ORDINANCE No. 110793

COUNCIL BILL No.

AN ORDINANCE relating to land use; amending Sections 23.30.10, 23.34.34, 23.44.10, 23.44.12, 23.44.20, 23.44.46, 23.44.80, 23.45.04, 23.45.05, 23.45.08, 23.45.10, 23.45.14, 23.45.16, 23.45.18, 23.45.22, 23.45.24, 23.45.26, 23.45.28, 23.45.30, 23.45.32, 23.45.36, 23.45.38, 23.45.40, 23.45.42, 23.45.44, 23.45.46, 23.45.50, 23.45.52, 23.45.54, 23.45.56, 23.45.58, 23.45.60, 23.45.66, 23.45.70, 23.45.72, 23.45.76, 23.45.86, 23.45.90, 23.45.96, 23.45.98, 23.45.102, 23.45.106, 23.45.108, 23.45.118, 23.45.122, 23.45.140, 23.45.146, 23.45.154, 23.45.166, 23.45.180, 23.45.182, 23.45.184, 23.45.190, 23.54.10, 23.54.20, 23.54.30, 23.76.14, 23.76.24, 23.76.36, 23.78.10, 23.84.06, 23.84.08, 23.84.10, 23.84.12, 23.84.24, 23.84.25, 23.84.32, 23.84.36, 23.84.38, 23.84.44, 23.86.10, 23.86.12, 23.86.14, 23.89.16, 23.86.18, 23.88.20, 23.90.18., of the Seattle Municipal Codes

<u>111259</u>

Lun Department

COMPTROLLER FILE No.

Introduced: SEP 7 1982	BY: EXECUTIVE REASEST
Referred:	Tg:
Referral:	To:
Referred	To:
Reported SEX 2 / 1982	Second Reading: SEP 2 7 1982
Third Reading: SEP 27 1982	Signed: SEP 2.7 1982
Presented to Maypy 28 982	Approved 0CT 7 1982
Returned to City Clerk: OCT 7 1982	Pablished:
Vetoed by Mayor:	Veto Published:
sed over Veto:	Veto Sustained: OK

.30.10, 23.34.34, 3.45.04, 23.45.05, 3.45.22, 23.45.24, 3.45.38, 23.45.40, 3.45.54, 23.45.56, 3.45.76, 23.45.86, 23.45.108, 23.45.118, 66, 23.45.180, 23.45.182, 23.76.14, 23.76.24, 3.84.12, 23.84.24, 3.86.10, 23.86.12, attle Municipal Cod

cnt.

ORDINANCE 110793

1 2 3 4 5 6 7 8	AN ORDINANCE relating to land use; amending Sections 23.30.10, 23.34.34, 23.44.10, 23.44.12, 23.44.20, 23.44.46, 23.44.80, 23.45.04, 23.45.05, 23.45.08, 23.45.10, 23.45.14, 23.45.16, 23.45.18, 23.45.22, 23.45.24, 23.45.26, 23.45.28, 23.45.30, 23.45.32, 23.45.36, 23.45.38, 23.45.40, 23.45.42, 23.45.44, 23.45.46, 23.45.50, 23.45.52, 23.45.54, 23.45.56, 23.45.58, 23.45.60, 23.45.66, 23.45.70, 23.45.72, 23.45.102, 23.45.106, 23.45.108, 23.45.118, 23.45.122, 23.45.140, 23.45.106, 23.45.154, 23.45.166, 23.45.180, 23.45.182, 23.45.184, 23.45.190, 23.54.10, 23.54.20, 23.54.30, 23.76.14, 23.76.24, 23.76.36, 23.78.10, 23.84.06, 23.84.08, 23.84.10, 23.84.12, 23.84.24, 23.84.25, 23.84.32, 23.84.36, 23.84.38, 23.84.44, 23.86.10, 23.86.12, 23.86.14, 23.86.16, 23.86.18, 23.88.20, 23.90.18 of the Seattle Municipal Code.
9	BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
10	Section 1. Section 23.30.10 is amended to read as follows:
11	23.30.10 Classifications for the Purposes of this Subtitle
12	All land within the City of Seattle shall be classified as
13	being either within one of the following land use zones or a zone retained under Table 24 and regulated accordingly:
14	Zones <u>Abbreviated</u>
15	Residential, Single Family 9600 SF 9600
16	Residential, Single Family 7200 SF 7200
17	Residential, Single Family 5000 SF 5000
18	Residential, Multi-Family, Lowrise 1 <u>L1</u>
19	Residential, Multi-Family, Lowrise 2 <u>L2</u>
	Residential, Multi-Family, Lowrise 3 <u>L3</u>
20	Residential, Multi-Family, Midrise MR
21	Residential, Multi-Family, Highrise <u>HR</u>
22	Section 2. Section 23.34.34 is amended to read as follows:
23	23.34.34 Transition
24	Pending adoption of specific criteria for ((other than single
25	family zones)) zones regulated by this Title, the general criteria of Section 23.34.28 and the adopted Land Use Policies or
26	comprehensive plan policies shall pertain to requests for changes to the respective zones.
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Section 3. Subsection 23.44.10D, as last amended by Ordinance 110669, is further amended to read as follows: Ť Lot Coverage Exceptions D. 2 Corner Lots 1. З For the purpose of computing the lot coverage only, the width of a corner lot or of a lot where a side lot line 4 abuts upon a street or alley may be increased by one-half the width of the abutting side street or alley. The total lot area may not be increased by more than twenty-five percent. 5 2. Special Structures and Portions of Structures 6 The following structures and portions of structures shall not be counted in lot coverage calculations: 7 8 Access Bridges а. Uncovered, unenclosed bridges of any height necessary for access and five feet or less in width. 9 10 Barrier-Free Access b. 11 Ramps or other access for the disabled or elderly meeting Washington State Rules and ((+))Regulations 12 ((and rules)) for ((b))Barrier-((f))Free ((access)) Design. 13 c. Decks Decks or parts of a deck which are eighteen 14 inches or less above the existing grade. 15 Freestanding Structures and Bulkheads đ. 16 Fences, freestanding walls, bulkheads, signs, and other similar structures. 17 **Underground Structures** е. 18 An underground structure, or underground portion of a structure, may occupy any part of the entire lot. 19 £. Eaves and Gutters 20 The first eighteen inches of eaves and gutters 21 projecting from the principal structure. g. Solar collectors meeting the provisions of Section 23.44.46 and swimming pools meeting the provisions of 22 Section 23.44.44. 23 Section 4. Subsection 23.44.12B, last amended by Ordinance 110669, is further amended to read as follows: 24 25 26 27 -2-28

B. Special Features.

1. Pitched Roofs

The ridge of a pitched roof on a principal structure may extend up to five feet above the thirty-foot height limit. All parts of the roof above the height limit must be pitched at a rate of not less than three to twelve((+())Exhibit((+ 44A, B)) 44.12A.) No portion of a shed roof shall be permitted to extend beyond the thirty-foot height limit under this provision.

2. Sloped Lots

Additional height shall be permitted for sloped lots, at the rate of one foot for each six percent of slope. The additional height shall be permitted on the downhill side of the structure only, as described in the measurements portion of this Land Use Code, Exhibit 44.12B.

When the downhill portion of a sloped lot fronts on a street and the required front yard exemption in subsection 23.44(-08(d)(1))]14A is claimed, the permitted height of the wall along the lowest ((evaluation)) elevation of the site shall be reduced one foot for each foot of exemption claimed. In no case((τ)) shall the height of the wall be required to be less than thirty feet.

Section 5. Subsection 23.44.20A is amended to read as follows:

23.44.20 Special Residences

Special residences including nursing homes licensed by the State or convalescent homes, group homes or halfway houses are permitted as conditional uses subject to the following modifications of development standards:

A. Dispersion

1. ((A)) The lot line of any new or expanding special residence shall ((not)) be ((established or expanded on a lot which is within)) located six hundred feet ((Θ f)) or more from any lot line of any other special residence in a residential zone.

2. No special residence shall be established in an area where it would increase the number of special residences located within a one-half mile radius from the proposed residence to more than five.

3. A proposed new or expanding special residence which does not meet the dispersion criteria may be permitted by the Director upon a determination that the intent of the criteria is achieved because of the presence of physical elements such as bodies of water, large open spaces, or topographical breaks or other elements such as arterials, freeways or non-residential uses, which provide substantial separation from other existing special residences. In that

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case, the Director's determination may permit both the expansion of the structure and/or the number of beds. 1 Section 6. Subsection 23.44.46A, as last amended by Ordinance 110669, is further amended to read as follows: 2 23.44.46 Solar Collectors 3 Solar collectors are permitted outright as an accessory 4 use to any principal use permitted outright or to a permitted conditional use subject to the following development standards 5 ((Freestanding s)) Solar collectors, ((or those projecting beyond the principal or accessory structure to 6 which they are attached,)) including solar greenhouses which meet minimum standards and maximum size limits as determined 7 by the Director, shall not be counted in lot coverage ((calculations)). 8 Section 7. Section 23.44.80, as last amended by Ordinance 110669, is amended to add the following subsection: 9 10 G. Legally established uses which were permitted outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 23.44.18 through 23.44.32. 11 12 Except as provided in C and E above, legally ((G))H. established nonconforming uses may be changed by an adminis-13 trative conditional use authorization to other uses otherwise not permitted in the zone. 14 The Director must find that the new use is no more detrimental to property in the zone and vicinity than the 15 This determination shall be based on the existing use. following factors: 16 The zones in which both the existing use a. 17 and the new use are allowed; The number of employees and clients 18 b. associatd with the proposed use; 19 c. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses. 20 2. Parking requirements for uses permitted under 21 this section shall be determined by the Director. If the new use is permitted, the Director may 22 3. require additional mitigating measures including but not limited to landscaping, sound barriers or fences, mounding or 23 berming, adjustments to yards or parking standards, design modification, or setting hours of operation. 24 Section 8. Subsection 23.45.04A is amended to read as 25 follows: 26 27 -4-28

	23.45.04 Principal Uses Permitted Outright	
Ĩ	A. The following principal uses shall be permitted outright in Lowrise 1 zones:	
2	1. Single family dwelling units	
3	 Ground-related multi-family structures such as duplexes, triplexes, and townhouses((7 and tandem houses)) 	
	3. Boarding houses	
5	4. Group homes	
6	5. Halfway houses meeting all development standards	
7	6. Nursing homes meeting all development standards	
8	7. Institutions meeting all development standards	
9	8. Public facilities meeting all development standards	;
10	Section 9. Subsection 23.45.05B is amended to read as follows:	
	B. ((Required setbacks for existing single family	
12	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	
13	of the structure shall be the delineation of the required setback for any additions, including basement additions	
14	(Exhibit 23.45.2). All new walls shall comply with the following requirements:))	
15	Certain additions may extend into a required setback when	
16	an existing single family structure is already nonconforming with respect to that setback where the presently nonconforming	
17	section is at least sixty percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall	
18	be the limit to which any additions may be built, which may extend up to the height limit and may include basement addi-	
19	tions, Exhibit 45.05A. New additions to a nonconforming wall or walls shall comply with the following requirements:	
20	 When it is a side wall, it is at least three feet from the side property line; 	
21	2. When it is a rear wall, it is at least ten feet	
22	from the rear property line or center line of an alley abutting the rear property line;	
23	3. When it is a front wall, it is at least ten feet	
24	from the front property line.	
25	Section 10. Subsections 23.45.08 C and D are amended to read as follows:	
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	CS 19.2	

с. Pitched roofs

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The ridge of pitched roofs on principal structures ((shall be allowed to)) may extend up to thirty-five feet. ((τ so long as the entire portion above thirty feet has a minimum of three-in-twelve pitch)) All parts of the roof above thirty feet must be pitched at a rate of not less than three to twelve, ((Exhibit 23.45.6))) Exhibit 45.08B. No portion of a shed roof shall be permitted to extend beyond the thirtyfoot height limit under this provision. 5 Rooftop features D. Radio and television receiving aerials, flag-6 1. poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74, 7 ((+))Airport Height District((+)), provided they are no closer than fifty percent of their height above existing grade, or, 8 if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, to any 9 adjoining lot line. 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 10 11 set in ((Section 23.45.08)) subsections A and B above. 12 3. The following rooftop features may extend ten feet above the maximum height limit set in Section 23.45.08 A 13 and B above, so long as the combined total coverage of all features does not exceed fifteen percent of the roof area or 14 twenty percent of the roof area if the total includes screened mechanical equipment: 15 stair and elevator penthouses 16 mechanical equipment 17 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge 18 - chimneys. 19 For height exceptions for solar collectors, see 20 Section 23.45.146, Solar Collectors. 21 In order to protect solar access for property to 5. the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of 22 the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade pro-23 perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk: 24 solar collectors 25 planters 26 clerestories 27 -6-28

-	- greenhouses
1	- dish antennae
2	 non-firewall parapets
з	- play equipment <u>.</u>
4	Section ll. Subsection 23.45.10B is amended to read as follows:
5	B. Maximum depth
6	<u>The maximum depth of a structure shall be sixty-five</u> percent of the depth of the lot.
7	((1. The maximum depth of a structure when the front
8	facade is not modulated according to the standards of Section 23.45.12C or D shall be fifty percent of the depth of the lot.
9	2. The maximum depth of a structure when the front
10	facade is modulated according to the standards of Section 23.45.12C or D shall be sixty-five percent of the depth of the lot.)
11	Section 12. Subsections 23.45.14A, C and D are amended to
12	read as follows:
13	23.45.14 Lowrise 1, Setback Requirements
14	Front, rear and side setbacks shall be provided for all lots, according to the following provisions:
15	A. Front setback
16 17	The required front setback shall be the average of the setbacks of the first principal structures on either side, sub ject to the following provisions:
18	1. The front setback shall in no case be required to be more than five feet greater than the setback of the first principal structure on either side which is closer to the
20	front lot line.
20	2. The front setback shall not be required to exceed twenty feet.
21	3. Portions of a structure in front setbacks
22	a. Portions of a structure may project into the
23	required front setback, as long as the average distance from the front property line to the structure satisfies the minimum
24	front setback requirement.
25	b. No portions of a structure between existing grade and ten feet above existing grade shall be closer to the front lot line than five feet.
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Portions of the facade which begin ((ten)) C. eight feet or more above existing grade may project up to four 1 feet beyond the lower portion of the facade without being counted in setback averaging, Exhibit 45.14A. 2 Portions of the facade which begin ((ten)) đ. eight feet or more above existing grade shall be no closer to З the front lot line than three feet, Exhibit 45.14B. 4 4. Front setback exceptions 5 Structures along heavily traveled arterials a. In order to reduce noise and glare impacts, 6 multi-family structures located on arterials with more than fifteen thousand average vehicle trips per day, according to 7 Engineering Department data, shall be allowed a reduction in the required front setback. The required front setback along 8 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, 9 whichever is less. A list of such arterials shall be maintained by the Department. 10 b. Through lots 11 In the case of a through lot, each setback 12 abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot. 13 * * Side setbacks С. 14 The required side setback in Lowrise 1 zones 1. shall be five feet. This setback may be averaged along the 15 entire structure depth, but shall at no point be less than three feet. 16 Side setback exceptions 2. 17 Where there is a principal entrance along a a. side facade, the minimum setback shall be five feet. 18 Averaging shall not be permitted. When the entrance is essentially parallel to the side lot line, the minimum setback shall be ten feet. When the entrance is not essentially 19 parallel to the side lot line, the midpoint of the door shall 20 be no less than seven and one-half feet from the property line, (((Exhibit 23.45.14))) Exhibit 45.14C. 21 The side street setback of a reversed b. corner lot shall be one half the depth of the key lot's front 22 setback, but shall not be less than ten feet, nor be required to exceed twenty feet. Averaging shall not be permitted, (((Exhibit 23.45.16))) Exhibit 45.14D. 23 24 When the depth of a structure exceeds C. sixty-five feet, an additional setback shall be required for 25 that por tion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. 26 ((The additional setback)) The side setback requirement for portions of walls subject to this provision shall be provided as shown in the following chart: 27 -8-28

		Side Setb	ack Requires	ents for St	tructures			
	<u>Side Setback Requirements for Structures</u> <u>Greater than Sixty-Five Feet in Depth</u>							
		Н	0-10	11-20	21-30	31-40		
		D		Side Setba		y ministrika fondala seri kan		
		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		
1								
2		For structur	es greater (han 135 fe	et in dept	h, the pat-		
	tern established in the charts shall be continued.							
3		tern establi	ished in the	charts sha	ll be cont	inued.		
		tern establi	ished in the	charts sha	ll be cont	inued.		
4		tern establi greatest heig						
4 5		: 	ght of facade	e beyond si	xty-five-f	oot depth		
4 5 6	(in	greatest heig	ght of facade ad from front	e beyond si c of the st	xty-five-f ructure).	oot depth In the cas		
4 5 6 7	(in of a	greatest heig feet, measure	ght of facade ad from front , the applica	e beyond sit of the st ant may dec	xty-five-f ructure).	oot depth In the cas		
4 5 6 7 8	(in of a faca	greatest heig feet, measure a through lot,	ght of facade ed from fron , the applica considered th	e beyond sin of the stant may decome front.	xty-five-f ructure).	oot depth In the cas		
4 5 7 8 9	(in of a faca	greatest heig feet, measure a through lot, ade is to be c	ght of facade ed from fron , the applica considered th	e beyond sin of the stant may decome front.	xty-five-f ructure).	oot depth In the cas		
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4 5 6 7 8 9 0 1 2 3 4	(in of a faca D = D. located required	greatest heig feet, measure a through lot, ade is to be o depth of stru General setk 1. Require Where t on one lot, (i setbacks bet	ght of facade ed from front , the application considered the acture (in fe back exception ed setbacks in two or more p (((Exhibit 2) tween struct)	e beyond sin of the stant may decome front. eet). For cluster principal s 3.45.18)) ures shall	xty-five-f ructure). ide which developme tructures <u>Exhibit 45</u> be provide	n the cas street ents are 0.14E, ed as		
4 5 6 7 8 9 0 1 2 3 4 5	(in of a faca D = D. located required	greatest heig feet, measure a through lot, ade is to be o depth of stru General setk 1. Require Where t on one lot, (i setbacks bet a. No	ght of facade ed from front , the applica considered th acture (in fe back exception ed setbacks is two or more p (((Exhibi t 2)	e beyond sin of the stant may decome front. eet). For cluster principal s 3.45.18)) ures shall	xty-five-f ructure). ide which developme tructures <u>Exhibit 45</u> be provide	n the cas street ents are 0.14E, ed as		
4 5 6 7 8 9 0 1 2 3 2 4 5 6	(in of a faca D = D. located required follows:	greatest heig feet, measure a through lot, ade is to be o depth of stru General setk 1. Require Where t on one lot, (i setbacks bet a. No	ght of facade ed from front , the application considered the acture (in fe back exception ed setbacks in two or more p (((Exhibit 2) tween struct)	e beyond sin of the stant may decome front. eet). For cluster principal s 3.45.18)) ures shall	xty-five-f ructure). ide which developme tructures <u>Exhibit 45</u> be provide	n the cas street ents are 0.14E, ed as		
3 4 5 6 7 8 9 20 1 20 21 22 23 24 25 26 27 28	(in of a faca D = D. located required follows:	greatest heig feet, measure a through lot, ade is to be o depth of stru General setk 1. Require Where t on one lot, (i setbacks bet a. No	ght of facade ed from front , the application considered the acture (in fe back exception ed setbacks in two or more p (((Exhibit 2) tween struct)	e beyond sin of the stant may deca ne front. eet). ons for cluster principal s 3.45.18})) ires shall be less t	xty-five-f ructure). ide which developme tructures <u>Exhibit 45</u> be provide	n the cas street ents are 0.14E, ed as		
4 5 6 7 8 9 0 1 2 3 2 4 5 6	(in of a faca D = D. located required follows:	greatest heig feet, measure a through lot, ade is to be o depth of stru General setk 1. Require Where t on one lot, (i setbacks bet a. No	ght of facade ed from front , the application considered the acture (in fe back exception ed setbacks in two or more p (((Bxhibi t 2) tween struct) o walls shall	e beyond sin of the stant may deca ne front. eet). ons for cluster principal s 3.45.18})) ires shall be less t	xty-five-f ructure). ide which developme tructures <u>Exhibit 45</u> be provide	n the cas street ents are 0.14E, ed as		

A principal entrance to a structure shall b. be at least fifteen feet from the nearest interior facade 1 which contains no principal entrance. 2 A principal entrance to a structure shall c. be at least twenty feet from the nearest interior facade which contains a principal entrance. З Within a cluster development, ((the maximum đ. 4 facade width without modulation shall be thirty feet for all interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of Section 23.45.12Cl, 2, and 4 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard 5 6 development requirements. 7 Structures in cluster developments may be e. connected by underground garages or elevated walkways((+)), 8 provided that: 9 (1) One elevated walkway shall be per-mitted to connect any two structures in the development; 10 (2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained. 11 12 2. Structures in required setbacks 13 Detached garages, carports, or other a. 14 accessory structures are permitted in the required rear or side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side lot line shall provide the setback required for the principal structure, Exhibit 45.14F. All such accessory structures shall be no greater than twelve feet in height above existing 15 16 grade, with open rails permitted above twelve feet. 17 b. Ramps or other devices necessary for access 18 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. 19 c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are 20 permitted in required front, side and rear setbacks. 21 d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater 22 than six feet in height, are permitted in required front, side, or rear setbacks. 23 Decks which average no more than eighteen e. 24 inches above existing grade may project into required set-backs. Such decks shall not be permitted within five feet of 25 any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of the fence or wall. 26 The fence or wall shall be no higher than six feet. 27 -10-28

f. Underground structures are permitted in all

setbacks.

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

<u>3.</u> <u>Ground related housing developed as townhouse</u> <u>dwellings may have zero setbacks along common walls.</u>

Section 13. Subsections 23.45.16 A and B are amended to read as follows:

23.45.16 Lowrise 1, Open Space Requirements

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

A. Quantity

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

2. On lots with slopes of twenty percent or more, ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping ground-level 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 23.45.16 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.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living space of any unit.

B. Development standards

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

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

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

4. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing units are single family dwelling units.

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Parking areas, driveways and pedestrian access except for pedestrian access meeting the Washington State 1 Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 2 Portions of a structure which begin ten feet or ((++++) more above existing grade may project up to four feet over З required open space.)) 4 Subsections 23.45.18 A, B and C are amended Section 14. to read as follows: 5 23.45.18 Lowrise 1, Parking and Access Standards 6 Α. Parking quantity 7 One off-street parking space per dwelling unit is 1. required. 8 Reductions to the quantity of parking spaces 9 provided may be made for: low-income housing for the elderly and disabled((; provision of spaces for two-wheeled vehicles;)) and the addition of residential units to existing 10 structures, ((7 and the joint use of existing parking,)) according to Section 23.54.20, Parking Quantity Exceptions. 11 Exceptions to the quantity of required parking 3. 12 shall be permitted when residential units are added to nonconforming uses and structures, according to the provisions of Subchapter $4_{...}((+))$ Nonconforming Uses and Structures((+)). 13 14 в. Access to parking 1. Alley access required 15 Except when one of the conditions listed in 16 subsections B2 or B3 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to 17 the standards of Section 23.54.10C. Street access ahll not be permitted. 18 2. Street access required 19 Access to parking shall be from the street when: 20 Location of alley access would create a a. significant safety hazard; 21 The lot does not abut a platted area. b. 22 3. Street or alley access permitted 23 Access to parking may be from either the alley or the street ((under any of the following conditions)) when the conditions listed in subsection B2 above do not apply, and 20 one or more of the following conditions are met: 25 ((b))<u>a</u>. The alley borders a single family zone; 26 ((e))<u>b</u>. Topography makes alley access infeasible((+)); 27 -12-28

((a)) c. The alley is not improved to the standards of subsection 23.43.10C. If such an alley is used for access, it shall be improved according to the standards of Section 23.54.10C. Location of parking с. principal use. Parking shall be located on the same site as the $((\pm))2.$ Parking may be located: a. Between the structure and the side or rear lot line, except as provided in Section 23.45.14D2, if the parking is screened from direct street view as provided in Section 23.45.18D below, (((Exhibit 23.45.20))) Exhibit 45.18A. b. In or under the structure, provided that the parking is screened from direct street view by the front facade of the structure and/or by garage doors, (((Exhibit 23.45.20B))) Exhibit 45.18B, or by a fence and landscaping as provided in Section 23.45.18D below, 10 (((Exhibit 23.45.20C))) Exhibit 45.18C. 11 ((2))3. No open parking shall be permitted between a structure and the front lot line, or in the required front 12 setback, except as provided in paragraphs C3, C4, C5, and C6 of this Section. 13 ((3))4.For through lots less than one hundred feet in 14 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. 15 ((4)) 5. For corner lots, parking between the structure 16 and the street shall be permitted along one street frontage only. 17 $((5))_{6}$. The Director may permit variations from the development standards for parking location and design and 18 curbcut quantity, including permitting the location of parking between the structure and the front lot line, for lots which 19 have no alley access and which meet one or more of the following conditions: 20 Street frontage of less than eighty feet; a. 21 b. Lot depth of less than one hundred feet; 22 A rise or drop of twelve feet or more in c. the first sixty feet from the street. 23 In order to permit such alternative parking 24 solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and 25 drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and 26 unobstructed traffic flow. 27 28 -13-

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When the front setback is averaged across the ((6))7. width of the front facade, parking shall be permitted between the structure and the front property lines but not in the 1 required front setback, Exhibit 45.18D. 2 Subsection 23.45.22 C and D are amended to Section 15. read as follows: З C. Pitched roofs 4 The ridge of pitched roofs on principal structures ((shall be allowed to)) may extend up to thirty-five feet. ((r so long as the entire portion above thirty feet has a minimum of three-in-twelve pitch (Exhibit 23.45.26))) All parts of the roof above thirty feet must be pitched at a rate of not less than three to twelve, Exhibit 45.26B. No portion of a shed roof shall be permitted to extend beyond the thirty-foot height limit under 5 6 7 this provision. 8 Rooftop features D. 9 Radio and television receiving aerials, flag-1. poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74, 10 ((+))Airport Height District((+)), provided they are no closer than fifty percent of their height above existing grade, or, 11 if attached only to the roof, no closer than fifty percent of 12 their height above the roof portion where attached, to any adjoining lot line. 13 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 14 set in ((Section 23.45.22)) subsections A and B above. 15 The following rooftop features may extend ten 3. 16 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 17 twenty percent of the roof area if the total includes screened mechanical equipment: 18 stair and elevator penthouses 19 mechanical equipment 20 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from 21 the roof edge 22 chimneys. 23 4. For height exceptions for solar collectors, see Section 23.45.146, Solar Collectors. 24 In order to protect solar access for property to 5. the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of 25 the roof, or provide shadow diagrams to demonstrate that the 26 proposed location of such rooftop features would shade property to the north on January 21 at noon no more than would a 27 structure built to maximum permitted bulk: 28 -14-

	- solar collectors
1	- planters
2	- clerestories
3	- greenhouses
4	- dish antennae
5	 non-firewall parapets
6	- play equipment.
7	Section 16. Subsection 23.45.24B is amended to read as follows:
8	B. Maximum depth
9	 The maximum depth of a structure ((when the front facade is not modulated according to the standards of Section 23.45.26C or D shall be fifty percent of the depth of the lot.
4	2. When the front facade modulated according to the
12	standards of Section 23.45.12C or D, the maximum permitted depth of each structure on a lot)) shall be:
13	a. Ground-related housing: sixty-five percent of lot depth((-));
14	b. Terraced housing on slopes of twenty-five percent or more: no maximum depth limit($(-)$); and
15	c. Apartments: sixty-five percent of lot
16	depth.
17	((3))2. Exceptions to maximum depth requirements
18	((a.)) Structure depth is permitted to exceed sixty-five percent of lot depth, (((Exhibit 23.45.28))) Exhibit 45.24A, subject to the following conditions:
19	((+)) a. The total lot coverage shall not be
20	greater than that which would have been possible by meeting standard development requirements for maximum width, depth,
21	and setbacks.
22	((+2+)) <u>b.</u> Any increased side setbacks created by using this exception shall be landscaped and shall not be used for parking.
23	(((3))) <u>c.</u> Structure depth shall in no case
24	exceed seventy-five feet.
25	(((4))) <u>d.</u> Structures with depth greater than sixty-five percent of lot depth shall be modulated along the
26	side setbacks, according to the standards of $((\frac{\text{Section}}{23.45.40C \text{ or } P})) 23.45.26C$.
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Section 17. Section 23.45.26 is amended to read as follows: 1 23.45.26 Lowrise 2, Modulation Requirements 2 Modulation of structure facades shall be required subject to the following criteria: 3 Α. Front facades 4 l. Modulation shall be required if the front facade width exceeds thirty feet with no principal entrance facing 5 the street, or forty feet with a principal entrance facing the 6 street. 2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated, 7 Exhibit 45.26A. 8 Side facades Β. 9 On corner lots, side facades which face the 1. 10 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. 11 12 2. Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all 13 side facades, ((wider than thirty feet)) according to the standards of subsection C below. 14 Modulation standards с. 15 Minimum depth of modulation 1. 16 The minimum depth of modulation shall be a. four feet, (((Exhibit 23.45.30)) Exhibit 45.26B. 17 When balconies are part of the modulation b. 18 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))) 19 Exhibit 45.26C. 20 2. The minimum width of modulation shall be five feet, (((Exhibit 23.45.30))) Exhibit 45.26B. 21 3. Maximum width of modulation 22 The maximum width of modulation shall be a. thirty feet. 23 b. Exceptions to maximum width of modulation 24 (1)When facades provide greater depth of 25 modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be 26 increased two and one-half feet, to a maximum width of forty feet. 27 -16-28

The maximum width of modulation may be (2)increased when facades are set back from the ((front)) lot 1 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 2 for every foot of facade setback beyond the required ((front)) This provision shall not be combined with the provisetback. 3 sions of 3.b.(1) above, nor shall it permit facades to exceed forty-five feet in width without modulation. Д 4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the 5 roof. 6 Section 18. Subsections 23.45.28A, C and D are amended to read as follows: 7 ((23.45.14)) 23.45.28 Lowrise 2, Setback Requirements 8 Front, rear and side setbacks shall be provided for all lots, according to the following provisions: 9 Front setback 10 Α. The required front setback shall be the average of the setbacks of the first principal structures on either side, 11 sub ject to the following provisions: 12 The front setback shall in no case be required to 1. 13 be more than five feet greater than the setback of the first principal structure on either side which is closer to the 14 front lot line. 2. The front setback shall not be required to exceed 15 twenty feet. 16 3. Portions of a structure in front setbacks 17 Portions of a structure may project into the a. required front setback, as long as the average distance from the front property line to the structure satisfies the minimum 18 front setback requirement. 19 b. No portions of a structure between existing grade and ten feet above existing grade shall be closer to the 20 front lot line than five feet. 21 Portions of the facade which begin ((ten)) C. eight feet or more above existing grade may project up to four feet beyond the lower portion of the facade without being 22 counted in setback averaging, Exhibit 45.28A. 23 Portions of the facade which begin ((ten)) đ. eight feet or more above existing grade shall be no closer to 24 the front lot line than three feet, Exhibit 45.28B. 25 4. Front setback exceptions 26 27 -17-28

a. Structures along heavily traveled arterials

1	In order to reduce noise and glare impacts,						
2	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						
3	the required front setback. The required front setback along these arterials may be reduced to either fifty percent of the						
4	front setback specified in the development standards, or to the front setback of the principal structure on either side,						
5	whichever is less. A list of such arterials shall be maintained by the Department.						
6	b. Through lots						
7	In the case of a through lot, each setback abutting a street except a side setback shall be a front set-						
8	back. Rear setback requirements shall not apply to the lot.						
9	c. Parking in rear						
10	For sites which are required to locate the parking in the rear and have no alley, the required front set- back shall be reduced by five feet, so long as this does not						
11	reduce the required front setback to less than ten feet.						
12	C. Side Setbacks						
13	1. The required side setback ((in Lowrise 2 zones)) shall be five feet. This setback may be averaged along the entire structure depth, but shall at no point be less than						
14	three feet.						
15	2. Side setback exceptions						
16	a. Where there is a principal entrance along a side facade, the minimum setback shall be five feet.						
17	Averaging shall not be permitted. When the entrance is essen- tially parallel to the side lot line, the minimum setback shall be ten feet. When the entrance is not essentially						
18	parallel to the side lot line, the midpoint of the door shall be no less than seven and one-half feet from the property						
19	line, (((Exhibit 23.45.36))) <u>Exhibit 45.28C</u> .						
20	b. The side street setback of a reversed corner lot shall be one half the depth of the key lot's front						
21	setback, but shall not be less than ten feet, nor be required to exceed twenty feet. Averaging shall not be permitted, (((Exhibit 23.45.38))) Exhibit 45.28D.						
22	c. When the depth of a structure exceeds						
23	sixty-five feet, an additional setback shall be required for that por tion in excess of sixty-five feet. This additional						
24	setback may be averaged along the entire length of the wall. ((The additional setback)) The side setback requirement for						
25	portions of walls subject to this provision shall be provided as shown in the following chart:						
26							
27							
28	-18-						

	Side Setback Requirements for Structures							
1	Greater than Sixty-Five Feet in Depth							
2	н 0-10 11-20 21-30 31-40							
3	D Side Setback in Feet							
4	66-75 6 7 8 9							
5	76-85 7 8 9 10							
6	86-95 8 9 10 11							
7	96-105 9 10 11 12							
	106-115 10 11 12 13							
8	116-125 11 12 13 14							
9	126-135 12 13 14 15							
10	For structures greater than 135 feet in depth, the							
11	pattern established in the chart shall be continued.							
12								
13	H = greatest height of facade beyond sixty-five-foot depth							
14	(in feet, measured from the front of the structure). In							
15	the case of a through lot, the applicant may decide which							
16	street facade is to be considered the front.							
17	D = depth of structure (in feet).							
18								
19	D. General setback exceptions							
20	1. Required setbacks for cluster developments							
	Where two or more principal structures are							
21	located on one lot, (((Exhibit 23.45.40))) Exhibit 45.28E, required setbacks between structures shall be provided as							
22	follows:							
23	a. No walls shall be less than ten feet apart at any point.							
24	b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade							
25	which contains no principal entrance.							
26	c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which	ł						
27	contains a principal entrance.	•						
28	-19-							

d. Within a cluster development, ((the maximum facade width without modulation shall be thirty feet for all interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of Section 1 23.45.26C1, 2, and 4 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard 2 development requirements. З Structures in cluster developments may be e. Д connected by underground garages or elevated walkways((+)), provided that: 5 (1) One elevated walkway shall be permitted to connect any two structures in the development; 6 (2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or 7 8 design a visual separation between structures is maintained. 9 2. Structures in required setbacks 10 Detached garages, carports, or other a. accessory structures are permitted in the required rear or side setbacks, provided that ((they are)) any accessory 11 structure located between a principal structure and the side lot line shall provide the setback required for the principal 12 structure, Exhibit 45.28F. All such accessory structures shall be no greater than twelve feet in height above existing 13 grade, with open rails permitted above twelve feet. 14 Ramps or other devices necessary for access b. for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted 15 in required front, side, or rear setbacks. 16 Uncovered, unenclosed pedestrian bridges, c. necessary for access and less than five feet in width, are 17 permitted in required front, side and rear setbacks. 18 Permitted fences, free-standing walls, d. bulkheads, signs, and other similar structures, no greater than six feet in height, are permitted in required front, 19 side, or rear setbacks. 20 Decks which average no more than eighteen e. inches above existing grade may project into required set-21 backs. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of 22 The fence or wall shall be no higher than the fence or wall. six feet. 23 f. Underground structures are permitted in all 24 setbacks. 25 Solar collectors are permitted in required g. setbacks, subject to the provisions of Section 23.45.146, 26 Solar Collectors. 27 -20-28

ą	3. Ground related housing developed as townhouse dwellings may have zero setbacks along common walls.
2	Section <u>19</u> . Section 23.45.30 is amended to read as follows:
3	23.45.30 Lowrise 2, Open Space Requirements
4	Open space shall be provided for all lots, subject to the following provisions:
5	A. Quantity
6	1. Ground-related housing
7	a. A minimum of three hundred square feet per unit of private, landscaped open space, at ground level and
8	directly accessible to each unit, shall be required.
9	b. On lots with slopes of twenty percent or more, ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the
10	same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping ground-
11	level open space. ((requirement. Decks provided to meet this requirement shall be at least three hundred square feet in
12	size, and shall meet the standards of Section 23.45.30B below. In order to qualify for this provision, the private open space
13	for a unit may not be covered by the deck of another unit.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living
14	space of any unit.
15	2. Apartments
16	A minimum of thirty percent of the lot area shall be provided as usable, landscaped open space at ground level.
17	3. Terraced housing on a slope of twenty-five
18	percent or more
19	a. A minimum of forty percent of the lot area shall be provided as usable, landscaped open space.
20	b. Ground-level open space may be reduced from forty percent to ten percent of lot area when an equivalent
21	amount of open space is provided above ground in the form of balconies, decks, and/or rooftop areas.
22	B. Development standards
23	1. Ground related housing
24	a. The required open space for each unit is
25	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.
26	b. Required open space may be located in the
27	front, sides, or rear of the structure.
28	-21-

c. Required open space may be located a maximum of ten feet above or below the unit it serves, provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit. d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of

openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing units are single family dwelling units.

