

Ordinance No. 110570

AN ORDINANCE relating to zoning and land use: adding a new Subtitle III to Title 23 of the Seattle Municipal Code (Land Use Code) and repealing Section 24.98 to establish platting requirements; adopting an Official Land Use Map for all residential zones; adding a new Chapter 23.45 and new Sections 23.34.36, 23.34.38, 23.34.40, 23.34.42, 23.34.44, 23.40.10, 23.86.12, 23.86.14, 23.86.16, 23.86.18, 23.86.20, 23.86.22 to provide for multi-family zones in Title 23; and amending Sections 23.16.02, 23.30.10, 23.54.10, 23.54.20, 23.54.30, 23.76.06, 23.76.30, 23.84.04, 23.84.06, 23.84.18, 23.84.20, 23.84.30, 23.84.32, 23.84.36, 23.84.38, and 23.86.06 of Title 23 to conform to requirements of the multi-family provisions in Title 23.

COMPTROLLER

FILE NUMBER

5-4-82 Pass as amended
291139 WP

Council Bill No. 103042

INTRODUCED: MAY 03 1982	BY: EXECUTIVE REQUEST
REFERRED: MAY 03 1982	TO: Land Use
REFERRED:	
REFERRED:	
REPORTED:	SECOND READING:
THIRD READING:	SIGNED:
PRESENTED TO MAYOR:	APPROVED:
RETD. TO CITY CLERK:	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

* ORD. 110570 AMENDMENTS & RE

C.F. 291139 -MULTI-FAMILY LAND USE CODE. (3 Large Boxes)

- Res. 26765 -Approves a summary of ... for publication in lieu of verbatim publication, as auth by RCW 65.16.160.
- Ord. 110793 -Amends numerous Sec's of Ord. 110570 (SMC Title 23).
- Res. 26579 -Adopts multi-family land use policies & policies for major institutions & planned unit developmts.
- Ord. 110939 -Amends Ord. 110669 to identify Exhibit A adopted therein as the OFFICIAL LAND USE MAP for all zones of the City & correcting mapping errors on the Map.
- Ord. 111098 -Adds a new chapter 23.68 to Title 23 (Ord's 110381 & 110570) to provide for a temporary INTERIM GREENBELT OVERLAY DISTRICT & amends the official Land Use Map of the City of Seattle to establish the District.
- ✓ Ord. 111100-Amends ... by adding a new chapter to establish zone & regulations for MAJOR INSTITUTIONS, & adopting institutional & non-institutional zone classifications for certain major institutions, etc.
- Ord. 111101 -Amends ... by adding chapter 23.80 to provide criteria & process for designation new major institutions (MASTER PLAN), etc.
- C.F.292649 -Documents re to FINE-TUNING Amendments proposed for the Land Use Code.
- Res. 26579 -Adopts SINGLE FAMILY RESIDENTIAL AREAS, Land Use policies.
- RES. 27011 -Establishes a schedule & process for public review & City Council consideration of the Mayor's proposed NEIGHBORHOOD COMMERCIAL AREA POLICIES.
- ~~Ord. 111926 -Amends Land Use Code, enacting interim zoning controls for downtown pending the adoption of permanent controls for zoning the downtown area; Adds new Chapter 23.49; amends Chapters 23.54, 23.84 & 23.86.~~

ORDINANCE 110570
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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 23 of the Seattle Municipal Code the following Subtitle:

1 SUBTITLE III

2 PLATTING REQUIREMENTS

3 Chapter 23.20

4 General Provisions

5 23.20.02 Purpose

6 The purpose of Subtitle III is to implement the authority
7 granted to the City by RCW Chapter 58.17 and to conform to its
8 provisions which govern the platting and subdivision of land.

9 23.20.04 Exemptions from Platting Regulations

10 Pursuant to RCW Chapter 58.17, the provisions of Subtitle
11 III shall not apply to:

12 (1) Cemeteries and other burial plots while used for that
13 purpose;

14 (2) Divisions of land into lots or tracts each of which
15 is one one-hundred twenty-eighth of a section of land or
16 larger or five acres or larger is the land is not capable of
description as a fraction of a section of land;

17 (3) Divisions made by testamentary provisions, or the
18 laws of descent;

19 (4) Divisions of land into lots or tracts classified for
20 industrial or commercial use when the City has approved a
21 binding site plan as defined in 23.84.04 for the use of land;

22 (5) A division for the purpose of lease when no resi-
23 dential structure other than mobile homes or travel trailers
24 are to be placed upon the land when a binding site plan has
25 been approved for the use of the land;

1 Exemptions provided by this section shall not be construed as
2 exemptions from compliance with other applicable development
3 standards required by this Code.

4 23.20.08 Compliance with State Law and Land Use Code

5 Every division of land shall comply with the provisions of
6 RCW Chapter 58.17 and the provisions of this subtitle. They
7 shall conform to the Land Use Policies, Subtitle II, and all
8 land use regulations, Subtitle IV, in effect at the time any
9 preliminary plat is approved. Lots shall be of a size and
10 dimension and have access adequate to satisfy the requirements
11 of Subtitle IV of this Title.

12 23.20.12 Effect of noncompliance

13 No building permit or other development permit shall be
14 issued for any lot, tract, or parcel of land divided in viola-
15 tion of RCW Chapter 58.17 or this subtitle, unless the
16 Director finds that the public interest will not be adversely
17 affected by the decision. The prohibition contained in this
18 section shall not apply to an innocent purchaser for value
19 without actual notice. All purchaser's or transferee's
20 property shall comply with provisions of RCW Chapter 58.17 and
21 this Chapter, and each purchaser or transferee may recover his
22 damages from any person, firm, corporation, or agent selling
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1 or transferring land in violation of RCW Chapter 58.17 or this
2 Chapter, including any amount reasonably spent as a result of
3 an inability to obtain any development permit and spent to
4 conform to the requirements of RCW Chapter 58.17 and this
5 Chapter as well as the cost of investigation, suit, and
6 reasonable attorney's fees. A purchaser or transferee may, as
7 an alternative to conforming the property to these require-
8 ments, rescind the sale or transfer and recover costs of
9 investigation, suit, and reasonable attorney's fees.

10 Chapter 23.22

11 Subdivisions

12 Subchapter 1: Preliminary Plat Process

13 23.22.16 Application

14 A. Official filing of an application for subdivision
15 with the Director shall be preceded by a preliminary review of
16 the proposed subdivision by the Director and the Director of
17 Engineering.

18 B. Following the review, the subdivider shall submit an
19 application to the Director, accompanied by a filing fee, as
20 described in Permit Fee Ordinance, Ch. 22.900. A subdivider
21 shall submit with the application fifteen copies of a
22 preliminary plat and four copies of preliminary plans for
23 streets and other improvements. Unless the subdivider
24 requests otherwise, at the time of application the application
25 will be processed simultaneously with applications for rezones
26 of or planned unit or planned residential development upon the
27 property to be subdivided.

28 C. A preliminary plat shall be approved, disapproved or
returned to the applicant for modification or correction within
ninety days from date of filing unless the applicant consents

1 to an extension of the time period. If an environmental impact
2 statement is required as provided in RCW 43.21C.030, the
3 ninety day period shall not include the time required for
4 environmental review.

5 23.22.20 Content of plat

6 A. Every preliminary plat shall consist of one or more
7 maps together with written data including the following:

- 8 1. The name of the proposed subdivision;
- 9 2. North point and scale; the location of existing
10 property lines: streets, building, if any; water-
11 courses and all general features;
- 12 3. The legal description of the land contained within
13 the subdivision;
- 14 4. The names and addresses of all persons, firms and
15 corporations holding interest in the lands, including
16 easement rights and interest;
- 17 5. The proposed names, locations, widths and other
18 dimensions of proposed streets, alleys, easements,
19 parks, lots, building lines, if any, and all other
20 information necessary to interpret the plat,
21 including the location of existing utility and access
22 easements which are to remain;
- 23 6. The location of streets in adjoining plats and the
24 approximate location of adjoining utilities and
25 proposed extensions into the plat;
- 26 7. The names of adjoining plats;
- 27 8. The name, address, and telephone number and seal of
28 the registered land surveyor who made the survey or
under whose supervision it was made;

- 1 9. The date of the survey;
- 2 10. All existing monuments and markers located by the survey;
- 3 11. The zoning classification applicable to the land
- 4 within the subdivision;
- 5 12. The conditions of or the limitations on dedications,
- 6 if any, including slope rights;
- 7 13. Contour intervals as required, based upon city datum.

8 B. Any plat submitted that covers only a part of the

9 subdivider's tract shall be accompanied by a sketch showing

10 the proposed future street system in the remainder of the

11 tract so that the street layout of the tract may be considered

 as a whole.

12 C. The plat shall comply with the technical requirements

13 of Subchapters 5 and 6.

14 22.22.24 Distribution of preliminary plans

15 If the Director determines that the subdivider has met all

16 the application requirements for the preliminary plat and that

17 the preliminary plat contains sufficient elements and data to

18 furnish a basis for its approval or disapproval, the Director

19 shall affix a file number and date of receipt to the applica-

20 tion and promptly forward three copies of the plat and the

21 subdivider's preliminary plans for streets and other improve-

22 ments to the Director of Engineering. The Director shall also

23 forward a copy of the preliminary plat to each of the

 following:

- 24 A. Director of Public Health;
- 25 B. Superintendent of City Light;
- 26 C. Director of DCD;
- 27 D. Superintendent of Parks and Recreation;

1 E. Superintendent of Water;

2 F. Chief, Fire Department;

3 G. Municipality of Metropolitan Seattle;

4 who shall review the preliminary plat and, within thirty days,
5 furnish the Director with a report as to the effect of the
6 proposed subdivision upon the public health, safety and
7 general welfare, and containing their recommendations for
8 approval or disapproval of the preliminary plat. The reports
9 of the Director of Engineering and the Superintendent of Water
10 shall also include a recommendation as to the extent and type
11 of improvements to be provided in dedicated areas and a
12 preliminary estimate of the cost of these improvements.

12 23.22.28 Director's Report to the Hearing Examiner

13 The Director shall prepare a written recommendation for
14 approval or disapproval of the preliminary plat which shall
15 include the reports and recommendations of the City depart-
16 ments and of other consulted governmental agencies. The
17 recommendation shall be made available to the Hearing
18 Examiner, the consulted departments and agencies, and the
19 public not less than fourteen days before the public hearing.

20 23.22.32 Hearing Examiner's Hearing

21 A. Upon receipt of an application, the Director shall
22 promptly set a date for public hearing before the Hearing
23 Examiner, provided, that if an environmental impact statement
24 is required the hearing shall not be held until the final
25 environmental impact statement has been issued.

26 B. The Director shall give notice of the time, place and
27 purpose of the public hearing as follows:

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1. Publication not less than twenty days prior to the hearing in a newspaper of general circulation within the county and a newspaper of general circulation in the area where the real property proposed to be subdivided is located;
2. Mailed notice to all owners of real property located within three hundred feet of any portion of the boundary of the proposed subdivision. If the owner of the property to be subdivided owns another parcel or parcels of real property lying adjacent to the property to be subdivided, notice shall be mailed to all owners of real property located within three hundred feet of any portion of the boundaries of the adjacently located parcel(s) owned by the subdivider;
3. By notifying the applicant and each of the recipients of the preliminary plat listed in Section 23.34.24;
4. All hearing notices shall include either a vicinity location sketch or a written location description in a nonlegal language.

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C. The Hearing Examiner shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the Council based upon the criteria established in Subchapter 2. Any hearing may be continued at the discretion of the Hearing Examiner within the time limits allowed by law.

23.22.36 Hearing Examiner's recommendation to Council

The Hearing Examiner shall submit written findings of fact, conclusions and a recommendation for approval or disapproval of a preliminary plat to the Council within ten

1 days following conclusion of the hearing which shall be accom-
2 panied by the Director's report required by Section 23.22.28.
3 In making recommendations on the proposed preliminary plat,
4 the Director and the Hearing Examiner shall consider the criteria
5 established in Sections 22.34.50, .54, and .56.

6 23.22.40 Council Review

7 Pursuant to RCW 58.17, upon receipt of the Hearing Examiner's
8 recommendations, the Council shall at its next public meeting
9 set the date for the public meeting at which it may adopt or
10 reject the recommendations. If, after considering the matter
11 at a public meeting, the Council determines that a change is
12 necessary in the Hearing Examiner's recommendation, it shall
13 conduct a public hearing and adopt its own recommendations and
14 approve or disapprove the preliminary plat. The public hearing
15 may be held before a committee constituting a majority of the
16 Council, which shall report its recommendations on the matter
17 to the Council for final action by resolution. The decision
18 of the Council shall be in writing and shall include findings
19 of fact and conclusions to support its decision. It shall
20 clearly state any conditions of approval imposed, including
21 dedications and the construction of protective improvements.
22 If the preliminary plat is approved, the decision shall include
23 a written finding of fact that the proposed subdivision is in
24 conformity with the applicable provisions of this Title 23.

25 23.22.44 Notification of applicant and parties of record

26 The Council shall notify the applicant and all parties of
27 record of its action on the preliminary plat and shall forward
28 approved copies, together with any conditions imposed by the
Council, to the Director of Engineering and the Director.

1 23.22.48 Effect of preliminary plat approval

2 A. Approval of the preliminary plat shall constitute
3 authorization for the subdivider to develop the subdivision
4 facilities and improvements as required in the approved
5 preliminary plat upon issuance of the final plat. Development
6 shall be in strict accordance with the plans and specifications
7 as prepared or approved by the Director of Engineering and
8 subject to any conditions imposed by the Council.

9 B. No subdivision requirements which become effective
10 after the approval of a preliminary plat for a subdivision
11 shall apply to such subdivision unless the Council determines
12 that a change in conditions created a serious threat to the
13 public health or safety.

13 Subchapter 2: Preliminary Plat Considerations

14 23.22.50 Topographical and surface hazards; protective improvements

15 Land having topographical or subsurface conditions hazardous
16 to the health, safety or general welfare of persons or property
17 in or near a proposed subdivision shall not be subdivided unless
18 the construction of protective improvements will eliminate the
19 hazards or unless land subject to the hazard is restricted to
20 uses which will not expose persons or property to the hazard.
21 Protective improvements consistent with the standards
22 established in Subchapter 6 shall be constructed, prior to
23 final plat approval unless a performance bond acceptable to
24 the Director of Engineering is filed in lieu of the improvements.

24 23.22.52 Dedications Required

25 A. Every subdivision shall include adequate provision for
26 dedication of drainage ways, streets, alleys, easements, slope
27 rights, parks, and other public open spaces for general purposes
28 as may be required to protect the public health, safety and welfare.

AMENDED - ORD.
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B. Protective improvements and easements to maintain the improvements shall be dedicated at the discretion of the City.

C. Convenient access to every lot by way of a dedicated street or permanent appurtenant easement shall be provided. Roads not dedicated to the public must be clearly marked on the face of the plat. Subdivisions adjacent to navigable bodies of water shall contain dedications for public access to the bodies of water unless the Council determines the public interest will not be served by the dedication. The dedication shall be to the low water mark and shall include easements for pedestrian traffic at least ten feet wide parallel to and bordering the high water mark.

D. If the Council concludes that the public interest will be served the Council may, in lieu of requiring the dedication to the public of land in a subdivision for protective improvements, drainage ways, streets, alleys, sidewalks, parks and other open space, allow the land to be conveyed to a home owner's nonprofit maintenance corporation. In that case the subdivider shall, at or prior to the time of filing a final plat for approval, supply the Director with copies of articles of incorporation and bylaws of the grantee organization and with evidence of the conveyance or of a binding commitment to convey. The articles of incorporation shall provide that membership in the corporation shall be conditioned upon ownership of land in the subdivision, that the corporation is empowered to assess the land for costs of construction and maintenance of the improvements and property owned by the corporation, and that the assessment shall be a lien upon the land. The City Attorney shall review and approve the articles of incorporation and by-laws as to compliance with this provision. The Council may impose other conditions as it deems appropriate to

1 assure that property and improvements owned by the corporation
2 will be adequately constructed and maintained.

3 E. Any dedication, donation or grant as shown on the
4 face of the plat shall be considered to all intents and pur-
5 poses, as a quitclaim deed to the donee or donees, grantee or
6 grantees, for his, her or their use for the purpose intended
7 by the donors or grantors.

8 23.22.54 Public Use and Interest

9 The Council shall inquire into the public use and interest
10 proposed to be served by the establishment of the subdivision
11 and dedication. It shall consider all relevant facts to
12 determine whether the public interest will be served by the
13 subdivision and dedication, and if it finds that the proposed
14 plat makes appropriate provision for the public health, safety
15 and general welfare and for open spaces, drainage ways,
16 streets, alleys, other public ways, water supplies, sanitary
17 wastes, fire protection facilities, parks, playgrounds, sites
18 for school and schoolgrounds and that the public use and
19 interest will be served by the platting of subdivision, then
20 it shall be approved. If it finds that the proposed plat does
21 not provide the appropriate elements or that the public use
22 and interest will not be served, then the Council may
23 disapprove the proposed plat. Dedication of land to any
24 public body may be required as a condition of subdivision
25 approval and shall be clearly shown on the final plat. The
26 Council shall not as a condition to the approval of any plat
27 require a release from damages to be procured from other property
28 owners.

1 23.22.56 Flood Control Zone

2 No plat shall be approved by the Council covering any land
3 situated in a flood control zone as provided in RCW Chapter
4 86.16 without the prior written approval of the State
5 Department of Ecology.

6 Subchapter 3: Review of Final Plat

7 23.22.64 Filing with Director of Engineering

8 A. Time of Filing.

9 1. A final plat meeting all the requirements of RCW
10 Chapter 58.17 and of this chapter, shall be filed with the
11 Director of Engineering within three years of the date of pre-
12 liminary plat approval. As required by RCW 58.17.140, an
13 applicant who files a written request with the City Council at
14 least thirty days before the expiration of the three-year
15 period shall be granted one one-year extension upon a showing
16 that the applicant has attempted in good faith to submit the
17 final plat within the three-year period.

18 2. Within thirty days of the date of filing of the
19 plat, unless the applicant consents to an extension of the
20 time period, final plats shall be approved or disapproved by
21 action of the Council, or returned to the applicant.

22 B. Submittal Requirements. The following shall be sub-
23 mitted for final plat review:

24 1. A final plat consistent with the technical
25 requirements of Section 23.22.66 and Subchapters 5 and 6.

26 2. A complete survey of the section or sections in
27 which the plat or replat is located, or as many sections as
28 may be necessary to properly orient the plat within the section
 or sections.

1 3. Complete field and computation notes as provided
2 in Section 23.22.94.

3 4. A title report from a title company licensed to
4 do business in the state showing the ownership and title of
5 all parties of interest in the subdivision and confirming that
6 title of the lands as described and shown on the final plat is
7 in the name of the owners signing the certificate required in
8 Section 23.22.66.

9 5. A guarantee deposit in an amount established by
10 the Director of Engineering sufficient to cover the expense of
11 the City in checking the plat, advertising the ordinance,
12 posting notices;

13 23.22.66 Technical standards for final plat

14 A. The final plat shall be prepared upon the best grade
15 of tracing medium and shall be eighteen inches by twenty-two
16 inches in size. The accuracy and completeness of the map
17 shall be the sole responsibility of a registered land surveyor
18 whose seal shall appear on the plat and who shall make field
19 surveys and investigations as necessary to insure that the map
20 is complete and accurate in every detail. The preparation of
21 the tracing shall be by an experienced draftsman and work
22 shall conform to established standards of workmanship. The
23 final plat shall be presented at a scale not smaller than one
24 hundred feet to one inch and shall contain and show the
25 following:
26
27
28

1 23.22.68 Certificates Required

2 Each and every final plat, or replat, of any property to
3 be filed for record shall:

4 1. Contain a statement of approval from the Director of
5 Engineering as to the survey date, the layout of streets,
6 alleys and other rights-of-way, design of bridges, sewage and
7 water systems, and other structures;

8 2. Be acknowledged by the person filing the plat before
9 the King County Director of Records and Elections or any other
10 officer who is authorized by law to take acknowledgment of
11 deeds, and a certificate of the acknowledgment shall be
12 enclosed or annexed to the plat and recorded with it;

13 3. Contain a certification from the proper officer or
14 officers in charge of tax collections that all taxes and
15 delinquent assessments for which the property may be liable as
16 of the date of certification have been duly paid, satisfied or
17 discharged;

18 4. Contain a certificate giving a full and correct
19 description of the lands divided as they appear on the plat,
20 including a statement that the subdivisions has been made with
21 the free consent and in accordance with the desires of the
22 owners. If the plat is subject to a dedication, the cer-
23 tificate or a separate written instrument shall also contain
24 the dedication of all streets and other areas to the public,
25 an individual or individuals, religious society or societies
26 or to any corporation, public or private as shown on the plat
27 and a waiver of all claims for damages against any govern-
28 mental authority which may be occasioned to the adjacent land
by the established construction, drainage and maintenance of
the road. The certificate or instrument of dedication shall

1 be signed and acknowledged before a notary public by all par-
2 ties having any ownership interest in the land subdivided and
3 recorded as part of the final plat.

4 23.22.70 Director's action on final plat

5 The Director of Engineering shall refer the final plat to
6 the Director who shall review the final plat for substantial
7 conformance to the approved preliminary plat, including any
8 requirements or conditions imposed by the Council, and to the
9 standards established by RCW Chapter 58.17 and this chapter.
10 The Director shall within ten days furnish the Director of
11 Engineering with a report regarding the conformance of the
12 plat. The Director of Engineering shall review the final plat
13 for the following:

14 A. That the proposed final plat bears the certificates
15 and statements of approval required by state law and this
16 chapter;

17 B. That a title insurance report furnished by the sub-
18 divider confirms the title of the land and the proposed sub-
19 division is vested in the name of the owners whose signatures
20 appear on the plat certificate;

21 C. That the facilities and improvements required to be
22 provided by the subdivider have been completed or alter-
23 natively, that the subdivider will provide a bond in a form
24 approved by the City Attorney and in an amount commensurate
25 with the cost of improvements remaining to be completed, con-
26 ditioned upon the construction and installation of improve-
27 ments within a fixed time set by the Council, not to exceed
28 two years after final approval of the plat.

1
2 D. That the map is technically correct and accurate as
3 certified by the registered land surveyor responsible for the
4 plat.

5 23.22.72 Submission to Council

6 A. Pursuant to the requirements of RCW 58.17.150, the
7 Director of Engineering shall not modify the recommendations
8 made in the Council approval of the preliminary plat when
9 making recommendations on the final plat without the consent
10 of the subdivider.

11 B. If the Director and the Director of Engineering
12 determine that the requirements of this subtitle are met, the
13 Director of Engineering shall certify that the proposed final
14 plat meets the requirements of RCW Chapter 58.17 and this
15 chapter, and shall forward a complete copy of the proposed
16 plat to the Council.

17 C. If either Director determines that the requirements
18 of this Chapter have not been met, the final plat shall be
19 returned to the applicant for modification, correction, or
20 other action as may be required for approval; provided, that
21 the final plat shall be forwarded to the Council together with
22 the determination of the Directors, upon written request of
23 the subdivider.

24 23.22.74 Council determination

25 A. The Council shall determine:

26 1. Whether the final plat is in substantial
27 conformance with the approved preliminary plat;

28 2. Whether the requirements imposed when the
preliminary plat was approved have been met;

1 3. Whether the bond, if required by the city, is
2 sufficient in its terms to assure completion of improvements;
3 and

4 4. Whether the requirements of state law and the
5 Seattle Municipal Code which were in effect at the time of
6 preliminary plat approval have been satisfied by the sub-
7 divider.

8 B. The Council shall approve by ordinance, or disapprove,
9 the proposed final plat. If the Council approves the plat, it
10 shall inscribe and execute its written approval on the face of
11 the plat, and the Director of Engineering shall transmit the
12 original plat to the King County Director of Records and
13 Elections for filing, and forward one copy to the Director and
14 one copy to the County Assessor. At least one copy of the
15 approved final plat shall be retained in the files of the
16 Director of Engineering.

17 C. As required by RCW 58.17.170, a subdivision shall be
18 governed by the terms of approval of the final plat and any
19 lots created thereunder shall be deemed to meet lot require-
20 ments imposed by this Land Use Code for a period of no less
21 than five years.

22 23.22.78 Resubmission

23 A. Any final plat disapproved by the Council or returned
24 to the applicant may, at the subdivider's option, be resubmitted
25 for approval upon satisfaction of the following conditions:

26 1. The subdivider has corrected those deficiencies
27 of the final plat, attachments to it, or improvements, any or
28 all of which caused the final plat to be returned or disapproved;

1 2. The final plat is resubmitted within the three
2 year period after the date of approval of the preliminary plat
3 as provided in 23.22.64 or within six months from the date of
4 Council disapproval whichever is later.

5 3. The final plat was not disapproved by Council
6 with prejudice against resubmission;

7 4. The subdivider has not accepted any proffered
8 refund of filing fees paid for individual lots.

9 B. Any subdivision, the final plat of which is dis-
10 approved for reasons of nonconformance with the approved pre-
11 liminary plat and any requirements or conditions attached to
12 it, may be submitted as a preliminary plat, and shall be con-
13 sidered a new and separate application for all intents and
14 purposes.

14 Subchapter 4: Reserved Land

15 23.22.82 Land reserved for public use

16 Any public agency with the power to acquire land by con-
17 demnation or otherwise for public use may, at any time prior
18 to final approval of a preliminary plat, notify the Council
19 and the subdivider of its intention to acquire some or all of
20 the land in the proposed subdivision for public use, and may
21 request that the Council require its dedication for the use.
22 In the event the land is not dedicated for the use, the public
23 agency may request that the Council require the reservation of
24 the land for a stated period not to exceed the two years
25 following the Council's approval of the final plat, during
26 which time the agency may acquire the land. If the Council
27 finds that the public health, safety, or general welfare will
28 be served, it may require as a condition precedent to approval

1 of the final plat that the land or that part of it as the
2 Council deems appropriate be designated on the plat as
3 reserved land and that for the period requested or a shorter
4 period as the Council deems sufficient, the reserved land not
5 be developed for uses other than the contemplated public use.
6 A public agency may accelerate the expiration date of a reser-
7 vation period by filing written notice with the King County
8 Director of Records and Elections of its intention to abandon
9 its right to acquire the reserved land.

10 23.22.84 Reserved land to show on plat

11 The subdivider may indicate on the plat that if the
12 reserved land is not acquired for public use, it shall be sub-
13 divided and if the subdivider does so the plat shall show the
14 configuration and dimensions of the proposed lots, blocks,
15 streets, easements, and like features in the reserved area.

16 23.22.86 No development on reserved land

17 No building permit or other development permit shall be
18 issued for improvements on reserved land during the period of
19 reservation unless the public agency has abandoned its rights
20 and except as expressly authorized by the Council at the time
21 the final plat is approved.

22 23.22.88 Development if not acquired

23 If the public agency has not acquired or commenced pro-
24 ceedings to acquire the reserved lands within the period set
25 by the Council, the subdivider may proceed to develop land
26 lying within the reserved area in conformity with the final
27 plat. No improvements shall be made upon reserved land which
28 is made available for development until adequate security for

1 development of all required public and protective improvements
2 has been provided.

3 Subchapter 5: Survey Requirements

4 23.22.92 Registered land surveyor

5 A survey of every proposed subdivision and the preparation
6 of preliminary and final plats of the subdivision shall be
7 made by or under the supervision of a registered land surveyor
8 who shall certify on the plat that it is a true and correct
9 representation of the lands actually surveyed. All surveys
10 shall conform to standard practices and principles for land
11 surveying.

12 23.22.94 Computations; Notes

13 A. The surveyor shall furnish the Director of
14 Engineering with a full set of survey notes which notes shall
15 clearly show:

- 16 1. The ties to each permanent monument;
- 17 2. At least three durable, distinctive reference
18 points or monuments;
- 19 3. Sufficient data to determine readily the bearing
20 and length of each line;
- 21 4. The base meridian referred to.

22 B. A traverse of the boundaries of the subdivision and
23 all lots and blocks shall close within an area of one foot in
24 five thousand feet.

25 C. Primary survey control points shall be referenced to
26 section corners and monuments, and corners of adjoining sub-
27 divisions, or portions of subdivisions shall be identified and
28 ties shown.

1 23.22.96 Permanent control monuments

2 A. Permanent control monuments shall be established at:

3 1. All controlling corners on the boundaries of the
4 subdivision;

5 2. The intersections of centerlines of roads within
6 the subdivisions;

7 3. The beginning and ends of curves on centerlines;

8 4. All block corners.

9 B. Permanent control monuments may be placed on the off-
10 set lines. The position and type of every permanent monument
11 shall be noted on all plats of the subdivision. Permanent
12 control monuments shall be of a type approved by the Director
of Engineering.

13 C. Permanent control monuments within the streets shall
14 be set after the streets are graded. In the event a final
15 plat is approved before streets are graded, the security deposit
16 to provide for grading shall be sufficient to pay the costs of
17 setting the monuments estimated by the Director of
Engineering.

18 D. Each lot corner shall be marked by a three-quarter-
19 inch galvanized iron pipe, twenty-four inches in length, or
20 approved equivalent, driven into the ground.

21 23.22.98 Property contiguous to water

22 If any land in a subdivision is contiguous to a body of
23 water, a meander line shall be established along the shore at
24 a safe distance back from the ordinary high water mark.
25 Property lying below and beyond the meander line shall be
26 defined by distance along the side property lines extended
27 from the meander line. If the thread of a stream lies within

1 a subdivision or forms the boundary of a subdivision, such
2 thread shall be defined by bearings and distances as it exists
3 at the time of the survey.

4 Subchapter 6: Design and Construction Standards

5 13.22.100 Design standards

6 Except as provided in Section 23.22.106, design of all
7 subdivisions shall conform to the standards set forth in this
8 subsection.

9 A. Streets and alleys.

10 1. All subdivisions shall be served by one or more
11 streets providing adequate ingress and egress to and from the
12 subdivision.

13 2. Major streets within each subdivision shall con-
14 form with the City's thoroughfare and circulation plans and
15 shall provide for the continuation of major streets which
16 serve property contiguous to the subdivision. Unless
17 warranted by special physical circumstances, streets serving
18 lots on two sides shall be at least sixty feet wide.

19 3. Street intersections shall be as nearly at right
20 angles as practicable and in no event shall the angle formed
21 be less than thirty degrees.

22 4. A cul-de-sac shall be so designed as to provide
23 a circular turnaround at the closed end which has a minimum
24 radius of forty feet and a minimum roadway radius of twenty-
25 eight feet. A tee or other reasonable alternative may be
26 authorized by the Council in lieu of the turnaround. Cul-de-
27 sac streets shall not exceed four hundred fifty feet in length
28 and the right-of-way shall be at least fifty feet wide, except
under special circumstances a lesser width will be permitted.

1 5. Street networks shall provide ready access for
2 fire and other emergency vehicles and equipment, and routes of
3 escape for inhabitants.

4 6. Alleys shall be at least sixteen feet wide plus
5 such additional width as shall be necessary for an adequate
6 turning radius.

7 C. Blocks.

8 Blocks shall be designed to assure traffic safety and ease
9 of traffic control and circulation. Blocks shall be iden-
10 tified by letters or numbers.

11 D. Lots.

12 1. Every lot shall be provided with convenient
13 vehicular access to a street or to a permanent appurtenant
14 easement which satisfies the requirements of Section 23.54.20.

15 2. Lots shall be numbered with reference to blocks.

16 E. Sidewalks.

17 Design of sidewalk or sidewalk easements in residential
18 subdivisions shall be as required by the Director of
19 Engineering.

20 F. Drainage, storm sewer and utility easements.

21 1. Easements for drainage channels and ways shall
22 be of sufficient width to assure that they may be maintained
23 and improved. Easements for storm sewers shall be provided
24 and shall be of sufficient width and in proper location to
25 permit future installation. Utility easements shall be in
26 accordance with plans and specifications prepared by the
27 appropriate City department.

28 2. Easements for electric, telephone, water, gas,
and similiar utilities shall be of sufficient width to assure
installation and maintenance.

1 G. Underground utility installation.

2 Subdivisions located adjacent to subdivisions having
3 underground utility lines shall provide underground utility
4 lines including but not limited to those for electricity,
5 telephone, CATV and street lighting.

6 23.22.102 Improvements

7 A. Streets, bridges and other construction.

8 All streets, bridges, drains, culverts, and other struc-
9 tures and facilities in dedicated areas shall be constructed
10 in accordance with plans and specifications prepared or
11 approved by the Director of Engineering.

12 B. Street grading and surfacing.

13 All dedicated streets shall be graded to their full width
14 with adequate drainage provided prior to acceptance for public
15 use. Grades shall be established by the Director of
16 Engineering and all roadways shall be surfaced according to
17 plans and specifications prepared or approved by the
18 Director of Engineering.

19 C. Water and sewers.

20 Water supply facilities adequate to provide potable water
21 from a public supply to each lot within a subdivision shall be
22 installed in conformity with standards adopted by the
23 Superintendent of Water. Each lot shall be provided with a
24 sanitary sewer system connection approved by the Seattle-King
25 County Health Department and the Department of Engineering
26 unless the agencies determine that the lots can be adequately
27 served with private septic tanks. All connections shall con-
28 form to applicable City regulations.

1 D. Service mains and fire hydrants.

2 Prior to the construction of any structure in the sub-
3 division, service mains and fire hydrants shall be installed
4 in accordance with plans and specifications prepared or
5 adopted by the Director of Engineering and in accordance with
6 requirements and standards of the Water and Fire Departments.

7 23.22.106 Exceptions

8 Exceptions from the design standards and improvement
9 requirements set forth in this subchapter may be authorized by
10 the Council, in those instances where it is deemed that
11 hardship, topography, or other factual deterrent conditions
12 prevail, and in such manner as it considers necessary to maintain
13 the intent and purpose of the regulations and requirements.
14 Approval by the Council of a preliminary plat on which
15 variations and exceptions are clearly indicated shall consti-
16 tute authorization of the variations and exceptions.

17 Chapter 23.24

18 Short Plats

19 23.24.010 Filing of Application

20 A. Any person seeking to divide or redivide land
21 situated within the city into nine or fewer lots for the purpose
22 of sale or lease, transfer or ownership, development or
23 financing shall submit an application for approval of a short
24 subdivision to the Director together with an application fee
25 as established in the Permit Fee Ordinance, Ch. 22.900. The
26 application is subject to procedure requirements established
27 in Chapter 23.76, the Master User Permit Process. Within
28 thirty days of the date of filing, a short plat shall be
approved or disapproved or returned to the applicant, unless
the applicant consents to an extension of this time period.

1 B. A survey of each proposed short subdivision and pre-
2 paration of the short plat for it shall be made by or under
3 the supervision of a registered land surveyor who shall cer-
4 tify on a short plat that it is a true and correct represen-
5 tation of the lands actually surveyed.

6 23.24.020 Content of Application

7 Applications for approval of a short subdivision shall
8 include the following:

- 9 1. A plat of the proposed short subdivision con-
10 taining standard survey data;
- 11 2. A vicinity map on which shall be indicated the
12 property to be subdivided;
- 13 3. A plot plan, as appropriate, showing the loca-
14 tion and dimensions of existing buildings in relation to the
15 proposed short subdivision;
- 16 4. Legal descriptions of the property to be sub-
17 divided and of all proposed lots or divisions;
- 18 5. Name and address of owner(s) of the tract;
- 19 6. Location of existing roadways, sanitary sewer,
20 storm drain and watermains, if any, together with proposed
21 street improvements.

22 23.24.030 Content of short plat

23 A. Every short plat of a short subdivision filed for
24 record must contain:

- 25 1. A certificate giving a full correct description
26 of the lands divided as they appear on the short plat,
27 including a statement that the short subdivision has been made
28 with the free consent and in accordance with the desires of
 the owner or owners;

1 2. If the short plat includes a dedication, the
2 certificate or a separate written instrument of dedication
3 shall contain the dedication of all streets and other areas to
4 the public, an individual or individuals, religious society or
5 societies or to any corporation, public or private, as shown
6 on the short plat and a waiver of all claims for damages
7 against any governmental authority which may be occasioned to
8 the adjacent land by the established construction, drainage
and maintenance of the road;

9 3. Roads not dedicated to the public must be
10 clearly marked on the face of the short plat.

11 4. All short plats containing a proposed dedication
12 must be accompanied by a title report confirming that the
13 title of the lands as described and shown on the short plat is
14 in the name of the owner signing the certificate or instrument
of dedication.

15 B. The certificate and instrument of dedication shall be
16 signed and acknowledged before a notary public by all parties
17 having any ownership interest in the land subdivided and shall
18 be recorded as part of the final plat. Any dedication, dona-
19 tion, or grant as shown on the face of the short plat shall be
20 considered to all intents and purposes as a quitclaim deed to
21 the donee or donees, grantee or grantees for his, her or their
22 use for the purpose intended by the donors or grantors.

23 23.24.040 Criteria for approval

24 A. The Director shall, after conferring with appropriate
25 officials, use the following criteria to determine whether to
26 grant, condition, or deny a short plat:

1 1. Conformance to the applicable Land Use Policies
2 and Land Use Code provisions;

3 2. Adequacy of access for vehicles, utilities, and
4 fire protection;

5 3. Adequacy of drainage, water supply and sanitary
6 sewage disposal;

7 4. Whether the public use and interests are served
8 by permitting the proposed division of land.

9 B. If the short subdivision contains a proposed dedica-
10 tion, the Director shall refer the matter to the Director of
11 Engineering for report and recommendation. The short plat or
12 dedication instrument shall be transmitted to the City Council
13 for acceptance of the dedication by ordinance.

14 23.24.050 Director's decision

15 A. If the Director determines that the requirements of this
16 section are met, or may be met upon compliance with specified
17 conditions, the Director shall inform the applicant in writing
18 of the decision to approve the application and the conditions
19 of the approval, if any, and may return the proposed short
20 plat to the applicant for modification or correction. When
21 the Director has determined that: (1) the short plat contains
22 the certificates, dedication instruments and statements of
23 approval required by state law and this Chapter, (2) the short
24 plat and all legal descriptions are technically correct, and
25 (3) review procedures pursuant to Ch. 23.76 have been
26 concluded, the short plat shall be filed for record with the
27 King County Director of Records and Elections. Except for
28 purposes of appeal, no short plat or short subdivision granted
approval by the Director shall be deemed to have final approval
until filed.

1 B. The decision of the Director on a short subdivision
2 is subject to the further review procedures established under
3 the Master Use Permit process, Ch. 23.76.

4 23.24.060 Redivision procedures

5 Land within a short subdivision may not be further divided
6 within a five-year period immediately following approval and
7 filing of a short plat unless a final plat for such sub-
8 division is approved and filed for record in accordance with
9 the provisions of Chapter 23.22. However, any revision of an
10 approved short plat in which the total number of lots is not
11 increased shall not be considered a further division, and
12 shall be approved or disapproved in the manner prescribed in
13 Chapter 23.28.

14 Chapter 23.26

15 [Reserved]

16 Chapter 23.28

17 Lot Boundary Adjustments

18 23.28.010 Purpose

19 The purpose of this Chapter is to provide a method for
20 summary approval of lot boundary adjustments which do not
21 create any additional lot, tract parcel, site or division,
22 while insuring that such lot boundary adjustment satisfies
23 public concerns of health, safety, and welfare.

24 23.28.20 Application for approval of
 lot boundary adjustment

25 Anyone seeking an approval by the Director of a lot boundary
26 adjustment shall file an application as provided in Chapter
27 23.14, the Master Use Permit Process. All applications for
28 lot boundary adjustments shall contain the following:

- 1 1. A plan showing the proposed change and containing
- 2 standard survey data;
- 3 2. A plot plan as appropriate showing the location and
- 4 dimensions of existing structures in relation to the proposed
- 5 lot boundary adjustment;
- 6 3. A legal description of the property involved;
- 7 4. Name and address of owner(s) of the property involved.

8 23.28.30 Criteria for approval

9 The Director shall approve an application for a lot boundary

10 adjustment if it is determined that:

- 11 1. No additional lot, tract, parcel, site or division
- 12 will be created by the proposed adjustment;
- 13 2. No lot is created which contains insufficient area
- 14 and dimensions to meet the minimum requirements of the zone in
- 15 which the lots affected are situated, except as provided in
- 16 Section 23.54.08B(2);
- 17 3. No lot is created which does not have adequate
- 18 drainage, water supply and sanitary sewage disposal, and
- 19 access for vehicles, utilities and fire protection;
- 20 4. The lot boundary adjustment is consistent with
- 21 applicable provisions of the Land Use Code.

22 23.28.40 Filing

23 When the Director affixes a statement of approval to the

24 lot boundary adjustment application, the application together

25 with its contents shall be filed for record with the King

26 County Director of Records and Elections.

27

28

Section 2. That certain set of sectional maps dated May 3, 1982, and identified as Official Land Use Map, Exhibit "A," filed with the City Clerk on May 3, 1982, and establishing zone classifications for single family zones and multi family zones is hereby adopted as the Official Land Use Map for such residential zones, as contemplated in Section 23.32.16 of this Code.

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SECTION 3. There is added to Title 23 of the Seattle
Municipal Code the following chapter:

CHAPTER 23.45

RESIDENTIAL, MULTI-FAMILY

23.45.02 Scope of Provisions

This Chapter details those authorized uses and their develop-
ment standards which are or may be permitted in the five multi-
family residential zones: Lowrise 1 (L1), Lowrise 2 (L2),
Lowrise 3 (L3), Midrise (MR) and Highrise (HR).

Subchapter 1

Principal Uses Permitted Outright

23.45.04 Principal Uses Permitted Outright

A. The following principal uses shall be permitted outright
in Lowrise 1 zones:

1. Single family dwelling units
2. Ground-related multi-family structures such as
duplexes, triplexes, townhouses, and tandem houses
3. Boarding houses
4. Group homes
5. Halfway houses meeting all development standards.
6. Nursing homes meeting all development standards.
7. Institutions meeting all development standards.
8. Public facilities meeting all development stan-
dards.

B. The following principal uses shall be permitted outright
in Lowrise 2 zones:

1. Single family dwelling units
2. Ground-related multi-family structures
3. Boarding homes

4. Group homes
5. Halfway houses meeting all development standards
6. Nursing homes meeting all development standards
7. Institutions meeting all development standards
8. Public facilities meeting all development standards
9. Apartments, including terraced housing

C. The following principal uses shall be permitted outright in Lowrise 3 zones:

1. Single family dwelling units
2. Ground-related multi-family structures
3. Boarding homes
4. Group homes
5. Halfway houses meeting all development standards
6. Nursing homes meeting all development standards
7. Institutions meeting all development standards
8. Public facilities meeting all development standards
9. Apartments, including terraced housing

D. The following principal uses shall be permitted outright in Midrise zones:

1. Single family dwelling units
2. Ground-related multi-family structures
3. Boarding homes
4. Group homes
5. Halfway houses meeting all development standards
6. Nursing homes meeting all development standards
7. Institutions meeting all development standards
8. Public facilities meeting all development standards
9. Apartments, including terraced housing
10. Certain ground floor business and commercial uses

E. The following principal uses shall be permitted outright
in Highrise zones:

1. Single family dwelling units
2. Ground-related multi-family structures
3. Boarding homes
4. Group homes
5. Halfway houses meeting all development standards
6. Nursing homes meeting all development standards
7. Institutions meeting all development standards
8. Public facilities meeting all development standards
9. Apartments, including terraced housing
10. Certain ground floor business and commercial uses
11. Residential towers alone or in combination with

base structures

23.45.05 Development Standards for Single Family Structures

A. Single family structures shall be subject to the development standards for ground-related housing.

B. Required setbacks for existing single family structures may be reduced when the single family structure has a wall, sixty percent or more of which extends into a required setback. The line formed by the non-conforming wall of the structure shall be the delineation of the required setback for any additions, including basement additions (Exhibit 23.45.2). All new walls shall comply with the following requirements:

1. When it is a side wall, it is at least three feet from the side property line;
2. When it is a rear wall, it is at least ten feet from the rear property line or center line of an alley abutting the rear property line;

3. When it is a front wall, it is at least ten feet from the front property line.

23.45.06 General Development Standards for Multi-Family Structures

A. The following sections establish the development standards for multi-family structures in each multi-family zone. These standards shall also apply to uses accessory to multi-family structures unless specifically modified by development standards for those accessory uses.

B. All structures or uses shall be built or established on a lot or lots. More than one principal structure or use on a lot shall be permitted.

C. The development standards of each zone shall be applied in that zone, and may not be used in any other zone, unless otherwise specified.

D. Methods for measurements are provided in Chapter 23.86. Standards for parking access and design are provided in Chapter 23.54.

23.45.08 Lowrise 1, Height

A. Maximum height

The maximum height shall be thirty feet.

B. Sloped lots

On sloped lots, additional height shall be permitted along the lower elevation of the structure footprint, at the rate of one foot for each six percent of slope, to a maximum additional height of five feet (Exhibit 23.45.4).

C. Pitched roofs

The ridge of pitched roofs on principal structures shall be allowed to extend up to thirty-five feet, so long as the entire portion above thirty feet has a minimum of three-in-twelve pitch (Exhibit 23.45.6).

D. Rooftop features

1 1. Radio and television receiving aerials, flagpoles,
2 and spires for religious institutions are exempt from height
3 controls, except as regulated in Chapter 23.74 (Airport Height
4 District) provided they are no closer than fifty percent of their
5 height above existing grade, or, if attached only to the roof, no
6 closer than fifty percent of their height above the roof portion
7 where attached, to any adjoining lot line.

8 2. Railings, planters, skylights, chimneys,
9 clerestories, greenhouses, dish antennae, parapets, and firewalls
10 may extend four feet above the maximum height limit set in
11 Section 23.45.08 A and B above.

12 3. The following rooftop features may extend ten feet
13 above the maximum height limit set in Section 23.45.08 A and B
14 above, so long as the combined total coverage of all features
15 does not exceed fifteen percent of the roof area or twenty per-
16 cent of the roof area if the total includes screened mechanical
17 equipment:

- 18 - stair and elevator penthouses
- 19 - mechanical equipment
- 20 - play equipment and open mesh fencing which
21 encloses it, so long as the fencing is at least five feet from
22 the roof edge

23 4. For height exceptions for solar collectors, see
24 Section 23.45.146, Solar Collectors.

25 5. In order to protect solar access for property to
26 the north, the applicant shall either locate the rooftop features
27 listed below at least ten feet from the north edge of the roof,
28 or provide shadow diagrams to demonstrate that the proposed loca-
tion of such rooftop features would shade property to the north
on January 21 at noon no more than would a structure built to
maximum permitted bulk:

- solar collectors
- planters
- clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment

23.45.10 Lowrise 1, Structure Width and Depth

A. Maximum width

1. The maximum width of a structure on a lot when the front facade is not modulated according to the standards of Section 23.45.12 C or D shall be:

a. Thirty feet if there is no principal entrance facing the street, or

b. Forty feet if a principal entrance faces the street.

2. The maximum width of each structure on a lot shall be sixty feet when the front facade is modulated, according to the standards of Section 23.45.12 C or D.

B. Maximum depth

1. The maximum depth of a structure when the front facade is not modulated according to the standards of Section 23.45.12 C or D shall be fifty percent of the depth of the lot.

2. The maximum depth of a structure when the front facade is modulated according to the standards of Section 23.45.12 C or D shall be sixty-five percent of the depth of the lot.

23.45.12 Lowrise 1, Modulation Requirements

Modulation of structure facades shall be required subject to the following criteria:

A. Front facades

Modulation shall be required if the front facade width exceeds thirty feet with no principal entrance facing to the street, or forty feet with a principal entrance facing to the street.

B. Side facades

On corner lots, side facades greater than forty feet in width which face the street shall be modulated.

C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be four feet (Exhibit 23.45.8).

b. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum area of at least sixty square feet, the minimum depth of modulation shall be two feet (Exhibit 23.45.10).

2. The minimum width of modulation shall be five feet (Exhibit 23.45.12).

3. Maximum width of modulation.

The modulation width shall emphasize the identity of individual units, but shall not be greater than thirty feet. For units located one above the other, the individuality of the units shall be emphasized through the location of driveways, entrances, walkways, and open spaces.

4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the roof.

23.45.14 Lowrise 1, Setback Requirements

1 Front, rear and side setbacks shall be provided for all lots,
2 according to the following provisions:

3 A. Front setback

4 The required front setback shall be the average of the
5 setbacks of the first principal structures on either side, sub-
6 ject to the following provisions:

7 1. The front setback shall in no case be required to be
8 more than five feet greater than the setback of the first prin-
9 cipal structure on either side which is closer to the front lot
10 line.

11 2. The front setback shall not be required to exceed
12 twenty feet.

13 3. Portions of a structure in front setbacks

14 a. Portions of a structure may project into the
15 required front setback, as long as the average distance from the
16 front property line to the structure satisfies the minimum front
17 setback requirement.

18 b. No portions of a structure between existing
19 grade and ten feet above existing grade shall be closer to the
20 front lot line than five feet.

21 c. Portions of the facade which begin ten feet or
22 more above existing grade may project up to four feet beyond the
23 lower portion of the facade without being counted in setback
24 averaging.

1 d. Portions of the facade which begin ten feet or
2 more above existing grade shall be no closer to the front lot line
3 than three feet.

4 4. Front setback exceptions

5 a. Structures along heavily traveled arterials

6 In order to reduce noise and glare impacts,
7 multi-family structures located on arterials with more than fif-
8 teen thousand average vehicle trips per day, according to
9 Engineering Department data, shall be allowed a reduction in the
10 required front setback. The required front setback along these
11 arterials may be reduced to either fifty percent of the front
12 setback specified in the development standards, or to the front
13 setback of the principal structure on either side, whichever is
14 less. A list of such arterials shall be maintained by the
15 Department.

16 b. Through lots

17 In the case of a through lot, each setback
18 abutting a street except a side setback shall be a front setback.
19 Rear setback requirements shall not apply to the lot.

20 B. Rear setback

21 1. The minimum rear setback shall be either:

22 Ten feet, with modulation required along the rear
23 facade according to the standards for front facade modulation,
24 Section 23.45.12A, or

25 An average of fifteen feet, provided that no part
26 of the setback shall be less than ten feet.

27 2. Rear setback exception

28 For lots less than five thousand square feet in
area, which have no more than two units per lot and which have a
rear lot line abutting an alley, a zero rear setback is per-
mitted, provided that:

1 a. The structure is no taller than ten feet along
2 the rear the rear property line and of no greater average height
3 than twelve feet for a depth of fifteen feet from the rear prop-
erty line (Exhibit 23.45.12A); and

4 b. The structure is no wider than fifty percent of
5 the lot width for a depth of fifteen feet from the rear property
line (Exhibit 23.45.12B).

6 C. Side setbacks

7 1. The required side setback in Lowrise 1 zones shall
8 be five feet. This setback may be averaged along the entire
9 structure depth, but shall at no point be less than three feet.

10 2. Side setback exceptions

11 a. Where there is a principal entrance along a
12 side facade, the minimum setback shall be five feet. Averaging
13 shall not be permitted. When the entrance is essentially
14 parallel to the side lot line, the minimum setback shall be ten
15 feet. When the entrance is not essentially parallel to the side
16 lot line, the midpoint of the door shall be no less than seven-
and-one-half feet from the property line (Exhibit 23.45.14).

17 b. The side street setback of a reversed corner
18 lot shall be one half the depth of the key lot's front setback,
19 but shall not be less than ten feet, nor be required to exceed
20 twenty feet. Averaging shall not be permitted (Exhibit 23.45.16).

21 c. When the depth of a structure exceeds sixty-
22 five feet, an additional setback shall be required for that por-
23 tion in excess of sixty-five feet. This additional setback may
24 be averaged along the entire length of the wall. The additional
setback shall be provided as shown in the following chart:

Side Setback Requirements for Structures

Greater than Sixty-Five Feet in Depth

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H	0-10	11-20	21-30	31-40
D	Side Setback in Feet			
66-75	6	7	8	9
76-85	7	8	9	10
86-95	8	9	10	11
96-105	9	10	11	12
106-115	10	11	12	13
116-125	11	12	13	14
126-135	12	13	14	15

For structures greater than 135 feet in depth, the pattern established in the charts shall be continued.

H = greatest height of facade beyond sixty-five-foot depth (in feet, measured from front of the structure). In the case of a through lot, the applicant may decide which street facade is to be considered the front.

D = depth of structure (in feet)

D. General setback exceptions

1. Required setbacks for cluster developments

Where two or more principal structures are located on one lot (Exhibit 23.45.18), required setbacks between structures shall be provided as follows:

a. No walls shall be less than ten feet apart at any point.

b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade which contains no principal entrance.

c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance.

d. Within a cluster development, the maximum facade width without modulation shall be thirty feet for all interior facades. Perimeter facades shall follow standard development requirements.

e. Structures in cluster developments may be connected by underground garages or elevated walkways.

2. Structures in required setbacks

a. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that they are no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.

b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks.

c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.

1 d. Permitted fences, free-standing walls,
2 bulkheads, signs, and other similar structures, no greater than
3 six feet in height, are permitted in required front, side, or
4 rear setbacks.

5 e. Decks which average no more than eighteen
6 inches above existing grade may project into required setbacks.
7 Such decks shall not be permitted within five feet of any lot
8 line, unless they abut a permitted fence or free-standing wall,
9 and are at least three feet below the top of the fence or wall.
10 The fence or wall shall be no higher than six feet.

11 f. Underground structures are permitted in all
12 setbacks.

13 g. Solar collectors are permitted in required
14 setbacks, subject to the provisions of Section 23.45.146, Solar
15 Collectors.

16 23.45.16 Lowrise 1, Open Space Requirements

17 Open space shall be provided for all lots, subject to the
18 following provisions:

19 A. Quantity

20 1. A minimum of three hundred square feet per unit of
21 private, landscaped open space, at ground level and directly
22 accessible to each unit, shall be required.

23 2. On lots with slopes of twenty percent or more, when
24 decks would provide more usable open space than would the
25 existing ground-level open space, decks of the same size as the
26 required ground-level open space may be substituted to meet the
27 open space requirement. Decks provided to meet this requirement
28 shall be at least three hundred square feet in size, and shall
meet the standards of Section 23.45.16 B below. In order to
qualify for this provision, the private open space for a unit may
not be covered by the deck of another unit.

B. Development standards

1 1. The required open space shall be provided in one
2 contiguous parcel, and no horizontal dimension of the open space
3 shall be less than ten feet.

4 2. Required open space may be located in the front,
5 sides, or rear of the structure.

6 3. Required open space may be located a maximum of ten
7 feet above or below the unit it serves, provided that the access
8 to such open space does not go through or over common circulation
9 areas, common or public open spaces, or the open space serving
10 another unit.

