 7: Landscaping and Street Standards

Recognizing the special working character of industrial areas, landscaping and street standards shall be kept to a minimum to allow as much flexibility as possible for industrial development. Landscaping in the Industrial Buffer zone shall provide separation and maintain compatibility between the industrial area and less intensive zones. In the Industrial Commercial zone, landscaping standards similar to those of the Commercial 1 zone shall be required to promote an environment attractive to new industrial development. In addition, to create an overall positive impression of the appearance of industrial areas, landscaping shall be required on selected arterials carrying heavy volumes of traffic. Additional landscaping requirements shall be required only where there is a specific need to mitigate impacts of new development on the immediate environment.

Implementation Guideline 1: Street Landscaping Map

To promote a positive impression of the City's industrial areas, new development on sites that are highly visible to the public because of their location on selected major arterials shall be required to provide landscaping. Required landscaping shall include street trees and screening along the street property line. Streets where this

special treatment is required shall be identified on the Industrial Streets Landscaping Map. These streets shall be selected based on one or more of the following criteria.

- 1)Streets that provide major routes through the city and/or serve as principal entrances to downtown.
- 2)Streets which provide the principal circulation route within an industrial area and carry volumes exceeding 5,000 vehicles daily (average weekly daily total).
- 3)Streets where right-of-way conditions will permit required landscaping without conflicting with industrial activity.

Streets may be added to or deleted from the Industrial Streets Landscaping Map through the text amendment procedure, using the above criteria.

Implementation Guideline 2: Shoreline View Corridor

In order to preserve views of the water obtained through view corridors required in the shoreline district, certain additional view corridor standards outside of the shoreline district may be applied. These standards would apply to developments located on a waterfront lot (between the water and the nearest public road) adjacent to, but outside, the shoreline district. These standards shall not apply to areas along the Duwamish Waterway because they would not achieve the intended increase in visual access due to the generally flat terrain of the area and the substantially greater distances between arterials and the boundaries of the shoreline district.

Implementation Guideline 3: State Environmental Policy Act (SEPA) Landscaping Requirements

Additional landscaping shall only be required as part of the SEPA environmental review process when such action mitigates specific impacts associated with the development of a site. Additional landscaping shall not be required for only aesthetic purposes if no other impact is being mitigated.

(Ord. 117929 § 4(part), 1995.)

23.12.100 Telecommunication facilities policies.

Policy 1: Purpose

Since public benefits are provided by radio and television broadcast utilities, opportunities for the location of these uses shall be provided in Seattle in order to allow for continued and improved service to the public. However, these utilities, due to their size and appearance, are incompatible with the character of residential areas, and they create adverse impacts beyond the immediate site.

The intent of these policies is to recognize the public benefit provided but only allow these utilities in locations where impacts can be mitigated and in a manner that does not lead to an overall increase in new or expanded TV and radio towers. These policies encourage co-location of major communication utilities in non-residential areas and the removal of existing single purpose major communications utilities in residential areas. It is the intent of the City to encourage the relocation of major communication utilities to nonresidential areas. The City shall also provide for the location of other utilities that provide telephone and other communication functions.

Policy 2: Radiofrequency Radiation

Standards are established to limit exposure to radio-frequency (RF) radiation in order to protect the health and safety of the general public. These standards shall be administered by the Seattle-King County Department of Public Health and shall apply to utilities broadcasting at frequencies between .1 and 300,000 megahertz. The City shall adopt the standard recommended by the National Council on Radiation Protection and Measurements and the American National Standard Institute (1990). In the event that mandatory or advisory standards more stringent than those in City codes are established by the federal government they shall become the City standard.

The replacement of existing antennas with new “best available technology” antennas that result in lower levels of radiofrequency radiation at ground level shall be encouraged.

The following activities shall be subject to review for compliance with radiofrequency radiation standards: the establishment of a new radio or television station transmitting from an existing utility, or any modification or replacement of an existing radio or television antennas resulting in a significant increase in off-site radiofrequency radiation. Minor communication utilities and other RF devices shall be subject to the RF radiation standards, but do not need prior approval from the Health Department.

Policy 3: Appropriate Zones for Transmission Towers

In order to protect the character and ensure the public safety of residential areas, new major communication utilities, such as radio and television transmission towers, shall not be permitted in single family, multifamily or Neighborhood Commercial 1, 2, or 3 zones. In these zones, expansion of existing towers or on-site replacement may be allowed according to City Council conditional use procedure.

Policy 4: Minor Communication Utilities

Minor communication utilities shall be developed in such a manner as to minimize impacts on nearby areas. Consideration shall be given to the following criteria: visual impacts, proximity to schools, neighborhood compatibility, land use and other impacts. The Land Use Code contains regulations concerning location of these facilities.

Policy 5: Satellite Dishes

Setback and screening standards shall be established for dish antennas over 4 feet in diameter in order to minimize their visual impact on adjacent residential properties or public parks. Satellite dish antennas, due to their size and (usually) light color, are much more visible than other forms of television receive-only antennas, creating a visual impact.

Policy 6: Development Standards

Major communication utilities shall be developed in such a manner as to minimize impacts on nearby areas. Setback, screening and landscaping shall be required in order to minimize visual impacts on adjacent properties, and to provide an appearance as compatible as possible with the uses permitted in the zone. Continuity shall be established with key elements of typical uses within the surrounding area; for example, in or adjacent to single-family areas, peaked roofs, painted metal surfaces, wooden fences, etc., shall be provided.

Any maintenance, reconstruction, repair, modification or replacement of communication utility facilities, transmission towers, accessory communication devices or accessory transmitter buildings, or the addition of new telecommunication devices to an existing tower, even if for a station or channel not previously located on the tower, shall be permitted outright provided that the change does not result in an increase in footprint and/or bulk and does not result in noncompliance with established radiofrequency radiation standards.

For minor communication utilities or accessory radio frequency devices exceeding the height limit in Neighborhood Commercial zones, or in Commercial zones which are adjacent to single family zones, DCLU shall determine that compliance with the height limit is not

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feasible, and that the utility will deviate to the least practical extent from this standard.

Minor communication utilities shall be developed in such a manner as to minimize impacts on nearby areas. Consideration shall be given to the following criteria: visual impacts, proximity to schools, neighborhood compatibility, land use and other impacts.

Accessory radiofrequency devices associated with residential, institutional, or commercial uses in residential zones shall be permitted outright as long as all applicable development standards are met.

Policy 7: Air Traffic Safety

Development proposals shall complete FAA review before the City issues a decision on the application.

Policy 8: Electromagnetic Interference

The City shall request notification by the Federal Communications Commission of any application submitted to the FCC for new or expanding major communication facilities. At the time the FCC reviews such application, the City shall request that the applicant provide targeted community notice regarding electromagnetic interference, informing residents of remedial procedures the applicant is required to offer under federal regulations. The City shall promote cooperation between broadcasters and the community with respect to interference problems. (Ord. 117929 § 4(part), 1995.)

23.12.105 Open space policies.

Policy 1: Framework Policies

The goal of these open space policies shall be to maintain, improve and protect the existing open space system, so that the future generations can appreciate and enjoy the city's outstanding natural features — its lakes, shorelines, streams and ravines, wooded hillsides, views, trees and other natural vegetation.

Seattle's open space system shall also be used to provide light and air, buffer residential areas from incompatible uses, and protect environmentally sensitive areas. The system shall be maintained to: 1) promote a visually pleasing, high quality, environment for workers, residents and visitors; 2) reinforce desired land use patterns; 3) strengthen Seattle's neighborhoods; and 4) provide links among Seattle's diverse parts. These purposes supplement and complement the important recreational functions provided by our established system of park and recreation facilities.

Policy 2: Major Public Projects

Major public projects, such as utility and transportation projects, generally shall be required to provide public open space. Standards shall be developed to determine the minimum size and cost of projects that are required to provide public open space. The amount of public open space required shall depend on the size of the project, the open space needs of adjacent areas, and the opportunities provided by a particular project. Special attention shall be given to the proximity of the project to a designated target area, or to the City's urban trails system. This provision is intended to require the evaluation of the relationship between a proposed major facility and an area's open space needs and opportunities.

Policy 3: Open Space Target Areas

In order to provide direction for future public and private open space development efforts, and to further protect existing open space in certain areas, open space target areas shall be designated. Target areas shall be selected to increase public enjoyment and preservation of the City's geographic and natural features — its waters, vegetation, parks and its views. Target areas shall include two types of areas: 1) areas that provide a wide range of open space opportunities that are potentially accessible to a large segment of the population; and 2) areas where special natural, geographic or historic features such as stream courses, wooded hillsides and historic landscapes are concentrated. Adopted target areas include areas at Lake Union, the Ship Canal, Leschi, and Longfellow Creek, as shown on maps in the adopted Open Space Policies. Additional target areas may be designated in the future.

Policy 3A: Open Space Plan For Lake Union and the Ship Canal

To take advantage of Seattle's unique geographic features, a comprehensive open space plan shall be developed for Lake Union and the Lake Washington Ship Canal, to increase public enjoyment of the waters, promote diverse activities along the shorelines, and enhance public vistas from surrounding areas. This plan shall capitalize on these urban waterways by providing visual, recreational and educational benefits to adjacent neighborhoods and to the people of Seattle, while protecting environmental resources and recognizing the importance of the mix of commercial, industrial, residential and recreational activities which establish the unique urban character of these shoreline areas.

Implementation Guideline 1: Locations for Open Space and Public Access

Special attention shall be given to the maintenance of shorelines for the commercial and industrial uses which have established the “working waterfront” character of these areas. Solutions shall be sought to limit conflicts between existing uses and public open space activities. These solutions shall include design strategies as well as alternative locations for open space amenities. In addition to assuring that open space activities are compatible with adjacent uses, the following criteria shall be used to evaluate sites for open space and access points within this target area:

- 1) Locations adjacent to or easily accessible from neighborhoods with population concentrations, such as densely developed residential neighborhoods, or commercial areas with large numbers of workers and pedestrian traffic.
- 2) Locations where open space opportunities are scarce, and where, due to the limited availability of land, future open space amenities are unlikely.
- 3) Locations that provide views of or access to the shorelines, waterways and waterfront activities. In certain locations views of undeveloped areas and of shoreline activities shall be preferable to physical access, in order to preserve natural features or to avoid conflicts with existing commercial and industrial uses.
- 4) Locations that provide views of interest, such as points of historic or natural interest.
- 5) Locations that serve the recreational and educational needs of children.

Implementation Guideline 2: Compatibility with Adjacent Development

Street ends and waterways, improved or developed as open space amenities, shall be consistent with the Seattle Shoreline Master Program designation and with existing adjacent development. The intent shall be to recognize the important recreational, educational and economic benefits of the activities now located along Lake Union and the Ship Canal.

Implementation Guideline 3: Circulation

Special attention shall be given to enhancing circulation between the many and varied features within the open space plan, strengthening connections to adjacent neighborhoods and improving linkages to the city’s wider open space resources.

1) **Pedestrian Paths and Bikeways.** In order to encourage non-motorized access and use of the open space amenities, the City shall develop a multi-use pathway or trail around Lake Union and the Ship Canal from Lake Washington to Puget Sound. New bikeways and pedestrian ways shall be integrated with existing ones. In certain locations, pedestrian paths shall traverse parks and mini-parks. In others, amenities within the right-of-way, such as sidewalks and improved landscaping, shall be developed to encourage pedestrian use. To recognize the needs of adjacent industrial and commercial uses, and to limit conflicts between pedestrians and bicyclists, and commercial and industrial traffic, paths and bikeways shall be along the shore in some cases, and away from the shore in others.

2) **Marine Recreation and Water Access.** In order to provide for public enjoyment of these unique urban water resources, the City shall encourage marine recreational activities in appropriate areas of Lake Union and the Ship Canal. Facilities such as launch areas for small boats and canoes shall be located so as not to conflict with commercial navigation lanes or with marine industrial development.

3) **Connections to Adjacent Neighborhoods.** In order to provide good connections to facilitate pedestrian travel between adjacent communities and the shorelines, the City shall maintain and improve existing stairways between the Lake and surrounding neighborhoods. Connections shall also be sought between Lake Union and the Ship Canal and neighborhoods that are separated by the Interstate 5 freeway and Aurora Avenue North. Pedestrian crossings and/or connections shall be established with these neighborhoods at key locations where feasible.