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, sides 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.

14 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.

18 c. Parking areas, driveways and pedestrian
 access except for access meeting the Washington State Rules
 19 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.

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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.)

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Section 20. Subsections 23.45.32A, B, and C are amended to read as follows: 1 23.45.32 Lowrise 2, Parking and Access Standards 2 Α. Parking quantity З One off-street parking space per dwelling unit 1. is required. 4 For apartments and terraced housing, spaces for 2: 5 bicycles shall be provided in a sheltered and convenient location, according to the following chart: 6 Number of 7 Number of Units Bicycle Spaces Required 8 5 - 107 9 11 - 202 More than 20 10 One for every 10 units Reductions to the quantity of parking spaces 3. 11 provided may be made for: low-income housing for the elderly and disabled((; provision of spaces for two-wheeled 12 vehicles;)) and the addition of residential units to existing structures((; and the joint use of existing parking)), according to Section 23.54.20, Parking Quantity Exceptions. 13 14 For apartment structures of more than twenty 4. units, the Director may require parking in excess of the oneto-one parking ratio, up to a maximum of one and one-quarter 15 spaces per unit, according to the provisions of Section 23.54.20((⊞))<u>D</u>. 16 5. Exceptions to the quantity of required parking 17 shall be permitted when residential units are added to existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures. 18 в. Access to parking 19 Alley access required 1. 20 Except when one of the conditions listed in 21 subsections 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 22 be permitted. 23 2. Street access required 24 Access to parking shall be from the street when: 25 Location of alley access would create a a. significant safety hazard; 26 The lot does not abut a platted ((area)) b. alley. 27 -23-28

C5 19.2

3. Street or alley access permitted

1 Access to parking may be from either the alley or the street ((under any of the following conditions+)) when the conditions listed in subsection B2 above do not apply, and one or more of the following conditions are met: 2 З ((b))<u>a</u>. The alley borders a ((s))Single ((f))Family zone; 4 Topography makes alley access infeasible((+)) ((e))<u>b</u>. 5 ((a))c.The alley is not improved to the standards of ((Section)) subsection 23.54.10C((+)). If such an alley is used for access, it shall be improved according to the stan-dards of subsection 23.54.10C. 6 7 Location of parking с. 8 Parking shall be located on the same site as the 1. 9 principal use. Parking may be located: 10 $((\pm))2.$ Between the structure and the side or rear a. 11 lot line, (((Exhibit 23.45.42A))) Exhibit 45.32A, except as provided in Section 23.45.28D2, if the parking is screened 12 from direct street view as provided in Section 23.45.32D below, or 13 Ground-related housing: In or under the b. 14 structure, provided that the parking is screened from direct street view by the front facade of the structure, Exhibit 45.32B, by garage doors, or by a fence and landscaping as provided in Section 45.32.03D below, (((Exhibit 23.45.42B))) 15 Exhibit 45.32C, or 16 Apartments and terraced housing: C. In or 17 under the structure, provided that the parking is screened from street view by the front facade of the structure, (((Exhibit 23.45.42B))) Exhibit 45.32B. 18 ((2)) 3. No open parking shall be permitted between a 19 structure and the front lot line, or in the required front setback, except as provided in paragraphs C3, C4, C5 and C6 of 20 this Section. ((3)) 4. For through lots less than one hundred feet in depth, parking may be located in the front setback which is 21 determined by the Director to be most consistent with the 22 existing pattern on the block. 23 ((4)) 5. For corner lots, parking between the structure and the street shall be permitted along one street frontage 24 only. 25 The Director may permit variations from the $((-5))_{6}$ a. development standards for parking location and design and curbcut quantity (τ) for lots meeting the following 26 conditions: 27 -24-28

4	(1) Lots proposed for ground-related housing with no feasible alley access and with
2	- Less than eighty feet of street frontage, or
3	- Lot depth of less than one hundred feet, or
4	- A rise or drop in elevation of at
5	least twelve feet in the first sixty feet from the front lot line, and
6	(2) Lots proposed for apartments and
7	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.
8	b. On lots meeting the standards listed above,
9	the following variations may be permitted:
10	 (1) Ground-related housing: parking may be located between the structure and the front lot line;
11	(2) Apartments or terraced housing: parking may be located under the front of the structure if
12	screened by garage doors or by fencing and landscaping.
13	c. In order to permit such alternative parking solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and
14	drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives:
15	maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and
16	unobstructed traffic flow.
17	$((6))$ When the front setback is averaged $((\tau))$ across the width of the front facade, parking shall be permitted between the structure and front property line, but not in the
18	required front setback, Exhibit 45.32D.
19	Section <u>21</u> . Subsections 23.45.36C and D are amended to read as follows:
20	C. Pitched roofs
21	The ridge of pitched roofs on principal structures $((shall be allowed to))$ may extend up to forty-two feet. $((\tau$
22	so long as the entire portion above thirty-seven feet has a minimum of three-in-twelve pitch (Exhibit 23.45.48))) All
23	parts of the roof above thirty-seven feet must be pitched at a rate of not less than three to twelve, Exhibit 45.48B. No
24	portion of a shed roof shall be permitted to extend beyond the thirty-seven foot height limit under this provision.
25	D. Rooftop features
26	1. Radio and television receiving aerials, flag-
27	poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74,
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((+))Airport Height District((+)), provided they are no closer than fifty percent of their height above existing grade, or, 1 if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, to any 2 adjoining lot line. 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and З firewalls may extend four feet above the maximum height limit 4 set in ((Section 23.45.08)) subsections A and B above. 5 3. The following rooftop features may extend ten feet above the maximum height limit set in Section ((23.45.22)) 23.45.36 A and B above, so long as the combined total coverage of all features does not exceed fifteen percent 6 of the roof area, or twenty percent of the roof area if the total includes screened mechanical equipment: 7 8 stair and elevator penthouses 9 mechanical equipment 10 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge 11 chimneys. 12 4. For height exceptions for solar collectors, see 13 Section 23.45.146, Solar Collectors. 5. 14 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 15 the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property 16 to the north on January 21 at noon no more than would a structure built to maximum permitted bulk: 17 solar collectors 18 planters 19 clerestories 20 greenhouses 21 dish antennae 22 non-firewall parapets play equipment. 23 Section 22. Subsection 23.45.38B is amended to read as 24 follows: 25 в. Maximum depth The maximum depth of a structure ((when the 26 1. front facade is not modulated according to the standards of Section 23.45.12C or D shall be fifty percent of the depth of 27 the lot. 28 -26-

When the front facade modulated according to the standards of Section 23.45.26 or D)) shall be: 1 a. Ground-related housing: sixty-five percent 2 of lot depth((-)); Terraced housing on slopes of twenty-five b. 3 no maximum depth limit((-)); percent or more: 4 Apartments: sixty-five percent of lot C. depth. 5 Exceptions to maximum depth requirements ((3))2. 6 ((a.)) Structure depth is permitted to exceed sixty-five percent of lot depth, (((Exhibit 23.45.52))) Exhibit 45.38B, subject to the following conditions: 7 8 ((+ + + +)) <u>a.</u> The total lot coverage shall not be greater than that which would have been possible by meeting 9 standard development requirements for maximum width, depth, and setbacks. 10 (((2))) <u>b.</u> Any increased side setbacks provided to meet this condition shall be landscaped and shall not be 11 used for parking. 12 ((+3)) c. Structure depth shall in no case exceed the maximum width permitted according to Section 13 23.45.38A. (((4))) <u>d</u>. Apartments with depth greater than sixty-five percent of lot depth shall be modulated along the 14 side setbacks, according to the standards of ((Section)) sub-15 section 23.45.40C ((or D)). 16 Section 23. Section 23.45.40 is amended to read as follows: 17 Section 23.45.40 Lowrise 3, Modulation Requirements 18 Modulation of structure facades shall be required subject to the following criteria: 19 Α. Front facades 20 Modulation shall be required if the front ٦. 21 facade width exceeds thirty feet with no principal entrance facing the street, or forty feet with a principal entrance 22 facing the street. For terraced housing, only the portion of the 2. 23 front facade closest to the street is required to be modulated, Exhibit 45.40A. 24 В. Side facades 25 1. On corner lots, side facades which face the street shall be modulated if greater than forty feet in width 26 for ground-related housing, and thirty feet in width for apartments. Modulation shall not be required for the side 27 facades of terraced housing. 28 -27-

2. Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all 1 side facades, ((wider than thirty feet)) according to the standards of subsection C below. 2 с. Modulation standards З Minimum depth of modulation 1. 4 The minimum depth of modulation shall be a. four feet, (((Exhibit 23.45.54))) Exhibit 45.26B. 5 b. When balconies are part of the modulation and have a minimum dimension of at least six feet and a minimum 6 area of at least sixty square feet, the minimum depth of modulation shall be two feet, (((Exhibit 23.45.56))) Exhibit 7 45.26C. 8 The minimum width of modulation shall be five 2. feet, (((Exhibit 23.45.54))) Exhibit 45.26B. 9 Maximum width of modulation 3. 10 The maximum width of modulation shall be a. thirty feet. 11 b. Exceptions to maximum width of modulation 12 (1) When facades provide greater depth of 13 modulation than four feet, then for every foot of modulation depth in excess of four feet, the width of modulation may be 14 increased two and one-half feet, to a maximum width of forty feet. 15 (2) The maximum width of modulation may be increased when facades are set back from the ((front)) lot 16 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 17 for every foot of facade setback beyond the required ((front)) This provision shall not be combined with the provi-18 setback. sions of 3.b.(1) above, nor shall it permit facades to exceed forty-five feet in width without modulation. 19 4. Required modulation may start a maximum of ten feet above existing grade, and shall be continued up to the 20 roof. 21 Section 24. Subsections 23.45.42A, C and D are amended to read as follows: 22 Section 23.45.42 Lowrise 3, Setback Requirements 23 Front, rear and side setbacks shall be provided for all 24 lots, according to the following provisions: 25 Front setback Α. The required front setback shall be the average of 26 the setbacks of the first principal structures on either side (((Figure 5))), subject to the following provisions: 27 -28-28

The front setback shall in no case be required to 1. be more than five feet greater than the setback of the first 1 principal structure on either side which is closer to the front lot line. 2 2. The front setback shall not be required to exceed fifteen feet. 3 3. Portions of a structure in front setbacks 4 Portions of a structure may project into a. 5 the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement. 6 No portions of a structure between existing b. 7 grade and ten feet above existing grade shall be closer to the front lot line than five feet. 8 Portions of the facade which begin ((ten)) с. eight feet or more above existing grade may project up to four feet beyond the lower portion of the facade without being 9 counted in setback averaging, Exhibit 45.42A. 10 Portions of the facade which begin ((ten)) d. 11 eight feet or more above existing grade shall be no closer than three feet to the front lot line, Exhibit 45.42B. 12 Front setback exceptions 4. 13 a. Structures along heavily traveled arterials 14 In order to reduce noise and glare impacts, multi-family structures located on arterials with more than 15 fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in 16 the required front setback. The required front setback along these arterials may be reduced to either fifty percent of the 17 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 18 maintained by the Department. 19 b. Through lots 20 In the case of a through lot, each setback abutting a street except a side setback shall be a front set-21 back. Rear setback requirements shall not apply to the lot. 22 c. Parking in rear For sites which are required to locate the 23 parking in the rear and have no alley, the required front setback shall be reduced by five feet, so long as this does not 24 reduce the required front setback to less than ten feet. 25 Sloped lots đ. On sloped lots with no alley access, the required front setback shall be fifteen feet minus one foot 26 for each two percent of slope. Slope shall be measured from 27 -29-28

the midpoint of the front lot line to the rear lot line, or for a depth of sixty feet, whichever is less. * * *

C. Side setbacks

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

2. Side setback exceptions

a. Where there is a principal entrance along a side facade, the minimum setback shall be five feet. Averaging shall not be permitted. When the entrance is essentially parallel to the side lot line, the minimum setback shall be ten feet. When the entrance is not essentially parallel to the side 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))) Exhibit 45.42C.

b. The side street 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 23.45.62))) Exhibit 45.42D.

c. When the depth of a structure exceeds sixty-five feet, an additional setback shall be required for that por tion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. ((The additional setback)) The side setback requirement for portions of walls subject to this provision shall be provided as shown in the following chart:

	Side Setback Requirements for Structures							
	Greater than Sixty-Five Feet in Depth							
2								
3	H	0-10	11-20	21-30	31-42			
4	D	6	Side Setbac	k in Feet				
5	66-70	6	7	8	9			
6	71-80	7	8	9	10			
7	81-90	8	9	10	11			
	91-100	9	10	11	12			
8	101-110	10	11	12	13			
9	111-120	11	12	13	14			
10	121-130	12	13	14	15			
11	131-140	13	14	15	16			
12	For structur	es greater t	han 140 fee	et in depth	n, the			
13		blished in the						
14								
15	H = greatest heig	ght of facade	beyond six	ty-five fo	ot depth			
16	(in feet, measure	ed from the fi	ront of the	structure	e). In			
17	the case of a thr	ough lot, the	e applicant	: may decid	le which			
18	street facade is	to be conside	ered the fr	ont.				
19	D = depth of stru	acture (in fe	at).					
	D = depth of structure (in feet).							
20		alica, MBM Aliko di Jacobia un la companya composita a super vago vago vago	******	ar a sta i dala i dala stala dala "Dala dala dala dala dala dala dala dala	anananan kanan			
21	D. General sett	back exception	ns					
22	l. Require	ed setbacks f	or cluster	developmer	nts			
23	Where t located on one lot,	wo or more p (((Exhibit 23	rincipal st .45.64))) B	ructures a Exhibit 45.	ire 42E.			
24	required setbacks bet follows:	ween structu	res shall \overline{k}	pe provided	las			
25	a. No	walls shall	be less th	an ten fee	et apart			
26	at any point.				. e n			
27								
28		-31-						
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b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade 1 which contains no principal entrance. c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which 2 contains a principal entrance. З d. Within a cluster development, ((the maximum facade width without modulation shall be thirty feet for all 4 interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of subsection 23.45.40C provided that maximum modulation width shall be 5 forty feet. Perimeter facades shall follow standard develop-6 ment requirements. 7 Structures in cluster developments may be e. connected by underground garages or elevated walkways((+)), 8 provided that: 9 (1) One elevated walkway shall be permitted to connect any two structures in the development; 10 (2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or 11 design a visual separation between structures is maintained. 12 Structures in required setbacks 2. 13 Detached garages, carports, or other a. accessory structures are permitted in the required rear or 14 side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side lot line shall provide the setback required for the principal 15 structure, Exhibit 45.42F. All such accessory structures 16 shall be no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet. 17 Ramps or other devices necessary for access b. for the disabled and elderly, which meet Washington State 18 Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks. 19 Uncovered, unenclosed pedestrian bridges, c. 20 necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks. 21 đ. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater 22 than six feet in height, are permitted in required front, side, or rear setbacks. 23 Decks which average no more than eighteen e. 24 inches above existing grade may project into required set-backs. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of the fence or wall. The fence or wall shall be no higher than 25 26 six feet. 27 -32-28

f. Underground structures are permitted in all setbacks. 1 g. Solar collectors are permitted in required setbacks, subject to the provisions of Section 23.45.146, 2 Solar Collectors. З Ground related housing developed as townhouse dwellings may have zero setbacks along common walls. 4 Section 25. Section 23.45.44 is amended to read as 5 follows: 6 Section 23.45.44 Lowrise 3, Open Space Requirements Open space shall be provided for all lots, subject to the 7 following provisions: 8 Α. Quantity 9 1. Ground-related housing 10 a. A minimum of three hundred square feet per unit of private, landscaped open space, at ground level and directly accessible to each unit, shall be required. 11 On lots with slopes of twenty percent or b. 12 more, ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the 13 same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping groundlevel open space. ((requirement. Decks provided to meet requirement shall be at least three hundred square feet in 14 Decks provided to meet this size, and shall meet the standards of Section 23.45.44B below. 15 In order to qualify for this provision, the private open space for a unit may not be covered by the deck of another unit.)) 16 In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living 17 space of any unit. 18 2. Apartments 19 A minimum of twenty-five percent of the lot a. area shall be provided as usable, landscaped open space at ground level. 20 b. Quantity exception for apartments 21 All required open space may be provided above ground, in the form of balconies, decks, solaria, greenhouses, or roof gardens. If less than twenty-five per-22 cent of lot area is provided as open space at ground level, 23 all street setbacks shall be landscaped. 24 3. Terraced housing on a slope of twenty-five percent or more 25 A minimum of forty percent of the lot area a. 26 shall be provided as usable, landscaped open space. 27 -33-28

Ground-level open space may be reduced from b. forty percent to ten percent of lot area when an equivalent 2000 amount of open space is provided above ground in the form of balconies, decks, and/or rooftop areas. 2 Β. Development standards З Ground-related housing 1. 4 The required open space for each unit is a. not required to be in one contiguous area, but no open space 5 area shall be less than one hundred twenty square feet, and no horizontal dimension shall be less than ten feet. 6 b. Required open space may be located in the front, sides, or rear of the structure. 7 Required open space may be located a maximum с. 8 of ten feet above or below the unit it serves, provided that the access to such open space does not go through or over common 9 circulation areas, common or public open space, or the open space serving another unit. 10 d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of 11 walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing 12 units are single family dwelling units. 13 Parking areas, driveways and pedestrian e. 14 access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not 15 be counted as open space. 2. Apartments 16 No horizontal dimension for required ground a. 17 level open space shall be less than ten feet. 18 b. Required open space is permitted in the front, sides, or rear of the structure. 19 Parking areas, driveways and pedestrian access except for pedestrian access meeting the Washington 20 State Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 21 Balconies, decks, roof gardens, solaria, đ. and greenhouses may be provided above ground as open space. 22 No horizontal dimension shall be less than six feet, minimum area shall be sixty square feet. 23 Terraced housing on a slope of twenty-five 3. 24 percent or more 25 No horizontal dimension for required a. ground-level open space shall be less than ten feet. 26 b. Required open space is permitted in the front, sides, or rear of the structure. 27 -34-28

C. Parking areas, driveways and pedestrian access except for <u>pedestrian</u> 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 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.)

Section <u>26</u>. Subsections 23.45.46A, B and C are amended to read as follows:

Section 23.45.46 Lowrise 3, Parking and Access Requirements

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:

Number of Units	Number of Bicycle Spaces <u>Required</u>	
5-10	1	
11-20	2	
More than 20	l 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;)) and 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 oneto-one parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section $23.54.20((\Xi))D$.

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.

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	B. Access to parking	
1	1. Alley access required	
2	Except when one of the conditions listed in subsection B2 or B3 below applies, access to parking shall be	
з	from the alley when the site abuts a platted alley improved to the standards of Section 23.54.10C. Street access shall not	
4	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 significant safety hazard;	
8	b. The lot does not abut a platted ((area))	
9	<u>alley</u> .	
10	c. Apartments or terraced housing are proposed across an alley from a single family zone.	
100 N	3. Street or alley access permitted	
12	Access to parking may be from either the alley or the street when the conditions listed in subsection B2	
13	above do not apply, and one or more of the following con- ditions are met:	
14	((b)) <u>a</u> . Ground-related housing is proposed across the alley from a single family zone;	
15	((e))b. Topography makes alley access infeasible((r)	2
16	c. The alley is not improved to the standards	
17	of ((Section)) <u>subsection</u> 23.54.10C((+)). <u>If such an alley is</u> used for access, it shall be improved according to the stan- dards of subsection 23.54.10C.	
18	C. Location of parking	
19	1. Parking shall be located on the same site as the	
20	principal use.	
21	$((\frac{1}{2}))$ Parking may be located:	
22	a. Between the structure and the side or rear lot line, (((Exhibit 23.45.66A))) <u>Exhibit 45.46A, except as</u> <u>provided in Section 23.45.42D2</u> , if the parking is screened	
23	from direct street view as provided in Section 23.45.46D below, or	
24	b. Ground-related housing: in or under the	
25	structure, provided that the parking is screened from <u>direct</u> street view by the front facade of the structure, (((Exhibit 23.45.66B))) <u>Exhibit</u> 45.46B, by garage doors, or by a fence	
26	and landscaping as provided in Section 23.45.46D below, (((Exhibit 23.45.66C))) Exhibit 45.46C, or	
27		
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Apartments and terraced housing: in or under the structure, provided that the parking is screened 1 from street view by the front facade of the structure, (((Exhibit 23.45.66B))) Exhibit 45.46B. 2 No open parking shall be permitted between a ((2))3.structure and the front lot line, or in the required front З setback, except as provided in paragraphs C3, C4, C5, and C6 of this Section. Δ ((3))4.For through lots less than one hundred feet in 5 depth, parking may be located in the front setback which is determined by the Director to be most consistent with the 6 existing pattern on the block. For corner lots, parking between the structure ((4))5.7 and the street shall be permitted along one street frontage only. 8 ((5))6.The Director may permit variations from the a. 9 development standards for parking location and design and curbcut quantity, for lots meeting the following conditions: 10 (1)Lots proposed for ground-related ((and terraced)) housing with no feasible alley access and with 11 - Less than eighty feet of street 12 frontage, or 13 - Lot depth of less than one hundred feet, or 14 - A rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot 15 line, and 16 (2) Lots proposed for apartments and terraced housing with no feasible alley access and a rise or 17 drop in elevation of at least twelve feet in the first sixty feet from the front lot line. 18 On lots meeting the standards listed above, b. the following variations may be permitted: 19 Ground-related housing: parking may (1)20 be located between the structure and the front lot line; 21 (2) Apartments or terraced housing: parking may be located under the front of the structure if 22 screened by garage doors or by fencing and landscaping. In order to permit such alternative parking 23 c. solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and 24 drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: 25 maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and 26 unobstructed traffic flow. 27 -37-28

((6))7. When the front setback is averaged $((\tau))$ across the width of the front facade, parking shall be permitted bet-Ĩ ween the structure and the front property line, but not in the required front setback, Exhibit 45.46D. 2 Subsections 23.45.50C and D are amended to Section 27. read as follows: З Pitched roofs C. 4 The ridge of pitched roofs on principal structures 5 ((shall be allowed to)) may extend up to sixty-five feet. ((r so long as the entire portion above sixty feet has a minimum of three-in-twelve pitch (Exhibit 23.45.72)) All parts of the roof above sixty feet must be pitched at a rate of not less than three to twelve, Exhibit 45.50B. No portion of a shed roof shall be permitted to extend beyond the sixty foot height 6 7 limit under this provision. 8 D. Rooftop features 9 Radio and television receiving aerials, flag-1. poles, and spires for religious institutions are exempt from 10 height controls, except <u>as regulated in Chapter 23.74</u>, Airport Height District (((Chapter 23.74))), provided they are no 11 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. 12 13 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 14 set in ((Section 23.45.22)) subsections A and B above. 15 The following rooftop features may extend ten 3. 16 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 17 features does not exceed fifteen percent of the roof area or twenty percent of the roof area if the total includes screened 18 mechanical equipment: 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 the roof edge 22 <u>chimneys</u> 23 sun and wind screens 24 penthouse pavilions for the common use of residents 25 greenhouses which meet minimum energy standards administered by the Director. 26 27 -38-28

For height exceptions for solar collectors, see 4. Section 23.45.146, Solar Collectors. 1 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 In order to protect solar access for property to 2 the roof, or provide shadow diagrams to demonstrate that the З proposed location of such rooftop features would shade property to the north on January 21 at noon no more than would a structure 4 built to maximum permitted bulk: 5 solar collectors planters 6 clerestories 7 greenhouses 8 dish antennae 9 non-firewall parapets 10 play equipment 11 sun and wind screens 12 penthouse pavilions for the common use of residents. 13 Section 28. Subsection 23.45.52B is amended to read as follows: 14 в. Maximum depth 15 The maximum depth of a structure((s when the 1. 16 front facade is not modulated according to the standards of Section 23.45.12C or D shall be fifty percent of the depth 17 of the lot. The maximum depth of a structure when the front 18 2facade is modulated according to the standards of Section 23.45.12C or D)) shall be: 19 Ground-related housing: sixty-five percent a. 20 of the depth of the $lot((\tau))$; 21 Terraced housing on slopes of twenty-five b. percent or more: no maximum depth limit((+)); 22 c. Apartments: sixty-five percent of lot depth. 23 ((3))2.Exceptions to maximum depth requirements 24 ((ar)) Structure depth is permitted to exceed 25 sixty-five percent of lot depth, (((Exhibit 23.45.74))) Exhibit 45.52A, subject to the following conditions: 26 ((+1)) a.The total lot coverage shall not be greater than that which would have been possible by meeting 27 standard development requirements for maximum width, depth and setbacks. 28 -39-CS 19.2

((+2)) <u>b</u>. Any increased side setbacks provided to meet this condition shall be landscaped and shall not be 1 used for parking. (((3))) c. Structure depth shall in no case exceed one-hundred fifty feet. 2 З ((++)) <u>d.</u> Structures with depth greater than sixty-five percent of lot depth shall be modulated along the 4 side setbacks, according to the standards of subsection 23.45.54C ((or \overline{D})). 5 Section 29. Section 23.45.54 is amended to read as follows: 6 Section 23.45.54 Midrise, Modulation Requirements 7 Modulation of structure facades shall be required subject 8 to the following criteria: 9 Α. Front facades 10 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 11 (Section 23.45.40C) or the standards in this section. 12 For terraced housing, only the portion of the 2. front facade closest to the steet is required to be 13 modulated((+)), Exhibit 45.54A. 14 в. 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 15 16 terraced housing. 17 2. Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all 18 side facades, ((wider than thirty feet)) according to the standards of subsection C below. 19 С. Modulation standards 20 Minimum depth of modulation 1. 21 The minimum depth of modulation shall be a. eight feet, (((Exhibit 23.45.76))) Exhibit 45.54B. 22 When balconies are part of the modulation b. and have a minimum depth of six feet and a minimum area of at 23 least sixty square feet, the minimum depth of modulation shall be six feet, (((Exhibit 23.45.78))) Exhibit 45.54C. 24 The minimum width of modulation shall be ten 2. 25 feet, (((Exhibit 23.45.76))) Exhibit 45.54B. 26 3. Maximum width of modulation The maximum width of modulation shall be a. 27 forty feet. 28 -40-

b. Exceptions to maximum width of modulation

1	(1) When facades provide greater depth of		
2	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		
з	feet.		
4	(2) The maximum width of modulation may be increased when facades are set back from the ((front)) lot		
5	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		
6	every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of		
7	((3.b.(i))) <u>3.b.(1)</u> above, nor shall it permit facades to exceed fifty feet in width without modulation.		
8	4. Required modulation may start a maximum of ten		
9	feet above existing grade, and shall be continued up to the roof.		
10	Section <u>30</u> . Subsections 23.45.56A, C and D are amended to read as follows:		
11	23.45.56 Midrise, Setback Requirements		
12	Front, rear and side setbacks shall be provided for all lots, according to the following provisions:		
	A. Front setback		
14			
15	The required front setback shall be the average of the setbacks of the first principal structures on either side (Figure 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 principal structure on either side which is closer to the front lot line.		
18			
19	2. The front setback shall in no case be required to exceed fifteen feet.		
20	3. Portions of the structure in front setbacks($(-)$)		
21	a. Portions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum		
22	front setback requirement.		
23	b. No portions of a structure between existing 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)) <u>eight</u> feet or more above existing grade may project up to four feet beyond the lower portion of the facade, without being		
26	counted in setback averaging, Exhibit 45.56A.		
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Portions of the facade which begin ((ten)) đ. eight feet or more above existing grade shall be no closer 1 than three feet to the front lot line, Exhibit 45.56B. 2 4. Front setback exceptions Structures along heavily traveled arterials a. З In order to reduce noise and glare impacts, 4 multi-family structures located on arterials with more than fifteen thousand average vehicle trips per day, according to 5 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 6 front setback of the principal structure on either side, 7 whichever is less. A list of such arterials shall be maintained by the Department. 8 b. Through lots Q In the case of a through lot, each setback abutting a street except a side setback shall be a front setback 10 Rear setback requirements shall not apply to the lot. 11 Parking in rear C. 12 For sites which are required to locate the parking in the rear and have no alley, the required front set-13 back shall be reduced by five feet, so long as this does not 14 reduce the required front setback to less than ten feet. đ. Sloped lots 15 On sloped lots with no alley access, the 16 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((τ)) to the rear lot line, or for a depth of sixty feet, whichever is less. 17 18 * Side setbacks с. 19 For structures thirty-seven feet or less in 1. height, the required side setback shall be five feet. This 20 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 set-21 backs for Lowrise 3 structures, ((Section 23.45.42B2c)) Section 23.45.42C2c, shall apply. 22 For structures more than thirty-seven feet in 2. 23 height, the required side setback shall be eight feet. This side setback may be averaged along the entire structure depth, 24 but shall at no point be less than five feet. 25 Side setback exceptions 3. 26 The side street side setback of a reversed a. 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 27 -42-28

1	to exceed twenty feet. Averaging shall not be permitted, (((Exhibit 23.45.80))) <u>Exhibit 45.56A</u> .	
2	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 por tion in excess of sixty-five feet. This additional setback	
3	may be averaged along the entire length of the wall. ((The additional setback)) The side setbacks requirement for por-	
4	tions of walls subject to this provision shall be provided as shown in the following chart:	
5		
6	Side Setback Requirements for Structures	
7	Greater than Sixty-Five Feet in Depth	
8		
9	<u>H 0-10 11-20 21-30 31-42 41-50 51-65</u> D	ā.
10	66-70 9 10 11 12 13 14	
and An and An an	71-80 10 11 12 13 14 15	
12	81-90 11 12 13 14 15 16	
13	91-100 12 13 14 15 16 17	
14	101-110 13 14 15 16 17 18	
15	111-120 14 15 16 17 18 19	
16	121-130 15 16 17 18 19 20	
17	131-140 16 17 18 19 20 21	
18	For structures greater than 140 feet in depth, the patter	n
19	established in the chart shall be continued.	
20		
21	H = greatest height of facade beyond sixty-five foot depth (i	n
22	feet, measured from the front of the structure). In the	
23	case of a through lot, the applicant may decide which	
	street facade is to be considered the front.	
24	D = depth of structure (in feet).	
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	D. <u>General setback exceptions</u>
ą.	1. Required setbacks for cluster developments
2	Where two or more principal structures are located on one lot, (((Exhibit 23.45.82))) Exhibit 45.56B, required setbacks between structures shall be provided as
3	required setbacks between structures shall be provided as follows:
4	a. No walls shall be less than ((ten)) <u>sixteen</u> feet apart at any point.
5	b. A principal entrance to a structure shall
6	be at least ((fifteen)) <u>twenty-four</u> feet from the nearest interior facade which contains no principal entrance.
7	c. A principal entrance to a structure shall
8	be at least ((twenty)) <u>thirty-two</u> feet from the nearest interior facade which contains a principal entrance.
9	d. Within a cluster development, ((the maximum facade width without modulation shall be thirty feet for all
10	interior facades)) all interior facades wider than fifty feet shall be modulated according to the standards of Section
11	23.45.54Cl, 2, and 4, provided that maximum modulation width shall be fifty feet. Perimeter facades shall follow standard
12	development requirements.
13	e. Structures in cluster developments may be connected by underground garages or elevated walkways((τ)).
14	provided that:
15	(1) One elevated walkway shall be permitted to connect any two structures in the development;
16	(2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained.
18	2. Structures in required setbacks
19	a. Detached garages, carports, or other accessory structures are permitted in the required rear or
20	side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side
21	lot line shall provide the setback required for the principal structure, Exhibit 45.56F. All such accessory structures
22	shall be no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.
23	b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State
24	Rules and Regulations for Barrier-Free Design, are permitted in required front, side or rear setbacks.
25	c. Uncovered, unenclosed pedestrian bridges,
26	necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.
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 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.
 e. Decks which average no more than eighteen inches above existing grade may project into required set-

inches above existing grade may project into required setbacks. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or freestanding wall, and are at least three feet below the top of the fence or wall. The fence or wall shall be no higher than six feet.

f. setbacks.