11 4. To ensure the privacy of the open space, openings
12 such as windows and doors on the ground floor of walls directly
13 facing the open space of a different unit or common area, are
14 prohibited. The open space areas of tandem houses are not sub-
15 ject to this provision.

16 5. Parking areas, driveways and pedestrian access
17 except for pedestrian access meeting the Washington State Rules
18 and Regulations for Barrier-Free Design, shall not be counted as
19 open space.

20 6. Portions of a structure which begin ten feet or
21 more above existing grade may project up to four feet over
22 required open space.

23 C. Open space exception

24 When all uncovered surface parking and access is sur-
25 faced in permeable material, the quantity of required ground
26 level open space required per unit shall be reduced by fifteen
27 square feet.

28 23.45.18 Lowrise 1, Parking and Access Standards

A. Parking quantity

1. One off-street parking space per dwelling unit is
required.

2. Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled; provision of spaces for two-wheeled vehicles; the addition of residential units to existing structures; and the joint use of existing parking, according to Section 23.54.20, Parking Quantity Exceptions.

3. Exceptions to the quantity of required parking shall be permitted when residential units are added to nonconforming uses and structures, according to the provisions of Subchapter 4 (Nonconforming Uses and Structures).

B. Access to parking

1. Alley access required

Except when one of the conditions listed in B2 or B3 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to the standards of Section 23.54.10C. Street access shall not be permitted.

2. Street access required

Access to parking shall be from the street when:

a. Location of alley access would create a significant safety hazard;

b. The lot does not abut a platted area.

3. Street or alley access permitted

Access to parking may be from either the alley or the street under any of the following conditions:

a. The alley is not improved to the standards of Section 23.54.10C.

b. The alley borders a single family zone;

c. Topography makes alley access infeasible.

C. Location of parking

1. Parking may be located:

1 a. Between the structure and the side or rear lot
2 line, if the parking is screened from direct street view as pro-
3 vided in Section 23.45.18D below (Exhibit 23.45.20).

4 b. In or under the structure, provided that the
5 parking is screened from street view by the front facade of the
6 structure and/or by garage doors (Exhibit 23.45.20B), or by a
7 fence and landscaping as provided in Section 23.45.18D below
8 (Exhibit 23.45.20C).

9 2. No open parking shall be permitted between a struc-
10 ture and the front lot line, or in the required front setback,
11 except as provided in paragraphs C3, C4, C5, and C6 of this
12 Section.

13 3. For through lots less than one hundred feet in
14 depth, parking may be located in the front setback which is
15 determined by the Director to be most consistent with the
16 existing pattern on the block.

17 4. For corner lots, parking between the structure and
18 the street shall be permitted along one street frontage only.

19 5. The Director may permit variations from the develop-
20 ment standards for parking location and design and curbcut quan-
21 tity, including permitting the location of parking between the
22 structure and the front lot line, for lots which have no alley
23 access and which meet one or more of the following conditions:

- 24 a. Street frontage of less than eighty feet;
- 25 b. Lot depth of less than one hundred feet;
- 26 c. A rise or drop of twelve feet or more in the
27 first sixty feet from the street.

28 In order to permit such alternative parking solu-
tion, the Director must determine that siting conditions, such as
the topography of the rest of the lot, or soil and drainage con-
ditions, warrant the exception, and that the proposed alternative

1 solution meets the following objectives: maintaining on-street
2 parking capacity, an attractive environment at street level,
3 landscaped front setbacks and unobstructed traffic flow.

4 6. When the front setback is averaged, parking shall
5 be permitted between the structure and the front property lines
6 but not in the required front setback.

7 D. Screening of parking

8 1. Parking shall be screened from direct street view
9 by the front facade of the structure, by garage doors, or by a
10 fence or wall between five and six feet in height. When the
11 fence or wall runs along the street, there shall be a landscaped
12 strip on the street side of the fence or wall. This strip may be
13 between one and five feet deep, as measured from the property
14 line, but the average distance from the property line to the
15 fence shall be at least three feet. The screening shall be
16 located outside any required sight triangle (Exhibit 23.45.22).

17 2. The height of the visual barrier created by the
18 screen required in paragraph 1 above shall be measured from
19 street level. If the elevation of the lot line is different from
20 the finished elevation of the parking surface, the difference in
21 elevation may be measured as a portion of the required height of
22 the screen, so long as the screen itself is a minimum of three
23 feet in height (Exhibit 23.45.22).

24 23.45.22 Lowrise 2, Structure Height

25 A. Maximum height

26 The maximum height shall be thirty feet.

27 B. Sloped lots

28 On sloped lots, additional height shall be permitted
along the lower elevation of the structure footprint, at the rate
of one foot for each six percent of slope, to a maximum addition-
al height of five feet (Exhibit 23.45.24).

C. Pitched roofs

1 The ridge of pitched roofs on principal structures shall
2 be allowed to extend up to thirty-five feet, so long as the
3 entire portion above thirty feet has a minimum of three-in-twelve
4 pitch (Exhibit 23.45.26).

D. Rooftop features

5 1. Radio and television receiving aerials, flagpoles,
6 and spires for religious institutions are exempt from height
7 controls, except as regulated in Chapter 23.74 (Airport Height
8 District) provided they are no closer than fifty percent of their
9 height above existing grade, or, if attached only to the roof, no
10 closer than fifty percent of their height above the roof portion
11 where attached, to any adjoining lot line.

12 2. Railings, planters, skylights, chimneys,
13 clerestories, greenhouses, dish antennae, parapets, and firewalls
14 may extend four feet above the maximum height limit set in
15 Section 23.45.22 A and B above.

16 3. The following rooftop features may extend ten feet
17 above the maximum height limit set in Section 23.45.22 A and B
18 above, so long as the combined total coverage of all features
19 does not exceed fifteen percent of the roof area or twenty per-
20 cent of the roof area if the total includes screened mechanical
21 equipment:

- 22 - stair and elevator penthouses
- 23 - mechanical equipment
- 24 - play equipment and open mesh fencing which
25 encloses it, so long as the fencing is at least five feet from
26 the roof edge

27 4. For height exceptions for solar collectors, see
28 Section 23.45.146, Solar Collectors.

5. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21 at noon no more than would a structure built to maximum permitted bulk:

- solar collectors
- planters
- clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment

23.45.24 Lowrise 2, Structure Width and Depth

A. Maximum width

1. The maximum width of a structure on a lot when the front facade is not modulated according to the standards of Section 23.45.26 C or D shall be:

a. Thirty feet if there is no principal entrance facing the street;

b. Forty feet if a principal entrance faces the street;

2. When the front facade is modulated according to the standards of Section 23.45.26 C or D, the maximum width of each structure on a lot shall be:

a. Ground-related housing: seventy-five feet.

b. Terraced housing on slopes of twenty-five percent or more: seventy-five feet.

c. Apartments: sixty feet.

B. Maximum depth

1 1. The maximum depth of a structure when the front
2 facade is not modulated according to the standards of Section
3 23.45.26 C or D shall be fifty percent of the depth of the lot.

4 2. When the front facade is modulated according to the
5 standards of Section 23.45.26 C or D, the maximum permitted depth
6 of each structure on a lot shall be:

7 a. Ground-related housing: sixty-five percent of
8 lot depth.

9 b. Terraced housing on slopes of twenty-five
10 percent or more: no maximum depth limit.

11 c. Apartments: sixty-five percent of lot depth.

12 3. Exceptions to maximum depth requirements

13 a. Structure depth is permitted to exceed sixty-
14 five percent of lot depth (Exhibit 23.45.28), subject to the
15 following conditions:

16 (1) The total lot coverage shall not be
17 greater than that which would have been possible by meeting stan-
18 dard development requirements for maximum width, depth, and set-
19 backs.

20 (2) Any increased side setbacks created by
21 using this exception shall be landscaped and shall not be used
22 for parking.

23 (3) Structure depth shall in no case exceed
24 seventy-five feet.

25 (4) Structures with depth greater than sixty-
26 five percent of lot depth shall be modulated along the side set-
27 backs, according to the standards of Section 23.45.40 C or D.

28 23.45.26 Lowrise 2, Modulation Requirements

 Modulation of structure facades shall be required subject to
the following criteria:

 A. Front facades

 1. Modulation shall be required if the front facade
width exceeds thirty feet with no principal entrance facing the

street, or forty feet with a principal entrance facing the street.

2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated.

B. Side facades

1. On corner lots, side facades which face the street shall be modulated if greater than forty feet in width for ground-related housing, and thirty feet in width for apartments. Modulation shall not be required for the side facades of terraced housing.

2. Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all side facades wider than thirty feet.

C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be four feet (Exhibit 23.45.30).

b. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum area of at least sixty square feet, the minimum depth of modulation shall be two feet (Exhibit 23.45.32).

2. The minimum width of modulation shall be five feet (Exhibit 23.45.30).

3. Maximum width of modulation

a. The maximum width of modulation shall be thirty feet.

b. Exceptions to maximum width of modulation

(1) When facades provide greater depth of modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be increased two and one-half feet, to a maximum width of forty feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot for every foot of facade setback beyond the required front setback. This provision shall not be combined with the provisions of 3.b.(1) above, nor shall it permit facades to exceed forty-five feet in width without modulation.

4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the roof.

23.45.14 Lowrise 2, Setback Requirements

Front, rear and side setbacks shall be provided for all lots, according to the following provisions:

A. Front setback

The required front setback shall be the average of the setbacks of the first principal structures on either side, subject to the following provisions:

1 1. The front setback shall in no case be required to be
2 more than five feet greater than the setback of the first prin-
3 cipal structure on either side which is closer to the front lot
4 line.

5 2. The front setback shall not be required to exceed
6 twenty feet.

7 3. Portions of a structure in front setbacks

8 a. Portions of a structure may project into the
9 required front setback, as long as the average distance from the
10 front property line to the structure satisfies the minimum front
11 setback requirement.

12 b. No portions of a structure between existing
13 grade and ten feet above existing grade shall be closer to the
14 front lot line than five feet.

15 c. Portions of the facade which begin ten feet or
16 more above existing grade may project up to four feet beyond the
17 lower portion of the facade without being counted in setback
18 averaging.

19 d. Portions of the facade which begin ten feet or
20 more above existing grade shall be no closer to the front lot
21 line than three feet.

22 4. Front setback exceptions

23 a. Structures along heavily traveled arterials

24 In order to reduce noise and glare impacts,
25 multi-family structures located on arterials with more than fif-
26 teen thousand average vehicle trips per day, according to
27 Engineering Department data, shall be allowed a reduction in the
28 required front setback. The required front setback along these
arterials may be reduced to either fifty percent of the front
setback specified in the development standards, or to the front
setback of the principal structure on either side, whichever is

less. A list of such arterials shall be maintained by the Department.

b. Through lots

In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot.

c. Parking in rear

For sites which are required to locate the parking in the rear and have no alley, the required front setback shall be reduced by five feet, so long as this does not reduce the required front setback to less than ten feet.

B. Rear setback

1. The minimum rear setback shall be either:

Ten feet, with modulation required along the rear facade according to the standards for front facade modulation, Section 23.45.26A, or

An average of fifteen feet, provided that no part of the setback shall be less than ten feet.

2. Rear setback exception

For lots less than five thousand square feet in area, which have no more than two units per lot and which have a rear lot line abutting an alley, a zero rear setback is permitted, provided that:

a. The structure is no taller than ten feet along the rear property line and of no greater average height than twelve feet for a depth of fifteen feet from the rear property line (Exhibit 23.45.34A); and

b. The structure is no wider than fifty percent of the lot width for a depth of fifteen feet from the rear property line (Exhibit 23.45.34B).

C. Side setbacks

1 1. The required side setback in Lowrise 2 zones shall
2 be five feet. This setback may be averaged along the entire
3 structure depth, but shall at no point be less than three feet.

4 2. Side setback exceptions

5 a. Where there is a principal entrance along a
6 side facade, the minimum setback shall be five feet. Averaging
7 shall not be permitted. When the entrance is essentially
8 parallel to the side lot line, the minimum setback shall be ten
9 feet. When the entrance is not essentially parallel to the side
10 lot line, the midpoint of the door shall be no less than seven-
11 and-one-half feet from the property line (Exhibit 23.45.36).

12 b. The side street setback of a reversed corner
13 lot shall be one half the depth of the key lot's front setback,
14 but shall not be less than ten feet, nor be required to exceed
15 twenty feet. Averaging shall not be permitted (Exhibit 23.45.38).

16 c. When the depth of a structure exceeds sixty-
17 five feet, an additional setback shall be required for that por-
18 tion in excess of sixty-five feet. This additional setback may
19 be averaged along the entire length of the wall. The additional
20 setback shall be provided as shown in the following chart:
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Side Setback Requirements for Structures

Greater than Sixty-Five Feet in Depth

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H	0-10	11-20	21-30	31-40
D	Side Setback in Feet			
66-75	6	7	8	9
76-85	7	8	9	10
86-95	8	9	10	11
96-105	9	10	11	12
106-115	10	11	12	13
116-125	11	12	13	14
126-135	12	13	14	15

For structures greater than 135 feet in depth, the pattern established in the chart shall be continued.

H = greatest height of facade beyond sixty-five-foot depth (in feet, measured from the front of the structure). In the case of a through lot, the applicant may decide which street facade is to be considered the front.

D = depth of structure (in feet)

D. General setback exceptions

1. Required setbacks for cluster developments

Where two or more principal structures are located on one lot (Exhibit 23.45.40), required setbacks between structures shall be provided as follows:

a. No walls shall be less than ten feet apart at any point.

b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade which contains no principal entrance.

c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance.

d. Within a cluster development, the maximum facade width without modulation shall be thirty feet for all interior facades. Perimeter facades shall follow standard development requirements.

e. Structures in cluster developments may be connected by underground garages or elevated walkways.

2. Structures in required setbacks

a. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that they are no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.

b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks.

c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.

1 d. Permitted fences, free-standing walls,
2 bulkheads, signs, and other similar structures, no greater than
3 six feet in height, are permitted in required front, side, or
4 rear setbacks.

5 e. Decks which average no more than eighteen
6 inches above existing grade may project into required setbacks.
7 Such decks shall not be permitted within five feet of any lot
8 line, unless they abut a permitted fence or free-standing wall,
9 and are at least three feet below the top of the fence or wall.
10 The fence or wall shall be no higher than six feet.

11 f. Underground structures are permitted in all
12 setbacks.

13 g. Solar collectors are permitted in required
14 setbacks, subject to the provisions of Section 23.45.146, Solar
15 Collectors.

16 23.45.30 Lowrise 2, Open Space Requirements

17 Open space shall be provided for all lots, subject to the
18 following provisions:

19 1. Ground-related housing

20 a. A minimum of three hundred square feet per
21 unit of private, landscaped open space, at ground level and
22 directly accessible to each unit, shall be required.

23 b. On lots with slopes of twenty percent or more,
24 when decks would provide more usable open space than would the
25 existing ground-level open space, decks of the same size as the
26 required ground-level open space may be substituted to meet the
27 open space requirement. Decks provided to meet this requirement
28 shall be at least three hundred square feet in size, and shall
meet the standards of Section 23.45.30B below. In order to
qualify for this provision, the private open space for a unit may
not be covered by the deck of another unit.

2. Apartments

1 A minimum of thirty percent of the lot area shall
2 be provided as usable, landscaped open space at ground level.

3 3. Terraced housing on a slope of twenty-five percent
4 or more

5 a. A minimum of forty percent of the lot area
6 shall be provided as usable, landscaped open space.

7 b. Ground-level open space may be reduced from
8 forty percent to ten percent of lot area when an equivalent
9 amount of open space is provided above ground in the form of
10 balconies, decks, and/or rooftop areas.

11 B. Development standards

12 1. Ground related housing

13 a. The required open space for each unit is not
14 required to be in one contiguous area, but no open space area
15 shall be less than one hundred twenty square feet, and no hori-
16 zontal dimension shall be less than ten feet.

17 b. Required open space may be located in the
18 front, sides, or rear of the structure.

19 c. Required open space may be located a maximum
20 of ten feet above or below the unit it serves, provided that the
21 access to such open space does not go through or over common cir-
22 culation areas, common or public open spaces, or the open space
23 serving another unit.

24 d. To ensure the privacy of the open space, ope-
25 nings such as windows and doors on the ground floor of walls
26 directly facing the open space of a different unit or common
27 area, are prohibited. The open space areas of tandem houses are
28 not subject to this provision.

e. Parking areas, driveways and pedestrian access
except for pedestrian access meeting the Washington State Rules

and Regulations for Barrier-Free Design, shall not be counted as open space.

2. Apartments

a. No horizontal dimension for required ground level open space shall be less than ten feet.

b. Required open space is permitted in the front, side or rear of the structure.

c. Parking areas, driveways and pedestrian access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted as open space.

3. Terraced housing on a slope of twenty-five percent or more

a. No horizontal dimension for required ground level open space shall be less than ten feet.

b. Required open space is permitted in the front, side or rear of the structure.

c. Parking areas, driveways and pedestrian access except for access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted as open space.

d. In order to qualify as above ground level open space, rooftop areas, balconies, or decks shall have a minimum horizontal dimension of at least ten feet, and a total area of at least one-hundred-twenty square feet.

C. Open space exception

When all uncovered surface parking and access to parking is surfaced in permeable material, the quantity of required ground level open space shall be reduced by five percent of the total lot area. When combined with the reduction in required ground level open space for structures which provide

open space above ground level, the total amount of ground level open space shall not be reduced below twenty percent of lot area.

23.45.32 Lowrise 2, Parking and Access Standards

A. Parking quantity

1. One off-street parking space per dwelling unit is required.

2. For apartments and terraced housing, spaces for bicycles shall be provided in a sheltered and convenient location, according to the following chart:

<u>Number of Units</u>	<u>Number of Bicycle Spaces Required</u>
5-10	1
11-20	2
More than 20	One for every 10 units

3. Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled; provision of spaces for two-wheeled vehicles; the addition of residential units to existing structures; and the joint use of existing parking, according to Section 23.54.20, Parking Quantity Exceptions.

4. For apartment structures of more than twenty units, the Director may require parking in excess of the one-to-one parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section 23.54.20E.

5. Exceptions to the quantity of required parking shall be permitted when residential units are added to existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures.

B. Access to parking

1. Alley access required

1 Except when one of the conditions listed in B2 or
2 B3 below applies, access to parking shall be from the alley when
3 the site abuts a platted alley improved to the standards of
4 Section 23.54.10C. Street access shall not be permitted.

5 2. Street access required

6 Access to parking shall be from the street when:

7 a. Location of alley access would create a signi-
8 ficant safety hazard;

9 b. The lot does not abut a platted area.

10 3. Street or alley access permitted

11 Access to parking may be from either the alley or
12 the street under any of the following conditions:

13 a. The alley is not improved to the standards of
14 Section 23.54.10C;

15 b. The alley borders a single family zone;

16 c. Topography makes alley access infeasible.

17 C. Location of parking

18 1. Parking may be located:

19 a. Between the structure and the side or rear lot
20 line (Exhibit 23.45.42A), if the parking is screened from direct
21 street view as provided in Section 23.45.32D below, or

22 b. Ground-related housing: In or under the
23 structure, provided that the parking is screened from street view
24 by the front facade of the structure (Exhibit 23.45.42B), by
25 garage doors, or by a fence and landscaping as provided in
26 Section 45.32.03D below (Exhibit 23.45.42C), or

27 c. Apartments and terraced housing: In or under
28 the structure, provided that the parking is screened from street
view by the front facade of the structure (Exhibit 23.45.42B).

2. No open parking shall be permitted between a struc-
ture and the front lot line, or in the required front setback,
except as provided in paragraphs C3, C4, C5 and C6 of this
Section.

3. For through lots less than one hundred feet in depth, parking may be located in the front setback which is determined by the Director to be most consistent with the existing pattern on the block.

4. For corner lots, parking between the structure and the street shall be permitted along one street frontage only.

5. a. The Director may permit variations from the development standards for parking location and design and curbcut quantity, for lots meeting the following conditions:

- (1) Lots proposed for ground-related housing with no feasible alley access and with
- Less than eighty feet of street frontage, or
 - Lot depth of less than one hundred feet, or
 - A rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot line, and

(2) Lots proposed for apartments and terraced housing with no feasible alley access and a rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot line.

b. On lots meeting the standards listed above, the following variations may be permitted:

(1) Ground-related housing: parking may be located between the structure and the front lot line;

(2) Apartments or terraced housing: parking may be located under the front of the structure if screened by garage doors or by fencing and landscaping.

c. In order to permit such alternative parking solution, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and

1 drainage conditions, warrant the exception, and that the proposed
2 alternative solution meets the following objectives: maintaining
3 on-street parking capacity, an attractive environment at street
4 level, landscaped front setbacks and unobstructed traffic flow.

5 6. When the front setback is averaged, parking shall
6 be permitted between the structure and front property line, but
7 not in the required front setback.

8 D. Screening of parking

9 1. Parking shall be screened from direct street view
10 by the front facade of the structure, by garage doors, or by a
11 fence or wall between five and six feet in height. When the
12 fence or wall runs along the street, there shall be a landscaped
13 strip on the street side of the fence or wall. This strip may be
14 between one and five feet deep, as measured from the property
15 line, but the average distance from the property line to the
16 fence shall be at least three feet. The screening shall be
17 located outside any required sight triangle (Exhibit 23.45.44).

18 2. The height of the visual barrier created by the
19 screen required in paragraph 1 above shall be measured from
20 street level. If the elevation of the lot line is different from
21 the finished elevation of the parking surface, the difference in
22 elevation may be measured as a portion of the required height of
23 the screen, so long as the screen itself is a minimum of three
24 feet in height (Exhibit 23.45.44).

25 23.45.36 Lowrise 3, Structure Height

26 A. Maximum height

27 The maximum height shall be thirty-seven feet.

28 B. Sloped lots

On sloped lots, additional height shall be permitted along the lower elevation of the structure footprint, at the rate of one foot for each six percent of slope, to a maximum additional height of five feet (Exhibit 23.45.46).

C. Pitched roofs

The ridge of pitched roofs on principal structures shall be allowed to extend up to forty-two feet, so long as the entire portion above thirty-seven feet has a minimum of three-in-twelve pitch (Exhibit 23.45.48).

D. Rooftop features

1. Radio and television receiving aerials, flagpoles, and spires for religious institutions. are exempt from height controls, except in the Airport Height District (Chapter 23.74) provided they are no closer than fifty percent of their height above existing grade, or, if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, to any adjoining lot line.

2. Railings, planters, skylights, chimneys, clerestories, greenhouses, dish antennae, parapets, and firewalls may extend four feet above the maximum height limit set in Section 23.45.36 A and B above.

3. The following rooftop features may extend ten feet above the maximum height limit set in Section 23.45.22 A and B above, so long as the combined total coverage of all features does not exceed fifteen percent of the roof area, or twenty percent of the roof area if the total includes screened mechanical equipment:

- stair and elevator penthouses
- mechanical equipment
- play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge.

4. For height exceptions for solar collectors, see Section 23.45.146, Solar Collectors.

5. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21 at noon no more than would a structure built to maximum permitted bulk:

- solar collectors
- planters
- clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment

23.45.38 Lowrise 3, Structure Width and Depth

A. Maximum width

1. The maximum width of a structure on a lot when the front facade is not modulated according to the standards of Section 23.45.40 C or D shall be:

a. Thirty feet if there is no principal entrance facing the street;

b. Forty feet if a principal entrance faces the street;

2. When the front facade is modulated according to the standards of Section 23.45.40 C or D, the maximum width of each structure on a lot shall be:

a. Ground-related housing: one-hundred and fifty feet.

b. Terraced housing: one-hundred and fifty feet.

c. Apartments: ninety feet.

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3. When the front facade is modulated according to the standards of Section 23.45.40 C or D, the following width exceptions shall be made for apartments:

a. Apartments no more than thirty feet in height are permitted a maximum width of one hundred ten feet.

b. Apartments are permitted a maximum width of one-hundred and fifty feet, if at least forty percent of the width is set back from the required front setback a distance equal to at least twenty-five percent of the total depth of the structure (Exhibit 23.45.50).

B. Maximum depth

1. The maximum depth of a structure when the front facade is not modulated according to the standards of Section 23.45.40 C or D shall be fifty percent of the depth of the lot.

2. When the front facade is modulated according to the standards of Section 23.45.40 C or D, the maximum permitted depth of each structure on a lot shall be:

a. Ground-related housing: sixty-five percent of lot depth.

b. Terraced housing on slopes of twenty-five percent or more: no maximum depth limit.

c. Apartments: sixty-five percent of lot depth.

3. Exceptions to maximum depth requirements

a. Structure depth is permitted to exceed sixty-five percent of lot depth (Exhibit 23.45.52), subject to the following conditions:

(1) The total lot coverage shall not be greater than that which would have been possible by meeting standard development requirements for maximum width, depth and setbacks.

1 (2) Any increased side setbacks provided to
2 meet this condition shall be landscaped and shall not be used for
3 parking.

4 (3) Structure depth shall in no case exceed
5 the maximum width permitted according to Section 23.45.38A.

6 (4) Apartments with depth greater than
7 sixty-five percent of lot depth shall be modulated along the side
8 setbacks, according to the standards of Section 23.45.40 C or D.
9 Section 23.45.40 Lowrise 3, Modulation Requirements

10 Modulation of structure facades shall be required subject to
11 the following criteria:

12 A. Front facades

13 1. Modulation shall be required if the front facade
14 width exceeds thirty feet with no principal entrance facing the
15 street, or forty feet with a principal entrance facing the
16 street.

17 2. For terraced housing, only the portion of the
18 front facade closest to the street is required to be modulated.

19 B. Side facades

20 1. On corner lots, side facades which face the street
21 shall be modulated if greater than forty feet in width for
22 ground-related housing, and thirty feet in width for apartments.
23 Modulation shall not be required for the side facades of terraced
24 housing.

25 2. Apartments with a structure depth greater than
26 sixty-five percent of lot depth shall be modulated along all side
27 facades wider than thirty feet.

28 C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be four
feet (Exhibit 23.45.54).

b. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum area of at least sixty square feet, the minimum depth of modulation shall be two feet (Exhibit 23.45.56).

2. The minimum width of modulation shall be five feet (Exhibit 23.45.54).

3. Maximum width of modulation

a. The maximum width of modulation shall be thirty feet.

b. Exceptions to maximum width of modulation

(1) When facades provide greater depth of modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be increased by two and one-half feet, to a maximum width of forty-five feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 3.b.(1) above, nor shall it permit facades to exceed forty-five feet in width without modulation.

4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the roof.

Section 23.45.42 Lowrise 3, Setback Requirements

1 Front, rear and side setbacks shall be provided for all lots,
2 according to the following provisions:

3 A. Front setback

4 The required front setback shall be the average of the
5 setbacks of the first principal structures on either side (Figure
6 5), subject to the following provisions:

7 1. The front setback shall in no case be required to
8 be more than five feet greater than the setback of the first
9 principal structure on either side which is closer to the front
10 lot line.

11 2. The front setback shall not be required to exceed
12 fifteen feet.

13 3. Portions of a structure in front setbacks

14 a. Portions of a structure may project into the
15 required front setback, as long as the average distance from the
16 front property line to the structure satisfies the minimum front
17 setback requirement.

18 b. No portions of a structure between existing
19 grade and ten feet above existing grade shall be closer to the
20 front lot line than five feet.

21 c. Portions of the facade which begin ten feet or
22 more above existing grade may project up to four feet beyond the
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lower portion of the facade without being counted in setback averaging.

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d. Portions of the facade which begin ten feet or more above existing grade shall be no closer than three feet to the front lot line.

4. Front setback exceptions

a. Structures along heavily traveled arterials

In order to reduce noise and glare impacts, multi-family structures located on arterials with more than fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in the required front setback. The required front setback along these arterials may be reduced to either fifty percent of the front setback specified in the development standards, or to the front setback of the principal structure on either side, whichever is less. A list of such arterials shall be maintained by the Department.

b. Through lots

In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot.

c. Parking in rear

For sites which are required to locate the parking in the rear and have no alley, the required front setback shall be reduced by five feet, so long as this does not reduce the required front setback to less than ten feet.

d. Sloped lots

On sloped lots with no alley access, the required front setback shall be fifteen feet minus one foot for each two percent of slope. Slope shall be measured from the midpoint of the front lot line, to the rear lot line or for a depth of sixty feet, whichever is less.

B. Rear setback

1. The minimum rear setback shall be either:

1 Ten feet, with modulation required along the rear
2 facade according to the standards of Section 23.45.40 C or D, or

3 An average of fifteen feet, provided that no part
4 of the setback shall be less than ten feet.

5 2. Rear setback exception

6 For lots less than five thousand square feet in
7 area, which have no more than two units per lot and which have a
8 rear lot line abutting an alley, a zero rear setback is per-
9 mitted, provided that:

10 a. The structure is no taller than ten feet along
11 the rear the rear property line and of no greater average height
12 than twelve feet for a depth of fifteen feet from the rear prop-
erty line (Exhibit 23.45.58A); and

13 b. The structure is no wider than fifty percent of
14 the lot width for a depth of fifteen feet from the rear property
15 line (Exhibit 23.45.58B).

16 C. Side setbacks

17 1. The required side setback in Lowrise 3 zones shall
18 be five feet. This setback may be averaged along the entire
19 structure depth, but shall at no point be less than three feet.

20 2. Side setback exceptions

21 a. Where there is a principal entrance along a
22 side facade, the minimum setback shall be five feet. Averaging
23 shall not be permitted. When the entrance is essentially
24 parallel to the side lot line, the minimum setback shall be ten
25 feet. When the entrance is not essentially parallel to the side
26 lot line, the midpoint of the door shall be no less than seven-
and-one-half feet from the property line (Exhibit 23.45.60).

27 b. The side street setback of a reversed corner
28 lot shall be one half the depth of the key lot's front setback,

but shall not be less than ten feet, nor be required to exceed twenty feet.
 Averaging shall not be permitted (Exhibit 23.45.62).

c. When the depth of a structure exceeds sixty-five feet, an additional setback shall be required for that portion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. The additional setback shall be provided as shown in the following chart:

Side Setback Requirements for Structures
Greater than Sixty-Five Feet in Depth

H	0-10	11-20	21-30	31-42
D	Side Setback in Feet			
66-70	6	7	8	9
71-80	7	8	9	10
81-90	8	9	10	11
91-100	9	10	11	12
101-110	10	11	12	13
111-120	11	12	13	14
121-130	12	13	14	15
131-140	13	14	15	16

For structures greater than 140 feet in depth, the pattern established in the chart shall be continued.

H = greatest height of facade beyond sixty-five foot depth (in feet, measured from the front of the structure). In the case of a through lot, the applicant may decide which street facade is to be considered the front.

D = depth of structure (in feet)

D. General setback exceptions

1. Required setbacks for cluster developments

Where two or more principal structures are located on one lot (Exhibit 23.45.64), required setbacks between structures shall be provided as follows:

a. No walls shall be less than ten feet apart at any point.

b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade which contains no principal entrance.

c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance.

d. Within a cluster development, the maximum facade width without modulation shall be thirty feet for all interior facades. Perimeter facades shall follow standard development requirements.

e. Structures in cluster developments may be connected by underground garages or elevated walkways.

2. Structures in required setbacks

a. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that they are no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.

b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks.

c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.

1 d. Permitted fences, free-standing walls,
2 bulkheads, signs, and other similar structures, no greater than
3 six feet in height, are permitted in required front, side, or
4 rear setbacks.

5 e. Decks which average no more than eighteen
6 inches above existing grade may project into required setbacks.
7 Such decks shall not be permitted within five feet of any lot
8 line, unless they abut a permitted fence or free-standing wall,
9 and are at least three feet below the top of the fence or wall.
10 The fence or wall shall be no higher than six feet.

11 f. Underground structures are permitted in all
12 setbacks.

13 g. Solar collectors are permitted in required
14 setbacks, subject to the provisions of Section 23.45.146, Solar
15 Collectors.

16 Section 23.45.44 Lowrise 3, Open Space Requirements

17 Open space shall be provided for all lots, subject to the
18 following provisions:

19 A. Quantity

20 1. Ground-related housing

21 a. A minimum of three hundred square feet per
22 unit of private, landscaped open space, at ground level and
23 directly accessible to each unit, shall be required.

24 b. On lots with slopes of twenty percent or more,
25 when decks would provide more usable open space than would the
26 existing ground-level open space, decks of the same size as the
27 required ground-level open space may be substituted to meet the
28 open space requirement. Decks provided to meet this requirement
shall be at least three hundred square feet in size, and shall
meet the standards of Section 23.45.16B below. In order to

qualify for this provision, the private open space for a unit may not be covered by the deck of another unit.

2. Apartments

a. A minimum of twenty-five percent of the lot area shall be provided as usable, landscaped open space at ground level.

b. Quantity exception for apartments

All required open space may be provided above ground, in the form of balconies, decks, solarium, greenhouses, or roof gardens. If less than twenty-five percent of lot area is provided as open space at ground level, all street setbacks shall be landscaped.

3. Terraced housing on a slope of twenty-five percent or more

a. A minimum of forty percent of the lot area shall be provided as usable, landscaped open space.

b. Ground-level open space may be reduced from forty percent to ten percent of lot area when an equivalent amount of open space is provided above ground in the form of balconies, decks, and/or rooftop areas.

B. Development standards

1. Ground-related housing

a. The required open space for each unit is not required to be in one contiguous area, but no open space area shall be less than one hundred twenty square feet, and no horizontal dimension shall be less than ten feet.

b. Required open space may be located in the front, sides, or rear of the structure.

c. Required open space may be located a maximum of ten feet above or below the unit it serves, provided that the

1 access to such open space does not go through or over common cir-
2 culation areas, common or public open space, or the open space
3 serving another unit.

4 d. To ensure the privacy of the open space,
5 openings such as windows and doors on the ground floor of walls
6 directly facing the open space of a different unit or common
7 area, are prohibited. The open space areas of tandem houses are
8 not subject to this provision.

9 e. Parking areas, driveways and pedestrian access
10 except for pedestrian access meeting the Washington State Rules
11 and Regulations for Barrier-Free Design, shall not be counted as
12 open space.

13 2. Apartments

14 a. No horizontal dimension for required ground
15 level open space shall be less than ten feet.

16 b. Required open space is permitted in the front,
17 side, or rear of the structure.

18 c. Parking areas, driveways and pedestrian access
19 except for pedestrian access meeting the Washington State Rules
20 and Regulations for Barrier-Free Design, shall not be counted as
21 open space.

22 d. Balconies, decks, roof gardens, solaria, and
23 greenhouses may be provided above ground as open space. No hori-
24 zontal dimension shall be less than six feet, minimum area shall
25 be sixty square feet.

26 3. Terraced housing on a slope of twenty-five percent
27 or more

28 a. No horizontal dimension for required ground-
level open space shall be less than ten feet.

b. Required open space is permitted in the front,
side or rear of the structure.

1 c. Parking areas, driveways and pedestrian access
2 except for access meeting the Washington State Rules and
3 Regulations for Barrier-Free Design, shall not be counted as open
4 space.

5 d. In order to qualify as above-ground open
6 space, rooftop areas, balconies, or decks shall have a minimum
7 horizontal dimension of at least ten feet, and a total area of at
8 least one hundred twenty square feet.

9 C. Open space exception

10 When all uncovered surface parking and access to parking
11 is surfaced in permeable material, the quantity of required
12 ground level open space shall be reduced by five percent of the
13 total lot area. When combined with the reduction in required
14 ground level open space for structures which provide open space
15 above ground level, the total amount of ground level open space
16 shall not be reduced below twenty percent of lot area.

17 Section 23.45.46 Lowrise 3, Parking and Access Requirements

18 A. Parking quantity

19 1. One off-street parking space per dwelling unit is
20 required.

21 2. For apartments and terraced housing, spaces for
22 bicycles shall be provided in a sheltered and convenient location
23 according to the following chart:

<u>Number of Units</u>	<u>Number of Bicycle Spaces Required</u>
5-10	1
11-20	2
More than 20	1 for every 10 units

24 3. Reductions to the quantity of parking spaces pro-
25 vided may be made for: low-income housing for the elderly and
26 disabled; provision of spaces for two-wheeled vehicles; the addi-
27 tion of residential units to existing structures; and the joint

use of existing parking, according to Section 23.54.20, Parking
Quantity Exceptions.

4. For apartment structures of more than twenty
units, the Director may require parking in excess of the one-to-
one parking ratio, up to a maximum of one and one-quarter spaces
per unit, according to the provisions of Section 23.54.20E.

5. Exceptions to the quantity of required parking
shall be permitted when residential units are added to existing
structures, according to the provisions of Subchapter 4,
Nonconforming Uses and Structures.

B. Access to parking

1. Alley access required

Except when one of the conditions listed in B2 or
B3 below applies, access to parking shall be from the alley when
the site abuts a platted alley improved to the standards of
Section 23.54.10C. Street access shall not be permitted.

2. Street access required

Access to parking shall be from the street when:

a. Location of alley access would create a signi-
ficant safety hazard;

b. The lot does not abut a platted area.

c. Apartments or terraced housing are proposed
across an alley from a single family zone.

3. Street or alley access permitted

Access to parking may be from either the alley or
the street when:

a. The alley is not improved to the standards of
Section 23.54.10C.

b. Ground-related housing is proposed across the
alley from a single family zone;

c. Topography makes alley access infeasible.

C. Location of parking

1. Parking may be located:

1 a. Between the structure and the side or rear
2 lot line (Exhibit 23.45.66A), if the parking is screened from
3 direct street view as provided in Section 23.45.46D below, or

4 b. Ground-related housing: in or under the
5 structure, provided that the parking is screened from street view
6 by the front facade of the structure (Exhibit 23.45.66B), by
7 garage doors, or by a fence and landscaping as provided in
8 Section 23.45.46D below (Exhibit 23.45.66C), or

9 Apartments and terraced housing: in or under
10 the structure, provided that the parking is screened from street
11 view by the front facade of the structure (Exhibit 23.45.66B).

12 2. No open parking shall be permitted between a
13 structure and the front lot line, or in the required front set-
14 back, except as provided in paragraphs C3, C4, C5, and C6 of this
15 Section.

16 3. For through lots less than one hundred feet in
17 depth, parking may be located in the front setback which is
18 determined by the Director to be most consistent with the
19 existing pattern on the block.

20 4. For corner lots, parking between the structure and
21 the street shall be permitted along one street frontage only.

22 5. a. The Director may permit variations from the
23 development standards for parking location and design and curbcut
24 quantity, for lots meeting the following conditions:

25 (1) Lots proposed for ground-related and
26 terraced housing with no feasible alley access and with

27 - Less than eighty feet of street fron-
28 tage, or

- Lot depth of less than one hundred
feet, or

1 - A rise or drop in elevation of at least
twelve feet in the first sixty feet from the front lot line, and

2 (2) Lots proposed for apartments and
3 terraced housing with no feasible alley access and a rise or drop
4 in elevation of at least twelve feet in the first sixty feet from
the front lot line.

5 b. On lots meeting the standards listed above,
6 the following variations may be permitted:

7 (1) Ground-related housing: parking may be
8 located between the structure and the front lot line;

9 (2) Apartments or terraced housing: parking
10 may be located under the front of the structure if screened by
garage doors or by fencing and landscaping.

11 c. In order to permit such alternative parking
12 solutions, the Director must determine that siting conditions,
13 such as the topography of the rest of the lot, or soil and
14 drainage conditions, warrant the exception, and that the proposed
15 alternative solution meets the following objectives: maintaining
16 on-street parking capacity, an attractive environment at street
17 level, landscaped front setbacks and unobstructed traffic flow.

18 6. When the front setback is averaged, parking shall
19 be permitted between the structure and the front property line,
but not in the required front setback.

20 D. Screening of parking

21 1. Parking shall be screened from direct street view
22 by the front facade of a structure, by garage doors, or by a
23 fence or wall between five and six feet in height. When the
24 fence or wall runs along the street, there shall be a landscaped
25 strip on the street side of the fence or wall. This strip may be
26 between one and five feet deep, as measured from the property

1 line, but the average distance from the property line to the
2 fence shall be at least three feet. The screening shall be
3 located outside any required sight triangle (Exhibit 23.45.68).

4 2. The height of the visual barrier created by the
5 screen required in paragraph 1 above shall be measured from
6 street level. If the elevation of the lot line is different from
7 the finished elevation of the parking surface, the difference in
8 elevation may be measured as a portion of the required height of
9 the screen, so long as the screen itself is a minimum of three
10 feet in height (Exhibit 23.45.68).

11 23.45.50 Midrise Structure Height

12 A. The maximum height shall be sixty feet.

13 B. Sloped lots

14 On sloped lots, additional height shall be permitted
15 along the lower elevation of the structure footprint, at the rate
16 of one foot for each six percent of slope, to a maximum addi-
17 tional height of five feet (Exhibit 23.45.70).

18 C. Pitched roofs

19 The ridge of pitched roofs on principal structures shall
20 be allowed to extend up to sixty-five feet, so long as the entire
21 portion above sixty feet has a minimum of three-in-twelve pitch
22 (Exhibit 23.45.72).

23 D. Rooftop features

24 1. Radio and television receiving aerials, flagpoles,
25 and spires for religious institutions. are exempt from height
26 controls, except in the Airport Height District (Chapter 23.74)
27 provided they are no closer than fifty percent of their height
28 above existing grade, or, if attached only to the roof, no closer
than fifty percent of their height above the roof portion where
attached, to any adjoining lot line.

2. Railings, planters, skylights, chimneys,
clerestories, greenhouses, dish antennae, parapets, and firewalls

may extend four feet above the maximum height limit set in
Section 23.45.36 A and B above.

3. The following rooftop features may extend ten feet
above the maximum height limit set in Section 23.45.50 A and B
above, so long as the combined total coverage of all features
does not exceed fifteen percent of the roof area, or twenty per-
cent of the roof area if the total includes screened mechanical
equipment:

- stair and elevator penthouses
- mechanical equipment
- play equipment and open mesh fencing which
encloses it, so long as the fencing is at least five feet from
the roof edge
- sun and wind screens
- penthouse pavilions for the common use of residents
- greenhouses which meet minimum energy stan-
dards administered by the Director.

4. For height exceptions for solar collectors, see
Section 23.45.146, Solar Collectors.

5. In order to protect solar access for property to
the north, the applicant shall either locate the rooftop features
listed below at least ten feet from the north edge of the roof,
or provide shadow diagrams to demonstrate that the proposed loca-
tion of such rooftop features would shade property to the north
on January 21 at noon no more than would a structure built to
maximum permitted bulk:

- solar collectors
- planters
- clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment

Section 23.45.52 Midrise, Structure Width and Depth

A. Maximum width

1 1. The maximum width of a structure on a lot when the
2 front facade is not modulated according to the standards of
3 Section 23.45.54 C or D shall be forty feet.

4 2. When the front facade is modulated according to
5 the standards of Section 23.45.54 C or D, the maximum width of
6 each structure on a lot shall be one-hundred and fifty feet.

B. Maximum depth

7 1. The maximum depth of a structures when the front
8 facade is not modulated shall be fifty percent of the depth of
9 the lot.

10 2. When the front facade is modulated according to the
11 standards of Section 23.45.54 C or D, the maximum permitted depth
12 of each structure on a lot shall be:

13 a. Ground-related housing: sixty-five percent of
14 the depth of the lot.

15 b. Terraced housing on slopes of twenty-five per-
16 cent or more: no maximum depth limit.

17 c. Apartments: sixty-five percent of lot depth.

18 3. Exceptions to maximum depth requirements

19 a. Structure depth is permitted to exceed sixty-
20 five percent of lot depth (Exhibit 23.45.74), subject to the
21 following conditions:

22 (1) The total lot coverage shall not be
23 greater than that which would have been possible by meeting stan-
24 dard development requirements for maximum width, depth and set-
25 backs.

26 (2) Any increased side setbacks provided to
27 meet this condition shall be landscaped and shall not be used for
28 parking.

(3) Structure depth shall in no case exceed one-hundred fifty feet.

(4) Structures with depth greater than sixty-five percent of lot depth shall be modulated along the side setbacks, according to the standards of Section 23.45.54 C or D.

Section 23.45.54 Midrise, Modulation Requirements

Modulation of structure facades shall be required subject to the following criteria:

A. Front facades

1. Modulation shall be required if the front facade width exceeds forty feet. Ground-related structures may follow either the modulation standards for Lowrise 3 zones (Section 23.45.40C) or the standards in this section.

2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated.

B. Side facades

1. On corner lots, side facades which face the street shall be modulated if greater than forty feet in width.

Modulation shall not be required for the side facades of terraced housing.

2. Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all side facades wider than thirty feet.

C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be eight feet (Exhibit 23.45.76).

b. When balconies are part of the modulation and have a minimum depth of six feet and a minimum area of at least sixty square feet, the minimum depth of modulation shall be six feet (Exhibit 23.45.78).

2. The minimum width of modulation shall be ten feet
(Exhibit 23.45.76).

3. Maximum width of modulation

a. The maximum width of modulation shall be forty feet.

b. Exceptions to maximum width of modulation

(1) When facades provide greater depth of modulation than eight feet, then for every foot of modulation depth in excess of eight feet, the width of modulation may be increased by two and one half feet to a maximum width of fifty feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed forty feet by one foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 3.b.(i) above, nor shall it permit facades to exceed fifty feet in width without modulation.

4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the roof.

23.45.56 Midrise, Setback Requirements

1 Front, rear and side setbacks shall be provided for all lots,
2 according to the following provisions:

3 A. Front setback

4 The required front setback shall be the average of the
5 setbacks of the first principal structures on either side (Figure
6 5), subject to the following provisions:

7 1. The front setback shall in no case be required to be
8 more than five feet greater than the setback of the first prin-
9 cipal structure on either side which is closer to the front lot
10 line.

11 2. The front setback shall in no case be required to
12 exceed fifteen feet.

13 3. Portions of the structure in front setbacks.

14 a. Portions of a structure may project into the
15 required front setback, as long as the average distance from the
16 front property line to the structure satisfies the minimum front
17 setback requirement.

18 b. No portions of a structure between existing
19 grade and ten feet above existing grade shall be closer to the
20 front lot line than five feet.

21 c. Portions of the facade which begin ten feet or
22 more above existing grade may project up to four feet beyond the
23 lower portion of the facade, without being counted in setback
24 averaging.

25 d. Portions of the facade which begin ten feet
26 or more above existing grade shall be no closer than three feet
27 to the front lot line.
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4. Front setback exceptions

a. Structures along heavily traveled arterials

In order to reduce noise and glare impacts, multi-family structures located on arterials with more than fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in the required front setback. The required front setback along these arterials may be reduced to either fifty percent of the front setback specified in the development standards, or the front setback of the principal structure on either side, whichever is less. A list of such arterials shall be maintained by the Department.

b. Through lots

In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot.

c. Parking in rear

For sites which are required to locate the parking in the rear and have no alley, the required front setback shall be reduced by five feet, so long as this does not reduce the required front setback to less than ten feet.

d. Sloped lots

On sloped lots with no alley access, the required front setback shall be fifteen feet minus one foot for each two percent of slope. Slope shall be measured from the mid-point of the front lot line, to the rear lot line or for a depth of sixty feet, whichever is less.

B. Rear setback

The minimum rear setback shall be either:

Ten feet, with modulation required along the rear facade according to the standards of Section 23.45.54 C or D, or

An average of fifteen feet, provided that no part of the setback shall be less than ten feet.

C. Side setbacks

1. For structures thirty-seven feet or less in height, the required side setback shall be five feet. This side setback may be averaged along the entire structure depth, but shall at no point be less than three feet. For structures greater than sixty-five feet in depth, the provisions for setbacks for Lowrise 3 structures, Section 23.45.42B2c, shall apply.

2. For structures more than thirty-seven feet in height, the required side setback shall be eight feet. This side setback may be averaged along the entire structure depth, but shall at no point be less than five feet.

3. Side setback exceptions

a. The side street side setback of a reversed corner lot shall be one half the depth of the key lot's front setback, but shall not be less than ten feet, nor be required to exceed twenty feet. Averaging shall not be permitted (Exhibit 23.45.80).

b. For structures more than thirty-seven feet in height, when the depth of the structure exceeds sixty-five feet, an additional setback shall be required for that portion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. The additional setback shall be provided as shown in the following chart:

Side Setback Requirements for Structures

Greater than Sixty-Five Feet in Depth

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H	0-10	11-20	21-30	31-42	41-50	51-65
D						
66-70	9	10	11	12	13	14
71-80	10	11	12	13	14	15
81-90	11	12	13	14	15	16
91-100	12	13	14	15	16	17
101-110	13	14	15	16	17	18
111-120	14	15	16	17	18	19
121-130	15	16	17	18	19	20
131-140	16	17	18	19	20	21

For structures greater than 140 feet in depth, the pattern established in the chart shall be continued.

H = greatest height of facade beyond sixty-five foot depth (in feet, measured from the front of the structure). In the case of a through lot, the applicant may decide which street facade is to be considered the front.

D = depth of structure (in feet)

1. Required setbacks for cluster developments

Where two or more principal structures are located on one lot (Exhibit 23.45.82), required setbacks between structures shall be provided as follows:

a. No walls shall be less than ten feet apart at any point

b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade which contains no principal entrance.

c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance.

d. Within a cluster development, the maximum facade width without modulation shall be thirty feet for all interior facades. Perimeter facades shall follow standard development requirements.

e. Structures in cluster developments may be connected by underground garages or elevated walkways.

2. Structures in required setbacks

a. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that they are no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.

b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted in required front, side or rear setbacks.

c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.

d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater than

six feet in height, are permitted in required front, side or rear setbacks.

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2 e. Decks which average no more than eighteen
3 inches above existing grade may project into required setbacks.
4 Such decks shall not be permitted within five feet of any lot
5 line, unless they abut a permitted fence or free-standing wall,
6 and are at least three feet below the top of the fence or wall.
7 The fence or wall shall be no higher than six feet.

8 f. Underground structures are permitted in all
9 setbacks.

10 g. Solar collectors are permitted in required
11 setbacks, subject to the provisions of Section 23.45.146, Solar
12 Collectors.

23.45.58 Midrise, Open Space Requirements

13 Open space shall be provided for all lots, subject to the
14 following provisions:

15 A. Quantity

16 1. Ground-related housing

17 a. A minimum of three hundred square feet per
18 unit of private, landscaped open space, at ground level and
19 directly accessible to each unit, shall be required.

20 b. On lots with slopes of twenty percent or more,
21 when decks would provide more usable open space than would the
22 existing ground-level open space, decks of the same size as the
23 required ground-level open space may be substituted to meet the
24 open space requirement. Decks provided to meet this requirement
25 shall be at least three hundred square feet in size, and shall
26 meet the standards of Section 23.45.16 B below. In order to
27 qualify for this provision, the private open space for a unit may
28 not be covered by the deck of another unit.

2. Apartments

1 a. A minimum of twenty-five percent of the lot
2 area shall be provided as usable, landscaped open space at ground
3 level.

4 b. Quantity exception for apartments

5 All required open space may be provided above
6 ground, in the form of balconies, decks, solaria, greenhouses, or
7 roof gardens. If less than twenty-five percent of the lot area
8 is provided as open space at ground level, all street setbacks
9 shall be landscaped.

10 3. Terraced housing on slopes of twenty-five percent
11 or more

12 a. A minimum of forty percent of the lot area
13 shall be provided as usable, landscaped open space.

14 b. Ground-level open space may be reduced from
15 forty percent to ten percent of lot area when an equivalent amount
16 of open space is provided above ground in the form of balconies,
17 decks, and/or rooftop areas.

18 B. Development standards

19 1. Ground-related housing

20 a. The required open space for each unit is not
21 required to be in one contiguous area, but no open space area
22 shall be less than one hundred twenty square feet, and no hori-
23 zontal dimension shall be less than ten feet.

24 b. Required open space may be located in the
25 front, sides, or rear of the structure.

26 c. Required open space may be located a maximum
27 of ten feet above or below the unit it serves, provided that the
28 access to such open space does not go through or over common cir-
culation areas, common or public open space, or the open space
serving another unit.

1 d. To ensure the privacy of the open space,
2 openings such as windows and doors on the ground floor of walls
3 directly facing the open space of a different unit or common
4 area, are prohibited. The open space areas of tandem houses are
5 not subject to this provision.

6 e. Parking areas, driveways and pedestrian access
7 except for pedestrian access meeting the Washington State Rules
8 and Regulations for Barrier-Free Design, shall not be counted as
9 open space.

10 2. Apartments

11 a. No horizontal dimension for required ground
12 level open space shall be less than ten feet.

13 b. Required open space is permitted in the front,
14 side, or rear of the structure.

15 c. Parking areas, driveways and pedestrian access
16 except for pedestrian access meeting the Washington State Rules
17 and Regulations for Barrier-Free Design, shall not be counted as
18 open space.

19 d. In order to qualify as above-ground open
20 space, balconies, decks, roof gardens, solarium, and greenhouses
21 shall have a minimum horizontal dimension of at least six feet,
22 and minimum area shall be sixty square feet.

23 2. Terraced housing on a slope of twenty-five percent
24 or more

25 a. No horizontal dimension for required ground-
26 level open space shall be less than ten feet.

27 b. Required open space is permitted in the front,
28 side or rear of the structure.

c. Parking areas, driveways and pedestrian access
except for access meeting the Washington State Rules and
Regulations for Barrier-Free Design, shall not be counted as open
space.

1 d. In order to qualify as above-ground open
2 space, rooftop areas, balconies, or decks shall have a minimum
3 horizontal dimension of at least ten feet, and a total area of at
4 least one hundred twenty square feet.

5 C. Open space exception

6 When all uncovered surface parking and access to parking
7 is surfaced in permeable material, the quantity of required
8 ground level open space shall be reduced by five percent of the
9 total lot area. When combined with the reduction in required
10 ground level open space for structures which provide open space
11 above ground level, the total amount of ground level open space
12 shall not be reduced below twenty percent of lot area.

13 Section 23.45.60 Midrise, Parking and Access Requirements

14 A. Parking quantity

15 1. One off-street parking space per dwelling unit is
16 required.

17 2. For apartments and terraced housing, spaces for
18 bicycles shall be provided in a sheltered and convenient location
19 according to the following chart:

<u>Number of Units</u>	<u>Number of Bicycle Spaces Required</u>
5-10	1
11-20	2
more than 20	1 per 10 units

20 3. Reductions to the quantity of parking spaces pro-
21 vided may be made for: low-income housing for the elderly and
22 disabled; provision of spaces for two-wheeled vehicles; the addi-
23 tion of residential units to existing structures; and the joint
24 use of existing parking, according to Section 23.54.20, Parking
25 Quantity Exceptions.

26 4. For apartment structures of more than twenty units,
27 the Director may require parking in excess of the one-to-one
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parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section 23.54.20E.

