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Ordinance No. 105936

AN ORDINANCE relating to land use and zoning; amending Section 24.92 of the Zoning Ordinance (86300), repealing Section 24.921, 24.922, 24.923, 24.924, and 24.925 added thereto by Ordinance 104068, and in lieu thereof adding new sections designated Sections 24.921, 24.922, 24.923, 24.924, 24.925, 24.926, 24.927, 24.928 and 24.929 providing revised development guidelines for the International Special Review District.

10/20 - Pass

COMPTROLLER
FILE NUMBER 283184

Council Bill No. 97817

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|-------------------------------------|--------------------------------|
| INTRODUCED: OCT 18 1976 | BY: KRAABEL |
| REFERRED: OCT 18 1976 | TO: PLANNING & URBAN DEV. |
| REFERRED: | |
| REFERRED: | |
| REPORTED: OCT 25 1976 | SECOND READING: OCT 25 1976 |
| THIRD READING: OCT 25 1976 | SIGNED: OCT 25 1976 |
| PRESENTED TO MAYOR: OCT 25 1976 | APPROVED: OCT 29 1976 |
| RETD. TO CITY CLERK: OCT 29 1976 | PUBLISHED: |
| VETOED BY MAYOR: | VETO PUBLISHED: |
| PASSED OVER VETO: | VETO SUSTAINED: |

Unanimous Vote
YES 00 NO 0

COUNCIL

4:30

LAW DEPARTMENT

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ORDINANCE 105936

AN ORDINANCE relating to land use and zoning; amending Section 24.92 of the Zoning Ordinance (86300), repealing Section 24.921, 24.922, 24.923, 24.924, and 24.925 added thereto by Ordinance 104068, and in lieu thereof adding new sections designated Sections 24.921, 24.922, 24.923, 24.924, 24.925, 24.926, 24.927, 24.928 and 24.929 providing revised development guidelines for the International Special Review District.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 24.92 of the Zoning Ordinance (86300), as last amended by Ordinance 104234, is further amended to read as follows:

AMENDED-ORD.
106734

Section 24.92. INTERNATIONAL SPECIAL REVIEW DISTRICT
That to ameliorate the adverse impact which the location and operation of the King County domed stadium is expected to have upon the cultural, ethnic and commercial values of the International District, and to protect said area and its periphery from the proliferation of vehicular parking and other automobile-oriented uses at the expense of viable pedestrian uses and structures, displacing people; to encourage the use of transportation modes other than the private automobile; to exercise a reasonable degree of control over site development and the location of off-street parking and other automobile-oriented uses in said areas; to promote, preserve, and perpetuate the cultural, economic, historical and otherwise beneficial qualities of the said area, particularly the features derived from its Asian heritage; to encourage the use of street level spaces for pedestrian-oriented retail specialty shops with colorful and interesting displays; to re-establish the International District as a stable residential neighborhood with a variety of housing facilities; to encourage employment for area residents; to improve

1 visual and urban design relationships between existing and
2 future buildings, parking garages, open spaces, and public
3 improvements within the International District; and to
4 achieve the purposes stated in Section 24.81, there is
5 hereby established the International Special Review District
6 in the following described area:

7 Beginning at the intersection of Airport Way and 4th
8 Avenue South, then north to Yesler Way, then east to
9 the Central Freeway, then southeast along the right-of-
10 way of the Central Freeway and its ramps to South
11 Jackson Street, then east to 12th Avenue South, then
12 south to South Dearborn Street, then west to the Central
13 Freeway, then south to South Charles Street, then west
14 to Airport Way, then northwest to 4th Avenue South, the
15 point of beginning.

16 the boundaries of which are illustrated on the official zoning
17 map and designated Exhibit "A" on maps designated Exhibit
18 "D.1 through D.9", which Exhibits are attached to and made a
19 part of this ordinance. All property within said International
20 Special Review District shall be developed and used only in
21 accordance with development guidelines established for said
22 district in accordance with Section 24.83 and shall be
23 subject to the specific development guidelines set forth in
24 Sections 24.922 through 24.929.

25 The five elected members of the special review board
26 shall be composed of two members who are businessmen, property
27 owners, or their employees; two members who are either
28 residents, which shall include tenants, or persons with a
recognized and demonstrated interest in the welfare of the
International District Community; and one member at large.
One member of the Pioneer Square Special Review Board shall
serve as a non-voting member appointed by the Pioneer Square
Special Review Board to serve at that board's pleasure.

Section 2. That in lieu of Sections 24.921, 24.922,
24.923, 24.924 and 24.925 of the Zoning Ordinance (86300),

1 and added thereto by Ordinance 104068, and which Sections
2 are hereby repealed, said Zoning Ordinance is amended by
3 adding thereto new sections designated Sections 24.921
4 through 24.929 to read as follows:

5 Section 24.921. DEFINITIONS. The following words and
6 terms when used in Sections 24.922 through 24.929 of this
7 Ordinance, unless a different meaning clearly appears from
8 the context, shall mean as follows:

9 (1) "Accessory parking" means parking associated with
10 or necessitated by a use on a regular basis such as for
11 customers and/or employees and provided on the same premises
12 or within eight hundred (800) feet thereof.

13 (2) "Customer Parking" means short term parking for a
14 period of two hours or less.

15 (3) "Message area" means a blocked off area of a sign
16 enclosing letters and/or symbols, a backlit portion of a
17 sign, or a portion of a sign which is of a different color
18 than the facade on which such sign is located.

19 (4) "Pedestrian-oriented use" means a use which is by
20 function or design primarily oriented to serve individuals
21 who arrive on the premises by foot rather than those who
22 arrive on the premises by automobile. Pedestrian oriented uses
23 are typically sidewalk oriented, highly visible from the
24 sidewalk and have major entrances abutting the street lot line.
25 Such uses include but are not limited to small neighborhood
26 groceries, drug stores, shoe repair shops, cleaning establish-
27 ments, floral shops, beauty shops, barber shops, hardware
28 stores, men's and women's apparel shops, banks, and savings
institutions.

1 (5) "Reserved parking" means long-term parking by
2 individuals who contract to park their cars at a specific
3 stall on a weekly or longer basis.

4 (6) "Sign" means any medium which is used or intended
5 to be used to attract attention to the subject matter for
6 advertising, identification or informational purposes.

7 (7) "Vehicular oriented use" means a non-residential
8 use which functions to serve users, customers, or patrons
9 eighty percent (80%) or more of whom arrive at the premises
10 by automobile and park on the premises or in an accessory
11 parking lot. Vehicular oriented uses include but are not
12 limited to motels, motor hotels, gas stations, car washes,
13 commercial garages, automobile supply centers, short-order
14 type restaurants, drive-in restaurants, drive-in banks and
15 drive-in cleaners.

16 Section 24.922. INTERNATIONAL SPECIAL REVIEW DISTRICT
17 DEVELOPMENT GUIDELINES - PROHIBITED PRINCIPAL USES.

18 1. Vehicular oriented uses.

19 a. Uses which are by design or function vehicular-
20 oriented, including but not limited to motor hotels, motels,
21 non-accessory parking lots, automobile storage and sales,
22 and drive-in businesses, shall be prohibited in that portion
23 of the special review district lying east of 5th Avenue
24 South, north of South Lane, South of Yesler Way and west of
25 the Central Freeway, as illustrated on Exhibit D.1 hereto.
26 Non-accessory parking lots shall be permitted as specified
27 in subsection 1(c) below.

28 b. All of the uses listed in subsection 1(a)
above, except motor hotels and motels, shall also be prohibited
in that portion of the special review district which is
bounded by 5th Avenue South, South Lane Street, the Central

1 Freeway, and South Dearborn Street.

2 c. Non-accessory parking lots in existence when
3 the special review district was established shall comply
4 with the provisions of this section and all other development
5 guidelines for the special review district within three
6 years from the date the district was established or applicable
7 development guidelines were adopted, whichever is later,
8 except that the following guidelines shall be applicable
9 three months after the effective date of this amendatory
10 ordinance:

11 (i) Reserved non-accessory parking shall be permitted
12 only in accordance with the regulations set forth in
13 Section 24.923 until January 1, 1981 on the blocks
14 north of South Washington Street, the northern half of
15 the block between 4th Avenue South and 5th Avenue South
16 and South Washington Street and South Main Street, and
17 the eastern half of the Central Freeway right-of-way
18 between South Jackson Street and South King Street, all
19 as illustrated on Exhibit D.2 hereto.

20 (ii) Short-term, joint-use customer parking shall be
21 permitted only in accordance with the regulations set
22 forth in Section 24.923 until January 1, 1981 north of
23 a line midblock between South Main Street and South
24 Jackson Street between the alley east of Sixth Avenue
25 South and the Central Freeway; on the western half of
26 that portion of the Central Freeway lying between South
27 Jackson Street on the north and South King Street on
28 the south; on the half block between South Weller
Street and South Lane Street between the alley east of
6th Avenue South on the west and Maynard Avenue South

1 on the east; and on the block between South Weller
2 Street on the north and South Lane Street on the south
3 between 7th Avenue South on the west and 8th Avenue
4 South on the east, all as illustrated on Exhibit D.2
5 hereto.

6 d. The street level of parking garages or structures
7 shall be devoted to pedestrian-oriented uses permitted in
8 the zone other than parking. However, in areas where abutting
9 streets exceed a slope of eight (8) percent this requirement
10 may be waived by the Director with the advice of the Special
11 Review Board. In addition, parking garages or structures
12 shall also be regulated as to ingress and egress and view-
13 obscuring screening by the Director with the advice of the
14 Special Review Board, subject to appeal to the Hearing
15 Examiner as provided in Section 24.86.

16 e. Accessory parking shall not be required within
17 that portion of the district bounded on the west by 4th
18 Avenue South between Yesler Way and South Jackson Street and
19 5th Avenue South between South Jackson Street and South Lane
20 Street, Yesler Way on the north, the Central Freeway on the
21 east, and South Lane Street on the south as illustrated on
22 Exhibit D.2 hereto.

23 f. No new advertising signs shall be erected
24 within the International Review District.

25 2. Other Prohibited Principal Uses

26 a. Community Business Zone (BC)
27 Experimental or testing laboratories, taxidermy shops,
28 frozen food lockers, retail ice dispensaries, and mortuaries
shall be prohibited in the BC zone. In addition, non-
visible, non-pedestrian oriented uses such as private clubs,
associations, lounges, dwellings, and warehouses shall not

1 be permitted in the BC zone when at street level unless the
2 use is approved in accord with the criteria of Section
3 24.925 (Criteria for Approval of Permitted Uses) and Section
4 24.926 (Exterior Building Finishes), or the use is set back
5 at least fifty (50) feet from the street lot line; provided,
6 that a five (5) foot corridor shall be permitted connecting
7 such use to the street lot line.

8 b. Metropolitan Commercial Zone (CM)

9 (1) Frozen food lockers, retail ice dispensaries,
10 plant nurseries, taxidermy shops, and upholstery establishments
11 shall be prohibited in all parts of the CM zone. In addition,
12 non-visible, non-pedestrian oriented uses such as private
13 clubs, associations, lounges, dwellings, and warehouses
14 shall not be permitted in the CM zone when at street level
15 unless the use is approved in accord with the criteria of
16 Section 24.925 (Criteria for Approval of Permitted Uses) and
17 Section 24.926 (Exterior Building Finishes), or the use is
18 set back at least fifty (50) feet from the street lot line;
19 provided, that a five (5) foot corridor shall be permitted
20 connecting such use to the street lot line.

21 (2) Dyeing plants or rug cleaning plants,
22 warehouse or wholesale stores, wholesale storage and manufac-
23 turing uses above any street level floor space shall be
24 prohibited within that portion of the CM zone lying east of
25 a line midway between 5th Avenue South and 6th Avenue South.

26 c. General Commercial Zone (CG)

27 Trailer parks, contractor's yards, fuel
28 yards and drive-in theaters and uses prohibited in the BC
zone under paragraph 2(a) of this section shall be prohibited
within the CG zone.

1 d. Manufacturing Zone (M)

2 (1) Contractor's yards, fuel yards, drive-in
3 theaters, trailer parks, automobile assembly plants, metal
4 manufacturing plants, bleaching and dyeing plants, coal,
5 coke or wood yards, concrete products manufacture, crematories,
6 grain elevators, poultry slaughterhouses, refuse transfer
7 stations, stone cutting yards, wire or rod drawing, nut,
8 screw or bolt manufacturing, auto-wrecking or junk yards,
9 and other similar uses, and uses prohibited in the BC and CG
10 zones under paragraphs 2(a) and 2(c) of this section, shall
11 be prohibited within that portion of the M Zone west of the
12 Central Freeway.

13 Section 24.923. Special Restrictions.

14 (a) Off-street Parking

15 To protect the International District from
16 the anticipated disruptive impact of stadium patrons arriving
17 by private vehicles and to reserve accessory off-street
18 parking for the use of customers and/or employees of businesses
19 within the District, the following regulations shall be
20 applicable three months after the effective date of this
21 amendatory ordinance.

22 (1) When a parking lot abuts any street or alley right
23 of way used for purposes of entrance or exit, such
24 entrances and exits shall be improved with finishes of
25 a hard-surfaced permanent or semi-permanent nature
26 suitable for pedestrian and vehicular use, and no
27 entrance or exit shall be permitted except from or to a
28 street or alley improved in a like manner.

(2) The collection of parking fees paid in cash shall
not be permitted on or adjacent to a parking lot;
provided that subject to review and approval by the

1 Board, collection of such fees may be permitted in
2 connection with customer parking which is determined by
3 the Board to be consistent with an area wide plan and
4 non-stadium oriented.

5 (3) A sign complying with Section 24.927 (Business
6 Identification Signs) shall be required at each entrance.

7 (4) All non-accessory reserved parking permitted by
8 Section 24.922(1)(c)(i) shall comply with Section
9 23.41(a) through (e) of the Zoning Ordinance. Screening
10 consisting of shrubs, trees or fencing and which is not
11 less than 90% efficient to a height of three (3) feet
12 shall be provided so as to obscure parked vehicles from
13 view from any abutting public right of way, and a
14 landscaped strip of grass, hardy shrubs or evergreen
15 ground cover not less than three (3) feet in width
16 shall be provided between such screening and the street
17 lot line.

18 (b) Accessory Uses

19 1. In order to retain and enhance a pedestrian
20 character in the International Special Review District, to
21 encourage a well defined street edge with visual activity
22 abutting the street, and to reduce the visual impact of the
23 automobile on major streets, accessory parking at street
24 grade shall be prohibited within forty (40) feet of the
25 following public rights of way:

26 a. North-south Avenues

27 Along the west side of 5th Avenue South
28 between a line midway between South Washington Street and
South Main Street and South Jackson Street and along the
east side of 5th Avenue South between South Washington
Street and South Lane Street; along the west side of 6th

1 Avenue South between South Main Street and South Weller
2 Street and along the east side of 6th Avenue South between
3 South Main Street and South Lane Street; along the west side
4 of Maynard Avenue South between a line midblock between
5 South Main Street and South Jackson Street and South Weller
6 Street and along the east side of Maynard Avenue South
7 between a line midblock between South Main Street and South
8 Jackson Street and South Lane Street; along the west side of
9 7th Avenue South between a line midblock between South Main
10 Street and South Jackson Street and South Lane Street and
11 along the east side of 7th Avenue South between a line
12 midblock between South Main Street and South Jackson Street
13 and South Weller Street; along the west side of 8th Avenue
14 South between South Jackson Street and South Weller
15 Street and along the east side of 8th Avenue South between
16 South Jackson Street and South Lane Street.

16 b. East-West Streets

17 Along the north side of South Main street
18 between 4th Avenue South and 6th Avenue South and along the
19 south side of South Main Street between 5th Avenue South and
20 the alley east of 6th Avenue South; along the north and
21 south sides of South Jackson Street between 5th Avenue South
22 and the Central Freeway; along the north and south sides of
23 South King Street between 5th Avenue South and the Central
24 Freeway; and along the south side of South Weller Street
25 between 5th Avenue South and 7th Avenue South excluding,
26 however, the area between the alley east of 6th Avenue South
27 and Maynard Avenue South all as illustrated on Exhibit D.2
28 attached hereto.

(c) Screening of Certain Accessory Uses and
Outdoor Uses

1 All trash and garbage receptacles, parking lots, and
2 mechanical equipment such as air conditioners and power
3 transformers shall be screened in such a way as to not be
4 highly visible from any street or pedestrian right-of-way.
5 A minimum performance deposit or pledge in the amount of
6 Three Dollars (\$3.00) per linear foot of screening up to a
7 maximum amount of One Thousand Dollars (\$1,000) shall be
8 deposited with the City Treasurer for a period of five (5)
9 years or the life of the use whichever is shorter to insure
10 compliance with this provision. Said pledge or deposit
11 shall be forfeited if said requirements have not been
12 complied with within three (3) months after notice of
13 noncompliance and the proceeds shall be used by the Super-
intendent to effect compliance as needed.