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f. Underground structures are permitted in all

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

<u>3.</u> <u>Ground related housing developed as townhouse</u> <u>dwellings may have zero setbacks along common walls.</u>

Section 31. Section 23.45.58 is amended to read as follows:

23.45.58 Midrise, Open Space Requirements

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

A. Quantity

1. Ground-related housing

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

b. On lots with slopes of twenty percent or more, ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping groundlevel 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 23.45.30B 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.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living space of any unit.

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2. Apartments

 a. A minimum of twenty-five percent of the lot area shall be provided as usable, landscaped open space at ground level.
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b. Quantity exception for apartments 1 All required open space may be provided above ground, in the form of balconies, decks, solaria, greenhouses, or roof gardens. If less than twenty-five 2 percent of the lot area is provided as open space at ground level, all street setbacks shall be landscaped. З Terraced housing on slopes of twenty-five 3. Д percent or more 5 A minimum of forty percent of the lot area a. shall be provided as usable, landscaped open space. 6 b. Ground-level open space may be reduced from forty percent to ten percent of lot area when an equivalent 7 amount of open space is provided above ground in the form of balconies, decks, and/or rooftop areas. 8 в. Development standards 9 1. Ground-related housing 10 a. The required open space for each unit is not required to be in one contiguous area, but no open space 11 area shall be less than one hundred twenty square feet, and no horizontal dimension shall be less than ten feet. 12 Required open space may be located in the b. 13 front, sides, or rear of the structure. 14 Required open space may be located a maxic. mum of ten feet above or below the unit it serves, provided that the access to such open space does not go through or over 15 common circulation areas, common or public open space, or the open space serving another unit. 16 d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or 17 18 common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing units are single family dwelling units. 19 Parking areas, driveways and pedestrian e. 20 access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not 21 be counted as open space. 2. 22 Apartments No horizontal dimension for required ground 23 a. level open space shall be less than ten feet. 24 Required open space is permitted in the b. front, side, or rear of the structure. 25 Parking areas, driveways and pedestrian C. access except for pedestrian access meeting the Washington 26 State Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 27 -46-28

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

2. 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 pedestrian 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 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.

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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.)

16 Section <u>32</u>. Subsections 23.45.60A, B and C are amended to read as follows:

Section 23.45.60 Midrise, Parking and Access Requirements

A. Parking quantity

19 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:

Number of Bicycle Spaces

23	<u>Number of Units</u>	Required
24	5-10	1
25	11-20	2
	more than 20	l per 10 units
26		_

3. Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly

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and disabled((; provision of spaces for two-wheeled vehicles;)) and the addition of residential units to existing 1 structures((; and the joint use of existing parking)), according to Section 23.54.20, Parking Quantity Exceptions. 2 4. For apartment structures of more than twenty units, the Director may require parking in excess of the one-З to-one parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section 4 23.54.20((H))D. 5 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 6 4, Nonconforming Uses and Structures. 7 в. Access to parking 8 1. Alley access required 9 Except when one of the conditions listed in subsections B2 or B3 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to 10 the standards of Section 23.54.10C. Street access shall not be permitted. 11 2. Street access required 12 Access to parking shall be from the street when: 13 Location of alley access would create a a. 14 significant safety hazard((+)); 15 b. The lot does not abut a platted alley; Apartments or terraced housing are proposed c. 16 across an alley from a Single Family, Lowrise 1 or Lowrise 2 zone. 17 Street or alley access permitted 3. 18 Access to parking may be from either the alley or the street when((+)) the conditions listed in subsection B2 above do not apply, and one or more of the following con-19 ditions are met: 20 Ground-related housing is proposed across ((b))<u>a</u>. 21 the alley from a Single Family, Lowrise 1 or Lowrise 2 zone; ((e))b. Topography makes alley access infeasible((τ)) 22 The alley is not improved to the standards $((a)) \underline{c}$ 23 of ((Section)) subsection 23.54.10C((+)). If such an alley is used for access, it shall be improved according to the stan-24 dards of subsection 23.54.10C. 25 C. Location of parking 26 principal use. Parking shall be located on the same site as the 27 -48-28

((1))2.	Parking	may be	located:

ų, Between the structure and the side or rear a. lot line, (((Exhibit 23.45.54A))) Exhibit 45.60A, except as provided in Section 23.45.56D2, if the parking is screened from direct street view as provided in Section 23.45.60d 2 below, or З Ground-related housing: b. in or under the Å. structure, provided that the parking is screened from direct street view by the front facade of the structure, ((Exhibit 23.45.84B)) Exhibit 45.60B, by garage doors, or by a fence and landscaping as provided in Section 23.45.60D below, ((Exhibit 23.45.84C))) Exhibit 45.60C, or 5 6 Apartments and terraced housing: C. in or 7 under the structure, provided that the parking is screened from street view by the front facade of the structure, 8 (((Exhibit 23.45.84B))) Exhibit 45.60B. 9 ((2))3.No open parking shall be permitted between a structure and the front lot line, or in the required front setback, except as provided in paragraphs C3, C4, C5, and C6 10 of this Section. 11 For through lots less than one hundred feet in ((3))4.depth, parking may be located in the front setback which is 12 determined by the Director to be most consistent with the existing pattern on the block. 13 ((4))5.For corner lots, parking between the structure and the street shall be permitted along one street frontage 14 only. 15 The Director may permit variations from the $((5))_{6}$. a. development standards for parking location and design and 16 curbcut quantity, for lots meeting the following conditions: 17 (1)Lots proposed for ground-related housing with no feasible alley access and with 18 - Less than eighty feet of street frontage, 19 or 20 - Lot depth of less than one hundred feet, 21 or - A rise or drop in elevation of at 22 least twelve feet in the first sixty feet from the front lot line, and 23 (2) Lots proposed for apartments and 24 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. 25 On lots meeting the standards listed above, 26 b. the following variations may be permitted: 27 -49-28

In order to permit such alternative parking c. solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks anđ unobstructed traffic flow. ((6)) 7. When the front setback of the structure is averaged (7) across the width of the front facade, parking shall be permitted between the structure and the front property line, but not in the required front setback, Exhibit 45.60D. Section <u>33</u>. read as follows: Subsections 23.45.66B and C are amended to в. Additional height permitted The Director may authorize additional height up to a maximum height of two((-))hundred((-))forty feet, as a ((conditional development)) special exception pursuant to Chapter 23.76, Master Use Permit. In order to qualify, the applicant shall comply with the following provisions: If the construction of the proposed development 1. will involve the demolition of existing housing, no height above one hundred sixty feet will be allowed unless new housing is provided on site, equivalent to the square foot living area of the housing to be demolished. Such housing shall be provided at comparable cost pursuant to the <u>Seattle</u> Municipal Code, Chapter 22.210, Housing Preservation Ordinance. 2. The applicant shall provide for adequate spacing between existing and proposed towers in order to minimize blockage of views from public places, and to minimize casting of shadows on public places. The applicant shall provide shadow diagrams for December twenty-first, March twenty-first, and June twenty-first, as well as elevations showing the degree, if any, 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. If the proposed development does not involve the 3. demolition of housing or measures have been taken to replace housing demolished according to the conditions of ((B-1)) subsection Bl above, and if the provisions of ((B.2)) subsection B2 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 -50-

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be located between the structure and the front lot line.

screened by garage doors or by fencing and landscaping.

parking may be located under the front of the structure if

Ground-related housing: parking may

Apartments and terraced housing:

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 highrise 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)) floor area 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)) floor area 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.

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

b. Landscaped public open space

When proposed highrise developments provide ((landscaping)) landscaped, usable public open space in addition to the open space required for the exclusive use of residents of the development, additional height up to a maximum of forty feet may be allowed according to the following provisions((-)):

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

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

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

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

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(b) A unique amenity suited to the area and of public benefit; and 1 (c) Better pedestrian access and siting of an existing public facility or historic landmark. 2 (4) The space shall be of a sufficient з size to be functional, and shall be contiguous to pedestrian pathways that make it readily accessible to users. 4 (5) The design of the open space shall enhance unique site characteristics such as views, topography, 5 trail systems and significant trees or landscaping. 6 Public open space and equipment (6) located there shall be designed to provide safety and security 7 for user groups. 8 (7) The open space shall be designed so that its solar exposure encourages its use. 9 (8) Outdoor common areas and pedestrian access shall be separated from the paths of moving vehicles. 10 The outdoor common areas shall (9) 11 function as more than pedestrian walkways or passageways between areas. Active areas and/or passive areas shall be 12 provided depending on the needs of the adjacent neighborhood. 13 Structures of architectural and historical c. significance 14 Additional heights may be allowed when new multi-family developments preserve structures of architectural 15 or historical significance, according to the following provisions: 16 (1) Preservation of designated City 17 landmarks, with proceedings and controls adopted pursuant to the <u>Seattle Municipal Code</u>, <u>Chapter 25.12</u>, Landmarks Preservation Ordinance, may qualify for eighty feet of 18 additional height. 19 (2) The significant structure to be preserved may be located either on the project site or within 20 the immediate vicinity. 21 С. Height exceptions Radio and television receiving aerials, flag-22 poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74, Airport Height District (((Chapter 23.14))), provided they are no closer than fifty percent of their height above existing 23 24 grade, or, if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, 25 to any adjoining lot line. Railings, planters, skylights, ((ehimneys,)) 26 2. clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 27 set in ((Section 23.45.08)) subsections A and B above. 28 -52-

The following rooftop features may extend up to 3. ten feet above the maximum height limit, so long as the combined total coverage of all features does not exceed fif-1 teen percent of the roof area, or twenty percent of the roof area if the total includes screened mechanical equipment: 2 stair and elevator penthouses З mechanical equipment 4 play equipment and open mesh fencing which encloses it((- Such)), so long as the fencing ((shall be)) is at least five feet from the roof edge 5 6 chimneys 7 sun and wind screens 8 penthouse pavilions for the common use of residents. 9 4. For height exceptions for solar collectors, see Section 23.45.146, Solar Collectors. 10 In order to protect solar access for property to 5. 11 the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of 12 the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade pro-13 perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk: 14 solar collectors 15 planters 16 clerestories 17 greenhouses 18 dish antennae non-firewall parapets 19 play equipment 20 <u>sun</u> and wind screens 21 penthouse pavilions for the common use of residents. 22 Section 34. Subsection 23.45.70B is amended to read as 23 follows: 24 в. Modulation standards 25 1. The minimum depth of modulation shall be four feet_ (((Exhibit 23.45.92))) Exhibit 45.70A. 26 When balconies are part of the modulation and 2. have a minimum dimension of at least six feet and a minimum 27 -53-28

area of sixty square feet, the minimum depth of modulation shall be reduced by two feet, (((Exhibit 23.45.94))) Exhibit 1 45.70B. The minimum width of modulation shall be five 2 3. feet, (((Exhibit 23.45.92))) Exhibit 45.70A. з 4. Maximum width of modulation 4 The maximum width of modulation shall be a. thirty feet. 5 b. Exceptions to maximum width of modulation: 6 (1)When facades provide greater depth of modulation than four feet, then for every foot of modulation 7 depth in excess of four feet, the width of modulation may be increased two and one-half feet, to a maximum width of fifty 8 feet. 9 (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 10 the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot 11 for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of 12 subsection 4.b.(1) above, nor shall it permit facades to exceed fifty feet in width without modulation. 13 Required modulation may start a maximum of ten 5. feet above existing grade, and shall be continued up to a 14 height of at least thirty-seven feet. 15 Subsections 23.45.72B and D are amended to Section 35. read as follows: 16 Rear setback в. 17 The minimum rear setback for structures or portions of structures sixty feet or less in height shall be ten 18 feet. 19 2. The minimum rear setback for portions of structures greater than sixty feet in height shall be twenty feet. 20 D. General setback exceptions 21 1. Required setbacks for cluster developments 22 Where two or more principal structures are located on one lot, (((Exhibit 23.45.98))) Exhibit 45.72B, 23 ((required)) or where two or more portions of the same struc-ture exceed sixty feet in height above existing grade, set-backs between structures or portions of structure shall be 24 provided as follows: 25 No walls shall be less than ten feet apart ((a. at any point. 26 27 -54-28

A principal entrance to a structure shall þ. be at least fifteen feet from the nearest interior facade which contains no principal entrance. ų. A principal entrance to a structure shall 2 e~ be at least twenty feet from the nearest interior facade which contains a principal entrance.)) З Interior facades shall be separated as <u>a.</u> 4 follows: 5 Elevation of Facade or Portion of Facade from Existing Grade 6 Minimum Separation <u>60 feet or less</u> <u>16 feet</u> 7 <u>61-90</u> feet 20 feet 8 <u>91-120 feet</u> <u>28</u> feet 9 <u>121 feet or higher</u> 32 feet 10 Within a cluster development, ((the maximum ((d))b. 11 facade width without modulation shall be thirty feet for all interior facades)) interior facades need not be modulated. Perimeter facades shall follow standard development require-12 ments. 13 ((e))<u>c</u>. Structures ((in cluster developments)) or portions of structures over sixty feet in height, may be con-nected by underground garages or portions of structures 14 thirty-seven feet or less in height. 15 2. Structures in required setbacks 16 Detached garages, carports, or other a. 17 accessory structures are permitted in the required rear or side setbacks, provided that ((they are)) any accessory struc-ture located between a principal structure and the side lot 18 line shall provide the setback required for the principal structure, Exhibit 45.72C. All such accessory structures shall be no greater than twelve feet in height above existing 19 grade, with open rails permitted above twelve feet. 20 Ramps or other devices necessary for access b. 21 for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier-Free Design, are permitted 22 in required front, side or rear setbacks. Uncovered, unenclosed pedestrian bridges, 23 с. necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks. 24 d. Permitted fences, free-standing walls, 25 bulkheads, signs, and other similar structures, no greater than six feet in height, are permitted in required front, side 26 or rear setbacks. 27 -55-28

Decks which average no more than eighteen e. inches above existing grade may project into required set-1 backs. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or freestanding wall, and are at least three feet below the top of 2 the fence or wall. The fence or wall shall be no higher than six feet. З f. Underground structures are permitted in all 4 setbacks. 5 Solar collectors are permitted in required q. setbacks, subject to the provisions of Section 23.45.146, Solar Collectors. 6 Section 36. Section 23.45.76 is amended to read as 7 follows: 8 Section 23.45.76 Highrise, Parking and Access Requirements 9 Α. Parking quantity One off-street parking space per dwelling unit 1. 10 is required. 11 2. For apartments and terraced housing, spaces for bicycles shall be provided in a sheltered and convenient loca-12 tion according to the following chart: 13 Number of Bicycle Spaces Number of Spaces Required 14 5 - 101 15 11-20 2 16 More than 20 1 per 10 units 17 Reductions to the quantity of parking spaces 3. provided may be made for: low-income housing for the elderly and disabled((; provision of spaces for two-wheeled 18 vehicles;)) and the addition of residential units to existing 19 structures((7 and the joint use of existing parking)), according to Section 23.54.20, Parking Quantity Exceptions. 20 4, For apartment structures of more than twenty 21 units, the Director may require parking in excess of the oneto-one parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section 22 23.54.20((H))D. 23 Exceptions to the quantity of required parking 5. shall be permitted when residential units are added to 24 existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures. 25 в. Access to parking 26 1. Alley access required 27 -56-28

Except when one of the conditions of ((paragraphs)) subsections B2 or B3 below applies, access to 1 parking shall be from the alley when the site abuts a platted alley improved to the standards of Section 23.54.10C. Access 2 from the street shall not be permitted. 2. Street access required З Access to parking shall be from the street when: 4 The alley borders on a Single Family, a. 5 Lowrise 1 or Lowrise 2 zone; 6 b. The lot does not abut a platted alley; Location of alley access would create a C. 7 significant safety hazard. 8 3. Street or alley access permitted 9 Access to parking may be from either the alley or the street when((+)) the conditions listed in subsection B2 above do not apply, and one or more of the following con-10 ditions are met: 11 a. Topography makes alley access infeasible((+)); 12 The alley is not improved to the standards b. of ((Section)) subsection 23.54.10C. If such an alley is used 13 for access, it shall be improved according to the standards of subsection 23.54.10C. 14 с. Location of parking 15 <u>1. Parking shall be located on the same site as the</u> principal use, except accessory off-site parking permitted 16 according to Section 23.45.166. 17 2. Parking may be located: 18 Between the structure and the side or rear lot line, Exhibit 45.76A, except as provided in Section 23.45.72D2, if the parking is screened from direct street view as provided in subsection 23.45.76D below, or 19 20 b. In or under the structure, provided that the parking is screened from street view by the front facade of the structure, Exhibit 45.76B. Parking is permitted on all levels of a base structure, with the limitation that a maximum of fifty percent of the area of the floor closest to the grade 21 22 of the street may be used for parking. If the street-level facade is in retail use, sixty percent of the street-Tevel 23 floor area may be used for parking. 24 No open parking shall be permitted between a structure and the front lot line, or in the required front 25 setback. 26 ((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.)) 27 28 -57-

Screening of parking D.

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Parking shall be screened from direct street <u>i.</u> Parking shall be screened from direct street view by the facade of a structure, by garage doors, or 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 landscaped strip on the street side of the fence or wall. This strip may be between one and five feet deep, as measured from the property line, but the average distance from the pro-perty line to the fence shall be three feet. Such screening shall not be located within any required sight triangle 2 4 shall not be located within any required sight triangle. 5 2. The height of the visual barrier created by the screen required above shall be measured from street level. I the elevation of the lot line is different from the finished 6 elevation of the parking surface, the difference in elevation 7 <u>may be measured as a portion of the required height of the</u> screen, so long as the screen itself is a minimum of three feet in height, Exhibit 45.72C. 8 9 Section 37. Subsection 23.45.86D is amended to read as follows: 10 D. Dispersion criteria 11 ((A lot used for a)) The lot line of any new or 1. expanding halfway house shall be ((more than)) located six hundred feet or more from any lot line of any other halfway house or ((from a)) nursing home in a residential zone. 12 13 No halfway house shall be established where its 2. location would increase to more than five the number of half-way houses and/or nursing homes within a one-half mile radius 14 of the proposed site. 15 The Director shall determine whether a proposed 3. 16 facility meets the dispersion criteria from maps which shall note the location of current halfway house and nursing homes. 17 Any person who disputes the accuracy of the maps may furnish the Director with the correct information, and 18 this information, if determined by the Director to be accurate, shall be used in processing applications. 19 Section <u>38</u>. Subsection 23.45.90 is amended to read as 20 follows: 23.45.90 Institutions: 21 General Provisions The establishment of new institutions, such as reli-22 Α. gious facilities, community centers, schools, and daycare cen-ters, which meet the development standards of Sections 23 23.45.92 through 23.45.102 shall be permitted outright in all multi-family zones. Institutions not meeting all the develop-24 ment standards of $((\frac{\text{this}}{\text{this}}))$ these Sections may be permitted as administrative conditional uses subject to the requirements of Section $((\frac{23.45.112}{2}))$ 23.45.122. If the expansion of an 25 existing institution meets all development standards, it shall be permitted outright. Expansions not meeting development 26 27 -58-28

standards may be permitted as administrative conditional uses subject to the requirements of Section ((23.45.118)) 23.45.122. Subsection 23.45.96C is amended to read as Section 39. follows: З с. Side setback The minimum side setback shall be ten feet from 1. a side lot line which abuts any other residentially zoned lot. A 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 minimum side setback of fourteen feet; structures which are taller than one((-))hundred((-))twenty feet shall have a minimum side setback of sixteen feet, (((Exhibit 23.45.102))) Exhibit 45.96A. ((2. When the depth of the structure exceeds sixty--five feet, the standard side setback requirement shall be increased by the distances indicated in the following chart. This additional side setback requirement may be satisfied by averaging the side setback along the depth of the structure.)) <u>2. When the depth of a structure exceeds sixty-five</u> <u>feet, an additional setback shall be required for that portion</u> in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. The side setaveraged along the entire length of the wall. The side set-back requirement for portions of walls subject to this provi-sion shall be provided as shown in the following chart: Side Setback Requirements for Structures Greater than Sixty-Five Feet in Depth 0-11-21-31-41-51-61-71-81-91-Н D 66-70 71-80 81-90 91-100 101-110 -59-CS 19.2

For structures greater than one-hundred ((fifty)) ten feet in depth, the pattern established in the chart shall be con-1 tinued. H = Greatest height of facade beyond sixty-five foot depth (in 2 feet, measured from the front of the structure). In the case of a through lot, the applicant may decide which street З facade is to be considered the front. 4 D = Depth of structure (in feet). 5 Section 40. Subsections 23.45.98B and G are amended to 6 read as follows: 7 в. ((Joint use or shared use of parking areas and fasilities shall be permitted)) An institution may make joint use of parking areas and facilities accessory to other uses if approved by the Director, according to the provisions of 8 Section 23.54.20F, Joint Use Parking. 9 ((6-**Transportation** plan 10 Threshold for requiring a transportation plan 1-11 The Director may modify the parking standards on 12 a case by case basis for any proposed institution using a transportation plan. A transportation plan shall be required 13 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 14 area and/or which are required to provide twenty or more parking spaces. 15 Contents of transportation plan 2-16 The Director shall determine the level of detail 17 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 18 factors may be required: 19 Traffic 3-20 Number of staff during normal working hours; users, guests and others regularly associated with the institution; level of vehicular traffic generated; traffic 21 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 22 measures to be taken by the applicant. 23 b. Parking area 24 Number of spaces; extent of screening from 25 public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; 26 Prevailing direction of exhaust fumes; location of driveway 27 -60-28

and curb cuts; accessibility of convenience of the parking area; and mitigating measures to be taken by the applicant, 100 such as parking space preferences for carpool or vanpool vehicles and provisions for bicycle racks. 2 Parking overflow e. З Number of vehicles expected to park in the street; percentage of on-street parking supply to be used by 4 the proposed use; opportunities available to share existing parking areas; trends in local area development and mitigating 5 measures to be taken by the applicant. đ. Pedestrian safety 6 Number of driveways which cross pedestrian 7 walkways; location of passenger loading areas. 8 Availability of public or private mass transportation system. 9 Bus line location and frequency; extent of private mass transportation, including carpools and vanpools 10 if provided by the applicant. 11 3-Evaluation of transportation plan 12 Based on an evaluation of the information disclosed in the transportation plan, the Director may increase the 13 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 14 requirement when the applicant can demonstrate that the anticipated use will not need the minimum number of required 15 parking spaces.)) 16 Section 41. Section 23.45.102 is amended to read as follows: 17 23.45.102 Institutions: Dispersion Criterion 18 ((The establishment of a)) The lot line of any new or ((the expansion of an existing)) expanding institution shall ((not)) be located ((within)) six hundred feet or more from 19 any lot line of any ((existing)) other institution ((or public 20 facility)) in a residential zone. 21 Section 42. Subsection 23.45.106A is amended to read as follows: 22 23.45.106 Public Facilities 23 The location or expansion of the following public facilities shall be permitted outright in all multi-family 24 zones, if all of the development standards for institutions (Sections 23.45.92 through 23.45.102) are met: 25 26 27 -61-28

	Police Precinct Stations
1	Fire Stations
2	Public Boat Moorages
3	Utility Service Uses
4	((Parks & Playgrounds
5	Museums))
6	Other similar uses.
7	Section <u>43</u> . The following section is added to Chapter 23.45:
8	23.45.108 Public or Private Parks and Playgrounds
9	The establishment of new or expansion of existing public or private parks and playgrounds, including customary struc-
10	tures and activities, shall be permitted outright in all multi-family zones. Garages and service or storage areas
11	accessory to parks shall be located one hundred feet or more from any other lot in a residential zone and shall be screened from view from such lot.
12	Section <u>44</u> . Subsection 23.45.118B is amended to read as follows:
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14	B. Dispersion criteria
15	1. A facility which does not meet the dispersion criteria of Section 23.45.86D may be permitted, upon deter- mination by the Director that the intent of the dispersion
16	requirements is satisfied. For example, physical elements (such as water bodies, large open spaces, or topographical features) or manmade elements (such as arterials, con-
17	centrations of non-residential uses, or freeways) may provide substantial separation from existing halfway houses and
18	nursing homes.
19 20	2. If the intent of the dispersion criteria is met, an existing facility not in conformance with a dispersion standard may be permitted to expand. The existing facility
21	shall not be permitted to expand beyond the ((bulk requirement)) <u>requirements</u> of the other <u>development</u> <u>standards</u> for the zone in which it is located.
22	Section <u>45</u> . Subsections 23.45.122D and E are amended to read as follows:
23	D. ((Traffic generation
24	The Director may condition a permit to mitigate
25	potential traffic congestion problems. Measures which may be used by the Director for this purpose include, but are not limited to the following.
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	CS 19.2

1. Implementing the institution's transportation

plan.

2. Limiting the number or type of vehicles associated with the facility; encouraging the use of METRO or private mass transit; requiring provision of sidewalks; and changing access; location or quantity of parking;)

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D. Transportation plan

<u>1. A transportation plan shall be required for pro-</u> posed new institutions and for those institutions proposing expansions which are larger than four thousand square feet of structure area and/or required to provide twenty or more parking spaces.</u>

2. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Consideration of the following elements and other similar factors may be required:

<u>a.</u> <u>Traffic</u>

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. <u>Parking area</u>

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 and 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 onstreet 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. Safety

e.

Number of driveways which cross pedestrian walkways; location of passenger loading areas.

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Availability of mass transportation

Bus route location and frequency of service; private transportation programs, including carpools and van-pools, to be provided by the applicant. 1 <u>3. The Director may condition a permit to mitigate</u> potential traffic and parking problems. Measures which may be used by the Director for this purpose include, but are not limited to the following: 2 3 4 Implementing the institution's transportation a. plan to encourage use of public or private mass transit; 5 b. Increasing onsite parking or loading space requirements to reduce overflow of vehicles into the onstreet 6 parking supply; 7 Changing access and location of parking; <u>C.</u> 8 <u>d.</u> <u>Decreasing onsite parking or loading space</u> requirements, (E. Parking I)) if the applicant can demonstrate that less than the required amount of parking is 9 necessary due to the specific features of the institution or the activities and programs it offers ((7 the Director may 10 reduce the amount of required parking)). In such cases, the applicant shall enter into an agreement with the Director, 11 specifying the amount of parking required and linking the parking reduction to the features of the institution which 12 justify the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions 13 change, the standard requirement shall be satisfied. 14 Section 46. Section 23.45.140 is amended to add the following subsection: 15 <u>C. Accessory structures shall be counted in structure</u> width and depth if less than three feet from the principal structure at any point. Such detached accessory structures shall have a height limit of twelve feet. 16 17 Subsections 23.45.146B and D are amended to Section 47. read as follows: 18 в. Solar collectors in required setbacks 19 Solar collectors are permitted in required setbacks 20 according to the following provisions: 1. Detached solar collectors shall be permitted in required rear setbacks; such collectors shall be no closer 21 than five feet to any other principal or accessory structure. 22 Detached solar collectors shall be permitted in 2. 23 required side setbacks. Such collectors shall be no closer than five feet to any other principal or accessory structure, 24 and no closer than three feet to the side lot line. 25 The area covered or enclosed by solar collectors 3. ((shall not be included in)) may be counted as required open space ((ealculations)). 26 27

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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)) begin at ((ten)) eight feet or more above existing grade ((level)) may be no closer than three feet from the property line. ((Those which are below ten feet may be no)) Sunshades which are between existing grade and eight feet above existing grade shall be no closer than five feet ((from)) to the property line.

Solar retrofits D.

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on the effective date of this Land Use Code as a special exception pursuant to Chapter 23.76, ((+))Master Use Permit((+)). Such a retrofit may be permitted even if it exceeds ((established)) the height limit established in sub-section 23.45.146C above, if the following conditions are met:

There is no feasible alternative solution to 1. placing the collector(s) on the roof;

The positioning of such collector(s) minimizes 2. view blockage and shading of property to the north, while still providing adequate solar access for the collectors; and

3. Such collector(s) meet minimum energy standards administered by the Director.

Section <u>48</u>. Section 23.45.154 is amended to read as follows:

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 Chapter 23.70 or Chapter 24.60, Shoreline Master Program, provided that only one slip per residential unit is provided.

Section 49. Subsection 23.45.166A is amended to read as follows:

The offsite parking facilities must be accessory Α. to a multi-family structure ((built)) existing before the ((adoption)) effective date of this Land Use Code, which provides less than one parking space per unit, although it may include parking for a new residential development when developed jointly.

22 Section 50. Section 23.45.180 is amended to read as follows: 23

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23.45.180 Continuation of Nonconforming Uses

Any legally established nonconforming use existing on the effective date of this provision which does not conform to the applicable requirements of this Land Use Code may be continued subject to the provisions of this ((section)) Subchapter.

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Section 51. Section 23.45.182 is amended to read as follows:

23.45.182 Extensions, Expansions, and Structural Alterations of Nonconforming Uses

A nonconforming use shall not be expanded or extended, nor shall a structure containing a nonconforming use be expanded, extended or structurally altered except as follows:

Expansions, extensions or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled shall be permitted.

Β. Legally established apartments in Lowrise 1 zones may be improved, renovated, structurally altered, and expanded, provided 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.

Additional dwelling units may be added to legally established apartments in Lowrise 1 zones so long as this addition does not violate the development standards of Sections ((23.45.10)) 23.45.08 through 23.45.18, nor cause an already nonconforming structure to further exceed development standards, except that one dwelling unit may be added without a parking space if the lot area is not increased, if new parking meets all development standards, and existing parking is screened and landscaped to the greatest extent practical.

D. Dwelling units may be added to structures in nonresidential use, even if in a nonconforming structure. Such structures may be altered or expanded so long as the alteration or expansion does not violate the development standards of this chapter, nor cause an already nonconforming structure to further exceed development standards, except that one unit may be added without a parking space.

A nonresidential nonconforming use shall not be expanded or extended. A structure containing a nonconforming use which is not residential shall not be expanded or extended except as otherwise required by law, except as provided in Subsections 23.45.182F and G below, or as necessary to improve access for the elderly and disabled.