5. Exceptions to the quantity of required parking shall be permitted when residential units are added to existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures.

B. Access to parking

1. Alley access required

Except when one of the conditions listed in B2 or B3 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to the standards of Section 23.54.10C. Street access shall not be permitted.

2. Street access required

Access to parking shall be from the street when:

- a. Location of alley access would create a significant safety hazard.
- b. The lot does not abut a platted alley;
- c. Apartments or terraced housing are proposed across an alley from Single Family, Lowrise 1 or Lowrise 2 zone.

3. Street or alley access permitted

Access to parking may be from either the alley or the street when:

- a. The alley is not improved to the standards of Section 23.54.10C;
- b. Ground-related housing is proposed across the alley from a Single Family, Lowrise 1 or Lowrise 2 zone;
- c. Topography makes alley access infeasible.

C. Location of parking

1. Parking may be located:

- a. Between the structure and the side or rear lot line (Exhibit 23.45.84A), if the parking is screened from direct street view as provided in Section 23.45.60d below, or

1 2. Ground-related housing: in or under the
2 structure, provided that the parking is screened from street view
3 by the front facade of the structure (Exhibit 23.45.84B), by
4 garage doors, or by a fence and landscaping as provided in
5 Section 23.45.60D below (Exhibit 23.45.84C), or

6 Apartments and terraced housing: in or under
7 the structure, provided that the parking is screened from street
8 view by the front facade of the structure (Exhibit 23.45.84B).

9 2. No open parking shall be permitted between a struc-
10 ture and the front lot line, or in the required front setback,
11 except as provided in paragraphs 3, 4, 5, and 6 of this Section.

12 3. For through lots less than one hundred feet in
13 depth, parking may be located in the front setback which is
14 determined by the Director to be most consistent with the
15 existing pattern on the block.

16 4. For corner lots, parking between the structure and
17 the street shall be permitted along one street frontage only.

18 5. a. The Director may permit variations from the
19 development standards for parking location and design and curbcut
20 quantity, for lots meeting the following conditions:

21 (1) Lots proposed for ground-related housing
22 with no feasible alley access and with
23 - Less than eighty feet of street frontage,
24 or
25 - Lot depth of less than one hundred feet,
26 or
27 - A rise or drop in elevation of at least
28 twelve feet in the first sixty feet from the front lot line, and

 (2) Lots proposed for apartments and terraced
housing with no feasible alley access and a rise or drop in ele-
vation of at least twelve feet in the first sixty feet from the
front lot line.

 b. On lots meeting the standards listed above,
the following variations may be permitted:

1 (1) Ground-related housing: parking may be
located between the structure and the front lot line.

2 (2) Apartments and terraced housing: parking
3 may be located under the front of the structure if screened by
garage doors or by fencing and landscaping.

4 c. In order to permit such alternative parking
5 solutions, the Director must determine that siting conditions,
6 such as the topography of the rest of the lot, or soil and
7 drainage conditions, warrant the exception, and that the proposed
8 alternative solution meets the following objectives: maintaining
9 on-street parking capacity, an attractive environment at street
10 level, landscaped front setbacks and unobstructed traffic flow.

11 6. When the front setback of the structure is
averaged, parking shall be permitted between the structure and
12 the front property line, but not in the required front setback.

13 D. Screening of parking

14 1. Parking shall be screened from direct street view
15 by the front facade of a structure, by garage doors, or by a
16 fence or wall between five and six feet in height. When the
17 fence or wall runs along the street front, there shall be a
18 landscaped strip on the street side of the fence or wall. This
19 strip may be between one and five feet deep, as measured from the
20 property line, but the average distance from the property line to
the fence shall be three feet. Such screening shall be located
21 outside any required sight triangle (Exhibit 23.45.86).

22 2. The height of the visual barrier created by the
23 screen required above shall be measured from street level. If
24 the elevation of the lot line is different from the finished ele-
25 vation of the parking surface, the difference in elevation may be
26 measured as a portion of the required height of the screen, so
27 long as the screen itself is a minimum of three feet in height
(Exhibit 23.45.86).

Section 23.45.64 Highrise, General Provisions

1 In Highrise zones, structures may be built either to the
2 development standards described below, or to the development
3 standards of the Midrise zone. Structures built to Midrise
4 standards shall have no limit to width or depth when modulated
5 according to the standards of Section 23.45.54 C or D, Midrise
6 Modulation Requirements.

7 23.45.66 Highrise, Structure Height

8 A. Maximum Height

9 1. The maximum height shall be one hundred sixty feet.

10 B. Additional height permitted

11 The Director may authorize additional height up to a
12 maximum height of two-hundred-forty feet, as a conditional deve-
13 lopment pursuant to Chapter 23.76 (Master Use Permit). In order
14 to qualify, the applicant shall comply with the following
15 provisions:

16 1. If the construction of the proposed development
17 will involve the demolition of existing housing, no height above
18 one hundred sixty feet will be allowed unless new housing is pro-
19 vided on site, equivalent to the square foot living area of the
20 housing to be demolished. Such housing shall be provided at com-
21 parable cost pursuant to the Housing Preservation Ordinance.

22 2. The applicant shall provide for adequate spacing
23 between existing and proposed towers in order to minimize
24 blockage of views from public places, and to minimize casting of
25 shadows on public places. The applicant shall provide shadow
26 diagrams for December twenty-first, March twenty-first, and June
27 twenty-first, as well as elevations showing the degree, if any,
28 of view blockage that would occur. The Director may limit or
condition the amount of extra height and bulk granted in order to

minimize blocking of views from public places and to casting of shadows on public places.

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3. If the proposed development does not involve the demolition of housing or measures have been taken to replace housing demolished according to the conditions of B.1 above, and if the provisions of B.2 above have been met, additional height above one hundred sixty feet may be allowed in return for the provision of one of the public benefits listed below, or any combination of these benefits. The amount of additional height shall be determined based on the following criteria, and on the design of the proposed project and the public benefits that are provided.

a. When a proposed high-rise development provides new low-and/or moderate-income housing, or preserves existing low- and/or moderate-income housing, additional height may be allowed according to the following provisions:

(1) The housing provided in order to qualify for additional height shall be in addition to any housing provided to replace demolished units.

(2) Housing provided to replace demolished units must be provided on the same site as the proposed highrise. Additional housing preserved or provided to qualify for additional height may be either within the proposed project, or within its immediate vicinity.

(3) For every one percent of the total gross square footage in the proposed structure that is reserved as low-income housing, an additional eight feet in height may be allowed; and for every one percent of the total gross square footage in the proposed structure that is reserved as moderate income housing, an additional five feet in height may be allowed.

(4) The units provided to gain additional height shall be reserved as low- or moderate-income housing by

ownership and restrictive covenants for a minimum of twenty years from the date a Certificate of Occupancy is issued.

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2 (5) Two years after the adoption of this pro-
3 vision, or at a time when the adequate number of projects are
4 available for analysis, the Director shall review this provision
5 and recommend any revisions that are necessary consistent with
6 the City's land use and housing objectives.

7 b. Landscaped public open space

8 When proposed highrise developments provide
9 landscaping, usable public open space in addition to the open
10 space required for the exclusive use of residents of the develop-
11 ment, additional height up to a maximum of forty feet may be
12 allowed according to the following provisions.

13 (1) Open space for public use shall either be
14 dedicated, or upon written agreement with the City of Seattle be
15 available to the public during reasonable and predictable hours
16 each day of the week.

17 (2) The open space may be provided on site or
18 in the immediate vicinity of the project.

19 (3) The location of the open space shall
20 enhance street level activity by providing:

21 (a) A focal point in a highly dense or
22 active area; and/or

23 (b) A unique amenity suited to the area
24 and of public benefit; and

25 (c) Better pedestrian access and siting
26 of an existing public facility or historic landmark.

27 (4) The space shall be of a sufficient size
28 to be functional, and shall be contiguous to pedestrian pathways
that make it readily accessible to users.

1 (5) The design of the open space shall
2 enhance unique site characteristics such as views, topography,
3 trail systems and significant trees or landscaping.

4 (6) Public open space and equipment located
5 there shall be designed to provide safety and security for user
6 groups.

7 (7) The open space shall be designed so that
8 its solar exposure encourages its use.

9 (8) Outdoor common areas and pedestrian
10 access shall be separated from the paths of moving vehicles.

11 (9) The outdoor common areas shall function
12 as more than pedestrian walkways or passageways between areas.
13 Active areas and/or passive areas shall be provided depending on
14 the needs of the adjacent neighborhood.

15 c. Structures of architectural and historical
16 significance

17 Additional heights may be allowed when new
18 multi-family developments preserve structures of architectural or
19 historical significance, according to the following provisions:

20 (1) Preservation of designated City
21 landmarks, with proceedings and controls adopted pursuant to the
22 Landmarks Preservation Ordinance, may qualify for eighty feet of
23 additional height.

24 (2) The significant structure to be preserved
25 may be located either on the project site or within the immediate
26 vicinity.

27 C. Height exceptions

28 1. Radio and television receiving aerials, flagpoles,
and spires for religious institutions are exempt from height
controls, except in the Airport Height District (Chapter 23.74),
provided they are no closer than fifty percent of their height

1 above existing grade, or, if attached only to roof, no closer
2 than fifty percent of their height above the roof portion where
3 attached, to any adjoining lot line.

4 2. Railings, planters, skylights, chimneys,
5 clerestories, greenhouses, dish antennae, parapets, and firewalls
6 may extend up to four feet above the maximum height limit.

7 3. The following rooftop features may extend up to ten
8 feet above the maximum height limit, so long as the combined
9 total coverage of all features does not exceed fifteen percent of
10 the roof area, or twenty percent of the roof area if the total
11 includes screened mechanical equipment:

12 - stair and elevator penthouses
13 - mechanical equipment
14 - play equipment and open mesh fencing which
15 encloses it. Such fencing shall be at least five feet from the
16 roof edge

17 - sun and wind screens
18 - penthouse pavilions for the common use of
19 residents

20 4. For height exceptions for solar collectors, see
21 Section 23.45.146, Solar Collectors.

22 5. In order to protect solar access for property to
23 the north, the applicant shall either locate the rooftop features
24 listed below at least ten feet from the north edge of the roof,
25 or provide shadow diagrams to demonstrate that the proposed loca-
26 tion of such rooftop features would shade property to the north
27 on January 21 at noon no more than would a structure built to
28 maximum permitted bulk:

- solar collectors
- planters

- clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment

Section 23.45.68 Highrise Structure Width and Depth

A. Maximum width

1. For facades or portions of facades along the street which are thirty-seven feet in height or less, and which are not modulated according to the standards of Section 23.45.70 B or C, maximum width shall be thirty feet.

2. For facades or portions of facades along the street which are thirty-seven feet in height or less, and which are modulated according to the standards of Section 23.45.70 B or C, there shall be no maximum width limit.

3. Facades or portions of facades which begin thirty-seven feet or more above existing grade shall have a maximum width limit of one-hundred feet, whether they are modulated or not (Exhibit 23.45.88).

B. Maximum depth

1. For facades or portions of facades thirty-seven feet or less in height, which are not along a street, there shall be no maximum depth limit.

2. Facades or portions of facades above thirty-seven feet in height shall not exceed one hundred feet in depth (Exhibit 23.45.90).

Section 23.45.70 Highrise Modulation Requirements

A. Modulation shall be required along street fronts for facades thirty-seven feet or less in height, when the width of the facade exceeds thirty feet.

B. Modulation standards

1. The minimum depth of modulation shall be four feet (Exhibit 23.45.92).

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2. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum area of sixty square feet, the minimum depth of modulation shall be reduced by two feet (Exhibit 23.45.94).

3. The minimum width of modulation shall be five feet (Exhibit 23.45.92).

4. Maximum width of modulation

a. The maximum width of modulation shall be thirty feet.

b. Exceptions to maximum width of modulation:

(1) When facades provide greater depth of modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be increased two and one-half feet, to a maximum width of fifty feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 4.b.(1) above, nor shall it permit facades to exceed fifty feet in width without modulation.

5. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to a height of at least thirty-seven feet.

Section 23.45.72 Highrise Setback Requirements

1 Front, rear and side setbacks shall be provided for all lots,
2 according to the following provisions:

3 A. Front setback

4 1. Facades or portions of facades thirty-seven feet in
5 height or less

6 The minimum front setback for facades or portions
7 of facades thirty-seven feet in height or less shall be the
8 average of the setbacks of the first principal structures on
9 either side, (Figure 5) subject to the following provisions:

10 a. The front setback shall in no case be required
11 to be more than five feet greater than the setback of the first
12 principal structure on either side which is closer to the front
13 lot line.

14 b. The front setback shall in no case be required
15 to exceed ten feet.

16 c. Portions of the structure in front setbacks.

17 (1) Portions of a structure may project into
18 the required front setback, as long as the average distance from
19 the front property line to the structure satisfies the minimum
20 front setback requirement.

21 (2) Any projection of the facade which begins
22 at existing lot grade shall be no closer to the front lot line
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1 than the existing grade facade projection nearest the front lot
2 line of a structure on either side, or five feet, whichever is
3 less.

4 2. Facades or portions of facades above thirty-seven
5 feet

6 Facades or portions of facades which begin thirty-
7 seven feet or more above existing grade shall have a front set-
8 back of twenty feet. This setback may be averaged.

9 3. Front setback exceptions.

10 a. In the case of a through lot, each setback
11 abutting a street except a side setback shall be a front setback.
12 Rear setback requirements shall not apply to the lot.

13 b. If the street facade is in retail use, no
14 front setback is required.

15 c. Sloped lots

16 On sloped lots with no alley access, the
17 required front setback shall be fifteen feet minus one foot for
18 each two percent of slope. Slope shall be measured from the mid-
19 point of the front lot line, to the rear lot line or for a depth
20 of sixty feet, whichever is less.

21 B. Rear setback

22 1. The minimum rear setback for structures sixty feet
23 or less in height shall be ten feet.

24 2. The minimum rear setback for portions of structures
25 greater than sixty feet in height shall be twenty feet.

26 C. Side setback

27 1. The minimum side setback (Exhibit 23.45.96) shall
28 be as follows:

	Elevation of Facade or Portion of Facade from Existing Grade	Combined Total of Both Side Setbacks Must Be At Least	Neither Side Setback May Be Less Than
1			
2	37 feet or less	10 feet	5 feet
3	38-60 feet	16 "	8 "
4	61-90 "	25 "	10 "
5	91-120 "	30 "	14 "
6	121 feet or higher	40 "	16 "

7 2. When properties abutting the site are developed to
8 the side property line, the base structure of a proposed develop-
9 ment may be joined to the abutting structure.

10 D. General setback exceptions

11 1. Required setbacks for cluster developments

12 Where two or more principal structures are located
13 on one lot (Exhibit 23.45.98), required setbacks between struc-
14 tures shall be provided as follows:

15 a. No walls shall be less than ten feet apart at
16 any point.

17 b. A principal entrance to a structure shall be
18 at least fifteen feet from the nearest interior facade which con-
19 tains no principal entrance.

20 c. A principal entrance to a structure shall be
21 at least twenty feet from the nearest interior facade which con-
22 tains a principal entrance.

23 d. Within a cluster development, the maximum
24 facade width without modulation shall be thirty feet for all
25 interior facades. Perimeter facades shall follow standard deve-
26 lopment requirements.

27 e. Structures in cluster developments may be con-
28 nected by underground garages or elevated walkways.

2. Structures in required setbacks

1 a. Detached garages, carports, or other accessory
2 structures are permitted in the required rear setback, provided
3 that they are no greater than twelve feet in height above
4 existing grade, with open rails permitted above twelve feet.

5 b. Ramps or other devices necessary for access
6 for the disabled and elderly, which meet Washington State Rules
7 and Regulations for Barrier-Free Design, are permitted in
8 required front, side or rear setbacks.

9 c. Uncovered, unenclosed pedestrian bridges,
10 necessary for access and less than five feet in width, are per-
11 mitted in required front, side and rear setbacks.

12 d. Permitted fences, free-standing walls,
13 bulkheads, signs, and other similar structures, no greater than
14 six feet in height, are permitted in required front, side or rear
15 setbacks.

16 e. Decks which average no more than eighteen
17 inches above existing grade may project into required setbacks.
18 Such decks shall not be permitted within five feet of any lot
19 line, unless they abut a permitted fence or free-standing wall,
20 and are at least three feet below the top of the fence or wall.
21 The fence or wall shall be no higher than six feet.

22 f. Underground structures are permitted in all
23 setbacks.

24 g. Solar collectors are permitted in required
25 setbacks, subject to the provisions of Section 23.45.146, Solar
26 Collectors.

27 Section 23.45.74 Highrise, Open Space Requirements

28 Open space shall be provided for all lots, subject to the
following provisions:

A. Quantity

1 1. A minimum of fifty percent of the lot area shall be
2 provided as landscaped open space at ground level.

3 2. Quantity exception for apartments.

4 Ground-level open space may be reduced from fifty
5 percent to a minimum of twenty-five percent of lot area according
6 to the following scale: for every square foot of difference
7 between fifty percent of lot area and the actual ground-level
8 open space provided, one and two tenths square feet shall be pro-
9 vided above ground in the form of decks and balconies or on the
10 roof of the base structure.

11 B. Development standards

12 1. No horizontal dimension for required open space at
13 ground level or on the roof of the base structure shall be less
14 than fifteen feet, nor shall any open space area be less than two
15 hundred twenty-five square feet.

16 2. In order to qualify as above ground level open
17 space, balconies, decks, or open space on the roof of a base
18 structure, shall be thirty seven feet or less above existing
19 grade.

20 3. Required open space is permitted in the front,
21 side, or rear of the structure.

22 4. Parking areas, driveways and pedestrian access
23 except for pedestrian access meeting the Washington State Rules
24 and Regulations for Barrier-Free Design, shall not be counted as
25 open space.

26 5. In order to qualify as above-ground open space, no
27 horizontal dimension for balconies and decks shall be less than
28 six feet, and the minimum area for balconies and decks shall be
sixty feet.

Section 23.45.76 Highrise, Parking and Access Requirements

A. Parking quantity

1 1. One off-street parking space per dwelling unit is
2 required.

3 2. For apartments and terraced housing, spaces for
4 bicycles shall be provided in a sheltered and convenient location
5 according to the following chart:

<u>Number of Spaces</u>	<u>Number of Bicycle Spaces Required</u>
5-10	1
11-20	2
More than 20	1 per 10 units

6 3. Reductions to the quantity of parking spaces pro-
7 vided may be made for: low-income housing for the elderly and
8 disabled; provision of spaces for two-wheeled vehicles; the addi-
9 tion of residential units to existing structures; and the joint
10 use of existing parking, according to Section 23.54.20, Parking
11 Quantity Exceptions.
12

13 4. For apartment structures of more than twenty units,
14 the Director may require parking in excess of the one-to-one
15 parking ratio, up to a maximum of one and one-quarter spaces per
16 unit, according to the provisions of Section 23.54.20E.
17

18 5. Exceptions to the quantity of required parking
19 shall be permitted when residential units are added to existing
20 structures, according to the provisions of Subchapter 4,
21 Nonconforming Uses and Structures.

22 B. Access to parking

23 1. Alley access required

24 Except when one of the conditions of paragraphs 2
25 or 3 below applies, access to parking shall be from the alley
26 when the site abuts a platted alley improved to the standards of
27 Section 23.54.10C. Access from the street shall not be per-
28 mitted.

2. Street access required

Access to parking shall be from the street when:

- a. The alley borders on a Single Family, Lowrise 1 or Lowrise 2 zone;
- b. The lot does not abut a platted alley;
- c. Location of alley access would create a significant safety hazard.

3. Street or alley access permitted

Access to parking may be from either the alley or the street when:

- a. Topography makes alley access infeasible.
- b. The alley is not improved to the standards of Section 23.54.10C.

C. Location of parking

A maximum of fifty percent of the area of the floor closest to the grade of the street may be used for parking. If the street level facade is in retail use, sixty percent of the street level floor area may be used for parking. On corner lots, two streets of retail may be permitted. On sloped sites, the Director may determine which street or streets are to be so regulated.

23.45.80 Boarding Homes

1 A. Bulk and siting: Boarding homes shall be subject to the
2 development standards of the multi-family zone in which they are
3 located.

4 B. Parking quantity: one space for each three sleeping
5 rooms or one space for every six beds, whichever is greater,
6 shall be required.

7 23.45.84 Group Homes

8 A. Bulk and siting

9 Group Homes shall be subject to the development stan-
10 dards of the multi-family zone in which they are located.

11 B. Parking quantity

12 One parking space for each two full-time staff; plus one
13 space for each five residents; plus one space for each vehicle
14 operated in connection with the group home shall be required.

15 23.45.86 Halfway Houses Meeting Development Standards

16 The establishment of new or the expansion of existing
17 halfway houses which meet the following development standards
18 shall be permitted outright in all multi-family zones. Halfway
19 houses not meeting all the development standards of this Section
20 may be permitted as administrative conditional uses subject to
21 the requirements of Section 23.45.118. If the expansion of an
22 existing halfway house meets all development standards, it shall
23 be permitted outright. Expansions not meeting development stan-
24 dards may be permitted as administrative conditional uses subject
25 to the requirements of Section 23.45.118.

26 Halfway houses shall be subject to the development stan-
27 dards of the multi-family zone in which they are located.

28 B. Number of residents

A maximum of eight residents, including resident staff,
shall be permitted.

C. Parking quantity

1 1. One parking space for each two full-time staff
2 members; plus one space for each vehicle operated in connection
3 with the halfway house; plus one space for each five residents
4 shall be required.

5 2. If the applicant can demonstrate that less parking
6 is needed due to unique features of the program, fewer spaces may
7 be required. In such a case, the applicant shall enter into an
8 agreement with the Director, specifying the parking required and
9 linking the parking reduction to the features of the program
10 which allow such reduction. Such parking reductions shall be
11 valid only under the conditions specified, and if the conditions
12 change, the standard requirements must be met.

D. Dispersion criteria

13 1. A lot used for a halfway house shall be more than
14 six hundred feet from any other halfway house or from a nursing
15 home.

16 2. No halfway house shall be established where its
17 location would increase to more than five the number of halfway
18 houses and/or nursing homes within a one-half mile radius of the
19 proposed site.

20 3. The Director shall determine whether a proposed
21 facility meets the dispersion criteria from maps which shall note
22 the location of current halfway house and nursing homes.

23 Any person who disputes the accuracy of the maps
24 may furnish the Director with the correct information, and this
25 information, if determined by the Director to be accurate, shall
26 be used in processing applications.

27 23.45.88 Nursing Homes Meeting Development Standards

28 A. General provisions

 The establishment of new nursing homes which meet the
development standards of this Section shall be permitted outright

1 in all multi-family zones. Nursing homes not meeting all the
2 development standards of this Section may be permitted as admin-
3 istrative conditional uses subject to the requirements of Section
4 23.45.120. If the expansion of an existing nursing home meets
5 all development standards, it shall be permitted outright.
6 Expansions not meeting development standards may be permitted as
7 administrative conditional uses subject to the requirements of
8 Section 23.45.120.

9 B. Development standards

10 Nursing homes shall be subject to the standards for
11 halfway houses (Section 23.45.86), except that the required quan-
12 tity of parking shall be as follows:

13 One parking space for each two staff doctors; plus one
14 space for each three employees; plus one space for each six beds.

15 23.45.90 Institutions: General Provisions

16 A. The establishment of new institutions which meet the
17 development standards of Sections 23.45.92 through 23.45.102
18 shall be permitted outright in all multi-family zones.
19 Institutions not meeting all the development standards of this
20 Section may be permitted as administrative conditional uses sub-
21 ject to the requirements of Section 23.45.112. If the expansion
22 of an existing institution meets all development standards, it
23 shall be permitted outright. Expansions not meeting development
24 standards may be permitted as administrative conditional uses
25 subject to the requirements of Section 23.45.118.

26 B. The provisions of this Section shall not apply to major
27 institutions. All major institutions shall be so designated and
28 their boundaries approved by the Council.

23.45.92 Institutions Structure Height

A. Maximum height limits for institutions shall be as follows:

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<u>Zone</u>	<u>Height Limit</u>
Lowrise 1	30 feet
Lowrise 2	30 feet
Lowrise 3	37 feet
Midrise	60 feet
Highrise	160 feet

B. A religious symbol and that portion of the roof which supports it, including but not limited to a belfry or a spire, shall be exempt from height controls, provided that it is no closer to the nearest lot line than fifty percent of its height above the roof portion where attached.

23.45.94 Institutions, Structure Width and Depth

A. Maximum width
1. The maximum width for institutions shall be as follows:

<u>Zone</u>	<u>Maximum width without modulation or landscaping option</u>	<u>Maximum width with modulation or landscaping option</u>
Lowrise 1	45 feet	75 feet
Lowrise 2	45 feet	90 feet
Lowrise 3	60 feet	150 feet
Midrise	60 feet	150 feet
Highrise		
- facades or portions of facades below 37' in height	90 feet	no maximum width
- facades or portions of facades above 37' in height	100 feet	100 feet

2. In order to reach the maximum width permitted in each zone, institutional structures shall be required to reduce the appearance of bulk through one of the following options:

a. Modulation option

Front facades, and side and rear facades facing street lot lines, shall be modulated (Exhibit 23.45.100) according to the following provisions:

(1) The minimum depth of modulation shall be four feet in Lowrise 1, Lowrise 2 and Lowrise 3 zones, and six feet in Midrise and Highrise zones.

(2) The minimum height of modulation shall be five feet.

(3) The minimum width of modulation shall be twenty percent of the total structure width or ten feet, whichever is greater.

(4) Any unmodulated portion of the facade shall not comprise more than fifty percent of the total facade area.

(5) In Highrise zones, modulation shall only be required for the first sixty feet in height of an institution's facade; or if the facade above thirty-seven feet is set back twenty feet or more from the lot lines, modulation shall only be required for the first thirty-seven feet in height of the structure. The maximum width of any unmodulated portion of the facade in Highrise zones shall be ninety feet.

b. Landscape option

Front setbacks and landscaping shall be provided as follows:

(1) The required front setback shall be five feet more than the required minimum setback for the lot.

(2) One tree and three shrubs are required for each three hundred square feet of required front setback and

street facing side and rear setbacks. When new trees are planted, at least half must be deciduous.

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2 (3) Trees and shrubs which already exist in
3 the required planting area or have their trunk or center within
4 ten feet of the area may be substituted for required plantings on
5 a one tree to one tree or one shrub to one shrub basis if the
6 minimum standards in Section 23.22.20 (Measurements) are met. In
7 order to give credit for large existing trees, a tree may count
8 as one required tree for every three hundred feet of its canopy
9 spread.

10 (4) The planting of street trees may be
11 substituted for required trees on a one-to-one basis. All street
12 trees shall be planted according to City standards.

13 (5) Each setback required to be landscaped
14 shall be planted with shrubs, grass, and/or evergreen ground
15 cover.

16 (6) Landscape features such as decorative
17 paving, sculptures, or fountains are permitted to a maximum of
18 twenty-five percent of each required landscaped area.

19 (7) A plan shall be filed showing the layout
20 of the required landscaping.

21 (8) The property owner shall maintain all
22 landscape material and replace any dead or dying plants.

23 (9) Authorization of the use shall be subject
24 to the posting by the applicant of a cash deposit or the pledge
25 of an interest bearing account with the City Treasurer in the
26 amount equal to sixty percent of the estimated cost of the
27 landscaping, guaranteeing compliance. The deposit shall be
28 refunded or the pledge released by the City Treasurer five years
from the date of issuance of the covering use permit at the
request of the permittee upon presentation of a certificate of

1 compliance from the Director. The deposit or pledge account
2 shall be forfeited to the City if the landscaping requirements
3 have not been complied with by the end of the five year period,
4 and the proceeds shall be used by the Director to effect
5 compliance; provided such forfeiture shall not relieve the per-
6 mittee from compliance with the landscaping requirements.

7
8 B. Maximum depth

9 The maximum depth of institutional structures shall be
10 sixty-five percent of lot depth.

11 23.45.96 Institutions, Setback Requirements

12 A. Front setback

13 The minimum depth of the required front setback shall be
14 determined by the average of the setbacks of structures on
15 adjoining lots, but is not required to exceed twenty feet. In
16 Lowrise 1, Lowrise 2, and Lowrise 3 zones, the setback shall not
17 be reduced below an average of ten feet, and no portion of the
18 structure shall be closer than five feet to the front lot line.

19 In Highrise zones, where the street front is devoted to
20 retail and service use, no front yard setback shall be required.

21 B. Rear setback

22 The minimum rear setback shall be ten feet in Lowrise 1,
23 2, and 3, and Midrise zones. The minimum rear setback in
24 Highrise zones shall be twenty feet.

25 C. Side setback

26 1. The minimum side setback shall be ten feet from a
27 side lot line which abuts any other residentially zoned lot. A
28 five foot setback shall be required in all other cases, except
that the minimum side street side setback shall be ten feet.

In Highrise zones, structures which are between
ninety-one and one-hundred-twenty feet in height shall have a

1 minimum side setback of fourteen feet; structures which are taller than one-
 2 hundred-twenty feet shall have a minimum side setback of sixteen feet (Exhibit
 3 23.45.102).

4 2. When the depth of the structure exceeds sixty-five feet, the stan-
 5 dard side setback requirement shall be increased by the distances indicated in
 6 the following chart. This additional side setback requirement may be satisfied
 7 by averaging the side setback along the depth of the structure.

8 Side Setback Requirements for Structures

9 Greater than Sixty-Five Feet in Depth

10 H	0-10	11-21	21-30	31-40	41-50	51-60	61-70	71-80	81-90	91-160
11 D										
12 66-70	1	2	3	4	5	6	7	8		
13 71-80	2	3	4	5	6	7	8	9	10	11
14 81-90	3	4	5	6	7	8	9	10	11	12
15 91-100	4	5	6	7	8	9	10	11	12	13
16 101-150	5	6	7	8	9	10	11	12	13	14

17 For structures greater than one-hundred fifty feet in depth, the pattern
 18 established in the chart shall be continued.

19 H = Greatest height of facade beyond sixty-five foot depth (in feet, measured
 20 from the front of the structure). In the case of a through lot, the applicant
 21 may decide which street facade is to be considered the front.

22 D = Depth of structure (in feet).

D. Setbacks for specific items

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1. In Lowrise 1, Lowrise 2 and Lowrise 3 zones, the following items shall be located at least twenty feet from any abutting residentially zoned lot:

- a. Emergency entrances
- b. Main entrance door of the institutional structure.
- c. Outdoor play equipment and game courts.
- d. Openable window of gymnasium, assembly hall or sanctuary.
- e. Garbage and trash disposal mechanism.
- f. Kitchen ventilation.
- g. Air conditioning or heating mechanism.
- h. Similar items causing noise and/or odors as determined by the Director.

2. Freestanding signs six feet in height or less may be permitted in required setbacks according to the provisions of Section 23.45.158, Signs.

E. Landscaping and screening of required setbacks

Institutions shall provide landscaping for setbacks which abut a street. Such setbacks shall be planted with trees, shrubs, grass, and/or evergreen ground cover. The planting of street trees shall also be considered as part of the landscaping. Landscape features such as decorative paving, sculptures, or fountains are permitted to a maximum of twenty-five percent of each required landscaped area. If the landscaping option of Section 23.45.94B2 is used, that shall fulfill all the requirements of this Section.

1. A plan shall be filed showing the layout of the required landscaping. This landscaping plan shall meet the standards established by the Director.

2. The property owner shall maintain all landscape material and replace any dead or dying plants.

3. Authorization of the use shall be subject to the posting by the applicant of a cash deposit or the pledge of an interest bearing account with the City Treasurer in the amount equal to sixty percent of the estimated cost of the landscaping, guaranteeing compliance. The deposit shall be refunded or the pledge released by the City Treasurer five years from the date of issuance of the covering master use permit at the request of the permittee upon presentation of a certificate of compliance from the Director. The deposit or pledge account shall be forfeited to the City if the landscaping requirements have not been complied with by the end of the five year period, and the proceeds shall be used by the Director to effect compliance; provided such forfeiture shall not relieve the permittee from compliance with the landscaping requirements.

23.45.98 Institutions, Parking, Access and Transportation Plan Requirements

A. Quantity of off-street parking

1. Hospital - one space for each two staff doctors; and one additional space for each five employees; and one additional space for each six beds.

2. Medical or dental clinic or professional office accessory to a hospital - one space for each three hundred square feet of gross floor area.

3. Day care center - one space for each ten children or one space for each staff member, whichever is greater; and one space for passenger loading and unloading for every twenty children.

4. Museums - one space for each two hundred fifty square feet of public floor area.

1 5. Schools, community and private clubs and community
2 centers - one space for each eighty square feet of floor area of
3 main auditorium or other assembly room not containing fixed seats;
4 or one space for every eight seats of floor area containing fixed
5 seats.

6 6. Religious facilities - one space for each eighty
7 square feet of floor area in the nave, not containing fixed
8 seats; or one space for each eight seats for floor area con-
9 taining fixed seats.

10 7. Open air swim club - one space for each one hundred
11 fifty square feet of pool area.

12 8. Theater, auditorium or assembly hall accessory to
13 an institution (excluding schools, community clubs, and community
14 centers) - one space for each ten permanent seats; or one space
15 for each one hundred square feet of spectator assembly area not
16 containing fixed seats.

17 B. Joint use or shared use of parking areas and facilities
18 shall be permitted if approved by the Director.

19 C. Bicycle parking spaces shall be provided by all institu-
20 tions. The number of required bicycle parking spaces shall equal
21 five percent of the number of required vehicle spaces. If an
22 additional five percent bicycle parking spaces are provided for a
23 total of ten percent, one required automobile parking space may
24 be waived up to a maximum of ten percent of required parking.

25 All bicycle parking spaces shall be sheltered from the
26 weather, visible to the users of the institution, and con-
27 veniently located.

28 D. Location of parking

 Parking areas and facilities may not be located in the
required front setback or side street side setback. Otherwise,
parking may be located in or under the structure, or in the
front, side, or rear of the structure.

E. Screening of parking

1 Access or parking areas and facilities for more than
2 five vehicles shall be screened in accordance with the following
3 requirements.

4 1. Screening shall be provided on each side of the
5 parking area which abuts on or faces across a street, alley or
6 access easement any lot in a residential zone.

7 2. Screening shall consist of a fence, solid evergreen
8 hedge, or wall between four and six feet in height. Sight
9 triangles shall be provided.

10 3. The height of the visual barrier created by the
11 screen required in paragraph 2 above shall be measured from
12 street level. If the elevation of the lot line is different from
13 the finished elevation of the parking surface, the difference in
14 elevation may be measured as a portion of the required height of
15 the screen, so long as the screen itself is a minimum of three
16 feet in height (Exhibit 23.45.104).

F. Landscaping of parking

17 Accessory parking areas for more than twenty vehicles
18 shall be landscaped according to the following requirements:

19 1. One tree per every five parking spaces shall be
20 required.

21 2. Each required tree shall be planted in a landscaped
22 area and shall be three feet away from any curb of a landscaped
23 area or edge of the parking area. Permanent curbs or structural
24 barriers shall enclose each landscaped area.

25 3. Hardy evergreen ground cover shall be planted to
26 cover each landscaped area.

27 4. The trees and landscaped areas shall be located
28 within the parking area in such a manner that large expanses of
pavement and cars are visually broken and softened.

G. Transportation plan

1. Threshold for requiring a transportation plan

The Director may modify the parking standards on a case by case basis for any proposed institution using a transportation plan. A transportation plan shall be required as an element of the Master Use Permit process for the establishment of new or the expansion of existing institutions which are larger than four thousand square feet of structure area and/or which are required to provide twenty or more parking spaces.

2. Contents of transportation plan

The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and scale of the proposed institution. Consideration of the following elements and other similar factors may be required:

a. Traffic

Number of staff during normal working hours; users, guests and others regularly associated with the institution; level of vehicular traffic generated; traffic peaking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types and number of vehicles associated with the use; and mitigating measures to be taken by the applicant.

b. Parking area

Number of spaces; extent of screening from public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; prevailing direction of exhaust fumes; location of driveway and curb cuts; accessibility of convenience of the parking area; and mitigating measures to be taken by the applicant, such as parking space preferences for carpool or vanpool vehicles and provisions for bicycle racks.

c. Parking overflow

Number of vehicles expected to park in the street; percentage of on-street parking supply to be used by the proposed use; opportunities available to share existing parking areas; trends in local area development and mitigating measures to be taken by the applicant.

d. Pedestrian safety

Number of driveways which cross pedestrian walkways; location of passenger loading areas.

e. Availability of public or private mass transportation systems

Bus line location and frequency; extent of private mass transportation, including carpools and vanpools if provided by the applicant.

3. Evaluation of transportation plan

Based on an evaluation of the information disclosed in the transportation plan, the Director may increase the onsite parking or loading space requirements to reduce the overflow of vehicles into the onstreet parking supply in the vicinity. The Director may also decrease the onsite parking requirement when the applicant can demonstrate that the anticipated use will not need the minimum number of required parking spaces.

23.45.100 Institutions: Noise, Odors, Light and Glare, and Signs

A. Noise

1. Institutions shall be designed to meet the terms of Ch. 25.08 of the Seattle Municipal Code (Noise Control).

2. Institutions which are the origin or destination of emergency vehicles which emit noise specifically exempted by the Ch. 25.08 shall be located only on an arterial street as designated on Ch. 11.18 of the Seattle Municipal Code (Traffic Code). Access to emergency entrances for such institutions shall also be located on the arterial.

B. Odors

Ventilation devices and other sources of odors shall be directed away from residential property.

C. Light and glare

1 1. Exterior lighting for institutions shall be
2 shielded or directed away from principal structures on adjacent
3 residential lots.

4 2. Poles for free-standing exterior lighting shall be
5 permitted up to a maximum height of thirty feet.

6 D. Signs

7 Signs shall be permitted according to the provisions of
8 Section 23.45.158, Signs.

9 23.45.102 Institutions: Dispersion Criterion

10 The establishment of a new or the expansion of an existing
11 institution shall not be located within six hundred feet from any
12 lot line of any existing institution or public facility.

13 23.45.106 Public Facilities

14 A. The location or expansion of the following public faci-
15 lities shall be permitted outright in all multi-family zones, if
16 all of the development standards for institutions (Sections
17 23.45.92 through 23.45.102) are met:

18 Police Precinct Station

19 Fire Station

20 Public Boat Moorages

21 Utility Service Uses

22 Parks & Playgrounds

23 Museums

24 Other similar uses

25 B. If the proposed public facility does not meet the
26 development standards for institutions, it may be permitted with
27 Council approval.

28 C. Any City facility which has been sited and approved by
ordinance after a public hearing shall not require separate
Council approval.

D. The following public facilities shall be prohibited in
all multi-family zones:

Jail

METRO Operating Base

Park & Ride Lot

Sewage Treatment Plant

Solid Waste Transfer Station

Animal Control Shelter

Post Office Distribution Center

Other similar uses

E. Specific development standards for public facilities

1. Sale and consumption of beer during daylight hours on public park premises shall be permitted in a building or within fifty feet of the building on an adjoining terrace, provided, that such use shall be in a completely enclosed building or enclosed portion of building when within one-hundred feet of any lot in a residential zone.

2. Sale and consumption of alcoholic beverages under a Class H liquor license on municipal golf course premises during the established hours of operation of the golf course shall be permitted in a building or within 50 feet of the building on an adjoining terrace, provided, that such use shall be in a completely enclosed building or enclosed portion of building when within one hundred feet of any lot in a residential zone.

23.45.110 Ground Floor Business and Commercial Use in Midrise and
Highrise Zones

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2 Business and commercial uses shall be permitted outright on
3 the ground floor of multi-family structures in Midrise and
4 Highrise zones under the following conditions:

5 A. Location

6 1. In Midrise zones, the use may be located only
7 within a one block radius of a business zone.

8 2. In Highrise zones, the use may be located anywhere
9 in the zone.

10 3. The business and commercial use may be located only
11 on the ground floor of a multi-family structure. On sloping
12 sites, the commercial use must have street level frontage, and
13 the total commercial square footage shall not exceed the square
14 footage of the structure's footprint (Exhibit 23.45.106).

15 B. Permitted business and commercial uses

16 The following uses shall be permitted as ground-floor
17 business and commercial uses in Midrise and Highrise zones:

18 Retail businesses and services which could reasonably be
19 expected to serve the residential population of the neighborhood,
20 such as, but not limited to: grocery, delicatessen, meat market,
21 drug store, antique shop, hardware store, gift shop, confec-
22 tionary, bakery, shoe repair shop, barber shop, beauty shop, hand
23 or coin-operated laundry, dry cleaning shop, business and pro-
24 fessional offices, florist shop, variety or notions store, milli-
25 nery store, or restaurant without live entertainment or dancing.

C. Ground floor business and commercial uses shall meet the following standards:

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1. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed structure, except for offstreet vehicles parking and offstreet loading. All goods produced shall be sold at retail on the premises where produced.

2. The gross floor area occupied by any one business enterprise shall be no greater than twenty-five hundred square feet in Midrise zones, and seventy-five hundred square feet in Highrise zones.

3. No more than three persons shall be engaged at any one time in fabricating, repairing, cleaning or other processing of goods in any establishment, except for food preparation in restaurants.

4. No more than eight horsepower shall be employed in the operation of all machines used for fabrication, repair or other processing of any goods in any establishment.

5. Processes and equipment employed and goods processed or sold shall be limited to those which do not produced noticeable odors, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

6. No additional parking shall be required for ground floor commercial uses over that required for the residential use in the same structure. Up to ten parking spaces per business or commercial establishment may be provided at the discretion of the applicant.

7. No loading berths shall be required for ground floor commercial uses. If provided, loading berths shall be located so that access to residential parking is not blocked.

8. Identifying signs shall be permitted according to Section 23.45.158.

Subchapter 2

1 23.45.116 Administrative Conditional Uses - General Provisions

2 A. Only those uses identified in this subchapter as con-
3 ditional uses may be authorized as conditional uses in multi-
4 family zones. The Master Use Permit process shall be used to
5 authorize these uses.

6 B. Unless otherwise specified in this subchapter, con-
7 ditional uses shall meet the development standards for uses per-
8 mitted outright in subchapter 1.

9 C. The Director may approve, condition, or deny a con-
10 ditional use. The Director's decision shall be based on a deter-
11 mination whether the proposed use meets the criteria for
12 establishing a specific conditional use and whether the use will
13 be materially detrimental to the public welfare or injurious to
14 property in the zone or vicinity in which the property is
located.

15 D. In authorizing a conditional use, the Director may miti-
16 gate adverse negative impacts by imposing requirements and con-
17 ditions deemed necessary for the protection of other properties
18 in the zone or vicinity and the public interest.

19 E. The Director shall issue written findings of fact and
20 conclusions to support the Director's decision.

21 23.45.118 Halfway Houses Not Meeting Development Standards

22 The establishment of new or the expansion of existing halfway
23 houses which do not meet the development standards established in
24 Section 23.45.86 may be permitted in all multi-family zones as
administrative conditional uses.

25 The following criteria shall be used to evaluate and/or con-
26 dition proposals:

A. Bulk and siting

1 In order to accommodate the special needs of the pro-
2 posed facility and to better site the facility with respect to
3 its surroundings, the Director may modify the standards of
4 Section 23.45.86A for modulation, provision of open space, and
5 structure width, depth and setbacks. In determining whether to
6 allow such modifications, the Director shall balance the needs of
7 the facility against the compatibility of the proposed facility
8 with the residential scale and character of the surrounding area.

B. Dispersion criteria

9 1. A facility which does not meet the dispersion cri-
10 teria of Section 23.45.86D may be permitted, upon determination
11 by the Director that the intent of the dispersion requirements is
12 satisfied. For example, physical elements (such as water bodies,
13 large open spaces, or topographical features) or manmade elements
14 (such as arterials, concentrations of non-residential uses, or
15 freeways) may provide substantial separation from existing half-
16 way houses and nursing homes.

17 2. If the intent of the dispersion criteria is met, an
18 existing facility not in conformance with a dispersion standard
19 may be permitted to expand. The existing facility shall not be
20 permitted to expand beyond the bulk requirement for the zone in
21 which it is located.

C. Noise

22 The Director may condition the permit in order to miti-
23 gate potential noise problems. Measures to be used by the
24 Director for this purpose include, but are not limited to the
25 following: landscaping, sound barriers or fences, mounding or
26 berming, adjustments to yards, the location of refuse storage
27 areas, or parking development standards, design modification, and
28 fixing of hours for use of outdoor recreation areas.

D. Traffic generation

1 When the Director considers traffic generation caused by
2 a proposed facility to have a substantial negative effect on the
3 surrounding area, the Director may condition a permit in order to
4 mitigate potential traffic problems. Measures to be used by the
5 Director for this purpose include, but are not limited to the
6 following: revision of the program offered at the facility
7 and/or a limitation on the number of residents in the facility;
8 limiting the number and/or type of vehicles associated with the
9 facility; limits on the time of operation of vehicles associated
with the facility; and encouraging the use of transit.

E. Parking

10 If the applicant can demonstrate that less than the
11 required amount of parking is necessary due to the specific
12 features of the program or facility, the Director may reduce the
13 amount of required parking. In such cases, the applicant shall
14 enter into an agreement with the Director, specifying the amount
15 of parking required and linking the parking reduction to the
16 features of the program which justify the reduction. Such
17 parking reductions shall be valid only under the conditions spe-
18 cified, and if those conditions change, the standard requirement
19 shall be satisfied.

20 23.45.120 Nursing Homes Not Meeting Development Standards

21 A. The establishment of new or expansion of existing
22 nursing homes which do not meet the development standards
23 established in Section 23.45.88 may be permitted in all multi-
family zones as administrative conditional uses.

24 B. The criteria listed for halfway houses (Section
25 23.45.118) shall also be used to evaluate and/or condition pro-
26 posals for nursing homes.

23.45.122 Institutions Not Meeting Development Standards

1 Institutions which do not meet development standards
2 established in Section 23.45.90, may be permitted in multi-family
3 zones as administrative conditional uses. The provisions of this
4 Section shall not apply to major institutions.

5 The following criteria shall be used to evaluate and/or con-
6 dition the proposals:

7 A. Bulk and siting

8 In order to accommodate the special needs of the pro-
9 posed institution, and to better site the facility with respect
10 to its surroundings, the Director may modify the applicable deve-
11 lopment standards for modulation, landscaping, provision of open
12 space, and structure width, depth and setbacks. In determining
13 whether to allow such modifications, the Director shall balance
14 the needs of the institution against the compatibility of the
15 proposed institution with the residential scale and character of
16 the surrounding area.

17 B. Dispersion criteria

18 An institution which does not meet the dispersion cri-
19 teria may be permitted, if it would not create or further aggra-
20 vate parking shortages, traffic congestion, and noise in the
21 surrounding residential area, or when physical elements (such as
22 water bodies, large open spaces, or topographical features) or
23 manmade elements (such as arterials, concentrations of non-
24 residential uses, or freeways) provide substantial separation
25 from nearby facilities, or buffer the institution from residen-
26 tial uses.

27 C. Noise

28 The Director may condition the permit in order to miti-
29 gate potential noise problems. Measures to be used by the
30 Director for this purpose include, but are not limited to the

1 following: landscaping, sound barriers or fences, mounding or
2 berming, adjustments to yards, the location of refuse storage
3 areas, or parking development standards, design modification, and
4 fixing of hours for use of areas.

5 D. Traffic generation

6 The Director may condition a permit to mitigate poten-
7 tial traffic congestion problems. Measures which may be used by
8 the Director for this purpose include, but are not limited to the
9 following:

- 10 1. Implementing the institution's transportation plan.
- 11 2. Limiting the number or type of vehicles associated
12 with the facility; encouraging the use of METRO or private mass
13 transit; requiring provision of sidewalks; and changing access,
14 location or quantity of parking.

15 E. Parking

16 If the applicant can demonstrate that less than the
17 required amount of parking is necessary due to the specific
18 features of the institution or the activities and programs it
19 offers, the Director may reduce the amount of required parking.
20 In such cases, the applicant shall enter into an agreement with
21 the Director, specifying the amount of parking required and
22 linking the parking reduction to the features of the institution
23 which justify the reduction. Such parking reductions shall be
24 valid only under the conditions specified, and if those con-
25 ditions change, the standard requirement shall be satisfied.

26 23.45.124 Landmark Structures

27 A. The Director may authorize a use not otherwise permitted
28 in a multi-family zone within a structure designated as a
"Landmark", pursuant to the Landmark Preservation Ordinance
(Seattle Municipal Code Ch. 25.12), subject to the following
development standards:

1 1. The use shall be compatible with the existing design
2 and/or construction of the structure without significant
3 alteration; and

4 2. The use shall be allowed only when it is
5 demonstrated that uses permitted by the zone are impractical
6 because of structure design and/or that no permitted use can pro-
7 vide adequate financial support necessary to sustain the
8 "Landmark" in reasonably good physical condition; and

9 3. The use shall not be detrimental to other proper-
10 ties in the zone or vicinity or to the public interest.

11 B. The parking requirements for a use allowed in a
12 "Landmark" are those listed in Section 24.64.120. These
13 requirements may be waived pursuant to Section 23.54.20.
14 23.45.126 Park and Pool Lot

15 The Director may authorize a park and pool lot under the
16 management of a public agency responsible for commuter pooling
17 efforts the Director shall determine that:

18 A. It is to be located on an existing parking lot;

19 B. The parking proposed for the park and pool lot is not
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needed by the principal use or its accessory uses during the hours proposed for park and pool use; and

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2 C. The park and pool use shall not interfere or conflict
3 with the peak hour activities associated with the principal use
4 and its accessory uses. The Director may control the number and
5 location of parking spaces to be used.

6 Subchapter 3: Accessory Uses

7 23.45.140 General Provisions

8 A. The accessory uses listed in this subchapter are per-
9 mitted in all multi-family zones unless otherwise specified. In
10 addition, other accessory uses customarily incidental to prin-
11 cipal uses may be permitted, subject to the provisions of Chapter
12 23.42 (General Use Provisions).

13 B. Accessory uses shall be subject to the development stan-
14 dards of the multi-family zone in which they are located unless
15 the general standards are specifically modified.

16 23.45.142 Private Garages and Private Carports

17 Private garages and private carports shall be permitted as
18 accessory uses in multi-family zones and shall be subject to the
19 standards of the zone in which they are located.

20 23.45.144 Swimming Pools

21 Private, permanent swimming pools, hot tubs and other similar
22 uses are permitted as accessory uses subject to the following
23 standards:

24 A. Swimming pools may be located in any required setbacks,
25 provided that:

26 1. No part of any swimming pool shall project more
27 than eighteen inches above existing grade in a required front
28 setback, and

2. No swimming pool shall be placed closer than five
feet to any front or side lot line.

1 B. All pools shall be enclosed with a fence, or located
2 within a yard enclosed by a fence, not less than four feet in
3 height and designed to resist the entrance of children.

4 C. Swimming pools may be included in the measurement of
5 required open space.

6 23.45.146 Solar Collectors

7 A. Solar greenhouses in required setbacks

8 Solar greenhouses attached and integrated with the prin-
9 cipal structure and no more than twelve feet in height are per-
10 mitted as accessory uses. Such solar greenhouses may extend a
11 maximum of six feet into required front and side setbacks.
12 Attached solar greenhouses in required setbacks shall be no
13 closer than:

- 14 1. Three feet from side lot lines; and
- 15 2. Eight feet from front lot lines.
- 16 3. Solar greenhouses may be built to a rear lot line
17 which abuts an alley, provided that the greenhouse is no taller
18 than ten feet along the rear property line, and of no greater
19 average height than twelve feet for a depth of fifteen feet from
20 the rear property line; and the greenhouse is no wider than fifty
21 percent of lot width for a depth of fifteen feet from the rear
22 property line. Otherwise solar greenhouses shall be no closer
23 than five feet from the rear lot line.

24 B. Solar collectors in required setbacks

25 Solar collectors are permitted in required setbacks
26 according to the following provisions:

- 27 1. Detached solar collectors shall be permitted in
28 required rear setbacks; such collectors shall be no closer than
five feet to any other principal or accessory structure.
2. Detached solar collectors shall be permitted in
required side setbacks. Such collectors shall be no closer than
five feet to any other principal or accessory structure, and no
closer than three feet to the side lot line.

3. The area covered or enclosed by solar collectors shall not be included in open space calculations.

4. Sunshades which provide shade for solar collectors which face within thirty degrees of true south may project into southern front or rear setbacks. Those which start at ten feet or more above grade level may be no closer than three feet from the property line. Those which are below ten feet may be no closer than five feet from the property line.

C. Solar collectors on rooftops

1. Lowrise zones

Solar collectors located on rooftops shall be permitted to project up to four feet above the maximum height limit, including the additional height allowed for sloped lots. The four feet permitted for rooftop solar collectors shall not be added to extra height allowed for pitched roofs.

2. Midrise and highrise zones

a. Solar greenhouses which meet minimum energy standards administered by the Director shall be permitted to project up to ten feet above the maximum height limit, including the additional height allowed for sloped lots. The combined total coverage of all rooftop features shall not exceed fifteen percent if the total includes screened mechanical equipment.

b. Rooftop solar collectors other than solar greenhouses shall be permitted to project up to seven feet above the maximum height limit, including the additional height allowed for sloped lots.

c. Extra height permitted for rooftop solar collectors shall not be added to extra height allowed for pitched roofs.

D. Solar retrofits

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on

1 the effective date of this Land Use Code as a special exception
2 pursuant to Chapter 23.76 (Master Use Permit). Such a retrofit
3 may be permitted even if it exceeds established height limits, if
4 the following conditions are met:

5 1. There is no feasible alternative solution to
6 placing the collector(s) on the roof;

7 2. The positioning of such collector(s) minimizes view
8 blockage and shading of property to the north, while still pro-
9 viding adequate solar access for the collectors; and

10 3. Such collector(s) meet minimum energy standards
11 administered by the Director.

12 23.45.148 Keeping of Animals

13 A. Small animals

14 1. Up to three small domestic animals per dwelling
15 unit may be kept in multi-family zones.

16 2. Accessory structures, including kennels, for four
17 or more animals shall be at least ten feet from any other resi-
18 dentially zoned lot.

19 B. Domestic fowl

20 Up to three domestic fowl may be kept on any lot in
21 addition to the small animals permitted in the preceding subsec-
22 tion. For each one thousand square feet of lot area in excess of
23 five thousand square feet, one additional domestic fowl may be
24 kept.

25 C. Farm animals

26 Cows, horses, and other similar farm animals are per-
27 mitted only on lots at least twenty thousand square feet in size.
28 The keeping of swine is prohibited.