Implementation Guideline 4: Street Vacations

In order to recognize the open space value of street ends, the open space plan shall identify the most appropriate and desirable open space locations to guide decisions on street vacations. Proposals to vacate waterfront street ends in both industrial and commercial areas along these shorelines shall be assessed for consistency with the open space plan, and shall involve a thorough evaluation of the open space potential of the street ends to be vacated and of the open space and waterfront public access opportunities in the area.

Implementation Guideline 5: Signage

In order to encourage increased use of the open space system around Lake Union and the Ship Canal, a coordinated sign system shall be used to denote public shore access, viewpoints, trails and bikeways. Signs shall denote mileage, connections and points of interest and shall be posted at highly visible locations on all appropriate open space features, including routes, trails and

bikeways. Information boards may also be provided to interpret special environmental features and noteworthy historical events.

Policy 3B: Open Space Plan for Leschi

An open space plan for Leschi shall be developed to preserve and enhance the unique wooded character of the Leschi neighborhood, a natural resource in the midst of a developed urban area. The plan shall encourage maintenance of the area's natural landscaped character, protection of steep slopes and other environmentally sensitive areas, and enhancement of the areas's existing open space system.

The plan shall also consider use of a variety of open space tools and strategies to meet the intent of this policy, such as public improvements of public lands and rights-of-way, or a public involvement program to maintain and enhance the neighborhood's urban forest.

Implementation Guideline 1: Development of an Open Space Plan

The City, working with the Leschi community, shall develop an open space plan for the Leschi target area to implement the objectives of this policy. The purpose of the open space plan shall be to help maintain and enhance the area's unique character of urban development interspersed with an abundance of vegetation and open spaces, and to encourage development that minimizes the disturbance of the area's delicate environmental conditions. In order to meet the intent of this policy, the character to be maintained and improved shall include:

- 1)The system of undeveloped streets and pedestrian paths.
- 2)Scenic drives, winding streets, and Olmstead designed routes.
- 3)Landscaped parks and heavily wooded park land.
- 4)The Dell.

Implementation Guideline 2: Open Space Tools and Strategies

The following open space tools and strategies may be incorporated into the plan:

- 1) **Boulevards.** Boulevards in Leschi are an important element of an open space plan. They provide open space, landscaping, and linkages among other open space elements such as parks, playgrounds and the Lake. Public improvements for the Olmstead Legacy Drive and Lakeside Avenue (proposed boulevard) may be identified to help improve or enhance their existing character.

- 2) **Street Parks.** The undeveloped street rights-of-way which provide community garden opportunities or pedestrian connections to Lake Washington and the small lakeside commercial area, to the parks, or to the ridge top shall be considered for street park designation and improvements. Some street ends along the Lake may also be appropriate for street park development.

- 3) **Street Vacations.** The open space plan for Leschi shall serve as a guide in evaluating street vacation requests within the target area. Open space considerations shall be emphasized as well as the right-of-way's relationship to the overall goals of the plan.

- 4) **Street Front Landscaping.** Street front landscaping may be required for new development so that the development will blend with the natural street front character of the area. Such landscaping would be particularly important along the boulevard in order to preserve and enhance its unique character.

Policy 3C: Open Space Plan for Longfellow Creek

The City shall develop an open space plan for the Longfellow Creek area to preserve and enhance the natural creek system, an irreplaceable natural resource and unique recreational opportunity within the Delridge valley. The purpose of the plan is to promote development and improvements that minimize disturbance of the creek system. Permitted development shall be sensitive to the creek, promote passive recreational use along portions of the creek, and contribute to the preservation of a natural landscaped corridor along the creek.

Implementation Guideline 1: Development of an Open Space Plan

The City, in conjunction with the community surrounding the Creek, shall develop an open space plan for the Longfellow Creek Target Area to implement the objectives of this policy. The purpose of the plan shall be to preserve and enhance the natural features of Longfellow Creek and allow for public access along certain portions of the creek. The characteristics which are important to preserve and enhance are the natural open channel with perennial flow, fish and water habitat, water quality and the natural landscaped setting along the banks of the creek. Permitted development shall minimize disturbance of the creek and its surrounding natural environment.

Implementation Guideline 2: Open Space Tools and Strategies

The following open space tools and strategies may be incorporated into the plan:

- 1) **Street Parks.** Undeveloped street rights-of-way which provide public access to the creek and provide connections with other open space resources in the areas shall be considered for street park designation and improvements.
- 2) **Street Vacations.** The open space plan for Longfellow Creek shall serve as a guide in evaluating street vacation requests within the target areas. Open space considerations shall be emphasized as well as the right-of-way's relationship to the overall goals of the plan and intent of this policy.
- 3) **Setback and Landscaping Standards.** In order to help ensure the preservation of the creek and the natural vegetation along its banks, and to help protect proposed development from potential flooding, additional setbacks along the creek may be required. Landscaping specifically along the creek banks may be required.
- 4) **Utility Rights-of-Way.** Utility rights-of-way shall be considered as potential opportunities for public access to the creek and improvements along the creek bank.

Policy 4: Urban Trails Policy

The City shall continue to develop a system of urban trails to enhance the opportunities for residents of Seattle and the region to experience the City's unique scenic and natural amenities, facilitate bicycling as a viable transportation choice, provide access to healthful recreational activities and link major parks and open spaces with Seattle neighborhoods. The Urban Trail system shall consist of a network of on and off road paths that, whenever possible, also serve as linear greenways. Abandoned railroad rights-of-way and utility rights-of-way shall be primary resources for expanding such a trail system. Additionally, where appropriate, developed and undeveloped street rights-of-way that can serve to link trails shall be incorporated into such a system.

The City does not wish to create a hardship for businesses operating in industrially zoned areas. City departments are expected to work cooperatively with all affected property owners during trail design and implementation. Where trail development in an industrial area is proposed to link trails as a transportation corridor, a variety of alternative alignments in the vicinity shall be evaluated.

Urban trails may include bikeways, bike routes, bike lanes, shoulders, multi-use trails and pedestrian paths. When combined with the City's designated boulevards, this system shall establish a network among the City's varied open space features and activity centers as well as provide connections with recreational and natural areas within the Puget Sound region.

Implementation Guideline 1: Plan for Development and Design of Urban Trails

The City shall continue to develop its Urban Trails System. The system is intended to be a comprehensive interconnected network of routes including local streets, boulevards, non-motor corridors and other open space elements. Trails will be designed to fit in with the surrounding communities.

The following considerations shall be included in the design of trails:

- A. Trails and associated improvements shall be designed to respond to the specific purpose of the trail, whether or not the trail will carry combined motor, pedestrian and bicycle traffic, shared bicycle/pedestrian traffic or, be limited to pedestrians. Where heavy trail use is anticipated efforts shall be made to provide separate trail facilities for bicyclists and pedestrians. Trail surfaces shall be selected to accommodate each user group. Strategies shall be developed to address the needs of disabled users.
- B. Trails shall be visually integrated into the neighborhoods through which they pass; where feasible, continuous design elements shall be employed to develop an identifiable image along portions of the trail. Special attention shall be given to the physical constraints and opportunities provided by each trail location.
- C. Trail design shall incorporate the concept of linear greenways wherever possible. Scenic features and amenities such as viewpoints, landscaping, and benches shall be developed in appropriate locations.
- D. Trails shall be planned to interconnect wherever feasible, thereby allowing users the opportunity to return to the point of beginning via a different route.
- E. Rest stops and transfer points (auto parking and bicycle parking) shall be provided at strategic locations to facilitate access to trails and provide user convenience. Where picnic sites and rest stops are planned, they shall be located where trails meet parks and other open space features.
- F. Efforts will be made to protect existing trails from encroachment by private development adjacent to the

trail. This is particularly important in residential neighborhoods where aesthetic and safety issues are paramount. In keeping with these efforts, it is essential to minimize the number and width of new private trail crossings for motor vehicles.

G. Safe, convenient vehicular access to existing industrial sites adjacent to proposed trails will be maintained and protected. This is particularly important where there is heavy truck traffic crossing the proposed trail, and may mean that trails are inappropriate in some areas.

Definitions:

Linear Greenery: A general term to describe any linear, green open space. It may or may not include a transportation facility such as a trail or boulevard.
(Ord. 117929 § 4(part), 1995.)

23.12.110 Green streets.

A Green Street is defined as a street right-of-way which is part of the street circulation pattern, and through a variety of treatments, such as sidewalk widening, landscaping, traffic calming, and pedestrian-oriented features, is enhanced for pedestrian circulation and open space use. Green Streets is a new term. This policy was included in the Mayor's Recommended Open Space Policies as Street Parks. In order to clearly convey the intent of the policy of using existing rights-of-way for pedestrian use, the new term Green Streets will be used. The specific streets already designated in the Downtown Plan as Street Parks will be called Green Streets.

To reinforce desired land use and transportation patterns and enhance open space benefits in particular neighborhoods, portions of existing, underutilized or undeveloped street rights-of-way shall be used to enhance public circulation, pedestrian activity and street-level open space. Depending on vehicular access and circulation needs, Green Streets may range from modest increases in landscaped areas to limiting portions of streets to pedestrian circulation. The function of Green Streets shall primarily be to: 1) enhance public circulation and open space opportunities particularly in medium to high density areas lacking adequate public open space; 2) reinforce the pedestrian environment of neighborhood commercial areas; and 3) develop a street network which includes neighborhood amenities such as pedestrian and bicycle trails connecting open spaces with activity areas. Green streets are not intended to provide increased on-street parking, but instead to enhance the pedestrian environment.

Priority for Green Street designation shall be given to areas with medium to high density zoning which lack open space, and where Green Streets would be particularly

effective in enhancing pedestrian activity, providing open space, and promoting other land use objectives. Designated Green Streets in Downtown, First Hill, the University District, Northgate and other areas with the potential to be intensely developed shall have high priority for funding. In the downtown area the City shall encourage private participation in Green Street improvements through development incentives.

A Green Street shall be designated by the City Council as part of the adoption of a Neighborhood or Sub-Area Plan, or through a Green Street Plan designation plan. The designation of a Green Street shall follow the Green Street Designation Process described in Implementation Guideline 3 below. Once a Green Street is designated by the City Council, the street shall be designed according to standards and guidelines of the Green Street Director's Rule.

Implementation Guideline 1: Locational Criteria

The City may consider establishing Green Street improvements where such action would encourage pedestrian activity, reinforce desirable land use and transportation patterns and provide open space amenities that would receive sufficient use to justify development and maintenance costs. Streets meeting some or all of the following criteria would be most appropriate for this type of open space development:

- 1) Streets in medium and high density areas where residents generally do not have access to private yards, existing open space is very limited, and land is not available for future open space development. Examples including neighborhoods containing large numbers of children without play areas or concentrations of elderly residents lacking passive open space.
- 2) Streets within or providing connections to pedestrian-oriented neighborhood commercial areas where Green Street improvements could reinforce commercial and mixed use activity, and enhance the quality of the pedestrian environment without conflicting with desired traffic circulation.
- 3) Streets at critical locations in redeveloping areas which could serve as a focus for new development and provide direction for desirable changes in land use patterns. Examples might include streets which, as Green Streets, could strengthen the residential character of areas where efforts are being made to promote residential development or stabilize an existing neighborhood.

4)Streets and street ends which provide safe pedestrian and bicycle connections with neighborhood attractions, such as schools, shopping areas, public facilities, institutions and public open spaces, or streets integrated with the City's urban trail network or other bikeways and walking routes.

5)Streets which have a special character that is of interest to pedestrians, including streets providing shoreline access, streets with special views, and streets located in areas of unique historic or architectural interest.

6)Undeveloped streets within designated openspaces where it is desirable to retain the undeveloped conditions of the surroundings.

Implementation Guideline 2: Green Street Classifications

To establish its open space and circulation function, each Green Street segment shall be designated according to one of the four classifications described below. The first three Green Street classifications were established by the policies of the Downtown Plan. A fourth category, Type IV: Undeveloped Right-of-Way, is proposed to be added.

Type I: Traffic Prohibited. This designation applies to street segments that are not needed for vehicular circulation. Vehicular traffic would be restricted except for emergency and service access, and bicycles.

Type II: Local Access. This designation applies to street segments accommodating local circulation but not needed for overall vehicular movement in the area. Continuous vehicular movement between blocks would be restricted.

Type III: Continuous Traffic. Vehicular access to sites within the block and traffic movement between blocks would continue, but widened sidewalks, landscaping and pedestrian amenities could be provided within the right-of-way.