14 AMENDED ORD.
106503

Section 24.924 Bulk Requirements

15 (a) Permitted Building Heights

16 In order to ensure that the heights of new buildings
17 are consistent with those of structures designated for
18 retention in the King Street business core area, to help
19 preserve the views from Kobe Terrace Park, and to ensure a
20 minimum sense of physical enclosure along the streets of the
21 District, the following maximum and minimum building heights,
22 as illustrated on Exhibit D.3 attached hereto, shall be
adhered to:

23 (1) Within that portion of the District lying
24 between Fourth Avenue South and Fifth Avenue South and
25 between South Main Street and South Jackson Street, buildings
26 shall not exceed one hundred and twenty (120) feet in height
27 or be less than twenty-four (24) feet in height.
28

1 (2) Within that portion of the District lying
2 between Fourth Avenue South and Fifth Avenue South and
3 between South Washington Street and South Jackson Street,
4 buildings shall not exceed one hundred and ten (110) feet in
5 height or be less than twenty-four (24) feet in height.

6 (3) Within that portion of the District lying
7 west of Fifth Avenue South and north of South Washington
8 Street, buildings shall not exceed one hundred (100) feet in
9 height or be less than twenty-four (24) feet in height.

10 (4) Within that portion of the District lying
11 between Fifth Avenue South on the west and the Central
12 Freeway on the east and between South Lane Street on the
13 north and South Dearborn Street on the south, and that
14 portion lying between Fourth Avenue South and Fifth Avenue
15 South south of South King Street, buildings shall not exceed
16 eighty-five (85) feet in height or be less than thirty-six
17 (36) feet in height.

18 (5) Within that portion of the District lying
19 between 5th Avenue South on the west, the Central Freeway on
20 the east, Yesler Way on the north and South Main Street on
21 the south, and within that portion of the District lying
22 between Maynard Avenue South on the west, the Central
23 Freeway on the east, South Main Street on the north, and a
24 line one hundred twenty feet south of South Main Street
25 on the south, building height and lot coverage shall be
26 controlled by the following criteria:

- 27 (i) Structures shall be constructed, designed
28 sited so as to minimize view blockage
from Kobe Terrace Park and from other
similarly scaled structures which are
used primarily for residential purposes.

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(ii) Structures shall be designed, sited and constructed so as ^{to} ensure reasonable sun exposure and air circulation to adjacent properties.

(iii) Structures shall be designed and sited in a manner aesthetically compatible with the area's steep topography and/or nearby public open spaces.

(6) Within the remaining portion of the District buildings shall not exceed sixty-five feet (65) in height or be less than twenty-four feet (24) in height.

Exceptions to the above criteria may be permitted within the CM zone for residential or mixed residential non-residential developments in which seventy (70) percent or more of the gross floor area is utilized for residential area, and in which density does not exceed one dwelling unit per each two hundred fifty (250) of lot area for regular units and one hundred fifty (150) square feet of lot area for low income elderly units having a net area of less than five hundred (500) feet.

(b) Permitted Lot Coverage

In order to ensure adequate open space in areas of higher density, within or near pedestrian frequented areas and/or residential living areas of the District, the following lot coverage restrictions as illustrated on Exhibit D.4 attached hereto shall be adhered to:

- (1) Within the M zone and CG zone one hundred (100) percent lot coverage shall be permitted.
- (2) Within the BC zone a maximum of seventy-five (75) percent lot coverage shall be permitted.

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(3) Within that portion of the District lying between 5th Avenue South on the west, the Central Freeway on the east, Yesler Way on the north, and South Main Street on the south, and with that portion of the District lying between Maynard Avenue South on the west, the Central Freeway on the east, South Main Street on the north and a line one hundred twenty feet south of South Main Street on the south, lot coverage shall be controlled as provided in Section 24.924(a) (5).

(4) Within the remaining portion of the District a maximum of seventy-five (75) percent lot coverage shall be permitted.

(c) Yards

In order to retain the continuity of the streetscape in the King Street - Jackson Street business core (hereby defined as that portion of the District bounded by a line midway between South Washington Street and South Main Street on the north, a line midway between South Weller Street and South King Street on the south, the Central Freeway on the east, and 4th Avenue South on the west) all structures in said area shall be located on a site so as to cover the full width of the site between abutting side properties and/or in the case of a corner lot, so as to cover the greatest width of the site between the two abutting side property lines perpendicular to each other. Open spaces abutting street property lines shall only be permitted if visually compatible with the surrounding streetscape.

AMENDED - OMB
106 503

Section 24.925 Criteria for Approval of Permitted Uses

1. Uses at Street Level.

In order to retain and strengthen the King Street business core as a pedestrian oriented retail shopping

1 district, new street level uses along the streets described
2 in subsection 1(b) of this section shall be approved in
3 accordance with the following criteria:

4 a. Type - Preference shall be given to pedestrian-
5 oriented retail shopping and service business uses which are
6 highly visible or where merchandise is prominently displayed
7 in a manner that contributes color and activity to the
8 streetscape, including but not limited to floral shops,
9 barbecue shops, Oriental crafts shops, groceries, bakeries,
10 coffee shops, sidewalk cafes, restaurants, travel agencies,
11 book stores, apparel shops and variety stores. Non-pedestrian
12 oriented businesses and other uses which are not typically
13 visible from the sidewalk, such as nonprofit community
14 service organizations, associations, clinics, drop-in centers
15 and museums open to the public may be permitted if said uses
16 occupy less than twenty-five (25) feet of street frontage
17 per use or one hundred forty-five (145) feet or less of
18 street frontage per use if a corner use, comply with the
19 requirements of Section 24.926 (Exterior Building Finishes),
20 and are consistent with the purpose of this Section.

21 b. Size and location.

22 (i) New street-level uses along the following
23 streets, shall not exceed fifty (50) feet of street frontage
24 per use when located within the interior portion of a block
25 or one hundred forty-five (145)^{feet}/of street frontage per use
26 when located on a corner: the north side of South King
27 Street between the alley east of 5th Avenue South and the
28 Central Freeway and the south side of South King Street
between 6th Avenue South and the Central Freeway; along the
east and west sides of Maynard Avenue South between South
Jackson Street and South Weller Street; along the east side

1 of 8th Avenue South between South Jackson Street and South
2 King Street; and along the north and south sides of South
3 Main Street between the alley east of 5th Avenue South and
4 the alley east of 6th Avenue South, all as illustrated on
5 Exhibit D.5 attached hereto.

6 (ii) New street-level uses along the following
7 streets shall not exceed 7,200 square feet of gross floor
8 area: the north and south sides of South Jackson Street
9 between 5th Avenue South and 7th Avenue South (excluding the
10 area covered in subsection (1)(b)(i) of this section on the
11 south side of South Jackson Street between the alleys east
12 and west of Maynard Avenue South); the north side of South
13 King Street between 5th Avenue South and the alley east of
14 5th Avenue South and the south side of South King Street
15 between 5th Avenue South and 6th Avenue South; the west and
16 east sides of 6th Avenue South between South Main Street and
17 South Weller Street (excluding areas covered in subsection
18 (1)(b)(i) of this section); and the west and east sides of
19 7th Avenue South between South Jackson Street and South
20 Weller Street (excluding areas near the intersection of 7th
21 Avenue South with South King Street covered in subsection
22 (1)(b)(i) of this section); all as illustrated on Exhibit
23 D.5 attached hereto.

24 2. Residential and Other Types Of Uses Above Street
25 Level

26 In order to encourage and facilitate the rehabilitation
27 and renovation of existing structures for housing or other
28 uses not permitted at street level, uses along the following
streets:

1 the north and south sides of South King Street between
2 Fifth Avenue South and the Central Freeway; along the
3 north and south sides of South Jackson Street between
4 Fifth Avenue South and Central Freeway; along the east
5 and west sides of Sixth Avenue South between South Main
6 Street and South Weller Street; along the east side of
7 Maynard Avenue South between South Lane Street and a
8 line midway between South Main Street and South Jackson
9 Street, and along the west side of Maynard Avenue South
10 between South Weller Street and a line midway between
11 South Main Street and South Jackson Street; along the
12 east and west sides of Seventh Avenue South between
13 South Weller Street and a line midway between South
14 Main Street and South Jackson Street; and along the
15 east and west sides of Eighth Avenue South between
16 South Jackson Street and South Weller Street

17 shall be permitted, as indicated on Exhibit D.6 attached
18 hereto in accordance with the following criteria:

19 (a) Type -- Preference shall be given to residential
20 uses and then to non-vehicular oriented commercial uses that
21 primarily serve the District community and are in operation
22 throughout the day, including but not limited to social
23 service clubs, and professional offices for architects,
24 interior designers, doctors, dentists, lawyers, and engineers.
25 Other uses may be permitted dependent upon alternatives
26 available, the impact of the proposed use and the compatibility
27 of the proposed use with surrounding uses and properties.

28 (b) Density -- Residential uses above street
level within existing structures shall have a density of no
greater than one dwelling per two hundred fifty (250) square
feet of lot area while residential uses within new structures
shall have a density of not greater than one dwelling unit
per three hundred (300) square feet of lot area and twenty-
five percent (25%) of the lot area shall be devoted to
usable open space; provided that structures for the low
income elderly, having a net area per unit of less than five
hundred (500) square feet, shall be permitted to have a
greater density but no more than one dwelling unit per one
hundred fifty (150) square feet of lot area.

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Section 24.926 Exterior Building Finishes

1. General Requirements.

In order to retain and enhance the visual order established throughout much of the district by existing older buildings which provide unique character and form to the district through their subtle detailing and quarter and half block coverage, new development, including exterior remodeling, should:

- a. respect the architectural and structural integrity of a building within which work is undertaken, through sympathetic use of colors, material and style.
- b. respect the appearance of the street facade as a whole by generally treating the design and appearance of individual street level bays and the facades of individual businesses as secondary to the overall design and appearance of a structure. [Individual identity should be expressed without sacrificing the visual integrity of a structure as a whole.]

2. Asian Design Character District

In order to strengthen and preserve the existing Asian architectural character within the district, tiled awnings, recessed balconies, heavy timber construction, and specified materials and colors, are encouraged. Business uses along the following North-South avenues and East-West streets shall comply with paragraphs (a), (b), (c) and (d) of this Subsection 2.:

NORTH-SOUTH AVENUES

Along the west side of 5th Avenue South between a

1 line midblock between South Washington Street and South
2 Main Street on the north and South Jackson Street on
3 the south, and along the east side of 5th Avenue South
4 between a line midblock between South Washington Street
5 and South Main Street on the north and a line midblock
6 between South Weller Street and South Lane Street on
7 the south; along the west and east sides of 6th Avenue
8 South between a line midblock between South Washington
9 and South Main Street on the north and a line midblock
10 between South Weller and South Lane Street on the
11 south; along the west and east sides of Maynard Avenue
12 South between a line midblock between South Main Street
13 and South Jackson on the north and Dearborn Street on
14 the South, along the west and east sides of 7th Avenue
15 South between a line midblock between South Main Street
16 and South Jackson Street on the north and a line midblock
17 between South Weller and South Lane Street on the
18 south; along the west side of 8th Avenue South between
19 South Jackson on the north and a line midblock between
20 South Weller Street and South Lane Street on the south;
21 along the east side of 8th Avenue South between South
22 Jackson Street on the north and South Weller Street on
23 the south; all as illustrated on Exhibit D.7 attached
24 hereto.

25 EAST-WEST STREETS

26 Along the north and south sides of South Main
27 Street between a line midblock between 4th Avenue South
28 and 5th Avenue South on the west and a line midblock
between 6th Avenue South and Maynard Avenue South on
the east; along the north side of South Jackson between
a line midway between 4th and 5th Avenues South on the

1 west and the Central Freeway on the east, and along the
2 south side of South Jackson between 5th Avenue South on
3 the west and the Central Freeway on the east; along the
4 north and south sides of South King Street between 5th
5 Avenue South on the west and the Central Freeway on the
6 east; along the north side of South Weller Street
7 between 5th Avenue South on the west and the Central
8 Freeway on the east, and along the south side of South
9 Weller Street between 5th Avenue South on the west and
10 8th Avenue South on the east; along the north and south
11 sides of South Lane Street between a line midblock
12 between 6th Avenue South and Maynard Avenue South on
13 the west and a line midblock between Maynard Avenue
14 South and 7th Avenue South on the east; all as illustrated
15 on Exhibit D.7 attached hereto.

15 (a) Materials -- Exterior building facades shall
16 generally be restricted to earthen materials such as brick,
17 concrete, and stucco, as well as wood. Anodized aluminum
18 and other materials may be permitted when approved. Brick
19 and concrete should not be painted unless approved for
20 compatibility with the surrounding area. Stucco when used,
21 should be in conjunction with another contrasting material
22 such as darkly stained wood. Decorative ceramic glazed roof
23 tiles are encouraged, as are tiled awnings and marquees when
24 appropriately integrated into the overall design.

24 (b) Colors -- White, yellow, orange, red, green
25 and blue colors shall be preferred, with pastel shades
26 generally not being permitted unless specifically recommended
27 by the Special Review Board.

27 (c) Surfaces -- Textured concrete, brick, and
28 wood surfaces are encouraged over nontextured surfaces as a

1 means of breaking up vertical surfaces. Recesses and voids
2 which effectively break up monotonous surface areas and
3 create visual relief are also encouraged. The design and
4 location of mechanical elements such as electrical conduit,
5 plumbing or air plenums visible from the street shall be
6 treated in an architectural manner.

7 In order that permitted street level uses retain high
8 visible linkage to the street, transparent surfaces shall
9 generally be provided equal to at least fifty percent (50%)
10 of the exposed street facade measured between the sidewalk
11 level and a height of ten (10) feet or the second floor
12 level, whichever is less. The average height of window
13 sills shall be no greater than three (3) feet above the
14 sidewalk. Exceptions allowing a reasonable decrease of the
15 percentage of required transparency may be permitted when:

- 16 (1) a design constraint, such as existing wainscoting
17 of a permanent nature exists and its removal or
18 alteration would detract from the structural or
19 architectural integrity of the building, or
20 (2) a hardship exists due to existing layout or other
21 physical constraint such as the placement of load
22 bearing walls or columns.

23 Whenever transparency requirements are reduced a high degree
24 of visual interest shall be achieved by wall murals, land-
25 scaping, colored awnings, display cases, or other approved
26 means appropriate to the setting.

27 (d) Awnings -- Continuous awnings of at least
28 fifty (50) feet in length are encouraged on buildings abutting
the east side of Maynard Avenue South between South Jackson
Street and South King Street, and on the south side of South
King Street between 6th Avenue South and 7th Avenue South in

1 order to create a strong edge opposite Hing Hay Park and to
2 focus attention on this area as the heart of the King Street
3 retail district. Individual businesses are encouraged to
4 share awnings as a means of increasing the visual continuity
5 of such businesses.

6 3. Exterior Building Finishes Outside the Asian Design
7 Character District

8 Outside the area described in Section 24.924(2) above,
9 earthen colors and masonry construction with non-metallic
10 surfaces are preferred. Concrete construction will also be
11 permitted when treated in a manner or incorporated into a
12 design that is visually interesting (without large monotonous
13 surface areas).

14 Section 24.927 Business Identification Signs

15 In order to ensure that the scale, shape and type of
16 signs within the District are consistent with the uses,
17 permitted and encouraged in the International Special Review
18 District and in keeping with the Asian character of much of
19 the District, the following sign controls shall govern and
20 non-conforming signs, with the exception of those which are
21 shown to be necessary to existing non-conforming uses shall
22 be removed within three (3) years after the effective date
23 of this amendatory ordinance; provided that such period
24 may be extended upon a showing that a longer period is
25 required for amortization of the cost of such sign; and
26 provided further that in no case shall a non-conforming
27 on-premise sign be allowed to remain for more than five (5)
28 years from the effective date of this amendatory ordinance.

1. Pedestrian-oriented On Premise Signs

Business uses along the following avenues and
streets:

NORTH-SOUTH AVENUES

1
2 Along the east and west sides of 6th Avenue South
3 between Yesler Way on the north and Dearborn Street on
4 the south; along the east and west sides of Maynard
5 Avenue South between South Main Street on the north and
6 Dearborn Street on the south; along the east and west
7 sides of 7th Avenue South between South Main Street on
8 the north and Dearborn Street on the south; and along
9 the east and west sides of 8th Avenue south between
10 South Jackson Street on the north and Dearborn Street
11 on the south as illustrated on Exhibit D.8 attached
12 hereto;

EAST-WEST STREETS

13 Along the south side of Yesler Way between 4th
14 Avenue South on the west and the Central Freeway on the
15 east; along the north and south sides of South Washington
16 Street between 4th Avenue South on the west and the
17 Central Freeway on the east; along the north and south
18 sides of South Main Street between 4th Avenue South on
19 the west and the Central Freeway on the east; and along
20 the north and south sides of South King Street, South
21 Weller Street, and South Lane Street between 5th Avenue
22 South on the west and the Central Freeway on the east
23 as illustrated on Exhibit D.8 attached hereto,
24 shall comply with the following specific guidelines:

25 (a) Message - Permitted signs shall be restricted
26 to those signs which identify the name of the establishment
27 and/or the primary business or service provided within it.
28 Advertising related to businesses or services not provided
on the premises or specific brands of products not manu-

1 factured on the site shall be prohibited; provided that an
2 exception may be granted for product name signs which are
3 incidental to other signs on the premises and the establishment
4 or use on the premises is the sole distributor of the product
5 in the District.