1. Only one farm animal for every ten thousand square
feet of lot area is permitted.

2. Farm animals and structures housing them shall be
at least fifty feet from any other residentially zoned lot.

23.45.150 Beekeeping

1 Beekeeping is permitted as an accessory use, when registered
2 with the State Department of Agriculture, and provided that:

3 A. No more than four hives, each with only one swarm, shall
4 be kept on lots of less than ten thousand square feet.

5 B. Hives shall not be located within twenty-five feet of
6 any property line except when located eight feet or more above
7 the grade immediately adjacent to the subject lot or when
8 situated less than eight feet above the adjacent existing grade
9 and behind a solid fence or hedge six feet high, parallel to any
10 property line within twenty-five feet of a hive and extending at
11 least twenty-five feet beyond the hive in both directions.

23.45.152 Home Occupations

12 Home occupations of a resident person are permitted as
13 accessory uses, under the following conditions:

14 A. The occupations shall be clearly incidental to the use
15 of the property as a dwelling.

16 B. The address of the home occupation shall not be given to
17 any advertisement.

18 C. The occupation shall be conducted within the principal
19 structure and not in an accessory structure. It shall not
20 require external structural alterations. There shall be no evi-
21 dence of such occupation from the exterior of the structure other
22 than a permitted sign, so as to preserve the residential
23 appearance of the structure.

24 D. Total rated capacity of mechanical equipment used for
25 the occupation shall not exceed three horsepower.

26 E. Not more than one person who is not a resident of the
27 dwelling may be employed in such home occupation whether or not
28 compensated.

F. Commercial pickup and deliveries shall be limited to one per day on weekdays and shall be prohibited on weekends.

G. Illuminated or non-illuminated signs which do not exceed sixty-four square inches in area shall be permitted.

23.45.154 Open Wet Moorage for Private Pleasure Craft

Open wet moorage facilities for residential structures are permitted as an accessory use as regulated in Ch. 23.70, provided that only one slip per residential unit is provided.

23.45.156 Amateur Radio Devices

A. The maximum height of the tower shall be no more than fifty feet above existing grade. Cages and antennae may extend to a maximum additional fifteen feet.

B. The base of the tower shall be located at a distance from any other lot which is at least one-half of the height of the tower.

C. Dish antennae shall be regulated by the development standards for exempt rooftop features in the multi-family zone in which they are located.

23.45.158 Signs

A. Electric, externally illuminated, or non-illuminated signs bearing the name of the occupant shall be permitted when their dimensions do not exceed sixty-four square inches.

B. Non-illuminated signs bearing the name of the structure shall be permitted in addition to the signs permitted in Paragraph A above. For structures of sixteen units or less, the maximum dimension of the sign shall be sixteen square feet. One square foot of sign area shall be permitted for each additional unit over sixteen, to a maximum size of fifty square feet. One sign on each street or alley frontage shall be permitted. Signs shall be hung parallel to the structure facade or shall be freestanding with a maximum height of six feet.

1 C. Electric or non-illuminated signs for permitted ground
2 floor business and commercial uses in multi-family structures
3 shall be allowed, in addition to any signs permitted in
4 paragraphs A and B above. One sign for each commercial use shall
5 be permitted, with a maximum size of twenty-four square feet.
6 Such signs may project from the facade of a structure up to a
7 maximum height of eight feet. They shall be permanent, sta-
8 tionary and nonflashing.

9 D. An institution may have up to one double-faced iden-
10 tifying sign on each street frontage. Signs shall not exceed
11 twenty-four square feet per face, and if freestanding, shall not
12 exceed a height of six feet. Electric or non-illuminated signs
13 shall be permitted.

14 E. Temporary non-illuminated real estate for sale or rent
15 signs are permitted when their dimensions do not exceed twenty-
16 four square feet, and they are not painted with light-reflecting
17 paint. Temporary political yard signs are permitted, as provided
18 in the Fair Campaign Practices Ordinance. (Seattle Municipal
19 Code Ch. 2.24). Large signs as required by Chapter 23.76 (Master
20 Use Permit) shall be permitted.

21 F. No sign of any kind, other than one designating an
22 entrance, exit, or condition of use, shall be maintained on a
23 parking area or facility which faces any residential lot.
24 Permitted signs shall not exceed eight square feet in area. Only
25 one sign shall be permitted for each entrance or exit.

26 G. No sign shall be installed above the roofline of any
27 structure.

28 H. Existing business signs for nonconforming uses may be
replaced provided that:

1. Maximum total area of sign faces shall be one-
hundred seventy square feet, and the maximum area of any single
sign shall be eight-five square feet.

2. Maximum height of any portion of a sign shall be thirty feet above existing lot grade at the base of the sign.

3. The sign shall be permanent, stationary and nonflashing. No pennants, banners, bunting, string lights or decoration shall be permitted.

23.45.160 Bed and Breakfasts

Bed and breakfasts may be operated in a dwelling unit existing as of the effective date of this Land Use Code by a resident person under the following conditions:

A. The operation of a bed and breakfast may be conducted only within a single dwelling unit.

B. The bed and breakfast shall be operated within the principal structure and not in an accessory structure. It shall not require structural alterations. There shall be no evidence of such occupation from the exterior of the structure other than a permitted sign, so as to preserve the residential appearance of the structure.

C. No more than two people who are not residents of the dwelling may be employed in the operation of a bed and breakfast, whether or not compensated.

D. One parking space for the dwelling unit, plus one for each four sleeping rooms; plus one space if there are any non-resident employees, shall be required.

23.45.162 Recycling Collection Station

Recycling collection stations maintained in good condition shall be permitted in all multi-family zones.

23.45.164 Heat Recovery Incinerators

Heat recovery incinerators, located on the same lot as the principal use, shall be permitted as accessory conditional uses, subject to the following conditions:

1 A. The incinerator shall be located no closer than one
2 hundred feet to any property line unless completely enclosed
3 within a building.

4 B. If not within a building, the incinerator shall be
5 enclosed by a view obscuring fence of sufficient strength and
6 design to resist entrance by children.

7 C. Adequate control measures for insects, rodents and odors
8 shall be maintained continuously.

9 23.45.166 Offsite Parking Facilities in Highrise Zones

10 Offsite parking facilities accessory to existing residential
11 structures may be permitted in Highrise zones as a conditional
12 use, under the following conditions:

13 A. The offsite parking facilities must be accessory to
14 a multi-family structure built before the adoption of this Land
15 Use Code, which provides less than one parking space per unit,
16 although it may include parking for a new residential development
17 when developed jointly.

18 B. One offsite parking facility per multi-family struc-
19 ture shall be permitted.

20 C. Joint use parking by two or more structures is
21 encouraged.

22 D. The offsite parking facility shall be located in the
23 Highrise zone.

24 E. All parking areas shall be covered, except when
25 located on the roof of a garage which is at least ten feet above
26 existing grade. Where parking is visible from the street, it
27 shall have screening between five and six feet in height. Such
28 screening must be set back a minimum of three feet from the
street, with landscaping in the setback area. When parking is in
an enclosed building, there shall be landscaping in the setback
area between the structure and the street.

1 F. The garage shall have a maximum height of thirty-
2 seven feet. Setbacks shall equal the average of setbacks of
3 abutting structures, but shall not be required to exceed ten
4 feet. Where the street front is used for retail, no setback
5 shall be required.

6 G. Any lighting used to illuminate a parking area
7 shall be arranged so as to reflect the light away from residences
8 or adjoining premises in any residential zone.

9 H. Signs shall be permitted according to the standards
10 of Section 23.45.158, Signs.

11 Subchapter 4

12 Nonconforming Uses and Structures

13 23.45.180 Continuation of Nonconforming Uses

14 Any legally established nonconforming use existing on the
15 effective date of this provision which does not conform to the
16 applicable requirements of this Land Use Code may be continued
17 subject to the provisions of this section.

18 23.45.182 Extensions, Expansions, and Structural Alterations of 19 Nonconforming Uses

20 A nonconforming use shall not be expanded or extended, nor
21 shall a structure containing a nonconforming use be expanded,
22 extended or structurally altered except as follows:

23 A. Expansions, extensions or structural alterations other-
24 wise required by law or necessary to improve access for the
25 elderly and disabled shall be permitted.

26 B. Legally established apartments in Lowrise 1 zones may be
27 improved, renovated, structurally altered, and expanded, provided
28 that the improvement, renovation, alteration or expansion does
not violate the development standards of Sections 23.45.10
through 23.45.18, nor cause an already nonconforming structure to
further exceed development standards.

1 C. Additional dwelling units may be added to legally
2 established apartments in Lowrise 1 zones so long as this addi-
3 tion does not violate the development standards of Sections
4 23.45.10 through 23.45.18, nor cause an already nonconforming
5 structure to further exceed development standards, except that
6 one dwelling unit may be added without a parking space if the lot
7 area is not increased, if new parking meets all development stan-
8 dards, and existing parking is screened and landscaped to the
9 greatest extent practical.

10 D. Dwelling units may be added to structures in nonresiden-
11 tial use, even if in a nonconforming structure. Such structures
12 may be altered or expanded so long as the alteration or expansion
13 does not violate the development standards of this chapter, nor
14 cause an already nonconforming structure to further exceed deve-
15 lopment standards, except that one unit may be added without a
16 parking space.

17 E. Existing structures or portions of structures containing
18 office uses, or structures for which an application has been
19 made, which are developed in former RMH 350, RMV 200 or RMV 150
20 zones formerly regulated in Title 24 which meet the development
21 standards of the respective zone, or were developed pursuant to
22 variances, may be improved, renovated, or structurally altered.
23 Structures containing office uses may not be expanded, and office
24 uses may not be extended within the building beyond the floor
25 area permitted in the former zone. Types of offices permitted
26 shall be limited to those permitted in the former zone.

27 F. A nonconforming use which is destroyed by fire or other
28 act of nature may be resumed provided it meets the requirements
of Section 23.45.190.

23.45.184 Changes To and From Nonconforming Use

1 A. Existing nonresidential uses may be converted to resi-
2 dential use. If the only use in the structure will be residen-
3 tial and there is no feasible way to provide the required
4 parking, then the Director may authorize reduction or waiver of
5 parking as a conditional development pursuant to Chapter 23.76
(Master Use Permit).

6 B. Legally established residential uses may not be con-
7 verted to nonresidential use.

8 C. 1. Except as provided in B above, legally established
9 nonconforming uses may be changed to uses otherwise not permitted
10 in the zone by an administrative conditional use authorization so
11 long as the Director finds that the new use is not more detrimen-
12 tal to property in the zone and vicinity than the existing use.
This determination shall be based on the following factors:

13 a. The zone in which both the existing use and
14 the new use are first allowed;

15 b. The number of employees and clients associated
16 with the proposed use;

17 c. The relative parking, traffic, light, glare,
18 noise, odor and similar impacts of the two uses.

19 2. Parking requirements for nonconforming uses per-
20 mitted under this subchapter shall be those listed at Section
21 24.64.120 listing parking requirements by use or, if not listed,
22 as determined under Section 24.64.080 authorizing the Director's
23 determination of the requirement. If the number of spaces
24 required for the new use is greater than the number of spaces
25 specified for the existing use at Section 24.64.120, or, if not
26 specified, as determined under Section 24.64.080, then the number
27 of spaces provided shall be the difference of the two require-
28 ments, except as provided in 3 below.

3. If the new use is permitted, the Director may require additional mitigating measures including but not limited to landscaping; sound barriers or fences; mounding or berming; adjustments to yards or parking standards; design modification; or setting hours of operation for outdoor recreation areas.

23.45.190 Nonconforming Structures

A. Legally established structures existing as of the date of adoption of this Land Use Code which are not in conformance with one or more of the development standards for the multi-family zone in which located shall be prohibited from expanding in any manner which increases the extent of nonconformity or creates additional nonconformity except as follows:

1. Expansions or extensions otherwise required by law or necessary to improve access for the elderly and disabled shall be permitted.

2. No parking space need be added for the first additional dwelling unit added to a structure if the lot area is not increased, the new parking meets all development standards, and existing parking is screened and landscaped to the greatest extent practical.

B. If a legally established nonconforming structure is destroyed by fire or other act of nature, it may be rebuilt to the same or smaller configurations existing immediately prior to the time the structure was destroyed.

1 Section 4. Section 23.16.02 is amended to add subsection
2 B as follows:

3
4 B. Multi-Family Residential Areas Policies
(Resolution 26579)

5 Policy 1: Multi-Family Designation

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

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

21 Implementation Guideline 1 - Locational Criteria

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

9 Implementation Guideline 2 - Policy Map

10 The Policy Map, adopted with these policies, shows how the
11 locational criteria apply. The Policy Map will guide the
12 revision of the Land Use Code and Zoning Map. The Policy Map
13 will become obsolete once the Zoning Map is adopted.

14 Implementation Guideline 3 - Shorelines

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

22 Policy 2: Residential Rezones

23 The designation criteria for the Single Family Residential Areas
24 Policies and the Multi-Family Land Use Policies (Policy 1) shall
25 be the basis for evaluating residential rezone requests.
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1 In evaluating rezone requests under this policy, the basic test
2 shall be whether the locational criteria for the proposed
3 designation more closely match the characteristics of the area
4 proposed for rezone than the locational criteria of the designa-
5 tion currently in place.

6
7 Rezones may also be considered under the provision of the Single
8 Family Policies which states that areas of vacant land of five
9 acres or more may be excluded from Single Family designation. In
10 evaluating rezones for such vacant parcels, the test will be:

11 (1) whether the area is more appropriate for a single or multi-
12 family designation, and (2) if multi-family is more appropriate,
13 whether the relevant locational criteria of the multi-family
14 designation which is proposed more closely match the particular
15 characteristics of the area than do the locational criteria of
16 any other multi-family designation.

17 This policy shall be used for rezones between residential
18 classifications. As policies for business and commercial and
19 industrial areas are developed, policies for rezones between
20 residential and non-residential areas will be developed. In the
21 interim, all rezones other than those between residential classi-
22 fications will be evaluated under existing ordinances and proce-
23 dures.

24 Planned development projects shall follow the procedures of the
25 planned development policy, SPECIAL CASES: ALL LAND USE
26 CATEGORIES - PLANNED DEVELOPMENTS.
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1 Implementation Guideline - Rezone Criteria

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

4 a. Match between locational criteria and area characteristics:

5 In order to ensure compatibility of new and existing develop-
6 ment, the characteristics of the area to be rezoned should
7 closely fit the locational criteria for the proposed land use
8 category, following Policy 1, Implementation Guideline 1:
9 Locational Criteria.

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

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

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

25 e. Changed circumstances: If part of the justification for the
26 rezone is changed conditions in the area proposed for rezone
27 since the adoption of the Zoning Map, evidence of the change
28 shall be taken into consideration. Such evidence might
include changes in building height and bulk, addition of new

1 uses, traffic patterns and transit routes, and demographic
2 changes.

3 f. Single family areas: (1) If the proposed rezone is of five
4 or more acres of vacant land currently zoned single family,
5 evidence of the compatibility of the proposed multi-family
6 designation with the surrounding area shall be considered;
7 (2) if the proposed rezone is for single family to multi-
8 family, the applicant must first demonstrate that the area is
9 not appropriate for single family, following the designation
10 criteria of the Single Family Residential Areas Policies, and
11 then demonstrate which multi-family classification is
12 appropriate, following Policies 1 and 3 of these policies.

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

16 Policy 3: Multi-Family Residential Classifications

17 The multi-family classifications specify the types of housing
18 permitted in the different multi-family areas. The housing types
19 are defined in terms of: (1) height, bulk and setbacks, (2) the
20 amount of usable open space and the physical relationship of the
21 open space to individual units, and (3) the location and
22 appearance of parking and access to parking. Development stan-
23 dards regulating these elements are intended to provide for a
24 transition in scale between multi-family and single family areas,
25 facilitate an attractive pedestrian environment at the street
26 level, conform with the topography to maintain natural hills and
27 valleys and preserve views, encourage new development which is
28 compatible with existing neighborhood character, and enhance the

1 livability of new housing. Cluster development is also
2 encouraged in all classifications. A greater variety of housing
3 types is encouraged, particularly in the lower classifications.
4 Each of the multi-family classifications allows all housing types
5 permitted in a less intense classification.

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

10 Lowrise 1 (Single Family Attached)

11 The lowest multi-family classification features housing of low
12 height and small bulk with private, landscaped open space
13 directly accessible to each unit. The primary objective is the
14 development of housing that fits in with the scale, siting and
15 landscaping of single family areas, and the provision of tran-
16 sition in intensity rather than scale between single family and
17 other multi-family areas. Bulky buildings are discouraged by
18 limiting the width of structures.

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

22 Figure 1 Housing Type

23 Locational Criteria

- 24 a. Areas where structures of consistently low heights (25 feet
25 to 30 feet) and small bulk establish the pattern of develop-
26 ment, such as a mix of single family dwellings and small
27 scale ground-related housing.

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

21 Height

22 30 feet maximum.

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

Without modulation:

Width: 30 feet maximum
Depth: Maximum 50% of the depth of the lot (Figure 2)

Figure 2 Bulk Without Modulation

With modulation:

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

Figure 3 With Modulation

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

Open Space

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

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

1 Lowrise 2

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

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

12
13 Figure 4 Housing Type

14 Location Criteria

- 15 a. Areas which feature a mix of single family dwellings, duplex,
16 and small to medium size apartment buildings with a pre-
17 vailing height of 25 to 30 feet (two to three stories).
- 18 b. Areas which are located between areas of single family homes
19 and medium scale multi-family housing, suggesting the need
20 for a gradual transition between areas.
- 21 c. Areas where the prevailing scale is small but where there is
22 proximity to transit, open space, neighborhood business
23 areas, and other amenities.
- 24 d. Areas where the topography and prevailing building heights
25 require a 30-foot height limit to retain views. Topographic
26 and view conditions include:

- 1 -- Flat areas with views which are adjacent to areas with a
 prevailing building height of 30 feet.
- 2 -- Moderate sloping areas (less than 16%) with views
3 parallel or oblique to the slope.
- 4 -- Areas with prevailing building height of 30 feet, on the
 downside of a slope where upland views could be blocked
5 by greater height.
- 6 e. Areas which are overlooked from public open spaces and scenic
7 routes, where important views would be blocked by bulky
8 buildings over 30 feet in height.
- 9 f. Areas which are not in close proximity to an arterial and
10 where a substantial portion of the traffic generated by new
11 development would travel through large parts of lower inten-
12 sity areas.

Height

30 feet maximum.

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

Bulk

Without modulation:

- Width: 30 feet maximum
- Depth: Maximum 50% of the depth of the lot (Figure 5)

Figure 5 Maximum Bulk Without Modulation

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With modulation:

 Apartments:
 Width: 60 feet maximum
 Depth: Maximum 60% of the depth of the lot (Figure 6)

Figure 6 Maximum Bulk With Modulation: Apartment

 Ground-related Housing:
 Width: 75 feet maximum
 Depth: Maximum 65% of the depth of the lot (Figure 7)

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

Figure 7 Townhouse Maximum Bulk With Modulation

Open Space

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

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

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

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

9 Setbacks

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

12 Side yard: Five feet minimum.

13 Rear yard: Ten feet minimum.

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

16 Parking and Access

17 Access to parking in areas with platted and improved alleys:

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

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

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

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

Location of parking:

Ground-related and terraced housing:

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

Apartments:

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

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

1 Lowrise 3

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

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

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15 Figure 8 Housing Type

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17 Locational Criteria

- 18 a. Areas where a variety of scale patterns exist, but where
19 there is a prevailing pattern of medium bulk and moderate
20 height (30-40 foot heights).
- 21 b. Areas where edge conditions, topographic breaks, separation
22 by arterials, and open spaces create a break from smaller
23 scale development which allows greater bulk and permits a
24 variety of building widths.
- 25 c. Areas where topography and prevailing building heights
26 require a 37-foot height limit to retain views. Topographic
27 and view conditions include:

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- Areas with steep slopes (16% and more) with views parallel or oblique to the slope.
- Moderate sloping areas (less than 16%) with views perpendicular to the slope.
- Flat areas downslope from areas with moderate slopes, especially those where the view is oblique to the slope.
- Areas on the downside of a slope from areas characterized by 30-foot to 37-foot heights.

- d. Areas which are overlooked from public open spaces and scenic routes where important views would be blocked by bulky buildings over 37 feet in height.
- e. Areas which are well served by public transit and in close proximity to arterials.
- f. Areas which are adjacent to business and commercial areas with comparable or greater height and bulk, or where a transition in scale between areas of smaller and larger sized housing and commercial buildings is desirable.

Height

37 feet maximum

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

Bulk

Without modulation:

- Width: 30 feet maximum
- Depth: 50% of the depth of the lot (Figure 9)

Figure 9 Maximum Bulk Without Modulation

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With Modulation:

Width:

 Apartments: 90 feet maximum
 Ground-related
 Housing: 150 feet maximum
 Terraced
 Housing: 150 feet maximum

Depth:

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

Figure 10 Maximum Bulk With Modulation: Apartment

Ground-related

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

Figure 11 Townhouse

Terraced

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

Figure 12 Terraced Housing Maximum Bulk With Modulation

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

1 Open Space

2 Apartments:

3 A minimum of 25% of the lot area as usable, landscaped open
4 space. A percentage of the required open space may be pro-
5 vided above ground level according to the provisions of
6 Policy 6.

7 Ground-related Housing:

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

12 Terraced Housing:

13 40% of the lot area shall be landscaped, usable ground level
14 open space, directly accessible to each unit. The ground
15 level open space may be reduced to 20% of the lot area if 30%
16 of the lot area is provided as open space above the ground as
17 decks directly accessible to each unit.

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

21 Setbacks

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

25 Side yard: Five feet minimum.

26 Rear yard: Ten feet minimum.

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

Parking and Access

Access to parking in areas with platted and improved alleys:

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

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

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

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

9 Location of parking:

10 Ground-related and terraced housing:

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

16 Apartments:

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

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

27 Midrise

28 This classification allows multi-family housing of a medium to
large scale and fairly high density. In lower classifications in
these policies, height limits are 37 feet or less; the height for
Midrise is a maximum of 60 feet (approximately six stories);
however, the maximum width is the same as for Lowrise 3. In
order to minimize the appearance of bulk, building facades are
required to be modulated, with rooflines breaking according to
the modulation pattern of the facade.

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

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

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13 Figure 13 Housing Type

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15 Locational Criteria

- 16 a. Areas which are adjacent to business and commercial areas
17 with comparable height and bulk.
- 18 b. Areas which are served by major arterials and where transit
19 service is good to excellent, and street capacity could
20 absorb the traffic generated by midrise development.
- 21 c. Areas which are in close proximity to major employment centers.
- 22 d. Areas which are in close proximity to open space and
23 recreational facilities.
- 24 e. Areas along arterials where topographic changes either pro-
25 vide an edge or permit a transition in scale with surroundings.
- 26 f. Flat areas where the prevailing building height is greater
27 than 37 feet or where, due to a mix of heights, there is no
28 established height pattern.

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g. Areas with moderate slopes and views oblique or parallel to the slope where the height and bulk of existing buildings have already limited or blocked views from within the multi-family area and upland areas.

h. Areas with steep slopes and views perpendicular to the slope where upland developments are of sufficient distance or height to retain their views over new developments up to 60 feet high.

i. Areas where topographic conditions allow the height of the buildings to be obscured. Generally, these are steep slopes, 16% or more, with views perpendicular to the slope.

Height

60 feet maximum

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

Bulk

Without modulation:

- Width: 40 feet maximum
- Depth: Maximum of 50% of depth of lot (Figure 14)

Figure 14 Maximum Bulk Without Modulation

1 With modulation:

2 Width: 90 feet maximum

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

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9 Figure 15 Maximum Bulk With Modulation

10 Townhouses and Terraced Housing:

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

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

15 Open Space

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

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

21 Setbacks

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

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

25 Rear yard: Ten feet minimum.

26 (See Policy 7 for full explanation of setback requirements, and
27 related guidelines.)
28

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

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

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20 Figure 16 Housing Type

21 Locational Criteria

- 22 a. Areas which are served by arterials where transit service is
23 good to excellent and street capacity is sufficient to accom-
24 modate traffic generated by highrise development.
- 25 b. Areas which are adjacent to a concentration of residential
26 services or a major employment center.
- 27
28

- 1
- 2 c. Areas which have excellent pedestrian or transit access to
- 3 downtown.
- 4 d. Areas which have close proximity to open space, parks and
- 5 recreation facilities.
- 6 e. Areas where no uniform scale of buildings establishes the
- 7 character and where highrise development would create a focal
- 8 point and help define the character.
- 9 f. Flat areas on the tops or hills or in lowland areas away from
- 10 hills, where views would not be blocked by highrise
- 11 buildings.
- 12 g. Sloping areas with views oblique or parallel to the slope
- 13 where the height and bulk of existing buildings have already
- 14 limited or blocked views from within the multi-family area
- 15 and upland areas where the hillform has already been obscured
- 16 by development.

17 Height

18 160 feet maximum.

19 Additional height up to a maximum of 240 feet may be allowed

20 through an administrative review. In order to qualify, the

21 applicant must comply with the provisions below:

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

1
2 b. If the construction does not involve the demolition of
3 housing, or if the provisions of (a) above have been met,
4 additional height above 160 feet may be allowed in return for
5 the provision of one or more of the following public
6 benefits:

- 7 -- Usable public open space with recreational facilities is
8 provided.
9 -- Low and/or moderate cost housing is preserved or pro-
10 vided (this provision may be in addition to housing pro-
11 vided to meet (a) above, or where no housing is
12 demolished).
13 -- Historically or architecturally significant buildings
14 are preserved.
15 -- Provisions are made for adequate spacing between
16 existing and proposed towers to decrease or avoid view
17 blockage or shadows on adjacent structures and open spa-
18 ces.

19 Following criteria to be developed in the Land Use Code, the
20 administrative review shall determine whether the benefits pro-
21 posed under the conditions above merit additional height, and
22 shall determine the amount of additional height to be allowed.

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

25 Bulk

26 Base structures:

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

Towers:

Facades shall not exceed 100 feet in width or depth.

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

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Figure 17 Maximum Bulk

Open Space

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

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

Open Space Requirement

1 Setbacks

2 Front yard: Base structures: Average of setbacks of buildings
3 on abutting lots, but not required to exceed 10
4 feet. Where street facade is in retail use, no
5 setback is required.

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11 Figure 19 Front Yard Setback

12 Towers: Minimum of 20 feet from the property line.

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

15 REQUIRED MINIMUM SETBACKS

16 <u>Height of Wall</u>	17 <u>Combined Total of Both Side Yard Setbacks Must Be At Least ...</u>	18 <u>Neither Side Yard May Be Less Than ...</u>
19 37'	10'	5'
20 60'	16'	8'
21 90'	25'	10'
22 120'	30'	14'
23 160'	40'	16'

24 Rear yard: A minimum of 10 feet for buildings up to 60 feet.
25 A minimum of 20 feet for buildings higher than 60
26 feet.

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

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

Parking and Access

Access to parking in areas with platted and improved alleys:

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

6
7 Access to parking in areas without alleys or with platted but
8 unimproved alleys:

9
10 Access to parking may be from the street. Where the alley is
11 platted but unimproved, alley improvement and alley access is
12 encouraged and may be required by DCLU as part of routine
13 project review, following guidelines to be developed.

14
15 In all cases where there is access from the street, curb cut
16 widths are limited as provided in Policy 9, Guideline 5.

17
18 Location of parking:

19
20 Parking shall not be located in front of the building or in
21 the required front yard, if any. When parking is built into
22 or under the building, the front facade of the building shall
23 screen the parking. When parking is located on the side or
24 rear of the building, so that it is directly visible from the
25 street, it shall be screened and landscaped as provided in
26 Policy 9, Implementation Guideline 4.

27
28 A maximum of 50% of the ground floor may be used for parking.
If retail use is provided along the street front, this may be
increased to 60%.

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

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

Use of Street Front Facades

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

Policy 4: Height of Buildings

Height limits are established for each of the five multi-family
classifications, providing for the construction of lowrise,
midrise and highrise development in multi-family areas. The

1
2 appropriate height for an area shall be determined according to
3 the locational criteria for the multi-family classifications.

4 The intent of this policy is to establish maximum heights, main-
5 tain a consistent height limit throughout the building envelope,
6 require that the building heights reflect the topography of the
7 site, reduce view blockage, encourage pitched roofs, and facili-
8 tate rooftop recreation and solar energy development.

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

13 In order to facilitate the placement of functional rooftop
14 features, and encourage the use of rooftops for the development
15 of solar systems and recreational purposes, rooftop features
16 shall be allowed additional height above the height limit for the
17 particular classification, under regulations which limit addi-
18 tional height, placement, coverage, and, to a limited extent,
19 design.

20 The height of buildings shall be measured to reflect the natural
21 contours of the land and to maintain a consistent maximum height
22 throughout the building envelope in order to maintain scale rela-
23 tionships with adjacent buildings and under varying topographic
24 conditions, and protect views. The height measurement technique
25 shall assure predicatable maximum heights. The height of the
26 building envelope shall follow the existing grade of a site;
27 artificially created grades to gain height advantages shall be
28 prohibited.

1 Implementation Guideline 1 - Height Limits

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

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

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

13 Implementation Guideline 2 - Height Measurement Technique

14 a. Building Envelope

15 The maximum building envelope shall reflect the ground
16 surrounding the envelope (Figure 20). This envelope shall
17 have a maximum height throughout, equal to the height limit
18 for the particular classification.

19 Figure 20 Building Envelope

20 When the slope is parallel or perpendicular to the street in
21 front of the building, the top of the building envelope shall
22 "step" (Figure 20) or follow the land contours (Figure 21).

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26 Figure 21 Top of Building, Slope
27 Parallel to Street

28 Top of Building Envelope,
Slope Perpendicular To
Street

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b. Height Measurement from Existing Grade

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

Figure 22 Height Measurement From Existing Grade

Average of Existing Grade is Allowed On Sites With Minor Topographic Changes

Implementation Guideline 3 - Exemptions to Height Limits

a. Pitched Roof Provision

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

Figure 23 Pitched Roof Provision

1 b. Control of Rooftop Features

2 (i) Objects categorically exempt from height control shall
3 be limited to aerials, spires for religious institu-
4 tions, and flagpoles, provided that they are a minimum
5 distance (to be established in the Land Use Code) from
6 adjoining lots.

7 (ii) Up to four feet of additional height above the height
8 limit set by the development standards shall be allowed
9 for the following rooftop features: solar collectors,
10 open rails, planters, skylights, smokestacks,
11 clerestories and greenhouses.

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

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

22 In Lowrise 1, 2, and 3 areas:

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

29 In Midrise and Highrise areas:

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

34 (v) Administrative review for retrofitting solar collectors:

35 An administrative review shall be provided for those
36 situations in which retrofitting solar collectors on
37 existing buildings cannot be accomplished within the
38 limits of this Guideline. In order to authorize an
39 exemption, the Director of DCLU shall determine that
40 there is no economically feasible alternative solution
41 to placing the collectors on the roof, and that the pro-
42 posed positioning of the collectors would minimize view
43 blockage, while still providing adequate sun access to
44 the collectors.

1
2 (vi) Any rooftop feature exempted under Sections (b, (ii,
3 iii, iv and v)) of this Guideline shall be placed so as
4 not to shade property to the north on January 21, at
5 noon, any more than would a structure built to the maxi-
mum permitted height and bulk. An exception shall be
made for open rails which block no more than 10% of the
light.

6 Implementation Guideline 4 - Height Limits in Shoreline Areas

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

14 Height in shoreline areas shall be defined according to the State
15 requirements, as described in the Shoreline Master Program regu-
16 lations.

17 Policy 5: Bulk Requirements

18 Bulk limits are established to conform with the prevailing pat-
19 tern of development in the surrounding area, to prevent the deve-
20 lopment of wide buildings which block views, and to encourage
21 infill development. In order to minimize the appearance of bulk,
22 modulation techniques shall be used which allow buildings to be
23 wider than their neighbors while appearing compatible in horizon-
24 tal scale. In each classification except Highrise, there are
25 established two sets of width and depth limits: more restrictive
26 limitations for unmodulated buildings and less restrictive limits
27 for buildings which minimize the appearance of bulk through modu-
28 lation.

1
2 Implementation Guideline 1 - Width and Depth Limitations for All
3 Classifications Except Highrise

4 a. Width and depth for each structure on a lot in Lowrise 1, 2,
5 and 3, and Midrise areas shall be limited according to the
6 following chart:

7 BULK REQUIREMENTS

	Max. Building Bulk Without Modulation	Max. Building Bulk With Modulation
Lowrise 1 (all ground- related units)	Width: 30' maximum Depth: 50% depth of lot maximum	Width: 60' maximum Depth: 60% depth of lot maximum 65% depth of lot maximum if units face side of lot
Lowrise 2	Width: 30' maximum Depth: 50% depth of lot maximum	Apartments - Width: 60' Depth: 60% depth of lot maximum Ground-related and Terraced Housing - Width: 75' maximum Depth: 65% of lot maximum
Lowrise 3	Width: 30' maximum Depth: 50% depth of lot maximum	Apartments - Width: 90' maximum Depth: 60% depth of lot maximum Ground-related Housing - Width: 150' maximum Depth: 65% depth of lot maximum Terraced Housing -- Width: 150' maximum Depth: 70% of lot maximum
Midrise (all housing types)	Width: 40' maximum Depth: 50% depth of lot maximum	Width: 90' maximum Depth: 60% depth of lot maximum

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b. In order to provide more flexibility, as an alternative to the requirements of (a) above, the maximum depth of apartment buildings may be increased beyond the 60% depth of lot, subject to the following conditions:

- The maximum footprint area, as determined by the width, and setback requirements for the appropriate designation, shall be maintained.
- The minimum front and rear yard setbacks shall be maintained.
- In no case may the depth exceed the maximum building width for buildings with modulation for the appropriate classification (see chart in Guideline 1(a) above).
- The increased side yard setbacks thus created shall be landscaped and treated as open space for ground level units, or common open space for all residents.
- Buildings employing this provision shall be modulated along the side yards. (See Figure 24)

Figure 24 Bulk Variation--increase depth by decreasing width additional setbacks and landscaping requirements

1 Implementation Guideline 2 - Bulk Limitation for Highrise Areas

- 2 a. Facades below 37 feet in height: No maximum width or depth
3 except for limitations established by required setbacks shall
4 be imposed. Modulation shall be required along street
5 fronts.
- 6 b. That portion of a facade above 37 feet in height: Facades
7 above 37 feet in height shall not exceed 100 feet in width or
8 depth.

9 Implementation Guideline 3 - Modulation Requirements

- 10 a. Modulation shall be required along the front and rear facades
11 of a building when the width of the building exceeds that
12 specified in the column titled "Maximum Building Bulk Without
13 Modulation" in Implementation Guideline 1.
- 14 b. Modulation shall not be required along the sides of a
15 building except:
- 16 (i) On corner lots, where two sides of the building facing
17 the street shall modulate; however, for ground-related
18 housing on the side street, the facade may extend to 40
19 feet before modulation is required.
- 20 (ii) Where a row of townhouse units faces the side of the lot.
- 21 (iii) When the maximum depth of an apartment building exceeds
22 60% of the depth of a lot, according to Guideline 1(b)
23 above.
- 24 c. The minimum depth of modulation shall be four feet for
25 Lowrise 1, 2, and 3, and for base structures in Highrise; and
26 eight feet for Midrise. When balconies are set into the
27 modulation and have a minimum area of 60 square feet with a
28 minimum dimension of six feet, the depth of modulation may be
reduced by two feet.
- The width of modulation shall not be less than five feet nor
exceed 30 feet for structures up to 37 feet in height. For
structures above 37 feet, the minimum shall be 10 feet and
the maximum shall be 40 feet.
- d. Modulation may start above the ground floor, but shall be
maintained from the second floor to the roof. Features such
as balconies, usable terraced setbacks, exterior projecting
chimneys, and stairways qualify as modulation techniques, so
long as they meet the minimum depth standards.
- e. In Lowrise 1 areas, the modulation shall emphasize the iden-
tity of the individual units. The width of modulation shall
not be less than five feet nor exceed 30 feet.
- f. Modulation alternatives for all classifications except Low 1:
- (i) The width of the unmodulated facade may be increased as
the depth of modulation is increased, according to the
following chart:

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MODULATION VARIATION

	<u>Depth of Modulation</u> <u>Up to ...</u>	allows	<u>Width of Unmodulated</u> <u>Facade Up to ...</u>
Low 2	8 feet		40 feet
Low 3	10 feet		45 feet
Midrise	12 feet		50 feet
Highrise (base structures)	10 feet		45 feet

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

Policy 6: Open Space

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

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

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

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

Highrise apartments shall have a significant portion of the lot area as usable open space for the use of the residents. Some of

1 the open space requirements may be met with areas which are
2 located above ground level but are not higher than the roof of
3 the base structure.

4 Implementation Guideline 1 - Open Space for Ground-Related Units

5 The open space of a ground-related unit shall be adjacent to the
6 unit and have direct access from the unit. The open space may be
7 located at the front, sides or rear of the building, or one story
8 (10 feet maximum) below the unit, provided the access to the open
9 space does not go through or over common circulation areas, com-
10 mon or public open spaces, or the open space of another unit. In
11 order to ensure the privacy of the open space, openings (windows,
12 doors, etc.) on walls adjacent to the open space which are part
13 of a different unit or common areas shall be prohibited.

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

19 Terraced housing shall have 40% of the lot area as ground level
20 open space, or 20% of the lot area at ground level if 30% of lot
21 area is provided as usable, directly accessible open space above
22 ground level. No horizontal dimension shall be less than 10
23 feet, nor any area less than 120 square feet.

24 Implementation Guideline 2 - Open Space for Apartments

25 a. The open space for apartments shall be at ground level and
26 landscaped to provide usable open space for the residents of
27 the building. In Lowrise 3, Midrise, and Highrise, a percent-
28 tage of the space may be provided above ground level in the
form of decks and balconies which are private and directly
accessible to the individual units they serve, according to
the following chart:

OPEN SPACE FOR APARTMENTS
(% of Lot Area Required)

	Open Space, All At <u>Ground Level</u>	Total <u>Requirements</u>	With Above Ground Level <u>Open Space</u> Minimum at <u>Ground Level</u>
Lowrise 2	30%	30%	20%
Lowrise 3	25%	30%	20%
Midrise	30%	35%	20%
Highrise	50%	55%	25%

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

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

- b. Open Space for Highrise Apartments: The open space for highrise apartments shall be ground level, landscaped space, which provides usable space for the residents of the building. A percentage of this space may be provided as usable open space for the residents of the building above ground level but not higher than the roof of the base structure, according to the chart in Implementation Guideline 2. Increased height may be granted for usable open space dedicated to the public in addition to the required open space for the use of the residents. No area shall be less than 225 square feet.

Implementation Guideline 3 - General Requirements for Open Space

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

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Policy 9, Implementation Guideline 7, allows a 5% reduction in open space if all uncovered surface parking and access are covered in permeable surfaces. This allowance may be combined with the reduction in ground level open space for decks and balconies, but in no case may there be less than 20% ground level open space in Lowrise 3 and Midrise and 25% in Highrise.

Implementation Guideline 4 - Walls and Screening of Open Space

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

Implementation Guideline 5 - Open Space in Shoreline Areas

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

Policy 7: Setback Requirements

Front yard setbacks shall maintain established setback patterns. In order to encourage courtyards, adequate location of usable open space, and to facilitate the modulation of front facades, allowances shall be made for averaging the required front yard of

1
2 any site for all the multi-family classifications. Infill deve-
3 lopment that is compatible in scale and siting with surrounding
4 buildings and maintains the pattern of landscaping along the
5 street frontage shall be encouraged. Open balconies, decks and
6 bay windows shall be allowed to project over the required front
7 yard. Minimum side yard and rear yard requirements shall be
8 established for light, air, solar access, and privacy of units.
9 Side yard requirements shall vary depending on the height of the
10 building and depth of the walls along adjacent lots.

10 Implementation Guideline 1 - Front Yard Setbacks

- 11 a. Front yard setbacks shall be required of new development.
12 The minimum depth of the required front yard shall generally
13 be determined by the average of the setback of buildings on
14 adjoining lots. The depth shall be measured from the front
15 property line to the closest wall comprising 20% or more of the
16 front facade of the structure. However, no front yard shall
17 be required to exceed 20 feet (Figure 26) or be set back more
18 than five feet in excess of the setback of the adjacent
19 structure which is closest to the street.
20
21
22

23 Figure 26 Determination of Front Yard Setback
24 of Buildings on Adjoining Lots

- 24 b. Multi-family buildings along arterials which have units
25 oriented away from the arterial to mitigate the arterial
26 negative impacts (noise, pollution) may reduce the front yard
27 setback by 50%, or be equal to the setback of the adjacent
28 building closest to the property line, whichever is closer to
the street. In these cases, the units shall be oriented

1
2 towards the required open space provided along the side or
3 rear of the building. (Criteria for this allowance are to be
4 developed in the Land Use Code.)

- 5
6 c. Front yard setbacks of corner lots which face the block front
7 shall be treated like interior lots (lots not on corners).
8 On corner lots facing the side street, the side yard facing
9 the block front shall be a minimum of half the depth of the
10 front yard of the building to the rear, but shall not be
11 required to exceed 20 feet (Figure 27).
12
13 d. Where one or both adjoining lots are vacant, the front yard
14 setback requirements shall be a minimum of 10 feet.

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26 Figure 27 Determination of Front Yard Setback on
27 Corner Lots Facing the Side Street

28 e. Highrise Areas:

- (i) Base Structures: In highrise development, the front
setback of the base structure of 37 feet or less in
height shall be equal to the average of the setbacks of
abutting lots, but shall not be required to exceed 10
feet. Where the street front is used for retail, no
front yard setback shall be required.
- (ii) Towers: Any elevation above a height of 37 feet shall be
set back a minimum of 20 feet from the front property
line (Figure 28).

Figure 28 Front Yard Setback For Highrise Development

1 Implementation Guideline 2 - Averaging Front Yard Setbacks

2 In order to provide design flexibility, encourage modulated front
3 walls to minimize the appearance of bulk, and to promote cour-
4 tyards and openings of interior spaces to obtain light, air, and
5 views to the street front, averaging of the front yard shall be
6 allowed. A projection of the facade which begins at ground level
7 may be no closer than five feet from the front lot line or equal
8 to a facade projection of the structure on the nearest adjoining
9 lot, whichever is closer to the property line (Figure 28).

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13
14 Figure 29 Averaging Front Yard Setback

15 Implementation Guideline 3 - Projections of Architectural Features

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

23
24
25
26 Figure 30 Projections Over the Front Yard Setback

1
2 Cornices, eaves, sun shades, gutters and other architectural
3 features shall be permitted to project 18 inches into the
4 required yards, provided that they are no closer than three feet
5 to any side or rear lot line.

6 Implementation Guideline 4 - Walls and Screening in the Required
7 Front Yards

8 Walls and screening of no more than six feet in height shall be
9 permitted in the required front yard for the purpose of screening
10 parking and common or private outdoor open space. Where parking
11 is screened, a minimum of three feet of landscaping shall be
12 required on the street side of such walls or screening. (Figure
13 31)

14
15 Figure 31 Walls and Screening in the
16 Required Front Yard

17 Implementation Guideline 5 - Side Yard Setback Requirements

18 a. In order to provide a minimum sense of privacy, openness,
19 light and air, to gain solar access, and to mitigate shadows
20 to adjacent sites, side yards shall be required. The
21 required side yard shall vary depending on the building's
22 height and depth. The minimum required side yards are as
23 follows:

24

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

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For Highrise areas only:

When properties adjacent to the site are developed to the property line, the base structure of the proposed development may be joined to the existing building.

b. When the length of a wall along the side of the lot exceeds 65 feet in Lowrise 2 or 60 feet in Lowrise 3 or Midrise, an additional setback of one foot for every 10 feet in height and depth shall be required, following the chart below. This additional setback may be measured as the average of setbacks along the side of the building (see Figure 32).

Figure 32 Required Minimum Setbacks According To Height of Structure

ADDITIONAL SIDE YARD SETBACKS FOR WALLS OF EXCESSIVE LENGTH
(in feet)

D \ H	0-10 feet	11-20	21-30	31-40	91-100
1-10	1	2	3	4	10
11-20	2	3	4	5	11
21-30	3	4	5	6	12
31-40	4	5	6	7	13
41-50	5	6	7	8	14
91-100	10	11	12	13	19

H = Height (from ground) of wall beyond 60 or 65 feet.

D = Lowrise 2 - depth beyond 65 feet.
Lowrise 3 and Midrise - depth beyond 60 feet.

1 c. When a row of townhouse units is oriented towards the side of
2 the lot, a minimum 10-foot side yard setback is required
3 along the side of the lot towards which the entrance of the
4 units faces (Figure 33).
5
6
7
8

9
10 Figure 33 Side Yard Setback

11 Implementation Guideline 6 - Rear Yard Setback Requirements

12 A minimum rear yard setback of 10 feet shall be established for
13 buildings up to 60 feet in height; a minimum of 20 feet shall be
14 required of buildings higher than 60 feet. An exception shall be
15 made for lots less than 5,000 square feet with a maximum of two
16 units per lot which back onto an alley. In that case, zero rear
17 yard setback shall be allowed if the structure is no taller than
18 10 feet and no wider than 50 percent of the width of the lot
19 along the rear property line.
20
21
22

23 Zero Rear Yard Setback For Lot Less Than 5,000 Sq. Ft.

24 Implementation Guideline 7 - Setbacks for Cluster Development
25 of a Group of Buildings

26 Where two or more principal buildings are located on one lot, the
27 required setbacks between buildings shall vary depending on the
28

1 function of the facing facades and the height of the buildings.
 2 The purpose is to provide a sense of privacy, open space, light,
 3 and air and safety, to gain solar access, and to mitigate shadows
 4 between buildings. Where there is no principal access or
 5 entrance to units on either facade of facing buildings, the mini-
 6 mum setback between buildings shall be equal to the total side
 7 yard setback required according to Implementation Guideline 5 of
 8 this policy. Where only one of two facing facades has a prin-
 9 cipal access or entrance to the building, the required setback
 10 between those two such facades shall be equal to one and one-half
 11 of the total setback. Where both building facades facing each
 12 other have principal access or entrance to units on the same
 13 side, the required setback between two such facades shall be
 14 equal to twice the total setback.

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

17 MINIMUM SETBACKS FOR CLUSTER DEVELOPMENT

	Buildings Where Facing Facades Have No Entrances	One Facade Has Entrance Facing Another Without Entrances	Both Facades Facing Each Other Have Entrances
<u>Height</u>	<u>Total Sideyard Setback</u>	<u>1 1/2 x Total Setback</u>	<u>2 x Total Setback</u>
21 37' or less	10'	15'	20'
22 60'	16'	24'	32'
90'	25'	37.5'	50'
23 120'	30'	45'	60'
160'	40'	60'	80'

24 The setbacks along the street front for any building or buildings
 25 on the site shall be determined by the average of the setbacks of
 26 buildings on abutting lots (Implementation Guideline 1). The
 27
 28

1 side and rear yard requirement along the property line shall be
2 the same as required in Guidelines 5 and 6 of this policy (Figure
3 34).
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11 Figure 34 Setbacks For a Group of Buildings
12 in a Single Lot

13 Implementation Guideline 8 - Setbacks in Shoreline Areas

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

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

20 Rear Yards: Rear yard setbacks in shoreline areas shall conform
21 to the SMP. Therefore, residential structures and accessory
22 structures shall be located at least 25 feet landward of the
23 ordinary high water mark unless other residential structures are
24 located within 100 feet, in which case the required setback from
25 the shoreline shall be determined by the Director of DCLU. The
26 determination shall be based on the goals set forth in Resolution
27 25173, the regulations of the SMP, and the Shoreline Management
28 Act, taking into account irregular topography and shorelines, as
well as the configuration of lots and views from adjacent residences.

1 Policy 8: Quantity of Required Off-street Parking

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

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

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

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

24 In most of these exceptions, the Director of DCLU shall make the
25 determination as to what the appropriate ratio shall be,
26 balancing parking demand against the need to maintain housing
27 costs which are as low as possible and the City's energy policies.
28

1 Implementation Guideline 1 - Quantity of Required Parking

2 a. The City-wide parking ratio for all development in multi-
3 family areas shall be one offstreet per unit minimum. There
4 is no maximum. The exceptions to this requirement are listed
5 below:

6 b. Minimum parking requirements for specially defined occupant
7 groups shall be as follows:

8 (i) Subsidized housing for low-income elderly -- one space
9 per six units (1:6).

10 (ii) Subsidized housing for low-income physically and men-
11 tally disabled: one space per four units (1:4).

12 (iii) Boarding, lodging or rooming houses, fraternities and
13 sororities, group homes, and other congregate housing,
14 except special residences other than group homes, shall
15 be required to provide one space for every three
16 sleeping rooms, or for every six beds, whichever amount
17 is greater. (This applies to multi-family housing units
18 which have a sizeable number of sleeping/living rooms
19 served by one kitchen.)

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

24 c. Future reduction: In 1982, when the results of the 1980
25 Census are available, the Executive shall analyze the data,
26 collect additional data if necessary, and recommend
27 appropriate revisions to the offstreet parking requirement
28 consistent with the City's energy and environmental objec-
tives.

1 Implementation Guideline 2 - Determination of Required Parking
2 for Large Apartment Developments

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

7 If a proposed project meets all of four of the following cri-
8 teria, it shall be reviewed and may be conditioned by the
9 Director for adequacy of parking:

- 10 1. The proposed housing not be ground-related (see
11 glossary).
- 12 2. The development will have more than 20 units.
- 13 3. Forty percent or more of the units will be more than
14 1200 square feet.
- 15 4. The development is proposed to provide less than 1.25
16 spaces per unit.

17 In these cases, the Director shall be responsible for studying
18 parking congestion in the area. The Director may require that a
19 study be performed at the expense of the applicant, using
20 DCLU-approved methodology and with DCLU approval of the study
21 product. The purpose of the study shall be to determine the
22 level of parking congestion in the area. The Director shall exa-
23 mine indications of parking congestion, including whether 85% of
24 existing curbside spaces within the area are occupied during the
25 eight-hour period of maximum residential use, and shall consider
26 all other factors he deems necessary.

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

1
2 addition to his determination of parking congestion:

- 3 1. The effect of requiring additional parking on the econo-
4 mic feasibility of the project and the cost of housing
5 to the consumers.
6 2. The effect of requiring additional parking on the
7 appearance and livability of the housing units, from the
8 perspective of the provision of usable open space,
9 access to the housing, preservation of a pedestrian-
10 oriented streetscape, etc.
11 3. City and regional goals to increase the use of public
12 transit and decrease dependence on the private automo-
13 bile.
14 4. Opportunities for shared-use parking, which comply with
15 other related policies.

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

21 Implementation Guideline 3 - Parking Requirements When Adding
22 Units to Existing Buildings

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

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

1
2 b. Structures with parking which meet development standards:

3 If the existing structure has parking which meets the
4 development standards, and the addition does not add to
5 the existing lot area, one additional unit may be added
6 without additional parking. If two units are added, one
7 space will be required; three units will require two
8 spaces, etc. Additional parking must meet all develop-
9 ment standards for the applicable multi-family classifi-
10 cation.

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

13 In this situation, in order to encourage the addition of
14 units and discourage demolition of existing units, only
15 one parking space will be required.
16

17 Implementation Guideline 4 - Parking Requirements When Buildings
18 Are Converted to Residential Use

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

24 b. Buildings in which residential use is being added to a non-
25 conforming use shall be required to meet the minimum parking
26 ratio, except that one unit may be allowed without the
27 required parking.

28 (See Policy 12, Implementation Guideline 2).

Implementation Guideline 5 - Use of Required Parking Spaces for
Recycling Collection

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

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

The location and appearance of off-street parking for multi-
family structures shall maintain an attractive environment at

1
2 street level, continue the existing pattern of landscaped front
3 yards, facilitate traffic flow, and sustain on-street parking
4 capacity.

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

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

20 Off-site accessory use parking shall be prohibited in Lowrise and
21 Midrise areas; it shall be permitted in Highrise areas, subject
22 to administrative review. Criteria for approval shall ensure
23 that such parking is compatible with the residential character of
24 the area. Development standards for curb cuts, screening and
25 landscaping, setbacks, height, access, signs, and lighting shall
26 be met. The intent of this policy is to encourage shared parking
27 facilities and to provide the flexibility to develop parking
28 separate from residential structures in Highrise areas.

1 Implementation Guideline 1 - Access to Parking in Areas with
 2 Platted and Improved Alleys

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

9 ACCESS TO PARKING IN AREAS WITH ALLEYS

Area Across Alley	Area in Which Building Is Being Constructed				
	Lowrise 1	Lowrise 2	Lowrise 3	Midrise	Highrise
Single Family	Optional	Optional	Apartments: Street Ground-related: Optional	Street	Street
Lowrise 1	Alley	Alley	Alley	Street	Street
Lowrise 2	Alley	Alley	Alley	Street	Street

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20 Figure 35 Use of Alley: Rear Yard Parking, No Curb Cuts

21 Implementation Guideline 2 - Access to Parking in Areas Without
 22 Alleys or With Platted But Unimproved Alleys

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

1 Implementation Guideline 3 - Location of Parking

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

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13 Figure 36 Parking in Areas Without Alley

14 b. Ground-related housing: When access is allowed from the
15 street front, parking may be located in the front, provided
16 that it is built into the building. In such cases, parking
17 shall either: (1) be enclosed with garage doors with a mini-
18 mum of three feet of landscaping on the street side, or (2)
19 have no garage doors and be screened and landscaped as pro-
20 vided in Implementation Guideline 4. Parking located in the
21 side or rear of the building which is directly visible from
22 the street shall be screened and landscaped as provided in
23 Implementation Guideline 4 (Figure 37).

24
25
26
27 Figure 37 Front Yard Parking, Screened and Landscaped.

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

3 c. Special conditions:

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

9 (ii) Corner Lots:

10 Apartments: Parking must be located in the rear or
11 interior lot side of the building, either built into or
12 under the building, or in the rear yard or rear part of
13 the side yard. Parking located in the rear that is
14 directly visible from the street must be screened as
15 provided in Implementation Guideline 4 (Figure 38).

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17
18 Figure 38 Parking Requirement for Corner Lots

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

(iii) Shoreline Areas:

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

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

Implementation Guideline 4 - Screening and Landscaping of Parking

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

Figure 39 Screening of Parking Built Into the Building Along Street Front

1 Implementation Guideline 5 - Curb Cuts

2 On lots with street frontage of 80 feet or less, curb cuts shall
3 be limited to one 10-foot curb cut per development. On lots with
4 street frontage greater than 80 feet, curb cuts shall be limited
5 to one 20-foot curb cut or two 10-foot curb cuts per development.
6 Driveways shared by two projects on their common side lot lines
7 are encouraged. (Figure 40)
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17 Figure 40 Screening of parking located to the side
18 or rear of the structure

19 Implementation Guideline 6 - Sidewalk and Planting Strips

20 Sidewalks shall be required for all new multi-family develop-
21 ments, unless unusual circumstances prevent such construction in
22 certain individual cases.