Type IV: Undeveloped Right-of-Way. This type of Green Street would apply to rights-of-way, including street ends, which have little or no existing or potential use for vehicular traffic but provide neighborhood trails or access to community centers or activities abutting open spaces or natural areas. These rights-of-way could be improved to function as pedestrian malls, or would remain in their natural state, with perhaps limited improvements, such as foot trails, where appropriate.

Implementation Guideline 3: Green Street Designation

Green Streets shall be designated by the City Council, as part of an approved Neighborhood or Sub-Area Plan, or through the Green Street designation Process. The Plan designation process should include the following elements:

- 1)A process for identifying and evaluating streets for potential Green Street development, to determine whether they meet the location criteria and to assign a priority for their development. Candidate locations could be suggested either by the City or by residents and/or local businesses in the area.
- 2)An assessment of impacts of a specific Green Street, which would consider circulation, access, parking, loading, bicycle and pedestrian functions of the street.
- 3)A process that would include notification and community participation for areas which could be affected by the proposed Green Street.
- 4)A program to fund and prioritize projects. (Ord. 117929 § 4(part), 1995.)

23.12.120 Major institution policies.

Framework Policies:

The City of Seattle places a high value on its hospitals and higher educational facilities. Institutions containing these facilities provide needed health and educational services to the citizens of Seattle and the region. They also contribute to employment opportunities and to the overall diversification of the City's economy. However, when located in or adjacent to residential and neighborhood commercial areas, the activities and facilities of major institutions can have negative impacts such as traffic generation, loss of housing, displacement of neighborhood-serving businesses and incompatible physical development.

The intent of these policies is to balance the public benefits of the growth and change of major institutions with the need to maintain livability and vitality of adjacent neighborhoods.

Special land use provisions that modify the underlying zoning shall be established in order to allow such uses to thrive while ensuring that the impacts of major institution development on the surrounding neighborhood are satisfactorily mitigated. The expansion of established major institution boundaries shall be discouraged. Institutions are encouraged to participate in the life of their surrounding communities.

To determine the appropriate level of development and the appropriate mitigating measures that will maintain the livability of adjacent areas, a master plan shall be prepared when any major development is proposed that does not conform with the height, density, bulk, setbacks, site coverage or landscaping of the underlying zoning. The master plan shall be a concept plan for development prepared through a cooperative process including representatives of the major institution, the community and the City. The master plan review and adoption shall take place within a pre-determined schedule to assure an expeditious and predictable process.

The master plan review shall include consideration of any proposed expansion of existing boundaries or height limits; proposed demolition of existing residential or commercial uses; the scale and type of proposed development; the need for open space; and impacts on adjacent land uses, open space and transportation.

In general, the institution's growth shall be directed toward concentration within the existing boundaries in a given location rather than encroachment on the neighborhood. Dispersal of growth shall be given consideration when continued concentration would create significant impacts on the surrounding area. In such cases, every effort shall be made to decentralize facilities which do not need to be located on the main campus. Decentralization shall also be encouraged as a means to avoid future expansion of boundaries.

New institutions shall be located in areas where such activities are compatible with the surrounding land uses and where the impacts associated with existing and future development can be appropriately mitigated.

Policy 1: Definition

A Major Institution shall be defined as an institution providing medical or educational services to the community which, by nature of its function and size, has the potential to change the character of the surrounding area.

In order to qualify as a major medical or educational institution an institution shall be located on a site of at least 60,000 square feet; contiguous properties must constitute no less than 50,000 square feet of the total site area and the institution must have a minimum gross floor area of 300,000 square feet.

Major institution site size shall be calculated to include all contiguous properties of the institution abutting, across an alley or a street and within 2,500 feet of the contiguous properties of the institution. Where only portions of a structure may be occupied by a major institution use, a prorated amount of the site shall be included in determining site size.

Gross floor area is intended to include all space occupied by a major institution use in any structure within the total institution site area even if the structure is owned by an entity other than the major institution.

Policy 2: Overlay District

A Major Institution Overlay (MIO) shall be established as the basis for allowing major institutions. The intent of an overlay is to permit appropriate institutional development within boundaries while minimizing the adverse impacts associated with development and geographic expansion. A further purpose is to balance the public benefits of growth and change for major institutions with the need to maintain livability and vitality of adjacent neighborhoods. Where appropriate, the establishment of MIO boundaries may contribute to the transition of physical development to ensure compatibility between major institution areas and less intensive zones.

Within each overlay district, all functionally integrated major institution uses shall be allowed, provided the development standards of the underlying zone are met. Development standards specifically tailored for the major institution and its surrounding area may be permitted within the overlay district through a master plan process.

The designation of a new major institution overlay district or change in the boundaries or height limits of an established overlay district shall require a rezone in accordance with Policy 5: Rezones.

As medical and educational institutions expand, they have the potential to reach the size of a major institution.

Overlay Provisions

To accommodate the changing needs of major institutions, provide flexibility for development and encourage a high quality environment, permitted uses and parking requirements of the underlying zoning may be modified by the overlay. The development standards and other requirements of the underlying zoning may be modified by an adopted master plan.

Uses: All uses that are functionally integrated with the central mission of the major institution or that primarily and directly serve the users of the institution shall be defined as major institution uses and shall be permitted in the Major Institution Overlay district, subject to the provisions of this policy, and in accordance with the development standards of the underlying zoning classifications or adopted master plan.

Development Standards:

1) Standards Without a Master Plan. The development standards of the underlying zoning classification for

height, density, bulk, setbacks, coverage and landscaping for institutions shall apply to all major institution development.

- 2) Standards With a Master Plan. The development standards specified in the adopted master plan shall regulate all major institution development.

Parking Standards: Minimum parking requirements shall be established in MIO districts to meet the needs of the major institution and minimize parking demand in the adjacent areas. Maximum parking limits shall also be included to avoid unnecessary increases of traffic in the surrounding areas and to avoid encouraging the use of single occupancy vehicles (SOV).

Short-term parking space provisions may be modified as part of a Transportation Management Program (TMP). Long-term parking space provisions may be modified as part of a TMP when it is part of a master plan process. Increases to the number of permitted spaces shall be allowed only when it 1) is necessary to reduce parking demand on streets in surrounding areas and 2) is compatible with goals to minimize traffic congestion in the area.

Transportation Management Program: Major objectives of a TMP shall be to reduce the number of vehicle trips to the major institution, minimize the adverse impacts of traffic on the streets surrounding the institution, minimize demand for parking on nearby streets, especially residential streets, and minimize the adverse impacts of institution-related parking on nearby streets.

A primary means for achieving the objectives shall be the reduction of the number of single occupancy vehicles (SOV) used by employees and students at peak time and destined for the campus. The goal shall be that no more than 50 percent of peak time employees and students are in SOV. The goal may be raised or lowered when the TMP is prepared as part of a master plan process.

Uses Outside MIO District Boundaries

Major institution uses developed or owned by, or leased to, the major institution which conform to the use and development standard zoning regulations for the site shall be permitted within 2,500 feet outside the boundaries but shall be limited in size both per site and on a cumulative basis.

Policy 3: Housing Preservation

The preservation of housing shall be encouraged and enhanced within major institution overlay districts and the surrounding areas. Conversion or demolition of housing

within a major institution campus shall be discouraged but may be allowed under certain conditions.

Residential Structures Within an MIO District

Demolition for Major Institution Use: Structures with non-institution residential uses located within an MIO district may be demolished or changed in use by the major institution when necessary for expansion of the major institution. Demolition or change of use shall not be permitted if specifically prohibited when the housing was included within the boundaries as part of a boundary expansion rezone. The demolition or change of use action may require preparation of a master plan in conformance with Land Use Code procedures and requirements. When a master plan is required, it shall include measures to mitigate the loss of housing.

Demolition for Parking: Structures with non-institutional residential uses shall not be demolished for the development of any parking lot or parking structure which could provide non-required parking or be used to reduce a deficit of required parking spaces.

Residential Structures Outside an MIO District

Development by a major institution shall not be permitted within 2,500 feet of the MIO district boundaries when it would result in the demolition of structures with residential uses or change of these structures to non-residential uses.

Policy 4: Master Plan

A master plan shall be required for each Major Institution proposing development which could affect the livability of adjacent neighborhoods or has the potential for significant adverse impacts on the surrounding areas.

The master plan shall be a concept plan for development to facilitate a comprehensive review of benefits and impacts of the Major Institution development. The adopted plan shall 1) give clear guidelines and development standards on which the major institutions can rely for long-term planning and development; 2) provide the neighborhood advance notice of the development plans of the major institution; 3) allow the city to anticipate and plan for public capital or programmatic actions that will be needed to accommodate development; and 4) provide the basis for determining appropriate mitigating actions to avoid or reduce adverse impacts from major institution growth.

Generally the master plan will specify the amount of development, the ways it may take place, and a schedule to achieve it. The master plan may also appropriately limit some kinds of development or activities while allowing others to expand.

Process for a Master Plan

The master plan shall have three components. The first shall establish or modify boundaries and provide physical development standards for the overlay district. The second component shall define the development program for the specified time period. The third component shall consist of a transportation management program.

The master plan shall be reviewed and adopted by the City Council following a cooperative planning process to develop the master plan by the Major Institution, the surrounding community and the city. The procedure for preparation of master plans, review, and adoption, including the schedule shall be defined to assure an efficient and predictable process.

Components of Master Plan

The master plan shall define boundaries and height limits; establish the types of uses, development standards, and phasing of plan implementation; and outline mitigation measures for a period of five to fifteen years. The plan shall include three parts: a Development Standards component, a Development Program component, and a Transportation Management Program component.

Upon adoption of the master plan, the Development Standard component shall remain in effect until amended or revoked. The Development Program shall remain in effect for a period no less than five years and no more than fifteen years. The term shall begin on the date of adoption of the master plan by City Council.

1. Development Standards: The Development Standards component shall include standards and guidelines for physical development of the major institution campus and for structures on the campus.

2. Development Program: The Development Program component shall include a clear description of proposed major institution development or change within and outside the major institution campus.

3. Transportation Management Program: The Transportation Management Program shall conform with the specific requirements outlined in the Land Use Code.

A cooperative planning approach shall be followed to develop the master plan. The approach shall include the institution, the community and the City working toward dual objectives: 1) to allow institutions to develop facilities for the provision of health care of educational services to fulfill unmet local and regional public needs; and 2) to minimize the negative impacts, especially in relation to the surrounding area, which may result from expanded major institution development.

Process: The following steps shall be completed prior to submission of the master plan for consideration and approval by City Council:

- 1) A concept plan shall be prepared by the major institution.
- 2) An Advisory Committee shall be established to review and comment on the preliminary concept plan and the master plan throughout the process of development to time of the final consideration by City Council. The Advisory Committee shall participate throughout the process of revision, amendment and refinement of the master plan proposal.
- 3) An application, with all applicable fees, to prepare a master plan shall be filed by the institution.
- 4) A schedule for completion and adoption of the master plan including the steps for Advisory Committee participation shall be prepared by the institution and the City. Review and comment on the schedule by the Advisory Committee shall be made before it is finalized.
- 5) An environmental review shall be conducted.
- 6) DCLU shall prepare an evaluation of the proposed master plan, including draft and final recommendations. The final recommendations shall include a response to the Advisory Committee recommendations.
- 7) The Advisory Committee shall prepare reports and recommendations on the proposed master plan and on the DCLU evaluation and draft and final recommendations.
- 8) The Hearing Examiner shall hold a public hearing on the proposed master plan and DCLU evaluation and recommendations and make recommendations to the City Council. DCLU and the Hearing Examiner shall give careful consideration to the Advisory Committee recommendations.

- 9) The Advisory Committee shall review and comment on the Hearing Examiner's recommendations prior to City Council adoption of the master plan.

Documents: The documents submitted to City Council shall include the following:

- 1) Proposed master plan
- 2) Environmental assessment
- 3) Advisory Committee meeting minutes and committee reports
- 4) DCLU report and recommendations
- 5) Hearing Examiner report and recommendations.

Amendments to Adopted Master Plans:

- 1) Minor amendments may be allowed by the Director of the Department of Construction and Land Use. The Advisory Committee shall receive notification of any proposed minor amendments, submit comments to DCLU, and be notified by DCLU of the decision. The decision may be appealed to the Hearing Examiner.
- 2) Major amendments to the amount, use, location or scale of development, development standards, open space or mitigating measures established by an approved master plan shall follow the master plan process outlined in part A. of this guideline.
- 3) All changes to master plan boundaries or height limits shall be rezones in accordance with Policy 5: Rezones.