6 (b) Permitted Types-Non-projecting rectilinear
7 signs integrated into the facade shall be preferred over
8 other types of signs. Projecting, marquee, awning and
9 window signs shall be permitted when appropriate and compatible
10 with the immediate area. Flashing signs or signs that
11 otherwise appear to be in motion shall generally be prohibited
12 unless of a public service nature, such as those signs
13 indicating temperature or time of day. Banners and/or flags
14 bearing emblems, symbols or messages shall be permitted on
15 an interim basis and annually reviewed to ensure their
16 sightly appearance.

17 (c) Materials - Painted metal signs, wood signs,
18 neon lit signs and front lit signs shall be preferable to
19 bright back lit signs.

20 (d) Prohibited types - Free-standing signs (except
21 where permitted for parking lots), roof signs, off-premise
22 advertising signs, and product advertising signs of a permanent
23 nature, such as those made of metal or plastic, shall be
24 prohibited.

25 (e) Exposed Surface Area - The total exposed
26 surface area, visible from the building exterior, of all the
27 signs of a street level establishment or use, shall generally
28 not exceed one (1) square foot for each lineal foot of an
29 establishment's building frontage along the street lot line
up to a maximum of sixty (60) square feet per establishment;
provided that in the case of encouraged bi-lingual or multi-

1 lingual business identification signs of which forty percent
2 (40%) or more of the printed message area is in a non-
3 English language and/or written medium, or in the case of a
4 sign having an approved recognizable international symbol
5 equal to at least forty percent (40%) of the total message
6 area, the above ratio may be increased to two (2) square
7 feet for each lineal foot of an establishment's building
8 frontage along the street lot line not to exceed a maximum
of one hundred (100) square feet per establishment.

9 Each business, located on the second floor or
10 above, shall be permitted to have non-back-lit business
11 identification signs with a total message area of twelve
12 (12) square feet and in addition shall be permitted to have
13 one half (1/2) square foot of additional message area for
14 each foot of street frontage in excess of twenty-four (24)
15 feet up to a maximum of twenty-four (24) total square feet
16 of sign message area per establishment. Signs shall not be
17 placed at a height greater than the mean second story ceiling
level.

18 The total message area of signs at each accessory
19 parking lot shall not exceed one (1) square foot for each
20 parking space within the lot and at each nonaccessory parking
21 lot the total message area shall not exceed one-half (1/2)
22 square foot per parking space within the lot, provided that
23 the total message area of all the signs at any one parking
24 lot shall not exceed the maximum message area allowed other
types of street level businesses.

25 The maximum message area permitted all signs on a
26 business premise, including those on an accessory parking lot,
27 shall not be increased.

1 The maximum size for any one message area shall be
2 less than twenty-four (24) square feet for a single faced
3 sign and less than forty-eight (48) feet for a double faced
4 sign unless said limits are increased for such reasons as
5 the utilization of less total message area than permitted or
6 hardship by reason of location or topography (e.g., location
7 of business in such an area as the area north of South Main
8 Street on the area bounded by Sixth Avenue South and the
9 Central Freeway).

10 In calculating the size of a sign, the following criteria
11 shall govern:

- 12 (i) Non-illuminated signs having the same or similar
13 background color or material as the facade upon
14 which they are attached will be measured only as
15 to the actual area in letters or symbols. The
16 area in letters or symbols will be calculated by
17 squaring off the individual words, letters, or
18 symbols.
- 19 (ii) The illuminated portion of any sign, and/or signs
20 having a background of a substantially different
21 color than the facade upon which they are attached
22 will be measured as to the whole exposed surface
23 area of the sign.
- 24 (iii) Projecting signs when permitted will be measured
25 in the manner set forth above but with both faces
26 being counted. Such signs shall not project more
27 than four (4) feet from the building facade or
28 have a height of less than eight (8) feet above
the sidewalk.
- (f) Exceptions for Miscellaneous Signs
- (i) Signs which are hand painted, goldleafed or decaled

1 onto the glass area of a building facade will be
2 permitted outright when not exceeding an area of
3 four (4) square feet per establishment. Such
4 signs in excess of four (4) square feet shall be
5 reviewed with consideration as to their visual
6 interest and compatibility, and visual impact on
7 the surrounding area and shall be calculated
8 against the total permitted signable area. In
9 addition non-illuminated non-English character
10 symbolic signs painted on wood or other exterior
11 surface may be permitted outright when not exceeding
12 four (4) square feet per establishment.

12 (ii) Small directional signs such as those designating
13 the entrance to or exit from permitted accessory
14 parking areas will be permitted when not exceeding
15 a total area of three (3) square feet and located
16 at a height not greater than four (4) feet above
17 grade at such points of egress or ingress.

18 (iii) Parking lots shall be required to display a sign
19 not exceeding six (6) square feet in area and
20 preferably integrated with directional signs at
21 each entrance with the following appropriate
22 message:

23 (a) Customer Parking Lots - the sign shall read
24 as follows: "Customer Parking for (Principal
25 User or Users) Only. Other cars will be
26 impounded (location)." With the optional
27 addition of the name and address of the
28 principle user or users with letters not to
exceed one (1) inch in height and mention of
validation of parking if applicable;

1 (b) Long-Term Reserved Parking Lots - the sign
2 shall read as follows: "Reserved Parking
3 Under Contract. Other cars will be impounded
4 (location)." With the optional addition of
5 the name and telephone number of the owner
6 with letters not to exceed one (1) inch in
7 height.

8 (iv) Theatrical playbills for theatres or playhouses
9 which attract their patrons on the basis of transient
10 or changing subject matter shown or performed on
11 the premises shall be permitted a total illuminated
12 area of eighty (80) square feet where it can be
13 shown that the subject matter changes an average
14 of at least a dozen times a year. Display cases
15 will be permitted when restricted to changing
16 subject matter shown on the premises.

17 (v) Graphic type paintings may be permitted on the
18 building walls when not abutting a street lot line
19 nor used primarily for business or product identification
20 purposes, in compliance with the building facade
21 provisions of Section 24.926 and found to be
22 visually compatible with the surrounding area.

23 (2) Vehicular-oriented On-premise Signs - Business
24 uses along the following streets: .

25 Along the east and west sides of 4th Avenue South and
26 5th Avenue South between Yesler Way on the north and
27 South Airport Way on the south; along the north and
28 south sides of Yesler Way and South Jackson Street
between 4th Avenue South on the west and the Central
Freeway on the east; and along the north and south
sides of Dearborn Street, and along both sides of South

1 Airport Way, all as illustrated on Exhibit D.9 attached
2 hereto,

3 shall comply with the following guidelines:

4 (a) Message - The message requirements of Section
5 24.927-1(a) shall apply.

6 (b) Permitted types - Non-projecting rectilinear signs
7 integrated into the facade shall be preferred over other
8 types of signs. Projecting, free-standing, marquee, awning
9 and window signs shall only be permitted when appropriate
10 and compatible with the immediate area. In no case shall
11 free-standing signs be permitted to exceed a maximum height
12 of twenty-five (25) feet above grade. Flashing signs or
13 signs that otherwise appear to be in motion shall generally
14 be prohibited unless of a public service nature such as
15 those indicating temperature or time of day. Banners and/or
16 flags bearing emblems, symbols or messages, will be permitted
17 on an interim basis and annually reviewed to ensure their
18 sightly appearance.

19 (c) Prohibited Types - Roof signs, off-premise advertising
20 signs, wall signs, as well as miscellaneous product advertising
21 signs of a permanent nature such as those made out of metal
22 or plastic, shall be prohibited.

23 (d) Area - The total exposed surface area (visible
24 from the building exterior) of permitted signs of a street
25 level establishment, shall generally not exceed one and one-
26 half (1-1/2) square feet for each lineal foot of an establishment's
27 building frontage along the street lot line up to a maximum
28 of ninety (90) square feet per establishment; provided that
29 in the case of encouraged bi-lingual or multi-lingual signs
30 of which forty percent (40%) or more of the printed message
31 area is in a non-English language and/or written medium, or

1 in the case of a sign having an approved recognizable international
2 symbol equal to at least forty percent (40%) of the total
3 message area, the above ratio may be increased to two (2)
4 square feet for each linear foot of an establishment's
5 building frontage along the street lot line up to maximum of
6 one hundred and fifty (150) square feet per establishment.

7 Each business located on the second floor or above
8 shall be permitted to have non-back-lit business identification
9 signs with a total message area of eighteen (18) square feet
10 and in addition shall be permitted to have one and one half
11 (1-1/2) square feet of additional message area for each
12 foot of street frontage in excess of thirty-six (36) feet up
13 to a maximum of thirty-six (36) total square feet of message
14 area per business. Signs shall not be placed at a height
15 greater than the mean second story ceiling level.

16 The total message area of signs at each accessory and
17 non-accessory parking lot shall be controlled by the message
18 area requirements for parking lot signs in Section 24.927-1(e).

19 The maximum area for any one message area shall be less
20 than thirty-six (36) square feet for a single faced sign and
21 less than seventy-two (72) square feet for a double faced
22 sign unless otherwise approved, but in no case shall the
23 maximum message area earned by street facade or parking
24 spaces be exceeded.

25 In calculating the size of a sign the following criteria
26 shall govern;

- 27 (i) Non-illuminated signs having the same background
28 color or material as the facade upon which they
are attached will be measured only as to the
actual area in letters or symbols. The area in
letters or symbols will be calculated by squaring

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off the individual words, letters, or symbols.

(ii) Illuminated signs or signs having a background of a different material or color than the facade upon which they are attached will be calculated as to the whole exposed surface area of the sign.

(iii) Projecting signs will be measured in the manner set forth above but with both faces being counted. Such signs shall not project more than six (6) feet from the building facade or have a height of less than eight (8) feet above the sidewalk.

(e) Exceptions for Miscellaneous Signs

(i) Signs such as those which are hand painted, goldleafed or decaled onto the glass area of a building facade will be permitted outright without Board approval when not exceeding an area of four (4) square feet per business. Such signs in excess of four (4) square feet shall be reviewed with consideration given as to visual interest, and compatibility and visual impact on the surrounding area and shall be calculated against the total permitted signable area. In addition, non-illuminated symbolic signs painted on wood or other exterior surface may be permitted outright when not exceeding four (4) square feet.

(ii) Small directional signs such as those designating the entrance to or exit from permitted accessory parking areas will be permitted when not exceeding a total area of three (3) square feet and located at a height not greater than four (4) feet above grade at

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such points of egress or ingress.

(iii) Parking lots shall be required to display a sign not exceeding six (6) square feet in area and preferably integrated with directional signs at each entrance with the following appropriate message:

(a) Customer Parking Lots - the sign shall read as follows: "Customer Parking for (Principle User or Users) Only. Other cars will be impounded (location)."

With the optional addition of the principle user or users with letters not to exceed one (1) inch in height and mention of validation of parking if applicable;

(b) Long-Term Reserved Parking Lots - the sign shall read as follows: "Reserved Parking Under Contract. Other cars will be impounded (location)." With the optional addition of the name and telephone number of the owner with letters not to exceed one (1) inch in height.

(iv) Theatrical playbills for theatres or playhouses which attract their patrons solely on the basis of transient or changing subject matter shown or performed on the premises will be permitted a total illuminated display area of eighty (80) square feet where it can be shown that the subject matter changes an average of at least a dozen times a year. Playbill display cases will be permitted when restricted to changing subject matter shown on the

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premises.

(v) Graphics type wall paintings may be permitted on building walls when not abutting a street lot line nor used primarily for business or product identification purposes, in compliance with the building facade provisions of Section 24.926 and found to be visually compatible with the surrounding area.

(3) Advertising Signs - Advertising signs, which include off-premise business identification signs, shall be prohibited throughout the district.

Section 24.928. Restricted Building Demolition.

To discourage the unwarranted demolition of existing structures which contribute to the District's cultural and social image and which have some economic utility for uses other than those proposed after demolition, an Environmental Assessment shall be prepared and circulated prior to consideration of a Certificate of Approval. Among other factors, the economic, social and physical consequences and benefits of the requested demolition and any alternatives to demolition shall be assessed. Where the requested demolition would cause an adverse affect upon the District and reasonable alternatives to demolition exist, a Certificate of Approval should not generally be authorized.

Structures illustrated on Exhibit D.9 attached hereto are hereby designated as having a special potential for rehabilitation and/or architectural and/or urban design significance to the streetscape, and except where an imminent danger to human life exists, no Certificate of Approval shall be granted to demolish any of such structures until a

(To be used for all Ordinances except Emergency.)

Certificate of Approval has been issued for the proposed reuse of the property.

Section 24.929. Minimum Maintenance.

In order to accomplish the purposes of the International Special Review District all buildings within the District should be preserved against decay and deterioration caused by neglect or defective or inadequate weather protection.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25 day of October, 1976, and signed by me in open session in authentication of its passage this 25 day of October, 1976.

President of the City Council.

Approved by me this 29 day of October, 1976.

Mayor.

Filed by me this 29 day of October, 1976.

Attest: City Comptroller and City Clerk.

(SEAL)

Published

By Deputy Clerk.

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THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING - SEATTLE, WASHINGTON 98104
AREA CODE 206 TELEPHONE 425-2402

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October 5, 1976

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CLAIMS MANAGER

V. L. PORTER

Re: C.F. 283184

Honorable Paul Kraabel, Chairman
Planning and Urban Development Committee
City Council
The City of Seattle

Dear Sir:

Pursuant to your request by "City Council Transmittal" forwarding the recommendation of the Planning Commission for "amendment to Section 24.92 of the Zoning Code to modify development guidelines for the International Special Review District" (C.F. 283184), we have reviewed such recommendation and in accordance with oral discussions with Mr. Don Erickson of the Department of Community Development, we have prepared and forward herewith proposed legislation amending Section 24.92 of the Zoning Ordinance (86300), repealing Sections 24.921, 24.922, 24.923, 24.924 and 24.925 thereof, and adding new sections designated Sections 24.921 through 24.929 providing revised development guidelines for the International Special Review District.

With respect to your request that we consider, in reviewing such proposed legislation, "whether the provision prohibiting certain parking lots from operation on an hourly rate basis exceeds the City's police powers" we advise that in testing the validity of an exercise of the police power, the question addressed is whether the regulations have a reasonable and substantial relation to the accomplishment of some purpose fairly within the legitimate range or scope of the police power. Applicable general rules are stated in Lenci v. Seattle, 63 Wn.2d 664, 667, 672 as follows:

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". . . municipalities derive their authority to enact ordinances in furtherance of the public safety, morals, health, and welfare from Const. Art. 11, § 11, which provides:

"Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.'

"Of this constitutional grant of authority we, in Detamore v. Hindley, 83 Wash. 322, 326, 145 Pac. 462, have said:

"This is a direct delegation of the police power as ample within its limits as that possessed by the legislature itself. It requires no legislative sanction for its exercise so long as the subject-matter is local, and the regulation reasonable and consistent with the general laws. . . .'

"An ordinance to be void for unreasonableness must be clearly and plainly unreasonable. Seattle v. Hurst, 50 Wash. 424, 97 Pac. 454. The burden of establishing the invalidity of an ordinance rests heavily upon the party challenging its constitutionality. Letterman v. Tacoma, 53 Wn. (2d) 294, 333 P. (2d) 650. Every presumption will be in favor of constitutionality. Winkenwerder v. Yakima, 52 Wn. (2d) 617, 328 P. (2d) 873. And, if a state of facts justifying the ordinance can reasonably be conceived to exist, such facts must be presumed to exist and the ordinance passed in conformity therewith. Shea v. Olson, 185 Wash. 143, 53 P. (2d) 615, 111 A.L.R. 998. These rules are more than mere rules of judicial convenience. They mark the line of demarcation between legislative and judicial functions.