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

1 Implementation Guideline 7 - Surfacing of Parking and Access

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

5 Implementation Guideline 8 - Percentage of Small Car Spaces

6 All parking areas must be striped to accommodate a minimum of 60%
7 compact cars. Parking layout shall be designed to discourage
8 large cars from gaining access to small car spaces. This figure
9 may be increased in the future through administrative ruling as
10 small car ownership in Seattle increases.

11 Implementation Guideline 9 - Administrative Rulings

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

18 Policy 10: Design Departure

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

- 27 a. To improve solar access, energy conservation, or use of
28 passive energy systems.

- 1
- 2 b. To provide better amenities on the site for common use of
- 3 residents such as:
- 4 -- Well-furnished open spaces (playground equipment,
- 5 benches, picnic tables, play courts);
- 6 -- Increased quality and quantity of landscaped open space
- 7 in order to protect significant trees.
- 8 c. To provide amenities for public use.
- 9 d. To minimize view obstruction.
- 10 e. To use techniques other than modulation (see Glossary), to
- 11 reduce the appearance of bulk.
- 12 f. To preserve existing housing.
- 13 g. To preserve a desirable existing architectural and siting
- 14 pattern in an area.
- 15 h. To preserve historically or architecturally significant
- 16 buildings.
- 17 i. To provide a parking solution uniquely suited to the loca-
- 18 tion.

19 Design departure shall not be granted to increase the building

20 height, or change the quantity of parking required or uses

21 allowed.

22 Implementation Guideline 1 - Procedure

23 Design departure shall be a voluntary procedure administered by

24 DCLU. This process shall be in addition to the current hardship

25 variance procedure. Both procedures may be used to modify the

26 application of the Land Use Code's regulations for a specific

27 proposal. Neither procedure may be used to establish a use which

28 would otherwise be prohibited. Design departure shall not be

granted to increase building height or change the quantity of

parking required. A design departure, however, may be granted

1
2 for creative design solutions which result in a better develop-
3 ment than under the development standards of the designated
4 classification, while a variance may be granted only if an "undue
5 and unnecessary hardship" can be demonstrated.

6 Implementation Guideline 2 - Evaluation of Entire Project

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

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

18 Implementation Guideline 3 - Proposal Evaluation

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

- 21 a. Departure from the development standards shall not permit a
22 housing type which is not allowed in the appropriate classi-
23 fication (i.e., it shall not allow apartments or terraced
24 housing in Lowrise 1 where only ground-related housing is
25 permitted), and shall be consistent with the locational cri-
26 teria of the multi-family classification in terms of:
27 (i) Compatibility with surrounding areas;
28 (ii) Provision of edges where transition in scale is
appropriate;

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2 (iii) Accessibility to amenities such as open spaces, views
3 and commercial services;

4 (iv) Accessibility to transit and arterials.

5 b. Design departure may allow increasing the width or depth of
6 structures, decreasing or eliminating modulation, decreasing
7 the amount of required open space, and varying the minimum
8 setbacks and the location and design of parking. The
9 Director shall develop administrative guidelines for eva-
10 luating the acceptable limits of the extent of departure,
11 according to the following:

12 (i) Existing Bulk and Setbacks:

13 -- The width, depth or setbacks of the proposed deve-
14 lopment are compatible with the scale of the
15 buildings in the immediate neighborhood.

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

21 -- The provisions of open space and landscaping treat-
22 ment effectively reduce the appearance of bulk to
23 make the structure compatible in scale to the
24 surrounding area and consistent with the locational
25 criteria of the respective classification.

26 -- The siting of the building takes advantage of
27 topographic changes in the site to reduce the
28 appearance of bulk.

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

(ii) Open Space:

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

(iii) Location of Parking:

Parking may be located in other places than the
rear, below the structure or underground, provided

the parking is not visible from the street, the front yard is landscaped, and a pleasant pedestrian environment is maintained at street level.

Policy 11: Expansion or Renovation of Existing Residential Structures

The expansion and renovation of existing residential structures, and addition of new residential units to existing residential structures in multi-family areas shall be allowed. Any new part of the structure shall conform to the development standards. No expansion, renovation or addition allowed under this policy shall increase any existing non-conformity. The intent of this policy is to encourage increases in the existing housing supply and encourage improvements to existing residential structures.

Expansions of non-conforming structures to provide access for the elderly and physically disabled and for fire exits shall be allowed.

Implementation Guideline 1 - Adding Units to Existing Residential Structures

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

Implementation Guideline 2 - Parking Requirements for Additional Units in Residential Structures

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

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

b. Structures with parking which meets development standards:

If the existing structure has parking which meets the development standards, and the lot area is not increased, one unit may be added without additional

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3 parking. If two units are added, one space will be
4 required; three units will require two spaces, etc.
Additional parking must meet all development standards
for the particular multi-family classification.

5 Implementation Guideline 3 - Provision for Accessibility and
6 Safety In Existing Structures

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

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

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

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

23 Implementation Guideline 1 - Adding Units to Existing Structures
24 with Non-conforming Uses

25 Structures which contain non-conforming uses may be converted to
26 residential uses, or residential units may be added to the non-
27 conforming uses, even if the building is non-conforming as to
28 bulk, height, and/or siting. Such structures may be altered or
expanded within the development standards for the particular

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2 classification, so long as the expansion does not increase any
3 non-conformity as to the development standards, except as pro-
4 vided in Guidelines 2 and 3, below.

5 Implementation Guideline 2 - Parking Requirements for Additional
6 Units in Structures Containing Non-conforming Uses

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

8 If the non-conforming use is being converted to residen-
9 tial use, and there is no feasible way to provide the
10 required parking, such parking requirement may be
11 reduced or waived through an administrative review pro-
12 cess, under guidelines to be developed in the Land Use
13 Code.

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

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

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

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

26 Implementation Guideline 4 - Structures with Continued Non-
27 conforming Uses

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

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

3 Streets and alleys are dedicated for the benefit of the public.
4 Streets and alleys provide the public the rights to circulation,
5 access, public views down streets, and open space, and the
6 abutting owners the rights to light, air, access and view.

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

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

18 Implementation Guideline 1 - Process for Petitioning for a Street or Alley Vacation

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

- 22 a. A petition is submitted to the City Council; the Council com-
23 mittee refers the petition to the Board of Public Works (BPW)
24 for review.
25 b. The BPW conducts its review and makes recommendations to the
26 Council committee.
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- 2 c. The developer submits schematic development plans, if any, to
- 3 the City Council committee for consideration with the BPW
- 4 recommendation, to assist the committee in determining what
- 5 public purpose may be served by the proposed vacation.
- 6 d. The Council committee holds a public hearing and considers
- 7 the BPW recommendation, proposed plans, and public input.
- 8 e. The Council committee makes a recommendation on the petition
- 9 to the full Council; the Council votes on the petition.
- 10 f. If the petition is granted by the Council, the Engineering
- 11 Department ensures that any conditions required by the
- 12 Council are complied with by the petitioner, then prepares
- 13 and submits the ordinance vacating the right-of-way.
- 14 g. The Council committee holds the ordinance until final deve-
- 15 lopment plans are approved and conditions are met; then it
- 16 refers the ordinance to full Council for a final vote.

17 Implementation Guideline 2 - Zoning Designation for Vacated

18 Streets or Alleys

19 Vacated streets or alleys shall be zoned consistently with the

20 abutting property.

21 Implementation Guideline 3 - Street Ends Shorelines Zones

22 Multi-family residential shorelines area street ends shall not be

23 vacated, except for the limited purposes listed in Shorelines

24 Master Program RCW 35.79.030, for port purposes, boat moorage,

25 recreational or educational purposes, or other public purposes.

26 Policy 14: Principal Use

27 The principal or primary use of multi-family areas shall be

28 multi-family residential. The intent is to help preserve the

1 character of multi-family residential areas, discourage the demo-
2 lition of residences and displacement of residents, and preserve
3 land and development opportunities for multi-family use. In
4 order to protect multi-family residential areas from negative
5 impacts of incompatible uses, the number and type of non-
6 residential uses permitted in these areas shall be limited to
7 those specified in these policies.

8 Implementation Guideline 1 - Residential Use

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

13 Implementation Guideline 2 - Other Uses

14 Uses other than residential shall be allowed only under the con-
15 ditions stated in the following policies: Policy 15 - Accessory
16 Uses; Policy 16 - Special Residences; Policy 17 - Small
17 Institutions and Public Facilities; Policy 18 - Joint Use and Re-
18 use of Public Schools.

19 Policy 15: Accessory Uses

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

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

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

18 Implementation Guideline 1 - Home Occupations

19 In order to encourage pedestrian access to limited business ser-
20 vices and to allow residents greater flexibility in the use of
21 their homes, home occupations shall be permitted in multi-family
22 residential areas as accessory uses. Such uses shall be clearly
23 incidental to the residential use and shall not alter the resi-
24 dential character of the area.

25 Conditions which must be met in order to qualify as a home occu-
26 pation shall be specified in the Land Use Code. These shall
27 include the requirement that the business person live in the
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1 residence, that the use is clearly incidental to the residential
2 use, that no sales of goods or merchandise shall be made on the
3 premises except by prior arrangement or referral, that the struc-
4 ture not require exterior alteration, and that there is no evi-
5 dence of such occupation from the exterior of the building.
6 Additional provisions shall be included in the Land Use Code in
7 order to establish the number of employees allowed and how the
8 parking shall be accommodated.

9 Implementation Guideline 2 - Ground Floor Commercial Use

10 a. Location of ground floor commercial use:

- 11 (i) Midrise areas: Commercial uses shall be allowed to
12 locate in multi-family buildings in Midrise zones adja-
13 cent to a healthy business zone within a radius of one
14 block in each direction from the boundaries of a busi-
15 ness zone. A healthy business zone is one which shows
16 evidence of low vacancy rates and in which the buildings
17 are in good to excellent physical condition or there is
18 evidence of a high level of investment in renovation of
19 business structures. This expansion of business and
20 commercial uses is limited to healthy zones, because in
21 the less active areas the new business or commercial
22 uses are needed to support the existing business area,
23 and should not be allowed to spill over into multi-
24 family areas when opportunities exist for them to locate
25 and upgrade business areas (Figure 41).

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2 (ii) Highrise areas: Ground floor commercial use shall be
3 permitted throughout Highrise areas.

4 b. Development standards:

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

15 Implementation Guideline 3 - Off-site Accessory Use Parking
16 Structures

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

23 Such parking shall be developed according to the following
24 standards:

- 25 a. Curb Cuts: On lots with street frontage of 80 feet or less,
26 curb cuts shall be limited to one 10-foot curb per site.
27 With street frontage of more than 80 feet, one 20-foot curb
28 cut or two 10-foot curb cuts will be permitted. These limits
may be changed through administrative review.

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- b. Screening and Landscaping: Where parking is visible from the street, it shall have screening between five and six feet in height. Such screening must be set back a minimum of three feet from the street, with landscaping in the setback area. Likewise, when parking is in an enclosed building, there shall be landscaping in the setback area between the structure and the street.
 - c. Setbacks: The front yard setbacks shall follow the rules of Policy 7, Guideline 1.
 - d. Height: 37 feet maximum.
 - e. Access: Access shall be from the alley wherever possible, provided that the alley does not border on an area of a lower-intensity designation.
 - f. Signs: No signs of any kind, other than to designate entrances, exits or conditions of use, shall be maintained on a parking structure which faces any residential zone. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for each entrance or exit.
 - g. Lighting: Any lighting used to illuminate a parking area shall be arranged so as to reflect the light away from residences or adjoining premises in any residential zone.

21 Policy 16: Special Residences

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

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

16 Implementation Guideline 1 - Group Homes Permitted Outright

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

22 Implementation Guideline 2 - Dispersion Criteria

23 All special residences except group homes shall be permitted to
24 locate in all residential areas on a dispersed basis. Dispersion
25 criteria shall be developed in the Land Use Code to ensure that
26 special residences are not concentrated by block, neighborhood or
27 area. These criteria shall apply to special residences as a
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2 group, not to each type of special residence individually. A
3 routine administrative procedure shall be developed to enable the
4 applicant to determine whether the proposed site meets the
5 dispersion requirement.

6 Implementation Guideline 3 - Administrative Review

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

18 In addition, if a special residence is determined, through the
19 routine administrative procedure of Guideline 2 of this Policy,
20 to be in excess of the number of special residences permitted in
21 an area, DCLU may make an exception to the dispersion criteria if
22 it is determined that the intent of the dispersion requirement
23 would be met by allowing the special residence to locate on the
24 proposed site.

25 Implementation Guideline 4 - Expansion of Non-conforming Uses
26 and Structures

27 The intent of this policy is to encourage the continued use of
28 non-conforming special residences; therefore, rather than

1 restricting work on these structures to normal maintenance only,
2 allowances for expansion or structural changes are allowed.

3 Special residences in non-conforming structures shall be allowed
4 to expand as long as such expansion does not increase the
5 structure's non-conformity as to bulk and is within the develop-
6 ment standard of the zone.

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

15 Policy 17: Small Institutions and Public Facilities

16 The City recognizes the positive contribution many institutions
17 and public facilities have made to the residential areas in which
18 they are located, respecting community needs and providing
19 necessary services. Therefore, small institutions and public
20 facilities shall be allowed to establish or expand in multi-
21 family areas, provided they are compatible with the residential
22 character and scale of the area. Small institutions of five or
23 more acres which wish to expand outside their existing campus,
24 and small institutions which find that the development standards
25 of the multi-family standards of the multi-family classification
26 in which they are located are inadequate to their development
27 needs, may be considered for Major Institution status.
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2 The provisions of this policy shall apply to all small institutions
3 and public facilities located in multi-family areas.

4 Implementation Guideline 1 - Definitions

5 An institution is defined in these policies as a structure and
6 related grounds, etc., used for the operation of a public or
7 private organizations providing educational, medical, religious or
8 recreational services to the community. This includes retail and
9 professional services and clinics which are accessory to the
10 principal use, but excludes independent retail services, commer-
11 cial recreational activity, and professional offices.

12 A public facility is a facility owned, operated, or franchised by
13 a unit of general or special purpose government for public pur-
14 poses. Examples would include a school, a Metro base, a police
15 station, etc.

16 Implementation Guideline 2 - Small Institutions vs. Major
17 Institutions

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

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

1 Implementation Guideline 3 - General Development Standards

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

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

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

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

- 17 c. Light and Glare: Non-reflective surfaces shall be used to
18 help reduce glare; lighting of structures, signing and
19 parking shall be reflected away from adjacent uses.
20 d. Noise: Standards for noise, based on traffic and hours of
21 operation, shall be included in the Land Use Code. The stan-
22 dards may vary with the intensity of the multi-family zone
23 classification.
24 e. Parking and Transportation: Standards for required off-
25 street parking shall be established in the Land Use Code.
26 The intent of this policy is not to require institutions and
27 public facilities to satisfy all parking demands generated by
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2 their staffs, clients, and visitors. Institutions or facili-
3 ties which generate sufficient traffic and parking to
4 adversely impact the surrounding residential area shall be
5 required to prepare and implement a transportation plan which
6 demonstrates how they will reduce traffic impacts and
7 aggressively pursue the use of public transit, carpools
8 and/or vanpools. Number of employees and anticipated clien-
9 tele shall be an indication of the need to require such a
10 plan (specific criteria shall be established). Parking needs
11 which cannot be met by alternative transportation modes shall
12 be accommodated by an on-site parking facility provided by
13 the institution or facility.

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

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

5 Implementation Guideline 4 - Administrative Review

6 Development standards for institutions shall be used whenever
7 possible to reduce the need for an administrative review, thus
8 shortening the development process and providing more certainty
9 and predictability for land owners, local residents, and develo-
10 pers. However, departures from the development standards shall
11 be allowed through an administrative review process, which will
12 evaluate the proposal for consistency with multi-family policy
13 objectives and intent. This review process assures neighboring
14 areas that the unique features of the use and the area will be
15 considered when determining the acceptability of a use for a
16 given location. Public notification and opportunity for comment
shall be a part of the review process.

17 Implementation Guideline 5 - Concentration of Institutions of
18 Public Facilities

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

23 Implementation Guideline 6 - Demolition or Conversion of
24 Residential Structures

25 Residential structures may be demolished or converted if
26 necessary for the expansion of the facility. However, no resi-
27 dential structure shall be demolished in order to develop a non-
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2 required parking lot. Any building which is on the City, State
3 or National Historic Register shall be preserved whenever
4 possible. An environmental assessment shall be made prior to
5 consideration of a Certificate of Approval for demolition of
6 historic structures.

7 Implementation Guideline 7 - Expansion of Non-conforming
8 Structures

9 The intent of this policy is to encourage the continued use of
10 non-conforming institutional facilities; therefore, rather than
11 restricting work on the structures to normal maintenance only,
12 allowances for expansion or structural changes are allowed.
13 Institutions and public facilities in non-conforming structures
14 shall be allowed to expand as long as such expansion does not
15 increase the structure's non-conformity and is within the deve-
16 lopment standards of the zone. An exception to this shall be
17 when a structure is part of an already adopted PUD, in which case
18 the provisions of the PUD are to be followed.

18 Implementation Guideline 8 - Public Facilities

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

6 Policy 18: Joint Use or Re-use of Public Schools

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

14 Implementation Guideline 1 - Criteria for Proposed Uses

15 Criteria for judging the acceptability of proposed uses of
16 school buildings shall be determined for each school and may
17 differ from school to school. The criteria shall address the
18 effects of the uses on students, teachers, and residents of the
19 surrounding area, and traffic, parking and other land use
20 impacts. The specific criteria for each school shall be deter-
21 mined by a process which insures the participation of represen-
22 tatives from the Seattle School District, the City of Seattle,
23 and the neighborhood involved.

24 Implementation Guideline 2 - Review Process

25 Joint use or re-ue of public school buildings shall be permitted
26 subject to a review process described in the Land Use Code to
27 assure the use is consistent with the criteria developed. This
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2 shall be the only review of the use; joint or new uses shall not
3 be subject to additional review under Policy 17, Small
4 Institutions and Public Facilities.

5 Implementation Guideline 3 - Retention of School Structure

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

11 23.16.06 Planned Developments Policy

12 Policy : Special Cases - All Land Use Categories: Planned
13 Developments

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

1 Implementation Guideline 1 - Planning

2 The planned development must be planned as a total concept, and
3 the development plans submitted with the planned development
4 request must be sufficiently specific to evaluate impacts and
5 benefits.

6 Implementation Guideline 2 - Procedure

7 An administrative procedure shall be developed to enable the
8 applicant and City to initially determine whether a proposed pro-
9 ject on a specific site should be developed as a planned develop-
10 ment, or whether another procedure would be preferable.

11 Implementation Guideline 3 - Size

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

20 Implementation Guideline 4 - Public Benefit

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

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Implementation Guideline 5 - Edges

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

Implementation Guideline 6 - Conditioning and Mitigation of Negative Impacts

After reviewing the proposed planned development, the City may determine that conditions should be imposed on the project in order to mitigate negative impacts which the project may create or in order to accomplish public objectives which the City finds necessary to justify the planned development on the basis of public benefit. These conditions may be negotiated with the applicant and may be imposed on the planned development as part of the approval process.

Implementation Guideline 7 - Administration/Revisions

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

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2 If an authorized planned development does not show substantial
3 progress towards completion within five years from approval, or
4 if the Director determines that the plans for the proposed deve-
5 lopment have changed to the extent that the intent of the appro-
6 val would no longer be met, he may recommend that the approval be
7 abrogated.

8 23.16.10 Major Institutions Policy
9 (Resolution 26579)

10 The purpose of a major institution land use policy is twofold:
11 1) to allow institutions to provide health care, educational and
12 other human services, to fulfill local and regional needs; and 2)
13 to minimize negative impacts on the surrounding neighborhood
14 which may result from such development. Institutions which meet
15 the definition of a major institution shall follow the provisions
16 of this policy. Those which do not meet the definition shall
17 comply with the development standards for small institutions
18 within their respective land use classification(s).

19 Development of a major institution within its established boun-
20 daries shall be guided by the development standards of the
21 assigned institutional classification(s) and shall not require a
22 master planning process. However, the master plan process shall
23 be required when a) development is to occur outside of
24 established boundaries, b) development requires greater flexibi-
25 lity than is allowed under the development standards of the
26 assigned institutional classification, c) development requires a
27 change of a residential use to an institutional (non-residential)
28 use or d) development is planned which, when taken into account

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2 with other recent development within the boundaries, creates a
3 significant cumulative impact on the surrounding area.

4 The master plan shall include boundaries and development stan-
5 dards geared toward the unique requirements of the institution
6 and to its relationship with and impacts on the surrounding area.
7 The development of such a plan shall be by a cooperative planning
8 process including representatives from the institution, the
9 community and the City. The master plan shall be approved by the
10 City Council.

11 Implementation Guideline 1 - Definition and Identification of
12 Major Institutions

13 a. An institution is defined in these Policies as a structure
14 and related grounds, etc, used for the operation of a public
15 or private organization providing educational, medical, reli-
16 gious or recreational services to the community. This
17 includes retail and professional services and clinics which
18 are accessory to the principal use, but excludes non-
19 accessory retail and professional services, clinics and com-
20 mercial recreational activity. An institution is considered
21 major due to its size and impacts on the surrounding area.

22 The following guidelines shall be used to determine when an
23 institution would be considered a major institution:

- 24 (i) When its presence dominates an area due to the intensity
25 of use as indicated by the number of clients (patients,
26 students, etc), number of staff or traffic generated by
27 clients, staff and visitors, or

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2 (ii) When the land owned and occupied by the institution is
3 more than 5 acres, or planned expansion would cause it
4 to exceed five acres, and the institution seeks to
5 expand.

6 All major institutions shall be so designated and their bound-
7 aries formally set by the City Council.

8 b. The following existing institutions shall be included in the
9 category of major institutions and their boundaries
10 established on the Policy Map which is to be adopted with the
11 Multi-Family Land Use Policies. This list may be changed in
12 accordance with the definition in Guideline 1(a).

- | | |
|---|--|
| 12 Ballard Community Hospital | Seattle Pacific University |
| 13 Cabrini Hospital | Seattle University |
| 14 Children's Orthopedic Hospital
and Medical Center | South Seattle Community
Hospital |
| 15 Group Health Cooperative -
Capitol Hill | Swedish Hospital Medical Center |
| 16 North Seattle Community College | United States Public Health
Service |
| 17 Northwest Hospital | University of Washington |
| 18 Providence Medical Center | Veterans Administration Hospital |
| 19 Seattle Central Community
College | Virginia Mason Hospital
and Clinic |
| | West Seattle General Hospital |
| | Harborview Medical Center |

20 Implementation Guideline 2 - Boundaries

21 Each major institution shall be identified on the zoning map,
22 with its boundaries clearly delineated. The following criteria
23 shall serve as guidelines for the City Council when it
24 establishes institutional boundaries; each institution shall be
25 considered individually:

26 a. Contiguous property owned by the institution as of the date
27 of the adoption of these policies, both currently in institu-
28 tional use and not in institutional use, would generally be
included.

- 1 b. Clearly non-contiguous property, including satellite or
2 branch facilities, would generally not be included. If,
3 however, non-contiguous property is an integral part of
4 the institution, it may be considered for inclusion.
5 c. Non-contiguous property in non-institutional use would
6 generally not be included.
7 d. If the institution and the community have previously agreed
8 to boundaries for the institution, these would be taken into
9 consideration.

10 Property within the institutional boundaries which is not owned
11 by the institution shall be assigned a non-institutional classi-
12 fication, and shall be controlled by the development standards of
13 that classification. Ownership and development rights of such
14 property shall not be burdened by the institutional designation.
15 At some future time, property within the institutional zone may
16 no longer be necessary to the institution, and may be sold to a
17 non-institutional buyer. In such a case, property which is on
18 the edge of the institutional zone would be rezoned to the
19 appropriate land use classification, and property completely
20 surrounded by institutional property would be assigned a non-
21 institutional classification, as described above.

22 Implementation Guideline 3 - Development Not Requiring a Master
23 Plan (Alternative A)

24 Within the boundaries of each major institution, institutional
25 zoning designation(s) shall be established. These designations
26 shall reflect the scale and character of the existing institu-
27 tional development within the boundaries. The institution will
28 be allowed to expand or redevelop within its boundaries following

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2 the development standards of the assigned institutional
3 classification(s), except that a change of use from residential
4 to institutional (non-residential) use and development which
5 creates negative impacts due to cumulative development shall
6 require a master plan.

7 The assignment of the institutional classification(s) shall be
8 made so as to mitigate the adverse impacts of institutional deve-
9 lopment on the surrounding community, while recognizing that by
10 limiting the area of institutional expansion, more intensive
11 growth within the institutional boundaries may be necessary.
12 Development at the edge of the institutional zone will be
13 required to be sensitive to the adjacent uses through the treat-
14 ment of architectural features, setbacks, landscaping, etc.
15 Development along the edges of the Alternative A boundaries shall
16 generally not be required to achieve this sensitivity through
17 lower building heights than allowed in the assigned
18 classification(s).

19 Implementation Guideline 4 - Institutional Classifications

20 Six institutional classifications which reflect the development
21 needs of institutions shall be established in the Land Use Code.
22 These classifications recognize that institutions may have spe-
23 cial structural requirements such as greater ceiling height or
24 additional interstitial space which may necessitate greater
25 height and bulk than in surrounding residential areas.

26 The development standards of the institutional classifications
27 shall be developed with the following policy objectives in mind:
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- a. Relate institutional development to the scale and siting of surrounding development; e.g., help reduce the appearance of bulk by providing breaks in the facade, changing the color and/or texture of building materials, providing substantial landscaping, etc.
 - b. Provide public open space which preserves light and air, provides for circulation and contains amenities such as benches, fountains, landscaping, etc.
 - c. Preserve views down streets from designated public open spaces and scenic routes.
 - d. Maintain conformity with the topography by preserving natural hills and valleys.
 - e. Maintain and enhance the streetscape and pedestrian environment; e.g.,
 - Maintain street level pedestrian activity and commercial use in order to continue to improve the layout and functioning of existing business/commercial areas;
 - Landscape and screen open parking lots and parking structures which allow parking at the street level of the structure;
 - Incorporate signing into the landscaping or building design;
 - When signs abut or face a residential area, limit the size and number of signs to those necessary to designate emergency entrances, parking entrances, etc.

1 f. Mitigate adverse impacts associated with the use of the pro-
2 posed facility, so that the location of parking and the
3 routing of traffic do not create serious noise, safety
4 problems or blighting influences on the surrounding area;
5 e.g.,

- 6 -- Avoid routing of traffic through residential streets;
- 7 -- Avoid parking on residential streets;
- 8 -- Aggressively pursue use of public transit and/or
9 carpools, vanpools, etc;
- 10 -- Provide for the joint use of parking with
11 surrounding uses in order to make more efficient
12 use of land;
- 13 -- Provide on-site or accessory parking facilities for
14 parking needs which cannot be met by alternative
15 transportation modes.

16 g. Reduce adverse impacts of light and glare; e.g.,

- 17 -- Reflect light away from adjoining uses (lighting of
18 structure, signing, parking, and other outdoor
19 areas);
- 20 -- Use non-reflective surfaces to reduce glare.

21 h. Encourage energy conservation; do not hinder solar access for
22 surrounding structures.

23 i. Promote safety for those living, working and visiting in the
24 area.

25 There shall be five institutional classifications with the
26 following height limits:

27 Institution 1 30 feet, with the possibility through admin-
28 istrative review of up to 37 feet, if it can
be shown that the additional height is needed
due to the special structural requirements of
institutional facilities.

1 Institution 2 37 feet, with the possibility through admin-
2 istrative review of up to 50 feet, if it can
3 be shown that the additional height is needed
4 due to the special structural requirements of
5 institutional facilities.

6 Institution 3 45 feet, with the possibility through admin-
7 istrative review of up to 65 feet, if it can
8 be shown that the additional height is needed
9 due to the special structural requirements of
10 institutional facilities.

11 Institution 4 60 feet, with the possibility through admin-
12 istrative review of up to 100 feet, if it can
13 be shown that the additional height is needed
14 due to the special structural requirements of
15 institutional facilities.

16 Institution 5 90 feet, with the possibility through admin-
17 istrative review of up to 160 feet, if provi-
18 sion is made for adequate spacing of existing
19 and proposed towers to decrease or avoid view
20 blockage and shadows on adjacent structures
21 and open space.

22 Institution 6 160 feet, with the possibility through admin-
23 istrative review of up to 240 feet, if provi-
24 sion is made for adequate spacing of existing
25 and proposed towers to decrease or avoid view
26 blockage and shadows on adjacent structures
27 and open space.

28 Each institutional classification will have an appropriate set of
development standards regulating the following items:

- a. Building height, bulk and setbacks
- b. Open space, landscaping and screening
- c. Parking and transportation
- d. Light and glare
- e. Noise
- f. Signing
- g. Street level uses in relationship to existing
business/commercial areas

Implementation Guideline 5 - Development Requiring a Master Plan
(Alternative B)

Major institutions are encouraged to do master plans; any major
institution may elect to prepare one. Joint planning efforts
where major institutions are concentrated is encouraged. A
master plan shall be required in order to obtain approval of
development plans in the following circumstances:

- 1 - Development is planned outside of the established boundaries, including new construction, acquisition of
2 existing buildings for immediate institutional use or
3 conversion from non-institutional use.
- 4 - The institution plans to convert or demolish a residential structure within its established boundaries in
5 order to develop the property for institutional use. An
6 exception shall be when redevelopment is for institutional housing such as staff or student residences.
- 7 - Development is planned which, when taken into account
8 with other recent development within the boundaries,
9 creates a significant cumulative impact on the
10 surrounding area. Guidelines for determining when this
11 has occurred shall be developed in the Land Use Code.

12 The master plan process shall establish boundaries to accommodate
13 anticipated future growth, and shall establish development standards for the individual institution. The establishment of development standards shall be guided by the same policy objectives
14 as are described in Guideline 4, but shall be geared to the
15 unique requirements of the particular institution and to its relationship with and impacts on the surrounding area. The master
16 plan shall be a concept plan for growth, over a five to ten year
17 period, which would facilitate a comprehensive rather than project by project review of possible benefits and impacts of the
18 institutional development.

19 a. Contents of the Master Plan

- 20 - Statement of need for establishment/expansion of
21 proposed facility at the proposed location.
- 22 - General site plan including boundaries for anticipated
23 expansion, height and location of anticipated
24 development.
- 25 - Approximate schedule of development phases (i.e.,
26 priorities and estimated dates), as well as interim
27 uses of property awaiting development.
- 28 - Illustration of the general location of open space,
landscaping and screening.

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- General description of parking accommodations and circulation within the institutional complex which illustrates how traffic will link to the external street system.
 - Transportation plan which demonstrates how the institution proposes to reduce traffic impacts and encourage the use of public transit and/or car-pools, vanpools, etc.
 - When institutions are grouped together or where two institutions are in close proximity to one another, the traffic and parking impacts on the surrounding area which result from the grouping of such institutions, shall be addressed. This shall include the combined impacts on 1) existing transportation systems, 2) alterations to present patterns of circulation or movement of people and/or goods, and 3) increase in traffic hazards to motor vehicles, bicyclists or pedestrians.
 - Alternative concepts when appropriate.

12 b. Cooperative Planning Process

13 A cooperative planning approach shall be used to develop
14 the master plan. The approach shall involve the insti-
15 tution, the community and the City working toward dual
16 objectives: 1) to allow institutions to provide health
17 care, educational and other human services, to fulfill
18 local and regional needs; and 2) to minimize the nega-
19 tive impacts which may result from institutional deve-
20 lopment.

17 The advisory committee shall be established through a
18 memorandum of agreement between the institution and the
19 City Council. The objective is to provide a balanced
20 representative group in order to realize the goals of
21 the institution, the community and the City at large.
22 In each case the composition of the committee would be
23 different, depending on the number of affected community
24 councils, the type of service the institution provides
25 etc. The City Council will review the proposed com-
26 position of the committee and determine whether it is
27 consistent with the intent of this policy.

22 The Committee shall be advisory to the institution during the
23 development of the master plan and shall also be advisory to the
24 City department which will evaluate and make recommendations on
25 the plan. The committee shall evaluate the master plan according
26 to the objectives stated in Guideline 4. Areas of negotiation
27

1 shall be limited to standards for items (a) to (g) of Guideline 4
2 and to measures which are directly related to mitigating impacts
3 of the physical development. If the committee is unable to come
4 to a consensus on some aspect of the master plan, more than one
5 recommendation on the master plan may be submitted. The institu-
6 tion has the lead responsibility on the master plan and shall
7 make the decision on when the plan is ready to be submitted for
8 City Council approval.

9 c. Master Plan Approval Procedure

- 10 - The institution shall submit a master plan to
the City Council for approval.
- 11 - A draft environmental impact statement shall
be prepared and submitted with the plan.
- 12 - A final environmental impact statement, which
13 includes revisions based on public comment,
shall then be prepared.
- 14 - DCLU shall evaluate the plan and make its
recommendations to City Council.
- 15 - Master plans which have been prepared by the
16 institution prior to the adoption of this
policy and which continue to reflect the
17 institution's development plans, may be sub-
mitted for Council approval, following these
18 provisions:
- 19 (i) Supplements may be required in order
to fulfill the requirement of (a)
above.
- 20 (ii) Institutions whose master plans have
21 been developed through a community
planning process may submit the plan
22 to the City Council for approval.
The level of community input on such
23 plans shall be considered by the
City Council.
- 24 (iii) Institutions whose master plans have
25 been developed without community
involvement shall establish an advi-
26 sory committee in accordance with
(b) above. This committee shall

1
2 review the master plan and shall be
3 advisory to DCLU which will evaluate
4 and make recommendations on the
5 plan. The committee shall evaluate
6 the master plan according to the
7 policy objectives stated in
8 Implementation Guideline 4.

9
10 d. Future Development Proposals for Institutions Following
11 Master Plan Process

- 12 - The master plan boundaries will very likely
13 include unowned property. If the institution
14 purchases any such property after approval of
15 the master plan, and intends to develop it in
16 accordance with the approved master plan, a
17 rezone will be necessary. This rezone process
18 shall be designed to be as simple and unbur-
19 densome as possible for the institution. The
20 criterion for approval of such rezones shall
21 be whether the proposed development is in
22 compliance with the adopted master plan.
- 23 - If major modifications which would greatly
24 impact the surrounding area are proposed,
25 e.g., relocation of the facility's main
26 entrance or a major change in traffic volume
27 or pattern, a supplement to the master plan
28 and EIS shall be required by DCLU, with the
opportunity for public appeal. A significant
change shall require approval by the City
Council.

17 Implementation Guideline 6 - Demolition or Conversion of Existing
18 Structures

18 Residential structures which are located within the major
19 institution's established boundaries may be demolished or con-
20 verted if necessary for the expansion of the facility. However,
21 no residential structure shall be demolished in order to develop
22 a non-required parking lot. Any building which is on the City,
23 State or National Historic Register shall be preserved whenever
24 possible. An environmental assessment shall be made prior to
25 consideration of a certificate of approval for demolition of
26 historic structures.

1 Implementation Guideline 7 - Decentralization

2 Decentralization of major institutions shall be encouraged, where
3 appropriate. In particular, alternative locations for uses which
4 may not be necessary on the main campus, such as laundry facili-
5 ties and computer services, shall be considered. Any branches
6 located within the City of Seattle shall follow the provisions
7 for institutions included in their respective land use
8 classification(s), unless the branch itself is of sufficient size
9 and impact to meet the definition of a major institution. In
10 that case, the provisions of this policy shall apply.

11 Implementation Guideline 8 - New Major Institutions

12 New major institutions may be proposed in the future. Such new
13 facilities shall be established in one of the following ways:

14 a. Small Institution Which Becomes Major:

- 15 (i) Required Major Institution Designation: An
16 institution shall be required to apply for a
17 major institution designation when it becomes
18 major according to the definition stated in
19 Guideline 1.a. above and wishes to expand
20 beyond its existing campus.

Boundaries shall be established and an insti-
tutional classification shall be assigned as
described in Guidelines 2 and 3 of this
policy. Depending upon the type and extent of
development proposed, an institution may then
be required to or choose to follow the master
plan process as described in Guideline 5.

- 21 (ii) Elect Major Institution Designation: An
22 institution may elect to apply for a major
23 institution designation if it finds that the
24 development standards of its current zoning
25 classifications are inadequate to its develop-
26 ment needs. If Major Institution status is
27 granted, boundaries would be set and an insti-
28 tutional designation would be assigned. If
development outside of the existing campus is
desired, the institution would be required to
follow the master plan process. In applying

1
2 for major institution status, an institution
3 may be determined to be unsuited for such sta-
4 tus, and be required to follow the development
5 standards of the current zoning classifica-
6 tion.

7
8 b. Existing Institutional Facilities Which are to be
9 Re-Used by a Major Institution:

10 When an existing facility is to be re-used by an insti-
11 tution which fits into the major institution definition,
12 boundaries shall be established and an institutional
13 designation shall be assigned as described in Guidelines
14 2 and 3 of this policy. Depending on the type and
15 extent of development proposed, an institution may then
16 be required to or choose to follow the master plan pro-
17 cess as described in Guideline 5.

18 c. Totally New Major Institution:

19 Totally new development which fits the definition of a major
20 institution may be proposed in the future. Since these
21 are are not known at this time and therefore cannot be
22 planned for, flexibility shall be allowed for the devel-
23 opment of such facilities. It is possible that such
24 new facilities may be accommodated even though they may
25 change the character of the area and may involve major
26 departures from existing land use patterns. As with
27 Special Cases - Planned Developments, approval of such
28 proposals shall be evaluated in terms of their public
benefit (see Special Cases - Planned Developments
Policy, for further explanation).

If the new major institution is approved in concept, it
shall then follow the master plan process for establish-
ment of its boundaries and development standards.

Implementation Guideline 9 - Status of Previously Adopted
Agreements

The conditions agreed upon in already adopted agreements such as
planned unit developments and contract rezones shall continue
unless the institution wishes to make changes. When changes are
desired, the provisions of this policy shall apply. It shall be
the intent of this policy whenever possible to ratify existing
agreements, committees and plans.

1
2 Implementation Guideline 10 - University of Washington

3 The Joint Statement of Goals and Policies of the City of Seattle
4 and the University of Washington, as adopted by the Seattle City
5 Council on May 23, 1977, and the University of Washington Board
6 of Regents on May 13, 1977, shall continue to serve as the appli-
7 cable policy and implementation guideline for the University of
8 Washington. The City of Seattle and the University of Washington
9 contemplate that the Joint Statement shall be refined or supple-
10 mented to include a conceptual development plan and development
11 standards applicable to the University of Washington campus,
12 after which the institutional classifications will be revised.

13 [23.16.24 - 23.17 Reserved]

1 Section 5. Section 23.30.10 is amended to read as
2 follows:

3 23.30.10 Classifications for the Purposes of this Subtitle

4 All land within the City of Seattle shall be classified as
5 being either within one of the following land use zones or a
6 zone retained under Table 24 and regulated accordingly:

<u>Zones</u>		<u>Abbreviated</u>
Residential, Single Family	9600	SF 9600
Residential, Single Family	7200	SF 7200
Residential, Single Family	5000	SF 5000
Residential, Multi-Family		Lowrise 1
Residential, Multi-Family		Lowrise 2
Residential, Multi-Family		Lowrise 3
Residential, Multi-Family		Midrise
Residential, Multi-Family		Highrise

1 Section 6. There are added to Chapter 23.34 the following
2 five sections:

3 23.34.36 Locational Criteria, Lowrise 1

4 In reviewing a proposal to rezone an area to Lowrise 1,
5 the following criteria shall also be considered:

- 6 A. Areas where structures of consistently low height
7 (twenty-five to thirty feet) and small bulk establish
8 the pattern of development, such as a mix of single
9 family dwellings and small scale ground-related housing.
- 10 B. Areas which border on single family residential zones
11 where no transition to greater scale is desirable,
12 and which lack physical edges, such as topographical
13 breaks, buffering uses, arterials, institutions,
14 parks or open space which might otherwise provide the
15 necessary transition between areas of different scale.
- 16 C. Areas where topography and prevailing structure
17 heights require a thirty foot height limit to retain
18 views. Topographic and view conditions include:
- 19 1. Flat areas with views which are adjacent to
20 areas with a prevailing structure height of
21 thirty feet.
 - 22 2. Moderate sloping areas (less than sixteen
23 percent) with views parallel or oblique to the
24 slope.
 - 25 3. Areas with a prevailing structure height of
26 thirty feet, on the downside of a slope where
27 upland views could be blocked by greater height.
- 28 D. Areas which are overlooked from public open spaces
and scenic routes, where public views could be
blocked by structures over thirty feet in height.

1 E. Areas which are not directly served by an arterial or
2 where a substantial portion of the traffic generated
3 by new development would go through single family
4 residential zones.

5 F. Areas where there is poor access to services and
6 transit.

7 23.34.38 Locational Criteria, Lowrise 2

8 In reviewing a proposal to rezone an area to Lowrise 2,
9 the following criteria shall also be considered:

10 A. Areas which feature a mix of single family struc-
11 tures, duplex, and small to medium size apartments
12 with a prevailing height of twenty-five to thirty
13 feet (two to three stories).

14 B. Areas which are located between areas of single
15 family structures and medium scale multi-family
16 structures, suggesting the need for a gradual tran-
17 sition between areas.

18 C. Areas where the prevailing scale is small but where
19 there is proximity to transit, open space, neigh-
20 borhood business areas, and other amenities.

21 D. Areas where the topography and prevailing structure
22 heights require a thirty foot height limit to retain
23 views. Topographic and view conditions include:

24 1. Flat areas with views which are adjacent to
25 areas with a prevailing structure height of
26 thirty feet.

27 2. Moderate sloping areas (less than sixteen
28 percent) with views parallel or oblique to the
slope.

1 3. Areas with prevailing structure height of thirty
2 feet, on the downside of a slope where upland
3 views could be blocked by greater height.

4 E. Areas which are overlooked from public open spaces
5 and scenic routes, where important views could be
6 blocked by bulky structures over thirty feet in
7 height.

8 F. Areas which are not directly served by an arterial
9 and where a substantial portion of the traffic
10 generated by new development would go through lower
11 intensity areas.

12 23.34.40 Locational Criteria, Lowrise 3

13 In reviewing a proposal to rezone an area to Lowrise 3,
14 the following criteria shall also be considered:

15 A. Areas where a variety of scale patterns exist, but
16 where there is a prevailing pattern of medium bulk,
17 and moderate height (thirty to forty feet).

18 B. Areas where edge conditions, topographic breaks,
19 separation by arterials, and open spaces create a
20 break for smaller scale development which allows
21 greater bulk and permits a variety of structure
22 widths.

23 C. Areas where topography and prevailing structure
24 heights require a thirty-seven feet height limit to
25 retain views. Topographic and view conditions
26 include:

27 1. Areas with steep slopes (sixteen percent and
28 more) with views parallel or oblique to the
 slope.

1 2. Moderate sloping areas (less than sixteen
2 percent) with views perpendicular to the slope.

3 3. Flat areas downslope from areas with moderate
4 slopes, especially those where the view is
5 oblique to the slope.

6 4. Areas on the downside of a slope from areas
7 characterized by thirty feet to thirty-seven
8 foot heights.

9 D. Areas which are overlooked from public open spaces
10 and scenic routes where important views could be blocked
11 by bulky structures over thirty-seven feet in height.

12 E. Areas which are well served by public transit and in
13 close proximity to arterials.

14 F. Areas which are adjacent to business and commercial
15 areas with comparable or greater height or bulk, or
16 where a transition in scale between areas of smaller
17 and larger sized housing and commercial structures is
18 desirable.

19 23.34.42 Locational Criteria, Midrise

20 In reviewing a proposal to rezone an area to midrise, the
21 following criteria shall also be considered:

22 A. Areas which are adjacent to business and commercial
23 areas with comparable height and bulk.

24 B. Areas which are served by major arterials and where
25 transit service is good to excellent and street capa-
26 city could absorb the traffic generated by midrise
27 development.

28 C. Areas which are in close proximity to major
 employment centers.

 D. Areas which are in close proximity to open space and
 recreational facilities.

- 1 E. Areas along arterials where topographic changes
2 either provide an edge or permit a transition in
3 scale with surroundings.
- 4 F. Flat areas where the prevailing structure height is
5 greater than thirty-seven feet or where, due to a mix
6 of heights, there is no established height pattern.
- 7 G. Areas with moderate slopes and views oblique or
8 parallel to the slope where the height and bulk of
9 existing structures have already limited or blocked
10 views from within the multi-family area and upland
11 areas.
- 12 H. Areas with steep slopes and views perpendicular to
13 the slope where upland developments are of sufficient
14 distance or height to retain their views over the
15 area designated for the sixty feet height limit.
- 16 I. Areas where topographic conditions allow the bulk of
17 the structure to be obscured. Generally, these are
18 steep slopes, sixteen percent or more, with views
19 perpendicular to the slope.

20 23.34.44 Locational Criteria, Highrise

21 In reviewing a proposal to rezone an area to Highrise, the
22 following criteria shall also be considered:

- 23 A. Areas which are served by arterials where transit
24 service is good to excellent and street capacity is
25 sufficient to accommodate traffic generated by
26 highrise development.
- 27 B. Areas which are adjacent to a concentration of resi-
28 dential services or a major employment center.
- C. Areas which have excellent pedestrian or transit
access to downtown.

D. Areas which have close proximity to open space, parks and recreational facilities.

E. Areas where no uniform scale of structure establishes the character and where highrise development would create a point and help define the character.

F. Flat areas on the tops of hills or in lowland areas away from hills, where view would not be blocked by highrise structures.

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

Section 7. Section 23.40.10 is added to read as follows:

23.40.10 Design Departure

A. Design departure may be permitted in multi-family zones for design solutions which result in a better development than would be allowed under the development standards of the applicable zone. Design departure may be permitted for one or more of the following reasons:

1. To improve solar access, energy conservation or use of passive energy systems;

2. To provide better amenities on the site for common use of residents such as well equipped open spaces [playground equipment, benches, picnic tables, play courts] or increased quality and quantity of landscaped open space;

3. To provide amenities for public use;

4. To minimize view obstruction;

5. To use techniques other than modulation to reduce the appearance of bulk;

6. To preserve existing housing;

7. To preserve a desirable existing architectural and sitting pattern in an area;

1 8. To preserve historically or architecturally
2 significant structures;

3 9. To provide a parking solution uniquely suited to
4 the location.

5 B. Design departure may be sought from the following
6 development standards in multi-family zones:

- 7 1. Maximum structure width;
- 8 2. Maximum structure depth;
- 9 3. Front, rear, and side setbacks;
- 10 4. Modulation;
- 11 5. Design and location of parking;
- 12 6. Open space requirements.

13 C. Design departure shall not be permitted from development
14 standards for:

- 15 1. Structure height;
- 16 2. Quantity of parking.

17 D. Design departure shall not be authorized to:

- 18 1. Change definitions or measurement techniques;
- 19 2. Permit the establishment of a use which is
20 otherwise not permitted in the zone in which it is proposed;
- 21 3. Alter the requirements of other applicable Codes
22 and regulations.

23 E. If a design departure is sought, the entire project
24 shall be considered when evaluating the departure. In exercising
25 his discretion granted under the design departure provisions,
26 the Director shall only relax or modify requirements to the
27 extent such modifications further the objectives identified in
28 Section 23.40.10A.

 F. As a result of this review, the Director may condition
design departure on the alteration of other elements of the

1 project. If the Director conditionally grants a design departure,
2 the applicant shall have the option of meeting the conditions
3 of the design departure, or following the development standards
4 of the applicable zone.

5 Section 8. Section 23.54.10 is amended to read as
6 follows:

7 23.54.10 Access Standards

8 A. Streets

9 1. Street abutment required

10 At least ten feet of a lot line shall abut on a
11 street meeting the standards of subsection 23.54.10A3, or on a
12 permanent access easement meeting the standards of subsection
13 23.54.10B.

14 2. Access to new lots

15 When new lots are created or new easements are
16 proposed, access by a street may be required by the Director
17 when one or more of the following conditions exist:

18 a. Where access by easement would compromise
19 the goals of the Land Use Code to provide for adequate light,
20 air and usable open space between structures.

21 b. If the improvement of a dedicated street is
22 necessary to facilitate adequate water supply for domestic
23 water purposes or for fire protection, or to facilitate
24 adequate storm drainage.

25 c. If improvement of a dedicated street is
26 necessary or desirable in order to provide on-street parking
27 for overflow conditions.

1 d. Where it is demonstrated that potential
2 safety hazards would result from multiple access points between
3 existing and future developments onto a roadway without curbs
4 and with limited sight lines.

5 e. If the dedication and improvement of a
6 street would provide better and/or more identifiable access
7 for the public or for emergency vehicles.

8 3. Street Improvement Standard

9 a. Streets providing access to and within
10 residential development shall meet the following standards,
11 except as provided in paragraph b. below:

- 12 (1) Grading to both right of way lines;
13 (2) Standard pavement width and depth;
14 (3) Curbs on both sides of the street;
15 (4) Sidewalks on both sides of the street;
16 (5) Provision of landscaped planting
17 strips and/or street trees on both sides of the street; and
18 (6) Drainage and grading according to the
19 provisions of the Seattle Municipal Code.

20 b. The Director may authorize exceptions to
21 the standards listed in paragraph a. above under the following
22 conditions:

- 23 (1) Proposed development contains less
24 than ten units;
25 (2) Proposed development is low income
26 housing;
27 (3) Full street improvement would not be
28 practical due to topography and/or location in an environmen-
tally sensitive area;

1 (4) Street improvement would remove
2 natural features such as trees or disrupt existing drainage
3 patterns;

4 (5) An existing street serving the
5 proposed development is not at ordinance grade and new grading
6 would affect existing access; or

7 (6) The street would provide access to a
8 single development, and would not carry through traffic.

9 B. Easements

10 Where a lot does not abut a street and where access
11 by easement has been approved by the Director in accordance
12 with 23.54.10A2b, access to the lot shall be provided to a
13 street by an easement meeting the following standards:

14 1. Easements serving one single family
15 dwelling unit

16 a. Easement width shall be a minimum of ten
17 feet;

18 b. No maximum easement length shall be set.
19 If easement length is more than one hundred and fifty feet, a
20 vehicle turnaround shall be provided;

21 c. Curb cut width from the easement to the
22 street shall be the minimum necessary for safety and access.

23 2. Easements serving at least two but fewer
24 than five single family dwelling units

25 a. Easement width shall be a minimum
26 of sixteen feet;

27 b. The easement shall provide a surfaced
28 roadway at least sixteen feet wide;

1 c. No maximum easement length shall be set.
2 If the easement is over six hundred feet long, a fire hydrant
3 may be required by the Director;

4 d. A turnaround shall be provided unless the
5 easement extends from street to street;

6 e. Curb cut width from the easement to the
7 street shall be the minimum necessary for safety and access.

8 3. Easements serving at least five but fewer than
9 ten single family dwelling units, or fewer than ten multi-
10 family units

11 a. Easement width, surfaced width, length,
12 turaround, and curb cut width shall be as required in
13 paragraph 2 above;

14 b. No principal structure shall be closer than
15 five feet to the easement.

16 4. Easements serving ten or more residential units

17 a. Easement width shall be a minimum of
18 thirty-two feet.

19 b. The easement shall provide a surfaced
20 roadway at least twenty-four feet wide.

21 c. No maximum length shall be set. If the
22 easement is over six hundred feet long, a fire hydrant may be
23 required by the Director.

24 d. A turnaround shall be provided unless the
25 easement extends from street to street.

26 e. Curb cut width from the easement to the
27 street shall be the minimum necessary for safety and access.

28 f. No single family structure shall be located
29 closer than ten feet to an easement, and no multi-family
30 structure shall be located closer than five feet to an easement.

1 g. One sidewalk shall be provided, extending
2 the length of the easement.

3 C. Alleys

4 Alley access to parking shall be required according
5 to the provisions of each residential zone. When alley access
6 is required, the alley shall be improved to meet the following
7 standards:

- 8 1. Grading to both right of way lines;
9 2. Standard pavement width and depth;
10 3. Drainage and grading according to the provisions
11 of the Seattle Municipal Code.

12 ((Parking Space Standards

13 Offstreet parking spaces shall conform to the following
14 design standards:

15 A. Five or fewer parking spaces

16 1. Space dimensions

17 a. The minimum space dimension for a full size
18 vehicle shall be equal to eight and one
19 half feet in width and nineteen feet in
20 length.

21 b. The minimum space dimension for a compact
22 size vehicle shall be equal to eight feet
23 in width and sixteen feet in length.

24 c. No wall, post, guardrail or other obstruction
25 shall be permitted within five feet of the
26 center line of a parking space.

27 2. Ingress and egress

28 Except for spaces accessory to a single family
structure, ingress to and egress from each

1 parking space shall be provided which does not
2 require moving another vehicle or backing more
3 than fifty feet. Tandem parking may be permitted
4 for fleet vehicles.

5 a. Parking aisles

6 (1) Parking aisles shall be no less than
7 ten feet wide.

8 (2) The minimum turning path radius shall
9 be eighteen feet. All parking space
10 shall be so arranged that ingress and
11 egress is possible without backing
12 over a sidewalk or sidewalk area
13 except as specified in item (3) and
14 (4) below.

15 (3) Parking space requiring vehicles to
16 back into an alley shall be set back a
17 minimum of twelve feet from the center
18 of the alley.

19 (4) No more than two parking spaces
20 accessory to a single family residence
21 shall be allowed which require the
22 vehicle to back into the street.

23 b. Access to Parking

24 The width of access to parking shall be
25 limited to that necessary for entrance to
26 or exist from parking spaces.

27 c. Curb cuts

28 (1) For lots with street frontage of eighty
feet or less, a maximum of one ten foot
wide curb cut shall be permitted.

1 (2) For lots with street frontage greater
2 than eighty feet, a maximum of two ten
3 foot wide curb cuts or one twenty foot
4 wide curb cut per development shall be
5 permitted.

6 B. More than five parking spaces

7 1. Parking dimensions

8 Whenever there are five or more parking spaces
9 developed on a lot, any required offstreet
10 parking area which includes more than five
11 parking spaces shall be developed according to
12 the requirements of Exhibit 54A.

13 2. Space dimensions

14 a. The minimum space for a full size vehicle
15 shall be eight and one-half feet in
16 and nineteen feet in length.

17 b. The minimum space dimension for a compact
18 vehicle size shall be equal to eight feet
19 in width and sixteen feet in length.

20 c. No wall, post, guardrail or other obstruction
21 shall be permitted within five feet of the
22 center line of a parking space.