Renewal of Master Plan Development Program Component:

- 1) Renewal process. The process for renewal of the Development Program component shall, in general, follow the requirements set forth in "A" and "B" above.
- 2) Expiration. The Development Program component shall expire at the end of the time specified in the master plan. Renewal of the Development Program component shall be required for any development subsequent to the expiration date which exceeds the limits of development permitted without a master plan.
- 3) Approval of MUP applications. When the Development Program component of the master plan has expired, MUP applications for new projects which do not meet the development standards of the underlying zoning, and for replacement projects except those that would not require a master plan under Policy 4, Implementation Guideline 1.B, shall not be approved until a new Development

Program component has been adopted by City Council.

- 4) Extension. When the development schedule for the expired program period was not achieved, a request for Development Program Extension may be made. The request shall include, as appropriate, a) the term, not to exceed five years; b) a revised development schedule; and c) a site plan and any other illustrative documents needed to describe the revised development schedule.

The request shall be filed with the Director of Construction and Land Use. Within sixty days the Director shall transmit a report and recommendation, which includes comments of the Advisory Committee, to the City Council for consideration and approval.

Advisory Committee

A standing Advisory Committee, independent of the City and the major institution, of at least six, but no more than twelve, members shall be established through a memorandum of agreement, prepared by the Department of Neighborhoods between the major institution and the City and approved by City Council. The committee shall be established immediately following the time a Letter of Intent to prepare a master plan is submitted by the institution and the committee shall meet as necessary following the completion of the master plan, but no less than one time annually, to review the status of the plan.

In cases where there is more than one major institution in the same general area, a single advisory committee serving more than one major institution shall be permitted, or after master plan adoption, individual advisory committees may be consolidated into one committee.

When a master plan has been adopted prior to these policies and there is no standing Advisory Committee, a committee shall be established at the time an application for an amendment or master plan Development Program component renewal requiring City Council approval is made.

Advisory Committee Responsibilities: The committee shall be advisory to the major institution and the City during development of the master plan and shall prepare reports on 1) the completed master plan proposal; 2) the draft and final DCLU recommendations; and 3) the Hearing Examiner recommendations. These reports shall be forwarded with the plan to the City Council. If the committee is unable to reach consensus on any aspect of the master plan, more than one recommendation on the plan may be submitted.

Following adoption of the master plan, the committee shall continue to be advisory to the institution and the City regarding implementation of the plan and subsequent amendments and renewals.

Advisory Committee Membership: The objective of member selection is to provide a balanced representative group in order to realize the goals of the major institution, the community and the City at large. The composition of the committee will vary, depending on such things as the number of affected community councils and the type of service the institution provides. The majority of members should be from the adjacent neighborhood and membership shall include a non-management major institution representative.

Master Plan Evaluation

The master plan is intended 1) to document anticipated development and changes in major institutions for the purpose of preparing an approved development program and evaluating and minimizing impacts; and 2) to provide a zoning framework of development standards which is tailored to the specific major institution and responsive to the neighborhood context of the major institution.

The following shall guide review and evaluation of master plan proposals.

Public Benefit: A determination shall be made that the proposed development and changes represent a reasonable balance of the public benefits of development and change with the need to maintain livability and vitality of adjacent neighborhoods. Consideration shall be given to:

- 1)The reasons for institutional growth and change, the public benefits resulting from the proposed new facilities and services, and the way in which the proposed development will serve the public purpose mission of the major institution; and
- 2)The extent to which the growth and change will significantly harm the livability and vitality of the surrounding neighborhood.

An assessment shall also be made of the extent to which the major institution, with its proposed development and changes, will address the City's health policies and human service goals, including the provision of medical and educational services to low-income people.

Boundaries and Height Limits: Proposals for establishment or changes to boundaries and height limits shall be in conformance with Policy 5: Rezones.

Development Program:

1)Schedule. Proposed projects shall be phased in a manner to minimize short- and long-term impacts on the surrounding areas. When public improvements are anticipated on the campus or in the surrounding area, major institution proposals shall be coordinated with the improvements to expedite completion and minimize adverse impacts.

2)Decentralization. Options for decentralization shall be evaluated to determine the trade-offs between enhancement of the institutional mission and the reduction of impacts from development on the main campus.

a)Decentralization of an existing or proposed facility may be required if:

- (i)A. The facility or use does not require geographic proximity to the main campus; or
- B. Development potential on the campus is needed for facilities more critical to the central mission of the major institution and increasing development potential would produce unacceptable impacts on the surrounding areas; and

(ii)Decentralization would reduce or avoid undesirable adverse impacts on the surrounding neighborhood including a boundary expansion.

b)Satellite or branch facilities which are not located on the main campus shall be located beyond a 2,500 foot radius outside the boundaries and regulated according to the revisions for institutions in the zone in which they are located.

3)Development Outside Major Institution Overlay District Boundaries. Except for development within the area bounded by Elliott Bay, Denny Way, Interstate Highway 5, and Royal Brougham Way, development within 2,500 feet outside the MIO boundaries shall generally be discouraged. Development in this area may exceed 40,000 square feet total or 10,000 square feet on a single site only if approved in an adopted master plan. Any development exceeding 40,000 square feet proposed shall:

- a)Conform with the zoning classification where it would be located;
- b)Be compatible with other uses in the zone; and

- c) Be essential to meeting the public purpose mission of the major institution.

The master plan shall establish conditions and specify the amount of uses by major institutions allowed beyond but within 2,500 feet of the boundaries.

Development Standards: Development standards shall be provided as necessary to guide the design and location of structures and provide predictability regarding the physical characteristics of new development. Specific standards may be provided or the standards of an existing zoning classification may be adopted. No less than the following shall be evaluated, and standards and guidelines established as necessary to meet the criteria.

- 1) Edges/Transition. Appropriate transition shall be provided from the major institution campus to the surrounding areas when there are differences in allowed height and/or bulk. Transition at edges shall be given special consideration when there are not strong, distinctive edge conditions such as topographic breaks, freeways or large open spaces. Transition can be achieved, depending on circumstances, through such things as setbacks, bulk limits on structures, articulation of facades, landscaping, spacing of buildings or height limits.

The provisions for transition shall be balanced against impacts on the demonstrated need for development potential of the institution within existing and/or proposed boundaries.

- 2) Pedestrian-designated zones. Where a pedestrian-designation in a Commercial zone occurs along a boundary or within a campus, the use, parking and blank facade standards of the underlying zoning shall apply.
- 3) Height. Maximum height limits shall be those established by the MIO district. Within each established height limit area, the amount of structure allowed to the height limit shall be specified in relation to permitted coverage, open space and setback requirements, impacts on view corridors, creation of shadows and transition considerations.
- 4) Setbacks. Setbacks shall be established for all structures abutting MIO district boundaries and public rights-of-way. The need for appropriate transition shall be a primary consideration in determining setbacks. In no case shall a setback from the boundary be less than required by the greater of the underlying zoning, or the zoning for property adjacent to or across a public right-of-way from the institution.

In order to achieve transition at boundaries or other scale, building modulation or view corridor objectives, setback standards for the upper portions of buildings may be appropriate.

- 5) Coverage. The percentage of site coverage by structures shall be specified on the basis of the entire campus or by designated sub-area. Coverage may exceed the site coverage permitted by the underlying zoning and the zoning for adjacent areas but should take into account overall density constraints and the needs for setbacks, landscaping and open space and/or view corridors to limit impacts on the campus and adjacent areas.
- 6) Density. The density of development shall be specified, by square feet or by a floor area ratio, on the basis of the entire campus or by designated sub-area. Densities may exceed that permitted by the underlying zoning and the zoning for adjacent areas but shall be considered in relation to impacts on vehicular and pedestrian circulation and the capacities of public facilities, public infrastructure and open space, and private neighborhood-serving services in surrounding areas.
- 7) Landscaping. Landscaping standards for required setbacks, open areas, public rights-of-way and surface parking areas shall meet or exceed the requirements for the underlying zoning classification. Trees shall be required along the sidewalks of all public streets.
- 8) Circulation and Parking. Primary access to grounds, facilities and parking shall be focused on arterial streets and shall be minimized on streets in residential areas. Primary service and loading access shall not be permitted on residential streets unless there is no other reasonable alternative.

Pedestrian circulation routes shall be provided to conveniently connect with public pedestrian rights-of-way within the campus and in surrounding areas. Where appropriate, pedestrian paths shall be provided through the campus to provide convenient access between neighborhoods.

Street vacations shall be evaluated according to the adopted Street Vacation Policies.

- 9) Open Space. Open space is desirable and shall be provided for the use of patients, students, visitors and employees. The amount and kinds of open space provided shall reflect the character of the district of the City where the major institution is located and consider the impacts on existing open spaces.

Open space shall not be required to be publicly accessible; however, open space and landscaping which is visually accessible from public areas shall be encouraged. To the extent open space is not provided to meet demands of the major institution, equitable contribution to nearby public open space may be required.

10)View Corridors. View corridors may be established and preserved for their importance as a public amenity and as a public safety feature.

Preservation of scenic views or views of landmarks shall have the highest priority for preservation. Views which are territorial or provide visual linkage with the surrounding areas, from or through the campus, are also important.

View corridors along existing public rights-of-way, or those proposed for vacation, may be preserved. Site planning should consider establishment of new view corridors where the potential exists. In some cases it may be appropriate to maintain view corridors through wide grade level openings in structures rather than a total separation of structures, open to the sky.

11)Historic Structures. The preservation, restoration and reuse of federal-, state- or City-designated historic buildings shall be encouraged and enhanced.

Any building designated by the City Landmarks Board shall comply with the requirements of the City of Seattle Landmark Preservation Ordinance. An environmental assessment shall be completed and review by the major institution's Advisory Committee shall be made prior to consideration of a certificate of approval for demolition of historic structures.

Permitted uses, density and other development standards for historic structures shall be subject to the provisions of the underlying zoning for landmark structures and the Landmark Preservation Ordinance.

12)Mitigating Measures. Actions to mitigate adverse impacts required by these policies or through environmental review shall be specified.

Development Under a Master Plan

The adopted master plan Development Standards component shall establish the zoning provisions applicable to all major institution uses within the MIO district. The provisions of both the Development Standards and Development Program components of the master plan

shall take precedence over the underlying zoning for major institution uses.

MUP applications for projects implementing the adopted master plan shall be subject to the environmental review requirements of SEPA.

The adopted master plan shall be referenced in the Land Use Code and copies shall be available from the Department of Construction and Land Use.

Policy 5: Rezones

A rezone shall be required to establish a Major Institution Overlay district or change an existing major institution boundary or height limit, except that a boundary adjustment caused by the acquisition, merger, or consolidation of two same-type major institutions with contiguous boundaries shall not constitute a rezone and shall not be subject to this policy.

To minimize the need for expansion into adjacent areas, Major Institution uses shall be concentrated within defined boundaries to: 1) minimize adverse impacts and 2) provide predictability for the major institution, the neighborhoods and the city.

The rezone procedure shall allow for establishment and changes to boundaries and height limits in an orderly, equitable and predictable fashion. Zoning changes shall be based upon the major institution policies and the corresponding land use policies of the underlying zoning.

Existing Overlay Designation Limitations

Rezones for expansion of Major Institution Overlay districts shall not be considered within the boundaries of Industrial land use classifications.

Rezones for expansion of Major Institution Overlay districts shall not be permitted when they would result in substantial adverse impact on useful housing stock.

New Overlay Designation Limitations

Rezoning for establishment of a new Major Institution Overlay district shall not be considered in Single Family or Industrial zoning classifications.

Boundaries and height limits shall be established for each new overlay district in accordance with provisions of this policy for rezone valuation. Height limits higher than those of the underlying zoning shall be available only through a master plan.

A master plan shall be required for each institution for which an overlay is established. The master plan shall be in conformance with Policy 4: Master Plan.

Rezone Evaluation

In considering rezones, the objective shall be to achieve a better relationship between residential or commercial uses and the major institution uses, and to reduce or eliminate major land use conflicts in the area. The rezone shall also be consistent with the rezone criteria in the Land Use Code.

Revocation of Major Institution Overlay District Designation

The Major Institution Overlay district designation, including height limits and master plan provisions when one has been adopted, shall be revoked for institutions which no longer conform with Policy 1: Definition. The applicable zoning provisions shall be the provisions of the existing underlying zoning classification. When an MIO district designation of an institution is to be revoked, the City may consider rezoning the institution campus.

Upon determination that an institution no longer meets the definition of major institution, the Director of DCLU shall forward to the City Council proposed legislation to revoke the major institution overlay district, including the master plan when one has been adopted, and amend the Official Land Use Map.