* * *

"Article I, § 12 of the state constitution and the fourteenth amendment to the Federal constitution, prohibiting special privileges and immunities and guaranteeing equal protection of the laws, require that class legislation must apply alike to all persons within a class, and reasonable ground must exist for making a distinction between those within, and those without, a designated class. Within the limits of these restrictive rules,

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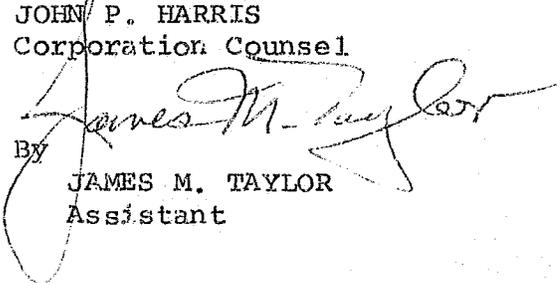
the legislature has a wide measure of discretion, and its determination, when expressed in statutory enactment, cannot be successfully attacked unless it is manifestly arbitrary, unreasonable, inequitable, and unjust. Faxe v. Grandview, 48 Wn. (2d) 342, 294 P. (2d) 402, Bauer v. State, 7 Wn. (2d) 476, 110 P. (2d) 154; State ex rel. Bacich v. Huse, 187 Wash. 75, 59 P. (2d) 1101; Northern Cedar Co. v. French, 131 Wash. 394, 230 Pac. 837. It is universally held that courts will not look too nicely into legislative acts to determine whether a reasonable distinction exists"

Within the context of such rules we advise that the question whether the proposed parking lot regulations have a reasonable and substantial relationship to the purposes for which the International Special Review District is established (Sec. 24.92 of the Zoning Ordinance), is primarily a question of fact to be determined in the first instance by the City's legislative authority.

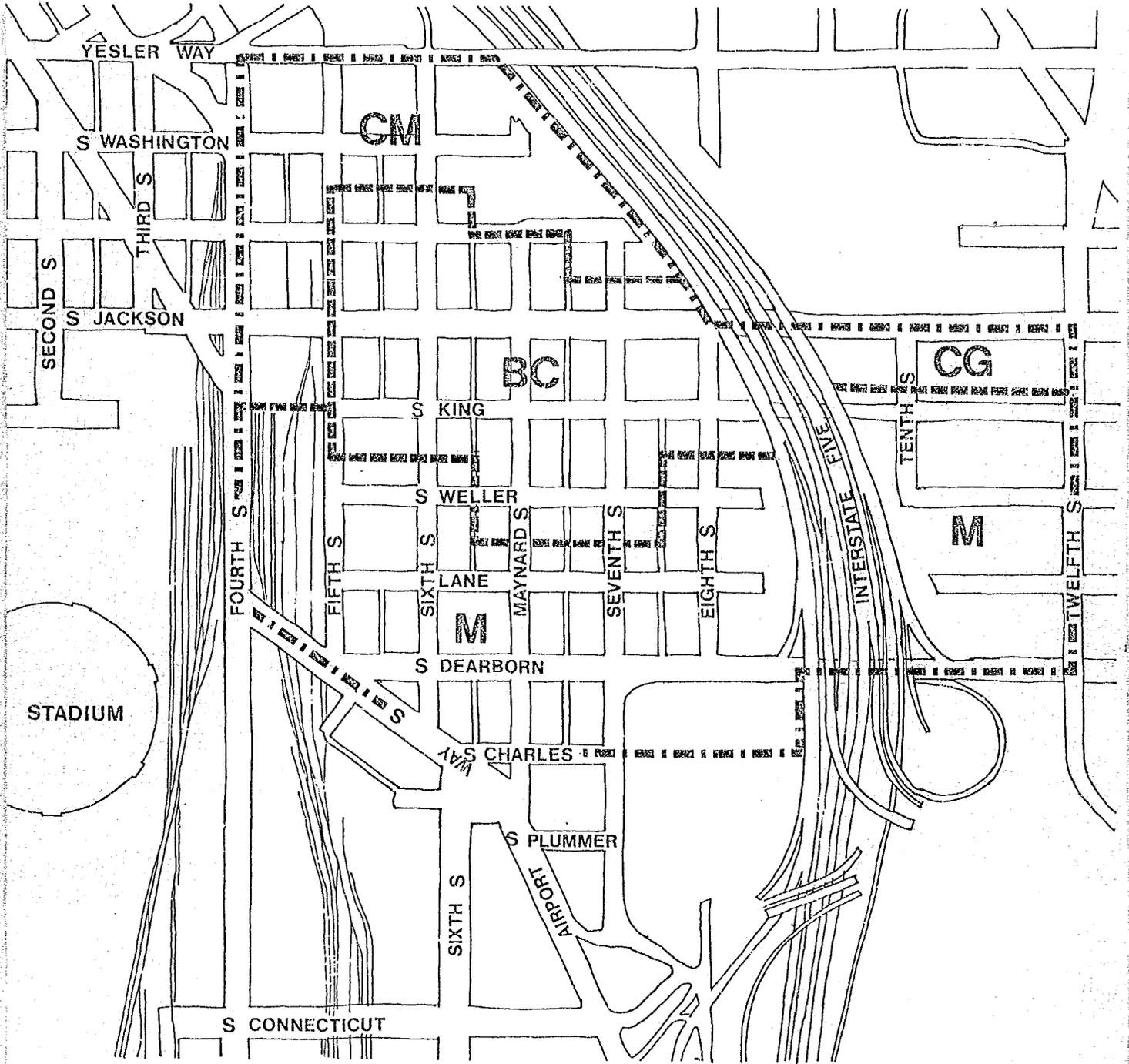
Very truly yours,

JOHN P. HARRIS
Corporation Counsel

By


JAMES M. TAYLOR
Assistant

JMT:ph
att.



Zoning

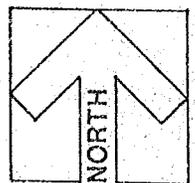
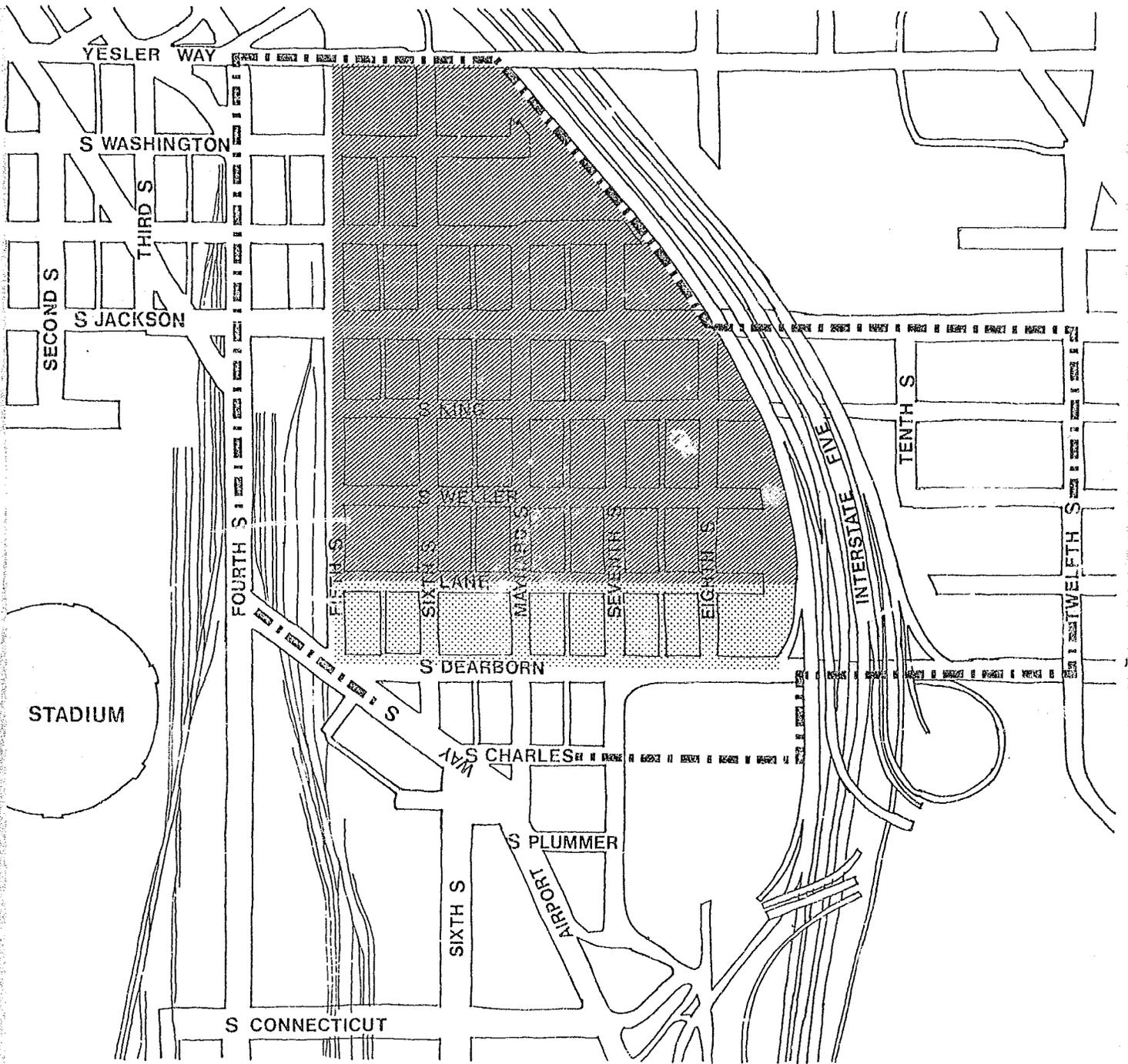


Exhibit A.



Vehicular-oriented uses prohibited



Vehicular-oriented uses other than motels and motor hotels prohibited

Prohibited Uses

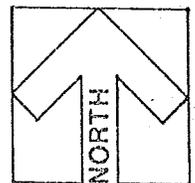
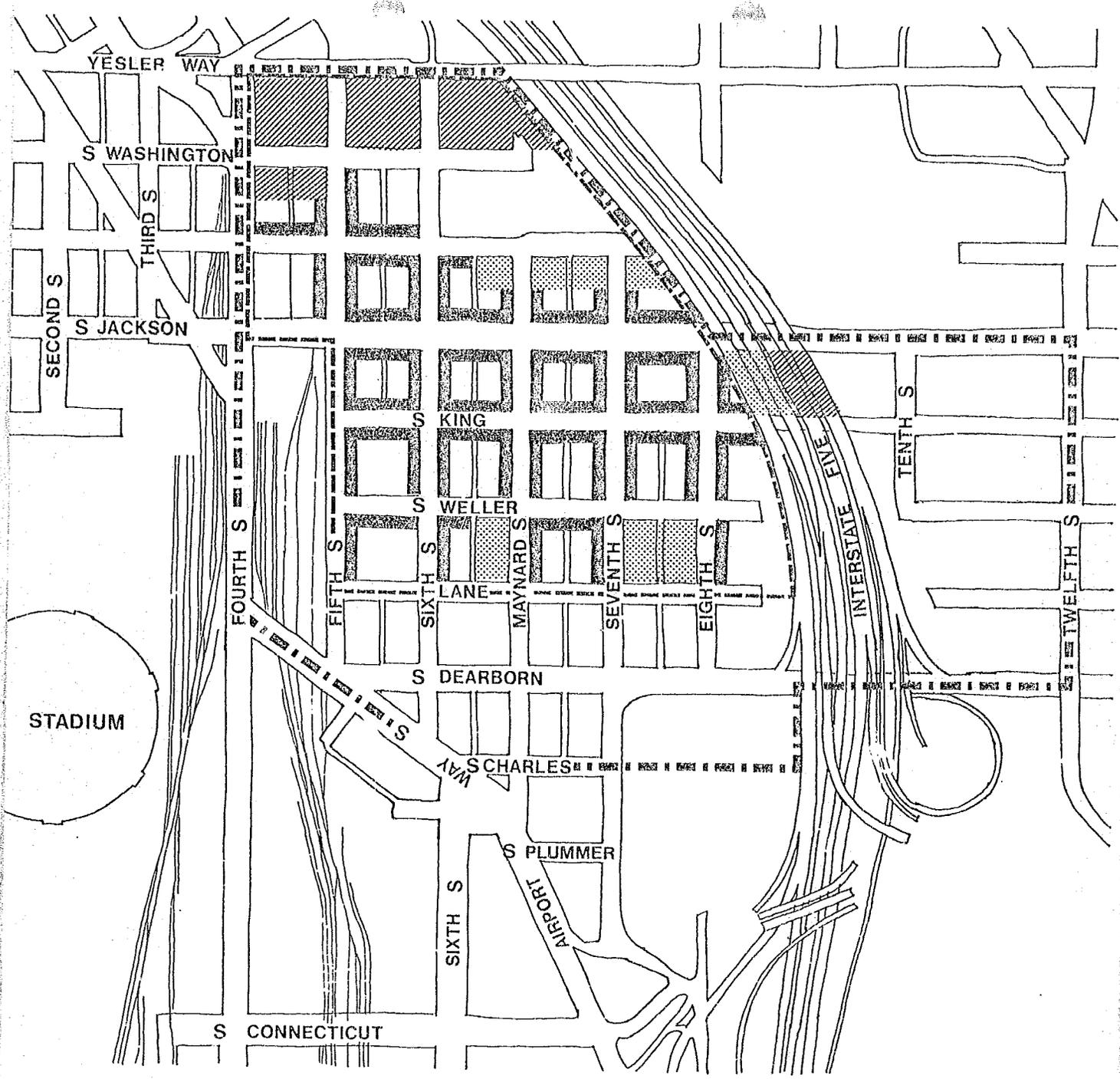
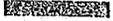
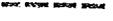
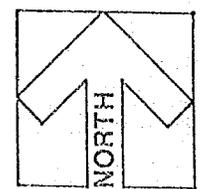
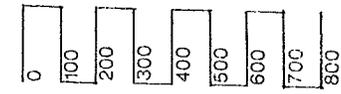


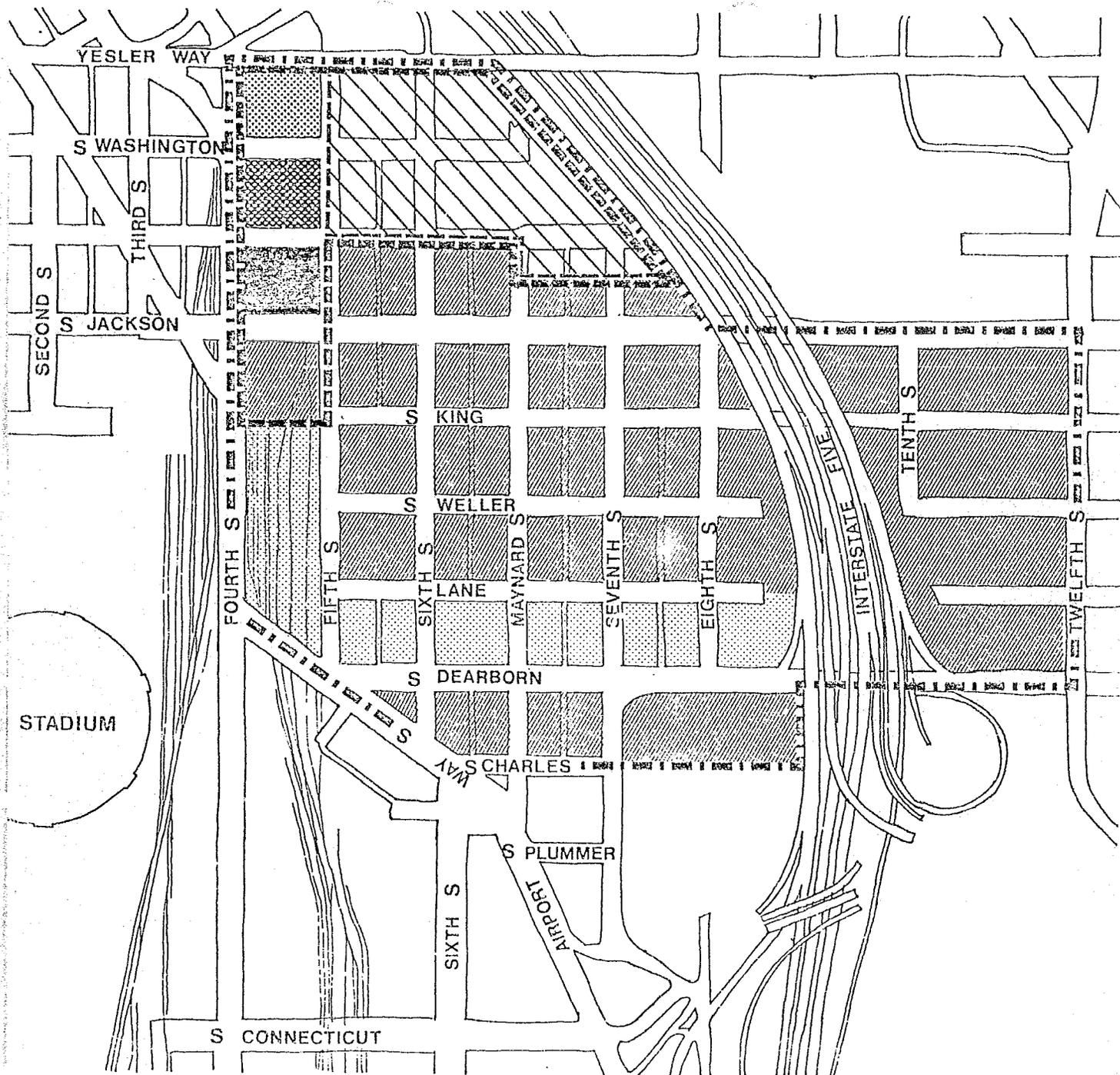
Exhibit D. 1



-  Reserved Non-accessory Parking (Conditional)
-  Customer Non-accessory Parking (Conditional)
-  40' Parking Setback
-  Accessory Parking Not Required Boundary