23 3. Ingress and egress

24 a. Except for spaces accessory to a single
25 family structure, ingress to and egress
26 from each parking space shall be provided
27 which does not require moving another
28 vehicle or backing more than fifty feet.

Tandem parking may be permitted by the
Director. All parking spaces shall be

1 arranged so that ingress and egress are
2 possible without backing over a sidewalk or
3 sidewalk area. All parking spaces within a
4 parking area shall be internally accessible
5 to one another without re-entering adjoining
6 public streets.

7 b. Turning and maneuvering spaces shall be
8 located entirely on private property,
9 except that an alley may be credited as
10 aisle space.

11 c. Parking spaces requiring vehicles to back
12 into an alley shall be set back a minimum
13 of ten feet from the center of the alley.

14 d. Turning path width

15 The minimum turning path radius shall be
16 eighteen feet. Parking with thirty parking
17 spaces or fewer shall provide an access
18 aisle of ten feet minimum along the turning
19 path. Parking with more than thirty
20 parking spaces shall provide an access
21 aisle of ten feet minimum along the turning
22 path for one-way traffic or access aisle of
23 twenty feet minimum along the turning path
24 for two-way traffic as illustrated in
25 Exhibit 54B.

26 e. Maximum grade curvature of any area used
27 for vehicle travel or storage shall not
28 exceed the dimensions in Exhibit 54C.

D. Truck loading/unloading berths

Development standards for truck loading/unloading
berths shall be as follows:

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1. Each berth shall be not less than ten feet in width and twenty-five feet in length.
2. Space for the berth may occupy all or any part of any required yard when uncovered.
3. No berth shall be located less than twenty-five feet from any other lot in any single family or multi-family zone unless wholly within a completely enclosed structure.
4. Direct access to the berth from a street shall be permitted only when no usable alley or other means of direct access is available.
5. Access to offstreet loading berths across street sidewalks shall be subject to the approval of the Director of Engineering.

E. Offstreet bus parking

Bus parking spaces shall be thirty feet in width and forty feet in length. Buses parked en masse shall not be required to have adequate ingress and egress from each parking space.))

1 Section 9. Section 23.54.20 is amended to read as
2 follows:

3 23.54.20 Parking Quantity Exceptions

4 A. One parking space per six units shall be required
5 for low income housing for the elderly.

6 B. One parking space per four units shall be required
7 for low income housing for the disabled.

8 C. For multi-family structures of twenty units or more,
9 ten bicycle spaces may be substituted for one automobile
10 parking space up to a maximum of one parking space or five
11 percent of the required parking, whichever is greater. The
12 bicycle spaces shall be:

13 1. Covered if the automobile parking provided for
14 the structure is covered or located within the structure; or

15 2. Located conveniently near entrances and
16 sheltered from rainfall. Bicycle rack designs shall accom-
17 modate locking of the bicycle frame and both wheels with
18 chains, cables, and U-shaped bicycle locks.

19 D. For multi-family structures of twenty units or more,
20 four motorcycle spaces may be substituted for one automobile
21 parking space up to a maximum of one parking space or five
22 percent of the required parking, whichever is greater. The
23 motorcycle spaces shall be:

24 1. Covered if the automobile parking for the struc-
25 ture is covered or located within the structure; or

26 2. Sheltered from rainfall.

27 E. Adding units to existing structures

28 1. If an existing residential structure has parking
which meets the development standards, and the lot area is not
increased, one unit may be added without additional parking.

1 If two units are added, one space will be required; three
2 units will require two spaces, etc. Additional parking must
3 meet all development standards for the particular multi-family
4 classification.

5 2. Exceptions to the quantity of required parking
6 shall be permitted when residential units are added to a
7 structure which has parking not conforming to development
8 standards, or when units are added to a nonconforming use,
9 according to the provisions of Subchapter 4, Nonconforming
10 Uses and Structures.

11 F. The Director may authorize the provision of up to
12 thirty percent of the required parking for multi-family
13 structures through joint use of an existing parking lot or
14 facility, according to the following conditions:

15 1. The spaces on the existing lot shall serve only
16 daytime uses. For the purposes of this chapter, the following
17 uses are considered as daytime uses:

18 banks, business offices, retail stores,
19 personal service shops, household equipment
20 or furniture shops, clothing or shoe repair
21 or service shops, manufacturing or wholesale
22 buildings and other similar primarily daytime
23 uses when authorized by the Director.

24 2. The multi-family structure for which joint use
25 parking is proposed shall be located within eight hundred feet
26 of the existing parking lot or facility.

27 3. The applicant shall show that there is no
28 substantial conflict in the principal operating hours of the
two buildings or uses for which joint use of off-street
parking facilities is proposed.

1 4. An agreement providing for the joint use of *J.W.*
2 parking facilities, executed by the parties concerned, shall
3 be filed with the Director together with the use permit for
4 the multi-family structure. Joint-use parking privilege shall
5 continue in effect only so long as such agreement, binding on
6 all parties, remains in force. If such agreement becomes
7 legally ineffective, then parking shall be provided as other-
8 wise required by this chapter.

9 G. For apartment structures of more than twenty units,
10 the Director may, after a special review of the parking
11 conditions in the surrounding area and consideration of
12 environmental impacts and the cost of housing, require parking
13 in excess of the one to one parking ratio, up to a maximum of
14 one and one-quarter spaces per unit.

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

18 1. The proposed housing will not be ground related.
19 2. The development will have more than twenty
20 units.

21 3. Forty percent or more of the units will have
22 more than one-thousand-two-hundred square feet of living area.

23 4. The development is proposed to provide less than
24 one and one-quarter spaces per unit.

25 In these cases, the Director shall be responsible for
26 studying parking congestion in the area, and may require that
27 a parking study be performed. The methodology and study
28 product shall be approved by the Director. The purpose of the
study shall be to determine the level of parking congestion in
the area. The Director shall examine indications of parking

1 congestion, including whether eight-five percent of the
2 existing curbside spaces within the area are occupied during
3 the eight hour period of maximum residential use, and shall
4 consider all other factors deemed necessary.

5 Following the survey, the Director shall determine whether
6 parking in excess of the one to one ratio, up to a maximum of
7 one and one-quarter spaces per unit, shall be required. In
8 making this determination, the Director shall take into
9 account the following factors, in addition to the deter-
10 mination of parking congestion:

11 a. The effect of requiring additional parking on
12 the economic feasibility of the project and the cost of
13 housing to the consumers.

14 b. The effect of requiring additional parking on
15 the appearance and livability of the housing units, from the
16 perspective of the provision of usable open space, access to
17 the housing, preservation of a pedestrian-oriented
18 streetscape, etc.

19 c. City and regional goals to increase the use of
20 public transit and decrease dependence on the private automobile.

21 d. Opportunities for shared-use parking, which
22 comply with other related policies.

23 If the Director determines that more than one space per
24 unit, up to a maximum of one and one quarter spaces per unit,
25 is necessary, the Director may, in addition to requiring the
26 additional spaces, also require that the additional spaces be
27 provided as guest parking, accessible outside of the secured
28 parking area.

H. The Director may reduce or waive the minimum
accessory offstreet parking requirements for a use permitted
in a "Landmark" as a special exception (Ch. 23.76, Master Use

Permit). In making any such reduction or waiver, the Director shall assess area parking needs.

1 The Director may require a survey of on and offstreet
2 parking availability. The Director may also consider the
3 types and scale of uses proposed or practical in the subject
4 "Landmark". The Director may take into account the level of
5 transit service in the immediate area; the probable relative
6 importance of walk-in traffic; proposals by the applicant to
7 encourage carpooling or transit use by employees; hours of
8 operation; the controls imposed by the landmark designation;
9 and any other factor or factors considered relevant in deter-
10 mining parking impact.

11 (Easements

12 Where a lot does not abut a surfaced or platted alley, or
13 a street, access to parking shall be provided to a street by
14 an easement meeting the following criteria:

15 A. Single family zones

16 1. Serving one single family structure

17 a. Easement width - ten feet.

18 b. Curb cut from street to easement - one, no
19 more than ten feet wide.

20 c. Length - no maximum length, however, if
21 over one hundred fifty feet, a vehicle
22 turnaround approved by the Director shall
23 be provided.

24 2. Serving at least two but fewer than five single
25 family structures:

26 a. Easement width - sixteen feet.

27 b. Curb cut from street to easement - no more
28 than twenty feet wide.

 c. Surface - the easement shall provide a
surfaced roadway to a minimum width of
sixteen feet.

d. Length - no maximum length, however, if over four hundred feet, a fire hydrant may be required if determined necessary by the Director.

e. Turnaround - one turnaround approved by the Director shall be provided unless the easement extends from street to street.

3. Serving at least five but fewer than ten single family structures:

In addition to the requirements of subsection A2, no principal structure shall be located closer than five feet to an easement used for vehicular access, or the minimum yard distance from the easement, whichever is greater.

4. Serving ten or more single family structures:

a. Easement width - thirty-two feet.

b. Curb cut - no more than twenty-four feet wide.

c. Surface - the roadway shall be surfaced to a minimum width of twenty-four feet.

d. Length - no maximum length, however, if over four hundred feet, a fire hydrant may be required if determined necessary by the Director.

e. Turnaround - one turnaround approved by the Director shall be provided unless the easement extends from street to street.

f. Sidewalk - one sidewalk approved by the Director shall be provided, extending the length of the easement.

g. Easement setback - no principal structure shall be located closer than ten feet from an easement.

{B. Multi-family residential zones Reserved}}

1 Section 10. Section 23.54.30 is amended to read as
2 follows:

3 23.54.30 Parking Space Standards

4 A. Parking space dimensions

5 1. "Compact" vehicle: The minimum size of a
6 compact vehicle parking space shall be eight feet in width and
7 sixteen feet in length.

8 2. "Sub-compact" vehicle: The minimum size of a
9 sub-compact vehicle parking space shall be seven-and-one-half
10 feet in width and fourteen feet in length.

11 3. "Barrier-free" parking: Barrier-free parking
12 spaces shall provide as required by the Washington State Rules
13 and Regulations for Barrier-Free Design.

14 4. Columns or other structural elements may
15 encroach into the parking space a maximum of six inches on a
16 side, except in the area for car door opening, five feet from
17 the longitudinal centerline or four feet from transverse
18 centerline of a parking space (Exhibit 1). No wall, post,
19 guardrail, or other obstruction shall be permitted within the
20 area for car door opening.

21 B. Compact car requirements

22 1. For parking areas with five or fewer parking
23 spaces, the minimum required size of a parking space shall be
24 for a compact car, as provided in Section 23.54.30.A.1. above.

25 2. For parking areas with more than five parking
26 spaces, a minimum of sixty percent of the parking spaces shall
27 be striped for compact vehicles. The minimum size compact
28 parking space shall also be the maximum size. Forty percent
of the parking spaces may be striped for compact cars,
vehicles larger than compacts, sub-compact vehicles, or a

1 combination of vehicle sizes. Where parking spaces are
2 striped for larger than compact vehicles, the minimum required
3 aisle width shall be as shown for compact vehicles (Figure 2).

4 C. Ingress and egress

5 1. Backing distances and moving other vehicles

6 a. Adequate ingress to and egress from all
7 parking spaces shall be provided without having to move
8 another vehicle, except for

9 (1) Single family dwellings, and

10 (2) A maximum of twenty percent of
11 required parking spaces which may be provided as tandem
12 parking in parking areas with more than five parking spaces.

13 b. Except for lots with fewer than three
14 parking spaces, ingress to and egress from all parking spaces
15 shall be provided without requiring backing more than fifty
16 feet.

17 2. Curb cuts

18 a. Except as provided in Paragraph b. below,
19 curb cuts shall be provided as follows:

20 (1) For lots with street frontage of
21 eighty feet or less, a maximum of one ten-foot-wide curb cut
22 shall be permitted.

23 (2) For lots with street or easement
24 frontage greater than eighty feet, a maximum of two ten-foot
25 wide curb cuts or one twenty-foot-wide curb cut per develop-
26 ment shall be permitted.

27 b. On arterials with more than fifteen
28 thousand average vehicle trips per day, according to
Engineering Department data, one twenty-three-foot-wide curb
cut shall be permitted. A list of such arterials shall be
maintained by the Department.

1 c. A flare with a maximum width of two and
2 one-half feet shall be permitted on either side of any curb cut.

3 3. Driveways

4 a. Driveways shall be not less than ten feet
5 wide, and shall provide the minimum turning path radius as
6 shown on Figure _____.

7 b. Vehicles may back onto the street from a
8 parking area serving five or fewer vehicles, provided that:

9 (1) The street is not an arterial as
10 defined by the Seattle Municipal Code, Section 11.18.010, and

11 (2) The slope of the driveway does not
12 exceed ten percent in the first twenty feet back from the
13 property line.

14 c. Driveways serving thirty or fewer parking
15 spaces and less than one-hundred feet in length shall be a
16 minimum of ten feet in width for one- or two-way traffic.
17 Driveways with a turning angle of more than thirty-five
18 degrees shall conform to the minimum turning path radius shown
19 in Figure 4A.

20 d. For driveways serving thirty or fewer
21 parking spaces and greater than one-hundred feet in length,
22 the driveway shall either:

23 (1) Be a minimum of sixteen feet wide,
24 tapered over a twenty-foot distance to a ten-foot opening at
25 the property line; or

26 (2) Provide a passing areas at least
27 twenty feet wide and twenty feet long. The passing area shall
28 begin twenty feet from the property line, and an appropriate
taper to meet the ten-foot opening at the property line shall
be provided. If a taper is provided at the other end of the
passing area, it shall have a minimum length of twenty feet.

1 e. Driveways serving more than thirty parking
2 spaces shall provide a minimum ten-foot-wide driveway for one-
3 way traffic or a minimum twenty-foot-wide driveway for two-way
4 traffic. Driveways with a turning angle of more than thirty-
5 five degrees shall conform to the minimum turning radius shown
6 on Exhibits 2A and 2B).

7 f. Maximum grade curvature shall not exceed
8 the curvature shown in Exhibit 3.

9 4. Parking aisles

10 a. Parking aisles shall be provided according
11 to Exhibit 4.

12 b. Turning and maneuvering areas shall be
13 located on private property, except that alleys may be
14 credited as aisle space.

15 D. Sight triangle

16 1. The area on both sides of driveways and easements
17 shall be kept clear of any obstruction for a distance of ten
18 feet from the intersection of the driveway or easement with a
19 driveway, easement, sidewalk, or curb intersection if there is
20 no sidewalk (Exhibit 5).

21 This area shall also be kept clear of obstructions in the
22 vertical space between thirty-two inches and eighty-two
23 inches from the ground.

24 2. When the driveway or easement is closer than ten
25 feet to the property line, the sight triangle may be provided
26 in one of the following ways:

27 a. An easement shall be provided sufficient to
28 maintain the sight triangle. The easement shall be recorded
29 with the King County Department of Records and Elections.

30 b. The driveway is shared with a driveway on
31 the neighboring property.

1 c. The driveway or easement may begin five
2 feet from the property line (Exhibit 6).

3 3. An exception to the required size of the sight
4 triangle shall be made for driveways serving fewer than three
5 parking spaces.

6 E. Off-street bus parking

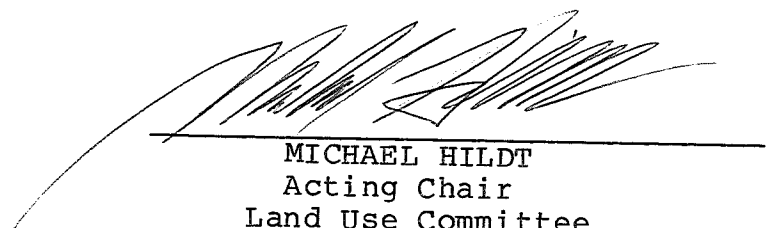
7 Bus parking spaces when required shall be thirteen
8 feet in width and forty feet in length. Buses parked en masse
9 shall not be required to have adequate ingress and egress from
10 each parking space.

11 ((Sight Triangle

12 The area on both sides of a driveway shall be kept clear
13 of any obstruction for a distance of ten feet from the inter-
14 section of the driveway with the sidewalk (curb intersection
15 if no sidewalk), as illustrated in Exhibit 54D.))

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Pages 281-283 were figures 2, 3, and 6 for which exhibits have been substituted. Therefore, pages 281-283 have been omitted and the applicable exhibits have been included with all other exhibits, which have been attached after page 304.



MICHAEL HILDT
Acting Chair
Land Use Committee
Seattle City Council

281-283

1 Section 11. Section 23.76.06 is amended to read as
2 follows:

3 23.76.06 Master Use Permit Required

4 A Master Use Permit is required for each of the following
5 Department approvals:

- 6 1. Short subdivisions and lot boundary adjustments
- 7 2. Establishment of use including outright permitted
8 use, conditional use, change of use and temporary use
- 9 3. Variances; special exceptions
- 10 4. Design Departure
- 11 5. Certain street use decisions
 - 12 a. Curb cuts for access to parking
 - 13 b. Additional onstreet parking
 - 14 c. Sidewalk cafes
 - 15 d. Street landscaping associated with development
16 proposals
 - 17 e. Structural overhangs
 - 18 f. Areaways
- 19 6. Shoreline decisions
 - 20 a. Shoreline substantial development
 - 21 b. Shoreline variance
 - 22 c. Shoreline conditional use
- 23 7. Determination pursuant to RCW 43.21C (SEPA) which are
24 for approvals listed above, and for building, demolition,
25 grading and other construction approvals requiring SEPA
26 review.
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1 Section 12. Section 23.76.30 is amended to read as
2 follows:

3 23.76.30 Appeal of Master Use Permit

4 Only the following discretionary decisions made on a
5 Master Use Permit shall be subject to appeal:

- 6 A. Determination that an EIS is not required;
- 7 B. Determination that an EIS is adequate;
- 8 C. Shoreline substantial development permits, shoreline
9 variances, shoreline conditional uses;
- 10 D. Variances; special exceptions;
- 11 E. Design Departure;
- 12 F. Conditional uses; temporary uses for more than three
13 weeks;
- 14 G. Short plats;
- 15 H. The following street use decisions:
- 16 1. Structural building overhangs;
- 17 2. Areaways;
- 18 3. Sidewalk cafes;
- 19 I. Granting, conditioning, or denying a Master Use
20 Permit pursuant to the SEPA guidelines, Ch. 25.04, Subchapter
21 I and the policies for implementation of SEPA guidelines,
22 Ch. 25.04, Subchapter III.
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1 Section 13. Section 23.84.04 "B" is amended to read as
2 follows:

3 23.84.04 "B"

4 Balcony

5 See deck and ledge

6 Bay window

7 A window comprised of three or more planes oblique to
8 each other and projecting beyond a structure face.

9 Bed and Breakfast

10 The renting of rooms to transient persons conducted
11 within a single dwelling unit.

12 ((Binding site plan))

13 Block

14 A block consists of two facing block fronts bounded
15 on two sides by alleys or rear property lines and on
16 the other two sides by the center line of platted
17 streets, with no other intersecting streets
18 intervening (see diagram).

19 Block face

20 See block front.

21 Block front

22 The frontage of property along one side of a street
23 bound on three sides by the center line of platted
24 streets and on the fourth side by an alley or rear
25 property lines (see diagram).

26 ((Boarding house

27 See congregate housing.))

1 Section 15. Section 23.84.18 "I" is amended to add sub-
2 sections as follows:

3 23.84.18 "I"

4 (~~illuminated sign~~

5 ~~See sign, illuminated.~~)

6 Infill development

7 Development consisting of either: (1) construction
8 on one or more lots in an area which is mostly
9 developed, or (2) new construction between two
10 existing structures.

11 Institute for advanced study

12 A non-profit entity organized for the advancement of
13 knowledge through research, including the offering of
14 seminars and courses, and technological and/or
15 scientific laboratory research, but excluding the
16 performance of heavy types of laboratory physical
17 research.

18 Institution

19 ((A structure and related grounds used for the operation
20 of a public or private organization providing educational,
21 medical, religious or recreational services to the
22 community, including retail and professional services
23 and clinics which are accessory to the principal use.))

24 Structure(s) and related grounds used for organiza-
25 tions providing services to the community, such as
26 hospitals and nonprofit organizations such as
27 colleges and universities, public or private schools,
28 religious facilities, community centers, clubs, and
institutes for advanced studies.

1 Section 16. Section 23.84.20 "J" is amended to add a sub-
2 section as follows:

3 23.84.20 "J"

4 Jail

5 A public facility for the incarceration of persons
6 under warrant, awaiting trial on felony or
7 misdemeanor charges, or serving a sentence upon
8 conviction. This definition does not include facili-
9 ties for programs providing alternatives to imprison-
10 ment such as prerelease, work release, or proba-
11 tionary programs.

12 Junk Yard

13 A place where junk, waste, discarded or salvaged
14 materials are bought, sold, exchanged, stored, baled,
15 packed, disassembled, or handled, including auto-
16 mobile wrecking yards, house wrecking yards, and
17 places or yards for storage of salvaged house
18 wrecking and structural steel materials and equip-
19 ment. A junk yard shall not be construed to include
20 such uses when conducted entirely within an enclosed
21 building, nor pawn shops and establishments for the
22 sale, purchase or storage of used furniture and
23 household equipment, used cars in operable condition,
24 used or salvaged machinery in operable condition or
25 the processing of used, discarded or salvaged
26 materials as a minor part of manufacturing operations.

1 Section 17. Section 23.84.30 "P" is amended to add a sub-
2 section as follows:

3 23.84.30 "P"

4 ***

5 Professional office

6 The office of a person engaged in any occupation,
7 vocation, or calling, not purely commercial, in which
8 a professed knowledge or skill in some discipline of
9 science or learning is used to advise or guide others
10 in serving their interest and welfare.

11 ***

12 Section 18. Section 23.84.32 "R" is amended to add sub-
13 sections as follows:

14 23.84.32 "R"

15 ***

16 Recycling center

17 An establishment for the collection, storage and pro-
18 cessing of recyclable materials only, including
19 crushing, breaking, sorting, and packaging operations,
20 but not a junk yard.

21 ***

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1 Section 19. Section 23.84.36 "S" is amended to read as
2 follows:

3 23.84.36 "S"

4 ***

5 Sign, externally illuminated

6 ((An electric sign or a sign designed to reflect
7 artificial light from a source.)) A sign illuminated
8 by an exterior light source.

9 ***

10 Solid waste transfer station

11 The area and facilities owned, leased, or controlled
12 by the City for the collection and temporary storage
13 of garbage, rubbish, and other waste material.

14 ***

15 Section 20. Section 23.84.38 "T" is amended to add sub-
16 sections as follows:

17 23.84.38 "T"

18 Tandem houses

19 Two unattached ground-related dwelling units occu-
20 pying the same lot.

21 Tandem parking

22 One car parked behind another and aisles are not
23 provided.

24 Terraced housing

25 A multi-family structure located on a sloping site in
26 which a series of flat rooftops at different heights
27 function as open space for abutting units.

1 Section 21. Section 23.86.06 is amended to add subsection
2 C as follows:

3 23.86.06 Structure Height

4 C. Additional Height on Sloped Lots

5 1. In certain zones, additional height is permitted
6 on sloped lots at the rate of one foot for each six percent of
7 slope. For the purpose of this provision, the slope shall be
8 measured from the exterior wall with the greatest average elevation
9 at existing grade, to the exterior wall with the lowest
10 average elevation at existing grade. The slope shall be the
11 difference between the existing grade average elevations of
12 the two walls, expressed as a percentage of the horizontal
13 distance between the two walls.

14 2. This additional height shall be permitted on any
15 wall of the structure, provided that no wall shall project
16 more than the height limit of the zone above the greatest
17 existing grade elevation along the exterior walls.

18 3. Structures on sloped lots shall also be eligible
19 for the pitched roof provisions applicable in the zone.

Section 22. Section 23.86.12 is added to read as follows:

23.86.12 Setbacks in Multi-Family Zones

A. Front setbacks

1. Determining front setback requirements

Front setback requirements are presented in the standard development requirements for each zone. Where the minimum required front setback is to be determined by averaging the setbacks of structures on either side of the subject lot, the following provisions shall apply:

a. The required depth of the front yard shall be the average of the distance between principal structures and front lot lines of the nearest principal structures on each side of the subject lot (Exhibit 86E).

b. The setbacks used for front setback averaging shall be on the same blockfront as the subject lot, and shall be the front setbacks of the nearest principal structures within one hundred feet of the side lot lines of the subject lot.

c. For averaging purposes, front setback depth shall be measured from the front lot line to the nearest wall comprising twenty percent or more of the width of the front facade of the principal structure on either side. Attached garages and enclosed porches shall be considered part of the principal structure for measurement purposes. Decks less than eighteen inches above existing grade, unenclosed porches with or without roofs, eaves, posts, attached solar collectors, and other similar parts of the structure shall not be considered part of the principal structure. When the front facade of the principal structure is not parallel to the front

1 lot line, the shortest distance from the front lot line to the
2 structure shall be used for averaging purposes.

3 d. When the first principal structure within
4 one hundred feet of a side lot line of the subject lot is not
5 on the same block front or when there is no principal
6 structure within one hundred feet of the side lot line, the
7 setback depth used for averaging purposes on that side shall
8 be ten feet.

9 e. When the front setback of the first
10 principal structure within one hundred feet of the side lot
11 line of the subject lot exceeds twenty feet, the setback depth
12 used for averaging purposes on that side shall be twenty feet.

13 f. In cases where the street is very steep or
14 winding, the Director shall determine which adjacent structures
15 should be used for averaging purposes.

16 g. In the case of a through lot, the setback
17 used for front setback averaging on each side shall be the
18 lesser of the two front setbacks provided by each adjoining
19 through lot.

20 2. Features projecting into required front setbacks

21 In certain zones portions of the front facade
22 may project into the required front setback, provided that the
23 average distance from the front lot line to the facade satisfies
24 the minimum front setback requirement. In such cases the
25 following provisions shall apply:

26 a. The front setback shall be averaged for the
27 entire width of the structure.

28 b. Portions of the facade at existing grade
shall be used in determining the average setback.

1 c. Projections of the front facade which begin
2 at least ten feet above existing grade and project less than
3 four feet from the lower portion of the facade shall not be
4 included in the setback averaging. For such projections which
5 project more than four feet from the lower portion of the
6 facade, only the first four feet shall be exempt from the
7 averaging calculation. This provision applies to such
8 features as cantilevered floor area, decks, and bay windows.
9 Eaves, gutters, and cornices are permitted to project eighteen
10 inches beyond any front facade without being counted in averaging.

11 3. Measuring street-facing setbacks for institutions
12 and public facilities in multi-family zones

13 a. In multi-family zones, the depth of setback
14 from a street lot line may be averaged along the width and
15 height of the facade for institutions and public facilities,
16 as an alternative providing greater design flexibility than
17 standard modulation requirements.

18 b. This average setback shall be calculated by
19 dividing the three-dimensional volume of setback by the area
20 of the structure facade:

21 (1) Find the sum of volumes within the
22 space defined by extension of the roof line, the planes of the
23 side walls, and the vertical extension of the front lot line;
24 and

25 (2) Divide this sum by the area of the
26 street-facing facade, calculated as the product of facade
27 height and facade width (Exhibit 86F).

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B. Rear setbacks

Applicants are given an option in multi-family zones to provide a minimum rear setback of ten feet which must be modulated, or an averaged rear setback of at least fifteen feet. The following provisions shall apply when the applicant has chosen to provide an averaged rear setback of at least fifteen feet.

1. All projections of the facade shall be included in averaging the rear setback, with the exception of eaves, gutters, and cornices which project eighteen inches or less from the facades.

2. The rear setback shall be averaged for the entire width of the structure.

C. Side setback averaging

Side setback requirements are presented in the standard development requirements for each zone. In certain cases where specifically permitted, the side setback requirement may be satisfied by averaging the distance from side lot line to structure facade for the depth of the structure. In those cases the following provisions shall apply:

1. The side setback shall be measured horizontally from side lot line to the side facade of the structure.

2. This side setback shall be averaged for the entire depth of the structure (Exhibit 86G).

3. All projections of the structure along the side facade shall be included in averaging the side setback, with the exception of eaves, gutters, and cornices which project eighteen inches or less from the facade.

1 Section 23. Section 23.86.14 is added to read as follows:

2 23.86.14 Structure Width

3 A. Structure width shall be measured by the following method:

4 1. Draw the smallest rectangle that encloses the
5 principal structure.

6 2. Structure width shall be the length of the side of
7 that rectangle most closely parallel to the front lot line
8 (Exhibit 86H).

9 B. Decks and balconies ten feet or less above existing
10 grade, unenclosed porches with or without roofs, eaves, gutters,
11 and attached solar greenhouses meeting minimum standards
12 administered by the Director shall not be considered part of
13 the principal structure for the purpose of measuring the width
14 of a structure.

15 C. Decks and balconies more than ten feet above existing
16 grade, enclosed porches, attached garages and carports, and
17 modulated or projecting segments of a facade shall be
18 considered part of the principal structure for the purpose of
19 measuring the width of a structure.

20 D. Structure width exception

21 In certain multi-family zones, apartment structures
22 are allowed greater width when at least forty percent of the
23 width is setback from the front facade a distance equivalent
24 to twenty-five percent of the structure depth. In such cases
25 the following provisions shall apply:

26 1. When the front facade(s) is(are) not essentially
27 parallel to the property line, the facade containing the point
28 closest to the street shall be considered the facade closest
to the street.

1 2. The twenty-five percent of building depth may be
2 achieved by adding together the depths of more than one facade
3 segment. The forty percent of structure width may also be
4 composed of more than one facade segment meeting the twenty-
5 five percent setback requirement.

6 Section 24. Section 23.86.16 is added to read as follows:

7 23.86.16 Structure Depth

8 A. Measuring structure depth

9 In certain zones structure depth is limited by standard
10 development requirements. The following provisions shall
11 apply for determining structure depth:

12 1. Structure depth shall be measured by the
13 following method:

14 a. Draw the smallest rectangle that encloses
15 the principal structure.

16 b. Structure depth shall be the length of the
17 sides of that rectangle most closely parallel to the side lot
18 lines (Exhibit 86I).

19 2. Decks and balconies ten feet or less above
20 existing grade, unenclosed porches with or without roofs,
21 eaves, gutters, and attached solar greenhouses meeting minimum
22 standards administered by the Director shall not be considered
23 part of the principal structure for the purpose of measuring
24 the depth of a structure.

25 3. Decks and balconies more than ten feet above
26 existing grade, balconies, enclosed porches, attached garages
27 and carports, modulated or projecting segments of a facade,
28 shall be considered part of the principal structure for the
purpose of measuring the depth of a structure.

1 B. Determining maximum permitted structure depth

2 In certain zones, structure depth is limited to a
3 percentage of lot depth. For those cases the following provi-
4 sions shall apply:

5 1. When the lot has a rear lot line which is essen-
6 tially parallel to the front lot line for its entire distance,
7 the lot depth shall be the horizontal distance between the
8 midpoints of the front and rear lot lines (Figure 33).

9 2. When the lot is triangular or pie-shaped, lot
10 depth shall be the horizontal distances between the midpoint
11 of the front lot line and the rear point of the lot. If such
12 a lot does not actually come to a point, lot depth shall be
13 measured from midpoint of front lot line to midpoint of rear
14 lot line (Exhibit 86J).

15 3. In the case of a through lot, lot depth shall be
16 measured from front lot line to front lot line.

17 4. When lot shape is so irregular that provisions
18 1, 2, or 3 cannot be used, lot depth shall be that distance
19 equal to the result of lot area divided by length of front lot
20 line, provided that in no case shall lot depth be greater than
21 the distance from front lot line to the furthest point on the
22 perimeter of the lot (Exhibit 86K).

1 Section 25. Section 23.86.18 is added to read as follows:

2 23.86.18 Open Space

3 Certain zones require a minimum amount of open space to be
4 provided on the lot. For those cases where open space is required,
5 the following provisions shall apply

6 A. In order for a portion of a lot to qualify as open
7 space, the ground's surface shall be permeable, except for
8 patios, paved areas designed for recreation, and pedestrian
9 access which meets the Washington State Rules and Regulations
10 for Barrier-Free Design. The area shall be landscaped with
11 grass, ground cover, bushes, and/or trees.

12 B. Driveways, parking areas, and pedestrian access,
13 except for pedestrian access meeting the Washington State
14 Rules and Regulations for Barrier-Free Design, shall not be
15 counted as open space.

16 C. Standard development requirements for certain zones
17 specify a minimum contiguous area for open space. Open space
18 areas smaller than the minimum contiguous area specified for
19 such zones shall not be counted toward fulfilling total open
20 space requirements for that lot.

21 1. Driveways and parking areas, paved or unpaved,
22 shall be considered to separate open space areas they bisect.

23 2. Pedestrian access areas shall not be considered
24 to break the contiguity of open space on each side.

25 D. In shoreline areas, when determined the amount of
26 open space required or provided, no land waterward of the
27 ordinary high water mark shall be included in the calculation.
28

Section 26. Section 23.86.20 is added to read as follows:

23.86.20 Modulation

Modulation criteria are described in the development standards for each multi-family residential zone. The following provisions describe how measurements shall be made in determining whether modulation requirements have been met.

A. Modulation width

1. Modulation width shall be the width of a facade segment between the points at which adjacent segments begin to step forward or back (Exhibit 86L).

2. Balconies and decks shall be considered to be projections of the facade for the purpose of measuring modulation width.

3. The stepping forward or back in the facade between which modulation width is measured shall be sufficient to satisfy the minimum modulation requirements for width and depth specified in the standard development requirements for the appropriate multi-family zone. Steps in the facade which do not satisfy minimum modulation width or depth requirements shall not be considered to form a separate facade segment for the purpose of measuring modulation width, until such steps cumulatively satisfy the minimum dimension required.

4. In cases where the design of a structure is so unusual that the above provisions cannot be applied, for example for wedge-shaped or curved facade projections, the Director shall determine when modulation requirements have been met.

B. Modulation depth

1. Modulation depth shall be the distance a facade segment steps forward or back from an adjacent facade segment (Exhibit 86M).

1 2. Balconies and decks shall be considered to be
2 projections of the facade for the purpose of measuring modulation
3 depth.

4 3. When portions of a facade which step forward or
5 back do not satisfy the minimum modulation width or depth
6 specified in the standard development requirements for the
7 appropriate multi-family zone, such portions shall not be con-
8 sidered to form a separate facade segment for the purpose of
9 measuring modulation depth, until such steps cumulatively
10 satisfy the minimum dimensions required.

11 4. In cases where the design of the structure is so
12 unusual that the above provisions cannot be applied, the
13 Director shall determine when modulation requirements have
14 been met.

15 C. Calculating maximum permitted modulation width

16 The maximum width of modulation is prescribed in the
17 standard development requirements for each multi-family zone.
18 In those cases for which the maximum modulation width may be
19 increased if the modulation depth is increased, the following
20 provisions shall apply:

21 1. When the depth of modulation provided allows the
22 structure to qualify for increased modulation width, each
23 adjacent facade segment shall qualify for the increased width,
24 each adjacent facade segment shall qualify for the increased
25 width (Exhibit 86N).

26 2. When a facade segment is bounded by two modulated
27 segments of differing depths, the maximum modulation width
28 shall be determined by the greater of the two modulation
 depths (Exhibit 86O).

1 Section 27. Section 23.86.22 is added to read as follows:

2 23.86.22 Minimum Standards for Required Landscaping

3 All planting materials must meet the American Association
4 of Nurseryman Standards unless otherwise specified. All
5 required deciduous trees shall measure a minimum of two inches
6 in diameter at three feet above the ground level at the time
7 of planting. Evergreen trees must be a minimum of six feet in
8 height and shrubs three feet in height at the time of planting.

9 Section 28. Chapter 24.98 is repealed.

10 Section 29. EFFECTIVE DATE.

11 This ordinance shall take effect and be in force ninety
12 days from and after its passage and approval, if approved by
13 the Mayor; otherwise it shall take effect sixty days after the
14 time it shall become law under the provisions of the city
15 charter; PROVIDED that Sections 1 and 28 establishing new
16 platting regulations and repealing existing platting regulations,
17 the single-family zone classifications on the Official Land
18 Use Map, and Sections 23.54 and 23.86 as applied in single-
19 family zones shall take effect and be in force thirty days
20 from and after passage and approval of this ordinance if
21 approved by the Mayor, otherwise those provisions shall take
22 effect at the time this ordinance becomes law under the
23 provisions of the city charter without the approval of the
24 Mayor.
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1 Passed by the City Council the 10th day of May,
2 1982, and signed by me in open session in authentication of
3 its passage this 10th day of May, 1982.

4
5 *James Williams*
6 President of the City Council

7
8 Approved by me this 12th day of May, 1982.

9
10 *Charles Royce*
Mayor

11
12 Filed by me this 13th day of May, 1982.

13
14 ATTEST:

Jim Hill
City Comptroller and City Clerk

15
16
17 By: *Theresa Dunbar*
Deputy

18
19
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22 (SEAL)

23 Published _____
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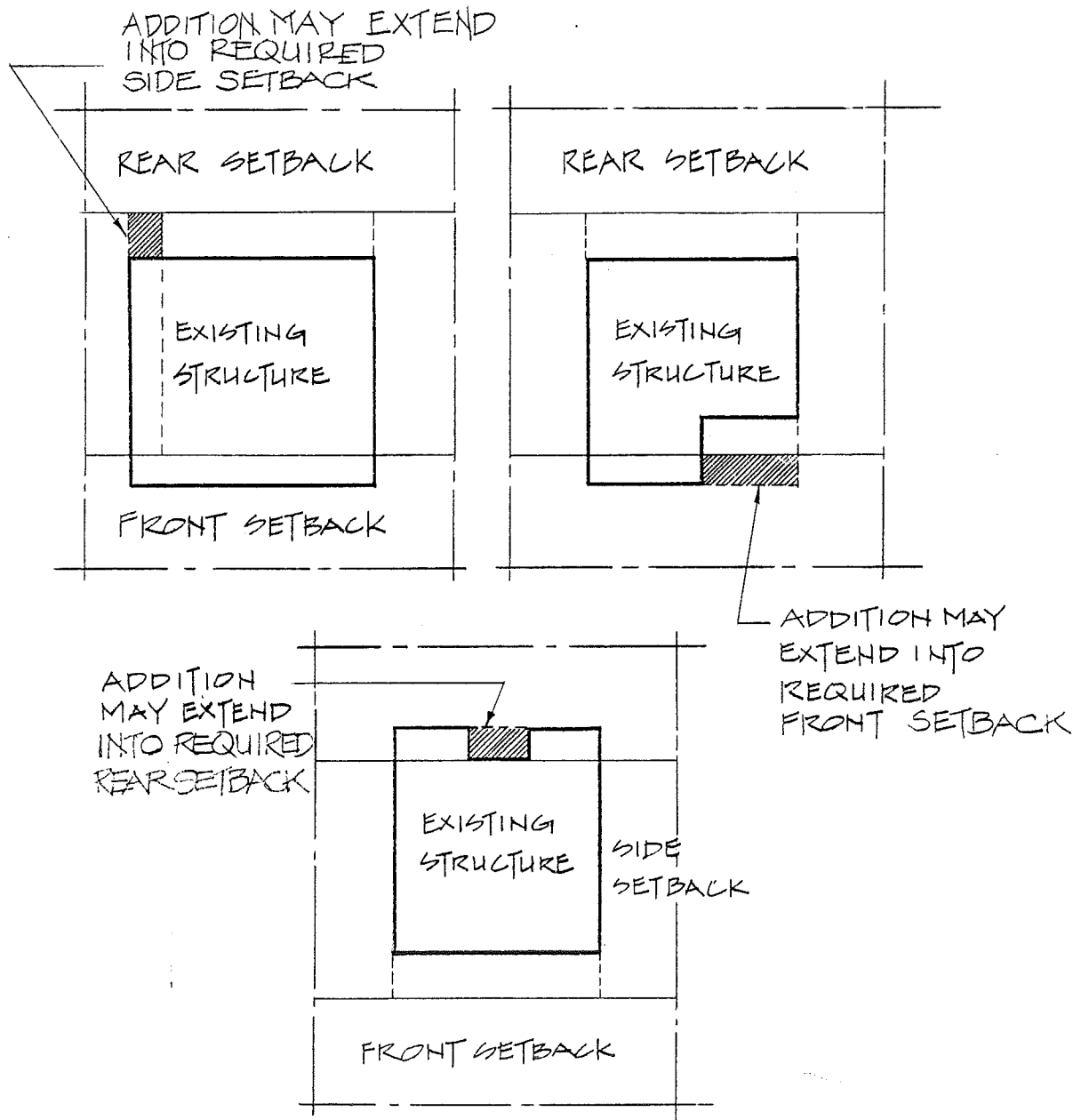


EXHIBIT 23.45.2 PERMITTED ADDITIONS INTO REQUIRED SETBACKS FOR EXISTING SINGLE FAMILY STRUCTURES.

ADDED HEIGHT =
PERCENT OF
SLOPE DIVIDED BY 6

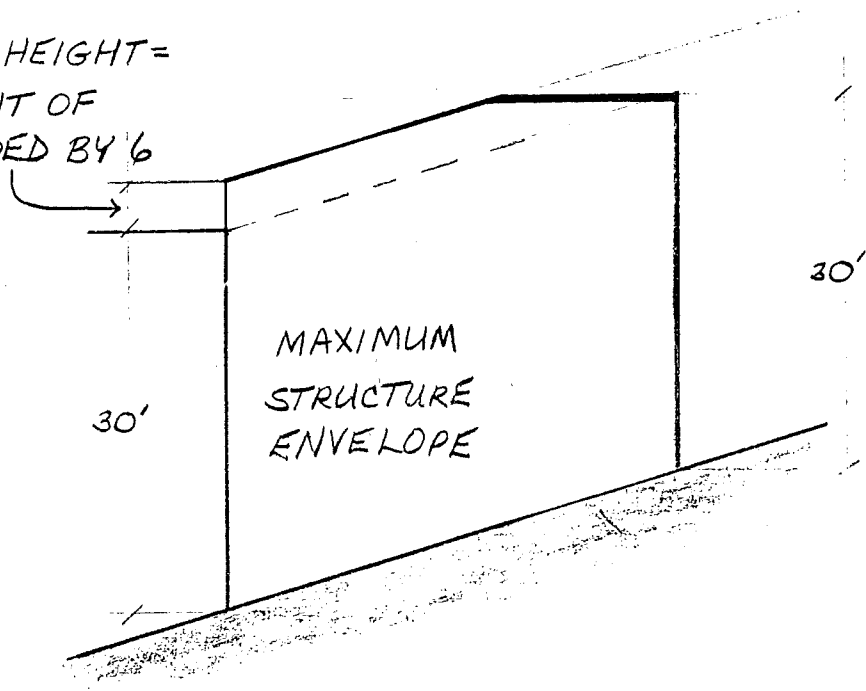


EXHIBIT 23.45.4 LOWRISE 1, HEIGHT LIMIT ON
SLOPED SITES

ALSO: EXHIBIT 23.45.24 LOWRISE 2

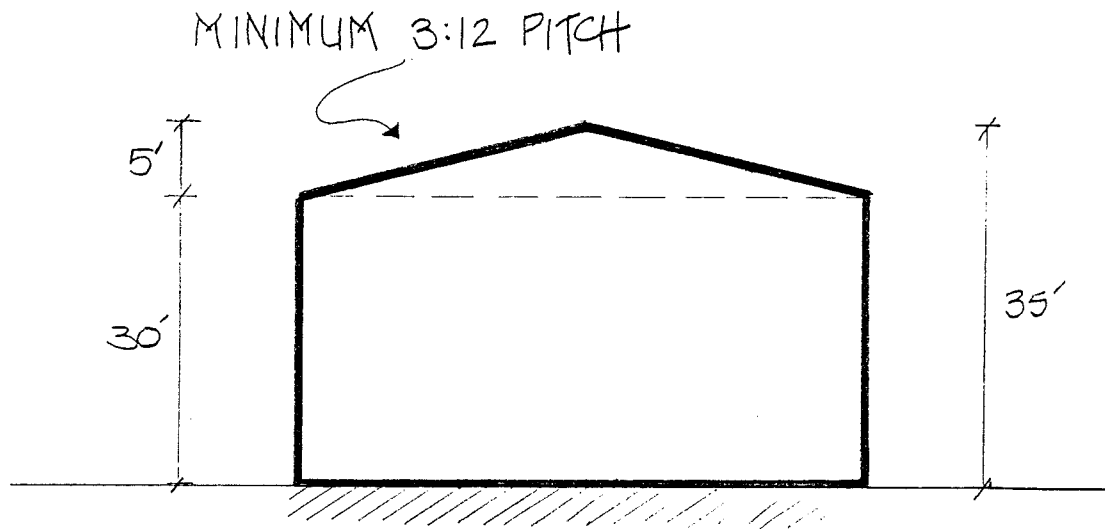
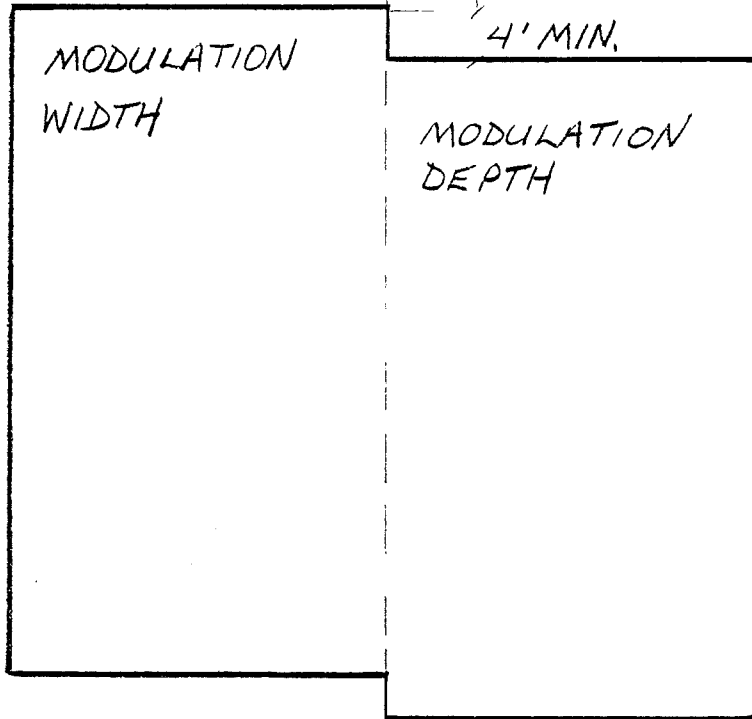


EXHIBIT 23.45.6 LOWRISE 1, PITCHED ROOF
EXCEPTION

EXHIBIT 23.45.26 LOWRISE 2, PITCHED ROOF
EXCEPTION

30' MAX.; NO
MINIMUM WIDTH



MODULATION INTENDED TO EMPHASIZE
IDENTITY OF INDIVIDUAL UNITS

EXHIBIT 23.45.8 LOWRISE 1, REQUIRED WIDTH AND
DEPTH OF MODULATION

STREET

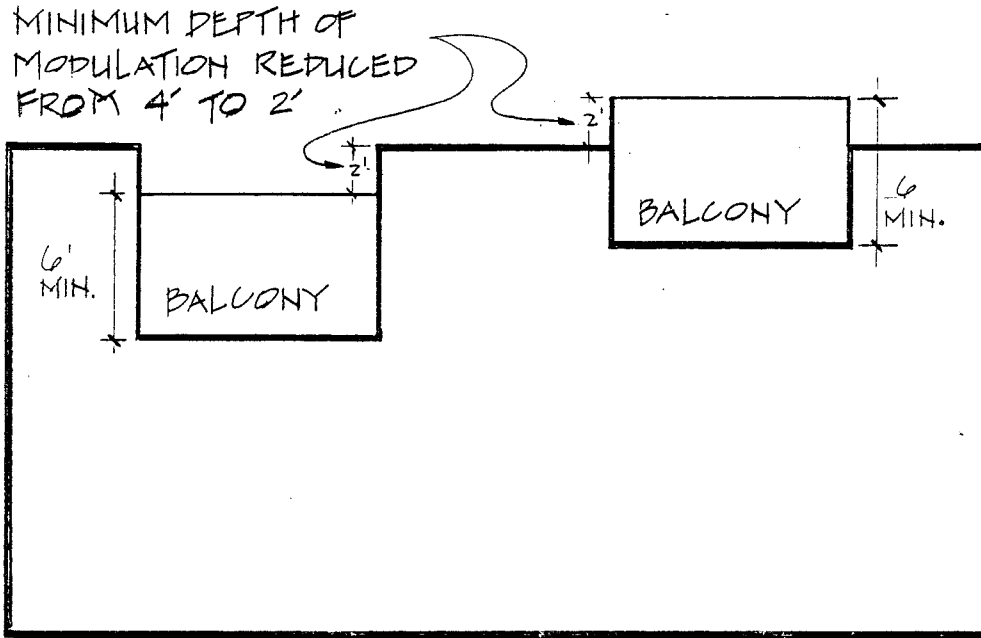
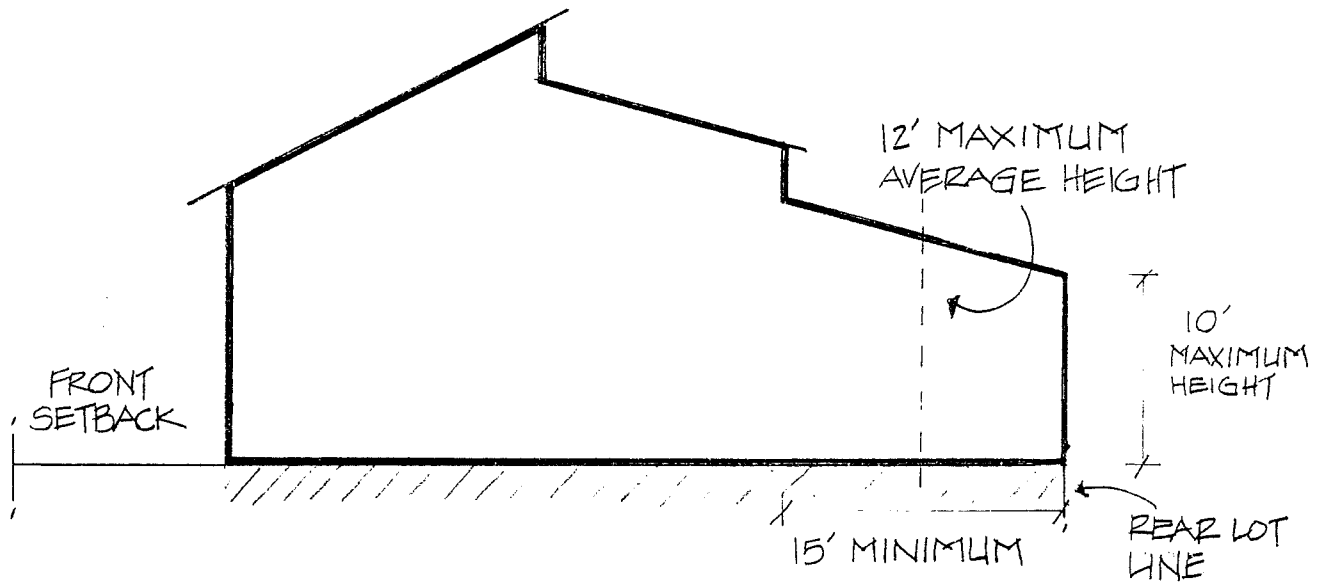


EXHIBIT 23.45.10 LOWRISE 1, REDUCTION IN MODULATION DEPTH FOR BALCONIES

EXHIBIT 23.45.32 LOWRISE 2, REDUCTION IN MODULATION DEPTH FOR BALCONIES

EXHIBIT 23.45.56 LOWRISE 3, REDUCTION IN MODULATION DEPTH FOR BALCONIES

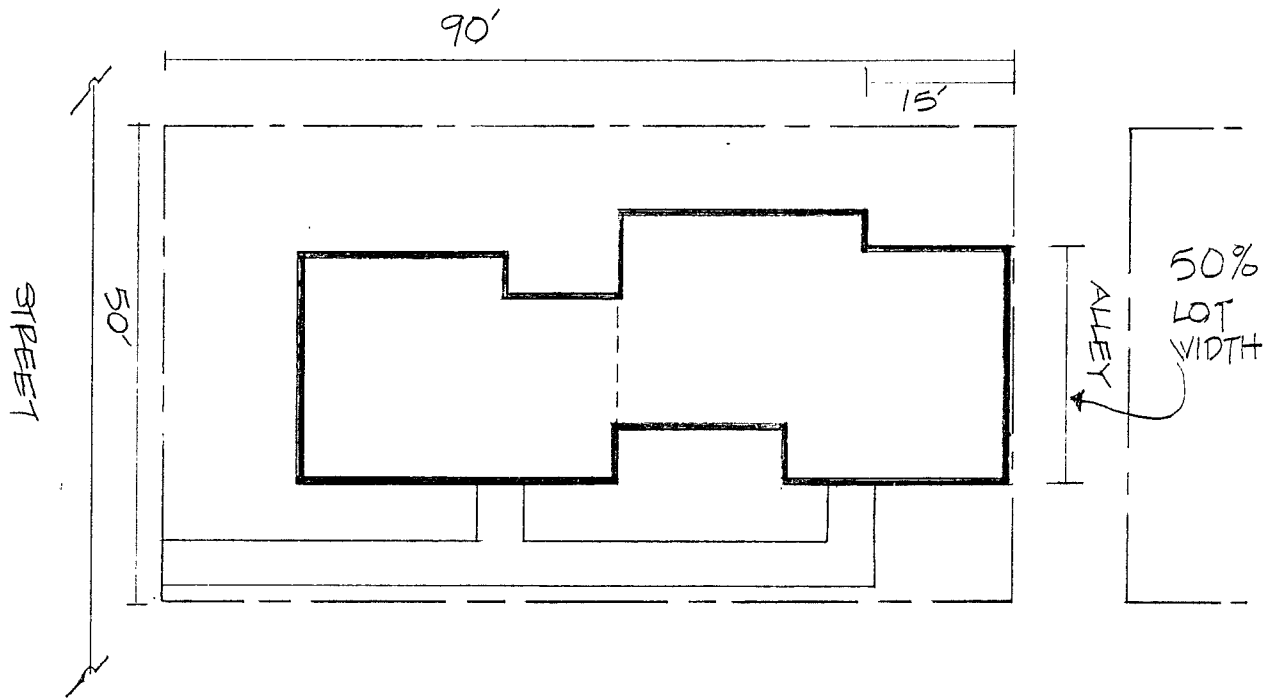


23.45.12 A

EXHIBIT 23.45.12 LOWRISE 1, REAR SETBACK EXCEPTION

EXHIBIT 23.45.34 LOWRISE 2, REAR SETBACK EXCEPTION

EXHIBIT 23.45.58 LOWRISE 3, REAR SETBACK EXCEPTION



23.45.12 B

EXHIBIT 23.45.12 LOWRISE 1, REAR SETBACK EXCEPTION.