Existing structures or portions of structures $((\Xi)) \underline{F}.$ containing office uses, or structures for which an application has been made, which are developed in former RMH 350, RMV 200 or RMV 150 zones formerly regulated in Title 24 which meet the development standards of the respective zone, or were developed pursuant to variances, may be improved, renovated, or Structures containing office uses may structurally altered. not be expanded, and office uses may not be extended within the building beyond the floor area permitted in the former Types of offices permitted shall be limited to those zone. permitted in the former zone.

26 or other act of nature may be resumed provided it meets the requirements of Section 23.45.190.

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A nonconforming use which is destroyed by fire

Section 52. Subsections 23.45.184A and D are amended to read as follows:

23.45.184 Changes To and From Nonconforming Use

A. Existing nonresidential uses may be converted to residential use. When residential units are added to nonresidential uses, one unit may be added without a parking space. If the only use in the structure will be residential and there is no feasible way to provide the required parking, then the Director may authorize reduction or waiver of parking as a ((conditional development)) special exception pursuant to Chapter 23.76, ((+))Master Use Permit((+)).

D. Legally established uses which were permitted outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 23.45.116 through 23.45.126.

Section <u>53</u>. Subsection 23.45.190A is amended to read as follows:

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 they are 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.

Section <u>54</u>. Section 23.54.10 is amended to read as follows:

23.54.10 Access Standards

A. Streets

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1. Street abutment required

At least ten feet of a lot line shall abut on a street meeting the standards of subsection 23.54.10A3, or on a permanent access easement meeting the standards of subsection 23.54.10B.

2. Access to new lots

When new lots are created or new easements are proposed, access by a street may be required by the Director when one or more of the following conditions exist:

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Where access by easement would compromise the a. goals of the Land Use Code to provide for adequate light, air and usable open space between structures. 2 2 If the improvement of a dedicated street is b. necessary or desirable to facilitate adequate water supply for domestic water purposes or for fire protection, or to facili-З tate adequate storm drainage. 4 If improvement of a dedicated street is C. necessary or desirable in order to provide on-street parking for overflow conditions. 5 d. Where it is demonstrated that potential safety 6 hazards would result from multiple access points between existing and future developments onto a roadway without curbs 7 and with limited sight lines. 8 If the dedication and improvement of a street е. would provide better and/or more identifiable access for the public or for emergency vehicles. 9 Street Improvement Standard з. 10 a. Streets providing access to and within residen-tial development shall meet the following standards, except as 11 provided in ((paragraph b.)) subsection 2b below: 12 (1)Grading to both right of way lines; 13 (2)Standard pavement width and depth; 14 Curbs on both sides of the street; (3) 15 Sidewalks on both sides of the street; (4)16 (5)Provision of landscaped planting strips and/or street trees on both sides of the street; and 17 (6) Drainage and grading according to the provisions of the Seattle Municipal Code. 18 The Director may authorize exceptions to the b. 19 standards listed in ((paragraph a.)) subsection 2a above under the following conditions: 20 (1)Proposed development contains less than ten 21 units; (2) Proposed development is low income housing; 22 (3) Full street improvement would not be prac-23 tical due to topography and/or location in an environmentally sensitive area; 24 Street improvement would remove natural (4)25 features such as trees or disrupt existing drainage patterns; 26 27 -68-28

((An existing street serving the proposed (5) development is not at ordinance grade and new grading would affect existing access)) Full street improvement would adver-1 sely affect abutting property; or 2 The street would provide access to a single (6) development, and would not carry through traffic; or З (7) The street is not improved to standard, but is adequate for anticipated current and future needs. 4 5 в. Easements Where a lot does not abut a street and where access by easement has been approved by the Director in accordance 6 with 23.54.10A2, access to the lot shall be provided to a 7 street by an easement meeting the following standards: 8 Easements serving one single family dwelling 1. unit 9 Easement width shall be a minimum of ten a. 10 feet; b. No maximum easement length shall be set. 11 If easement length is more than one hundred and fifty feet, a vehicle turnaround shall be provided; 12 c. Curb cut width from the easement to the street shall be the minimum necessary for safety and access. 13 14 Easements serving at least two but fewer than 2. five single family dwelling units 15 Easement width shall be a minimum of a. ((sixteen)) twenty feet; 16 The easement shall provide a surfaced roadb. 17 way at least sixteen feet wide; c. No maximum easement length snall be set. If the easement is over six hundred feet long, a fire hydrant 18 may be required by the Director; 19 đ. A turnaround shall be provided unless the 20 easement extends from street to street; 21 Curb cut width from the easement to the e. street shall be the minimum necessary for safety and access. 22 Easements serving at least five but fewer than ten single family dwelling units, or fewer than ten multi-23 family unit a. Easement width, surfaced width, length, turaround, and curb cut width shall be as required in paragraph 2 above; 24 25 No principal structure shall be closer than 26 b. five feet to the easement. 27 -69-28

4. Easements serving ten or more residential unit 1 Easement width shall be a minimum of a. thirty-two feet. 2 The easement shall provide a surfaced roadb. way at least twenty-four feet wide. З No maximum length shall be set. C. If the 4 easement is over six hundred feet long, a fire hydrant may be required by the Director. 5 đ. A turnaround shall be provided unless the easement extends from street to street. 6 Curb cut width from the easement to the e. 7 street shall be the minimum necessary for safety and access. 8 No single family structure shall be located £. closer than ten feet to an easement, and no multi-family structure shall be located closer than five feet to an ease-9 ment. 10 One sidewalk shall be provided, extending α. the length of the easement. 11 c. Alleys 12 Alley access to parking shall be required according 13 to the provisions of each zone. An alley shall be considered improved when it meets the following standards: 14 Grading to both right of way lines; 1. 15 2. Standard pavement width and depth in accordance with rules as promulgated by the Director; 16 Drainage and grading according to the provisions 3. 17 of the Seattle Municipal Code. 18 Section 55. Subsections 23.54.20C, F, and G are amended to read as follows: 19 Adding units to existing structures in multi-((岳)) C. family zones 20 1. If an existing residential structure in a multi-family zone has parking which meets the development standards, 21 and the lot area is not increased, one unit may be added without additional parking. If two units are added, one space 22 will be required; three units will require two spaces, etc. Additional parking must meet all development standards for the 23 particular multi-family classification. 24 Exceptions to the quantity of required parking 2. shall be permitted when residential units are added to a 25 structure in a multi-family zone which has parking not conforming to development standards, or when units are added to a nonconforming use, according to the provisions of <u>Chapter</u> 23.45, Subchapter 4, Nonconforming Uses and Structures. 26 27 -70-28

F. Joint Use of Parking

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1 2	The Director may authorize the joint use of parking for the following uses or activities under the following con- ditions:
3	<u>1. Up to fifty percent of the parking required for</u> <u>a theater, bowling alley, dance hall, bar, restaurant, roller</u>
4	or ice skating rink, or other similar primarily nighttime use may be supplied by the off-street parking provided by the uses specified in subsection F4 below.
5	2. Up to fifty percent of the off-street parking
6 7	required for any use specified under subsection F4 may be supplied by the parking provided for uses specified in subsection F5 below.
	3. Up to one hundred percent of the parking
8	required for a church or for an auditorium incidental to a public or private school may be supplied by the off-street parking provided by uses specified in subsection F4 below.
10	<u>4.</u> For the purposes of this section, the following uses are considered as daytime uses: banks, business offices,
11	retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and other similar pri-
	marily, daytime uses when authorized by the Director.
13	5. For the purpose of this section, the following uses are considered as nighttime or Sunday uses: auditoriums
14	incidental to a public or private school, churches, bowling alleys, dance halls, theaters, bars or restaurants, roller or
15	ice skating rinks, and other similar primarily nighttime ues when authorized by the Director.
16	6. Conditions required for joint use:
17	a. The use for which application is being made
18	to utilize the off-street parking provided by another use shall be located within eight hundred feet of the parking.
19	b. The applicant shall show that there is no substantial conflict in the principal operating hours of the two uses for which joint use of off-street parking is proposed.
20	<u>C.</u> An agreement providing for joint use
21	parking executed by the parties concerned shall, together with the applicable use permit, be filed with the Director. The
22	Director may condition the use permit to assure compliance with the joint use parking agreement. Joint use parking
23	privileges shall continue in effect only so long as the agreement, binding on all parties, remains in force. If the
24	agreement becomes legally ineffective, then parking shall be provided as otherwise required by this Land Use Code.
25	<u>G.</u> For non-school uses located in a former or existing
26	public school, the school use criteria of Chapter 23.78, Establishment of Criteria for Joint Use and Reuse of Schools, shall determine the off-street parking requirement.
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Section 56. Subsection 23.54.30C is amended to read as follows: 1 с. Ingress and egress 2 1. Backing distances and moving other vehicles З Adequate ingress to and egress from all a. parking spaces shall be provided without having to move 4 another vehicle, except for single family dwellings. b. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces 5 shall be provided without requiring backing more than fifty 6 feet. 7 2. Curb cuts 8 Except as provided in paragraph $b((\tau))$ a. below, curb cuts for driveways shall be provided as follows: 9 (1)For lots with street frontage of eighty feet or less, a maximum of one ten-foot-wide curb cut 10 shall be permitted. 11 (2) For lots with street or easement frontage greater than eighty feet, a maximum of two ten-foot-wide curb cuts or one twenty-foot-wide curb cut per develop-12 ment shall be permitted. 13 On arterials with more than fifteen b. thousand average vehicle trips per day, according to Engineering Department data, one twenty-three-foot-wide curb 14 cut shall be permitted. A list of such arterials shall be 15 maintained by the Department. 16 c. A flare with a maximum width of two and one-half feet shall be permitted on either side of any curb 17 cut. 3. Driveways 18 Driveways shall be not less than ten feet a. 19 wide.((7 and shall provide the minimum turning path radius as shown on Figure 2A.)) Driveways with a turning angle of more 20 than thirty-five degrees shall conform to the minimum turning path radius shown in Exhibit 54.30B. 21 Vehicles may back onto the street from a b. parking area serving five or fewer vehicles, provided that: 22 (1)The street is not an arterial as 23 defined by the Seattle Municipal Code, Section 11.18.010, Arterial Street Map, and 24 The slope of the driveway does not (2) 25 exceed ten percent in the first twenty feet back from the property line. 26 27 -72-28

c. Driveways serving thirty or fewer parking spaces and less than one((-))hundred feet in length shall be a minimum of ten feet in width for one- or two-way traffic. ((Driveways with a turning angle of more than thirty-five degrees shall conform to the minimum turning path radius shown in Figure 4A.))

d. For driveways serving thirty or fewer parking spaces and greater than one-hundred feet in length, the driveway shall either:

(1) Be a minimum of sixteen feet wide, tapered over a twenty-foot distance to a ten-foot opening at the property line; or

(2) Provide a passing areas at least twenty feet wide and twenty feet long. The passing area shall 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.

e. Driveways serving more than thirty parking spaces shall provide a minimum ten-foot-wide driveway for oneway traffic or a minimum twenty-foot-wide driveway for two-way traffic. ((Driveways with a turning angle of more than thirty-five degrees shall conform to the minimum turning radius shown on Exhibits 2A and 2B).)

f. Maximum grade curvature shall not exceed the curvature shown in Exhibit ((3)) 54.30C.

4. Parking aisles

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a. Parking aisles shall be provided according
 to Exhibit 4.

b. Turning and maneuvering areas shall be located on private property, except that alleys may be credited as aisle space.

Section 57. Subsections 23.76.14C and E are amended to read as follows:

20 C. Notice of the application shall be provided by the Director in the following manner:

1. Short Plat, sidewalk cafes, structural building overhangs, areaways, <u>special exceptions</u>, <u>design departure</u>, <u>temporary use for more than three weeks</u>: four placards posted on or near the site, general mailed release.

23 2. Variances, administrative conditional use: four
 24 placards posted on or near site, general mailed release,
 mailed notice.

3. Substantial development permit, shoreline variance, shoreline conditional use: four placards posted on or near site, general mailed release, publish notice in City official newspaper once each week for two consecutive weeks.

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Ε. No notice of application is required for a temporary three week use or for the following Master Use Permit approvals 1 if they are determined to be exempt from SEPA. 1. Establishment or change of use permitted 2 outright. З 2. Curb cuts; landscaping associated with development proposals; additional onstreet parking; street and alley 4 improvements. 5 Lot boundary adjustments. 3. Section 58. Subsection 23.76.24A is amended to read as 6 follows: 7 23.76.24 Director's Decision on Master Use Permit 8 Master Use Permit Review Criteria Α. The Director shall grant, deny, or condition approval of a Master Use Permit based on the applicant's compliance 9 with the <u>Seattle Municipal Code</u>, <u>Chapter 25.04</u>, SEPA Policies, ((Ch. 25.04, Subchapter III)) and with the substantive 10 requirements applicable to the specific approval effective at 11 the time the Director issues a decision. The Director may impose conditions in order to mitigate adverse environmental 12 impacts associated with the construction process. 13 Section 59. Subsection 23.76.36B is amended to read as follows: 14 в. All appealable Master Use Permit decisions other than shoreline decisions as identified in Subsection 23.76.36A, 15 shall be filed with the Hearing Examiner subject to the following: 16 Standing. 1. All appealable Master Use Permit 17 decisions may be appealed by any person, significantly affected by or interested in the permit. 18 2. Time of Filing. Appeals shall be filed with the Hearing Examiner by five o'clock p.m. of the fourteenth calendar 19 day following publication of notice of the decision. When the last day of the appeal period so computed is a Saturday, 20 Sunday, or federal or City holiday, the period shall run until five o'clock p.m. on the next business day. The appeal shall be in writing and shall clearly identify the approval(s) being 21 appealed. The appeal shall be accompanied by payment of the filing fee as set forth in the Seattle Municipal Code, Section 3.02.125, Hearing Examiner Filing Fees. Specific objections to the Director's decision and the relief sought shall be 22 23 stated. In form and content, the appeal shall conform with the rules of the Hearing Examiner. 24 Consolidated Appeals. All appeals of a Master 3. 25 Use Permit shall be considered together in a consolidated hearing. 26 27 -74-28 CS 19.2

4. Pre-hearing Conference. On the Hearing Examiner's motion, or at the request of any party of record, the Hearing Examiner may have a conference prior to the hearing in order to entertain pre-hearing motions, clarify issues, or consider other relevant matters.

5. Notice of Hearing. Notice of the hearing on the appeal shall be mailed at least twenty days prior to the scheduled hearing date to parties of record and those requesting notice of the specific hearing. Notice shall also be included in a general mailed release.

6. Scope of Review. Appeals shall be considered de novo. The Hearing Examiner shall entertain issues cited in the appeal which relate to procedural irregularities, compliance with substantive criteria, the adequacy of the environmental documentation upon which the decision was made, or failure to properly condition or deny a permit based on disclosed environmental impacts.

7. Standard of Review. The Director's decision shall be given substantial weight, except that, for any decision which includes deter minations on a variance or conditional use, that part of the Director's decision shall be given no deference.

8. The Record. The record shall be established at the Hearing Examiner hearing. The Hearing Examiner shall either close the record after the hearing or leave it open to a specified date for additional testimony or written argument.

9. Hearing Examiner's Decision. The Hearing Examiner shall issue a decision within fourteen days after closing the record.

The Hearing Examiner may affirm, reverse, remand or modify the Director's decision. Written findings and conclusions supporting the Hearing Examiner's decision shall be made.

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10. Notice of Hearing Examiner Decision.

Notice of the Hearing Examiner's decison shall be mailed on the same date of the ((decisioin)) decision to the parties of record and to all those requesting notice, and shall contain information regarding appeal procedures, if any.

11. An appeal of any Hearing Examiner's decision except those decisions appealable to the City Council pursuant to <u>Seattle Municipal Code</u>, Section 25.04.210, must be filed in King County Superior Court within fourteen days of the issuance of the decision.

24 Section <u>60</u>. Subsection 23.78.10 is amended to read as follows:

25 23.78.10 SUAC Responsibilities

26 The ((appealed)) SUAC shall:

A. Conduct a minimum of three public meetings within a ninety day period from formating of the SUAC.

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в. Gather and evaluate public comment; 1 Develop criteria for structure and grounds use which are compatible with the surrounding community, including but not limited to: benefits to the community and public; popula-tion to be served; community access; use of the school grounds 2 within the context of recreational and aesthetic resources of З the neighborhood; mitigation of large structure bulk; traffic impacts: generation, circulation, and parking; landscaping and maintenance of grounds; exterior appearance of the structure, 4 including signing; noise; hazards; and other potential 5 nuisances; and Recommend criteria to the Director of DCD no later 6 D. than ninety days after its first meeting unless a ten day extension is requested, in writing, by a majority of the SUAC 7 and granted by the Director of DCD. 8 The following subsections of Section 23.84.06 Section 61. "C" are amended to read as follows: 9 23.84.06 "C" 10 Cluster development 11 <u>A development containing two or more principal structures</u> one lot. In Highrise zones, two or more towers on one base on one lot. 12 structure shall also be considered a cluster development. 13 Community center ((A structure and related grounds)) An institution used 14 for non-profit social, civic or recreational purposes and owned and operated by a private non-profit organization or 15 public agency serving in the community in which it is located and open to the general public on equal basis and where no 16 activities, other than the rental of the center to other nonprofit social, civic, recreational or religious organizations, 17 are carried out for gain. Section <u>62</u>. 18 The following subsection of Section 23.84.08 "D" is amended to read as follows: 19 23.84.08 "D" 20 Day care center 21 ((A facility)) An institution operated by any person or organization which regularly provides care to a group of children in other than a family setting for less than twenty-22 four hours a day, whether for compensation or not. (See also family day care home.) 23 Director 24 The Director of the Department of Construction and Land 25 Use, or the Director's designee. 26 27 -76-28

e	Section <u>63</u> . Section 23.84.10 "E" is amended to add a sub- section as follows:
	23.84.10 "E"
2	Elevated walkway
3	A pedestrian walkway connecting structures within a
4	cluster development and located above existing grade.
5	Section <u>64</u> . Section 23.84.12 "F" is amended to add the following subsections:
6	23.84.12 "F"
7	Facade, Front
8	The facade extending the full width of the structure, including modulations, which is closest to and most nearly parallels the front lot line.
9	Facade, Rear
11	The facade extending the full width of the structure, including modulations, that is closest to and most nearly parallels the rear lot line.
12	Facade, Side
13	The facade extending the full width of the structure, including modulations, that is closest to and most nearly
14	parallels the side lot line.
15	Facade, Interior
16	Any facade of a structure within a cluster development, which faces, or portions of which face, the facade(s) of
17	another structure(s) within the same development. Any facade defined as a front, rear or side facade would not be considered an interior facade.
18	Facade, Perimeter
19 20	Any facade of a structure within a cluster development, which is either a front, rear or side facade.
21	Section <u>65</u> . The following subsection of Section 23.84.24 "L" is amended to read as follows:
22	23.84.24 "L"
23	Lot grade, existing
24	The natural surface contour of a lot, including minor ((surface)) adjustments to the surface of the lot in prepara-
25	tion for construction.
26	Section <u>66</u> . The following subsection of Section 23.84.25 "M" is amended to read as follows:
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23.84.25 "M"

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Museum

A non-profit, non-commercial institution operated as a repository or a collection of natural, scientific, historical, cultural, or literary objects of interest or works of art. Section <u>67</u>. The following subsections of Section 23.84.32 "R" are amended to read as follows: 23.84.32 "R" Religious facility An institution, such as ((A)) a church, temple, mosque, synagogue or other structure together with its accessory structures, used primarily for religious worship. Roof, shed See shed roof. Section 68. The following subsections of Section 23.84.36 "S" are amended to read as follows: School, public or private ((A structure)) An institution primarily used for systematic academic instruction, excluding post-secondary colleges and universities. 14 Shed roof 15 <u>A roof having only one sloping plane.</u> 16 Short Subdivision 17 The division or redivision of land into ((four)) nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, development, or financing, and shall include 18 all resubdivision of previously platted land and properties divided for the purpose of sale or lease of townhouse units. 19 Solar greenhouse 20 <u>A solar collector which is a structure or portion of a structure ((which uses)) utilizing glass or similar glazing</u> 21 material to collect direct sunlight for space heating purposes. 22 Section 23.84.38 "T" is amended to delete a Section 69. subsection as follows: 23 ((Tandem houses 24 Two unattached ground-related dwelling units occupying the same lot.)) 25 Section 70. The following subsection of Section 23.84.44 26 "W" is amended to read as follows: 27 -78-28

23.84.44 "W"

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Wall, exterior

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2	An upright member of a structure which forms the boundary between the interior and exterior of that structure ((; when	
3	there is no wall, the plane between the supports)).	
4	Section <u>71</u> . Subsection 23.86.10B, last amended in Ordinance 110669 is amended to read as follows:	
5	B. Front Yards	
6	1. Determining Front Yard Requirements	
7	(Exhibit 86E(1)-(7)	
8	Front yard requirements are presented in the standard development requirements for each zone. Where the	
9	minimum required front yard is to be determined by averaging the setbacks of structures on either side of a lot, the following provisions shall apply:	
10	a. The required depth of the front yard shall	
11	be the average of the distance between principal structures and front lot lines of the nearest principal structures on	
12	each side of the lot. When the front facade of the principal structure is not parallel to the front lot line, the shortest	
13	distance from the front lot line to the structure shall be used for averaging purposes.	
14	b. The yards used for front yard averaging	
15	shall be on the same block front as the lot, and shall be the front yards of the nearest principal structures within one hundred feet of the side lot lines of the lot.	
16	c. For averaging purposes, front yard depth	
17	shall be measured from the front lot line to the wall nearest to the street ((comprising)) or where there is no wall, the plane between supports, which comprises twenty percent or more	
18	of the width of the front facade of the principal structure. Enclosed porches shall be considered part of the principal	
19	structure for measurement purposes. Attached garages or carports permitted in front yards under either Section	
20	23.44.08D4g or 23.44.10B5, decks, ((unenclosed)) <u>uncovered</u> porches ((with or without roofs)), eaves, ((posts,)) attached	
21	solar collectors, and other similar parts of the structure shall not be considered part of the principal structure for measurement purposes.	
22	d. In Single Family zones, when the first	
23	principal structure within one hundred feet of a side lot line of the lot is not on the same block front, or does not provide	
24	its front yard on the same street, or when there is no principal structure within one hundred feet of the side lot line, the	
25	yard depth used for averaging purposes on that side shall be twenty feet.	
26	e. When the front yard of the first principal structure within one hundred feet of the side lot line of the	
27	lot exceeds twenty feet, the yard depth used for averaging purposes on that side shall be twenty feet.	
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In cases where the street is very steep or f. winding, the Director shall determine which adjacent single Ĩ family structures should be used for averaging purposes. 2 2. Sloped lots in single family zones For lots in single family zones, reduction of З required front yard is permitted at a rate of one foot for every percent of slope in excess of thirty-five percent. For ß the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall determine the line along which 5 slope is calculated. 6 Subsection 23.86.12A is amended to read as Section 72. follows: 7 23.86.12 Setbacks in Multi-Family Zones 8 Front setbacks Α. 9 Determining front setback requirements 1. 10 Front setback requirements are presented in the standard development requirements for each zone. Where the 11 minimum required front setback is to be determined by averaging the setbacks of structures on either side of the 12 subject lot, the following provisions shall apply: 13 The required depth of the front ((yard)) a. setback shall be the average of the distance between principal structures and front lot lines of the nearest principal structures 14 on each side of the subject lot, (((Exhibit 86.E))) Exhibit 86.12A. 15 b. The setbacks used for front setback 16 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 17 the subject lot. 18 c. For averaging purposes, front setback depth shall be measured from the front lot line to the nearest wall, 19 or where there is no wall, the plane between supports, which ((comprising)) comprises twenty percent or more of the width 20 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 21 less than eighteen inches above existing grade, ((unenclosed)) uncovered porches ((with or without roofs)), eaves, ((postsr)) 22 attached solar collectors, and other similar parts of the structure shall not be considered part of the principal structure. 23 When the front facade of the principal structure is not parallel to the front lot line, the shortest distance from the 24 front lot line to the structure shall be used for averaging purposes. 25 When the first principal structure within đ. one hundred feet of a side lot line of the subject lot is not 26 on the same block front or when there is no principal structure 27 -80-28

within one hundred feet of the side lot line, the setback depth used for averaging purposes on that side shall be ten feet.

e. When the front setback of the first principal structure within one hundred feet of the side lot line of the subject lot exceeds twenty feet, the setback depth used for averaging purposes on that side shall be twenty feet.

f. In cases where the street is very steep or winding, the Director shall determine which adjacent structures should be used for averaging purposes.

((g. In the case of a through lot, the setback used for front setback averaging on each side shall be the lesser of the two front setbacks provided by each adjoining through lot.))

g. In the case of a through lot, the requirement for front setbacks shall be determined independently for each street frontage. The measurement techniques of this section shall be applied for each street frontage separately.

<u>h.</u> For cluster development, the front setback of a principal structure on the same lot may be used for averaging purposes.

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2. Features projecting into required front setbacks

In certain zones portions of the front facade may project into the required front setback, provided that the average distance from the front lot line to the facade satisfies the minimum front setback requirement. In such cases the following provisions shall apply:

a. The front setback shall be averaged for the entire width of the structure.

b. Portions of the facade at existing grade shall be used in determining the average setback.

c. Projections of the front facade which begin at least ((ten)) eight feet above existing grade and project less than four feet from the lower portion of the facade shall not be included in the setback averaging. For such projections which project more than four feet from the lower portion of the facade, only the first four feet shall be exempt from the averaging calculation. This provision applies to such features as cantilevered floor area, decks, and bay windows. Eaves, gutters, and cornices are permitted to project eighteen inches beyond any front facade without being counted in averaging.

3. Measuring street-facing setbacks for institutions and public facilities in multi-family zones

a. In multi-family zones, the depth of setback from a street lot line may be averaged along the width and height of the facade for institutions and public facilities, as an alternative providing greater design flexibility than standard modulation requirements.

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This average setback shall be calculated by b. dividing the three-dimensional volume of setback by the area of the structure facade. 1 Find the sum of volumes within the (1)2 space defined by extension of the roof line, the planes of the side walls, and the vertical extension of the front lot line; З and 4 (2) Divide this sum by the area of the street-facing facade, calculated as the product of facade height and facade width, (((Exhibit 86F))) Exhibit 86.12B. 5 Section 73. Section 23.86.14 is amended to read as 6 follows: 7 23.86.14 Structure Width 8 Structure width shall be measured by the following method: 9 Draw ((the smallest)) a rectangle that encloses 1. the principal structure. 10 Structure width shall be the length of the side 2. 11 of that rectangle most closely parallel to the front lot line, (((Exhibit 86H))) Exhibit 86.14A. 12 Β. Decks and balconies ((ten)) eight feet or less above 13 existing grade, unenclosed porches with or without roofs, eaves, gutters, chimneys not used to meet modulation require-ments, and attached solar greenhouses meeting minimum stan-14 dards administered by the Director shall not be considered part of the principal structure for the purpose of measuring 15 the width of a structure. 16 Decks and balconies more than ten feet above existing С. grade, enclosed porches, attached garages and carports, and 17 modulated or projecting segments of a facade shall be considered part of the principal structure for the purpose of measuring the width of a structure. 18 D. Structure width exception 19 In certain multi-family zones, apartment structures are allowed greater width when at least forty percent of the 20 width is sets back from the portion of the front facade closest to the front lot line a distance equivalent to twenty-five 21 percent of the structure depth. In such cases the following provisions shall apply: 22 When the front facade(s) is(are) not essentially 1. 23 parallel to the property line, the facade containing the point closest to the street shall be considered the facade closest 24 to the street. 25 The twenty-five percent of building depth may be 2. achieved by adding together the depths of more than one facade The forty percent of structure width may also be segment. 26 composed of more than one facade segment meeting the twentyfive percent setback requirement. 27 -82-28

Section 74. Section 23.86.16 is amended to read as follows: 1 23.86.16 Structure Depth 2 À. Measuring structure depth In certain zones structure depth is limited by stan-lopment requirements. The following provisions shall З dard development requirements. apply for determining structure depth: 4 1. Structure depth shall be measured by the 5 following method: 6 a. Draw ((the smallest)) a rectangle that encloses the principal structure. 7 Structure depth shall be the length of the b. sides of that rectangle most closely parallel to the side lot 8 lines, (((Exhibit 86H))) Exhibit 86.16A. 9 Decks and balconies ten feet or less above 2. existing grade, unenclosed porches with or without roofs, 10 eaves, gutters, chimneys not used to meet modulation requirements, and attached solar greenhouses meeting minimum standards 11 administered by the Director shall not be considered part of the principal structure for the purpose of measuring the depth of a structure. 12 Decks and balconies more than ten feet above 3. 13 existing grade, balconies, enclosed porches, attached garages and carports, modulated or projecting segments of a facade, shall be considered part of the principal structure for the 14 purpose of measuring the depth of a structure. 15 Β. Determining maximum permitted structure depth 16 In certain zones, structure depth is limited to a percentage of lot depth. For those cases the following provi-17 sions shall apply: 18 When the lot is essentially rectangular and has a rear lot line which is ((essentially)) within fifteen 19 degrees of parallel to the front lot line, ((for its entire distance,)) the lot depth shall be the horizontal distance between the midpoints of the front and rear lot lines, 20 (((Figure 33))) Exhibit 86.16B. 21 2. When the lot is triangular or ((pie)) wedgeshaped, lot depth shall be the horizontal distances between the midpoint of the front lot line and the rear point of the lot. If such a lot does not actually come to a point, lot depth shall be measured from midpoint of front lot line to 22 23 midpoint of rear lot line, Exhibit 86.16C. 24 3. In the case of a through lot, lot depth shall be measured ((from front lot line to)) between midpoints of front 25 lot lines. 26 When lot shape is so irregular that provisions 1, 2, or 3 cannot be used, lot depth shall be that distance 27 -83-28 CS 19.2

equal to the result of lot area divided by length of front lot line, provided that in no case shall lot depth be greater than the distance from front lot line to the furthest point on the perimeter of the lot, (((Exhibit 86K))) Exhibit 86.16D. 1 2 Measuring structural depth exceptions <u>C.</u> З In certain zones, exceptions permit increased structure depth. For those cases total permitted lot coverage shall equal maximum width times maximum depth less the area required 4 for modulation, according to the following provisions: 5 <u>width of the lot less the total required side setbacks, but shall in no case exceed the maximum width permitted for the housing type and zone.</u> 6 7 2. <u>Maximum depth shall be considered to be the</u> percentage of lot depth permitted for the proposed housing 8 type. 9 <u>3. The area of minimum required modulation subtracted from the calculation to determine maximum lot</u> The area of minimum required modulation shall be 10 coverage permitted. 11 Section 75. Subsection 23.86.18 is amended to read as follows: 12 23.86.18 Open Space 13 Certain zones require a minimum amount of open space to be provided on the lot. For those cases where open space is 14 required, the following provisions shall apply 15 In order for a portion of a lot to qualify as open Α. space, the ground's surface shall be permeable, except for 16 patios, paved areas designed for recreation, and pedestrian access which meets the Washington State Rules and Regulations for Barrier-Free Design. The area shall be landscaped with 17 grass, ground cover, bushes, and/or trees. 18 Driveways, parking areas, and pedestrian access, в. except for pedestrian access meeting the Washington State 19 Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 20 The area covered or enclosed by solar collectors meeting minimum standards administered by the Director may be 21 counted as required open space. 22 Portions of a structure which begin eight feet or more above existing grade may project up to four feet over 23 required ground-level open space. 24 ((G)) <u>E</u>. Standard development requirements for certain zones specify a minimum contiguous area for open space. Open space areas smaller than the minimum contiguous area specified 25 for such zones shall not be counted toward fulfilling total open space requirements for that lot. 26 27 -84-28

 Driveways and parking areas, paved or unpaved, shall be considered to separate open space areas they bisect.

2. Pedestrian access areas shall not be considered to break the contiguity of open space on each side.

 $((\oplus))$ <u>F</u>. In shoreline areas, when determined the amount of open space required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

Section <u>76</u>. Subsection 23.88.20A is amended to read as follows:

23.88.20 Land Use Interpretations

A. A decision by the Director as to the meaning, application, or intent of any provision of ((this)) <u>Title 23</u>, Land Use Code, <u>or Title 24</u>, <u>Zoning and Subdivisions</u>, as it relates to a specific piece of property is known as an "interpretation". An interpretation may be requested in writing by any person or may be initiated by the Director.

10 Section <u>77</u>. Subsection 23.90.18A is amended to read as follows:

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23.90.18 Appeal to Hearing Examiner

12 Any party affected by the final order may file a Α. written notice of appeal with the Hearing Examiner stating in 13 what respects the notice is erroneous and the specific grounds upon which the party affected relies for the reversal or modification of the order. The appeal shall be filed with the Hearing Examiner by five o'clock p.m. of the fourteenth calendar 14 day following issuance of the final order of notice of viola-15 tion. When the last day of the appeal period so computed is a Saturday, Sunday, federal or City holiday, the appeal period shall run until five o'clock p.m. on the next business day. 16 The notice of appeal shall be accompanied by a receipt showing 17 payment by the appellant of a filing fee as established in the Permit Fee Ordinance, Ch. 22.900.