Policy 6: Transition Provisions

Major Institution Master Plans and other Major Institution development agreements adopted prior to these policies shall remain in effect under the conditions of adoption or until such time as they are amended or superseded under the provisions of these policies. Development program components of adopted master plans shall expire and, if the institution plans additional development, shall be renewed in accordance with Policy 4: Master Plan.

Where a specific expiration date is not established in a master plan, the expiration date shall be ten years from

March 26, 1990, the effective date of the Land Use Code regulations implementing these policies.

Non-contiguous areas of major institutions with adopted master plans shall be included in the Major Institution Overlay (MIO) designation until any major amendment or renewal of the master plan. A provision shall be included in the master plan major amendment or renewal to delete the non-contiguous areas from the overlay designation. This deletion of non-contiguous areas shall not be subject to Policy 5: Rezones. It shall be processed as a City-initiated amendment to the Official Land Use Map to implement new land use policies adopted by resolution, which is a Type V Council land use decision.

Applications may be made and permits issued for any individual development project which would not require an adopted master plan under these policies.

University of Washington

The Joint Statement of Goals and Policies of the City of Seattle and the University of Washington, as adopted by the Seattle City Council on May 23, 1977, and the University of Washington Board of Regents on May 13, 1977, and subsequently amended, shall continue to serve as an applicable policy and implementation guideline for the University of Washington until amended.

The Joint Statement was amended by the Agreement Between the City of Seattle and the University of Washington, May 2, 1983, which includes the requirement for a master plan. The master plan provisions and procedures for the University of Washington shall be in accordance with Section II, Master Plan and Cumulative Impacts, of the City-University Agreement. (Ord. 117929 § 4(part), 1995.)

23.12.130 Shorelines.

Goals and Policies

City of Seattle Shoreline Master Program

Shoreline uses or activities not specified in this document should be consistent with the intent and spirit of the Goals and Policies stated herein. In addition, Seattle owned or controlled shorelines outside the corporate limits should be managed consistent with the policies stated herein if not in conflict with the local regulations of the governmental unit having jurisdiction.

The goals and policies of the citizens of the City of Seattle are to:

A. SHORELINE USE

Goal:

1. Establish uses which result in long-term over short-term benefit.

a) Policy:

Permit only those uses or conditions which allow optional uses for future generations unless identified benefits clearly outweigh the physical, social and/or economic loss to future generations.

Goal:

2. Plan for and encourage the integration and location of compatible uses within segments of the shoreline.

a) Policy:

Define all appropriate uses and assure that all uses and developments are as compatible as possible with the site, the surrounding area and the environment.

b) Policy:

Provide site development performance standards and other appropriate criteria to developers indicating minimal acceptable standards to be achieved.

Goal:

3. Provide a management system which will plan for and permit all reasonable and appropriate use through a system of priorities.

a) Policy:

Competition between uses for shoreline does not generally occur at one moment, but over a period of time. Water dependent uses generally shall have priority. Preference will be given in the following order:

1st. Protection and enhancement of natural areas or systems—those identified as containing or having unique geological, ecological or biological significance. Including but not limited to:

- fish spawning, nursing, feeding areas (beach, marshland, submerged land)
- critical areas for migrating fish

- waterfowl and water associated birds nesting, feeding and nursery areas
- shellfish life-supporting areas
- upland mammal breeding, rearing and feeding areas
- immersed, submerged and floating plant areas
- upland plant growth areas (greenbelts, etc.)
- aquatic (non-fish and non-shellfish) organisms life supporting areas
- bluff and landslide areas
- beaches and tidelands—shoals and coves
- marshland and slough areas
- streams and ravines
- below low water submerged lands—canyons, cliffs, rock reefs, sand or mud flats, etc.

2nd. Water dependent uses—all uses that cannot exist in any other location and are dependent on the water by reason of the intrinsic nature of their operations. Including but not limited to:

- ferry and passenger terminals
- terminal and transfer facilities for marine commerce and industry
- marine construction, dismantling and repair
- marinas—boat and seaplane
- intakes and outfalls
- boat launch facilities
- shoreline recreation—including parks, bike and walking trails, beaches, etc.
- aquaculture
- on-site marine and limnological research and education
- floating home moorages
- any industries which receive or ship high-bulk materials by water
- fish processing plants
- dry dock storage
- floating homes¹

¹ It should be noted that floating homes are single family residences which are designated as a non-water related use. However, because of their historic role and legal recognition by the City, floating home moorages are designated as a water dependent use. Such designation does not imply support for increase of floating home moorages or any increase in the use of the shoreline and water area allowed for floating home moorages; therefore any such increase or change shall be given careful review in light of the requirements set forth in this policy.

3rd. Non-water dependent uses—those uses which do not need a waterfront location to operate though easements

or utility corridors for access to the water may be desired. Such as:

- multifamily residences
- hotels
- utility right-of-way
- rail lines and yards
- warehouses, staging and storage areas
- paper mills
- power plants
- sewage treatment plants
- petrochemical refineries
- steel mills
- streets and scenic roads
- office buildings
- restaurants

b) Policy:

Identify all existing inappropriate uses and formulate a relocation program using public funds when necessary and other incentives to accomplish the long term goal.

Goal:

4.Protect those areas of shoreline that are geologically dangerous or fragile, or biologically fragile.

a) Policy:

Identify those areas of shorelines that are geologically or biologically dangerous or fragile and regulate development to prevent damage to property or organism and the general public.

b) Policy:

Unless specifically permitted, the removal of any living aquatic organism from any waterfront or beach area is prohibited.

c) Policy:

Require that all development conform to all applicable federal, state and local law, relative to water, and air quality and noise and visual pollution.

d) Policy:

Prohibit the construction of any new facility which will substantially increase levels of air, noise, water or visual pollution.

Goal:

5.Locate all non-water dependent uses upland to optimize shoreline use and access.

a) Policy:

Plan for and encourage the relocation of those existing uses identified as being inappropriate.

B. ACCESS

Goal:

1.Provide for the optimum amount of public access—both physical and visual—to the shorelines of Seattle.

a) Policy:

Develop standards and criteria for public access on private property except single family residences and, if appropriate, offer development bonuses for such provision.

b) Policy:

Develop standards and criteria for private use of publicly owned or controlled shorelines.

c) Policy:

Provide linkages between shoreline public facilities via trails, paths, etc., to connect with terminal boating and other recreational facilities.

d) Policy:

Indicate by use of signs and graphics all publicly owned or controlled shoreline.

e) Policy:

Review the existing zoning code for impact on physical and visual access to and from the shorelines and modify as appropriate.

f) **Policy:**

Require public agencies such as the City, Port of Seattle, METRO, etc., to provide public access opportunities at new shorelines facilities and encourage these agencies to provide similar opportunities in existing facilities.

g) **Policy:**

Provide public transportation to appropriate locations, functionally convenient to the shoreline.

Goal:

2.Preserve and enhance views of the shoreline and water from upland areas where appropriate.

a) **Policy:**

Provide standards and criteria for view and visual access from upland and shoreline areas.

b) **Policy:**

Limit off premise signs and regulate other signs to enhance and protect views.

C. TRANSPORTATION

Goal:

1.Develop a transportation network that favors the least negative shoreline environmental impact while contributing to the functional and visual enhancement of the system.

a) **Policy:**

Encourage the transport of materials and cargo via modes having the least environmental impact.

b) **Policy:**

Encourage the maintenance and future development of inter-modal commuter ferry services from both intracity locations and regional activity centers and which are complementary to other public transportation systems.

c) **Policy:**

Coordinate all transportation planning to provide efficient use and transfer between modes while minimizing to the greatest extent possible the adverse environmental impacts of such facilities.

d) **Policy:**

Prohibit transportation facilities that substantially increase levels of air, noise and water pollution.

e) **Policy:**

Develop transportation facilities using a multi-modal concept, and which give priority to low-energy consumption modes.

Goal:

2.Relocate transportation elements that are functionally or aesthetically disruptive to the shoreline.

a) **Policy:**

Identify those transportation elements that could be relocated to other than shoreline locations and establish a relocation program to accomplish this objective.

b) **Policy:**

Plan for the upgrading and enhancement of those facilities now contributing to air, noise, water and visual pollution, to reduce those impacts.

D. CONSERVATION

Goal:

1.Preserve, protect and restore areas such as those necessary for the support of wild and aquatic life or those identified as having geological or biological significance.

a) **Policy:**

Identify those areas which are necessary for the support of wild and aquatic life and those having geological or biological significance and prohibit or severely restrict development in those areas.

b) **Policy:**

Require that all commercial, industrial or other high activity uses provide means for treating natural or artificial urban run-off to acceptable standards.

Identify and reserve areas of shoreline necessary for scientific use and study.

E. ECONOMIC DEVELOPMENT

c) Policy:

Prohibit any use or development which will significantly degrade air, land, submerged land or water quality.

Goal:

1. Provide for economic activity and development of water dependent uses by planning for the creation of new developments in areas now dedicated to such use.

d) Policy:

Identify those areas which have a potential for restoration to "natural" conditions, develop standards for the conditions in those areas, and provide incentives for achieving such standards.

a) Policy:

Concentrate the use of industrial and commercial shoreline uses by planning for the creation of new developments in areas now dedicated to such use.

e) Policy:

Inform the public about shoreline conservation practices.

b) Policy:

Develop standards and criteria for water-dependent, water-related and other economic activities and regulate their use accordingly.

Goal:

2. Insure that all future uses will preserve and protect the environmental systems, including wild and aquatic life.

c) Policy:

Identify and reserve appropriate land adjacent to deep water for uses that require such provision, such as industry or commerce.

a) Policy:

Provide design and construction standards for approved shoreline developments which will minimize adverse environmental impact.

d) Policy:

Facilitate the relocation of non-water dependent and prohibited industrial-commercial uses through the use of public entities.

b) Policy:

Identify methods by which public and private shoreline owners or community groups may encourage wild, aquatic and botanic life and require such methods when appropriate.

Goal:

2. Direct a multi-use concept of development, provided that the major use is water-dependent and which provides public access to the shoreline yet maintains the economic viability of the use.

Goal:

3. Insure continuing scientific study of Seattle shoreline ecosystems.

a) Policy:

Provide incentives for public amenities on private property.

a) Policy:

Support the study of the shoreline systems which will provide a continuously updated baseline against which to judge the impact of any action.

b) Policy:

F. RECREATION

Goal:

1.Manage publicly owned shorelines that are suitable for public recreation to optimize their potential.

a) Policy:

Locate only water-dependent or water related recreational facilities at shoreline locations.

b) Policy:

Provide for recreational boating facilities including terminals, moorage and service facilities on publicly owned land and encourage the provision of such facilities on private property, if the environmental impact is acceptable.

c) Policy:

Insure that any recreational use is consistent with the ability of the shoreline to support such use.

d) Policy:

Encourage public awareness of the existing and potential recreational uses of the shoreline.

Goal:

2.Increase the amount of shorelines dedicated to public recreation and open space.

a) Policy:

Increase publicly owned shorelines, giving priority to those areas which lack such facilities.

b) Policy:

Encourage other agencies to surplus unused property to provide additional recreational opportunities.

c) Policy:

Explore alternative means (other than acquisition) to provide public recreation at the shoreline and on the water.

Goal:

3. Identify, protect and reserve for public use and/or enjoyment those areas containing special shoreline qualities which cannot be easily duplicated.

a) Policy:

Inventory all existing shoreline for unique attributes (views, topography, vegetation, wildlife, etc.) and assign public acquisition priorities accordingly.

b) Policy:

Utilize submerged lands for underwater parks when feasible.

G. HISTORICAL/CULTURAL

Goal:

1. Identify, preserve, restore and protect those aspects, sites and areas of shoreline having historic or cultural significance.

a) Policy:

Provide an element to the Comprehensive Plan that identifies all aspects, sites and areas of shoreline having unique historical or cultural significance.

b) Policy:

Formulate a program of restoration, preservation and maintenance for the above and integrate this into the Capital Improvement Program and budget.

c) Policy:

Use the Landmark Ordinance to protect individual sites or aspects of those areas identified as being of historical significance.

H. RESTORATION AND ENHANCEMENT

Goal:

1. Restore those areas or conditions of shoreline now unsuitable for private or public use, consistent with economic and environmental goals.

a) **Policy:**

Provide a program for shoreline restoration and beautification.