EXHIBIT 23.45.34 LOWRISE 2, REAR SETBACK EXCEPTION.

EXHIBIT 23.45.58 LOWRISE 3, REAR SETBACK EXCEPTION.

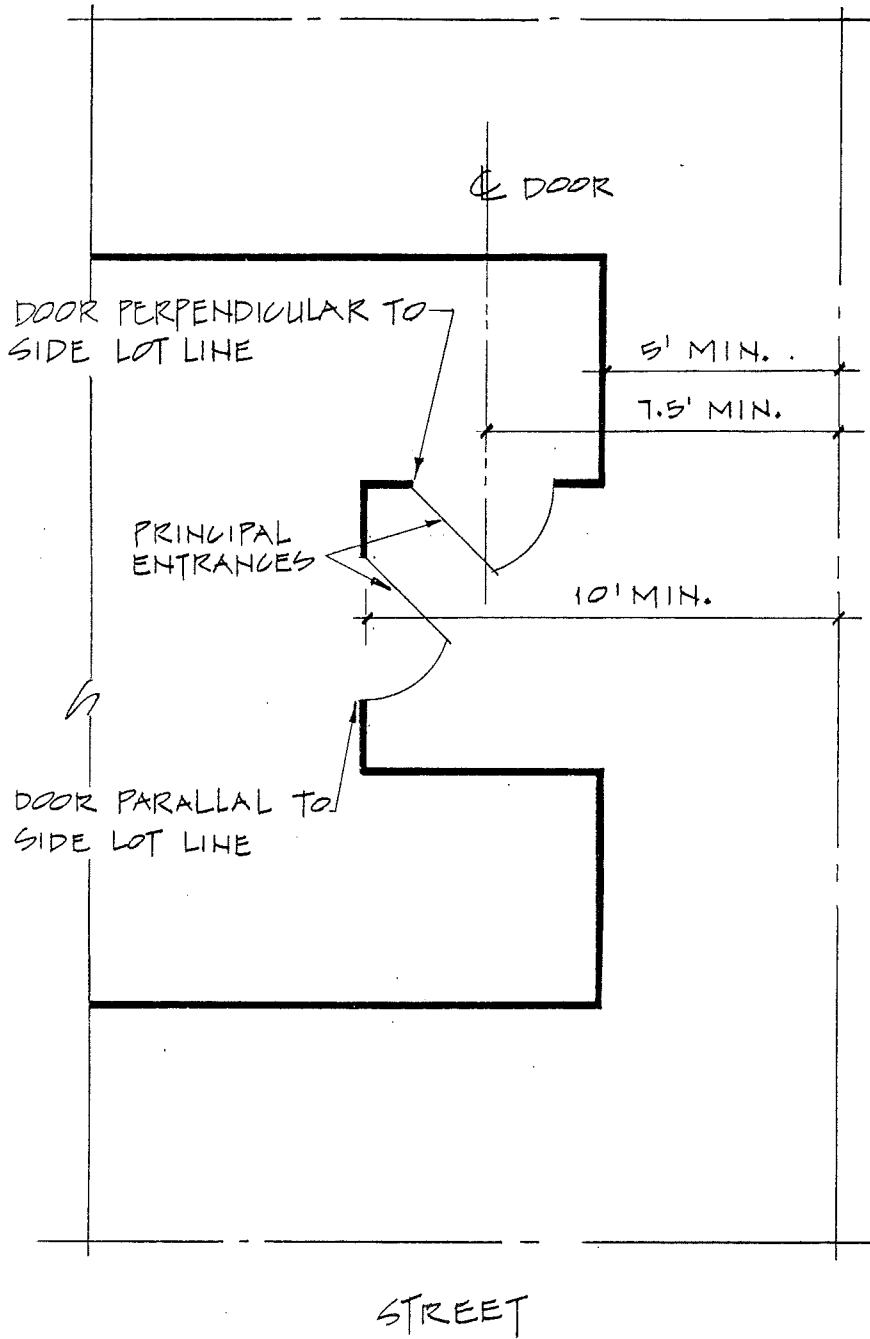


EXHIBIT 23.45.14 LOWRISE 1, SIDE SETBACKS FOR PRINCIPAL ENTRANCES

ALSO EXHIBIT 23.45.36 LOWRISE 2, FOR PRINCIPAL ENTRANCES

EXHIBIT 23.45.60 LOWRISE 3, FOR PRINCIPAL ENTRANCES

EXHIBIT 23.45

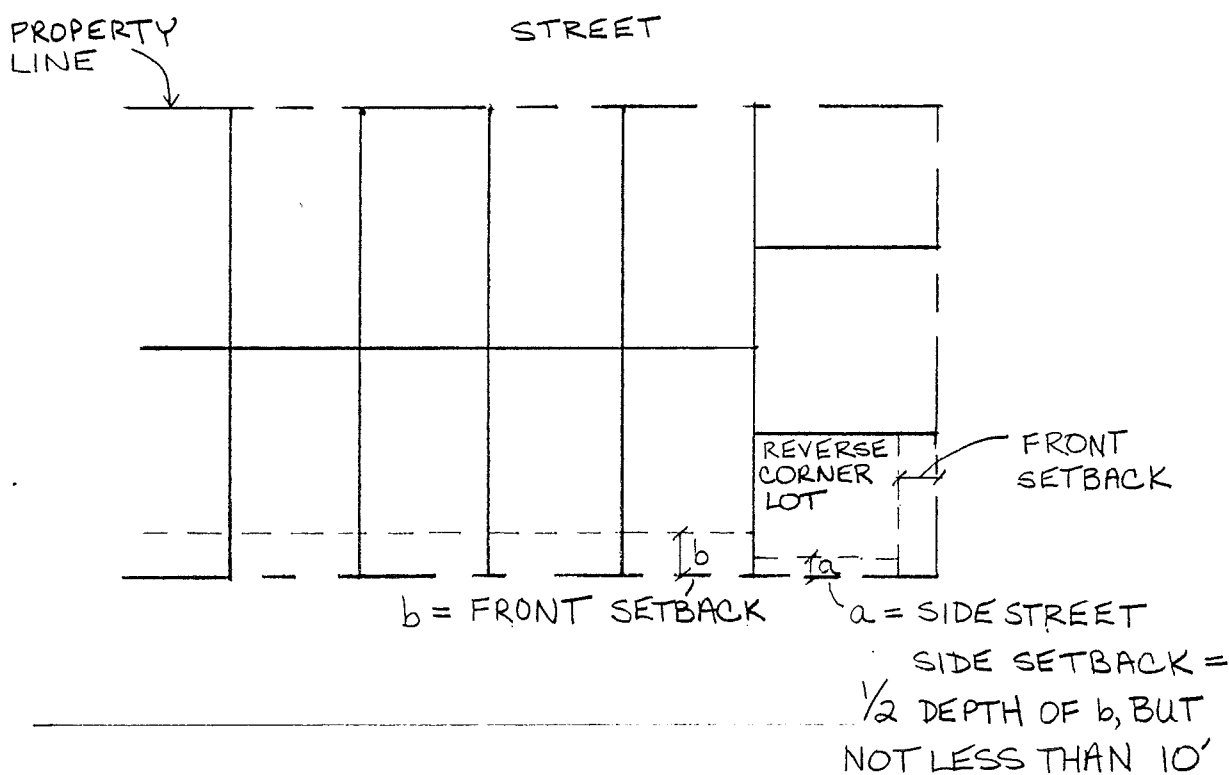
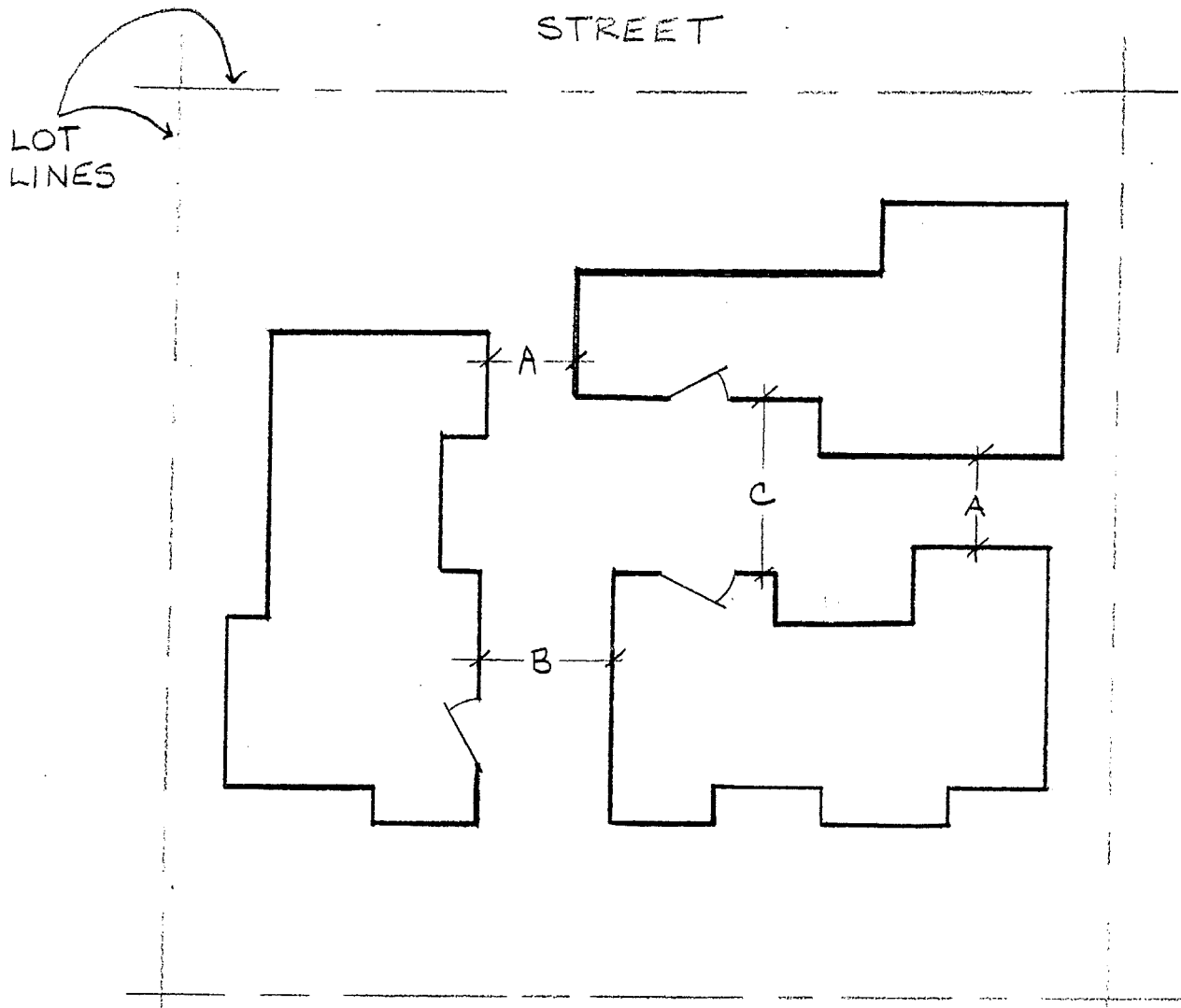


EXHIBIT 23.45.16 LOWRISE 1, SIDE STREET SETBACK FOR REVERSED CORNER LOT

- ALSO:
- EXHIBIT 23.45.38 LOWRISE 2
 - EXHIBIT 23.45.62 LOWRISE 3
 - EXHIBIT 23.45.80 MIDRISE



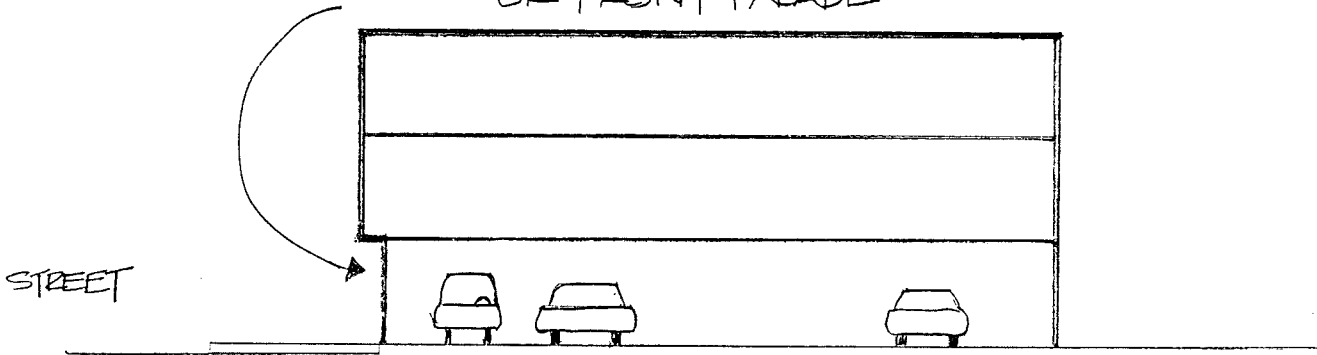
- A = At least 10'; Two facades with no principal entrances
- B = At least 15'; Principal entrance across from facade with no entrances
- C = At least 20'; Two facades with principal entrances

EXHIBIT 23.45.18 LOWRISE 1, SETBACKS FOR CLUSTER DEVELOPMENT

ALSO.

- EXHIBIT 23.45.40 LOWRISE 2
- EXHIBIT 23.45.64 LOWRISE 3
- EXHIBIT 23.45.82 MIDRISE
- EXHIBIT 23.45.98 HIGHRISE

PARKING UNDER STRUCTURE
SCREENED BY GARAGE DOORS
OR FRONT FACADE



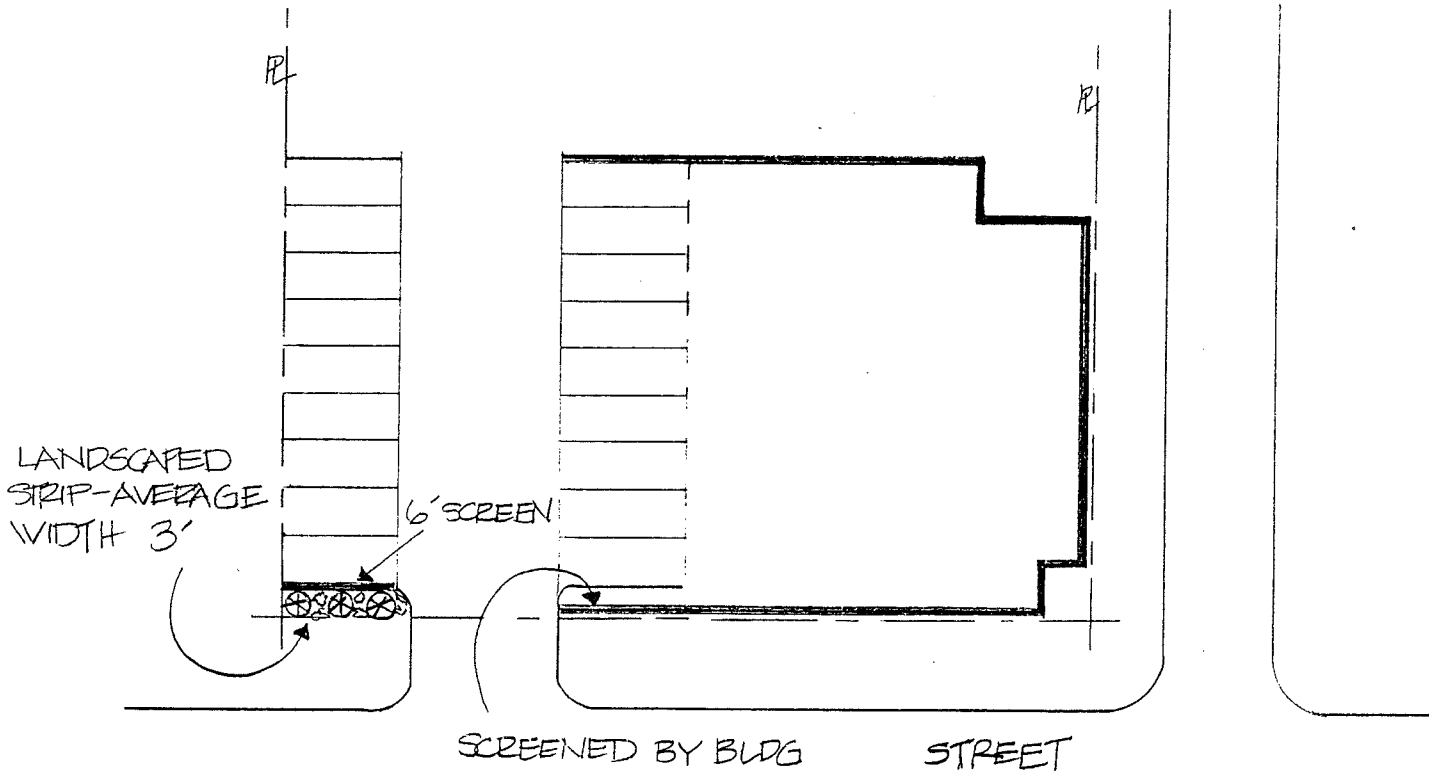
23.45.20 B PARKING SCREENED BY FRONT FACADE
OR GARAGE DOORS

EXHIBIT 23.45.20 LOWRISE 1, LOCATION OF PARKING

~~EXHIBIT 23.45.42 LOWRISE 2, LOCATION OF PARKING~~

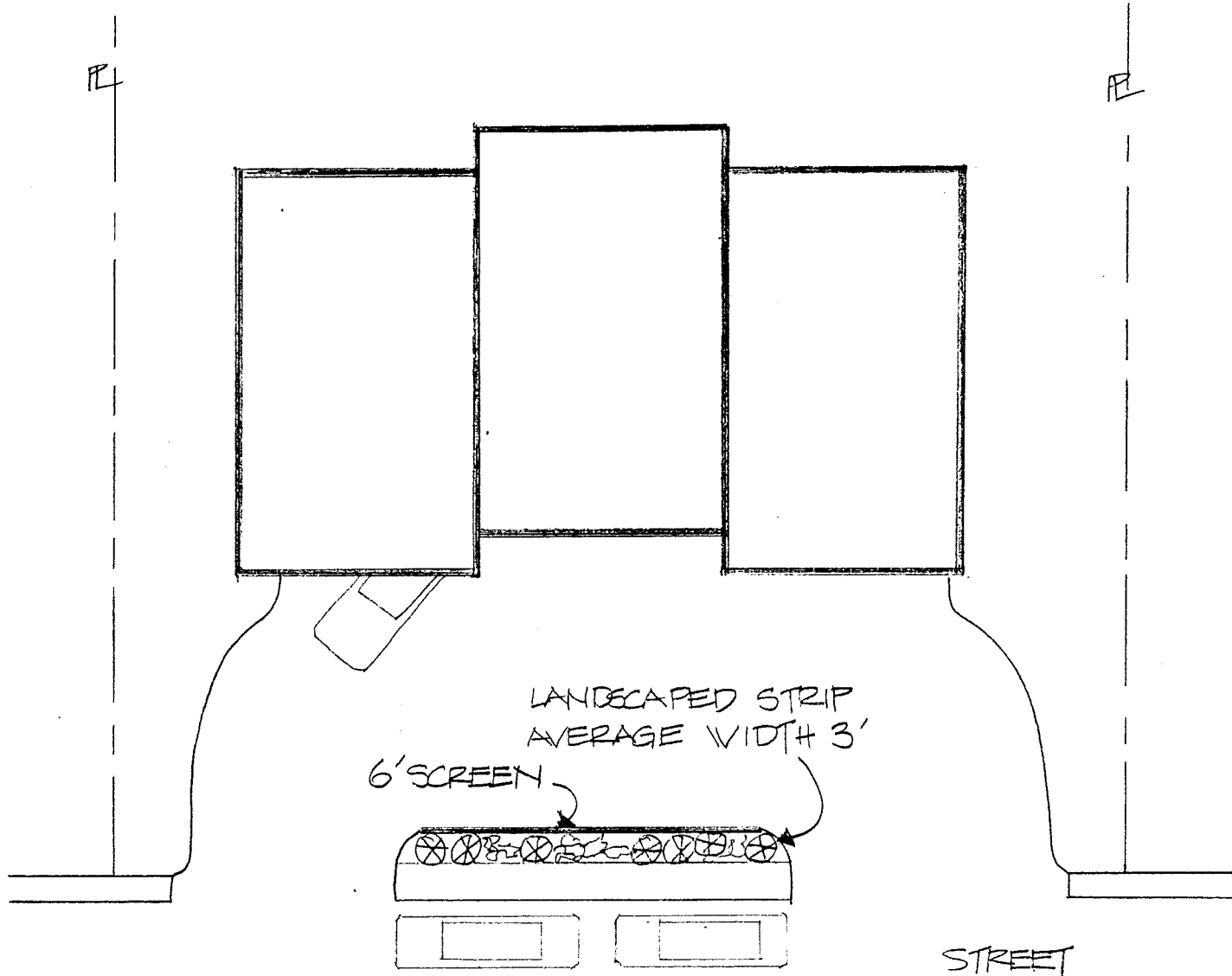
~~EXHIBIT 23.45.66 LOWRISE 3, LOCATION OF PARKING~~

~~EXHIBIT 23.45.84 MIDRISE, LOCATION OF PARKING~~



23.45.20 A PARKING UNDER STRUCTURE AND BETWEEN STRUCTURE AND SIDE OR REAR LOT LINE

- EXHIBIT 23.45.20 LOWRISE 1, LOCATION OF PARKING
- EXHIBIT 23.45.42 LOWRISE 2, LOCATION OF PARKING
- EXHIBIT 23.45.66 LOWRISE 3, LOCATION OF PARKING
- EXHIBIT 23.45.84 MIDRISE, LOCATION OF PARKING



23.45.20 C PARKING SCREENED BY FENCE AND LANDSCAPING

EXHIBIT 23.45.20 LOWRISE 1, LOCATION OF PARKING

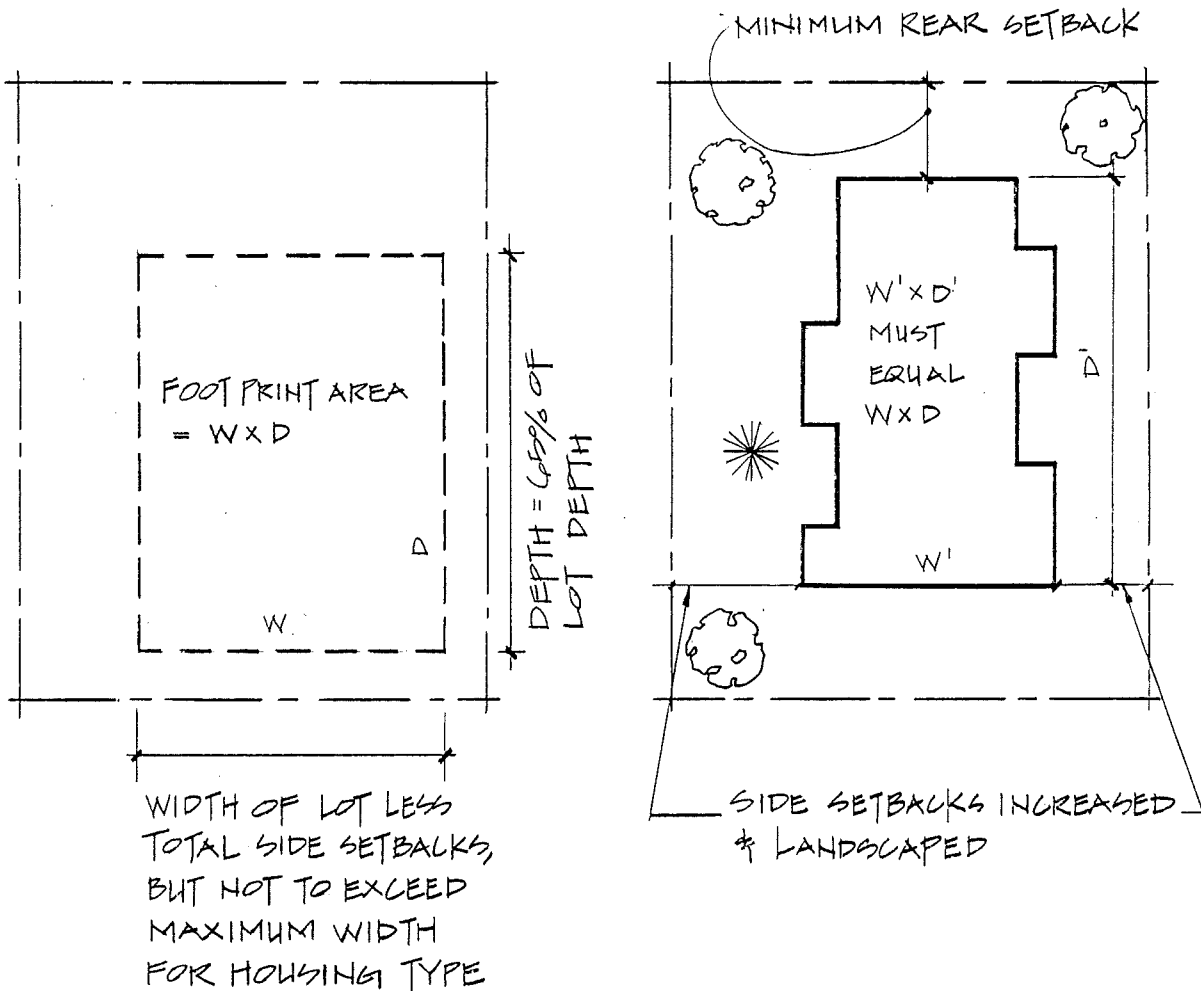


EXHIBIT 23.45.28 LOWRISE 2, STRUCTURE DEPTH EXCEPTION
 ALSO EXHIBIT 23.45.52 LOWRISE 3, STRUCTURE DEPTH EXCEPTION
 EXHIBIT 23.45.74 MIDRISE,

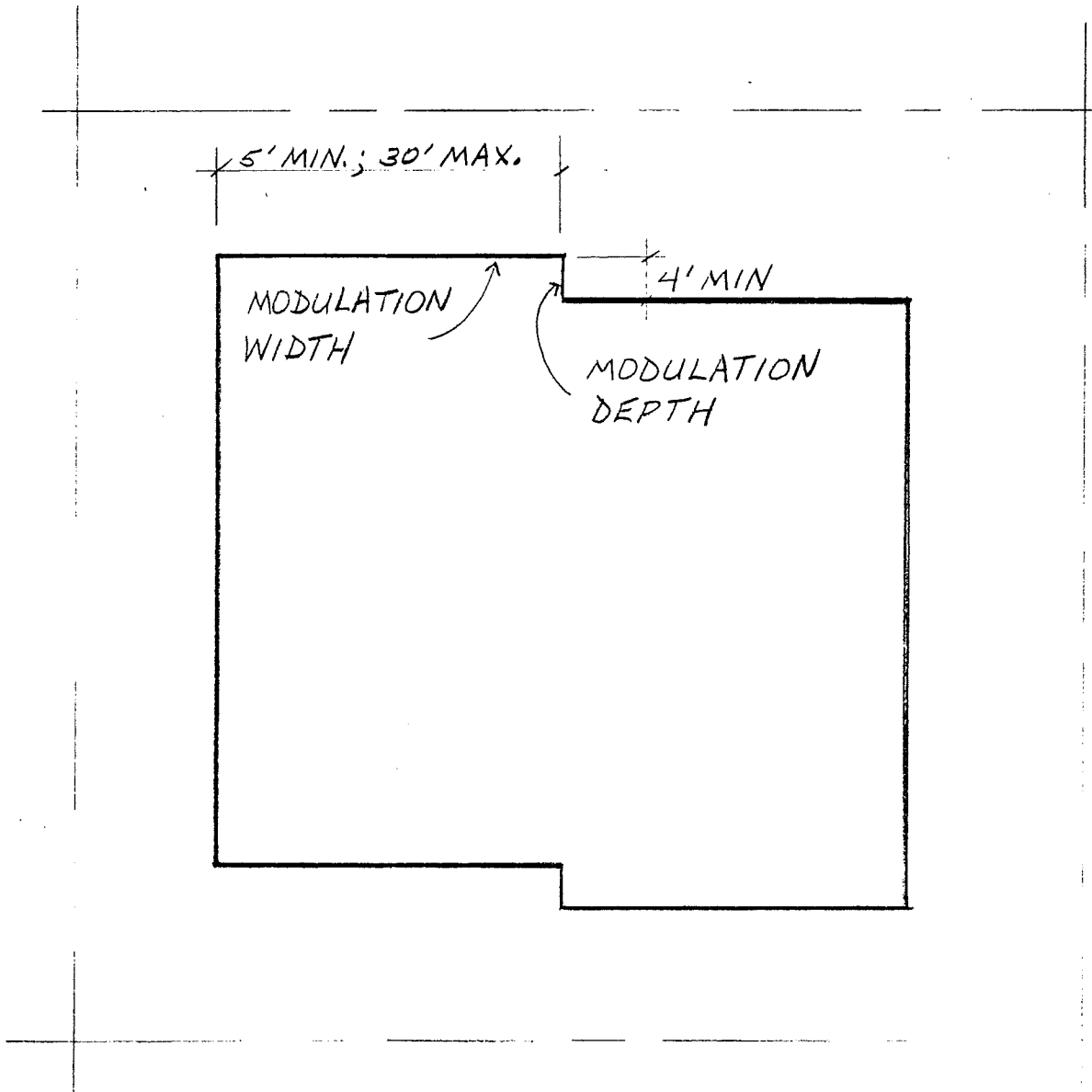
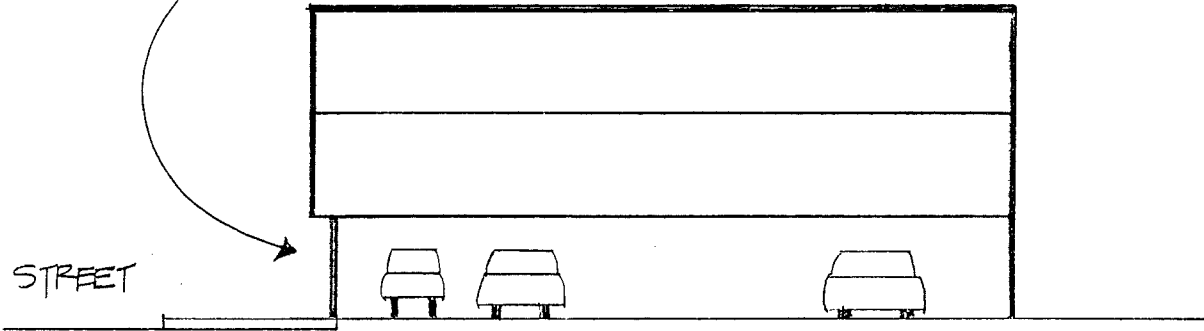


EXHIBIT 23.45.30 LOWRISE 2, REQUIRED WIDTH
AND DEPTH OF MODULATION

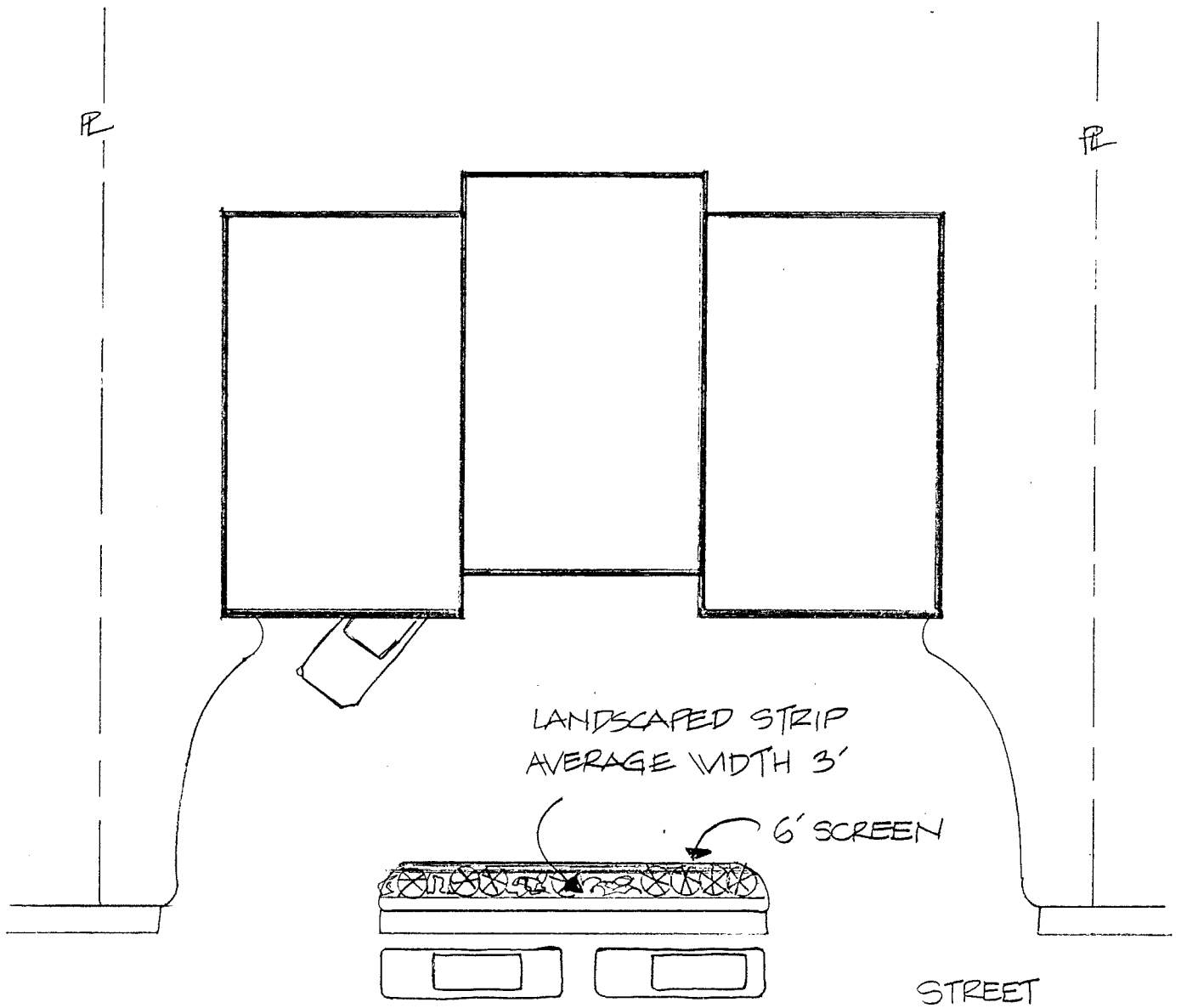
ALSO:
EXHIBIT 23.45.54 LOWRISE 3
EXHIBIT 23.45.94 HIGHRISE

PARKING UNDER STRUCTURE
SCREENED BY FRONT FACADE (OR GAR-
AGE DOORS IF GROUND-RELATED HOUSING)



23.45.42 B PARKING SCREENED BY FRONT
FACADE OF STRUCTURE

- EXHIBIT 23.45.42 LOWRISE 2, LOCATION OF PARKING
- EXHIBIT 23.45.66 LOWRISE 3, LOCATION OF PARKING
- EXHIBIT 23.45.84 MIDRISE, LOCATION OF PARKING



23.45.42 C PARKING FOR GROUND-RELATED HOUSING SCREENED BY FENCE AND LANDSCAPING

EXHIBIT 23.45.42 LOWRISE 2, LOCATION OF PARKING

EXHIBIT 23.45.66 LOWRISE 3, LOCATION OF PARKING

EXHIBIT 23.45.84 MIDRISE, LOCATION OF PARKING

ADDED HEIGHT =
PERCENT OF SLOPE
DIVIDED BY 6

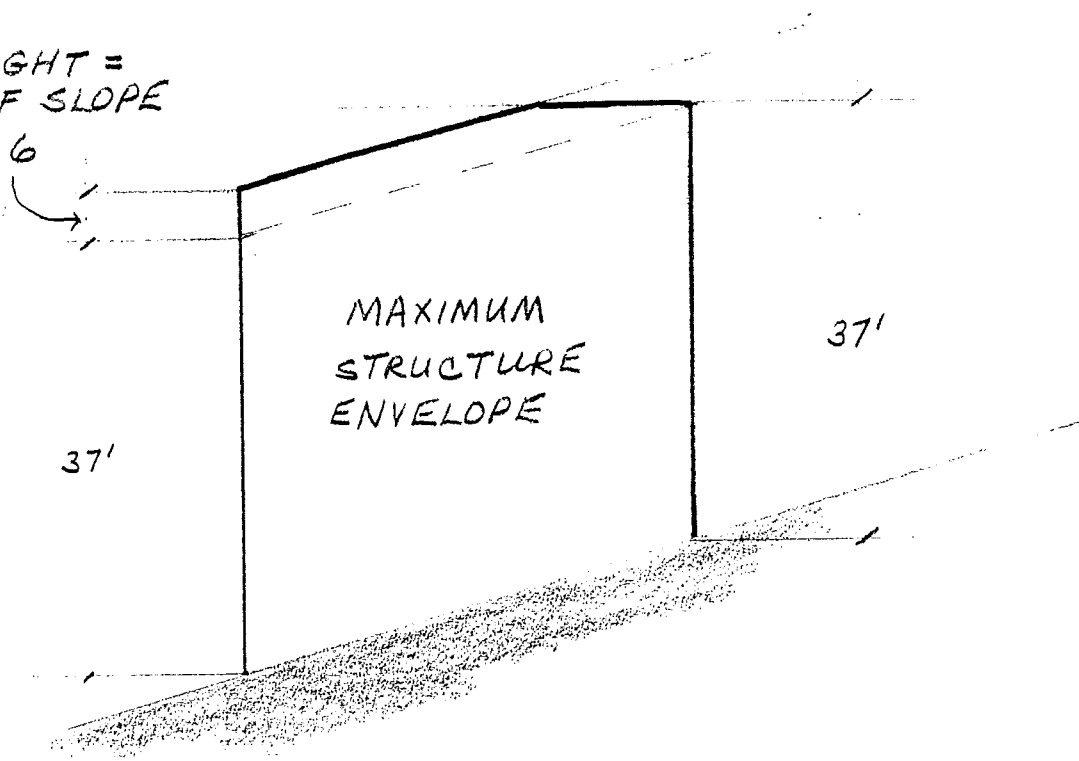


EXHIBIT 23.45.46 LOWRISE 3, HEIGHT LIMIT
ON SLOPED SITES

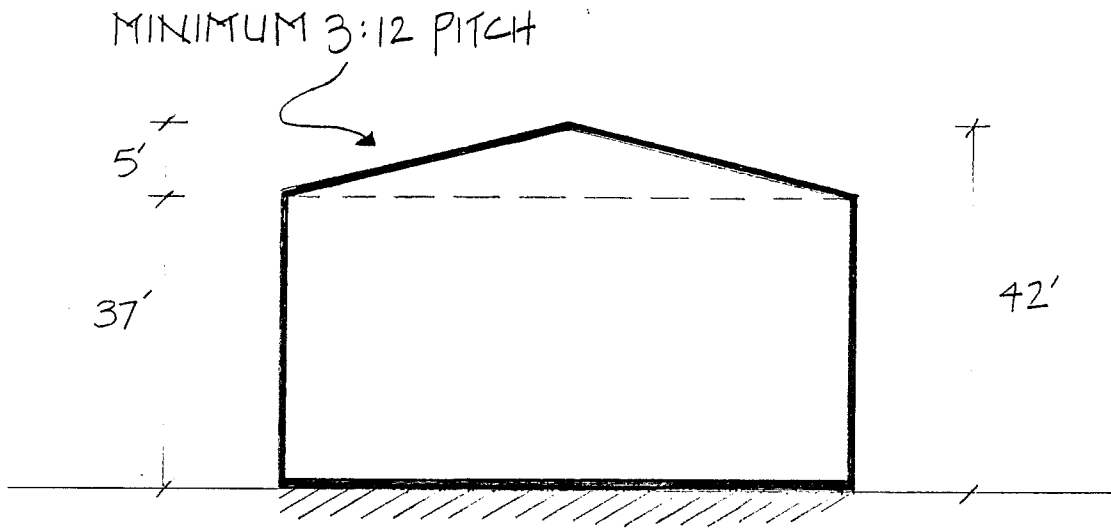


EXHIBIT 23.45.48 LOWRISE 3, PITCHED ROOF
EXCEPTION

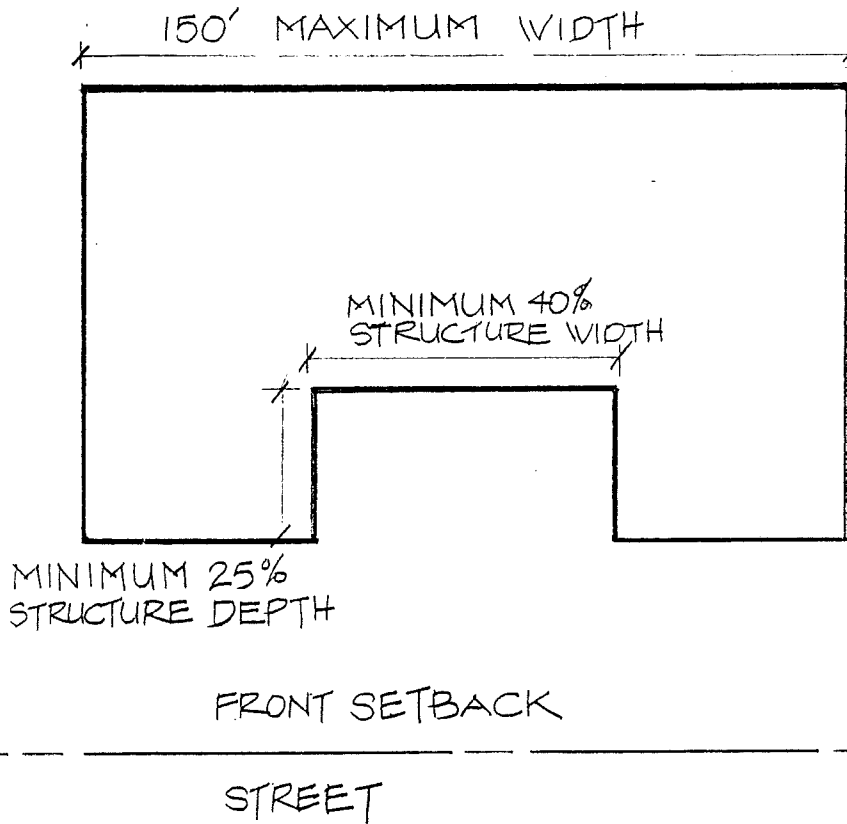


EXHIBIT 23.45.50 LOWRISE 3, STRUCTURE
WIDTH EXCEPTION

ADDED HEIGHT =
PERCENT OF SLOPE
DIVIDED BY 6

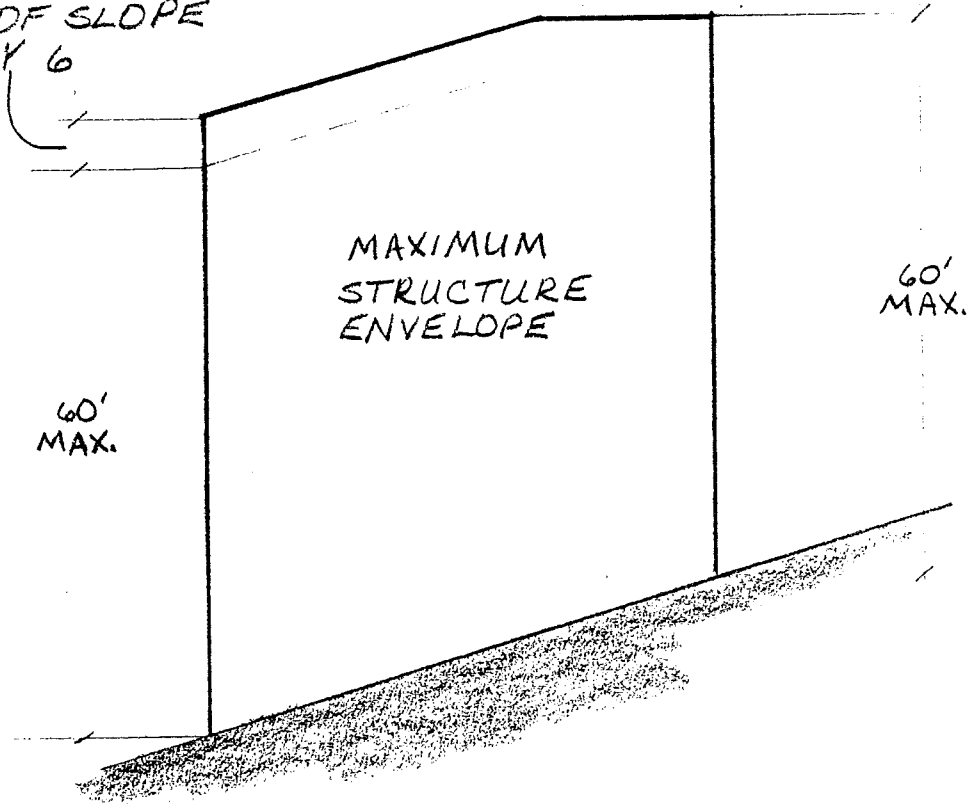


EXHIBIT 23.45.70 MIDRISE, HEIGHT LIMIT ON
SLOPED SITES

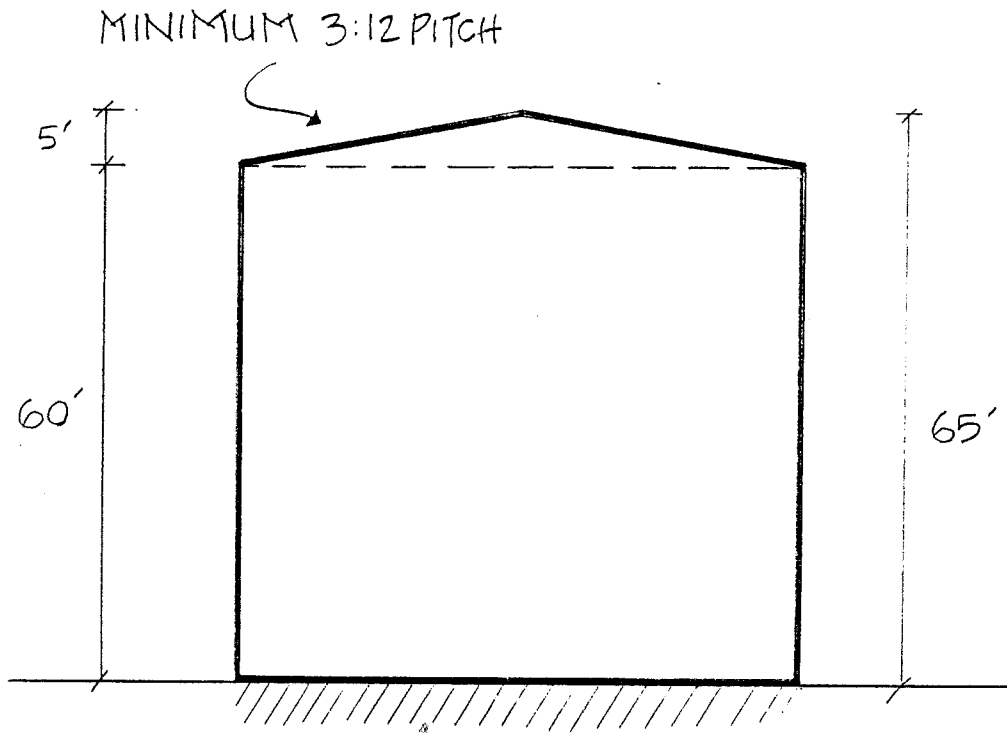


EXHIBIT 23.45.72 MIDRISE, PITCHED ROOF
EXCEPTION

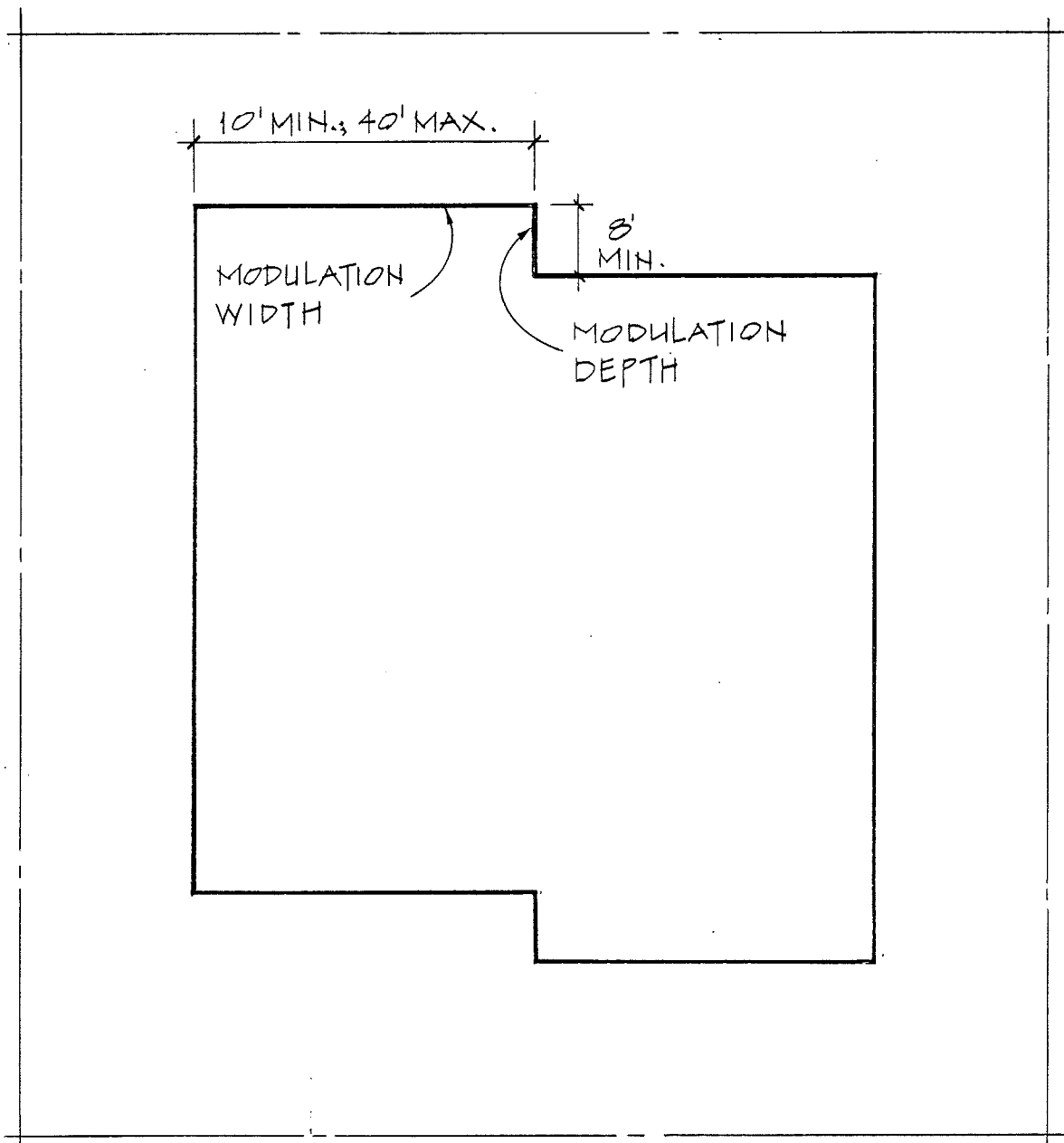


EXHIBIT 23.45.16 MIDRISE, REQUIRED WIDTH
AND DEPTH OF MODULATION

STREET

MINIMUM DEPTH OF
MODULATION REDUCED
FROM 8' TO 6'