Section <u>78</u>. All section and subsection references in this ordinance are to the Seattle Municipal Code (SMC).

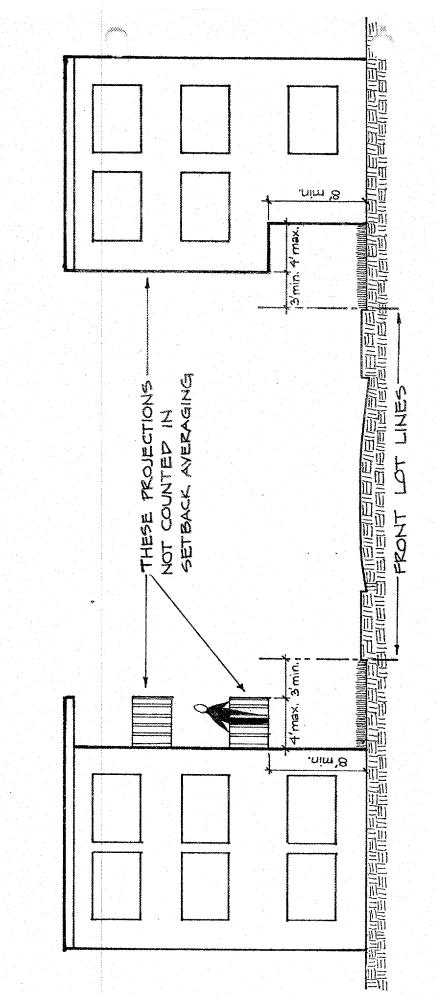
Section <u>79</u>. The purpose of this ordinance is to clarify the intent of the City Council in connection with the multifamily provisions of the Land Use Code, to make the Code internally consistent, and to correct typographical errors, and the report and hearing requirements for text amendments of Section 23.94.10 of the Seattle Municipal Code are hereby superseded for purposes of this ordinance.

26

27

28

Section 80. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city 1 charter. Passed by the City Council the 27th day of Septemler, 2 1982, and signed by me in open session in authentication of 3 its passage this 27th day of Septembon, 1982. Д 5 6 the City Council 7 8 , 1952. Approved by me this <u>7</u>bday of _ O 9 10 Mayor 11 , 19<u>5a</u>. Filed by me this 2^{th} day of ______ 12 13 City Comptroller and City Clerk ATTEST: 14 antos hereo By: Deputy 15 16 17 (SEAL) Published ____ 18 19 20 21 22 23 24 25 26 27 -86-28



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40.00A 45.42A 45.284 **FXHBT**

FRONT PROJECTIONS 45.14A **TXTIBH**

EXTIDIT EXHIBIT

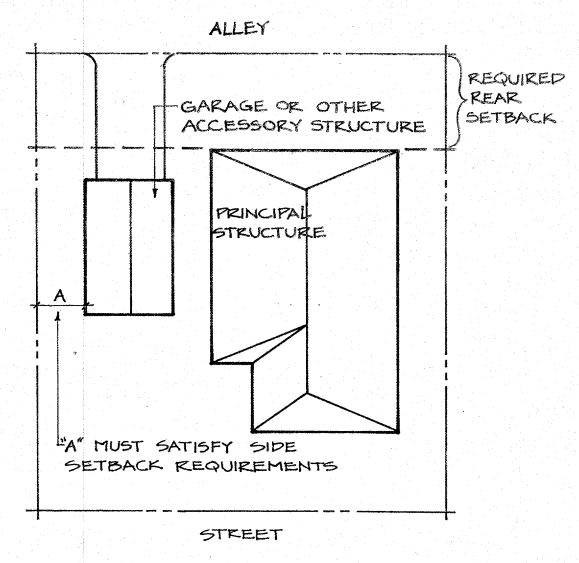
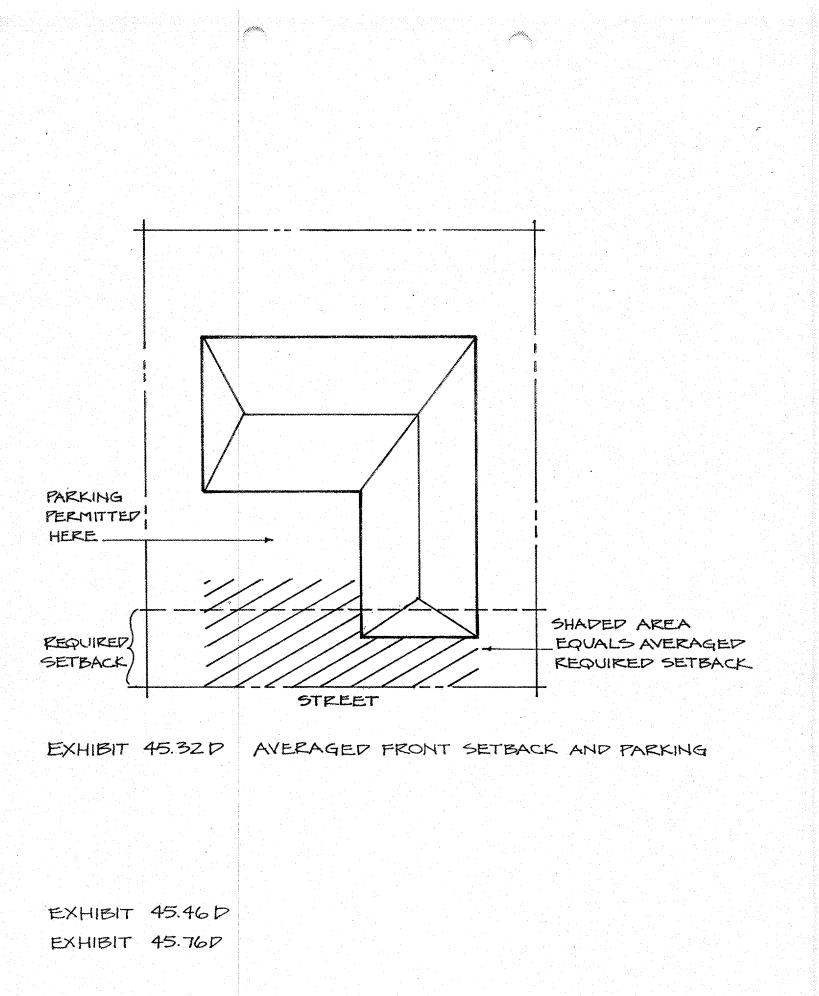
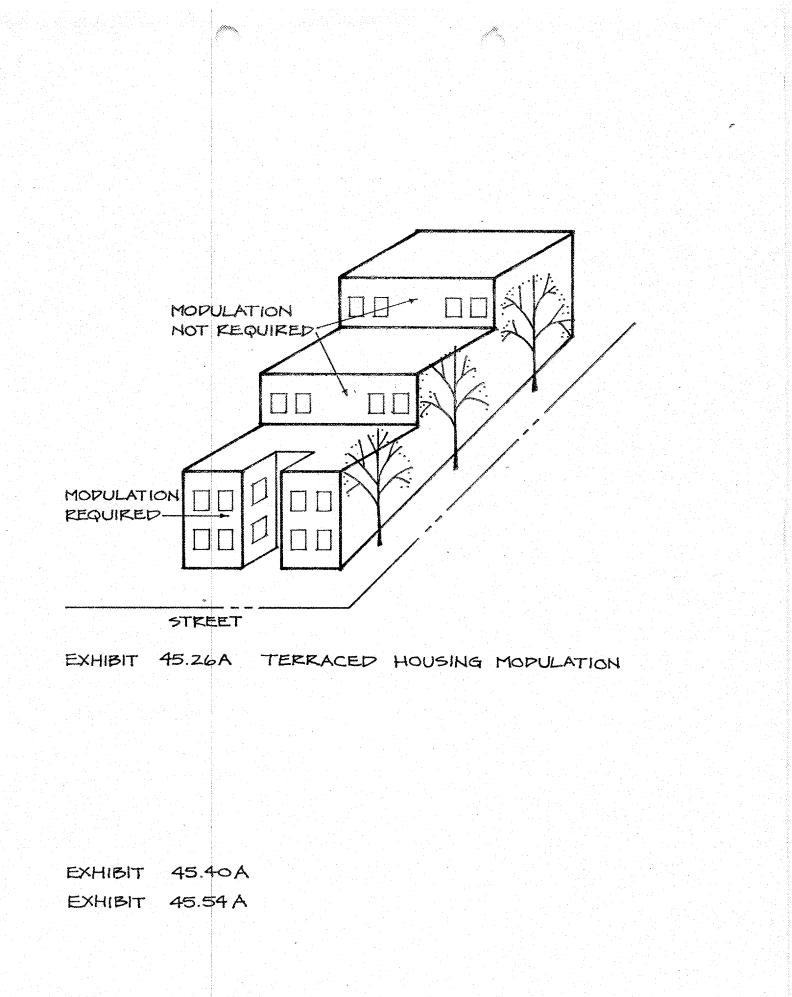


EXHIBIT 45.14F ACCESSORY STRUCTURES IN REQUIRED SETBACKS





AK (MD:DAMC) celating (73.33.34, 23.44.10 23.44.80, 73.45.04 23.45.14, 23.45.16 23.45.26, 23.45.28 23.45.50, 23.45.28 23.45.50, 23.45.52 23.45.60, 23.45.55 23.45.60, 23.45.55 23.45.106, 23.45.10 23.45.146, 23.45.11 23.45.146, 23.45.12 23.45.146, 23.45.12 23.45.146, 23.45.14 23.45.146, 23.45.14 23.45.146, 23.45.15 23.45.146, 23.45.16 23.84.12, 23.84.36 23.84.12, 23.84.36 23.84.12, 23.84.36 23.86.12, 23.38.14 23.90.18 of the Se	CHEGUNANICE 19793 C Land User, amend 23.44.12, 23.44. 23.45.13, 23.45. 23.45.30, 23.45. 23.45.30, 23.45. 23.45.54, 23.45. 23.45.54, 23.45. 23.45.70, 23.45. 23.45.70, 23.45. 23.45.36, 23.45. 23.45.186, 23.50. 23.54.10, 23.54. 23.45.12, 23.64. 23.45.16, 23.54. 23.45.16, 23.54. 23.54.16. 23.55. 23.55.16, 23.55. 23.55.55.55.55.55.55.55.55.55.55.55.55.55	<pre>ing Sections 23.30.18, 20.21.44.46, 21.45.10, 22.21.45.10, 23.45.10, 24.23.45.10, 25.23.45.10, 25.23.45.10, 25.23.45.10, 25.122, 23.45.140, 45.120, 23.54.30, 10.23.54.00, 10.23.54.00, 24.23.56.10, 16.23.86.20, de.</pre>	
 BE IT ORDATNED BY THE * Section 1. Section 23.30.10 <u>Classification</u> All land within the being either within on gone retained under Ta 	n 23.30.10 is amen n <u>s for the Purpose</u> e City of Seattle e of the following	ded to read as follows; s of this Subtitle shall be classified as land use zones or a	
Zon Besidential, Singi Besidential, Singi Residential, Singi Residential, Multi	e Pamily 9600 e Pamily 7200 e Pamily 5003 «Pamily, Lowrise 1		
	-Family, Lowcise 3 -Pamily, Midrisa -Pamily, Aighrise		1
 34.34 <u>Transition</u> Pending adoption o femily renewith sones r uf Section 23.34.36 an comprehensive plan poil changes to the respect Section 3. Subsect Ordinance 119669. is f Lot Coverage Except 	tion 23.44.100, as wither amended to	a for (inther then aim itle, the general crit Use Policies or n to requests for last gmended by read as follows:	sid a er i a
 Corner Lots For the purpo the width of a corner abuts upon a street or width of the abutting area may not be increa 	se of computing th lot or of a lot wh	eased by one-half the ey. The total lot wenty-five percent.	
The following shall not be counted i a. Access B Uncovere Decessary for access a b. Satist-	n lot coverage cal ridges d, unenclosed brid nd five feet or le		
elderly meeting Washin ((and cutes)) for ((8) C. Decks	parts of a deck w	<u>ind</u> ((+))Regulations • ((+++++++++)) <u>Design</u> . Alch are eighteen	
d. Freestar Pences, and other similar stru e. Undergro	ding Structures an freestanding wall: actures. wund Structures		

of a structure, may occupy any part of the entire lot. t. Eaves and Gutters

The first sighteen inches of eaves and gutters projecting from the principal structure.

9. Selsi collectors meeting the provisions of Section 23.44.46 and selseing pools meeting the provisions of Section 23.44.41.

Section 4. Subsection 23.44.128, last amended by Ordinance 110489, is further amended to read as follower

B. Special Features.

Pitched Roofs

The ridge of a pitched roof on a principal structure may extend up to five feet above the thirty-foot height limit. All parts of the roof above the height limit must be pitched at a rate of not less than three to twelve(i +()synibit(): #44-#3) ! 44.123. Ho parting of a shed roof shall be presitted to attend beyond the thirty-foot beight limit under this provision.

2. Sloped Lots

Additional bright shall be permitted for aloped lots, at the rate of one foot for each six percent of slope. The additional beight shall be permitted on the downhill side of the structure only as described in the measurements portion of this hand Use Code, <u>Exhibit</u> 44.122.

When the Southill portion of a sloped lot fronts on a street and the required front yard ecception is subset in 1. All along the lowest (is channed, the persisted height of the wall along the lowest (is wall associated is investion of the site shall be reduced the fact for such food of exception distant, is no case((e)) shall the beight of the sail be required to be less that thirty feet.

5. Legally established uses which were permitted outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 73.44.19 through 21.44.32. (G))B. Except as provided in C and E above, legally established monconforming uses may be changed by an adminis-trative conditional use authorization to other uses otherwise not permitted in the sone. The Director must find that the new use is no more detrimental to property in the zone and vicinity than the existing use. This determination shall be based on the following factors: The zones in which both the existing use and the new use are allowed; b. The number of employees and clients associatd with the proposed use; C. The relative parking, traffic, light, glaze, noise, odor and similar impacts of the two uses. Parking requirements for uses permitted under this section shall be determined by the Director. If the new use is permitted, the Director say require additional mitigating measures including but not indited to isodecoming, should barriets at fermion, exampling or berming, educations to parks or perling standards, design medification, or setting hours of operation. Section 8. Subsection 23.45.84A is amended to read as follows: 23.45.04 Principal Uses Permitted Outright

Section 5. Subsection 23.44.20% is assuded to read as fullows:

Special residences including nursing homes licensed by the State or convalescent homes, group homes or halfway houses are permitted as conditional uses subjuct to the following modifications of development standards:

1. ((A)) The lot line of any new or expanding special residence shall ((mee)) be ((cessiblicated as expended on a low which is withins)) located six hundred feat ((as)) or sure from any lot line of any other special residence in a residential zone.

No special residence shall be established in an stas where it would increase the number of special residences located within a one-half mile radius from the proposed residence to more than five.

3. A proposed new or expanding special residence which does not meet the dispersion criteris may be partitled by the Director upon a determination that the intent of the criteria is achieved because of the presence of physical elements such as bodies of water, large open spaces, or topographical breaks or other elements such as atterials, reeways or non-residential uses, which provide substantial separation from other existing special residences. In that

Case, the Director's determination may permit both the expansion of the structure and/or the number of beds.

Section 6. Subsection 23.44.468, as last emended by Ordinance 113669, is further amended to read as follows:

Noiar collectors are permitted outright as an accessory use to any principal use permitted outright or to a permitted conditional use subject to the following development standards

A ((Precessanding s)) Solar collectors, ((or these projecting bound the principal or assessory breature to which they are standed.)) including solar greenhouses which meet minimum standards and maximum size limits as determined by the Director, shall not be counted in lot coverage ((estomistions)).

Section 7. Section 23.44.80, as last amended by Ordinance 110569, is amended to add the following subsection:

23.44.20 Special Sucidences

Dispersion

23.44.46 Solar Collectors

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

1. Single family dwelling units

Ground-related multi-family structures such as duplexes, triplexes, and townhouses({, and sandem houses)}

1. Boarding bouses

4. Group homes

5,

Balfway houses meeting all development standards

5. Nursing bones meeting all development standards

7. Institutions meeting all development standards

8. Public facilities meeting all development standard:

Section 9. Subsection 23.45.058 is smeaded to read as follows:

B. (Dequired sotbacks for calibring single family structures may be reduced when the single family structures has a wall, sluty percent of some of which attacks into a required action. The line formed by the non-conforming wall of the structure shall be the deliveration of the required actions for any additions, including backsons additions (Panible 13.45.2). All new walls shall comply with the following requirements:)

Certain additions may extend into a required setback when n saisling single family structure is sizeddy nonconforming ith respect to that setback where the presently nonconforming ention is at least sixty percent of the total width of the expective facade of the structure prior to the addition. The ine formed by the nonconforming wall of the structure shall a the limit to which any additions may be built, which may xtend up to the height limit and may include basement addi-ions, shall comply with the following requirements:

When it is a side wall, it is at least three fast from the side property line;

 When it is a rear wall, it is at least ven feet from the rear property line or center line of an alley aborting the rear property line; When it is a front wall, it is at least ten test from the front property lime.

C. Pitched roofs

The ridge of pitched roots on principal structures ((abilities allowed set) may extend up to thirty-five feet. (() so long up the entire portion above thirty test has a minimum of three in twelve pitches) All parts of the root above thirty feet must be pitched at a rate of not less than three to twelve, (((Matthie 2),45.45)) Britisht 42.088. We partite of a shed root shall be permitted to extend beyond the thirty-foot height limit under this provision.

D. Rooftop feature

Radio and television receiving astials, flag-poles, and spires for religious institutions are exempt from beight controls, except as regulated in Chapter 23.74.
 [4] Mirport Beight Blatrict([4]), 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 statched, to any adjoining lot line.

Rellings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit set in ((Sention 23.45.98)) subsections A and E above.

3. The following coolitop features may extend ten feet above the maximum height limit set in Section 11.45.08 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 acreaned 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 root edge

- chimneys.

For height exceptions for solar collectors, see Section 23.45.145. Solar Collectors.

5. In order to protect solar atters for property to the marks, the applicant shall either locate the rooting features listed below at least ten feet from the morth edge of the root, or provide shadow disgrams to demonstrate that the proposed location of such rooting features would shade pro-perty to the north on January 21 at moon no more than would a structure built to maximum permitted Bulk:

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

Section 11. Subsection 21.45.103 is amended to read as follows:

8. Maximum depth

The manimum depth of a structure shall be sixty-five percent of the depth of the loi.

{{};. The maximum depth of a structure when the front peaks at not modulated according to the standards of Section 3.45.125 or D shall be fifty percent of the depth of the

The maximum depth of a Structure when the front ade is modulated according to the stammards of Section (S-12C or D shall be sixty-five percent of the depth of lot-))

Section 12. Subsections 23.45.144, C and D are amended to read as follows:

23.45.14 Lowrise 1, 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, sub ject to the following provisions:

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

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

3. Portions of a structure in front setbacks

a. Fortions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.

b. No portions of a structure between existing 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)) <u>sight</u> feet or more above satisfing grade may project up to four feet beyond the lower portion of the facade without being counted in setback averaging, <u>Exhibit</u> 45.148.

d. Portions of the facade which begin ((seen)) eight fest or more above existing grade shall be as closer to the front lot line than three feet, <u>Exhibit 45.148</u>.

4. Front setback exceptions

a. Structures along heavily traveled atterials

In order to reduce noise and give impacts, multi-family structures located on afterials with more than fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in the required front satback. The required front satback along these arterials may be reduced to either fifty percent of the front astback along the development demained on the front astback of the principal sites for a singler side, whichever is less. A list of such arterials shall be anistened by the hopercent.

In the case of a through lit, each actual shorting a street eccept a side actual shall be a front pat-eact. Rear setback requirements shall not apply to the lat. C. Side setbacks

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

2. Side setback exceptions

8. Where there is a principal cuizance along a side faceds, the minimum arthock shall be five feat. Averaging shall not be permitted, when the options is assemblially parallel to the side lot line, the minimum subhack shall be ten feat. When the entrance is not examinately parallel to the side lot line, the algoint of the door shall be no less than seven and one-half feat from the property line, ((Appnible 22.45.44)) Publicit 45.14C.

b. The side street 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, not be required to exceed twenty feet. Averaging shall not be permitted, ((Exhibit 23,45.157)) Exhibit 45,140.

c. When the depth of a structure exceeds sixty-five feet, an additional sectork shall be required for that pur tion in excess of sixty-five feet. This additional sectork may be averaged along the entire length of the wall. (The additional sectors) The side sectork requirement for portions of walls subject to this provision shall be provided as shown in the following chart:

Side Setbank Requirements for Structures

Greater than Sixty-Five Fost in Depth

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~				
8	6-10	11-29	21-30	31-40
p		side Setba	sk in Feet	
66-75	6	7	8	9
76-85	7	8	9	18
86-95	8	9	30	11
96-105	9	10	21	12
106-115	18	11	12	13
316~125	11	12	13	14
125-135	12	13	2.4	15
*****	******			

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

g . greatest beight of facade beyond sixty-five-foot depth (in feet, seasured 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.

b - depth of structure (in feet).

0. General setback exceptions

1. Required setbacks for closter developments

Where two or more principal structures are located on one lot, (((Reminibit 31.45.18))) Exhibit 45.148, required setbacks between structures shall be provided as follows:

No walls shall be less than ten fest spart at any point.

A principal antrance 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 closter development, ((the meelaw foreade width without modulation shall be thirty feet for all interview foreades)) all interior foreades wides than forty feet whall be modulated according to the standards of Section 1745. LaCr 2, and 4 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard development requirements.

Structures in cluster developments may be connected by underground garages or elevated weikways((*)), provided that;

ii) One elevated walkway shall be per mitted to connect any two structures in the development;

(2) Additional elevated valuarys, in sames of one, between any two structures may be paraited by the Director when it is determined that by their location or demiss a visual separation between structures is additioned.

2. Structures in required setbacks

2. Detached garages, carports, or other scoresory structures are permitted in the required rear or side setbacks, provided that (they ere) any accessory struc-ture incated between a principal structure and the side ion line shall provide the sutback required for the principal structure, Erabilit 45.145. All such accessing structures inall is no greater than twelve last in height shows wristing grads, with open calls permitted shows twelve feet.

b. Ramps of other devices menessary for access for the disabled and elderly, which meet Washington State Nulas and Sugulations for Barrier-Pres Design, are permitted in required front, side, or rear astbacks.

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

d. Dermitted famous, free-standing walls, bulkheads, signs, and other similar diructures, no greater than ally fast in height, are permitted in required front, side, or rear setberts.

Bookes above existing grade may project into condition algorithm. Booke, such designing grade may project into condition date booke, such design shall not be paralited within fire loads of any los line, and so they shall a permitted tends or them.

standing wall, and are at least three fur below the tap of the factor of wall. The factor of wall scale be no higher than mix feet. 1. Underground structures are permitted in all

Solar collectors are permitted in required setbacks, subject to the provisions of Section 21.45.146, Solar Collectors.

 Ground related housing developed as townhouse dwellings may have zero zetbacks slong common walls. Section 13. Subsections 23.45.16 A and 3 are assuded to read as follows:

23.45.16 Lowrise 1, Open Space Requirements

zethacks.

A. Quantity

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

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

2. On lots with slopes of twenty percent or more, ((was decks would provide more solid open space space that would the existing ground level open space any be ((wobstituted the existing ground-level open space may be ((wobstituted to meet the)) built over the sloping ground-level open space ((requiredent, Becks provided to meet this required that the stitute there budged spaces feet to size, and shall the stitute there budged spaces feet to size, and shall the stitute the provision, the private space to a write say set be second by the deck of anothere which is grade to gualify for this provision, such decks shall not gover the open space of another Bhit, nor be above the living space of any unit.

8. Development standards

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

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

3. Required upen space may be located a maximum of ten fest above or below the unit it spress, provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

4. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common areas, are prohibited, (the open space areas of tendem bourses are not subject to this provision;) unless the facing units are single family dwelling units.

5 Derking erses, driveways and podustrian encode trough for podestrian access motiful the Sachington State Buies and Regulations for Exclestive Design, shall not be counted as open space.

()4. Partires at a structure which begin ten fact or an about emisting grade may project up to four fact part quired open upage.)

Section 14. Subsections 23.45.18 A. B and C are amended to read as follows:

23.45.18 Lowrise 1, Parking and Access Standards

A. Parking quantity

One off-streat parking space per dwelling unit is required.

Reductions to the quantity of parking spaces provided may be made for: low-income housing for the siderly and disabled [{- provision of opeace for two shortes ethicles;}] and the addition of residential units to existing structures;{} and the cont use of emisting matching;} according to Section 23.54.20, Parking Quantity Exceptions.

Recognizing to the quarking of required parking shall be permitted when residential units are added to construct and the permitted when residential units are added to construct and the permitted when residential units are added to construct and the permitted when residential units are added to construct and the permitted when residential units are added to construct and the permitted when residential units are added to construct and the permitted when residential units are added to be added and the permitted when residential units are added to be added to be added and the permitted when residential units are added to be added to be added and the permitted when residential units are added to be added to be added and the permitted when residential units are added to be added and the permitted when residential units are added to be adde

Evening uses and structures, according to the provisions of Subchapter  $t_{g_{i}}^{-}(\{i\})$  Homeonforming Uses and Structures( $\{i\}$ ).

8. Access to parking

1. Alley access required

Except when one of the conditions listed in subsections 82 or 83 below applies, access to parking shall be from the siley when the site sbuts a platted aliey improved to the standards of Section 33.34.18C. Street access abli not by 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.

Street or alley access permitted

Access to parking may be from either the alley or the street ((under ony of the following conditions)) when the conditions listed in subsection B2 above do not apply, and one or more of the following conditions are met:

((b))g. The alley borders a single family gone;

((a))b. Topography makes alley access
infeasible((+));

(4)g. The alley is not improved to the standards of subsection 73.43.10C. If such an alley is used for access, it shall be improved according to the standards of Section 23.54.10C.

C. Location of parking

1. Parking shall be located on the same site as the principal use. ((1))2. Parking may be located:

a. Between the structure and the side or reat lot line, except as provided in Section 23.45.1402, if the patking is surgened from direct street view as provided in Section 23.45.180 below, [(Barbibit 23.45.20])) Exhibit \$2.188.

b. In or under the structure, provided that the particle is occased from <u>direct</u> street view by the front famale of the structure and/or by parage doors, (states of the structure and/or by parage doors, (states and structure) Exhibit <u>31, 35,</u> or by a force and

landaraping as store and in Section 11.45.180 below, ((Section 20.45.280)) satisfie (5.180)

([9])]. No open parking shall be permitted between a structure and the front bot line, or in the required front settect, except as provided in paragraphs CJ, C4, C3, and C4 of this Section.

(4))4. 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))5. For corner lots, parking between the structure and the streat shall be permitted along one street frontage

((%))6. The Director may permit variations from the Sevelopment standards for parting location and design and cursout quantity, including permitting the location of partir between the structure and the front lot line, for lots which have no alley access and which meet one or more of the following conditions:

a. Street frontage of lass than eighty feety

b. Lot depth of less than one hundred feet:

3. A rise of drop of twelve feet or more in the first sixty feet from the street.

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

((6))7. When the front setlack is averaged across the width of the front facade, parking shall be permitted between the structure and the front property lines but not in the required front setback, Exhibit 45,180.

Section 15. Subsection 73.45.22 C and D are amended to read as follows:

C. Pitched roofs

4

The ridge of pitched roofs on principal structures ((shall be sliceed to)) may extend up to thirty-time feet. ((y * bong as the entite parties above thirty fact has a similar of these (structure pitch (Satible 11.45.26)) All parts of the roof above thirty feet must be pitched at a rate of not less than three in tweive Exhibit 55.265. No portion of a shed roof shall be permitted to extend beyond the thirty-foot height limit under this provision.

D. Rooftop features

Radio and television securities serials, first poles, and spires for television securities are examplified being emitted. extends as resulted in the securities (d) areas and the securities of the securities of the test of the securities of the securities of the securities (d) attacked only to the rest, we choose that the parameter their beight above the cost portion where attacked, to are afgeining by these

Mailings, planters, skylights, ((#Minneyor)) clerestories, greenhouses, dish antennas, and perspets, and firewalls may extend four feet above the maximum height limit set in ((Section 22.45.22)) <u>subsections</u> 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 8 above, so long as the combined total coverage of all features does not exceed fifteen percent of the roof area of twenty percent of the roof area if the total includes screened mechanical appipment:

- stair and elevator penthouses

mechanical equipment

glay equipment and open mesh feacing which encloses it, so long as the feacing is at least five feet from the roof edge

chianeys.

For height exceptions for solar collectors, see Section 13.45.146, Solar Collectors.

5. In order to protect solar access for property to the morth, the applicant shall either locate the roothop features listed below at least ten freet from the morth edge of the root, or provide shadow diagrams to demonstrate that the proposed location of such roothop features would shade pro-perty to the morth on January 21 at moon no more than would a structure built to maximum permitted bulk:

### - solar collectors

- planters
- clerestories
- areenhouses
- dish antennae
- non-firewall parapets
- ~ play equipment.

Section 15. Subsection 23.45.248 is amended to read as follows:

B. Maximum depth

The maximum depth of a structure ((when the frame founds is not modulated scoording to the standards of Scotion 23.45.360 or B shall be fifty persons of the depth of the lot.

2. When the front facule modulated according to the standards of Section 23.45.120 or U, the maximum permitted depth of each structure on a loc); shall be:

e, Ground-related housing: sixty-five percent
of lot depth(#=));

b. Terraced bousing on slopes of twenty-five percent br more: no maximum depth limit((-)); and

C. Apartments: sixty-five percent of lot decth. 1991)2. Exceptions to maximum depth requirements

(int) Structure don't is permitted to second simpline percent of int depth, ((deminic 21.41.78))) Schibit 45.245, subject to the following conditions:

## ((424)) b. Any increased side setbacks created by using this exception shall be landscaped and shall not be used for parking.

({+++)) C. Structure depth shall in no case exceed seventy-five feet.

((+4+)) g. Structures with depth greater than sixty-five percent of lot depth shall be modulated along the side setbacks, according to the standards of ((Section)) suf-Section ((\$3.45.460-set 0)) 23,45.260;

Section 17. Section 23.45.26 is amended to read as follows:

23.45.25 Lowrise 2, Modulation Requirements

## (ORIHNANCE 110793-Continued on Page 10)

## (URGINANCE 118793-Consisted from Page 9)

Modulation of structure facades shall be required subject to the following criteries A. Pront facades

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

For terraced housing, only the portion of the front facade closest to the street is required to be modulated, <u>Exhibit 45.264.</u>

B. Side facades

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

Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all side facades; (wider than thirty feet)) according to the standards of subsection C below.

C. Modulation standards

1. Minimum depth of modulation

The minimum depth of modulation shall be four feet_x ((<del>Empibit 23.45.38</del>)) <u>Exhibit 45.268</u>.

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; {{**Cantibut** 23.45.22;}} Exhibit 45.26C.

The minimum width of modulation shall be five feet, (((Bahibit 23.45.30))) Exhibit 45.268.

## 3. Maximum width of modulation

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

b. Exceptions to maximum width of modulation

(1) When farades 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.

(3) The maximum width of modulation may be indicated when facades are set back from the ((fromt)) lot line further than the required ((fromt)) 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 ((fromt)) setback. This provision shall not be combined with the provi-sions of 3.b. (i) above, nor shall it permit facades to exceed fortp-five feet in width without modulation.

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

Section 18. Subsections 23.45.28A, C and D are asended to read as follows: ({<del>23,45,14</del>)) <u>23,45,29</u> Lowrise 2, Setback Requirements

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

A. Front setback

The required front setbeck shall be the sverage of the setbacks of the first principal structures on either side, sub ject to the following provisions:

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

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

3. Fortions of a structure in front setbacks

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

b. No portions of a structure between existing 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 ((tern)) eight 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, <u>Exhibit 45.288</u>.

d. Portions of the facade which begin (item)) sight feet of more above existing grade shall be no closer to the front lot line than three feet, <u>Exhibit 43,388</u>.

4. Front setback exceptions

Structures along beauly traveled actorials

In order to reduce online and wipro imparts. Allti-family structures lumited on artwrisis with one that filteen thousand average multicle trips per day, according to Engineering Department data, that he allowed a reduction in

# the required front asthest. The required front esthest slows these atterials may be reduced to sither firty pertent of the front asthest specified in the development standards, or to the front sethest of the principal structure or either side, whichever is less. A list of such actualist 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 set-back. Rear setback requirements shall not apply to the lot.

## c. Parking in rear

Por sites which are required to locate the parking in the rear and have no sliey, the required front set back shall be reduced by five feet, so long as this does not reduce the required front setback to less than ten feet. C. Side Setbacks

The required side setback ((in Ecwrise 3 monum)) shall be five feet. This setback may be averaged along the entire structure depth, but shall at no point be less than three feet.