Goal:

2. Upgrade and/or beautify the public shoreline.

a) **Policy:**

Program funds for restoration and/or beautification as part of the Capital Improvement Program shoreline element.

b) **Policy:**

Require that all shoreline planned unit development projects be subject to appropriate urban design review.

I. **PROCESS**

Goal:

1. Provide adequate funding and a process to periodically update the inventory, goals, policies and regulations to respond to changing attitudes and conditions.

a) **Policy:**

Provide for annual review and report by staff to the Mayor to assess the performance of and the need for change in the Master Program.

Goal:

2. Provide a system for shoreline permit processing that is fast and decisive, eliminates unnecessary duplication of effort and jurisdiction, yet assures complete coordination and review.

a) **Policy:**

Develop new administrative procedure which will help the applicant, the City and other interested parties reach a quick and accurate assessment of a proposed development.

b) **Policy:**

Work toward 1-stop permit system both within the City government and between appropriate federal, state and local agencies.

c) **Policy:**

Review of referred related permits (e.g. Corps of Engineer Permits) shall be considered using the criteria set forth herein.

Goal:

3. Emphasize shoreline planning.

a) **Policy:**

Provide a shoreline element to the Seattle Comprehensive Plan.

b) **Policy:**

Provide a section to the Capital Improvement Program which will indicate projects contemplated for the shoreline such as the following:

1. Street and development
2. Park acquisition and improvement
3. Pedestrian and bicycle trail development
4. Park and recreation drive development
5. Sewer and water projects
6. Power undergrounding

Implementation Guideline A1: The Management System for Appropriate Uses

The management system referred to in Resolution 25173 shall consist of the Area Objectives for the diverse areas of Seattle's shorelines, the purposes of the shoreline environments, the shoreline environment designations and the use regulations and development standards of the Seattle Shoreline Master Program. The area objectives, the selection of shoreline environments, and the purposes of the shoreline environments (Guidelines A2, A4, and A6) work together as a basis for determining the appropriate designation for an area and in establishing the use provisions and development standards for an area.

Implementation Guideline A2: Area Objectives for Seattle's Shorelines

The Seattle Shoreline Master Program shall recognize the unique opportunities in different areas of our shorelines to accommodate different types of water-dependent businesses and shoreline recreation and to protect and enhance natural areas and views of the water. It is the intent of the Area Objectives to indicate which Goals and policies are to be met on each specific section of shoreline.

A. SHORELINES OF STATEWIDE SIGNIFICANCE

Area Objectives for shorelines of Statewide Significance as classified in WAC 173-16-030(13) shall include the general guidelines for Shorelines of Statewide Significance as given in RCW 90.58.020. RCW 90.58.020 states:

...local governments, in developing master programs for shorelines of statewide significance shall give preference to uses in the following order of preference which:

- (1) Recognize and protect the statewide interest over local interest;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long-term over short-term benefit;
- (4) Protect the resources and ecology of shorelines;
- (5) Increase public access to publicly owned areas of the shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;
- (7) Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

Specific Area Objectives for Seattle's Shorelines of Statewide Significance are given below pursuant to the authority for other elements as set forth in RCW 90.58.020(7) quoted above. Those elements listed in RCW 90.58.100 form the basis of the Shoreline Goals and Policies.

Puget Sound (Residential/Recreational Areas)

(The Puget Sound area includes all of the shorelines on Puget Sound within the City limits, except the Shilshole area, Elliott Bay, the Harborfront and the Duwamish Waterways.)

- Protect the fragile ecology of the natural beaches and fish migration routes.
- Encourage and enhance shoreline recreational activities, particularly in developed parks.
- Provide for quality public access to the shoreline.
- Preserve and enhance views of the water.
- Protect areas developed for residential use in a manner consistent with the Single Family and multi-family Residential Area Policies.

Elliott Bay

(The Elliott Bay area is all shoreline area from 24th Avenue West to SW Atlantic Street, except the Harborfront, Harbor Island and the Duwamish Waterways.)

- Reserve waterfront lots for major port terminals, large water-dependent and water-related manufacturing and industrial facilities and major water-dependent recreational developments.
- Choose shoreline environments that are appropriate for recreational and industrial uses based on water depth, amount of dry land, topography and truck and rail access.
- Protect and enhance migratory fish routes and feeding areas.

Harborfront (Central Waterfront)

(The Harborfront area is the shoreline area from Bay Street on the north to S. Jackson Street on the south.)

- Encourage economically viable marine uses to meet the needs of waterborne commerce.
- Facilitate the revitalization of downtown's waterfront.
- Provide opportunities for public access and recreational enjoyment of the shoreline.
- Preserve and enhance elements of historic and cultural significance.
- Preserve views of Elliott Bay and the land forms beyond.

The Duwamish

(The Duwamish area is the Duwamish river from the south city limits north to South Massachusetts on the east side of the southwest Bronson Street on the west side, including Harbor Island and the East and West Duwamish Waterways.)

- Preserve the statewide interest by encouraging industrial and port uses in this area where such uses are already concentrated while also protecting migratory fish routes.
- Protect Kellogg Island as an important natural resource for fish and wildlife habitat and the opportunity for the public to view those resources.
- Work with appropriate government agencies and shoreline users to reduce the input of pollutants, restore contaminated areas and regulate disposal of dredge spoils.
- Increase public access and recreational opportunities through a Duwamish Public Access Plan.

The Shilshole Area
 (The Shilshole area is the shoreline area from Northwest 80th Street on the north, to the Chittenden Locks.)

- Retain the strong water-dependent recreational character of the area. Water-dependent recreational uses and their supporting services are the preferred uses for this area.
- Permit nonwater-dependent commercial uses when providing access to the water, protecting views and not usurping land usable for future water-dependent recreational uses.
- On waterfront lots new residential uses may be permitted when adjacent to existing residences. Protect the fish migration routes.

Lake Washington
 (The Lake Washington area is the shoreline area on Lake Washington from the north to south city limits, including Union Bay, to the Montlake Bridge.)

- Preserve the resources of natural areas and fish migration, feeding areas and spawning areas.
- Provide quality public access to the shoreline by encouraging and enhancing shoreline recreational activities, particularly in developed parks.
- Preserve and enhance views of the water.
- Protect developed residential and commercial areas in a manner consistent with adopted land use policies.

Union Bay

- Protect areas which have a fragile natural environment.
- Provide opportunities for the public to enjoy the natural environment.

B. OTHER SHORELINE AREAS

Area Objectives for those areas of Seattle's Shorelines which are not Shorelines of Statewide Significance areas follows:

The Ship Canal
 (The Ship Canal area includes the Lake Washington Ship Canal from the Chittenden Locks to the Fremont Bridge.)

- Retain and encourage the important role that the Ship Canal plays in state, regional and local fisheries by reserving the Ship Canal primarily for water-dependent and water-related uses. Nonwater-dependent uses shall be restricted, prohibited or allowed only on a limited basis by the selection of shoreline environments which favor water-dependent uses.

- The development of non-water dependent commercial, institutional and manufacturing uses on those areas of the Fremont Cut which do not have water access shall be encouraged.

Lake Union and Portage Bay
 (The Lake Union area is all of the Lake Union from the Fremont Bridge to the Montlake Bridge and the Portage Bay area is all of Portage Bay, from the I-5 Bridge to the Montlake Bridge.)

- Maintain and encourage a diversity of uses around Lake Union and Portage Bay by designating different areas of the shoreline with different shoreline environments.
- Retain the working character of Lake Union by reserving those areas of the lake's shorelines which are suitable for water-dependent uses for the use of marine businesses. Prohibit new residential uses on industrial shorelines.
- Allow a greater mix of uses, including nonwater-dependent uses providing public access, in those areas which are not being preserved for water-dependent uses.
- Preserve the existing floating home community.
- Provide a maximum amount of public access in locations which do not conflict with water-dependent manufacturing uses.
- All environments in Lake Union and Portage Bay shall provide for some open water and protect views of the Lake and Bay. Restore and enhance the Lake's natural environment.

Green Lake
 (The Green Lake area is the area bounded by North 80th Street on the North, North 55th Street on the South, Aurora Avenue on the west and the I-5 freeway on the east.)

- Encourage and enhance the shoreline recreational activities and opportunities in the area as a unique urban park.
- Explore restoration options for improving water quality, reducing algae and other plant growth and enhancing sports fishing.

Implementation Guideline A3: Shoreline Uses

A. In the shoreline district, uses shall be preferred in the following order:

1. On waterfront lots:
 - a. Protection and Enhancement. Uses which provide for the protection and enhancement of natural areas or systems.

- b. Water-dependent uses. Uses which are dependent on the water by the intrinsic nature of their operation.
 - c. Water-related uses. Uses which are not intrinsically dependent on a waterfront location but whose operation cannot occur economically without use of the water adjacent to the site.
 - d. Nonwater-dependent uses with regulated public access. Uses which are neither water-dependent nor water-related because they do not use the water, although a waterfront location may increase their profitability. Such uses provide a public benefit because they provide an opportunity for substantial numbers of the people to enjoy the shorelines of the City.
 - e. Nonwater-dependent uses without regulated public access.
2. On upland lots:
- a. Uses shall be preferred which complement uses on adjacent waterfront lots.
- B. The preference for natural areas shall be accomplished by prohibiting uses which would disrupt natural areas or by providing enhancement of such areas where necessary.
- C. The preference for water-dependent and water-related uses shall be accomplished by prohibiting and/or restricting nonwater-dependent uses on waterfront lots in those environments whose purposes are to encourage water-dependent and water-related uses.
- D. Preference shall be given to public access in those environments whose purposes are to provide public access by permitting nonwater-dependent uses and requiring those nonwater-dependent uses to provide public access.
- E. The determination that a shoreline area is suitable for a particular water-dependent use shall be made by comparing the area's physical characteristics and existing land use patterns to the locational requirements of water-dependent uses.

Implementation Guideline A4: Selection of Shoreline Environment Designations

The environmental designation to be given a specific location is to be made by comparing the existing development pattern, the biophysical characteristics and the Objectives of the location to the locational criteria and purposes of the different environments in order to make the best match between the shoreline environment and a specific area and to most closely meet the intent of the Shoreline Management Act. However, no single location shall be expected to meet all the criteria. When designating Shorelines of Statewide Significance the environment

shall be selected to best carry out the preferences of RCW 90.58.020.

In comparing shoreline environments to Area Objectives, it shall be recognized that not all lands within an area need have the same shoreline environment. Rather, the intent of the Area Objectives shall be met for the area as a whole. The priority shall be given first to protection of natural areas, second to encouragement of water-dependent and water-related uses, third to the establishment of public access and lastly to the establishment of nonwater-dependent uses.

To give priority to water-dependent uses, areas whose physical and developmental characteristics are particularly suited to meet the needs of water-dependent uses shall be designated with shoreline environments which would reserve those locations for those water-dependent uses. Such areas should be so designated in recognition of the adaptability of marine business and to protect existing uses from displacement by nonwater-dependent uses.

Implementation Guideline A5: Criteria for Shoreline Environment Redesignations (Rezones)

To ensure that changes in shoreline environment designations made after the adoption of the official Land Use Maps are consistent with the intent and purpose of the shoreline Goals and Policies, the requested redesignation shall be evaluated against the following criteria:

- A. **The Shoreline Management Act** The proposed redesignation shall be consistent with the intent and purpose of the Shoreline Management Act (RCW 90.58) and with Department of Ecology Guidelines (WAC 173-16).
- B. **Shorelines of Statewide significance** If the area is within a shoreline of statewide significance the redesignation shall be consistent with the preferences for shorelines of statewide significance as given in RCW 90.58.010.
- C. **Area objectives** In order to ensure that the intent of the Seattle Shoreline Master program is met the proposed redesignation shall be consistent with the Area Objectives of the Shoreline Area in which the proposed redesignation is located.
- D. **Match between established locational criteria and parcel characteristics** The characteristics of the parcel proposed to be redesignated shall closely match locational criteria for the proposed shoreline environment. No single location shall be expected to meet all of the locational criteria. In all cases the priority shall be given first to protection of natural areas, second to encouragement of water dependent and water-related uses, third to the establishment of public access, and

lastly to the establishment of nonwater-dependent uses.

E. Harbor areas If the area proposed for a shoreline designation change is within or adjacent to a harbor area, the impact of the redesignation on the purpose and intent of harbor areas as given in Article IV of the State Constitution shall be considered.

F. Impact evaluation The decision on a proposed redesignation shall consider the possible positive and negative impacts on the area proposed for redesignation and its surroundings. Factors to be examined include, but are not limited to the effects on water and air quality, terrestrial and aquatic flora and fauna, views, public access and recreation, historic resources, energy conservation, noise transportation and navigation, parking, housing, public services and land use.