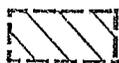
Off-street Parking





Permitted Height

-  24' to 120'
-  24' to 110'
-  24' to 100'
-  36' to 85'
-  24' to 65'



Special Review Area



Residential exceptions (CM zone)

Building Heights

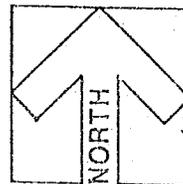
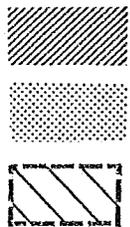
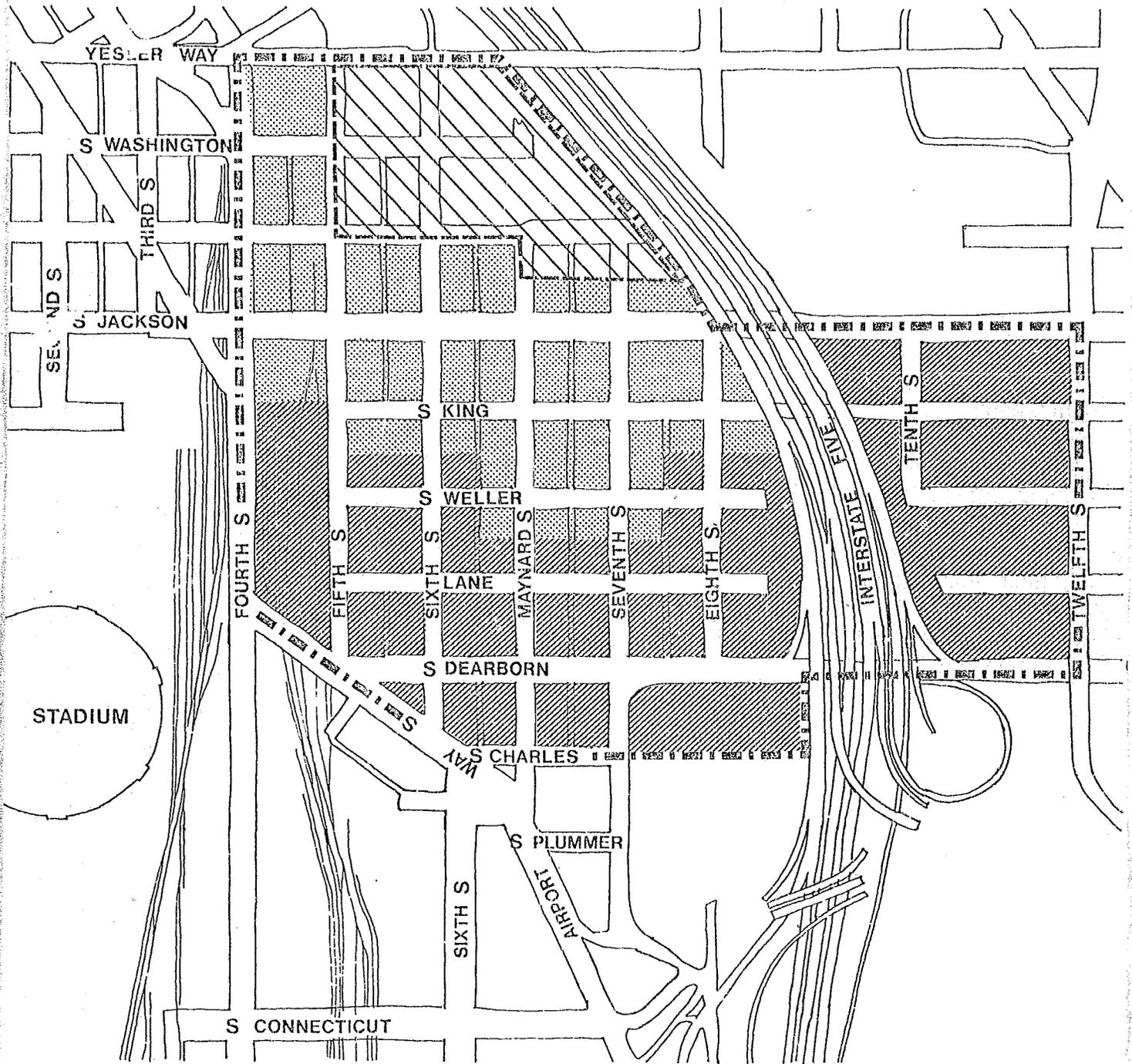


Exhibit D. 3



100%

75%

Special Review Area

Lot Coverage

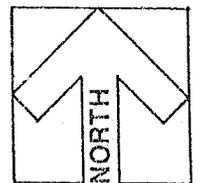
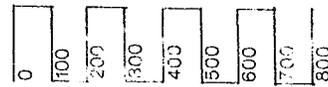
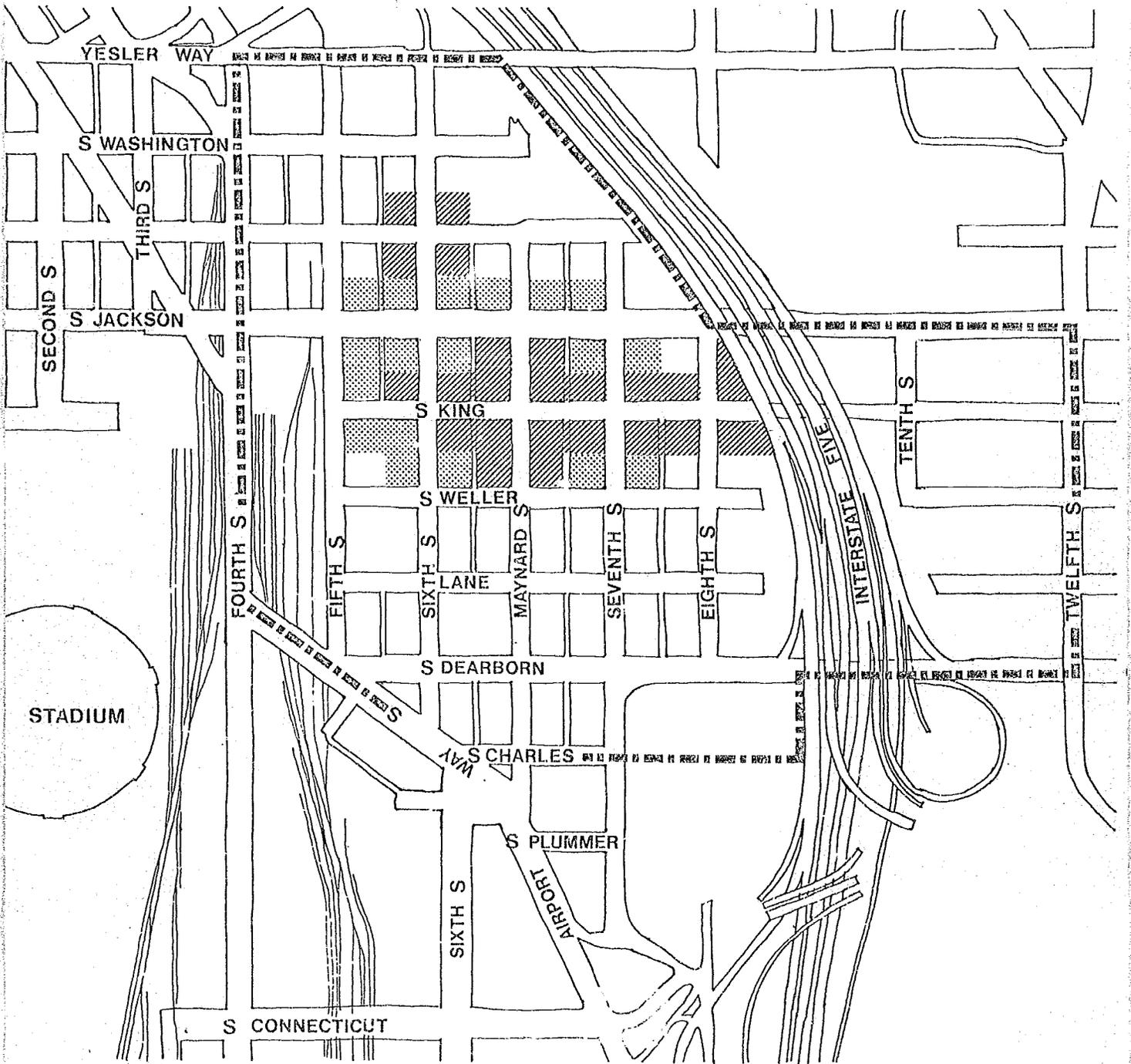


Exhibit D. 4



Max. 50 feet
Street frontage



7,200 sq. ft.
Uses

Street Level Uses

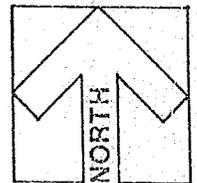
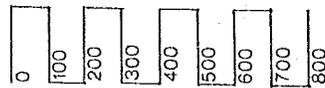
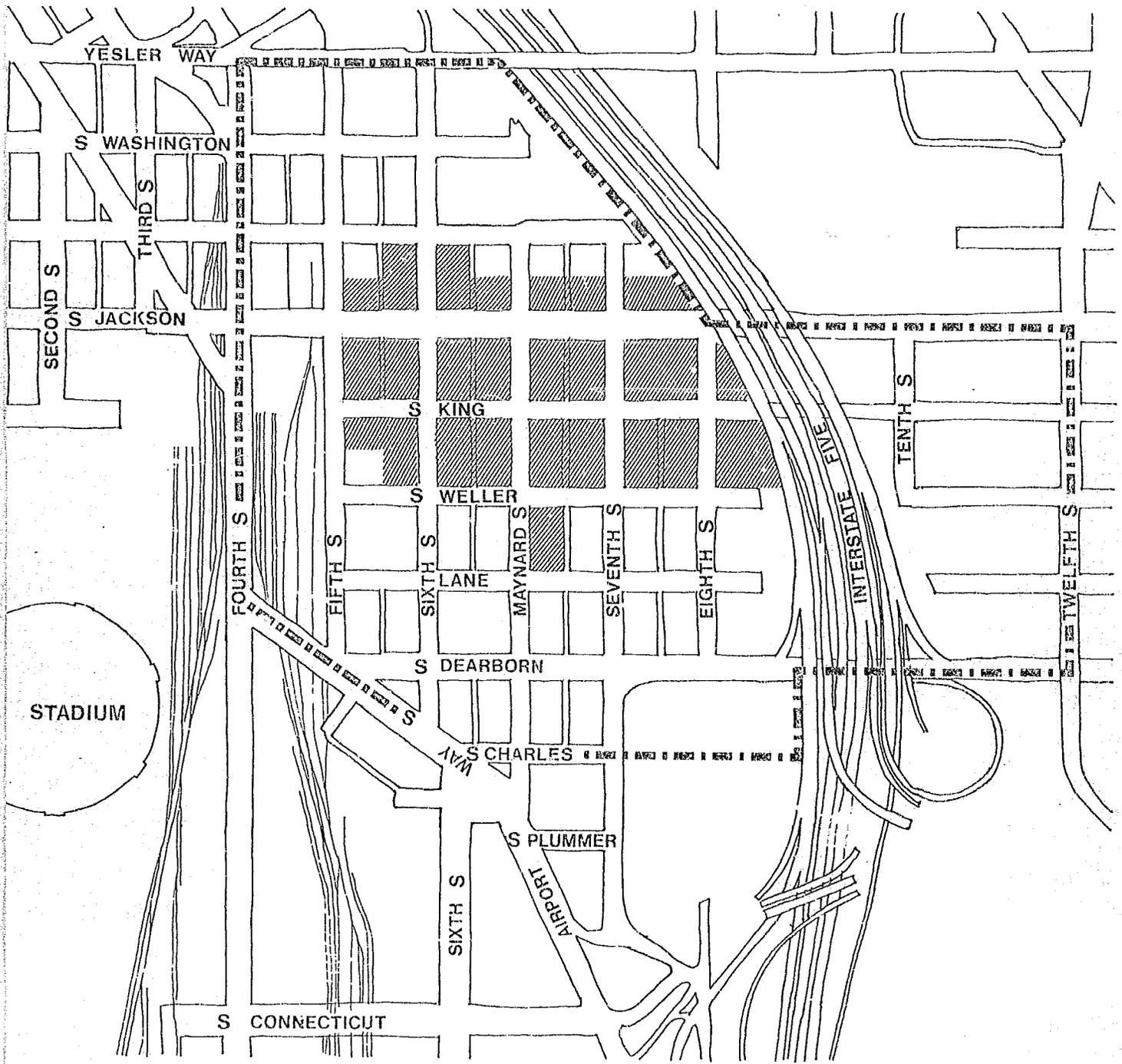
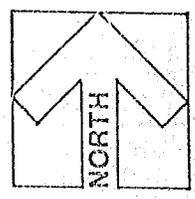
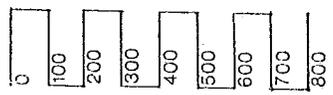