## 2. Side setback exceptions

a. Where there is a principal entrance along a side facade, the minimum setback shall be five feat. Averaging shall not be permitted. When the entrance is essentially parallel to the side lot line, the minimum setback shall be ten feat. When the entrance is not essentially parallel to the side lot line, the midpoint of the door shall be no less than seven and one-half fast from the property line, ((#Bableb 23.45.36))) Exhibit 45.28C.

b. The side street sathack of a reversed corner lot shall be one half the depth of the kay lot's front setback, but shall not be less than ten fast, not be required to exceed twenty feet. Averaging shall not be permitted, ((#satisfie 23, 45, 38;)) Exhibit 45, 280.

c. When the depth of a structure exceeds sixty-five feet, an additional setback shall be required for that por tion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. (The additional setback) The side setback requirement for portions of walls subject to this provision shall be provided as shown in the following chart:

## Side Setback Requirements for Structures

breater t	nan Sixty-F	<u>ive Feet in</u>	Depth	
<u> </u>	0~10	11-20	21~30	31-40
ø		Side Setba	ck in Feet	
66~75	- 6	7	8	9
76-85	,	8	g	19
86-95	8	9	10	11
96-105	3	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.

B = 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.

0 = 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. ((Wahibit 23.45.40))) Exhibit 45.282. required setbacks between structures shall be provided as follows:

No walls shall be less than too feet spart at any point.

b. A principal entrance to a structure shall be at least fifteen fast from the measuret interior faceds ented contains no principal entrance.

C. A principal entrance to a structure shall at least twenty feet from the nearest interior facade which tains a principal entrance.

d. Within a cluster development, ((the maximum famade width without modulation shall be thirty feet for all interior famades) all interior famades wider than forty feet shall be modulated according to the standards of Section 31.45.26CL, Z, and i provided that maximum modulation wideh shall be forty feet. Perimeter famades shall follow standard development requirements.

 Structures in cluster developments may be connected by underground garages or elevated walkways({+})₁ provided that: be

[1] One sisvated weltway shall be permitted to connect any two structures in the development;

(2) Additional elevated walkways, in EXCESS of one, between any two structures may be permitted by the Director when it is determined that by their incation or design a visual separation between structures is maintained.

2. Structures in required setbacks

a. Detached garages, carports, or other accessory structures are persitted in the required rear <u>structures</u> are persitted in the required rear <u>structures</u> are provided that ((sheep seri) any accessory structure located between a principal structures and the side lot line shall provide the setback required for the principal atructure, Eanibil 45,287. All such accessory structures shall be no scenter than twelve feet in height above setisting grade, with open rails persitted above twelve feet.

Ramps of other devices necessary for access for the disabled and elderly, which neet Washington State Rules and Regulations for Barrier-Free Design, are permitted in regulard front, side, or fear asthacts.

## c. Decovered, immediated pedestrian bridges, necessary for access and late then five fest in width, are permitted in required front, side and rear actions.

d. Permitted fences, free-standing walls, builtheads, signs, and other similar structures, no greater than six feet in beight, are permitted in required front, side, or rear setbacks.

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

f. Underground structures are permitted in all setbacks.

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

<u>Ground related housing developed as townhouse</u> dwellings may have zero setbacks along common wells.

Section 19. Section 23.45.30 is amended to read as follows:

23.45.30 Lowrise 2, Open Space Requirements

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

A. Quantity

1. Ground-related housing

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

b. On lots with slopes of twenty percent or more, ((when dashe would provide more usable open space shan would be extering provide some space,)) decks of the same size as the required ground-level open space may be (subbituted to meet the) built over the sloping ground-isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space. ((requirement, Backs provided to meet the isys) open space is a least three hundled equare food space for a unit may not be sourced by the dask of source unit. Is order to qualify for this provision, such decks shall not cover the green space of another unit, not be showe the itying space of any unit.

2. Apartments

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

Terraced bousing on a slope of twenty-five percent or more

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

b. Ground-level open space may be reduced from of persont to ten persons of Lot area when an equivalent mount of open space is provided above ground in the form of alconies, derms, and/or rooftop areas. balconte

8. Development standards

1. Ground related bousing

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 fest, 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 access to such open space does not go through or over common criculation areas, common or public open spaces, or the open space serving another unit.

d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandam homeon areas, are prohibited, ((The open space areas of tandam homeon areas, are prohibited, ((The open space areas of tandam homeon areas, are prohibited, ((The open space areas of tandam homeon areas, are prohibited, ((The open space)) unless the facing units are single family dwelling units.

Parking areas, driveways and pedestrian access except for pedestrian access meeting the Washington State Mules and Regulations for Barrier-Free Design, shall not be counted as upon 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, sides or rear of the structure.

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

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.

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

c. Parking sreas, 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. (()) and access the total materials to required ground level open space to a the endedline to required ground level open space to a the endedline to required ground level open space to a the endedline to require space shall be reduced before to a first provide space shall be reduced before to an endedline to access)

Section 22. Subsections 23.45.328, 8, and C are assuded to read as follows 23.45.32 Lowries 2. Parking and Access Standards

A. Parking quantity

Number of Dnits

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

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

Number of

Bicycle Spaces Required

One for every 10 units

5~10

11-29

More than 20

Reductions to the quantity of parking spaces provided may be made for: Inw-income housing for the elderly and disabled((r provision of spaces for two wheeled remiclesy)) and the addition of residential units to existing structures((r and the joint use of emisting parking)); sccording to Section 23.54.20, Parking Quantity Exceptions.

For spartment structures of more than twenty units, the Director may require partico is excess of the cost to-one parking ratio, up to a maximum of one and one-quarter

epaces per unit, according to the provisions of Section 13.54.38((%))2.

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

alley.

1. Alley access required

Except when one of the conditions listed in <u>subsections</u> BZ 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 basard;

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 ((ander any of the following conditions)) when the conditions listed in subsection B2 above do not apply, and one or more of the following conditions are mat:

((+))a. The alley borders a ((+))Single ((+))Family zoner

((e))b. Topography makes alley access infeasible((+))

{{#}}c_ The alley is not improved to the standards of ((Section)) Subsection 23.34.10C((+)). If such an alley i used for access, it shall be improved according to the stan-dards of subsection 23.34.10C.

C. Location of parking

1. Parking shall be located on the same site as the principal use.

((1))2. Parking may be located:

a. Between the structure and the side or rear lot line, ((<del>Instabilit 25.45, 434)</del>) <u>Exhibit 45.32A</u>, except as <u>provided in Section 23.45,2802</u>, if the parking is screened from direct street view as provided in Section 23.45.320 below, or

b. Ground-related housing: In or under the structure, provided that the parking is screesed from <u>direct</u> street view by the front facade of the structure, Exhibit 45.12B, by garage doors, or by a fence and lamitscaping as provided in Section 45.32.030 below, ((inchibit 23.42.432))) Exhibit 45.32Z, or

5. Apartments and terraced bousing: In o moder the structure, provided that the parking is screene from street view by the front faceds of the structure, ((#Bebible 22,45,428))) Exhibit 45,328.

([4))]. No open parking shall be permitted between a structure and the front lot line, of in the required front setback, succept as provided in paragraphs C3, C4, C5 and C6 of this Section.

((3))4. 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 stisting pattern on the block.

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

 $\{\{\delta\}\}$  s. The Director may permit variations from the development standards for parking location and design and carbout quantity $\{\{v\}\}$  for lots meeting the following conditions:

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) Lote proposed for apartments and terraced housing with no feasible alley access and a rise or from in sisuation of at least twelve feet in the first slaty feet from the front lot line.

On jots meeting the standards listed above, the following variations may be permitted:

## Scound-related bousing: parking may be incated between the structure and the front lot line;

## (2) Apartments of terraped humaing parking may be located under the front of the structure if attened by garage doors on by fearing and landargping.

c. In order to permit such alternative perking solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and draining conditions, warrant the exception, and that the proposed elternative solution mests the following objectives: saintsining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and unobstructed traffic flow.

((4))?. When the front setback is averaged( $\{\tau\}$ ) across the width of the front facede, parking shall be permitted berween the structure and front property line, but not in the required front setback, <u>Exhibit 15,32D</u>.

Section 21. Subsections 23.45.36C and D are amended to read as follows:

### C. Pitched roofs

The ridge of pitched roofs on principal structures (small be allowed to)) may extend up to forty-two feet_ ((r to tong as the entire partian shows thirty-area feet has a minimum of threater twike pitch (Hamibit 22:45-45)) All matts of the tong show thirty-seven feet must be pitched at a site of not less than three to twelve, Exhibit 43.485. No priling of a shed roof shell be petmitted to extend beyond the bill provess bot height limit under this provision.

## D. Rooftop features

Radio and television receiving aerials, flag-poles, and apires for religious institutions are except from baight controls, except as regulated in Chapter 23.74_

((i))Airport Height District((+)), 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 adjuining lot line.

Railings, planters, skylights, ((chimmerge,)) clarestories, greenhouses, dish antennae, and parapets, and firewalls may extend four fest above the maximum height limit set in ((<del>Section 23.45.08</del>)) <u>subsections</u> A and B above.

3. The following rooftop features may extend ten feet above the maximum height limit set in Section [130.45.29]) 23.45.35 A and B above, so long as the combined taxal 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 fancing which encloses it, so long as the fancing is at least five feet from the roof edge

## - <u>chinneys.</u>

For height exceptions for solar collectors, see Section 33.45.146, Solar Collectors.

5. In order to protect solar access for property to the morth, the applicant shall either locate the rooftop features listed below at least ten feet from the morth edge of the foot, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the morth on January 23 at moon no more than would a structure built to maximum permitted bulk:

- solar collectors
- planters
- clerestories
- ~ qreenhouses
- dish antennae
- non-firewall parapets
- play equipment.

Section 22. Subsection 23.45.303 is amended to read as follows:

## B. Maximum depth

The maximum depth of a structure (tuben the front facade is not mediciated according to the standards of Section 11-15-12; or B shall be fifty persons of the depth the lot.

When the front facade modulated according to the standards of Section 22:45:35 or D)) shall be:

a. Ground-related housing: sixty-five percent of lot depth: $(\uparrow)_{\underline{i}}$ 

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

Apartments: Sisty-five percent of lot depth.

(19)12. Exceptions to assists depth requirements

((m-1) Structure depth is persitted to exceed sisty-five percent of ist depth; ((diminist side))) Exhibit (5.383; subject to the following conditions;

((44+)) a. 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.

((42+)) b. Any increased side setbacks provided to meet this condition shall be landscaped and shall not be used for parking.

((434)) c. Structure depth shall in no case exceed the maximum width permitted according to Section 23.45.188.

((+++)) d. Apartments with depth greater than sixty-five percent of lot depth shall be modulated along the side sethecks, according to the standards of ((Section)) sub-section 13.45.400 ((or B)).

Section 23. Section 23.45.85 is seended to read as follows:

Section 23.45.40 Courise 3, modulation Reguirements

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

## A. Front facades

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

For terraced housing, only the portion of the front facade closest to the street is required to be modu-lated, <u>Exhibit 45,40A</u>.

B. Side facades

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

Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all side facades, (wider than thirty feet)) according to the Standards of subsection C below.

C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be four feet, {{<del>{Bablic 21.15.51}</del>}} <u>Exhibit 45.268</u>.

b. When balconies are part of the modulation and have a minimum dimension of at least six fast and a minimum area of at least sixty square fast, the minimum depth of modulation shall be two feet, [[[Babhibis 23.45.564]] Exhibit 45.266.

The minimum width of modulation shall be five fest. ((Eshibit 33.45.54)) <u>Exhibit 45.258</u>.

3. Maximum width of modulation

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

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 arcess 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 facudes are sort back from the ((#remet)) but line further than the required ((#remet)) setback, according to the following guideline: the width of modulation of such a facada shall be permitted to exceed thirty fast by one foot for every foot of facade istback beyond the required ((#remet)) setback. This provision shall not be combined with the provi-sions of 3.b.(1) above, nor shall it permit facades to exceed forty-five feet in width without modulation.

Required modulation may start a maximum of tan feet above existing grade, and shall be continued up to the

Section 24. Subsections 23.45.42A, C and D are emended to read as follows:

Section 23.45.42 Lowrise 3, 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 ((#Figure S+)), surject to the following provisions:

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

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

3. Portions of a structure in front setbacks

a. Portions of a structure may project into the required front sectorck, as long as the average distance from the front property line to the structure satisfies the minimum front satisfies requirement.

b. No portions of a structure between existing 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 ((tem)) sight 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. <u>Exhibit 45,428</u>.

d. Portions of the facade which begin ((ten)) <u>sight</u> feet or more above existing grade shall be no gloser than three feet to the front lot line, <u>Rkhibit 85.428</u>.

4. Front setback exceptions

a. Structures along heavily traveled arterials

In order to reduce noise and give 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 sether abutting a streat except a side setherk shall be a front est back. Rear setback requirements shall not apply to the lot. c. Parking in rear

d. Sloped lote

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

## In signed Lots with no alley access, the required front extheck shall be fifteen feet aloue one fast for each two percent of slope. Slope shall be measured from the sidpeint of the front lot line to the sear lot line, or for a depth of sixty feet, whichever is less. C. Side setbacks

The required side setback ((in bourise 3 senses)) shall be five fost. This setback may be averaged along the entire structure depth, but shall at no point be less than three fpet.

### Side setback exceptions

3. Where there is a principal entrance along a side facade, the minimum setback shall be five feat. Averaging shall not be permitted. When the entrance is essentially parallel to the side lot line, the minimum setback shall be ten feet. When the entrance is not essentially parallel to the side lot line, the minimum setback shall be no less than seven and one-half feet from the property line, ((dishibit 23.45.43))) Exhibit 45.420.

b. The side street 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, {{behint 23.45.63}} Exhibit 45.420.

c. When the depth of a structure exceeds sixty-five feet, an additional setback shall be required for that por tion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. (Rhe additional setback) The side setback requirement for portions of walls subject to this provision shall be provided "shown in the following chart:

Side Setback Sequirements for Structures Sceater than Sixty-Five Feet in Depth

B 8-10 11-28 21-38 31-42 p. Side Setback in Feat \$8..72 · · · · • -71-83 **.** 8 * 38 81-90 11 (ORDINANCE 110793-Continued on Page 11) ORDINANCE 110793 -- Continued from Page 10) 91-100 9 10 11 12 101-110 10 11 12 13 111-120 11 3.2 11 3.4 123-130 17 13 14 15 133-140 13 14 35 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 easured from the front of the structure). In lin feet. 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 mure principal structures are located on one lot, ((Inshibit 20.400.647)) Schibit 45.425, required setbacks between structures shall be provided as follows:

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 fest from the mearest interior facade which contains a principal entrance.

3. Within a cluster development, ()the maximum freede width without modulation shall be thirty free for all interior facades)) all interior facades wider than forry free shall be modulated anording to the standards of subsection il.41.426 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard develop-ment requirements.

Structures is cluster developments may be connected by underground garages or elevated walkways((*)), provided that;

[1] One elevated walkway shall be permitted to connect any two structures in the development:

(2) Additional elevated welkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their identics or design a visual separation between structures is maintained. 2. Structures in required setbacks

Betached garages, carports, or other accessory structures are permitted in the required rear or side aetbacks, provided that (iskey ase)) any accessory <u>Structure located between a principal structure and the side</u> lot line akai provide the setback lequired for the principal <u>structure, Exhibit 43.427</u> All such accessory structure <u>shall us no greater than tweive feet in height above existing</u> grade, with open rails permitted above tweive feet.

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

C. Unconvered, convertioned productions buildings, necessary for access and least than first fact in width, are prairies in required front, side and real actionsta.

Permitted Sences, Conversionding walls, buitheads, signs, and other similar structures, no greater than six feat in height, are permitted in required front, side, or rear aethacks.

e. Decks which average no more than sighteen inches above sxisting grade may project into required sets backs. Buch decks shall not be preditted within five feet of any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of the fence or wall. The fence or wall shall be no higher than six feet.

f. Onderground structures are permitted in all setbacks,

Solar collectors are permitted in required setbacks, subject to the provisions of Section 21.45.146,
 Splar Collectors.

Ground related housing developed as townhouse dwellings may have zero setbacks along common walls.

Section 25. Section 23.45.44 is amended to read as follows:

Section 23.45.44 Lowrise 3, Open Space Requirements

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

A. Quantity

1. Ground-related housing

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

b. On lots with slopes of twenty percent or nore, (when decks would provide more unable open space that would the existing ground-level open space,) decks of the reme size as the required ground-level open space may be ([substituted to more the]) built over the sloping ground-level open space, ((requirement, Decks provided to meet this requirement shell be at least three bundled so meet this requirement shell meet the standards of Section 21.41.445 below in order to qualify for this provision, the private open space for a unit may not be covered by the deck of another units)] is order to qualify for this provision, such decks shall not invert the open space of another unit, nor be shore the living space of any units.

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, solaria, greenhouses, or roof gardens. If less than twenty-five per-cent of lot area is provided as open space at ground iswel, all street setbacks shall be landscaped.

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

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 borizontal 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 access to such open space does not yo through or over commo circulation areas, common or public open space, or the open space serving anothes unit.

d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of wails directly facing the open space of a different unit or common area, sie prohibited, (What space space areas at tandem baues are not subject to this provision.)) unless the facing baues are not subject to this provision.)) unless the facing mits are single family dwelling units.

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.

Beguired open space is permitted in the front, sideg, or rear of the structure.

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

d. Balconies, decks, roof gardens, solaria, and greenbouse, hay be provided above ground as open space. No horizonts, dimension shall be less than six test, minimu area shall de sixty square feet.

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

No fortigental dimension for required ground-level open space shall be issay than ten teat.

Sequired upon space is permitted in the front. sideg, or rear of the structure.

c. Parking stess, driveways and pedestrias eccess except for <u>pedestrian</u> access aseting the Washington State Hules and Pedulations for Barrier-Free Design, shall not be counted as open space.

3. In order to qualify as above ((-)) ground open space, confrom access, indication, or decise shall have a minimum borizontal dimension of at least ten fact, and a total area of at least one bundled twenty square fact. C. Open space exception

# Norm all uncovered sufface parking and access to parking is suffaced in persective saterial, the quantity of required ground-level open space shall be reduced by fice percent of the forst last stat. (Mean condition which the reduction is consider that itset, (Mean condition which the reduction is consider provider of the space less statement reduction is consider provider the space less statement which provide open space shall not be reduced below twen as ground level open space chail not be reduced below twen percent of the area;)

Section 26. Subsections 23.45.45A, 3 and C are amended to read as follows:

Section 23.45.46 Lowrise 3, Parking and Access Requirements A. Parking quantity

One off-street packing space per dwelling unit is required.

For apartments and terraced howsing, sparse for bicycles shall be provided in a sheltered and convenient loca-tion according to the following chart:

						1																												
			ž																															
2																																		

Number

11-20 2 More than 20 1 for every 10 units

3. Reductions to the quantity of parking spaces provided may be made for: low-income honsing for the elderly and disabled((r provision of spaces for two-wheeled webieles)) and the addition of residential units to existing structures((r 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 23.54.20((H))D.

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 subsection 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 preate a significant safety hazard;

b. The lot does not abut a platted ((area)) alley.

c. Apartments of terraced howsing are proposed across an alley from a single family zone.

Street or alley access permitted

Access to parking may be from either the alley or the street when the conditions listed in subsection B2 shows do not apply, and one of some of the following con-divious are met:

({b})}a. Ground-related howsing is proposed across
the alley from a single family zone;

((e))b. Topography makes alley access infrasible((+))

C. The alley is not improved to the standards of ((Section)) <u>Subsection</u> 23.54.102((+)). If such an alley is used for access, it shall be improved according to the stan-fards of subsection 23.54.10C.

C. Location of parking

1. Parking shall be located on the same site as the optimizing the same site as the same sin the same site as the same site a

((1))2. Parking may be located:

a. Between the structure and the side or rear lot line, ((#BHHHHH #FL45.454.4)) Exhibit 45.454, eacept as provided in Section 23.45.4202, if the parking is accessed from direct street view as provided in Section 23.45.460 below, or

b. Ground-related bousing: is or under the structure, provided that the parking is screened from <u>direct</u> street view by the front facede of the structure, [(#srhibit <del>19:45.668)</del>]) <u>Exhibit</u> 45.463, by garage doors, or by a fance and landscaping as provided in Section 23.45.460 below₁ [(Emhibit 23.45.662)]) <u>Exhibit 45.467</u>, or

Apartments and terraced bousing: in or under the structure, provided that the parking is screened from street view by the front famale of the structure_ [(######## 23.45.4000)) <u>Exhibit 43.460</u>.

{{4}}3. No open parking shall be permitted between a structure 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))4. 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))5. For corner lots, parking between the structure and the street shall be permitted along one street frontage

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

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

- Less than eighty feet of street frontage, or - Lot depth of less than one hundred

fset, or

- A class of drug in classifier of dr least tweive feet in the first signy feet from the front but line, and

[2] Lots proposed for operiments and terrared housing with no feasible siley access and a clear or

Stop in elevation of at least twelve test in the first signy feet from the first signy

Sh lots meeting the standards listed above, the following variations may be paralized:

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

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

C. Is order to permit such alternative parking solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: maintaining on-street parking capatity, an attractive environment at street level, landscaped front setbacks and unobstructed traffic flow.

((6))7. When the front setback is averaged((x)) acress the width of the front facade, parking shall be marmitted bet-ween the structure and the front property line, but not in the required front setback, <u>Exhibit 45.460</u>.

Section 27. Subsections 23.45.50C and D are amended to read as follows:

C. Pitched roofs

The ridge of pitched roots on principal structures ((shall be allowed to)) may artend up to sirty-five feet. []; so take as the entire period shows easy feet has a maximum of three in twelve pitch (Sakibit 32.45.72)) All parts of the roof above sixty feet must be pitched at a rate of hold less than three to twelve, Exhibit 45.508. No portion of a shed roof shall be permitted to extend beyond the sixty foot beight limit under this provision.

D. Rooftop features

Radio and television receiving serials, flag-poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74, hisport Beight District ((Chapter 22.744)), 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.

Railings, planters, skylights, ((chimneyer,)) clerestories, greenhouses, dish antennas, and parapats, and firewalls may extend four feet above the maximum height limit set in ((Section 23.45.23)) <u>subsections</u> A and B above.

3. The following rooftop features may extend ten feet above the maximum height limit set in Section 23.45.36 & and 8 move, so long as the combined total coverage of all features does not exceed fifteen percent of the roof area or twenty percent of the cost area if the total includes areaned exclusivel equipment:

- Stall and elevator penthouses

- sechanical equipsent

play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge

chimneys

residents

sun and wind access

- penthouse pavilions for the cusson use of

greenhouses which meet minimum energy step-dards administered by the Director.

For height swceptions for solar collectors, see Section 73.45.146, Spisr 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 structur built to maximum permitted bulk:

- solar collectors
- planters
- ~ clerestories
- greenhouses
- dish antennae
- non-firewall parapets
- play equipment
- _ sun and wind screens

- penthouse pavilions for the common use of

Section 23. Subsection 23.45.528 is amended to read as tollows:

B. Maximum depth

residents.

The maximum depth of a structure((s when the front facedo is not modulated according to the standards of Section 12-15-126 or b chall be fifty percent of the depth of the boty

The maximum depth of a chrochure when the front forsis is modulated accurding to the standards of Section 23,13,14,155 of D); shall be:

s. Ground-related bousing: sixty-five percent of the depth of the lot((*));

b. Terraded housing on slopes of twesty-five percent or more: no maximum depth limit({+)}

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

{{}}}?. Exceptions to maximum depth requirements ((++)) Structure depth is permitted to exce sixty-five percent of lot depth. ((<del>Schubit 23,45,24</del>)) Exhibit <u>45,524</u>, subject to the following conditions;

((444)) a. The total lot coverage shall not be greater than that which would have been possible by meeting starfield development requirements for meetings width, depth and

annaena. ((420)) b. Any increased side asthecks provider to meet this condition shall be isodacaped and shall not be and for parting.

## excessions-clicetili a Structure depth shall in no case

(1444)) d. Structures with depth greates than sixty-five percent of lot both shall be modulated along the side setbacks, according to the standards of <u>sub</u>section 23.45.34C (let #)).

Section 29. Section 23.45.54 is amended to read as follows:

## Section 23.45.54 Midrise, Modulation Requirements

Modulation of arructure facades shall be required a bjert to the following criteria:

A. Pront facades

Modulation shall be required if the front facade width exceeds forty feet. Scound-related Structures may follow either the modulation standards for Lowise 3 zones (Section 23.45.49C) of the standards in this section.

For terraced housing, only the portion of the front farade closest to the start is required to be modulated((+)); <u>Emploit 45.346.</u>

B. Side Cacades

On corner lots, side facades which face the street shall be modulated if greater than forty feet in width. Modulation chall not be required for the side facades of terrered housing.

Apartments with a structure depth greater than sixty-five percent of lot depth shall be modulated along all side facades, ((wider these thirty feet)) according to the standards of subsection C below.

C. Modulation standards

1. Minimum depth of modulation

a. The minimum depth of modulation shall be sight fest, ((<del>Schibit</del> 33,45,34)) <u>Exhibit 45,543</u>.

b. When balconies are part of the modulation and have a minimum depth of six feet and a minimum area of a least sixty square feet. the minimum depth of modulation shall be six feet, (<del>|Exhivit 32.45.73</del>)) <u>Exhibit 45.546</u>.

The minimum width of modulation shall be ten feet, ((Humbbin 22.45.76)) Exhibit 45.545.

3. Maximum width of modulation

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

b. Exceptions to maximum width of modulation

 When facades provide greater depth of modulation than eight fact, 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.

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 persisted to screed forty feet by one toot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of [(2-b-(iii)) 1(b-(ii)) above, nor shall it permit facades to exceed fifty feet in width without modulation.

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

Section 30. Subsections 23.45.56%, C and D are amended to read as follows:

23.45.56 Midrise, Setback Requirements

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

**X**. Front setback

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

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

The front setback shall in no case be required to saceed fifteen feet.

3. Postions of the structure in front setherks(i=)

a. Portions of a structure may project into the required front astback, as long as the average distance from the facet property line to the structure satisfies the minimum trant setback requirement.

b. We possions of a structure between existing grade and ten feet above existing grade shall be closer to the front lot line than five feet.

5. Portions of the facade which begin ((tem)) eight feet or more above existing grade may project up to four fast beyond the lower portion of the facade, without being counted in setback averaging. <u>Exhibit 45,366</u>.

d. Portions of the facade which begin ((ten)) sight feet or more shows existing grade shall be no closer than three feet to the front lot line, <u>Exhibit 35,368</u>.

4. Pront setback exceptions

a. Structures along heavily traveled artorials

In order to reduce noise and glare impacts, multi-family stinctures located on arterials with more than fifteen thousand average which trips per day, according to Engineering Department dats, shall be allowed a reduction in the required front setback. The required front astback along these arterials may be reduced to either fitty percent of 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, such astheon Abutting a street except a tide setheon shall be a front setheon

## •. Perking in rear

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

Many Solbark requirements that! not apply to the cor.

## 6. 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 stope. Slope shall be measured from the midpoint of the front lot line( $\eta$ ) to the tran lot line, or for a depth of sixty feet, whichever is less. C. Side setbacks

For structures thirty-geven 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 fast. For structures grastst than sixty-five feet in depth, the provisions for set-backs for Lowrise 3 structures, (feetion 23-45.43020)) Settion 23.45.42020, shall apply.

2. For structures more than thirty-seven feet in height, the required side subjack shall be eight feet. This side subjack 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 feat, nor be required

to exceed twenty fast. Averaging shall not be permitted, ({<del>Ramibit 23.45.80}</del>)) <u>Exhibit 45.558</u>.

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 put tion in excess of sixty-five feet. This additional setback may be averaged along the entire length of the wall. (Whe additional action() The side setbacks requirement for por-tions of walls subject to this provision shall be provided as shown in the following chart:

### Side Setback Requirements for Structures

Gre	ater tha	n Six:	y-Fiv	. Feet is	<u>. Depth</u>	•	Ì
	0-10 1	1-20 3	(1+32	31-42	41-58	\$1~65	į
B							
86~70	9	10	11	12	13	14	
71-80	30	11	13	13	14	15	
B1-90	31	12	13	14	15	15	
91-100	12	13	14	15	16	17	
101-110	13	34	15	16	17	18	
111-120	14	3.5	16	17	28	19	
121-130	15	3.5	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 beight of facade beyond sixty-five foot depth (in fost, 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).

3 3

D. General setback exceptions

1. Bequired setbacks for cluster developments

Where two or more principal structures are located on one lot. ((Benibit 21.45.82))) sensitit 45.558, required Satbacks between structures shall be provided as follows:

a. No walls shall be less than {(week)} sixteen feet apart at any point.

b. A principal entrance to a structure shall be at least ([fifteen]) <u>toutty-four</u> feet from the negregit interior facade which contains no principal entrance.

c. A principal entrance to a structure shall be at least ((<del>country</del>)) <u>(hirty-two</u> feet from the mairest interior facade which contains a principal entrance.

2. Within a cluster development, (the maximum transfer offer and the second second

Structures in single developments may be connected by underground gatages of elevated usingers:(a))

[1] One slevated walkway shall be permitted to connect any two structures in the development;

12) Additional elevated walkways, in Excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is mainteined.

2. Structures in required setbacks

a. Detached gerages, Carports, or other accessory structures are permitted in the required rear or side Setbacks, provided that ((sheep are)) any anormaary first include (care) biveen a principal structure and the side of the shell provide the antiant required for the principal iterature, Setback first an isota accessory structure tracture, Setback first an isota accessory structure that is no provide the test in intern above satisting state, with open tails persisted above toxice feet.

## b. Easter of other factors receased y for enter for the digatized and closely, which most Rechington State Rules and Degulations for Barrier-Yrae Design, are permitted in required front, side or rear authors.

## C. Uncovered, unenclosed pedestrian bridges, necessary for access and sets than five fast in width, are permitted in required front, side and rear setbacks.

d. Permitted fences, free-standing wells, bulkheads, signs, and other similar structures, an greater than six feet in beight, are permitted in required front, side or rear setbacks.

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

f. Underground structures are persitted in all

g. Solar collectors are permitted in regulaed setbacks, subject to the provisions of Section 23.45.146, Solar Collectors.

Ground related housing developed as towehouse ewellings may have zero setbacks along common valls.

Section 11. Section 23.45.58 is amended to read as follows:

23.45.59 Midrise, Open Space Requirements

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

A. Quantity

### 1. Ground-related housing

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

b. On lots with slopes of twenty percent or movie the minimum sector spectral provide some spectry percent or movie the minimum sector spectry percent of the same size as the required ground-level open space may be (meantimum sector sector) built over the sloping ground-level open space. ((requirement. Decke of spectral the sequence of the static sector shows the sector shows be in some to qualify for this provided of another units.)) In order to qualify for this provident, the private space space for a unit may not be covered by the deck of another units.)) In under to qualify for this provision, such decks shall her cover the open space of another unit, nor be above the living space of any units.

2, Apartments

a minimum of twenty-five percent of the lat 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 balcomies, decks, sciaria, greenhouses, or roof gardens. If less than twenty-five percent of the lot area is provided as open space at ground level, all strest setbacks shall be landscaped.

Cerraced boasing on slopes of twenty-five percent of muta

a. A minimum of forty percent of the lot area: shall be provided as usable. landscaped open space. CORDENANCE (1978) Control of Page 13

ORDINANCE 108793-Controled from Page 11)

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

8. 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 fest above or below the unit it serves, provided that the access to such open space does not yo through or over common circulation areas, common or public open space, or the open space serving another unit.

6. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, (The open space space of tendes howeve are not subject to this previous.) unless the facing units are single family dwelling units.

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

2. Apartments

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 <u>pedestrian</u> 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(i→i)ground open space, balconies, decks, roof gardens, solaria, and greenhouses shall have a minimum horizontal dimension of at least six feet, and minimum area shall be sixty square feet.

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 tan fest.

b. We guited open space is permitted in the front, side of rear of the all of une.

C. Patient areas, driveways and pedestrian as except for pedestrian eccess partic the destination

State Bales and Regulations for Barrier-Free Design, Shall Bot be counted as open space.

d. In order to qualify as shows ground 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 shows ground level, the total amoun of ground level open space shall not be reduced below twenty percent of iot area.)

Section 32. Subsections 23.45.60A, B and C are amended to read as follows:

Section 23.45.60 Middise, Parking and Access Requirements

A. Parking quantity

One off-strest parking space per dwelling unit is required.

For apartments and terraced housing, spaces for bicycles shall be provided in a shaltered and convenient loca-tion according to the following chart:

	1.11		000	24		202	14.	200	200		-			66	22			~~	222	- 14	52	80.1	31	2.3		xx	Γ.	-30	(L.)	с,		1.0	÷.,	25.	с.	34
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Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly

and disabled((+ provision of opaces for two-wheeled webicines)) and the addition of residential units to existing structures((+ and the joint use of existing paralog)), encoding to Section 23.54.26, Parking Quantity Exceptions.

4. For spartment structures of sore that twenty units, the Director may require parting in excess of the an-twent parting ratio, up to a maximum of one and ane-guarter spaces per unit, according to the previsions of Section 23.54.20:(8)10.