G. Land use history and precedential effect Previous and potential zoning and shoreline designation changes both in and around the parcel proposed for redesignation shall be examined.

H. Consistency with underlying zoning The proposed redesignation shall be consistent with the appropriate land use policies for the area unless overriding shoreline considerations exist.

I. Changed circumstances Changed circumstances since adoption of the land use map establishing the boundaries of the shoreline environments need not be shown to justify a proposed redesignation. Changed circumstance in and around the area, however, is an important factor to be considered along with the factors listed in A through H above. Evidence of changed circumstance may include but need not be limited to changes in structure height and scale, intensity and type of development (but not including changes permitted in adjacent major institutions), uses, land and waterborne traffic and transportation patterns and capacities, population characteristics, technology, locational requirements for water-dependent and water-related uses, availability of land, environmental impacts and long-term economic or market conditions.

Implementation Guideline A6: The Purposes of the Shoreline Environment Proposed Shoreline Environments are:

ENVIRONMENT	DESIGNATION
Conservancy Navigation	CN
Conservancy Preservation	CP
Conservancy Recreations	CR
Conservancy Management	CM
Conservancy Waterway	CW
Urban Residential	UR
Urban Stable	US
Urban Harborfront	UH
Urban Maritime	UM
Urban General	UG
Urban Industrial	UI

CONSERVANCY NAVIGATION (CN) ENVIRONMENT

The purpose of the CN Environment is to preserve open water for navigation.

Uses:

Development in such areas shall be limited to that which does not interfere with navigation. Bridges, utility lines and similar facilities may be permitted on submerged land.

Locational Criteria:

Submerged lands used as a fairway for vessel navigation.

CONSERVANCY PRESERVATION (CP) ENVIRONMENT

The purpose of the CP Environment is to preserve, protect, restore, or enhance certain areas which are particularly biologically or geologically fragile and to encourage the enjoyment of those areas by the public. Protection of such areas is in the public interest.

Uses:

Only developments which will preserve, enhance, or restore the existing natural geological, biological or hydrological conditions or which are necessary to permit public enjoyment of those areas or to protect those areas from over use will be permitted. Recreational activities such as fishing and boating which do not physically alter the natural environment may be permitted.

Locational Criteria:

Dry or submerged lands owned by a public agency and possessing particularly fragile biological, geological or other natural resources which warrant preservation or restoration.

CONSERVANCY RECREATION (CR)

ENVIRONMENT

The purpose of the CR shoreline environment is to protect areas for environmentally related purposes, such as public and private parks, aquaculture areas, residential piers, underwater recreational sites, fishing grounds, and migratory fish routes. While the natural environment is not maintained in a pure state, the activities to be carried on provide minimal adverse impact. The intent of the CR environment is to use the natural ecological system for production of food, for recreation, and to provide access by the public for recreational use of the shorelines. Maximum effort to preserve, enhance or restore the existing natural ecological, biological, or hydrological conditions shall be made in designing, developing, operating and maintaining recreational facilities.

Uses:

Only developments having no more than minimal adverse effect on surrounding natural and built environments shall be permitted.

Locational Criteria:

1. Dry or submerged lands generally owned by a public agency and developed as a park, where the shoreline possesses biological, geological or other natural resources that can be maintained by limiting development.
2. Residentially zoned submerged lands in private or public ownership located adjacent to dry lands designated Urban Residential where the shoreline possesses biological, geological or other natural resources that can be maintained by limiting development.

CONSERVANCY MANAGEMENT (CM) ENVIRONMENT

The purpose of the CM shoreline environment is to conserve and manage areas for public purposes, recreational activities and fish migration routes. While the natural environment need not be maintained in a pure state, developments shall be designed to minimize adverse impacts to natural beaches, migratory fish routes and the surrounding community.

Uses:

Preferred uses shall be public shoreline recreation uses and water-dependent commercial uses which provide recreational opportunities or provide a public service. Nonwater-dependent commercial uses shall be permitted only on a limited basis as a complement to major recreational facilities.

Locational Criteria:

1. Dry or submerged land in sensitive areas generally owned by a public agency, developed with a major public facility, including navigation locks, sewage

treatment plants, ferry terminals and public and private parks containing active recreation areas.

2. Waterfront lots containing natural beaches or a natural resource such as fish migration routes or fish feeding areas which require management but which are compatible with recreational development.

CONSERVANCY WATERWAY (CW) ENVIRONMENT

The purpose of the CW Environment is to preserve the waterways for navigation and commerce, including public access to and from water areas. Since the waterways are public ways for water transport, they are designated CW to provide navigational access to adjacent properties, access to and from land for the loading and unloading of watercraft and temporary moorage.

Uses:

Public access and open space uses are the primary uses. Water-dependent commercial uses on floating structures meeting requirements of the development standards may be permitted where consistent with adjacent uses.

Locational Criteria:

Waterways on Lake Union and Portage Bay.

URBAN RESIDENTIAL (UR) ENVIRONMENT

The purpose of the UR environment is to protect residential areas in a manner consistent with the Single Family and Multi-Family Residential Area Policies.

Uses:

Residential uses are the preferred uses in the UR Environment. The type of residential development appropriate for the area shall be as designated by the underlying residential zone classification with modifications by the shoreline regulations to protect views and provide public access. New floating home moorages shall be permitted in UR environments in Portage Bay and Lake Union. Some relaxation of development standards shall be provided to facilitate establishment of "safe harbor" for evicted floating homes.

Locational Criteria:

1. Areas where the underlying zoning is Single Family or Multifamily residential.
2. Areas where the predominant development is Single Family or Multifamily residential.
3. Areas where steep slopes, shallow water, poor wave protection, poor vehicular access or limited water access make water-dependent uses impractical.

4. Areas with sufficient dry land lot area to allow for residential development totally on dry land.

URBAN STABLE (US) ENVIRONMENT

The purpose of the US environment is to:

- A. Provide opportunities for substantial numbers of people to enjoy the shorelines by encouraging water-dependent recreational uses and by permitting nonwater dependent commercial uses if they provide substantial public access and other public benefits;
- B. Preserve and enhance views of the water from adjacent streets and upland residential areas; and
- C. Support water-dependent uses by providing services such as marine-related retail and moorage.

Uses:

Preferred uses are recreationally oriented, water-dependent commercial uses such as marinas, boat rentals, tour boat facilities and moorage of historic vessels open to the public. Nonwater-dependent commercial shall be permitted if providing public access and/or facilities for preferred uses. Marine retail sales and services shall be permitted outright. On waterfront lots on dry land new ground level residential uses shall be prohibited except in the Seaview Area. Residences above the ground level on the dry land portions of waterfront lots shall require conditional use approval. New floating home moorages shall be permitted as conditional uses in Lake Union and Portage Bay. On a limited basis floating home moorages shall be permitted outright for evicted floating homes in order to provide "safe harbor." Some relaxation of development standards shall be provided to facilitate the establishment of moorage for evicted floating homes.

Locational Criteria:

- 1. Areas where the underlying zoning is Commercial or Manufacturing.
- 2. Areas with small amounts of dry land between the shoreline and the first parallel street, with steep slopes, limited truck and rail access or other features making the area unsuitable for water-dependent or water-related industrial uses.
- 3. Areas with large amounts of submerged land in relation to dry land and sufficient wave protection for water-dependent recreation.
- 4. Areas where the predominant land use is water-dependent recreational or nonwater-dependent commercial.

URBAN HARBORFRONT (UH) ENVIRONMENT

The purpose of the UH Environment is to encourage economically viable water-dependent uses to meet the needs of waterborne commerce, facilitate the revitalization of Downtown's waterfront, provide opportunities for

public access and recreational enjoyment of the shoreline, preserve and enhance elements of historic and cultural significance and preserve views of Elliott Bay and the land forms beyond.

Uses:

Water-dependent and water-related uses shall be the primary uses in the Urban Harborfront. Moorage shall be required on all sites. Principal uses permitted over water and on waterfront lots shall include public shoreline recreational uses; water-dependent and water-related commercial, light manufacturing, open sales and storage other than cargo containers; and nonwater-dependent uses such as retail and commercial offices. Offices, except for those accessory to water-dependent uses, shall be allowed only above street level. Existing hotels shall be permitted.

Residential uses, new hotels, cargo terminals for containers, principal use parking, adult motion picture theaters and panorams, heavy manufacturing, new public utility plants and private yacht clubs shall be prohibited. These uses are not compatible with the mix of activity proposed for the waterfront.

Locational Criteria:

- 1. Areas where the underlying zoning is a Downtown zone.
- 2. Areas in or adjacent to a State Harbor Area.
- 3. Areas where the water area is developed with finger piers and transit sheds.

URBAN MARITIME (UM) ENVIRONMENT

The purpose of the UM environment is to preserve areas for the use of water-dependent and water-related uses while still providing some views of the water from adjacent streets and upland residential areas. Public access shall be second in priority to water-dependent uses unless provided on street ends, parks or other public lands.

Uses:

Water-dependent and water-related industrial, manufacturing and commercial uses are the preferred uses in the UM environment. To preserve areas for these preferred uses, nonwater-dependent uses shall be allowed only as conditional uses in conjunction with water-dependent and water-related uses and shall be limited in size. Residential uses shall be prohibited in the UM Environment.

Locational Criteria:

1. Areas where the underlying zoning is industrial or Commercial 2.
2. Areas with sufficient dry land for industrial uses but generally in smaller parcels than in UI environments.
3. Areas developed predominantly with water-dependent manufacturing or commercial uses or a combination of manufacturing-commercial and recreational water-dependent uses.
4. Areas with concentrations of state waterways for use by commerce and navigation.
5. Areas near, but not necessarily adjacent to residential or neighborhood-commercial zones which require preservation of views and protection from the impacts of heavy industrialization.

URBAN GENERAL (UG) ENVIRONMENT

The purpose of the UG environment is to provide for economic use of commercial and manufacturing areas which are not suited for full use by water-dependent businesses. Public access or viewing areas shall be provided by nonwater-dependent uses where feasible.

Uses:

Nonwater-dependent commercial, manufacturing and industrial uses shall be permitted outright. Water-dependent and water-related uses are permitted and encouraged in the UG environment but are not required. In keeping with the industrial nature of UG shorelines, new residences shall be prohibited.

Locational Criteria:

1. Areas with little or no water access, which makes the development of water-dependent uses impractical; and
2. Areas where the underlying zoning is Commercial 2, Manufacturing, or Industrial; or
3. Areas developed with nonwater-dependent manufacturing, warehouses, or offices.

URBAN INDUSTRIAL (UI) ENVIRONMENT

The purpose of the Urban Industrial environment is to provide for efficient use of industrial shorelines by major cargo facilities and other water-dependent and water-related industrial uses. Views shall be secondary to industrial development and public access shall be provided mainly on public lands or in conformance with an area-wide Public Access Plan.

Uses:

In keeping with the industrial nature of UI areas, industrial and manufacturing uses which are water-dependent and water-related are the preferred uses. Commercial uses which are water-dependent or water-related and nonwater-dependent warehousing, manufacturing and research and development uses shall also be permitted. Nonwater-dependent commercial uses may be permitted with restrictions on location and size to encourage joint use with water-dependent uses. New residences shall otherwise be prohibited.

Locational Criteria:

1. Areas where the underlying zoning is Industrial.
2. Areas with large amounts of level dry land in large parcels suitable for industrial use.
3. Areas with good rail and track access.
4. Areas adjacent to or part of major industrial centers which provide support services for water-dependent and other industry.
5. Areas where predominant uses are manufacturing warehousing, major port cargo facilities or other similar uses.

Implementation Guideline A7: Floating Homes

The Seattle Shoreline Program shall seek to preserve the existing floating home community in recognition of its historic role in Lake Union and Portage Bay while protecting natural areas, preserving public access to the shoreline and preventing the displacement of water-dependent commercial and manufacturing uses by floating homes. Areas with substantial concentrations of existing floating homes shall be given a designation which preserves residential uses. New floating home moorages shall be permitted outright in the UR environment and as conditional uses in the US Environment in Lake Union and Portage Bay. New or expanded floating home moorages for evicted floating homes shall be permitted outright on a limited basis in the US Environment in Lake Union and Portage Bay in order to provide "safe harbor." Some relaxation of development standards shall be provided to facilitate the establishment of moorage for evicted floating homes in both the UR and US Environments.