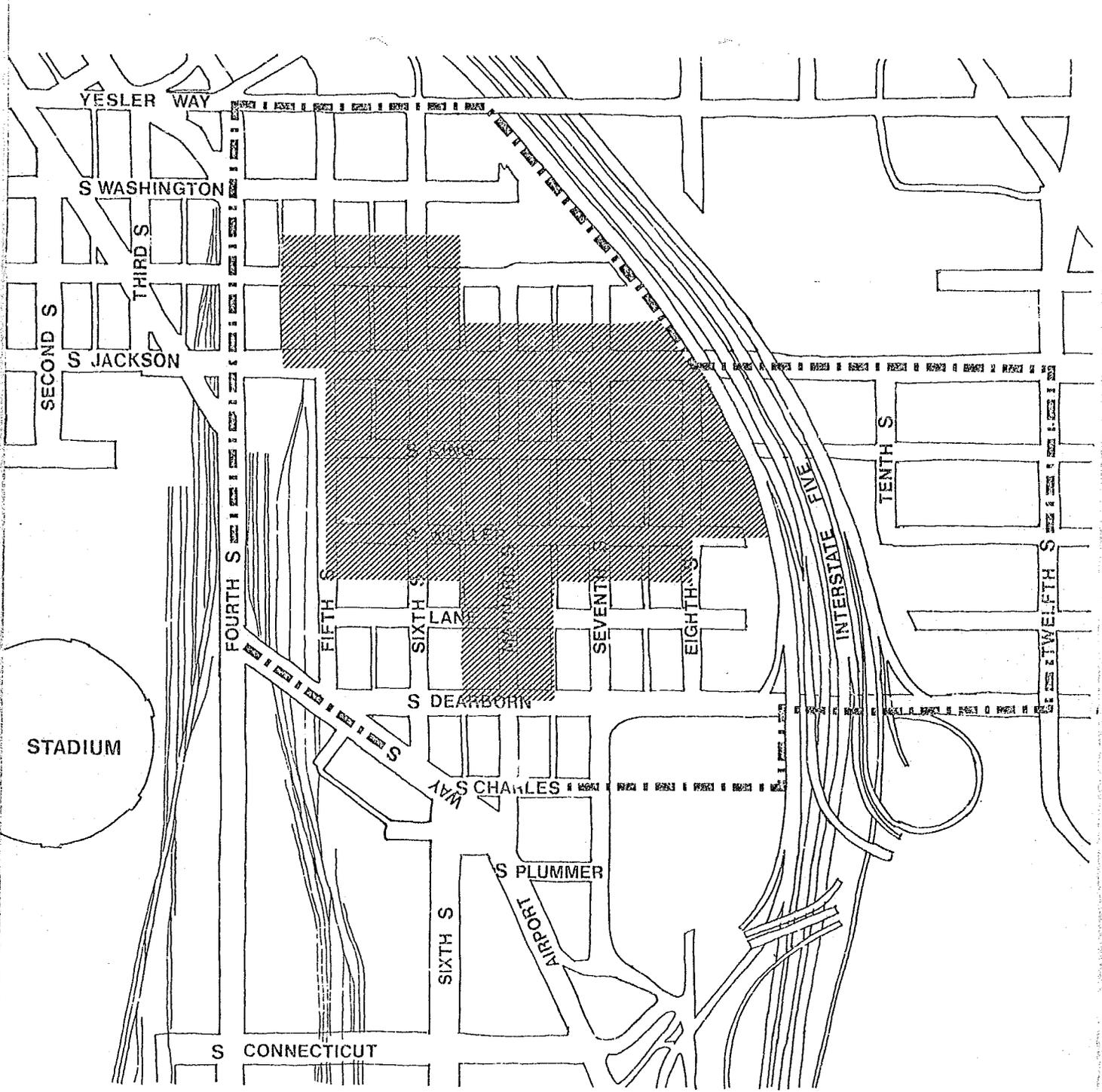
Exhibit D. 5



Preferred Second Level Uses

 Preferred Second Level Use Area





Asian Design Character District

Asian Design Character

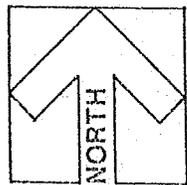
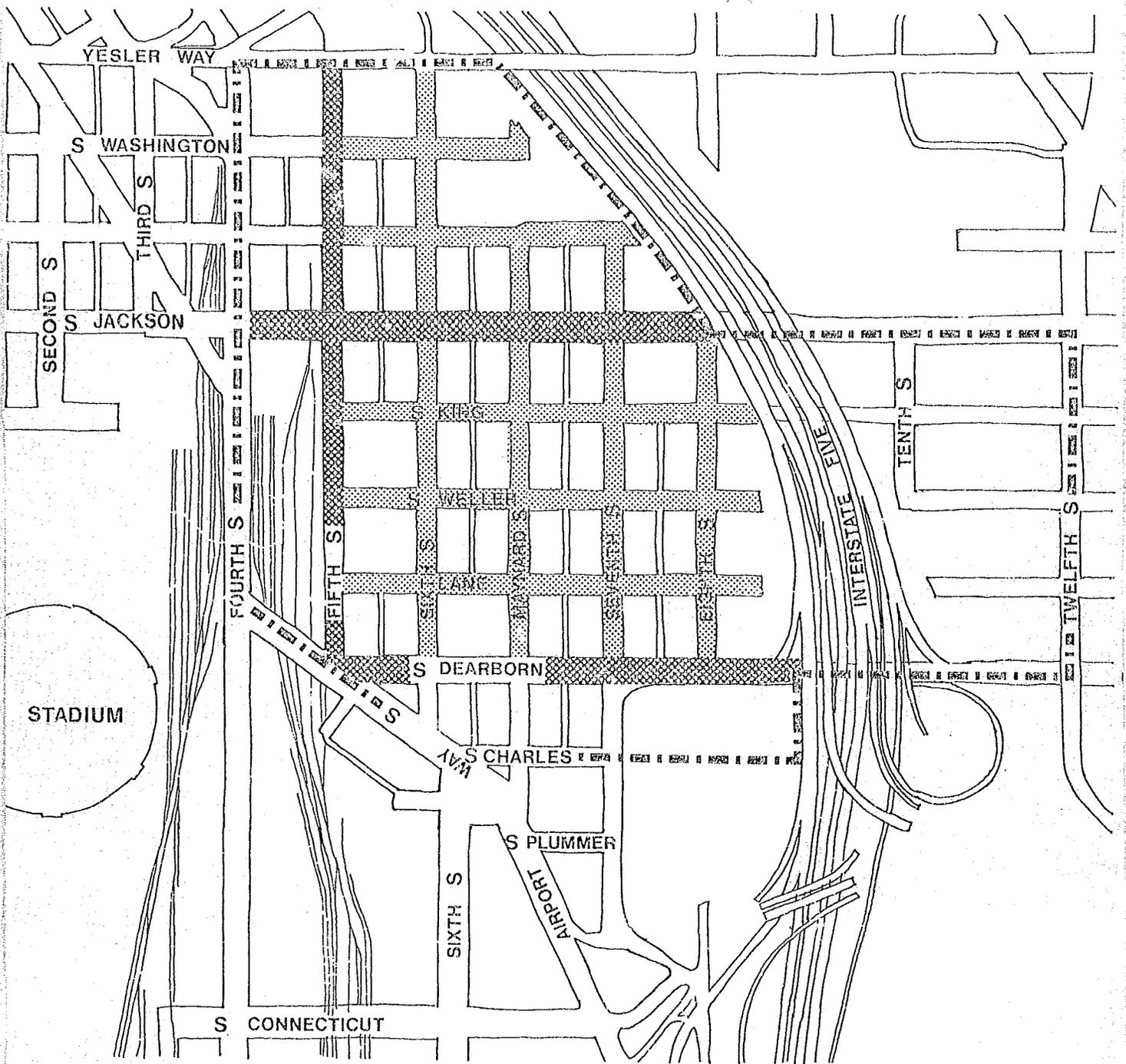


Exhibit D. 7

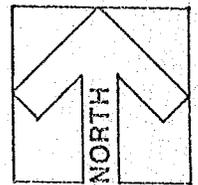


Streets requiring pedestr.
oriented signs



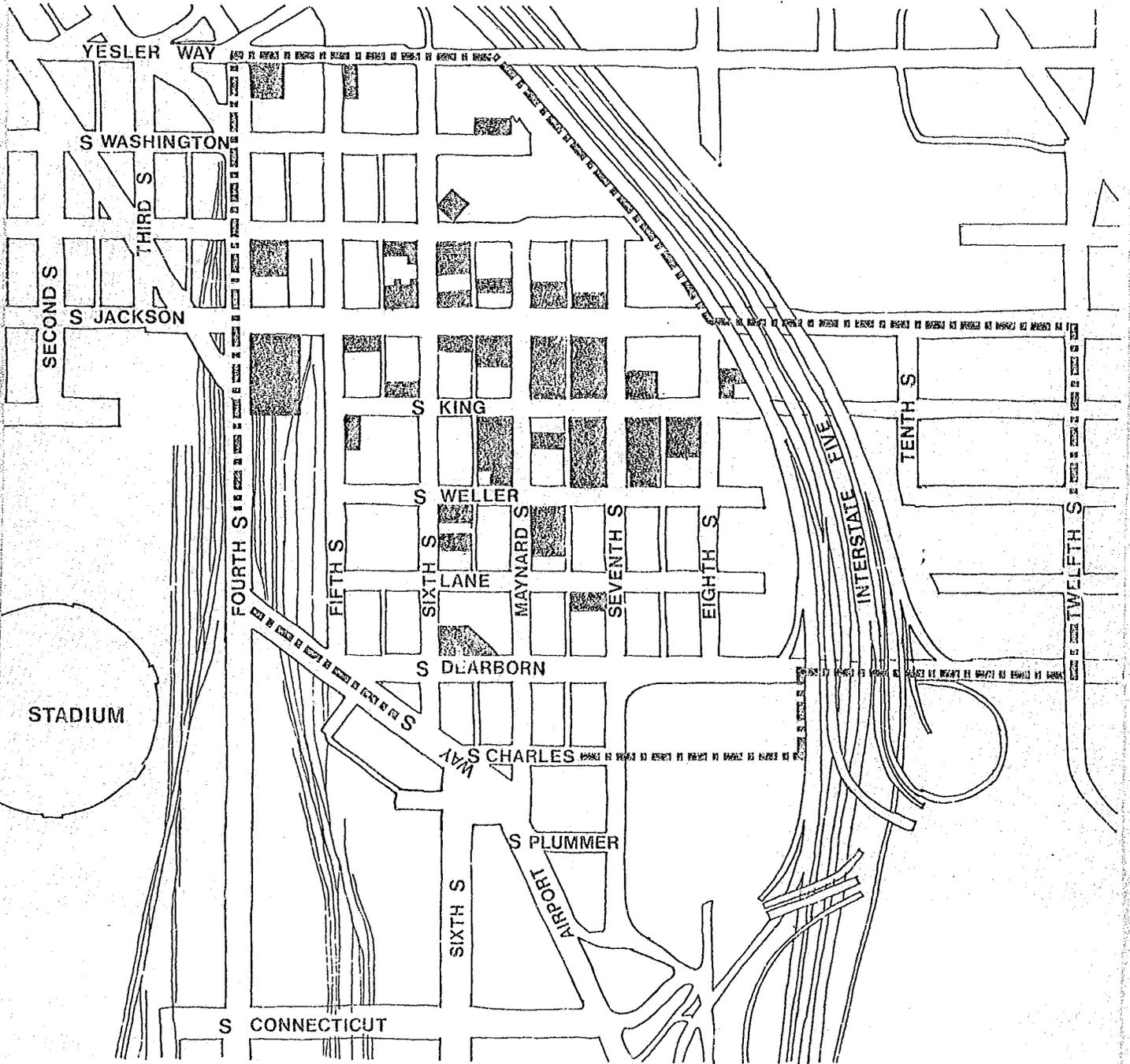
Streets permitting vehicular-
oriented signs

Business Identification Signs



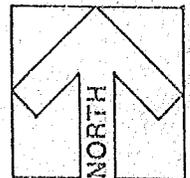
Exhibit

D. 8



Environmental Assessment and Approved Reuse Required

Restricted Building Demolition



Affidavit of Publication

**STATE OF WASHINGTON,
KING COUNTY—SS.**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

.....ORDINANCE NO. 105936.....

.....
was published on Nov. 2, 1976.....
.....
.....

B. Abbott
.....
Subscribed and sworn to before me on

Nov 2, 1976

E. Sanderson
.....
Notary Public for the State of Washington,
residing in Seattle.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on

PLANNING & URBAN DEVELOPMENT

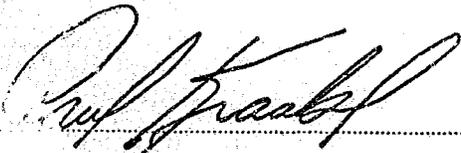
OCT 25 1976

to which was referred

C.B. 97817

Relating to land use and zoning; amending Section 24.92 of the Zoning Ordinance (86300), repealing Section 24.921, 24.922, 24.923, 24.924, and 24.925 added thereto by Ordinance 104068, and in lieu thereof adding new sections designated Sections 24.921, 24.922, 24.923, 24.925, 24.926, 24.927, 24.928 and 24.929 providing revised development guidelines for the International Special Review District.

RECOMMEND THAT THE SAME DO PASS



P&UD
Chairman

Chairman

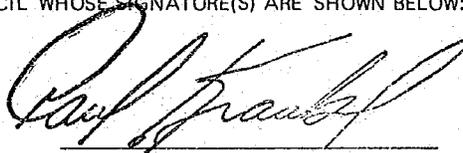
Committee

Committee

TIME AND DATE STAMP

SPONSORSHIP

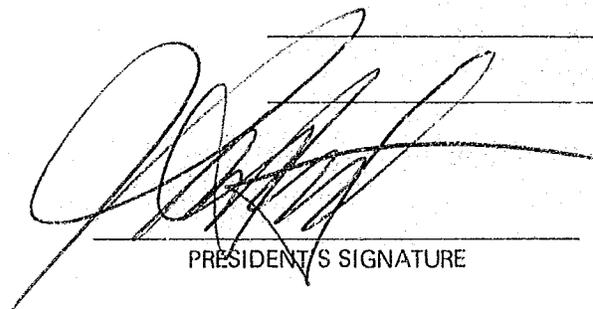
THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



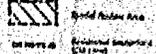
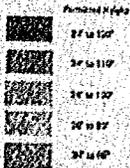
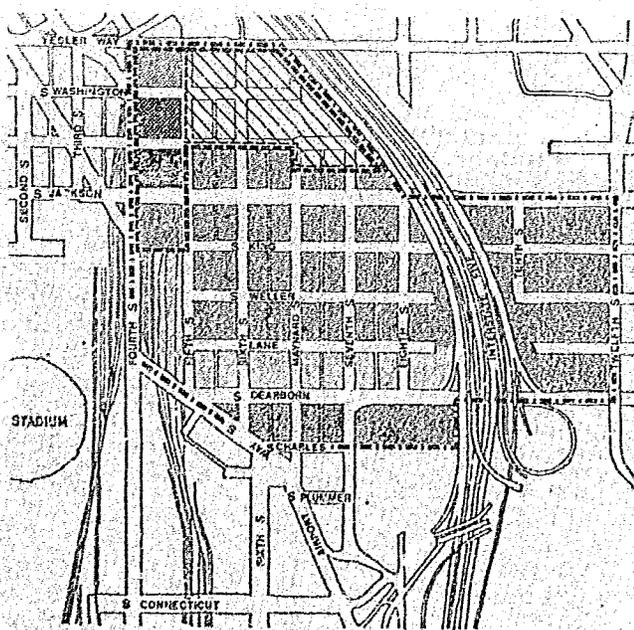
FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PLUD



PRESIDENT'S SIGNATURE



Building Heights

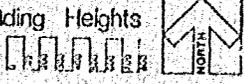
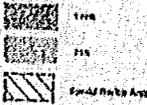
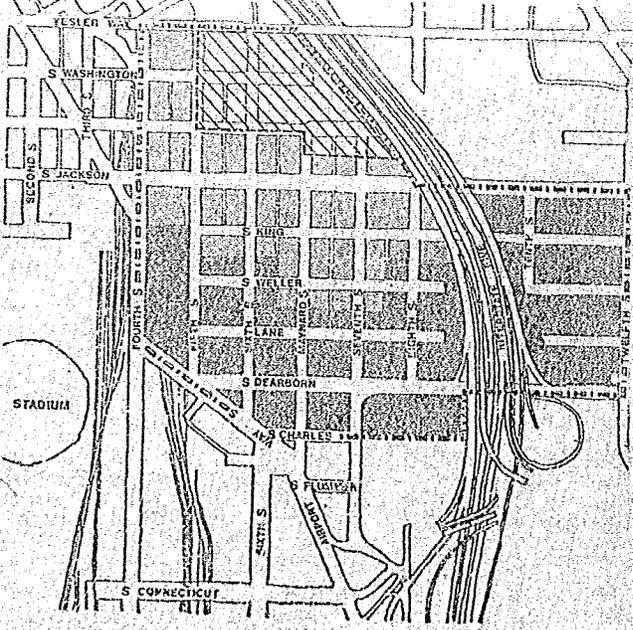


Exhibit D. 3



Lot Coverage

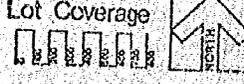
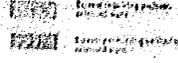
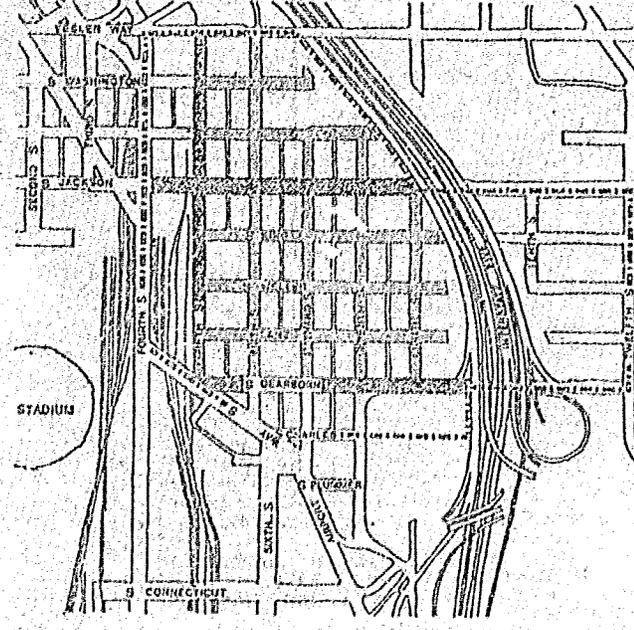


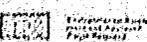
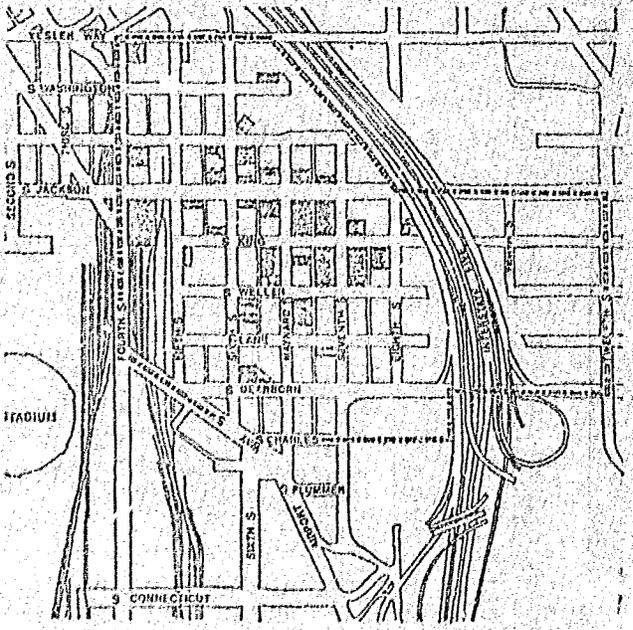
Exhibit D. 4