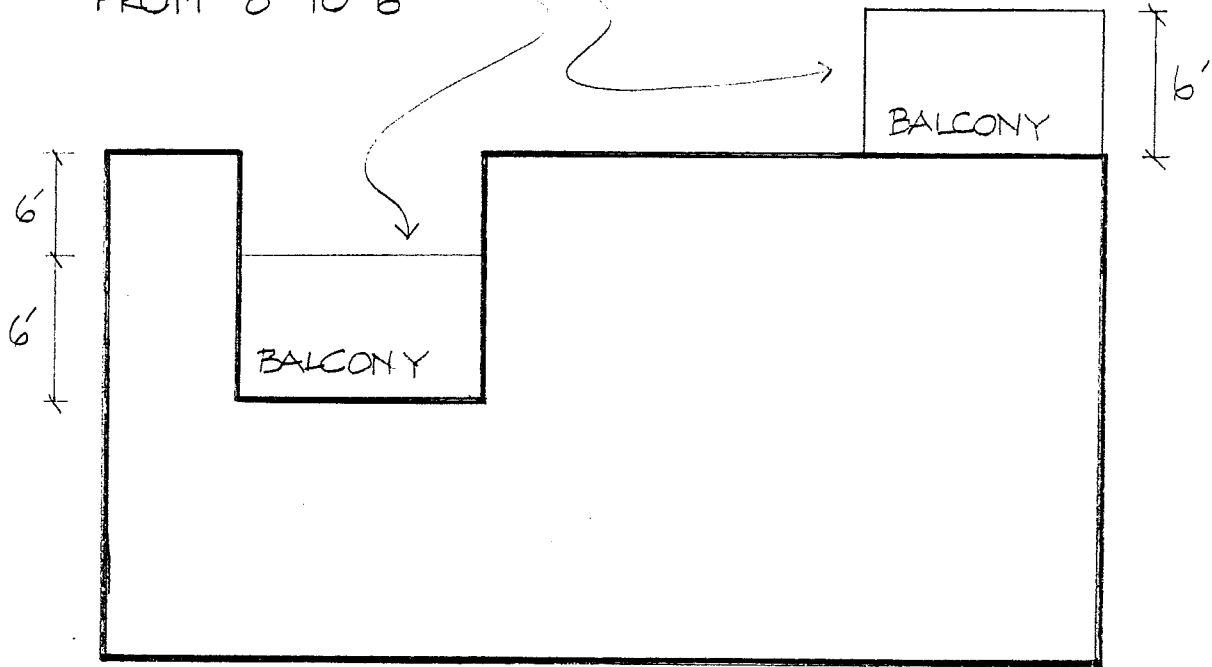
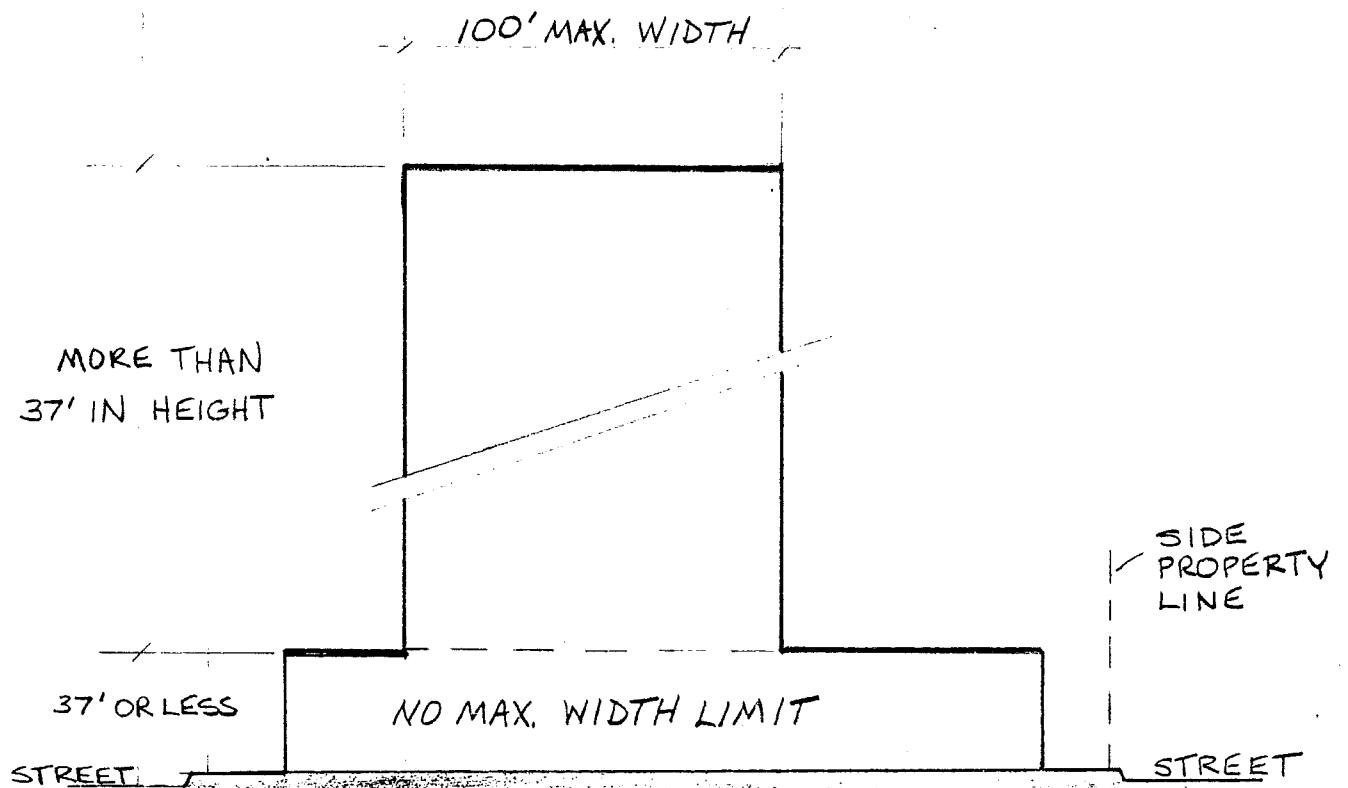


EXHIBIT 23.45.78. MIDRISE, REDUCTION IN
MODULATION DEPTH FOR
BALCONIES



FRONT ELEVATION

EXHIBIT 23.45.88 HIGHRISE, STRUCTURE
WIDTH LIMITS

100' MAX. DEPTH

MORE THAN
37' IN HEIGHT

REAR
PROPERTY
LINE

37' OR LESS

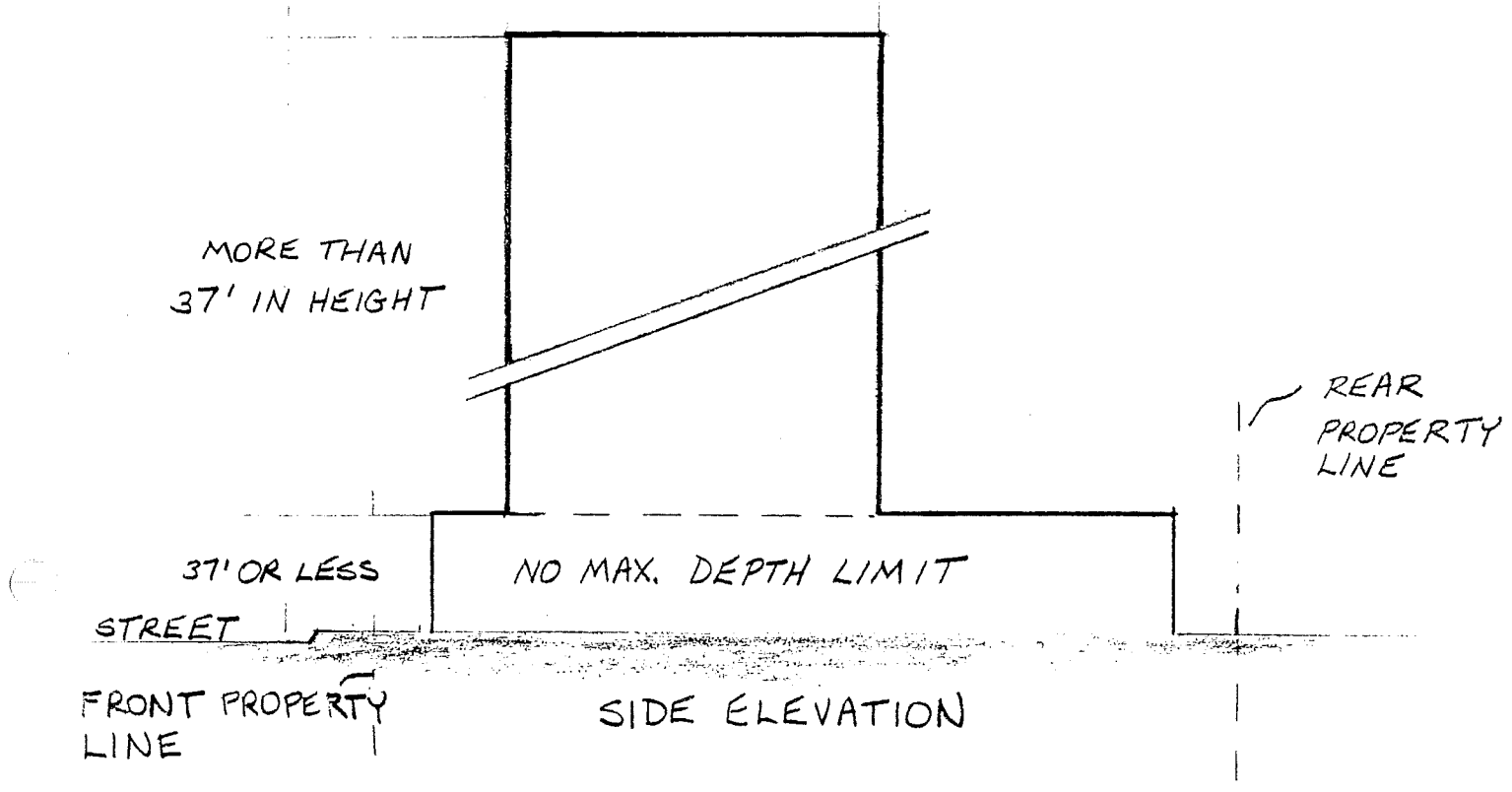
NO MAX. DEPTH LIMIT

STREET

FRONT PROPERTY
LINE

SIDE ELEVATION

EXHIBIT 23.45.90 HIGHRISE, STRUCTURE DEPTH LIMIT



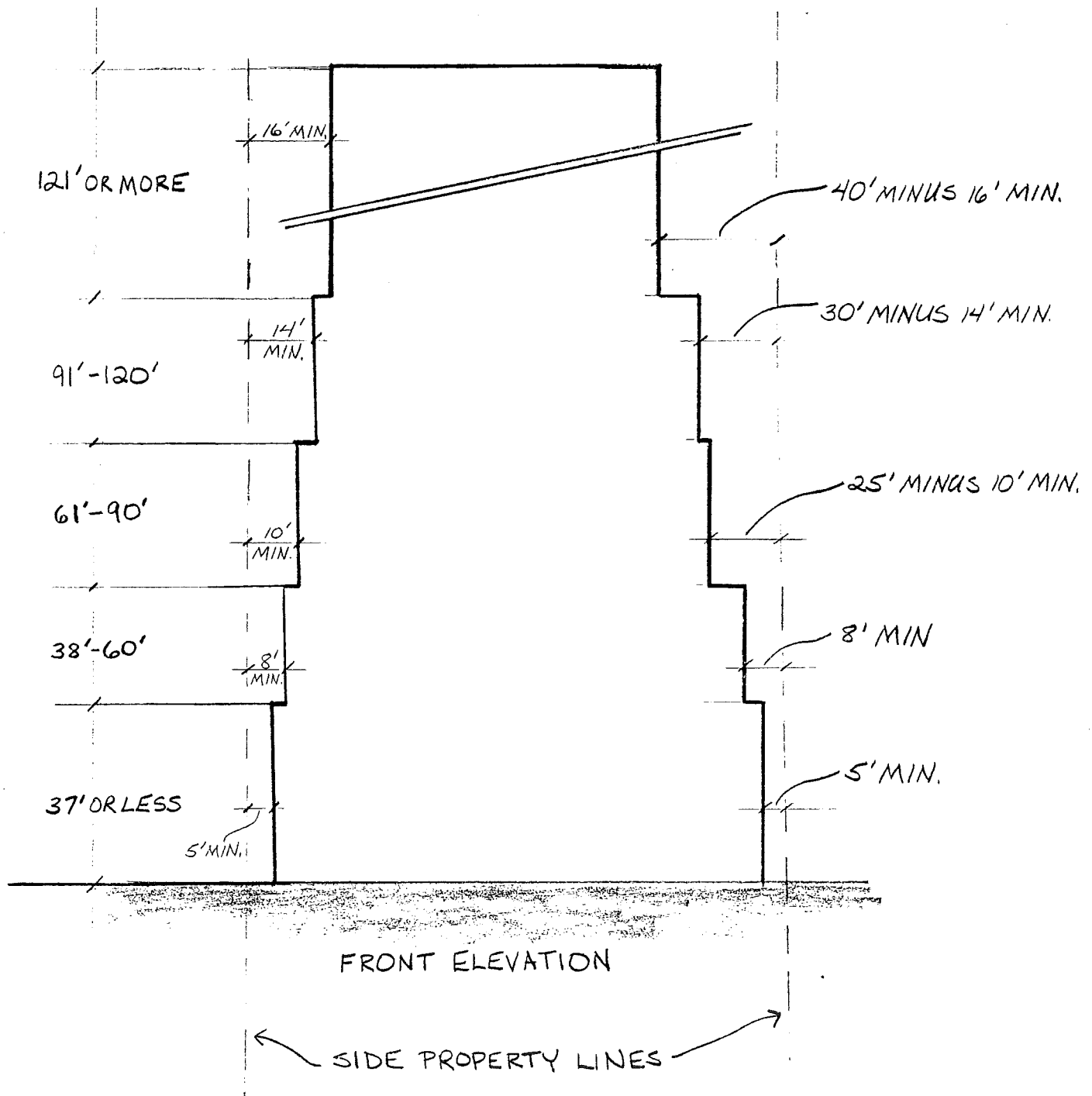


EXHIBIT 23.45.96 HIGHRISE, REQUIRED SIDE SETBACKS

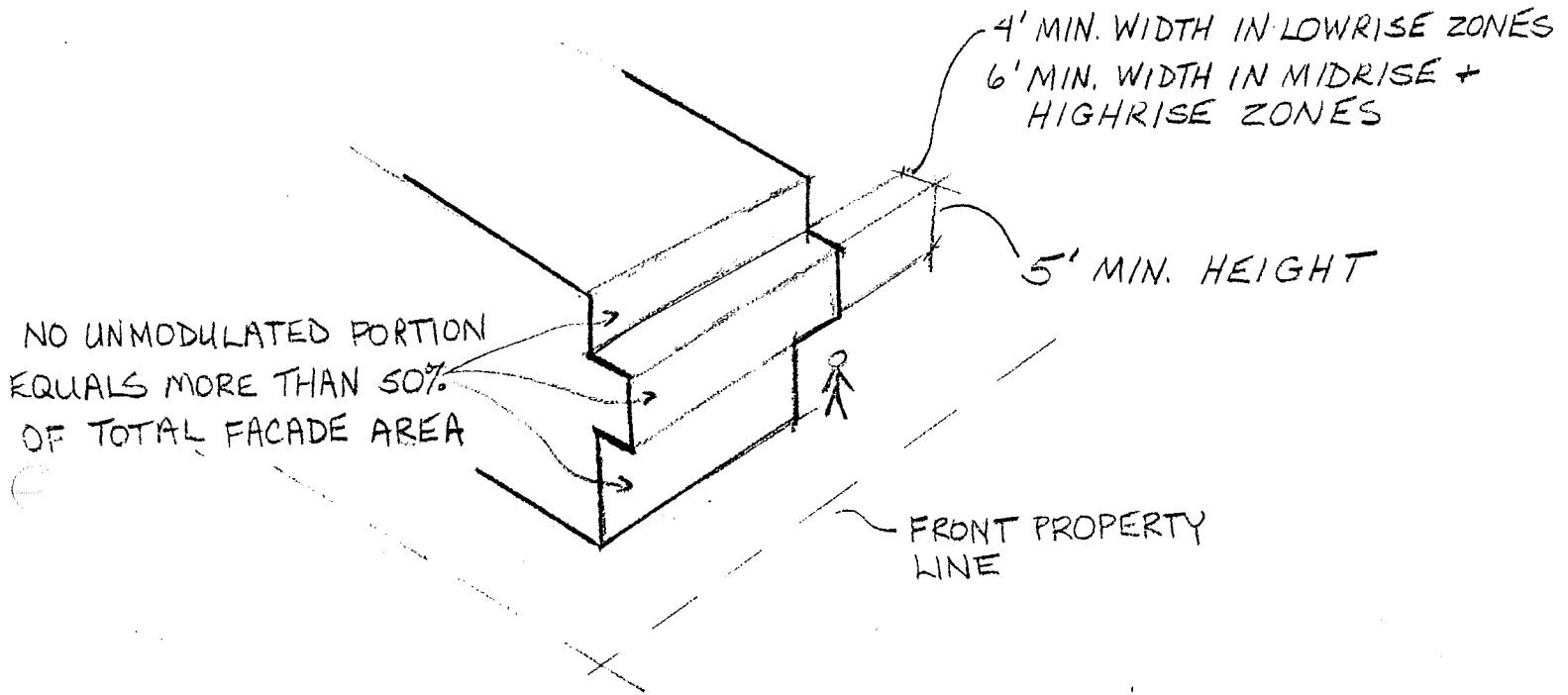


EXHIBIT 23.45.100 INSTITUTIONS, MODULATION REQUIREMENTS

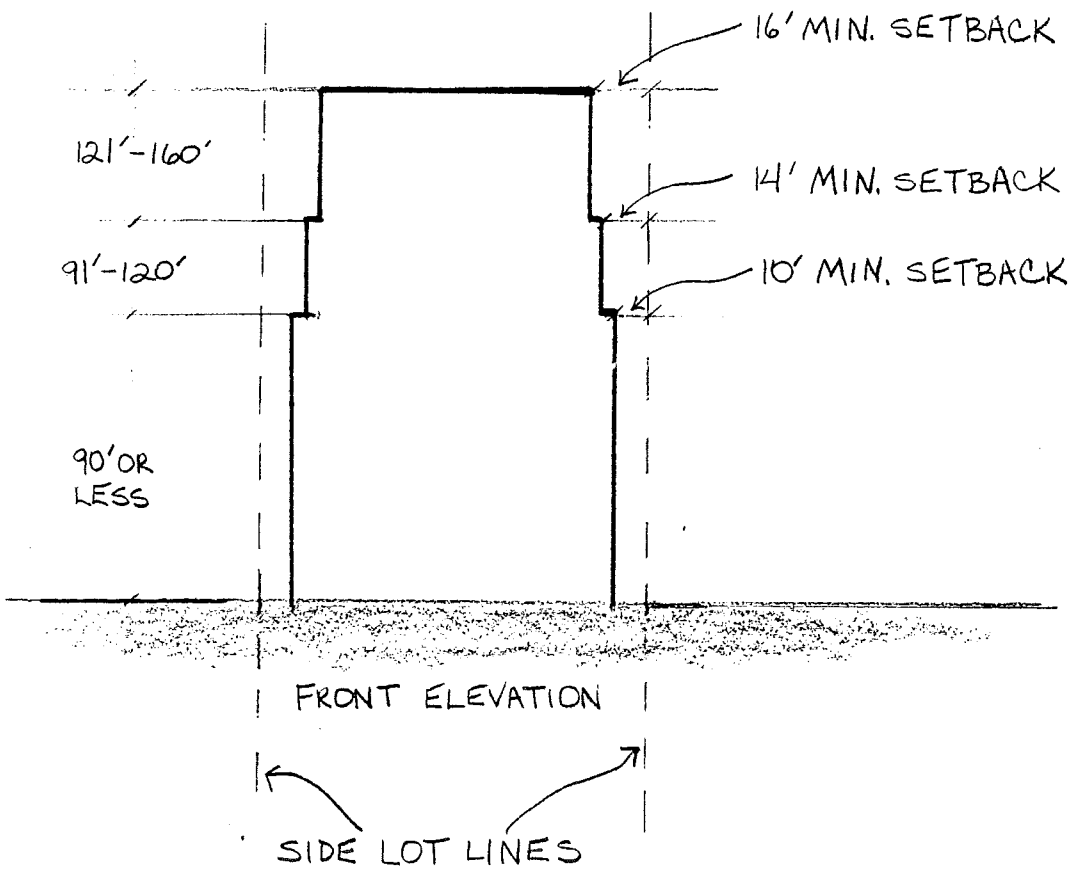
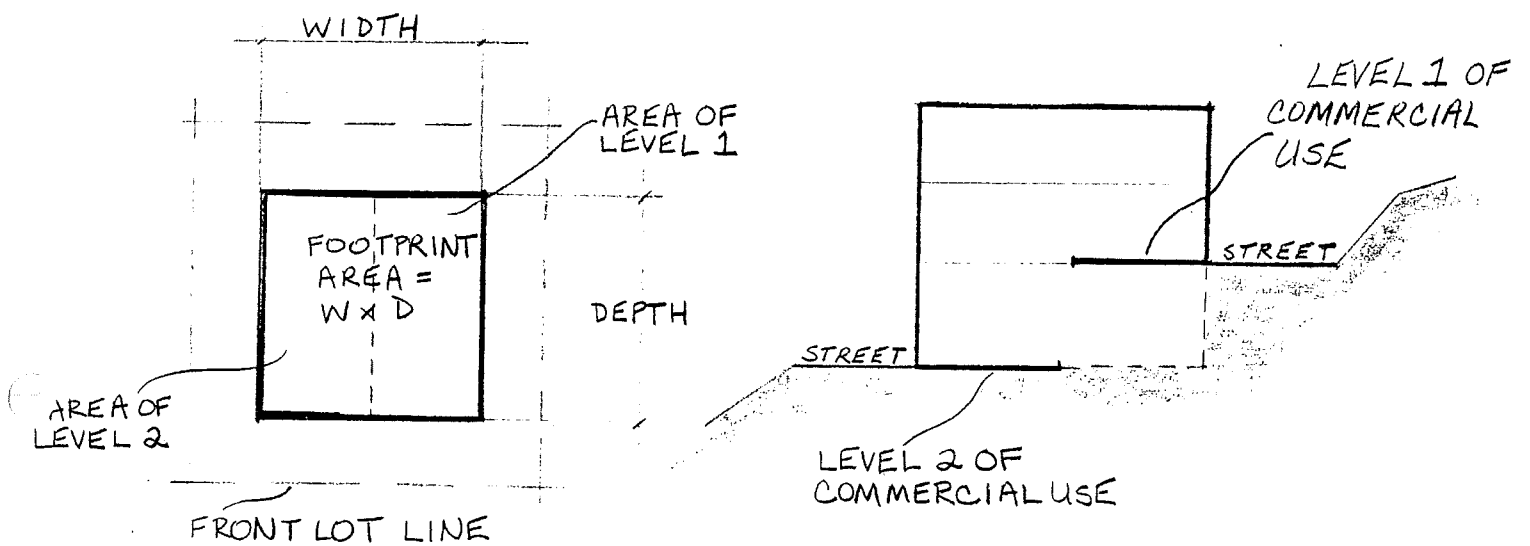


EXHIBIT 23.45.102 INSTITUTIONS, SIDE SETBACK REQUIREMENTS IN HIGHRISE ZONES



Total area of level 1 plus level 2 must be less than or equal to the footprint area of the structure.

EXHIBIT 23.45.106 BUSINESS AND COMMERCIAL USES
ON THE GROUND FLOORS OF
SLOPING SITES

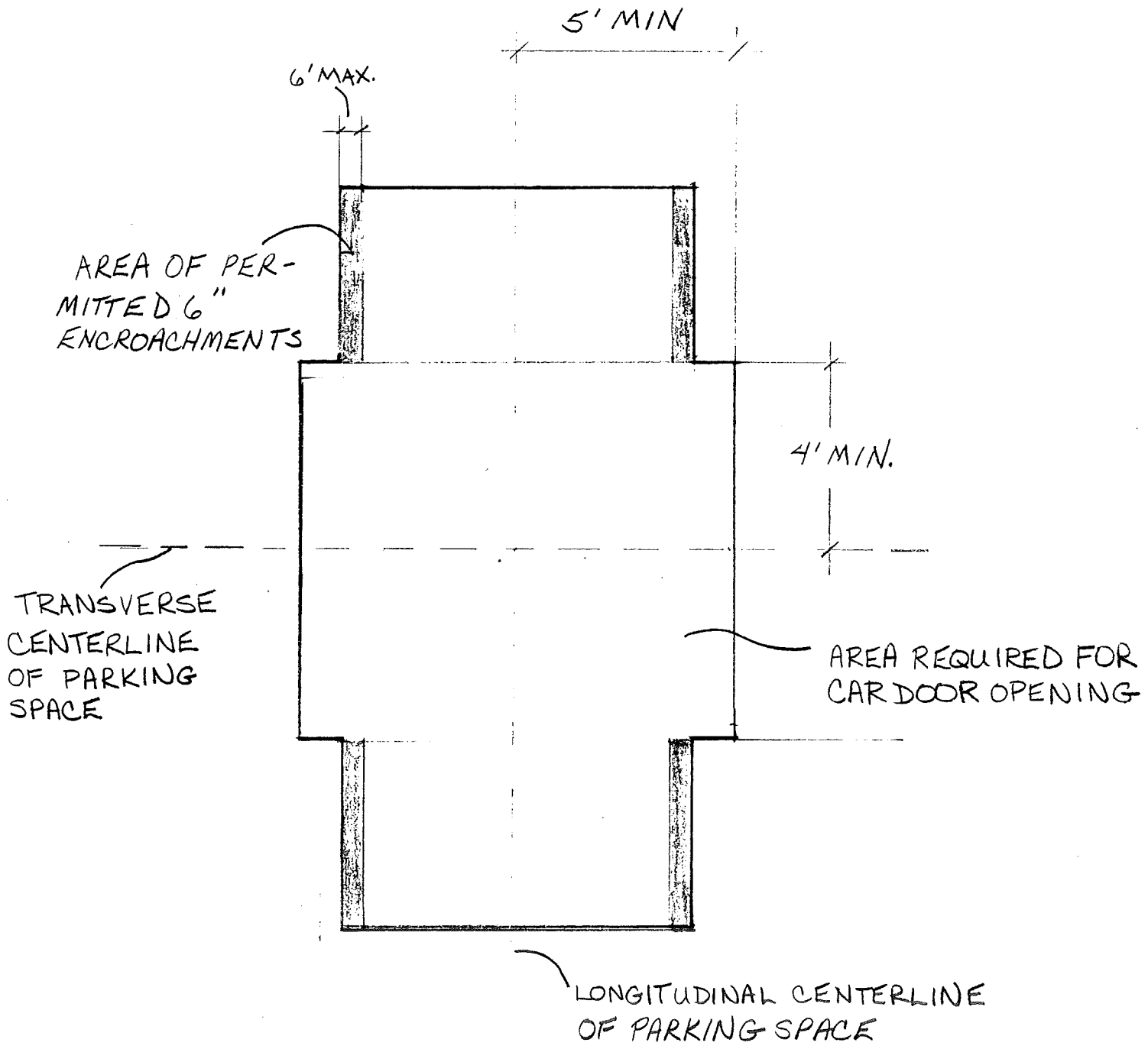
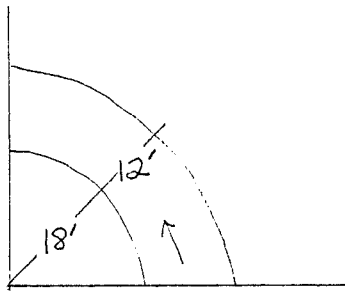
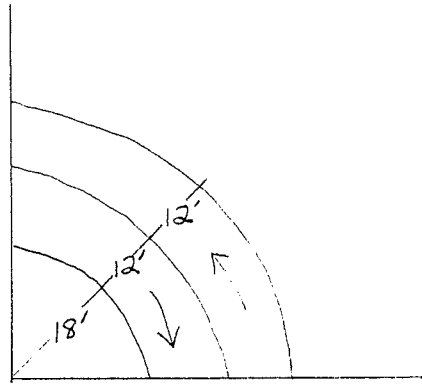


EXHIBIT 1 ENCROACHMENTS INTO REQUIRED PARKING SPACE

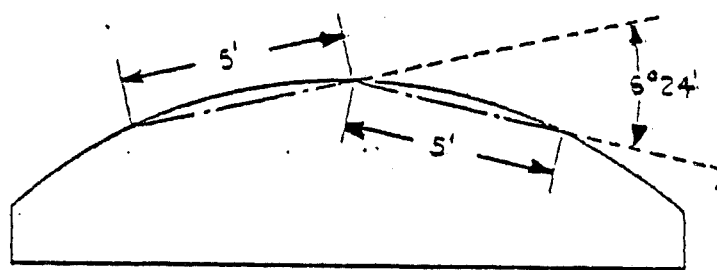


ONE WAY TRAFFIC

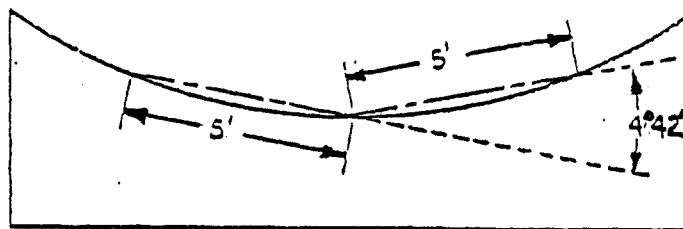


TWO WAY TRAFFIC

EXHIBIT 2 TURNING PATH RADIUS



Crest Vertical Curve

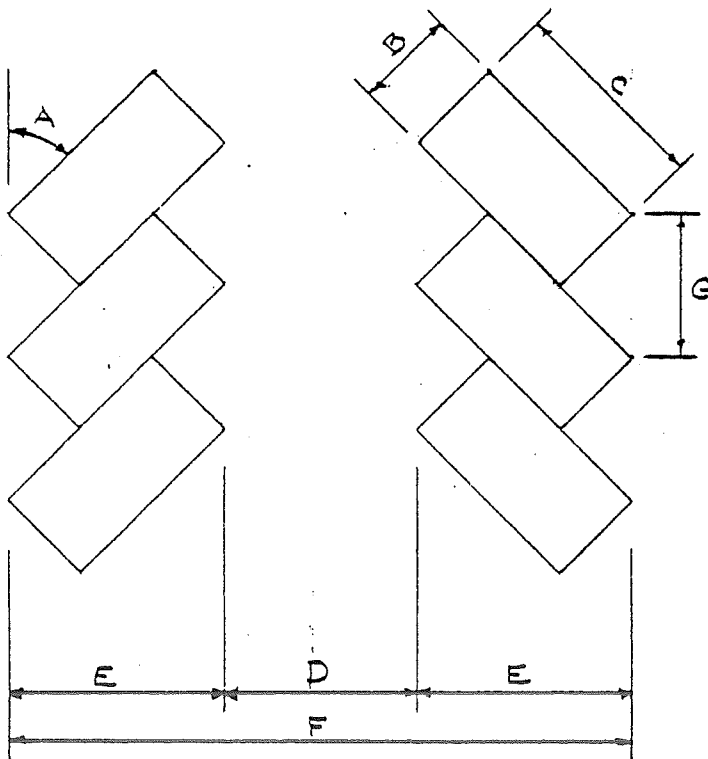


Sag Vertical Curve

EXHIBIT 3 MAXIMUM GRADE CURVATURES

EXHIBIT 4 PARKING AISLE DIMENSIONS

A	B	C	D	E	F	G
PARKING ANGLE	STALL WIDTH	STALL LENGTH	AISLE WIDTH	CURB DEPTH PER CAR	UNIT WIDTH	CURB LENGTH PER CAR
0°	7.5	14.0	10.0	7.5	25.0	18.0
	8.0	16.0	10.0	8.0	26.0	20.0
45°	7.5	14.0	11.0	15.2	41.4	10.6
	8.0	16.0	13.0	16.97	46.9	11.3
60°	7.5	14.0	13.0	15.87	44.74	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
75°	7.5	14.0	16.5	15.46	47.42	7.76
	8.0	16.0	18.5	17.52	53.54	8.28
90°	7.5	14.0	20.0	14.0	48.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0



THE FOLLOWING EQUATIONS MAY BE USED TO COMPUTE DIMENSIONS FOR PARKING ANGLES OTHER THAN THOSE PROVIDED IN THE ABOVE CHART. NOTE: AISLE WIDTHS SHALL BE PROVIDED AS REQUIRED FOR THE NEXT GREATER PARKING ANGLE SHOWN IN THE ABOVE CHART.

$$E = C \sin A + B \cos A$$

$$G = B / \sin A$$

AS REQUIRED FOR THE NEXT GREATER PARKING ANGLE SHOWN IN THE ABOVE CHART.

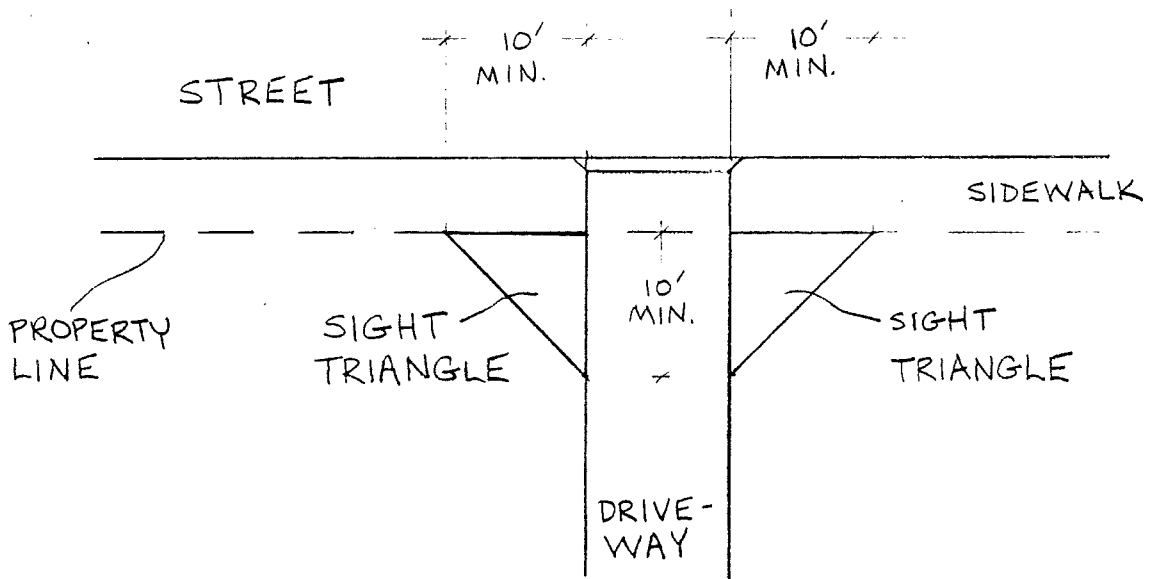


EXHIBIT 5 SIGHT TRIANGLE

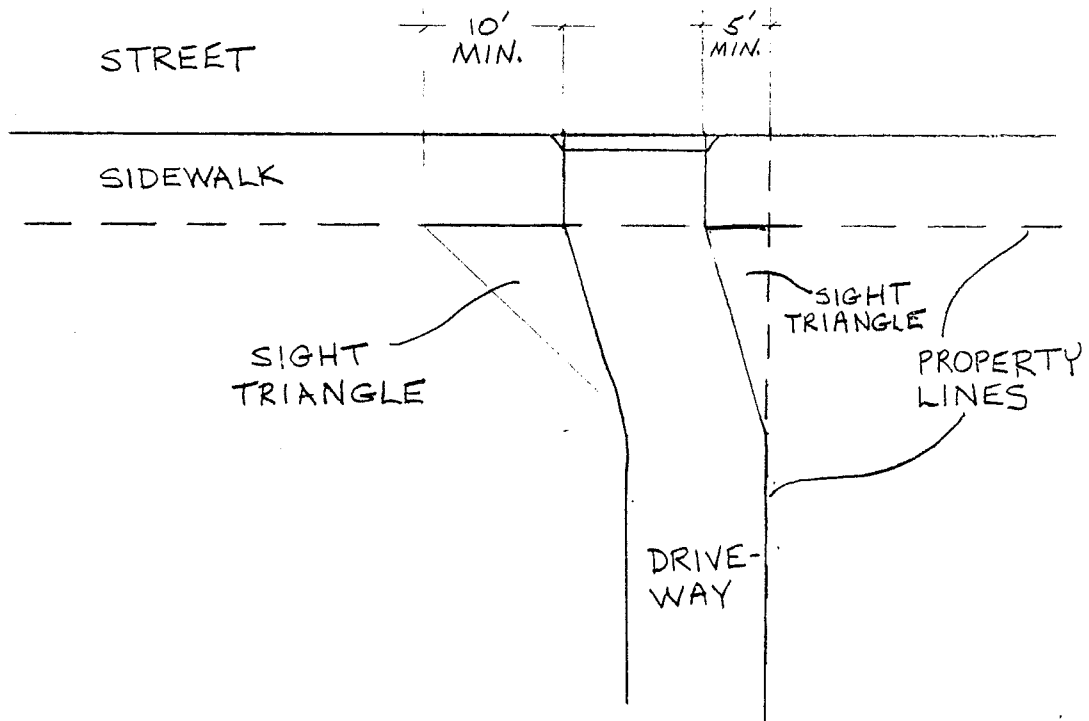
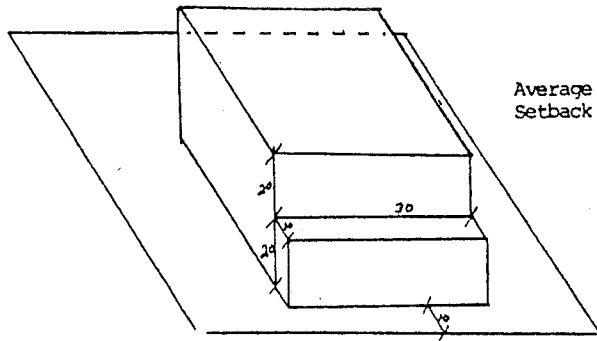


EXHIBIT 6 SIGHT TRIANGLE EXCEPTION

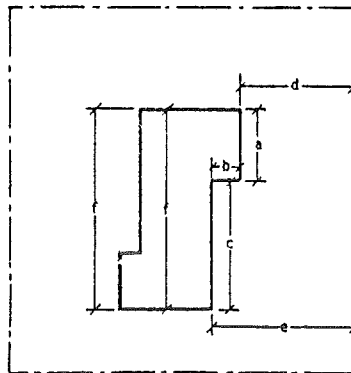


$$\text{Average Setback} = \frac{(10 \times 20 \times 30) + (20 \times 20 \times 30)}{(30 \times 40)}$$

equals Fifteen feet

EXHIBIT 86.F

Average Facade Setback, Institutions and Public Facilities



$$\text{average side yard} = \frac{(a \times d) + (c \times e)}{f}$$

EXHIBIT 86.G SIDE YARD AVERAGE

EXHIBIT 86.H

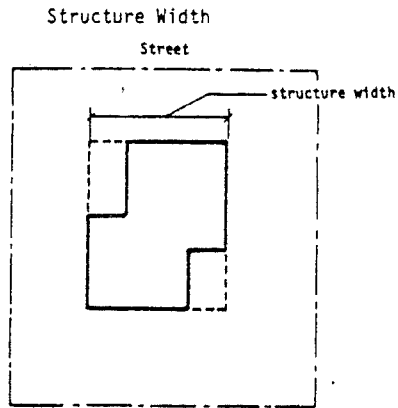


EXHIBIT 86.I

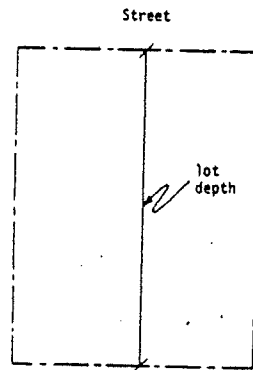
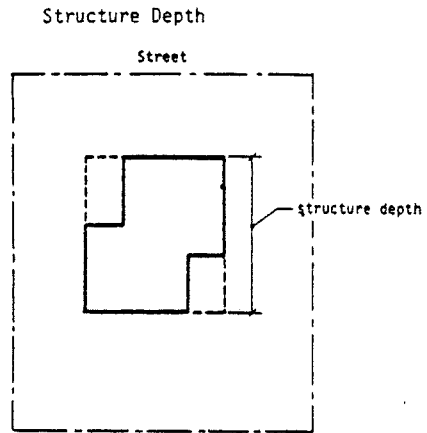
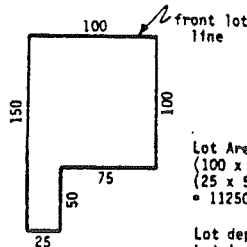


EXHIBIT 86.K

Measuring Lot Depth

EXHIBIT 86.J

Lot depth, rear lot line
not parallel to front lot
line for entire distance



$$\begin{aligned} \text{Lot Area} &= (100 \times 100) + (25 \times 50) \\ &= 11250 \end{aligned}$$

$$\begin{aligned} \text{Lot depth} &= \frac{\text{Lot Area}}{\text{Front lot line}} \\ &= \frac{11250}{100} \\ &= 112.5 \end{aligned}$$

EXHIBIT 86.L

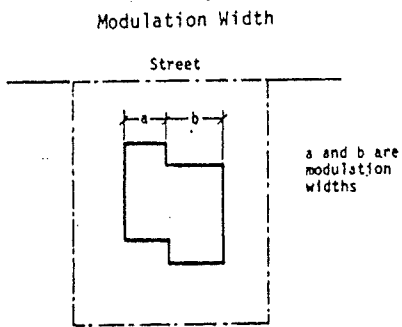


EXHIBIT 86.M

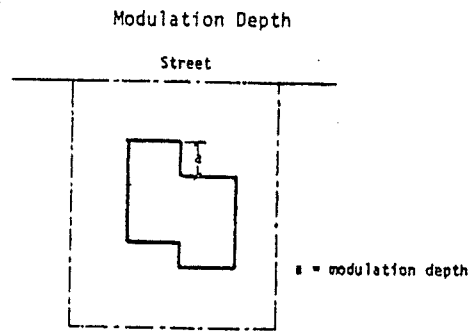
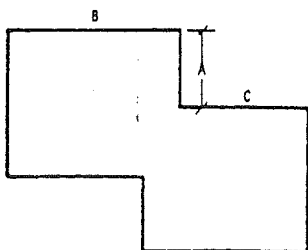
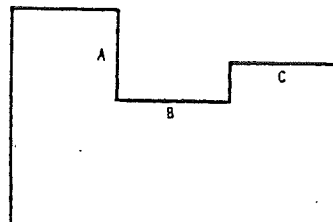


EXHIBIT 86.N



If modulation depth A allows the structure to qualify for increased modulation width (see Standard Development Requirements), then facade segments B and C each qualify for the extra width permitted.

EXHIBIT 86.O



Segment B maximum width is determined by modulation depth A, not C.

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

May 3, 1982

Michael Hildt
Acting Chairperson
Land Use Committee
Seattle City Council

RE: Multi-family Sections of the Land Use Code

Dear Mr. Hildt:

Attached hereto are corrections to the proposed multi-family sections of the Land Use Code. Please review these revised sections, determine which sections you prefer to adopt, and substitute pages, as appropriate.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By

Elizabeth A. Edmonds
ELIZABETH A. EDMONDS
Assistant City Attorney

EAE:fmh

Attachments

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

May 6, 1982

Michael Hildt
Acting Committee Chair
Land Use Committee
Seattle City Council

RE: Proposed Multi-family provisions of
the Land Use Code

Dear Mr. Hildt:

Attached hereto are additional revisions to proposed multi-family provisions of the Land Use Code. The definition revisions represent decisions made by your committee. The parking revisions have been made by the Department of Construction and Land Use.

Pages providing references to specific exhibit numbers, which previously had not been designated, are also attached.

Additional pages regarding alternatives to modulation will be provided by the Department of Construction and Land Use. These pages will provide the position of committee members who abstained on the issue.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By *Elizabeth A. Edmonds*
ELIZABETH A. EDMONDS
Assistant City Attorney

EAE:fmh

Attachments

C-312

Affidavit of Publication

City of Seattle

NOTICE

Distribution by the Seattle City Clerk's Office of free copies of the City's new Single- and Multi-Family Land Use Codes will cease as of January 1, 1983. Any person wishing a free copy of the Codes may pick one up in Room 101 of the Seattle Municipal Building, 600 Fourth Avenue, Monday-Friday, 8:00 a. m. to 5:00 p. m.

Date of publication, December 9, 1982. (C-312)

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 his 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

Legal Notice

was published on December 9, 1982

B. Blair
Subscribed and sworn to before me on

December 9, 1982

Richard C. Jones
Notary Public for the State of Washington,
residing in Seattle.



City of Seattle

Executive Department-Office of Management and Budget

John D. Saven, Director
Charles Royer, Mayor



April 29, 1982

Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING

DEPARTMENT: Department of Construction and Land Use

SUBJECT: An ordinance relating to amendments to the Zoning and Land Use Code.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By *James Muller*
for

JOHN SAVEN
Budget Director

JS/jm/ab

Enclosure

cc: Director, Construction and Land Use

110570

CSS 20.14

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on
to which was referred
C.B. 103042

Finance Land Use 5/10/82

Relating to zoning and land use: adding a new Subtitle III to Title 23 of the Seattle Municipal Code (Land Use Code) and repealing Section 24.98 to establish platting requirements; adopting an Official Land Use Map for all residential zones; adding a new Chapter 23.45 and new Sections 23.34.36, 23.34.38, 23.34.40, 23.34.42, 23.34.44, 23.40.10, 23.86.12, 23.86.14, 23.86.16, 23.86.18, 23.86.20, 23.86.22 to provide for multi-family zones in Title 23; and amending Sections 23.16.02, 23.30.10, 23.54.10, 23.54.20, 23.54.30, 23.76.06, 23.76.30, 23.84.04, 23.84.06, 23.84.18, 23.84.20, 23.76.30, 23.84.04, 23.84.06, 23.84.18, 23.94.20, 23.84.30, 23.84.32, 23.84.36, 23.84.36, 23.84.38, and 23.86.06 of Title 23 to conform to requirements of the multi-family provisions in Title 23.

.....	Chairman	Chairman
.....		
.....		
.....		
.....		
.....		
.....		
.....	Committee	Committee

1 Modulation shall be required if the front facade width
2 exceeds thirty feet with no principal entrance facing to the
3 street, or forty feet with a principal entrance facing to the
4 street.

5 B. Side facades

6 On corner lots, side facades greater than forty feet in
7 width which face the street shall be modulated.

8 C. Modulation standards

9 1. Minimum depth of modulation

10 a. The minimum depth of modulation shall be four
11 feet (Exhibit 23.45.8).

12 b. When balconies are part of the modulation and
13 have a minimum dimension of at least six feet and a minimum area
14 of at least sixty square feet, the minimum depth of modulation
15 shall be two feet (Exhibit 23.45.10).

16 2. The minimum width of modulation shall be five feet
17 (Exhibit 23.45.12).

18 3. Maximum width of modulation.

19 The modulation width shall emphasize the identity
20 of individual units, but shall not be greater than thirty feet.
21 For units located one above the other, the individuality of the
22 units shall be emphasized through the location of driveways,
23 entrances, walkways, and open spaces.

24 4. Required modulation may start a maximum of ten feet
25 above existing grade, and shall be continued up to the roof.

26 D. Administrative review for alternative facade treatments

27 The Director may authorize facade treatments other than
28 modulation to break the appearance of bulk of buildings which
otherwise meet all bulk requirements. Alternative facade treat-
ments shall be composed of elements such as structural features
like bay windows, balconies, chimneys and porches and nonstruc-
tural features like contrasting surface materials, trellises, and

1 ornamental trims which do not individually meet the modulation
2 requirements, but which, in combination, do meet the requirements
3 of breaking the appearance of bulk. The Director's review shall
4 be based on Rules stating guidelines for types and specifications
5 of features promulgated pursuant to Title 3 (Administrative
6 Code).

7 23.45.14 Lowrise 1, Setback Requirements

8 Front, rear and side setbacks shall be provided for all lots,
9 according to the following provisions:

10 A. Front setback

11 The required front setback shall be the average of the
12 setbacks of the first principal structures on either side, sub-
13 ject to the following provisions:

14 1. The front setback shall in no case be required to be
15 more than five feet greater than the setback of the first prin-
16 cipal structure on either side which is closer to the front lot
17 line.

18 2. The front setback shall not be required to exceed
19 twenty feet.

20 3. Portions of a structure in front setbacks

21 a. Portions of a structure may project into the
22 required front setback, as long as the average distance from the
23 front property line to the structure satisfies the minimum front
24 setback requirement.

25 b. No portions of a structure between existing
26 grade and ten feet above existing grade shall be closer to the
27 front lot line than five feet.

28 c. Portions of the facade which begin ten feet or
more above existing grade may project up to four feet beyond the
lower portion of the facade without being counted in setback
averaging.

1 (2) The maximum width of modulation may be
2 increased when facades are set back from the front lot line
3 further than the required front setback, according to the
4 following guideline: the width of modulation of such a facade
5 shall be permitted to exceed thirty feet by one foot for every
6 foot of facade setback beyond the required front setback. This
7 provision shall not be combined with the provisions of 3.b.(1)
8 above, nor shall it permit facades to exceed forty-five feet in
9 width without modulation.

4. Required modulation may start a maximum of ten feet
above existing grade, and shall be continued up to the roof.

D. Administrative review for alternative facade treatments

10 The Director may authorize facade treatments other than
11 modulation to break the appearance of bulk of buildings which
12 otherwise meet all bulk requirements. Alternative facade treat-
13 ments shall be composed of elements such as structural features
14 like bay windows, balconies, chimneys and porches, and nonstruc-
15 tural features like contrasting surface materials, trellises, and
16 ornamental trims, which do not individually meet the modulation
17 requirements, but which, in combination do meet the requirements
18 of breaking the appearance of bulk.

19 The Director's review shall be based on Rules stating
20 guidelines for types and specifications of features promulgated
21 pursuant to Title 3 (Administrative Code).

23.45.14 Lowrise 2, Setback Requirements

22 Front, rear and side setbacks shall be provided for all lots,
23 according to the following provisions:

24 A. Front setback

25 The required front setback shall be the average of the
26 setbacks of the first principal structures on either side, sub-
27 ject to the following provisions:

1 b. When balconies are part of the modulation and
2 have a minimum dimension of at least six feet and a minimum area
3 of at least sixty square feet, the minimum depth of modulation
4 shall be two feet (Exhibit 23.45.56).

5 2. The minimum width of modulation shall be five
6 feet (Exhibit 23.45.54).

7 3. Maximum width of modulation

8 a. The maximum width of modulation shall be thirty feet

9 b. Exceptions to maximum width of modulation

10 (1) When facades provide greater depth of
11 modulation than four feet, then for every foot of modulation
12 depth in excess of four feet, the width of modulation may be
13 increased by two and one-half feet, to a maximum width of forty-
14 five feet.

15 (2) The maximum width of modulation may be
16 increased when facades are set back from the front lot line
17 further than the required front setback, according to the
18 following guideline: the width of modulation of such a facade
19 shall be permitted to exceed thirty feet by one foot for every
20 foot of facade setback beyond the required setback. This provi-
21 sion shall not be combined with the provisions of 3.b.(1) above,
22 nor shall it permit facades to exceed forty-five feet in width
23 without modulation.

24 4. Required modulation may start a maximum of ten feet
25 above existing grade, and shall be continued up to the roof.

26 D. Administrative review for alternative facade treatments

27 The Director may authorize facade treatments other than
28 modulation to break the appearance of bulk of buildings which
otherwise meet all bulk requirements. Alternative facade treat-
ments shall be composed of elements such as structural features

1 like bay windows, balconies, chimneys and porches, and nonstruc-
2 tural features like contrasting surface materials, trellises, and
3 ornamental trims, which do not individually meet the modulation
4 requirements, but which, in combination do meet the requirements
5 of breaking the appearance of bulk.

6 The Director's review shall be based on Rules stating
7 guidelines for types and specifications of features promulgated
8 pursuant to Title 3 (Administrative Code).

9 Section 23.45.42 Lowrise 3, Setback Requirements

10 Front, rear and side setbacks shall be provided for all lots,
11 according to the following provisions:

12 A. Front setback

13 The required front setback shall be the average of the
14 setbacks of the first principal structures on either side (Figure
15 5), subject to the following provisions:

16 1. The front setback shall in no case be required to
17 be more than five feet greater than the setback of the first
18 principal structure on either side which is closer to the front
19 lot line.

20 2. The front setback shall not be required to exceed
21 fifteen feet.

22 3. Portions of a structure in front setbacks

23 a. Portions of a structure may project into the
24 required front setback, as long as the average distance from the
25 front property line to the structure satisfies the minimum front
26 setback requirement.

27 b. No portions of a structure between existing
28 grade and ten feet above existing grade shall be closer to the
front lot line than five feet.

c. Portions of the facade which begin ten feet or
more above existing grade may project up to four feet beyond the

2. The minimum width of modulation shall be ten feet
(Exhibit 23.45.76).

3. Maximum width of modulation

a. The maximum width of modulation shall be forty feet.

b. Exceptions to maximum width of modulation

(1) When facades provide greater depth of modulation than eight feet, then for every foot of modulation depth in excess of eight feet, the width of modulation may be increased by two and one half feet to a maximum width of fifty feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed forty feet by one foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 3.b.(i) above, nor shall it permit facades to exceed fifty feet in width without modulation.

4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the roof.

D. Administrative review for alternative facade treatments

The Director may authorize facade treatments other than modulation to break the appearance of bulk of buildings which otherwise meet all bulk requirements. Alternative facade treatments shall be composed of elements such as structural features like bay windows, balconies, chimneys and porches, and nonstructural features like contrasting surface materials, trellises, and ornamental trims, which do not individually meet the modulation requirements, but which in combination do meet the requirements of breaking the appearance of bulk.

1 The Director's review shall be based on Rules stating
2 guidelines for types and specifications of features promulgated
3 pursuant to Title 3 (Administrative Code).

4 23.45.56 Midrise, Setback Requirements

5 Front, rear and side setbacks shall be provided for all lots,
6 according to the following provisions:

7 A. Front setback

8 The required front setback shall be the average of the
9 setbacks of the first principal structures on either side (Figure
10 5), subject to the following provisions:

11 1. The front setback shall in no case be required to be
12 more than five feet greater than the setback of the first prin-
13 cipal structure on either side which is closer to the front lot
14 line.

15 2. The front setback shall in no case be required to
16 exceed fifteen feet.

17 3. Portions of the structure in front setbacks.

18 a. Portions of a structure may project into the
19 required front setback, as long as the average distance from the
20 front property line to the structure satisfies the minimum front
21 setback requirement.

22 b. No portions of a structure between existing
23 grade and ten feet above existing grade shall be closer to the
24 front/lot line than five feet.

25 c. Portions of the facade which begin ten feet or
26 more above existing grade may project up to four feet beyond the
27 lower portion of the facade, without being counted in setback
28 averaging.

d. Portions of the facade which begin ten feet
or more above existing grade shall be no closer than three feet
to the front lot line.

2. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum area of sixty square feet, the minimum depth of modulation shall be reduced by two feet (Exhibit 23.45.94).

3. The minimum width of modulation shall be five feet (Exhibit 23.45.92).

4. Maximum width of modulation

a. The maximum width of modulation shall be thirty feet.

b. Exceptions to maximum width of modulation:

(1) When facades provide greater depth of modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be increased two and one-half feet, to a maximum width of fifty feet.

(2) The maximum width of modulation may be increased when facades are set back from the front lot line further than the required front setback, according to the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 4.b.(1) above, nor shall it permit facades to exceed fifty feet in width without modulation.

5. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to a height of at least thirty-seven feet.

C. Administrative review for alternative facade treatments

The Director may authorize facade treatments other than modulation to break the appearance of bulk of buildings which otherwise meet all bulk requirements. Alternative facade treatments shall be composed of elements such as structural features

1 like bay windows, balconies, chimneys and porches, and nonstruc-
2 tural features like contrasting surface materials, trellises, and
3 ornamental trims, which do not individually meet the modulation
4 requirements, but which, in combination do meet the requirements
5 of breaking the appearance of bulk.

6 The Director's review shall be based on Rules stating
7 guidelines for types and specifications of features promulgated
8 pursuant to Title 3 (Administrative Code).

9 Section 23.45.72 Highrise Setback Requirements

10 Front, rear and side setbacks shall be provided for all lots,
11 according to the following provisions:

12 A. Front setback

13 1. Facades or portions of facades thirty-seven feet in
14 height or less

15 The minimum front setback for facades or portions
16 of facades thirty-seven feet in height or less shall be the
17 average of the setbacks of the first principal structures on
18 either side, (Figure 5) subject to the following provisions:

19 a. The front setback shall in no case be required
20 to be more than five feet greater than the setback of the first
21 principal structure on either side which is closer to the front
22 lot line.

23 b. The front setback shall in no case be required
24 to exceed ten feet.

25 c. Portions of the structure in front setbacks.

26 (1) Portions of a structure may project into
27 the required front setback, as long as the average distance from
28 the front property line to the structure satisfies the minimum
front setback requirement.

(2) Any projection of the facade which begins
at existing lot grade shall be no closer to the front lot line