Implementation Guideline A8: Submerged Land

Submerged lands shall be preserved for water-dependent uses. Nonwater-dependent uses may be permitted over water only in those limited instances where insufficient dry land exists for development and where nonwater-dependent uses are consistent with the Area Objectives and Shoreline designation.

Implementation Guideline A9: Dry Land

In locations having large amounts of level dry land the development of water-dependent manufacturing and the

provision of backup land for other water-dependent uses shall be preferred. Nonwater dependent manufacturing, warehousing and research and development areas may be permitted. The location of nonwater-dependent non-manufacturing uses on lots in industrial areas with large amounts of dry land shall be discouraged.

Implementation Guideline B1: Public Access Opportunities

Opportunities for substantial numbers of people to enjoy the shorelines shall be increased by permitting nonwater-dependent uses providing public access to locate in waterfront areas less suited for water-dependent uses and by requiring public access on public property.

Implementation Guideline B2: Public Access Standard

Public access standards shall promote enjoyment of public access opportunities by requiring a physical improvement on a designated portion of the waterfront lot designed for users to feel safe, comfortable and welcome.

Implementation Guideline B3: Alternative Access

Where appropriate, the choice of providing required access on site or contributing to development elsewhere as part of a coordinated public access plan approved by the City, may be allowed.

Implementation Guideline B4: Access on Street Ends

Since they are readily identifiable as public land, street ends are a valuable resource for public use and access. Public or private use or development of street ends shall be designed to enhance rather than reduce public access.

Implementation Guideline B5: Signs

The placement of business signs shall not be permitted to impair views from public streets or viewpoints.

Implementation Guideline B6: Height

The 35-foot height limit of the Shoreline Management Act shall be the standard for maximum height in the Seattle Shoreline District. Exceptions in the development standards of a shoreline environment may be made consistent with the Act and with the underlying zoning where:

- (1) a greater height will not obstruct views of a substantial number of residences and the public interest will be served; and

- (2) greater height is necessary for bridges or the operational needs of water dependent or water-related uses or manufacturing uses; or

- (3) a reduced height is warranted because of the underlying residential zone; or

- (4) a reduced height is warranted because public views or the views of a substantial number of residences could be blocked.

Implementation Guideline C1: Design and Location of Transportation Facilities

The design and location of transportation facilities, including streets, highways, railroads, and public transit shall be accomplished with the least environmental impact, with the least disruption and usurpation of land usable for water-dependent uses, and with the least disruption to physical and visual access to the water.

Implementation Guideline C2: Streets and Railroads Parallel to the Shoreline

When streets, highways, freeways and railroads are constructed parallel to the shoreline, they shall be located as far inland as possible in order to maximize the area of waterfront lots and minimize the area of upland lots.

Implementation Guideline C3: Location of Streets and Railroads in the Shoreline District

Streets, highways, freeways and railroads not needed for access to shoreline lots shall not be constructed in the Shoreline District.

Implementation Guideline C4: Recapture of Street and Railroad Rights-of-Way

Where alternate traffic routes exist, street and railroad rights-of-way should be redeveloped for public access and/or permitted uses, with public access. Nonwater-dependent uses shall be discouraged. Public access shall be the preferred use for recaptured right-of-way. Public rights-of-way may be used or developed for uses other than public access, provided that such uses are determined by the city to be in the public interest and that public access of substantial quality and at least comparable to the right-of-way is provided.

Public access provided in connection with the development or use of street or railroad right-of-way shall not be used to fulfill or reduce other Shoreline Program public access requirements. Public access may, however, be consolidated. Access shall be provided on site, unless located off-site in accordance with an adopted public access plan.

Implementation Guideline C5: Waterways Vacation Policy

Waterways in Lake Union and Portage Bay are for public navigation access and commerce and, in general, the City shall not request that the designation be removed from Waterways. The City may request that waterways be vacated only when the City reclaims the area as street right-of-way or for public park purposes. The City may request that the dry land portion of a waterway be redesignated for the additional purpose of providing permanent public access improvements.

Implementation Guideline D1: Protection of the Natural Environment

The Seattle Shoreline Master Program shall protect the natural environment through use and development standards governing shoreline activities including best management practices.

Implementation Guideline D2: Water Quality

Industrial and commercial uses which use or process substances potentially harmful to public health and/or aquatic life shall provide means to prevent, to the extent possible, point and non-point discharge of the harmful substances.

Implementation Guideline D3: Dredging

Dredging shall be permitted only for water-dependent and water-related uses or to enhance and restore the natural environment. Dredging and disposal of dredge materials shall be conducted in a manner that minimizes short and long-term environmental damage.

Implementation Guideline D4: Landfill

Landfill on dry land shall be permitted where necessary for a permitted use. Landfill on submerged land which does not create dry land shall be permitted where necessary for a water-dependent or water-related use, for the installation of a bridge or utility line or for wildlife or fisheries habitat mitigation or enhancement.

Landfill which creates dry land shall be permitted only where necessary for the operation of a water-dependent or water-related use, to repair pocket erosion, or for wildlife habitat mitigation or enhancement. Large amounts of dry land may be created in Lake Union only if specifically approved by the Council for a public park purpose. If the landfill is outside of Lake Union and Portage Bay, large amounts of dry land may be created only if no reasonable alternative exists and a public benefit can be shown.

The use of dredge materials not meeting Department of Ecology criteria for open water disposal as fill material

may be permitted only where the applicant can show no potential harm to human health or aquatic life from leaching of contaminants into adjacent surface or ground waters.

Implementation Guideline D5: Special Habitat Areas

Areas identified as special wildlife or fisheries habitat should be developed only if no reasonable alternative locations exist and then only if the project is designed to minimize and mitigate habitat damage.

Implementation Guideline E1: Encouragement of Water-Dependent Uses

Use regulations and development standards of the Shoreline Program shall facilitate and encourage the development of water-dependent uses.

Implementation Guideline E2: Development Standards

In those environments whose purposes are to encourage water-dependent uses, development standards shall give priority to the operating requirements of the water-dependent and water-related uses over preservation of views where irreconcilable conflicts exist and the public interest will be served.

Implementation Guideline E3: Designation of Submerged Lands

To permit efficient use of shoreline land the designation given to waterfront dry land shall be extended to the Outer Harbor Line, Construction Limit Line, or federal channel line on Lake Union, on Portage Bay, in industrially zoned areas and in the Urban Harborfront area. On Puget Sound, Lake Washington and Green Lake submerged lands shall be designated to preserve them for public or recreational purposes. Natural or environmentally sensitive areas may be given a special designation so as to protect the natural environment regardless of location.

Implementation Guideline E4: Harbor Lines and Construction Limit Lines

Where the efficient operation of water-dependent and water-related uses requires outward movement of the outer harbor lines, construction limit lines or other navigational boundary and where movement of that line will further the policies of the Shoreline Program, be in the public interest and not substantially interfere with navigation or impact a fragile environment, the City may consider suggesting the movement of that line to the appropriate agencies.

Implementation Guideline E5: Waterways in Lake Union and Portage Bay Uses in Waterways

The Seattle Shoreline Program shall recognize, consistent with state and local protections of waterways, that the primary purpose of waterways is to facilitate navigation and commerce by providing navigational access to adjacent properties, access to the land for the loading and unloading of watercraft, and temporary moorage. The program shall recognize also the importance of waterways in providing public access from dry land to the water. Appropriate water-dependent commercial uses may be permitted in a waterway where such use of the waterway is important to the encouragement of water-dependent industry or commerce. Nonwater-dependent uses may be located on historic ships under limited circumstances.

Uses permitted in waterways shall be compatible with uses permitted on adjacent properties.

Development in Waterways To ensure that waterways remain “free to all citizens upon equal term” for navigation and commerce uses no permanent or fixed structures shall be constructed in the submerged portions of waterways. Temporary floating structures may be permitted.

Implementation Guideline E6: Water-Related Industry

Development standards shall promote the efficient use of our industrial shorelines by encouraging new water-related industries to design barge loading facilities for potential joint use with other water-related or water-dependent uses. Nonwater-dependent manufacturing uses shall be designed to allow for future conversion to water-related manufacturing by setting plant facilities back from the water’s edge and providing accessways from streets to the water.

Implementation Guideline E7: Upland Lots

The development of support industries and services on upland lots shall be encouraged by permitting a wider range of uses and more flexible development standards than waterfront lots and avoiding potential incompatibility with water-dependent uses on waterfront lots.

Implementation Guideline E8: Objectives for Water-Dependent Business

The Seattle Shoreline Program shall allow the fulfillment of City-wide objectives for different types of water-dependent businesses and industries. Objectives are:

- A) Cargo Handling Facilities.
 1. Reserve space in deep water areas with adequate backup space to permit the Port of Seattle and other marine industries to remain competitive with other ports.
 2. Work with the Port of Seattle to develop a long-range harbor plan in order to provide predictability for property owners and private industry in the Duwamish and Elliott Bay.
 - B) Tug and Barge Facilities. Retain Seattle’s role as the Gateway to Alaska and maintain space for Puget Sound and Pacific trade.
 - C) Shipbuilding, Boatbuilding, and Repairs. Maintain a critical mass of facilities in Seattle in order to meet the needs of the diverse fleets which visit or have a home port in Seattle, including fishing, transport, recreation and military vessels.
 - D) Moorage. Meet the long-term and transient needs of all of Seattle’s ships and boats including fishing, transport, recreation and military. Locate long-term moorage in sheltered areas, close to services, and short-term moorages in more open areas. Support the efficient use of Fishermen’s Terminal, the Shilshole Marina and other public moorage facilities.
- Reduce the displacement of commercial moorage by recreational moorage by encouraging the full use of submerged lands for recreational moorage in areas less suited for commercial moorage.
- Require large recreational marinas to provide some commercial transient moorage as part of their facilities.
- E) Recreational Boating. Maintain Seattle’s unofficial Status as a “boating capital.” Allow a variety of boating facilities from launching ramps for small “car top” boats to major marinas.
- Provide long-term recreational moorage for residents and sufficient short-term moorage close to cultural and recreational centers for visitors.
- F) Passenger Terminals. Maintain and expand the opportunity for residents and visitors for convenient travel by ship to local and distant ports. Encourage more passenger-only ferries and cruise ships on the Central Waterfront.

G)Fishing Industry. Maintain a critical mass of support services including boat building and repair, moorages, fish processors, and supply houses to permit Seattle fishermen to continue to service and have a home-port for their vessels in Seattle waters. Recognize the importance of the local fishing industry in supplying local markets and restaurants. Recognize the economic contribution of distant water fisheries to Seattle's maritime and general economy.

Implementation Guideline F1: Opportunities for Shoreline Recreation

The Seattle Shoreline Master Program shall allow for increased opportunity for the public to enjoy water-dependent recreation including boating, fishing, swimming, diving and enjoyment of views.

Implementation Guideline F2: Location of Recreational Facilities

Areas having natural beaches, large amounts of submerged land for moorage or sheltered waters and the absence of heavy ship traffic and incompatible heavy industry, shall be designated as suited for water-dependent recreation. (Ord. 117929 § 4(part), 1995.)

23.12.140Pike/Pine.

Within the boundaries of the area shown on Exhibit 23.12.140 A, the policy "Enhance the area's pedestrian character" from the 1991 Pike/Pine Planning Study shall be considered as provided in SMC Section 23.12.025. (Ord. 117929 § 4(part), 1995.)

23.12.150Northgate Overlay District.

Within the boundaries shown on 23.71.004 Map A, the following policies and implementation guidelines from the Northgate Area Comprehensive Plan (1993) shall be considered as provided in SMC Section 23.12.025:

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
Policy 5:	Implementation Guideline 4.4:	Create a new Midrise zone with an eighty-five foot (85') height limit
Policy 6:	Implementation Guideline 5.1:	Setbacks and bulk provisions for lots abutting zone edges
Policy 7:	Implementation Guideline 6.2:	Transportation Management Association
Policy 8:	Implementation Guideline 6.3:	Bicycle facilities
Policy 9:	Implementation Guideline 7.3:	Encourage transit access
	Implementation Guideline 8.1:	Pedestrian circulation system
	Implementation Guideline 8.2:	Designate pedestrian streets
	Implementation Guideline 8.4:	Develop Green Streets
	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. 117929 § 4(part), 1995.)

**Seattle Municipal Code
August, 1996 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.**

**For current SMC, contact
the Office of the City Clerk**

CHAPTER 23.12 CONTAINS POLICY STATEMENTS ONLY, NOT REGULATIONS

(Seattle 3-96)