Business Identification Signs



Exhibit D. 8



Restricted Building Demolition

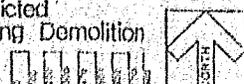
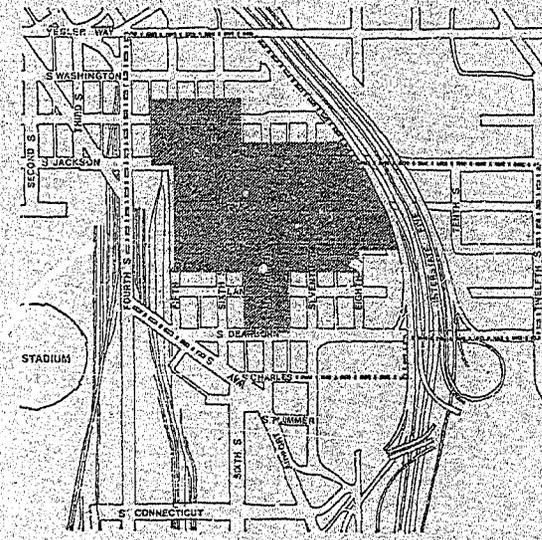
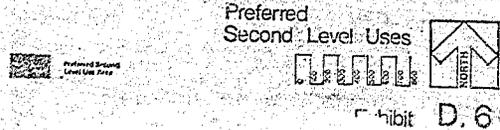
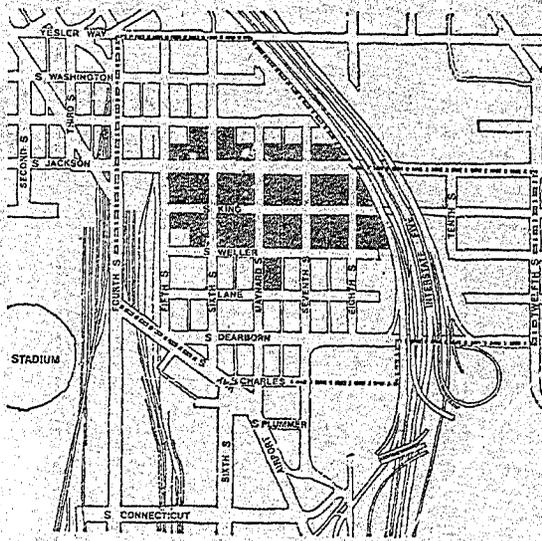
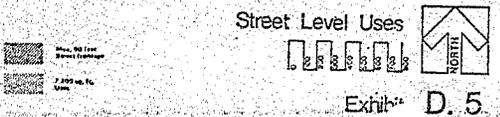
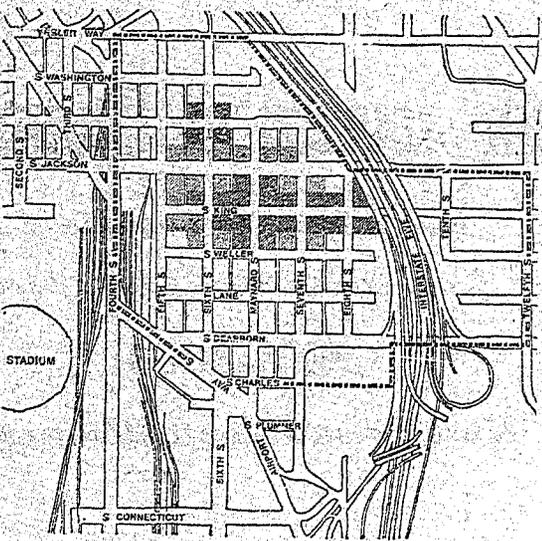
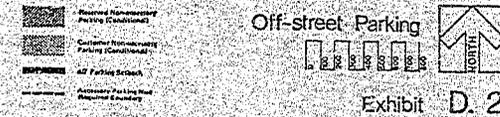
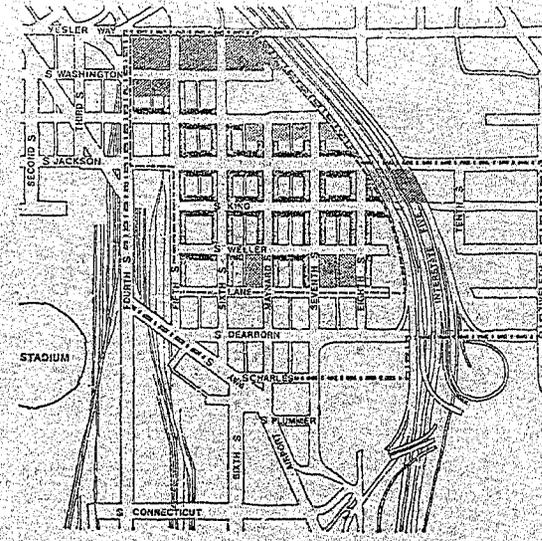
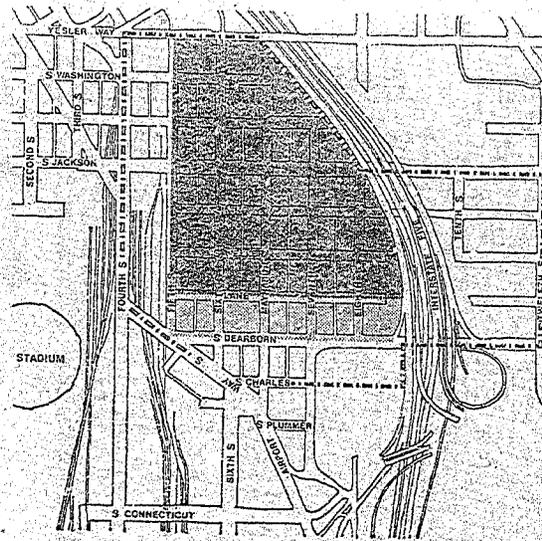
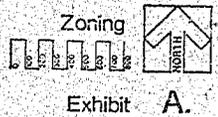
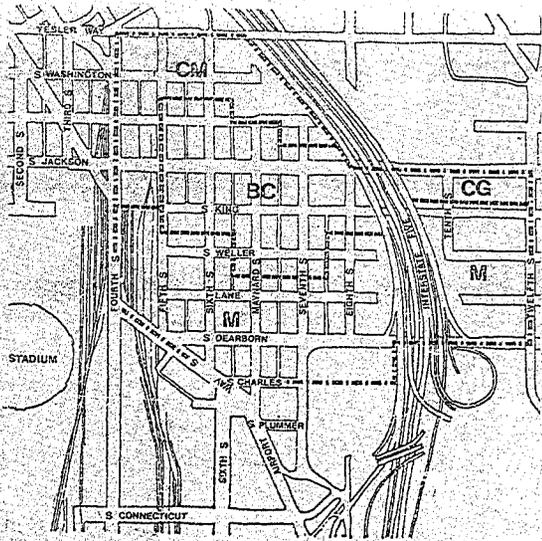


Exhibit D. 9



tice of noncompliance and the proceeds shall be used by the Superintendent to affect compliance as needed.

Section 24.924 Bulk requirements

(a) Permitted Building Heights

In order to ensure that the heights of new buildings are consistent with those of structures designated for retention in the King Street business core area, to help preserve the views from Kobe Terrace Park, and to ensure a minimum amount of visual closure along the streets of the District, the following maximum and minimum building heights, as illustrated on Exhibit D.3 attached hereto, shall be adhered to:

(1) Within that portion of the District lying between Fourth Avenue South and Fifth Avenue South and between South Main Street and South Jackson Street, buildings shall not exceed one hundred and twenty (120) feet in height or be less than twenty-four (24) feet in height.

(2) Within that portion of the District lying between Fourth Avenue South and Fifth Avenue South and between South Washington Street and South Jackson Street, buildings shall not exceed one hundred and ten (110) feet in height or be less than twenty-four (24) feet in height.

(3) Within that portion of the District lying west of Fifth Avenue South and north of South Washington Street, buildings shall not exceed one hundred (100) feet in height or be less than twenty-four (24) feet in height.

(4) Within that portion of the District lying between Fifth Avenue South on the west and the Central Freeway on the east and between South Lane Street on the south and that portion lying between South Lane Avenue South and Fifth Avenue South south of South King Street, buildings shall not exceed eighty-five (85) feet in height or be less than thirty-six (36) feet in height.

(5) Within that portion of the District lying between 5th Avenue South on the west, the Central Freeway on the east, Yester Way on the north and South Main Street on the south, and within that portion of the District lying between Maynard Avenue South on the west, the Central Freeway on the east, South Main Street on the north and the one hundred twenty feet south of South Main Street on the south, building height and lot coverage shall be controlled by the following criteria:

(i) Structures shall be constructed, designed and sited so as to minimize visual blockage from Kobe Terrace Park and from other similarly sited structures which are used primarily for residential purposes.

(ii) Structures shall be designed, sited and constructed so as to ensure reasonable sun exposure and air circulation to adjacent properties.

(iii) Structures shall be designed and sited in a manner aesthetically compatible with the area's topography and/or nearby public open spaces.

(6) Within the remaining portion of the District buildings shall not exceed sixty-five feet (65) in height or be less than twenty-four feet (24) in height.

Exceptions to the above criteria may be permitted within the CM zone for residential or mixed residential nonresidential developments in which seventy (70) per cent or more of the gross floor area is utilized for residential area, and in which density does not exceed one dwelling unit per each two hundred (200) square feet of lot area for regular units and one hundred fifty (150) square feet of lot area for low income elderly units having a net area of less than five hundred (500) feet.

(b) Permitted Lot Coverage

In order to ensure adequate open space in areas of higher density, within or near pedestrian frequented areas and/or residential living areas of the District, the following lot coverage restrictions as illustrated on Exhibit D.4 attached hereto shall be adhered to:

(1) Within the M zone and CG zone one hundred (100) per cent lot coverage shall be permitted.

(2) Within the BC zone a maximum of seventy-five (75) per cent lot coverage shall be permitted.

(3) Within that portion of the District lying between 5th Avenue South on the west, the Central Freeway on the east, Yester Way on the north, and South Main Street on the south, and within that portion of the District lying between Maynard Avenue South

on the west, the Central Freeway on the east, South Main Street on the north and a line one hundred twenty feet south of South Main Street on the south, lot coverage shall be controlled as provided in Section 24.924(a) (5).

(4) Within the remaining portion of the District a maximum of seventy-five (75) per cent lot coverage shall be permitted.

(c) Yards

In order to retain the continuity of the streetscape in the King Street - Jackson Street business core (hereby defined as that portion of the District bounded by a line midway between South Washington Street and South Main Street on the north, a line midway between South Weller Street and South King Street on the south, the Central Freeway on the east, and 4th Avenue South on the west), all structures in said area shall be located on a site so as to cover the full width of the site between abutting side properties and/or in the case of a corner lot, so as to cover the greatest width of the site between the two abutting side properties. Lines perpendicular to each of the open spaces abutting street property lines shall only be permitted if visually compatible with the surrounding streetscape.

Section 24.925 Criteria for Approval of Permitted Uses

1. Uses at Street Level.

In order to retain and strengthen the King Street business core as a pedestrian oriented retail shopping district, new street level uses along the streets described in subsection 1(b) of this section shall be approved in accordance with the following criteria:

a. Type-Preference shall be given to pedestrian-oriented retail shopping and service business uses which are highly visible or where merchandise is prominently displayed in a manner that contributes color and activity to the streetscape, including but not limited to floral shops, barbecue shops, Oriental crafts shops, groceries, bakeries, coffee shops, sidewalk cafes, restaurants, travel agencies, book stores, apparel shops and variety stores. Non-pedestrian-oriented businesses and other uses which are not typically visible from the sidewalk, such as nonprofit community service organizations, associations, clinics, drop-in centers and museums open to the public may be permitted if said uses occupy less than twenty-five (25) feet of street frontage per use of one hundred forty-five (145) feet or less of street frontage per use if a corner use, comply with the requirements of Section 24.926 (Exterior Building Finishes), and are consistent with the purpose of this Section.

b. Size and location.

(i) New street-level uses along the following streets shall not exceed fifty (50) feet of street frontage per use when located within the interior portion of a block or one hundred forty-five (145) feet of street frontage per use when located on a corner: the north side of South King Street between the alley east of 5th Avenue South and the Central Freeway and the south side of South King Street between 6th Avenue South and the Central Freeway; along the east side of Maynard Avenue South between South Jackson Street and South Weller Street; along the east side of South Jackson Street and South King Street; and along the north and south sides of South Main Street between the alley east of 5th Avenue South and the alley east of 6th Avenue South and the alley east of 6th Avenue South as illustrated on Exhibit D.5 attached hereto.

(ii) New street-level uses along the following streets shall not exceed 200 square feet of gross floor area: the north and south sides of South Jackson Street between 5th Avenue South and 7th Avenue South (excluding the area covered in subsection (i) (b) (1) of this section); the south side of South Jackson Street between the alleys east and west of Maynard Avenue South; the north side of South King Street between 5th Avenue South and the alley east of 6th Avenue South; and the south side of South King Street between 5th Avenue South and the west and east sides of 6th Avenue South between South Main Street and South Weller Street (excluding areas covered in subsection (i) (b) (1) of this section); and the west and east sides of 7th Avenue South between South Jackson Street and South Weller Street (excluding areas near the intersection of 7th Avenue South

with South Lane Street covered in subsection (i) (b) (1) of this section); all as illustrated on Exhibit D.5 attached hereto.

2. Residential and Other Types of Uses Above Street Level

In order to encourage and facilitate the rehabilitation and renovation of existing structures for housing or other uses not permitted at street level, uses along the following streets:

the north and south sides of South King Street between Fifth Avenue South and the Central Freeway; along the north and south sides of South Jackson Street between Fifth Avenue South and Central Freeway; along the east and west sides of Sixth Avenue South between South Main Street and South Weller Street; along the east side of Maynard Avenue South between South Lane Street and South Jackson Street; and along the west side of Maynard Avenue South between South Weller Street and a line midway between South Main Street and South Jackson Street; and along the east and west sides of Eighth Avenue South between South Jackson Street and South Weller Street shall be permitted, as indicated on Exhibit D.6 attached hereto in accordance with the following criteria:

(a) Type-Preference shall be given to residential uses and then to non-vehicular oriented commercial uses that primarily serve the District community on a long-term basis throughout the day, including but not limited to social service clubs, and professional offices for architects, interior designers, doctors, dentists, lawyers, and engineers. Other uses may be permitted dependent upon

alternatives available, the impact of proposed use and the compatibility of the proposed use with surrounding uses and properties.

(b) Density - Residential uses above street level within existing structures shall have a density of no greater than one dwelling per two hundred fifty (250) square feet of lot area while residential uses within new structures shall have a density of not greater than one dwelling unit per three hundred (300) square feet of lot area and twenty-five per cent (25%) of the lot area shall be devoted to usable open space; provided that structures for the low income elderly having a net floor area of less than five hundred (500) square feet, shall be permitted to have a greater density but no more than one dwelling unit per one hundred fifty (150) square feet of lot area.

Section 24.926 Exterior Building Finishes

1. General Requirements.

In order to retain and enhance the visual order established throughout much of the district by existing older buildings which provide unique character and form to the district through their subtle detailing and quarter and half block coverage, new development, including exterior remodeling, should:

a. respect the architectural and structural integrity of a building within which work is being done; and the aesthetic use of colors, material and style.

b. respect the appearance of the street facade as a whole by generally treating the design and appearance of individual street level bays and the facades of individual businesses as secondary to the overall design and appearance of a structure. (Individual identity should be expressed without sacrificing the visual integrity of a structure as a whole.)

2. Asian Design Character District.

In order to strengthen and preserve the Asian Design Character District, the following architectural character within the district, (tiled awnings, recessed balconies, heavy timber construction, and specific materials) shall be encouraged. Business uses along the following North-South avenues and East-West streets shall comply with paragraphs (b) (1) and (b) (2) of this Subsection 2:

NORTH-SOUTH AVENUES

Along the west side of 5th Avenue South between a line midblock between South Washington Street and South Main Street on the north and South Jackson Street on the south, and along the east side of 5th Avenue South between a line midblock between South Washington Street and South Main Street on the north and a line midblock between South Weller Street and South Lane Street

on the south; along the west and east sides of 6th Avenue South between a line midblock between South Washington and South Main Street on the north and a line midblock between South Weller and South Lane Street on the south; along the west and east sides of Maynard Avenue South between a line midblock between South Main Street and South Jackson on the north and Dearborn Street on the south; along the west and east sides of 7th Avenue South between South Jackson Street and South Lane Street on the north and a line midblock between South Weller and South Jackson on the north and a line midblock between South Weller and South Lane Street on the south; along the west side of 8th Avenue South between South Jackson on the north and a line midblock between South Weller Street and South Lane Street on the south; along the west side of 9th Avenue south between South Jackson Street on the north and South Weller Street on the south; all as illustrated on Exhibit D.7 attached hereto.

EAST-WEST STREETS

Along the north and south sides of South Main Street between a line midblock between 4th Avenue South and 5th Avenue South on the west and a line midblock between 6th Avenue South and Maynard Avenue South on the east; along the north side of South Jackson Street between 4th and 5th Avenue South or the west and the Central Freeway on the east, and along the south side of South Jackson between 5th Avenue South on the west and the Central Freeway on the east; along the north side of South Weller Street between 5th Avenue South on the west and the Central Freeway on the east; and along the south side of South Weller Street between 5th Avenue South on the west and the Central Freeway on the east; along the north and south sides of South Lane Street between a line midblock between 5th Avenue South and Maynard Avenue South on the west and a line midblock between Maynard Avenue South and 7th Avenue South on the east, as illustrated on Exhibit D.7 attached hereto.

(a) Materials - Exterior building facades shall generally be restricted to earthen materials such as brick, concrete, and stucco, as well as wood. Anodized aluminum and other materials may be permitted when approved. Brick and concrete should not be painted unless approved for compatibility with the surrounding area. Structures which are to be constructed in conjunction with another contrasting material such as darkly stained wood. Decorative ceramic glazed roof tiles are encouraged, as are tiled awnings and marquees when appropriately integrated into the overall design.

(b) Colors - White, yellow, orange, red, green and blue colors shall be preferred, with pastels generally being permitted unless specifically recommended by the Special Review Board.

(c) Surfaces - Textured concrete, brick, and wood surfaces are encouraged over non-textured surfaces as a means of breaking up vertical surfaces. Recesses and voids which effectively break up monotonous surface areas should create visual relief and are encouraged. The design and location of mechanical elements such as electrical conduit, plumbing or air plenums visible from the street shall be treated in an architectural manner.

In order that permitted street level uses retain high visible linkage to the street, transparent surfaces shall generally be provided equal to at least fifty per cent (50%) of the exposed street facade measured between the sidewalk level and a height of ten (10) feet or the second floor level, whichever is less. The average height of window sills shall be no greater than three (3) feet above the sidewalk. Exceptions allowing a reasonable decrease of the percentage of required transparency may be permitted when:

(1) a design constraint, such as existing walkwaying of a permanent nature, existing and proposed alterations would detract from the structural or architectural integrity of the building, or

(2) a hardship exists due to existing layout or other physical constraint such as the placement of load bearing walls or columns.

Whenever transparency requirements are reduced a high degree of visual interest shall be achieved by wall murals, landscaping, colored awnings, display cases, or other appropriate means appropriate to the setting.

(c) Awnings—Continuous awnings of at least fifty (50) feet in length are encouraged on buildings abutting the east side of Maynard Avenue South between South Jackson Street and South King Street, and on the south side of South King Street between 8th Avenue South and 7th Avenue South in order to create a strong edge on the King Street Park and to focus attention on this area as the heart of the King Street retail district. Individual businesses are encouraged to share awnings as a means of increasing the visual continuity of such businesses.

2. Exterior Building Finishes Outside the Asian Design Character District

Outside the area described in Section 24.924(2) above, earthen colors and masonry construction with non-metallic surfaces are preferred. Concrete construction will also be permitted when treated in a manner or incorporated into a design that is visually interesting (without large monotonous surface areas).

Section 24.927 Business Identification Signs

In order to ensure that the scale, shape and type of signs within the District are consistent with the uses, permitted and encouraged in the International Special Review District and in keeping with the Asian character of much of the District, the following sign controls shall govern non-conforming signs, with the exception of those which are shown to be necessary to existing non-conforming uses shall be removed within three (3) years after the effective date of this amendatory ordinance; provided that such period may be extended upon a showing that a longer period is required for amortization of the cost of such sign; and provided further that in no case shall a non-conforming sign be allowed to remain for more than five (5) years from the effective date of this amendatory ordinance.

1. Pedestrian-oriented On Premise Signs

Business uses along the following avenues and streets:

NORTH-SOUTH AVENUES

Along the east and west sides of 8th Avenue South between Yesler Way on the north and Dearborn Street on the south; along the east and west sides of Maynard Avenue South between South Main Street on the north and Dearborn Street on the south; along the east and west sides of 7th Avenue South between South Main Street on the north and Dearborn Street on the south; along the east and west sides of 8th Avenue South between South Jackson Street on the north and Dearborn Street on the south as illustrated on Exhibit D.8 attached hereto;

EAST-WEST STREETS

Along the south side of Yesler Way between 4th Avenue South on the west and the Central Freeway on the east; along the north and south sides of South Washington Street between 4th Avenue South on the west and the Central Freeway on the east; along the north and south sides of South Main Street between 4th Avenue South on the west and the Central Freeway on the east; along the north and south sides of Weller Street, and South Lane Street between 5th Avenue South on the west and the Central Freeway on the east as illustrated on Exhibit D.8 attached hereto.

shall comply with the following specific guidelines:

(a) Message—Permitted signs shall be restricted to those signs which identify the name of the establishment and/or the primary business or service provided within it. Advertising related to businesses or services not provided on the premises or specific brands of product not manufactured on the site shall be prohibited; provided that an exception may be granted for product name signs which are incidental to other signs on the premises and the establishment or use on the premises is the sole distributor of the product in the District.

(b) Permitted Types—Non-projecting rectilinear signs integrated into the facade shall be preferred over other types of signs. Projecting, marquee, awning and window signs shall be permitted when appropriate and compatible with the immediate area. Flashing signs or signs that otherwise appear to be in motion shall generally be prohibited unless of a public service nature, such as those signs indicating temperature or time of day. Banners

and/or flags bearing emblems, symbols or messages shall be permitted on an interim basis and annually reviewed to ensure their sightly appearance.

(c) Materials—Painted metal signs, wood signs, neon lit signs and front lit signs shall be preferable to bright back lit signs.

(d) Prohibited types—Free-standing signs (except where permitted for parking lots), roof signs, off-premise advertising signs, and product advertising signs of a permanent nature, such as those made of metal or plastic, shall be prohibited.

(e) Exposed Surface Area—The total exposed surface area, visible from the building exterior, of all signs of a street level establishment or use, shall generally not exceed one (1) square foot for each lineal foot of an establishment building frontage along the street lot line up to a maximum of sixty (60) square feet per establishment; provided that in the case of encouraged bi-lingual or multi-lingual business identification signs of which forty per cent (40%) or more of the printed message area is in a non-English language and/or written message, or in the case of a sign having an approved recognizable international symbol equal to at least forty per cent (40%) of the total message area, the above ratio may be increased to two (2) square feet for each lineal foot of an establishment's building frontage along the street lot line not to exceed a maximum of one hundred (100) square feet per establishment.

Each business, located on the second floor or above, shall be permitted to have non-back-lit business identification signs with a total message area of two (2) square feet in addition to one (1) square foot of additional message area for each foot of street frontage in excess of twenty-four (24) feet up to a maximum of twenty-four (24) total square feet of sign message area per establishment. Signs shall not be placed at a height greater than the mean second story ceiling level.

The total message area of signs at each accessory parking lot shall not exceed one (1) square foot for each square foot of area within the lot and at each nonaccessory parking lot the total message area shall not exceed one-half (1/2) square foot per lot. The area within the lot, provided that the total message area of all the signs at any one parking lot shall not exceed the maximum message area allowed other types of street level businesses.

The maximum message area permitted at signs on a business premise, including those on an accessory parking lot, shall not be increased.

The maximum size for any one message area shall be less than twenty-four (24) square feet for a single faced sign and less than forty-eight (48) feet for a double faced sign unless said limits are increased for such reasons as the utilization of less total message area than permitted or hardship by reason of location or topography (e. g., location of business in such areas as the area north of South Main Street or the area bounded by Sixth Avenue South and the Central Freeway).

In calculating the size of a sign, the following criteria shall govern:

(i) Non-Illuminated signs having the same or similar background color or material as the facade upon which they are attached will be measured only as to the actual area in letters or symbols. The area in letters or symbols will be calculated by squaring off the individual words, letters, or symbols.

(ii) The illuminated portion of any sign, and/or signs having a background of a substantially different color than the facade upon which they are attached will be measured as to the whole exposed surface area of the sign.

(iii) Projecting signs when permitted will be measured in the manner set forth above but with both faces being counted. Such signs shall not project more than four (4) feet from the building facade or have a height of less than eight (8) feet above the sidewalk.

(f) Exceptions for Miscellaneous Signs

(i) Signs which are hand painted, goldleafed or decalced onto the glass area of a building facade will be permitted outright when not exceeding an area of four (4) square feet per establishment. Such signs in excess of four (4) square feet shall be reviewed with consideration as to their visual in-

terest and compatibility, and visual impact of the surrounding area and shall be calculated against the total permitted signable area. In addition non-illuminated non-English character symbolic signs painted on wood or other exterior surface may be permitted outright when not exceeding four (4) square feet per establishment.

(ii) Small directional signs such as those designating the entrance to or exit from permitted accessory parking areas will be permitted when not exceeding a total area of three (3) square feet and located at a height not greater than four (4) feet above grade at such points of egress or ingress.

(iii) Parking lots shall be required to display a sign not exceeding six (6) square feet in area and preferably integrated with directional signs at each entrance with the following appropriate message:

(a) Customer Parking Lots — the sign shall read as follows:

Customer Parking for (Principal User or Users) Only. Other cars will be impounded (location). With the optional addition of the name and address of the principle user or users with letters not to exceed one (1) inch in height and one (1) inch in width. Validation of parking if applicable.

(b) Long-Term Reserved Parking Lots — the sign shall read as follows: "Reserved Parking Under Control. Other cars will be impounded (location)." With the optional addition of the name and telephone number of the owner with letters not to exceed one (1) inch in height.

(c) Theatrical playbills for theatres or playhouses which attract their patrons on the basis of transient or changing subject matter shall be performed on the premises shall be permitted a total illuminated area of eighty (80) square feet where it can be shown that the subject matter changes an average of at least a dozen times a year. Display cases will be permitted to be placed to change subject matter shown on the premises.

(d) Graphic type paintings may be permitted on the building walls when not abutting a street lot line nor used primarily for business or product identification purposes, in compliance with the building facade provisions of Section 24.925 and found to be visually compatible with the surrounding area.

(2) Vehicular-oriented On-premise Signs — Business uses along the following streets:

Along the east and west sides of 4th Avenue South and 5th Avenue South between Yesler Way on the north and South Airport Way on the south; along the north and south sides of Yesler Way and South Jackson Street between 4th Avenue South on the west and the Central Freeway on the east; and along the north and south sides of Dearborn Street and along both sides of South Airport Way, all as illustrated on Exhibit D.9 attached hereto.

shall comply with the following guidelines:

(a) Message—The message requirements of Section 24.927-1(a) shall apply.

(b) Permitted types—Non-projecting rectilinear signs integrated into the facade shall be preferred over other types of signs. Projecting, marquee, awning and window signs shall only be permitted when appropriate and compatible with the immediate area. In no case shall free-standing signs be permitted to exceed a maximum height of twenty-five (25) feet above grade. Flashing signs or signs that otherwise appear to be in motion shall generally be prohibited unless of a public service nature such as those indicating temperature or time of day. Banners and/or flags bearing emblems, symbols or messages, will be permitted on an interim basis and annually reviewed to ensure their sightly appearance.

(c) Prohibited Types—Roof signs, off-premise advertising signs, wall signs, as well as miscellaneous product advertising signs of a permanent nature, such as those made out of metal or plastic, shall be prohibited.

(d) Area — The total exposed surface area (visible from the building exterior) of permitted signs of a street level establishment shall generally not exceed one and one-half (1 1/2) square feet for each lineal foot of an establishment's building frontage along the street lot line up to a maximum of ninety (90) square feet per establishment; provided that in the case of encouraged bi-lingual or multi-lingual signs of which forty per cent (40%) or

more of the printed message area is in a non-English language and/or written medium, or in the case of a sign having an approved recognizable international symbol equal to at least forty per cent (40%) of the total message area, the above ratio may be increased to two (2) square feet for each lineal foot of an establishment's building frontage along the street lot line up to a maximum of one hundred and fifty (150) square feet per establishment.

Each business located on the second floor or above shall be permitted to have non-back-lit business identification signs with a total message area of eighteen (18) square feet and in addition shall be permitted to have one and one-half (1 1/2) square feet of additional message area for each foot of street frontage in excess of thirty-six (36) feet up to a maximum of thirty-six (36) total square feet of message area per business. Signs shall not be placed at a height greater than the mean second story ceiling level.

The total message area of signs at each accessory parking lot shall be controlled by the message area requirements for parking lot signs in Section 24.927-1(e).

The maximum area for any one message area shall be less than thirty-six (36) square feet for a single faced sign and less than seventy-two (72) square feet for a double faced sign unless otherwise approved but in no case shall the maximum message area earned by street facade or parking spaces be exceeded.

In calculating the size of a sign the following criteria shall govern:

(i) Non-Illuminated signs having the same background color or material as the facade upon which they are attached will be measured only as to the actual area in letters or symbols. The area in letters or symbols will be calculated by squaring off the individual words, letters, or symbols.

(ii) Illuminated signs or signs having a background of a different material or color than the facade upon which they are attached will be calculated as to the whole exposed surface area of the sign.

(iii) Projecting signs will be measured in the manner set forth above but with both faces being counted. Such signs shall not project more than six (6) feet from the building facade or have a height of less than eight (8) feet above the sidewalk.

(e) Exceptions for Miscellaneous Signs.

(i) Signs such as those which are hand painted, goldleafed or decalced onto the glass area of a building facade will be permitted outright without Board approval when not exceeding an area of four (4) square feet per business. Such signs in excess of four (4) square feet shall be reviewed with consideration given as to visual interest and compatibility and visual impact of the surrounding area and shall be calculated against the total permitted signable area. In addition, non-illuminated symbolic signs painted on wood or other exterior surface may be permitted outright when not exceeding four (4) square feet.

(ii) Small directional signs such as those designating the entrance to or exit from permitted accessory parking areas will be permitted when not exceeding a total area of three (3) square feet and located at a height not greater than four (4) feet above grade at such points of egress or ingress.

(iii) Parking lots shall be required to display a sign not exceeding six (6) square feet in area and preferably integrated with directional signs at each entrance with the following appropriate message:

(a) Customer Parking Lots — the sign shall read as follows: "Customer Parking for (Principal User or Users) Only. Other cars will be impounded (location)." With the optional addition of the

principle user or users with letters not to exceed one (1) inch in height and mention of violation of parking if applicable.

(b) Long-Term Reserved Parking Lots—the sign shall read as follows: "Reserved Parking Under Contract. Other cars will be impounded (location)." With the optional addition of the name and telephone number of the owner with letters not to exceed one (1) inch in height.

(iv) Theatrical playbills for theatres or playhouses which attract their patrons solely on the basis of transient or changing subject matter shown or performed on the premises will be permitted a total illuminated display area of eighty (80) square feet where it can be shown that the subject matter changes an average of at least a dozen times a year. Playbill display cases will be permitted when restricted to changing subject matter shown on the premises.

(v) Graphics type wall paintings may be permitted on building walls when not abutting a street lot line nor used primarily for business or product identification purposes in compliance with the building facade provisions of Section 24.926 and found to be visually compatible with the surrounding area.

(3) Advertising Signs—Advertising signs, which include off-premise business identification signs, shall be prohibited throughout the district.

Section 24.928. Restricted Building Demolition.

To discourage the unwarranted demolition of existing structures which contribute to the District's cultural and social heritage and which have some economic utility for uses other than those proposed after demolition, an Environmental Assessment shall be prepared and circulated for the consideration of a Certificate of Approval. Among other factors, the economic, social and physical consequences and benefits of the requested demolition and any alternatives to demolition shall be assessed. Where the requested demolition would cause an adverse affect upon the District and reasonable alternatives to demolition exist, a Certificate of Approval should not generally be authorized.

Structures illustrated on Exhibit D9 attached hereto are hereby designated as having a special potential for rehabilitation and/or architectural and/or urban design significance to the streetscape and where an imminent danger to human life exists no Certificate of Approval shall be granted to demolish any of such structures until a Certificate of Approval has been issued for the proposed reuse of the property.

Section 24.929. Minimum Maintenance.

In order to accomplish the purposes of the International Special Re-use Law, District all buildings within the District should be preserved against decay and deterioration caused by neglect or defective or inadequate weather protection.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25th day of October, 1976, and signed by me in open session in authentication of its passage this 25th day of October, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 29th day of October, 1976.

WES UHLMAN,
Mayor.

Filed by me this 23th day of October, 1976.

Attest: F. L. KIDD,
City Comptroller and
City Clerk.

(Seal) By W. ANGEVINE,
Deputy Clerk.

Publication ordered by F. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce: Seattle, November 2, 1976.

(C-691)