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 is subsections 52 or 31 below applies, access to parking shall from the alley when the site abuts a platted alley improved the standards of Sactium 21.54.10C. 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(  $\{*\}\}_{\underline{L}}$ 

b. The lot does not abut a platted alley;

c. Apartments or terraced housing are proposed across an alley from a Single Pamily, Lowrise 1 or Lowrise 2

3. Street or alley access permitted

Access to parking may be from either the alley or the street when((+)) the conditions listed in subsection B2 above do not apply, and one or more of the following con-ditions are met:

{{\}}, Ground-related housing is proposed across the alley from a Single Family, Lowrise 1 or Lowrise 2 zone;

((e)) b. Topography makes alley access infeasible((+))

{(a))c. The alley is not improved to the standards of ((Scotion)) subsection 23.54.10C((+))_ if such an alley is used for access, it shall be improved according to the stan-dards of subsection 21.54.10C.

C. Location of parking

1. Parking shall be located on the same site as the principal use.

{{**1**}}**2.** Parking may be located;

a. Between the structure and the side or rear lot line, ((#arbitst 22.45.544))) Swhibit 45.60A, except as provided in Section 23.45.5602. If the parking is screened from direct street view as provided in Section 23.45.60d below, or

c. Apartments and terraced housing: in or under the structure, provided that the parking is screened from street view by the front facade of the structure, ((Sebibit 23:45:848))) Exhibit 43:608.

(4))]. No open parking shall be permitted between a structure and the front lot line, or in the required front setback, except as provided in paragraphs 23, 24, 25, and <u>26</u> of this Section.

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

([4])5. For corpet lots, parking between the structure and the street shall be permitted along one street frontage only.

[44] 5. The Director say permit variations from the mispeese standards for parking incation and design and boys quantity. For lots meeting the following conditions:





(1) Lots proposed for ground-related boundary with an feasible alloy answes and with . Less then eighty feet of attest

trontage. 30 - Lot depth of less than one hundred

- A rise or from in elevation of at least tweive foot in the first sixty test from the front int

feet,

(2) Lots proposed for spartness and terrared housing with no feasible alley access and a time of drop in elevation of at least twelve feat in the first sixty feat 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 and terraced housing: parking may be located under the front of the structure if screened by garage doors or by feasing and landscaping.

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

(6))?. When the front setback of the structure is everaged  $(\{\cdot,\cdot\})$  across the width of the front facade, packing shall be permitted between the structure and the front property line, but not in the required front setback, Exhibit 45.60D.

Section 33. Subsections 23.45.568 and C are amended to read as follows:

8. Additional height permitted

The Director may authorize additional height up to a maximum height of two((-))hundred((-))forty feet, as a ((e-mailtional developments)) special exception pursuant to Chapter 23.78, Master Use Permit. In order to qualify, the applicant shall comply with the following provisions:

1. If the construction of the proposed development will involve the demolition of existing housing, no height above one hundred sixty feet will be allowed unless new housing is provided on size, equivalent to the square foot living area of the housing to be demolished. Such housing shall be provided at comparable cost pursuant to the Seattle <u>Municipal Code, Chapter 37.216.</u> Housing Preservation Ordinance.

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

1. 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) <u>subsection B1</u> above, and if the provisions of ((B+2)) <u>subsection B2</u> above have been met, additional height above one houdred taket 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 pro-vided.

a. When a proposed highrise development provi-des 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 visinity.

(3) For every one percent of the total gross ((mymare factors)) floor area in the proposed structure that is reserved as low-income housing, an additional eight fast in height may be allowed; and for every one percent of the total gross ((mymars footnay)) floor area in the proposed structure that is reserved as moderate income housing, an additional five fest 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 data a Certificate of Occupancy is issued.

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

Landscaped public open space

When proposed highrise developments provide (indecepting) indecaped, usable public open space in addi-tion to the open space required for the exclusive use of resi-dents of the development, additional height up to a maximum of forty feet may be allowed according to the following provisions((:)):

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

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

[3] The Location of the open space shall enhance street level activity by providing.

or active area: and/or (a) A formal point in a highly dehau (b) A unique ementty suited to the area and of public benefit; and

ic) Better pedestrian arrass and stilling of an existing public famility or bistoric landmark.

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

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

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

[7] The open space shall be designed so that its solar exposure encourages its use.

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

(9) The outdoor common areas shall function as more than pedestrian walkways or passageways between areas. Active areas and/or passive areas shall be provided depending on the needs of the adjarsut neighborhood. Structures of architectural and historical ç. significance

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

(1) Preservation of designated City landmarks, with proceedings and controls adopted pursuant to the Seattle Municipal Code, Chapter 25.12, Landmarks Preservation Ordinance, may qualify for eighty feet of additional height.

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

C. Height exceptions

Radio and television receiving aerials, flag-poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23,74, Airport leight District ((Chapter 23,14))), provided they are no closer than fifty percent of their height abuve existing grade, or, if attached only to the roof, no closar than fifty percent of their height above the roof partian where attached, to any adjoining lot line.

Railings, planters, skylights, ((chimmeye,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit set in ((Creation 23,45,00)) <u>subsections</u> A and B above.

3. The following rooftop features may extend up to ten feet above the maximum height limit, so long as the combined total coverage of all features does not exceed fif-teen 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 ((+ <del>Duch</del>)); so long as the fencing ((<del>shall</del> be)) is at least five fact from the roof edge

- <u>chimneys</u>

sun and wind screens

penthouse pavilions for the common use of

reaidents. For height exceptions for solar collectors, see Section 23.45.145, Solar Collectors.

5. In order to protect solar access for property to the north, the applicant shall either locate the rooticp features listed below at least ten fest from the porth edge of the root, or provide shadow diagrams to demonstrate these the proposed location of such rowing issuings south shade pro-perty to the north on January 21 at foon no sore than would a structure built to exclange permitted built:

Solar collectors

- plantars
  - clecestories

greenhouses

- dish antennae
- son-firewall parapets
- play equipment
- z san and wind screens

2 Penthouse pavilions for the common use of

Section 34. Subsection 23.45.708 is amended to read as follows:

3. Modulation standards

residents.

The minimum depth of modulation shall be four feet, {{{Bashibis 23,45,92}}} Exhibit 45,708.

 When balconies are part of the modulation and have a minimum dimension of at least six fast and a minimum area of sixty square feet, the minimum depth of modulation shall be reduced by two feet, ((<del>(Swhibit 23, 45, 947</del>)) <u>Exhibit</u> <u>45,703</u>.

Maximum width of modulation 8

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

b. Exceptions to maximum width of modulations

(1) When facades provide greater depth of modulation than four feet, then for every fost 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 firty feet.

(2) The excision width of mobilation may be increased when faithout are set back from the (dread) lot line further than the required (dread) actual, acousting to

# the boliowing quideline the width of wodulation of such a facada shall be persited to access thirty fact by one fact for every lost of largest actual beyond the injuiced works file provision that are be continued with the provisions of approximation that are be continued with the provisions of approximation of a continued with the provisions of approximation of the provision of the provision of the line of the provision of t

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 25. Subsections 23.45.728 and D are smended to read as follows:

a. Rear setback

The minimum rear setLack for structures or par-tions of siructures wisty feet or less in height whell be ten feet.

The minimum rear setback for portions of struc-tures greater than sixty feet in height shall be twenty feet.

D. General setback exceptions 1. Required setbacks for cluster developments

Where two or more principal structures are located on one lot, ((#schubic 22.40.39))) <u>Exhibit 45.728,</u> (required)) or where two or more portions of the same shruc-ture exceed situy feet in merget above existing grade, set-backs between situatures or portions of structure shall be provided as follows:

((a. go walls shall be less than ten feet apart

28 any pulse. by A principal extransp to a strenture shall be at least fifters for from the respect interior facade which contains no principal estates.

A principal cattones to a structure shall be at least twenty back from the scarcas interior facade which contains a principal entitator.])

s. Interior facades shall be separated as follows:

Elevation of Facade of Portion of Facade from Existing Grade

Minimum Separation 16 feet 60 feet or less 20 feet 28 feet 121 feet of higher 32 feet

[(d))D. Within a cluster development. [(the meximulation should be thereby fore for all interior forendes)] interior facades need not be modulated. Perimeter facedes shall follow standard development require-

[[0]]2. Structures (is cluster developments)) or portions of structures over sixty feet in height, may be con-macted by underground garages or pertinns of structures thirty-neven test or loss in beight.

2. Structures in required setbacks

61-90 <u>feet</u>

<u>91-120 fast</u>

a. Betached garages, Carports, or other accessory structures are paraited in the required rear or side sathacks, provided that ((they see)) any accessory situr-ture located between a principal structure and the side lot line shall provide the sathack required for the principal structures. Exhibit 45.72C. All such accessory siturities whall be no greater than tweive fest in height above existing grade, with open rails permitted above tweive feet.

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

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

d. Permitted fences, free-standing walls, buikheads, signs, and other similar structures, no greater than six fast in height, are possitted in required front, side or reat Setbacks.

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

f. Underground structures are permitted in all setbacks.

Solar collectors are permitted in required setbacks, subject to the provisions of Section 21.45.145.
 Solar Collectors.

Section 36. Section 23.45.76 is amended to read as follows:

Section 23.45.75 Highrise, Parking and Access Reguirements A. Farking quantity

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

For systments and terraced housing, spaces for bicycles shall be provided in a sbeltered and convenient loca-tion according to the following chart:

		NURCES OF	Bicycle Spaces
Nuzber	of Spages	264	quired
5	9 <del>~</del> 10		1
**	1-20		7
~~~			
More th	han 20	l per	18 wiits

Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled((+ provision of epaces for two-wheeled webselerr)) and the addition of residential units to existing structures((+ and the joint use of omisting parking)), scoording to Section 23.54.20, Parking Quantity Exceptions.

guantity Exceptions. Por approach structures of more than twesty units, the Director may require particup is extend of the due to not particup setion, up to a mailwas of one and one-quarter sparse per unit, seconding to the provisions of Section 33 54,20(18)18

 Becaptions to the quantity of required parking shall be permitted when residential write are added to existing structures, according to the provisions of Subchapter 4, Bunumatornius Uses and Sciencess. 8. Arreas to parking

Alley access required

Except when one of the conditions of ((paragraphs)) subsections 32 or 33 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to the standards of Section 21.54.10C. Access from the street shall not be persitted.

2. Street access required

Access to parking shall be from the street when: The alley borders on a Single Family, Lowrise 1 or Lowrise 2 2008;

b. The lot does not abut a platted alley;

significant calley access muld create a

3. Street or alley access permitted

Access to parking may be from either the alley or the strest when([r]) the conditions listed in consection 52 above do not apply, and one or more of the following con-fitions are meti

Topography makes alley access infessible({x})

b. The alley is not improved to the standards of (Section)) subsection 23.54.10C. If such an alley is used for access, it shall be improved according to the standards of subsection 23.54.10C.

C. Location of parking

Parking shall be located on the same site as the principal usa, except accessory off-site parking permitted according to Section 23.45.155.

2. Parking may be located:

a. Between the structure and the side or rear lot line. Exhibit 45.764, except as provided in Section 23.45.7202, if the parking is screened from direct street view as provided in subsection 23.45.760 below, or

<u>b.</u> In or under the structure, provided that the parking is screened from struct view by the front facade of the structure, Skibli 35.765. Parking is permitted on all levels of a base structure, with the limitation that a maximum of fifty percent of the area of the floor closest to the grade of the struct may be used for parking. If the struct-level facade is in retail use, sixty percent of the struct-level floor area may be used for parking.

No open parking shall be permitted between a structure and the front lot line, or in the required front setback.

[On corner lote, two strents of retail may be mitted. On aloped citer, the Director may determine which not or streets are to be so regulated.]]

D. Screening of parking

Packing sh	all be acre	ened from di	rect street
11 between fi	ve and six	feet in heis	pt. When the
Il runs along	the street	front, then	e shall be a
strip on the	street side	of the fenc	e or wall.
may be betwee	n one and f	ive feet des	p, as measured
operty line.	but the ave	rage distance	e from the pro-
to the fence	shall be th	ree feet. S	uch screening
e located wit	hin any rec	wired sight	triangle.
	facade of a 11 between fi 11 runs along strip on the may be betwee operty line, to the fance	facade of a structure, 1 between five and six 1 runs along the street strip on the street side strip on the street and may be between one and operty line, but the ave to the faces shall be the	Parking shall be accessed from di facade of a structure, by gatage to il between five and six feet in heis il runs along the street from, then strip on the street side of the form may be between one and five feet des operty line, but the average distance to the femus shall be three feet. a located within any required sight

2. The height of the visual batries creats acresen required above shall be measured from street i the elevation of the lot line is different from the f elevation of the parking surface, the difference in g may be measured as a portion of the required beight screen, so long as the acress itself is a minimum of feet is height, Exhibit 45.72C. Ì(

Section 37. Subsection 23.45.86D is amended to read as

D. Dispersion criteria

(A lost used for a)) The lot line of any new or expanding balfway house shall be (means than) located six hundred feet or more from any lot line of any other balfway house or ((from a)) nursing home in a residential zone.

2. No balfway house shall be established where its location would increase to more than five the number of half-way houses and/or sursing homes within a one-half mile radius of the proposed site.

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

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

Section <u>38</u>. Subsection 23.45,30 is amended to read as follows:

23.45.90 Institutions: General Provisions

A. The establishment of new institutions, such as reli-dious facilities, community renters, schools, and darpare cen-ters, which meet the development standards of Sections in all sulti-family zones. Institutions not meeting all the develop-ment standards of (this) these Sections may be permitted as adainstrative conditional uses subject to the requirements of Section (23.45.12) 2.45.122. If the expansion of an existing institution meets all development standards, it shall be permitted ourright. Sapansions not meeting development standards may be permitted as administrative conditional uses subject to the requirements of Section ((23,45,118)) 23,45,122.

Section <u>39</u>. Subsection 23.45.96C is smended to read as follows:

C. Side setback

The minimum side setback shall be ten feet from a side lot lips which abuts any other residentially somed lor. A five foct setback shall be required in all other cases, encept that the minimum side strest side asthour shall be ten for.

To Rightise scores, structures which are between minety-one and one (1-) hundred (1-) heaving feet to beight shall

ave a minibum side sethect of fourthest fast, structures which are tailer then one (i-) hundred(i-) hundry fast shall have a minimum side sethect of sinteen feet, ((immubit 22-15.162)) Schibit (1.522

(2. When the Septh of the standard state five front, the standard side actions complement shall be torestood by the distingues indicated in the following shart. This additional side orthast sequirement may be extinized by oversping the side Sethisk along the depth of the structure.))

2. When the depth of a structure exceeds sixty-five foot, an additional methods shall be required for that portion in excess of sixty-five feet. This additional setbeck may be averaged along the entire length of the wall. The side set-back requirement for portions of walls subject to this provi-sion shall be provided as shown in the following chart:

Side Serback Requirements for Structures Greater than Sizty-Five Feet in Depth

0- 11- 21- 31- 41- 51- 61- 71- 81- 91-

n	10 21	39	46	50	60	70	<u>B0</u>	90	1.60
D 66-70	11 13	13	14	15	16	17	18		
71 ~ B0	12 13								
91-100	*********************								
101-110	15 16	17	18	19	20	21	22	23	24

For structures greater than one-hundred (######)) ten fest in depth, the pattern established in the chart shall be con-tinued.

B = Greatest beight of facade beyond sixty-five foot depth (in feat, 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.

B - Depth of structure (in feet).

Section 40. Subsections 23.45.988 and G are amended to read as follows:

3. ((Joint use on shared use of parking areas and faui-tities shall be permitted)) An institution may make joint use of parking areas and facilities accessory to other uses if approved by the Director, according to the provisions of Section 23.54.20F, Joint Use Parking.

preneportation plan 116.

1. Threshold for requiring a transportation plan

The Directory modely the parking standards on transportation plan any proposed institution using a transportation plan. A transportation plan shall be required to an element of the Rester use Transit process for the establishment of the Rester use Transit process for the establishment of the source the explanation of establishment plan the largest the source the provide track of establishment which are targest then four thousand equare fact of establishment process and/or which are required to provide twenty as more parking epaged.

2. Contents of transportation plan

The Discostor chail determine the level of detail be disclosed in the transportation plan based on the stable imparts and scale of the proposed institution, solderation of the following elements and other similar other may be required.

e. Praifie

Number of staff during normal working house, users, questo and others requirily accounted with the institution, lovel of wohlewlar traffic generated, traffic pathing sharedcristics of the institution and the institution or any likely wohleds we batterny, cutons of congruines type and number of wohleles accounted with the use, and mitigation measures to be taken by the applicant.

A. Parking area

Rumber of agares, estent of screening from public of abuiling locor direction of schicle light glores direction of lighting sources of possible witestion provailing direction of estauth fummer location of driveway SURDAAN'S DATAL Command on Page 13

ICHERNANCE INTO COMMAND FOR PART 171

er parking overflow

Humber of achieles expensed to park in the react, personness of on-object parking supply to be used by a proposed suc, opportunities available to phase emissing whing accord brends to local area development and mitigating mourse to be taken by the applicant.

e, pedeotrian salety

tumbre of drivenant which arous pedaceries eyes location of possenger locating secon-

e. Logilability of public of private mass estimate system.

But the inclusion and frequency, extent of private mayo brandportationy including carpools and varpeois is prevised by the applicanty

3. Buniustion of transportation pian

Based on an evaluation of the information disclosed in the transpondention binn, the Disambou may increase the empire parting of loading upon contrast may increase the evaluation of exclusion into the contrast parting apply in the statisticy. The Director may sing decrease the mainte parting requirement when the applicant can demonstrate that the enciripted one will not need the sinkame number of exquired enciripted one will not need the sinkame number of exquired

Section 11. Section 23.45.102 is smended to read as follows:

33.45.163 Institutions: Dispersion Criterian

((The contributions of a)) The lot line of any new or ((the constant of an existing)) synapting institution shall (mast) be located ((etable)) six bundled fast or more from any lot line of any ((etable)) size () subtraction () are puter families)) in a residential song. Section <u>42</u>. Subsection 23.45.106A is smended to read as follows:

23.45.108 Public Pacilities

A. The location or expansion of the following public facilities shall be permitted ourright in all multi-family somes, if all of the development standards for institutions (Sections 23.45.52 through 23.45.152) are met: Police Precinct Stations

Fire Stations

Public Roat Moorages

Dtility Service Uses

((Packo & Playgroundo

aouss)}

Other similar uses.

Section <u>41</u>. The following section is edded to Chepter 23.45:

23,45,108 Public of Private Parks and Playprounds

	8	X		in the	'n	e		9.			i,	ò	1		c)	i,	ċ,	i,	a	ż	2	÷	á		3	ė.	ė	ŝ	Ċ	Ż			3	ĸ	ż	ø	2	ŝ	ä)	j,	'n	ł.	ä	1		×	ò	d	L,	1		i,	ġ,	÷		и	sì	j,	ä	ŝ		ŝ
				Ň	ŝ	ý	a.	č,		1	22	ġ	đ	ŝ	ĩ		è	ŝ	ã		p	ũ	1	ć	é	ĩ	Ľ	ġ	ċ	ù	i.	1	ŝ	2		ŝ	ŝ	c	3		ŝ	Ĵ.		3	1	÷	3	Ľ		K	×	à	R.	6	Ż		9	5					ő
	ţ.	22	ú	Lő		å	<u>a</u>	Į.	1	Ы	2	2				٤.	i,	ġ	ž	Ż		š	Ľ	2	2	i,	3		ŝ	1		1	ġ	ŝ	ċ	Ŕ	ų	t	ŝ	2	ŝ		ŝ	23	2			2	į.	ņ	ξ,		Ļ	<u>0</u>		ä,	L,	Ļ	8	8			
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	z:	Ś.	20	8	. 9	х.	81	κ.	. 1		1	59	κ.	: 1	51	2	ς.	C,	8	4	0	0	0				2		0	8	20	::	0	88		8	-		×	2	2		22		8	2				0								22	22	-			

Section <u>46</u>. Subsection 23.45.1188 is amended to read as follows:

B. Dispersion criteria

1. A facility which does not meet the dispersion criteris of Section 23.45.86D may be permitted, upon detar-mination by the Director that the intent of the dispersion requirements is satisfied. For example, physical elements (such as water bodies, large open spaces, or topographical features) or manmade elements (such as arterials, con-centrations of non-residential uses, or frameways) may provide substantial separation from existing balfway houses and ended to separation from existing balfway houses and nucsing bomes.

2. If the intent of the dispersion criteria is set, an existing facility not in conformance with a dispersion standard may be permitted to expand. The existing facility shall not be permitted to expand beyond the (there experiment): requirements of the other development standards for the some is which it is located.

Section 45. Subsections 23.45.1220 and 5 are amended to read as follows:

D. ((Pratiin generation

The Disector may condition 2 parmit to mitigate percentral tradition congration problems. Measures which may be used by the Disector for this purpose include, but are not limited to the following:

L. Implementing the institution's transportation oten

2. Limiting the number as type of unbialed appointed with the famility: encouraging the use of METRO as private mass transity requiring provision of eldensity, and thereing second, logation or quality of particular.)

D. Transportation plan

A transportation plan shall be required for pro-posed new institutions and for those institutions proposing expansions which are larger than four thousand square feet of structure area and/or required to provide twenty or more pathing spaces.

2. The Director shall determine the level of detail o be disclosed in the freesportation plan based on the pro-sable insates and/or scale of the proposed institution, ovelderation of the following elements and other similar rac-ors may be required:

s. Traffic

Number of staff during normal working butter users, quests and others requiring associated with the institution, level of vehicular traffic generated, traffic Realing obsractoristics of the institution and the immediate sfear likely telicle use patternay extend of congention, types and number of vehicular associated with the user and miligating measures to be taken by the applicant.

b. Facking area

Number of spaces, extent of spreading from public or abutting jots, direction of vehicle light dire; Affection of lighting, sources of possible vibration, pro-valing direction of anhaus funge, location of driveway and such such as a spreading of the spring of the second such such as a spreading to be taken by the applicant, such as pathing inact preferences for carpool of vanpool vehicles and provisions for bloycle tanks.

c. Parking overflow

Number of vehicles expected to part in the attent: percentars of onstruct parking supply to be used by the proposed use; opportunities available to share existing parking areas; trends is local area development and mitigating measures to be taken by the applicant. d. Safety

Number of driveways which group pedestrian weik-ways; location of passenger loading steas.

Availability of mass transportation

Bus ights location and frequency of service; Drivate transportation programs, including carpools and yan-BERLS, to be gravided by the applicant.

2. The Director May condition a persit to miligate potential insfils and parking picklems. Measures which may be used by the Director for this purpose include, but are not limited to the failowing.

A. Implementing the institution's transportation Bien to empowers use of public of private accession 2. Increasing mains spiring a loading spars requirements is reduce quarties of vehicles into the mainseet setting supply

En Changing access and incation of paralogy

<u>A</u> Decreasing consists parting or loading space subicassing, [3, second bit] is the applicant of particular that have the consists of planting is accounted that have the specific features of the institution or the activities and programs is offered[, the Director, she applicant shall enter into an agreement with the Director, specifying the amount of parking required and linking the parking reduction to the features of the institution which institution ato the features of the institution which institution and the features of the institution which instity the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions change, the Standard requirement shall be satisfied.

Section 46. Section 22.45.140 is smended to add the following subsection:

C. Accessory structures shall be counted in structures width and depth if issue than three feet from the principal structure at any point. Such detached accessory structures ahail have a height limit of twelve feet.

Section 47. Subsections 23.45.1468 and D are emended to teed as follows:

8. Solar collectors in required setbacks

Solar collectors are persitted in required setbacks according to the following provisions:

Detected solar collectors shall be paraitted in sequired over setberts; such collectors shall be no closes than five fact to any other principal or accessory attacture.

Detached solar collectors shall be persitted in required side asthects. Such collectors shall be no closer than five fast to any other principal of accessory structure, and no closer than three fact to the side lot line.

The area covered or enclosed by solar collectors
((small not be included in)) may be counted as required open
space ((maleulonicms)).

4. Summhades which provide shade for solar collec-tors which face within thirty degrees of true south may pro-lect into southern front or near asthacts. Those which (starts) begin at ((see)) sight free or more above stifting grade ((seed)) may be no closer than three feet from the pro-party line. ((these which are below tes form may be me)) Summhades which are between existing grade and eight feet body statisting grade shall be no closer than five feet (from) to the property line.

D. Solar retrofits

The Director may permit the retrofitting of solar collectors on conforming or conconforming structures existing on the effective date of this Land Use Code as a special exception pursuant to Chapter 23.76, ((f))Master Date Permit((*)). Such a retrofit may be permitted even if it exceeds ((constituted)) the height limit <u>established in gub-</u> <u>mention 23.45, 146C above</u>. If the following conditions are metri

There is no feasible siternative solution to placing the collector(s) on the roof;

The positioning of such collector(s) minimizes view blockage and shading of property to the morth, while still providing adequate solar access for the collectors; and

Such collector(s) seet minimum energy stendards administered by the Director.

Section 48. Section 23.45.154 is amended to read as follows:

23.45.154 Open Wet Moorage for Private Pleasure Craft

Open set montage facilities for residential structures are permitted as an accessory use as regulated in Chapter 23.70 or Chapter 14.60, Shoreline Master Program, provided that only one ally per residential unit is provided.

Section 43. Subsection 23.45.166A is amended to read as follows:

A. The offsite parking facilities must be accessory to a multi-family structure ((multi)) <u>existing</u> before the ((minute)) <u>effective date</u> of this land use Code, which pro-vides less than one parking space per unit, although it may include parking for a new residential development when deve-loped pointly.

Section 50. Section 23.45.180 is amended to read as follows:

23.45.180 Continuation of Nonconforming Uses

Any legally established monconforming use existing on the effective date of this provision which does not conform to the applicable requirements of this Land Use Code may be continued subject to the provisions of this (interface)) <u>Subchapter</u>.

Section 51. Section 23.45.182 is amended to read as follows

23.45.183 Extensions, Expansions, and Structural Alterations of Nanconforming Uses

A nonconforming use shall not be expanded or extended, nor shall a structure containing a monconforming use be expanded, extended or structurally altered except as follows:

A. Expansions, extensions or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled shall be permitted.

B. Legally satablished apartments in Lowrise 1 sones may be improved, removated, structurally sitered, and expanded, provided that the improvement, removation, siteration or expansion does not violate the development standards of Sections 23.45.10 through 23.45.18, nor cause an already non-conforming structure to further exceed development standards.

C. Additional dwelling units may be added to legally established apartments in Lowise 1 somes so long as this addition does not violate the development standards of Sections (33,45,15) 23,45,00 through 23,45,18, nor cause an already nonconforming structure to further exceed development standards, except that one dwelling unit may be added without a parking space if the lot area is not increased, if new parking meets all development standards, and existing parking is screeted and landscaped to the greatest extent practical.

D. Dwelling units may be added to structures in nonreal-dential use, svan if in a nonconforming structure. Such structures may be altered or expanded to long as the altera-tion or expansion does not violate the development standards of this chapter, nor cause an already nonconforming structure to further exceed development standards, except that one unit may be added without a parking space.

parctions 21.41.1817 and 5 below, or as necessary to reprove

(B) T. Existing structures or portions of structures Containing office uses, or structures for which as application has been made, which are developed in former DMM 350, DMV 300 or BMV 150 somes formerly regulated in Title 34 which meet the development standards of the respective zone, or were deve-loped pursuant to variances, may be improved, removated, or structurally altered. Structures containing office uses may not be expanded, and office uses may not be extended within the building beyond the floor area permitted in the former sone. Types of offices permitted shall be limited to those permitted in the former sone.

((#)) G. A nonconforming use which is destroyed by fire or other act of nature may be resumed provided it meets the requirements of Section 23.45.190.

Section 52. Subsections 23,45,164A and D are smended to read as follows:

23.45.184 Changes To and Prom Nonconforming Use

A. Existing nonresidential uses may be converted to residential use. <u>Mhan residential crits are added to non-residential uses</u>, one writ may be added without a parking <u>option</u>. If the only use in the structure will be residential and there is no feasible way to provide the required parking, then the Director may authorize reduction or waiver of parking as a (resolutional deviationment) <u>special exception</u> pursuant i Chapter 23.76, 1(4))Mester Use Permitt((*)).

D. Legally satablished uses which were permitted Outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 23.45.116 through 23.45.126.

Section 33. Subsection 23.45.190A is amended to read as follows:

23.45.190 Nonconforming Structures

A. Legally established structures existing as of the date of adoption of this Land Dae Code which are not in con-formance with one or more of the development standards for the multi-family some in which they are located shall be prohi-bited from expanding in any manner which increases the extent of nonconformity or creates additional nonconformity except as follows: Fallows:

Expansions or extensions otherwise required by law or necessary to improve access for the elderly and disabled shall be parmitted.

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 stan-derds, and existing parking is screened and landscaped to the greatest extent practical.

Section 54. Section 23.54.10 is amended to read as tallows:

23.34.10 Access Standards

A. Streets

1. Street abutment required

At least ten feet of a lot line shall abut on a street meeting the standards of subsection 23.54.1883, or on a permanent soccess essement meeting the standards of subsection 23.54.105.

2. Access to new lots

When now lots are created or new eadements are pro-posed, access by a strest may be required by the Director when one or more of the following conditions exist. 3. Where access by assemnt would compromise the goals of the Land Use Code to provide for adequate light, air and usable open space between structures.

b. If the improvement of a dedicated street is necessary or <u>desirable</u> to facilitate adequate water supply for domestic water purposes or for fire protection, or to facili-tate adequate storm drainage.

c. If improvement of a dedicated street is necessary or desirable in order to provide on-street parking for overflow conditions.

d. Where it is demonstrated that potential safety hazards would result from multiple access points between existing and future developments onto a roadway without curbs and with limited sight lines.

s. If the dedication and improvement of a street would provide better and/or more identifiable access for the public of for emergency vehicles.

3. Street Improvement Standard

a. Streets providing screes to and within residen tial development shall meet the following standards, except provided in ((persegraph by)) subsection <u>3h</u> below:

(1) Grading to both right of way lines;

(2) Standard pavement width and depth;

(3) Cutbo on both sides of the street,

(4) Sidewalks on both sides of the street,

(5) Provision of Landacaped planting strips and/or street trees up both sides of the street, and

(6) Drainage and grading according to the pro-visions of the Seattle Municipal Code.

b. The Director may authorize exceptions to the standards listed in (percessaph a+)) subsection 2a above under the following conditions:

(1) Proposed development contains less than ten

(2) Proposed development is low income housing;

(3) Full street improvement would not be prac-tical due to support and/or location in an environmentally sensitive area;

 (4) Street improvement would remove natural Features such as trees or disrupt existing drainage patternsy
 (4) (An existing above proving the proving development is not at and approximation for the proving development is not at and approximation would diver-satisfact adulting provement would diverselly affect position property or

(6) The strast would provide scouse to a single development, and would not carry through trafficing 20

8. Sacements Where a lot does not abut a streat and where and by estimate has been approved by the Director in anticident with 23.54.1083, access to the lot shall be provided to a streat by an essenant meeting the following standards: 1. Resements serving one single family dwalling Essement width shall be a minimum of ten feet2 b. No maximum segment length shall be set. If essement length is more than one hundred and fifty feet, a webicle turnsround shall be provided; C. Curb cut width from the easement to the Street shall be the minimum necessary for safety and access Eastements serving at least two but fewer than five single family dwelling units s: Essement width shall be a minimum of ((sinseen)) twenty feet; The easement shall provide a surfaced road-way at least sixteen feet wide; C. No maximum extensent length shall be set. If the essenant is over six hundred fest long, a firs bydrant may be required by the Director; A turnaround shall be provided unless the easement extends from street to street; Cuth cut width from the easement to the Street shall be the minimum necessary for safety and access. Essements serving at least five but fewer than ten single family dwelling units, or fewer than ten multi-family unit a. Essement width, surfaced width, length, turaround, and curb cut width shall be as required in paragraph 2 above; b. No principal structure shall be closer than five feet to the susment. 4. Essements perving ten or more residential unit Essement width shall be a minimum of thirty-two feet. b. The excent shall provide a surfaced road-way at least twenty-four feet wide. C. No maximum length shall be set. If the essenant is over six hundred feet long, a firs hydrant may be required by the Director. A turnsround shall be provided unless the easement extends from street to street. Curb out width from the easement to the street shall be the minimum necessary for safety and access f. No single family structure shall be located closer than ten feet to an easement, and no multi-family structure shall be located closer than five fast to an ease-ment. One sidewalk shall be provided, extending the length of the extendit. C. Alleys Alley access to parking shall be required according to the provisions of each zone. An alley shall be considered improved when it meets the following standards: 1. Grading to both right of way lines: Standard pavement width and depth in accordance with rules as promulgated by the Director;

 Drainage and grafing according to the provisions of the Seattle Municipal Code.

Section 23. Subsections 23.18.22C. F, and G are associated to read as follows:

(#)) C. Adding units to existing structures in molei-Cantly gones

1. If an existing residential structure in a multifamily zone has parking which means the development standards, and the lot area is not increased, one unit may be added without additional parking. If two units are added, one space will be required; three units will require two spaces, atc. Additional parking must meet all development standards for the particular multi-family classification.

2. Exceptions to the quantity of required parking shall be permitted when residential units are added to a structure in a multifacily more which has parking not conforming to available thendetdo, or when units are added to a noncomforming use, according to the provisions of Chapter 1.1.1. Subshapter 4. Someonforming Taxe and Structures.

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The Director say anthonize the joint use of parking for the following uses or activities under the following con-

L. UP to fifty percent of the parking required for a theater, burding alley, dance halfs ber restaurant, to the out ice skating fins, of other statist privarily visiting use as a supplied by the uff-sizest parking provided by the uses appended to subsection of beings.

2. Up the fifty percent of the off-stress parkin tequired for any use specified under subsection 74 may be supplied by the parking provided for uses specified in subsection 75 below.

2. Up to one hundred percent of the perking imputed for a church of for an auditorium incidental to a public of private school may be supplied by the off-screet pathing provided by uses epecified in supsection 25 below.

4. For the purposes of this section, the following men are considered as daytime uses: banks, business offices, stall stores, merginal service shops, boushold suppress of whiture shops, clothing or shoe copail or service shops, stalling shops, clothing or shoe offic other stalls priministructure undersite buildings and other stalls prisarily, dayting uses when authorized by the Director.

5. For the purpose of this section, the following uses are considered as dishituse or Sunday uses: auditoriume inclantal to 3 public or private school, unurthes, bowling shifts, dance balls, theseers, ball or cestenratic, tother or ins desting inter and other seniar privatily distributing use and seniar tothe and other seniar privatily distributing use and another and other seniar privatily distributing use int desting inter and other seniar privatily distributing use and another by the firstner. 10 United the off-street participal provided by sharther use that he invariant within sight number of the participal that he invariant within sight number of the participal that he invariant within a sight number of the participal substantial conflict in the principal operating hours of two uses for which juint use of off-street parking is protwo uses for which juint use of off-street parking is proted as a set of the principal operating is proted as a set of the principal operating is proted as a set of the principal operating is proted as a set of the principal operating is proted as a set of the principal operating is proted as a set of the principal operation operation of the principal operation op

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C. An agreement providing for joint use parking executed by the parkies concerned shall, together with the applicable was permit, be filed with the Director. The Director may condition the use permit to assure completence with the joint ase parking agreement. Joint use parking privilages shall continue in effect only so long as the satement, binding on all parties, remains in force. If the satement, binding on all parties, remains in force. If the provided as otherwise required by this Land use Code.

G. For non-subod uses located in a former or existing public school, the school use criteria of Chapter 23.78. Establishment of Criteris for Joint Use and Reuse of Schools, shall determine the ulf-street parking requirement.

Section 55. Subsection 23.54.30C is amended to read as follows:

C. Ingress and egress

1. Backing distances and moving other vehicles

a. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except for single family dwellings.

b. Except for lots with fower than three parting spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than fifty four

2. Curb cuta

Selow, curb cuts <u>()</u> <u>Streep</u>: as provided is paragraph b((...)) below, curb cuts <u>()</u> <u>Stimeways</u> shall be provided as follows

(1) For lots with street fromtage of shall be permitted.

frontage greater than eighty feet, a maximum of two ten-footwide curb cuts or one twenty-foot-wide curb cut per development shall be permitted.

b. On arterials with more than fifteen thousand swarage vehicle trips per day, according to Engineering Department data, one twenty-three-funt-wide curb cut shall be permitted. A list of such erterials shall be maintained by the Department.

one-half feet shall be permitted on either side of any curb

3. Driveways

a. Driveways shall be not less than ten fest wide it, and shall provide the minimum curning path radius as shown on Figure 24.11 Driveways with a turning angle of more than thirty-five degrees shall conform to the minimum turning path radius shown in Exhibit 24.308.

b. Vehicles may back onto the street from a parking area serving five or fewer vehicles, provided that;

(1) The street is not an arterial as defined by the Seattle Municipal Code, Section 11.18.510, <u>Arterial Street Map</u>, and

(2) The slope of the driveway does not property line.

C. Driveways serving thirty of fewer parking spaces and less than one((--))hundred fast in length shall be a similaum of ten feet in width for one- or too-way traffic ((Delueurys with a turning make of more than thirty-five engrees check conferm to the minimum turning pash radius show an Figure tay))

d. For driveways serving thirty or fewer parking spaces and greater than one-Bundred fret in length, the driveway shall sither:

(1) Be a minimum of Sixteen feet wide, tapered over a twenty-foot distance to a ten-foot opening at the property line, or

(2) Provide a passing areas at least twenty feet wide and twenty feet long. The passing area shall begin twenty feat 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.

e. Driveways serving more than thirty parking spaces shall provide a minimum ten-foot-wide driveway for oneway traffic or a minimum twenty-foot-wide driveway for two-way traffic. (Optimerays with a twenthe angle of more than thirty-five degrees shall content to the minimum twentag radius shown on Emistive 24 and 28(r))

f. Maximum grade curvature shall not axceed
 the curvature shown in Tablbit [[4]] <u>54,300</u>.
 4. Parking aisles

 Parking aisles shall be provided eccording to Exhibit 4.

b. Turning and maneuvering areas shall be located on private property, except that alleys may be credited as aisle space.

Section 57. Subsections 23.76.14C and E are amended to

C. Notice of the application shall be provided by the Director in the following manner:

 Short Plat, sidewalk cafes, structural building overhaugs, areaways, <u>special exceptions</u>, <u>design departure</u>, <u>temporary use for more than three weeks</u>: four placasds posted on or near the site, general mailed release.

 Variances, administrative conditional use: four placards posted on or near site, general mailed release.

³. Substantial development permit, aboreline furiance, shoreline conditional use: four pleonade posted on on near sits, general selled release, publish matice is City official newspaper once such weet for the consecutive weets.

2. No motice of application is required for a temperaty three west use of for the following Master Day Securit Approxit if they gow decorations to be exempt from Sava.

autright. Retablishment or change of use permitted

Cith const Landsceptony associated with develop-ment proposals, additional contrast partiagi <u>strest and silvy</u> instruments.

3. Lot boundary adjustments.

Section 22. Subsection 23.76.24A is amended to read as follows:

23.76.24 Ditertor's Decision on Master Use Persit A. Master Use Permit Raview Criteria

The Director shall grant, deny, or condition approval of a Master Dee Permit based on the applicant's compliance with the <u>Status</u> Municipal Code, Chapter 25,64, STA Policies, 1996, <u>Status</u> Dubbargeon Hitler and with the Substantive requirements applicable to the specific approval effective at the time the Director issues a decision. The Director may impose conditions in order to mitigate advance environmental impose conditions in order to mitigate advance environmental impose status with the constitution process.

Section 58. Subsection 23.75.368 is amended to read as follows:

8. All appealable master the Persit decisions other than shoreling decisions at identified in Subsection 13, 75, 35Å, shall be filed with the Bearing Examiner subject to the following:

Standing, All appealable Master Ose Permit decisions may be appealed by any person, significantly affacted by or interested in the permit.

2. The of Filing. Appeals shall be filed with the Rearing Remainer by five of clock p.m. of the fourteenth calendar day following publication of notice of the decision. When the last day of the appeal period is computed is a Saturday, unday, or federal or City builday, the period shall run until five of clock p.m. on the next business day. The appeal shall be is writing and shall clearly identify the approval(s) being spealed. The appeal evaluation for successful to the filing fee as gain forth in the Section to the fourteents of the scheduler for a speal shall clearly identify the approval (s) being spealed. The appeal evaluation for section to the filing fee as gain forth in the Section for clear for the scheduler for a speal for the section for the specific objections is the director's decision and the tellef sought shall be stated. In form and content, the appeal shall conform with the rules of the Bearing Exeminer.

Consolidated Appeals. All appeals of a Master Use Permit shall be considered together in a consolidated hearing.

4. Pre-bearing Conference. On the Bearing Examiner's motion, or at the request of any party of record, the Bearing Examiner may have a conference prior to the hearing in order to entertain pre-bearing motions, clerify issues, or consider other relevant matters.

5. Notice of Besting. Notice of the heating on the appeal shall be mailed at least twenty days prior to the scheduled hearing date to parties of record and those requesting notice of the specific bearing. Notice shall also be included in a general mailed release.

5. Scope of Review, Appeals shall be considered de novo. The Hearing Examiner shall entertain issues cited in the appeal which relate to procedural irregularities, compliance with substantive criteria, the adequacy of the environmental documentation upon which the decision was made, or failure to properly condition or deny a persit based on disclosed environmental inpacts.

7. Standard of Review. The Director's decision shall be given substantial weight, except that, for any decision which includes deter minations on a variance or conditional use, that part of the Director's decision shall be given no deference.

8. The Record. The second shall be established at the Bearing Staminer bearing. The Searing Braminer shall either close the record after the hearing or leave it open to a specified date for additional testimony of written argument.

Bearing Examinar's Decision. The Hearing Examine: shall issue a decision within fourteen days after closing the record.

The Boaring Examiner may affirm, reverse, remand or modify the Director's decision. Written findings and otmolusions supporting the Bearing Examiner's decision shell be made.

10. Notice of Bearing Examiner Decision.

Notice of the Rescing Examiner's decision shall be mailed on the same date of the ((destalate)) decision to the parties of record and to all those requesting notice, and shall contain information regarding appeal procedures, if any

11. An appeal of any Reating Examiner's decision succept those decisions appealable to the fity Cruncil pursuant to Seattle Municipal Code, Section 25.04,210, must be filed in Mind County Superior Court within fourteen days of the issuance of the decision.

Section <u>60</u>. Subsection 23.38.18 is amended to read as follows:

23.70.10 SOAC Responsibilities

The ((eppealed)) SUAC shalls

A. Conduct a minimum of three public meetings within a minety day period from formating of the Sust.

CORDINANCE COMPACT CONTRACT OF PARTIES.

IORDINANCE LINPS-Continued from Page 13

8. Gather and evaluate public comment;

C. Develop criteris for structure and grounds use which a compatible with the surrounding community, including but not limited to: benefits to the community and publicy popula-tion to be served; community access; use of the actival grounds within the context of reorestional and aesthetic resources af the neighborhood; mitigation of large structure work, traffic impacts: generation, circulation, and parking; landscaping and maintenance of grounds; exterior appearance of the structure, including signing; mise; becards; and other potential nuisances; and

D. Recommend criteria to the Director of DCD no later than ninety days after its first meeting unless a ten day attending is requested, in writing, by a majority of the SUAC and granted by the Director of DCD.

Section 51. The following subsections of Section 23.84.86 *C* ere emended up read as follows:

A development containing for an anno principal attractures on one list. It fightles sound, int of ante investe on one base

Cluster development

23.84.06 ***

(A structure and related grounds)) An institution used for con-profit ancist, civic or recreational purposes and owned and operated by a private non-profit organization or public agency serving in the community in which it is impacted and open to the general public on squal basis and where no activities, other than the rental of the center to other non-profit social, civic, recressional or religious organizations, are carried out for gain.

Section 52. The following subsection of Section 21.84.08 *D* is amended to read as follows:

23.84.08 "D"

Day care center

Community center

(A facility)) An institution operated by any person or organization which regularly provides care to a group of children in other than a family satting for less than twenty-four hours a day, whether for compensation or not. (See also family day care home.) Birenter.

The Director of the Department of Construction and Land Dse, or the Director's designee.

Section 61. Section 73.84.10 "E" is amended to add a sub-mection as follows: 23.84.10 *8*

Elevated walkway

A pedestrian walkway connecting structures within a cluster development and located above existing grade.

Section 54. Section 23.84.12 "P" is amended to add the following subjections: 23.84.12 *F*

Facade, Front

The facade extending the full width of the structure, including modulations, which is closest to and most nearly parallels the front lot line.

Pacade, Rear

The facade extending the full width of the structure, including modulations, that is closest to and most mearly perallels the tear lot ling.

Facade, Side

The facade extending the full width of the structure, including modulations, that is closest to and most nearly parallels the side lot line. Facade, Interior

Any facade of a structure within a cluster development, which faces, or portions of which face, the facade(s) of anothal structure(s) within the same development. Any facade defined as a fitont, rear or side facade would not be considered an interior facade.

Pacade, Perimeter

Any facede of a structure within a cluster development, which is either a front, rear of side facede.

Section 65. The following subsection of Section 23.84.24 "L" is amended to read as follows: 23.84.24 *1.*

Lot grade, existing

The natural surface contour of a lot, including minor ((surface)) adjustments to the surface of the lot in prepara-tion for construction.

Section <u>66</u>. The following subsection of Section 23.84.25 "M" is omended to read as follows: 23.84.25 ***

Muse

A non-profit, non-commercial institution operated as a repository or a collection of natural, scientific, <u>historical, cultural</u>, or literary objects of interest or works of art. Section 67. The following subsections of Section 23.84.32 "R" are amended to read as follows:

23.84.32 *8*

Religious facility

An institution, such as ((A)) a church, temple, mosque, symagogue of other structure together with its accessury structures, used primarily for religious worship.

Roof, shed

See shed roof.

Section 68. The following subsections of Section 23.84.36 "S" are amended to read as follows: School, public or private

((A structure)) An institution primarily used for systematic academic instruction, excluding post-secondary colleges and universities.

Shed roof

A root baying only one sloping plane,

Short Subdivision

The division or redivision of land into ((feme)) mine or fewer lots, tracts, percels, sites, or divisions for the purpose of sale, lease, development, or financing, and shall include all resubdivision of previously platted land and properties divided for the purpose of sale or lease of townhouse units.

Solar, si conhouse

A <u>solar collector which is a structure or portion of a</u> structure ((which uses)) <u>utilizing glass</u> or similar glasting material to collect direct sunlight for space besting purpo

Section 52. Section 23.84.38 "T" is amended to delete a subsection as follows:

And another second contract desiring and a company and

(Panden hog

Section 10 - who fullowing subsection of Section \$3.54.44

23.84.44 ***

Wall, exterior

An optight member of a structure which forms the bounda between the interior and exterior of that structure (17 who there is no well, the plane between the supports)).

Section 21. Subsection 23.86.103, last amended in Ordinance 118869 is amended to read as follows:

9. Pront Yards

1. Determining Front Yard Requirements (Exhibit 868(1)-(7)

Front yard requirements are presented in the standard development requirements for each zone. Where the minimum required front yard is to be determined by averaging the setherize of structures on either side of a 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 lot. When the front fatade of the principal structure is not parallel to the front lot line, the shortest distance from the front lot line to the structure shall be used for averaging purposes.

b. The yards used for front yard averaging shall be on the same block front as the lot, and shall be the front yards of the neafest principal structures within one hundred feat of the side lot lines of the lot.

For averaging purposes, front yard depth shall be measured from the front lot line to the wall nearest to the street ((comprising)) or where there is no wall, the plane between supports, glich comprises twenty percent or more of the width of the front laceds of the principal structure. Enclosed percent within be committered part of the principal structure for measurement supposes. Attached perages or

corports permitted in fromt rends under sither Section 23.44.0804g or 23.44.1025, social (international) unputment porches (intel as without roufs); social (international) situation solar collectors, and other similar parts of the structure shall not be considered part of the principal structure for measurement purposes.

d. In Single Family zones, when the first principal structure within one hundred feet of a side int line of the lot is not on the same block front, or does not provide its front yard on the same street, or when there is no principal structure within one hundred feet of the side lot line, the yard depth used for averaging purposes on that side shall be twenty feet.

When the front yard of the first principal structure within one bundred feet of the side lot line of the lot succeds twenty feet, the yard depth used for averaging purposes on that side shall be twenty feet.

C. In cases where the street is very steep or winding, the Director shall determine which adjacent single family structures should be used for averaging purposes.

2. Sloped lots in single family zones

For lots in single family zones, reduction of required front yard is permitted at a rate of one foot for every percent of slope in excess of thirty-five percent. For the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of firegularly shaped lots, the Director shall determine the line along which slope is calculated.

Section <u>72</u>. Subsection 23,86.12A is amended to read as follows:

23.86.12 Setbacks in Multi-Family Sones

A. Pront setbacks

1. Determining front setback requirements

Front setback requirements are presented in the standard development requirements for each some. 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 ((perd)) setback shall be the average of the distance between principal structures and front lot lines of the mearest principal structur on each side of the subject lot₁ ((finities Sec.S)) Estibli Structures

b. The setbacks used for front setback averaging shall be on the same blockfront as the subject let, and shall be the front setbacks of the mearest principal structures within one hundred fast 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, or where there is no wall, the plane between gupports, which (deeperformed) comprises twenty percent of more of the videb of the front faculty of the principal structure on either side. Attached parages and enclosed porches shall be considered part of the principal structure for measurement purposes. Decks leas then explored solar collectors, and other similar parts of the structure shall not be considered part of the structure shall be considered part of the principal structure for measurement purposes. Decks leas then eight collectors, and other similar parts of the structure shall not be considered part of the principal structure is not peralled to the front lot line, the shortest distance from the front lot line to the structure shall be used for averaging purposes.

d. When the first principal structure within one hundred fast of a side lot line of the subject lot is not on the same block front or when there is no principal structure. within one bundred feet of the side lot line, the setback depth used for averaging purposes on that side shall be ten

e. When the front setback of the first principal structure within one hundred feet of the side lot line of the subject lot exceeds twenty feet, the setback depth used for averaging purposes on that side shall be twenty feet.

f. In cases where the street is very steep or winding, the Director shall determine which adjacent structures should be used for averaging purposes.

and the second s

A: In the case of a through lot, the require-ment for icons arguments shall be determined intermedently for find differi franksys. The seasurement intermediate of this section main be applied for each pirest frontage separately.

h. For cluster development, the front setback of a principal structure on the same lot may be used for averaging purposes.

2. Features projecting into required front setbacks

In certain zones portions of the front facade may project into the required front setback, provided that the average distance from the front lot line to the facade satisfies the minimum front setback requirement. In such cases the following provisions shall apply:

a. The front setback shall be averaged for the entire width of the errocture.

b. Portions of the facade at existing grade shall be used in determining the average suback.

c. Projections of the front facade which begin at least (ieee)) <u>eight</u> feet above existing grade and project less than four feet from the lower pertion of the facade shall not be included in the setback averaging. For such projections which project more than four feet from the lower portion of the facade, only the first four feet shall be exempt from the averaging calculation. This provision applies to such features as calculation. This provision applies to such features as calculation. This provision applies to such features as calculation are permitted to project sighteen inches beyond any front facade without being counted in averaging.

Measuring street-facing setbacks for institu-tions and public facilities in multi-family romes

4. In multi-family zones, the depth of setback from a street lot line may be averaged along the width and height of the facade for institutions and public facilities; as an alternative providing greater design flexibility than standard modulation requirements.

b. This sverage setback shall be calculated by dividing the three-dimensional volume of setback by the area of the structure facade.

(1) Find the sum of volumes within the space defined by extension of the roof line, the planes of the side walls, and the vertical extension of the front lot line; and

(2) Divide this sum by the area of the street-facing facade, calculated as the product of facade height and facade width, ((#Bahibis B65))) <u>Exhibit 86.128</u>.

Section 73. Section 23.86.14 is amended to read as follows:

23.86.14 Structure Wigth

Structure width shall be measured by the following method:

Draw ((the smallest)) a rectangle that encloses the principal structure;

Structure width shall be the length of the side of that rectangle most closely parallel to the front lot line, ((texhibit 660)) Exhibit 85.144.

8. Decks and balconics ((***)) eight fact or less above existing grade, unenclosed porches with or without roofs, eaves, gutters, <u>chimneys not used to meet modulation require-</u> ments, and attached solar greenhouses meeting minimum state-dards administered by the Director shall not be considered part of the principal structure for the purpose of measuring the width of a structure.

C. Decks and balconies more than ten feet above existing grads, suclosed purches, attached garages and carports, and modulated or projecting segments of a facade shall be considered part of the principal structure for the purpose of measuring the width of a structure.

D. Structure width exception

In certain multi-family zones, apartment structures are allowed greater width when at least forty pergent of the width is sets back from the <u>portion of the</u> front facede <u>clonest</u> to the front lot line a distance equivalent to twenty-five percent of the structure depth. In such cases the following provisions shall apply: provisions shall apply:

When the front facade(s) is(are) not essentially parallel to the property line, the facade containing the point closest to the street shall be considered the facade closest to the street.

2. The twenty-five percent of building depth may be achieved by adding together the depths of more than one facade segment. The forty percent of structure width may also be composed of more than one facade segment meeting the twenty-five percent setback requirement.

Section 74. Section 23.85.16 is amended to read as follows:

23.85.16 Structure Depth

A. Measuring structure depth

In certain zones structure depth is limited by stan-dard development requirements. The following provisions shall apply for determining structure depth:

Structure depth shall be measured by the following method:

Braw ((the smallcot)) a rectangle that encloses the principal structure.

b. Structure depth shall be the length of the sides of that factangle most Chosely parallel to the side lot lines, ((manufacts scil))) <u>Exhibit</u> 35.158.

Dents and balconies ten fast on loss some existing grade, mencioned porches with or without roufs, esses, outers, chimneys not used to seal authouter confer-esses, and structure soils greenhouses menting sinisms standards eductionared by the Director shall not be tonsidered part of the principal structure for the purpose of measuring the depth of a structure.

5. Decks and balconics more than ten feet above existing grade, balconics, enclosed porches, attached garages and carports, modulated or projecting segments of a facade, shall be considered part of the principal structure for the purpose of measuring, the depen of a structure.

b. Determining mestaus permitted attactors depth

To contain somes, structure capth is lighted to a percentage of int depth. For those cases the following provi-

When the lot is accentially rectangular and has a rear int line which is (recomminally)) within fifthen represe of peraissi to the front lot line, lies he mains determine() the lot depth shall be the infigurated distance between the aldpoints of the front and rear lot lines, ((Figure 32)) Schlort 35.158.

2. When the lot is triangular or ((pie)) wedges shaped, lot depth shall be the horizontal distances between the midpoint of the front lot line and the rear point of the lot. If such a lot dues not actually come to a point, lot depth shall be measured from midpoint of front lot line to midpoint of rear lot line, Schibit 86.16C.

In the case of a through lot, lot depth shall be measured ((from front lub line to)) <u>between midpoints of</u> front lot lines.

 When lot shape is so irregular that provisions
 or 3 cannot be used, lot depth shall be that distance equal to the result of lot area divided by length of front lot line, provided that in no case shall lot depth be greater than the distance from front lot line to the furthest point on the perimeter of the lot, ((Bankbis Bess))) <u>Exhibit 86.160</u>.

C: Measuring structural depth exceptions

In certain zones, exceptions permit increased structure depth. For those cases total permitted int coverage shall equal maximum width times maximum depth less the area required for modulation, according to the following provisions:

1. Maximum width shall be considered to be the width of the lot less the total required side setbacks, but shall in no case exceed the maximum width permitted for the bounding type and some.

2. Maximum depth shall be considered to be the percentage of lot depth permitted for the proposed housing type.

<u>Li The area of minimum required modulation shall be</u> subtracted from the calculation to determine maximum lot coverage permitted.

Section 75. Subsection 23.86.18 is amended to read as follows:

23.86.18 Open Space

Certain zones require a minimum amount of open space to be provided on the lot. For those cases where open space is required, the following provisions shall apply

A. In order for a portion of a lot to qualify as open space, the ground's surface shall be perseable, except for parlos, paved areas designed for recreation, and pedestrian access which meets the Washington State Rules and Regulatio for Barrier-Free Design. The area shall be landscaped with grass, ground cover, bushes, and/or trees.

B. Driveways, parking areas, 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.

C. The area covered of and had by solar collectors meeting minimum standards administered by the Director may be counted as required open space.

Portions of a structure which begin right feet of one above saisting grade may project up to four feet over equired ground-level open space.

((C)) E. Standard development requiraments for certain zones specify a minimum contiguous area for open space. Open space areas smaller than the minimum contiguous area specified for such zones shall not be counted toward fulfilling total open space requirements for that lot.

Driveways and patking areas, paved or unpaved shall be considered to separate open space areas they bisect.

Pedestrian ambass stess shall not be considered to break the contiguity of open space on each side.

(19)) F. In shoreline areas, when determined the amount of open space required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

Section 25. Subsection 23.88.202 is smended to read as follows:

23.89.20 Land Day Interpretations

A decision by the biractor of (state), spati-section. A decision by provision of (state), Tills 22, Land (state), a like it, topics and subdivisions, as it is at the state of property is known as an 'literapretation to interpretation and the requested in writing by may person of any to isitisted by the Director.

Section 27. Subsection 23.90.18A is amended to read as

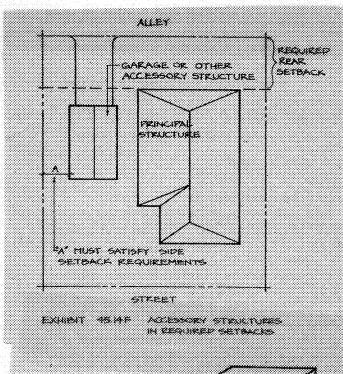
23.90.18 Appeal to Rearing Examiner

A. Any party affected by the final order may file a A. Any party affected by the final order may file a written notice of appeal with the mearing Examiner stating in what respects the autice is strongenes and the specific grounds appen which the party affected relies for the reversal or modification of the order. The appeal shall be files with the Hearing Examiner by five o'clock p.m. of the fourtsenth calendar fay following its ance of the final order of notice of wiels tion. When the last day of the appeal period as computed is a Saturday, Sunday, federal or City holiday, the appeal period shall run until five o'clock p.m. on the next business day. The notice of appeal shall be accompanied by a receipt showing payment by the appealiant of a filing fee as established in the Permit Fee Ordinance, Ch. 22,980.

Section 78. All section and subsection references in this ordinance are to the Seattle Municipal Code (SMC).

Section 73. The purpose of this ordinance is to clarify the intent of the City Council in connection with the multi-family provisions of the Land use Code, to make the Code internally consistent, and to correct typographical errors, and the record and hearing requirements for tast amendments of Section 23.94.10 of the Seattle Hunicipal Code are hereby superseded for purposes of this ordinance.

Section 80. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor, otherwise it shall take effect at the time it shall become a law index the provisions of the city charter.



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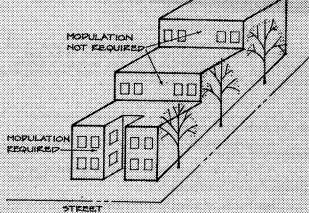


EXHIBIT 45.26A TERRACED HOUSING MOPULATION

6X41617 45 40A EXHIBIT 45.54 A

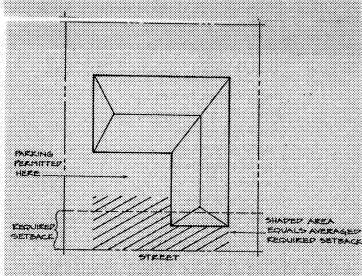
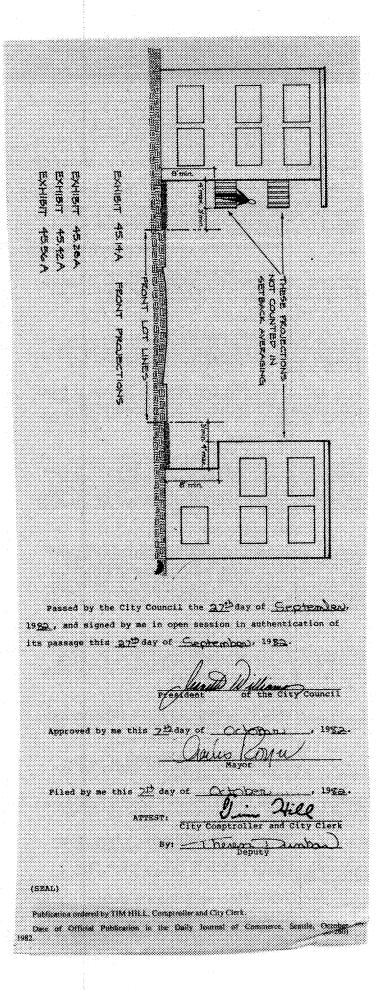


EXHIBIT 45 32 P AVERAGEP FRONT SETBACK AND PARKING

ехнівіт 45.46 р EXHIBIT 45 760



Affidavit of Publication

STATE OF WASHINGTON KING COUNTY-SS.

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

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

	*********		Ordinance No. 110793
	ublished	nn	October 12, 1982
00 }	M. 1999		
	9 8 6 7 8 6 5 7 6 5 7 8 8 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8 1 0 7 8		
			<u>Antiniz</u>
			Subscribed and sworn to before me or October 12, 1982
		********	Dullan Comed
			Notary Public for the State of Washington, residing in Seattle.

C-260

City of Seattle

821809

Executive Department-Office of Management and Budget

John D. Saven, Director Charles Royer, Mayor

September 1, 1982

The 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 amending sections of the 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

mes phillen

John Saven Budget Director

JS/jm/lb

Enclosure

cc: William J. Justen, Director

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** **********************************	more and a lite	
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3	ORDINANCE	
2	AN ORDINANCE relating to land use; amending Sections 23.30.10, 23.34.34, 23.44.10, 23.44.12, 23.44.20, 23.44.46,	
3	23.44.80, 23.45.04, 23.45.05, 23.45.08, 23.45.10, 23.45.14, 23.45.16, 23.45.18, 23.45.22, 23.45.20, 23.20, 23.20, 23.20, 23.20, 23.20, 23.20, 23.20, 23.20, 23.20, 2	
4	23.45.26, 23.45.28, 23.45.30, 23.45.32, 23.45.36, 23.45.38, 23.45.40, 23.45.42, 23.45.44, 23.45.46, 23.45.38, 23.45.50, 23.45.50, 23.45.42, 23.45.44, 23.45.46,	
5	23.45.50, 23.45.52, 23.45.54, 23.45.56, 23.45.58, 23.45.60, 23.45.66, 23.45.70, 23.45.72, 23.45.76, 23.45.86, 23.45.90, 23.45.96, 23.45.90, 23.45.76,	
6	23.45.86, 23.45.90, 23.45.96, 23.45.98, 23.45.102, 23.45.106, 23.45.108, 23.45.118, 23.45.122, 23.45.140, 23.45.146, 23.45.154, 23.45.166, 23.45.180, 23.45.182, 23.45.184, 23.45.190, 23.54.10, 23.54.20, 23.54.30, 23.76.14, 23.76.24, 23.76.26, 23.254.20, 23.54.30,	
7	23.45.184, 23.45.190, 23.54.10, 23.54.20, 23.54.30, 23.76.14, 23.76.24, 23.76.36, 23.78.10, 23.84.06, 23.84.09, 23.94.10, 23.84.06,	
8	23.84.08, 23.84.10, 23.84.12, 23.84.24, 23.84.25, 23.84.32, 23.84.36, 23.84.38, 23.84.44, 23.86.10.	
9	23.86.12, 23.86.14, 23.86.16, 23.86.18, 23.88.20, 23.90.18.	
10		
1	BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:	
12	Section 1. Section 23, 30.10 is amended to read as follows:	
13	23.30.10 <u>Classifications for the Purposes of this Subtitle</u> All land within the City of Seattle shall be classified as	
14	being either within one of the following land use zones or a zone retained under Table 24 and regulated accordingly:	
15	Zones <u>Abbreviated</u>	
16	Residential, Single Family 9600 SF 9600	
17	Residential, Single Family 7200 SF 7200	
18	Residential, Single Family 5000 SF 5000	
19	Residential, Multi-Family, Lowrise 1	
20	Residential, Multi-Family, Lowrise 2 <u>L2</u>	-
21	Residential, Multi-Family, Lowrise 3 L3 Residential, Multi-Family, Midrise MR	
22	Bogidential Welting in minut	
23	Residential, Multi-Family, Highrise	
	Section 2. Section 23.34.34 is amended to read as follows:	
24	23.34.34 Transition	
25	Pending adoption of specific criteria for ((other than singl family zones)) zones regulated by this Title, the general criter	e ia
26	comprehensive plan policies shall pertain to requests for	n VA
27	changes to the respective zones.	
28		
	C5 19.2	

1	Section 3. Subsection 23.44.10D, as last amended by Ordinance 110669, is further amended to read as follows:
2	D. Lot Coverage Exceptions
3	1. Corner Lots
4 5	For the purpose of computing the lot coverage only, the width of a corner lot or of a lot where a side lot line abuts upon a street or alley may be increased by one-half the width of the abutting side street or alley. The total lot area may not be increased by more than twenty-five percent.
6	2. Special Structures and Portions of Structures
7	
8	The following structures <u>and portions of structures</u> shall not be counted in lot coverage calculations:
9	a. Access Bridges
10	Uncovered, unenclosed bridges of any height necessary for access and five feet or less in width.
*	b. Barrier-Free Access
12	Ramps or other access for the disabled or elderly meeting Washington State <u>Rules</u> and $((\frac{r}{r}))$ Regulations
13	((and rules)) for ((b)) <u>B</u> arrier-((f)) <u>F</u> ree ((access)) <u>Design</u> .
14	c. Decks
15	Decks or parts of a deck which are eighteen inches or less above the existing grade.
16	d. Freestanding Structures and Bulkheads
17	Fences, freestanding walls, bulkheads, signs, and other similar structures.
18	e. Underground Structures
19	An underground structure, or underground portion of a structure, may occupy any part of the entire lot.
20	<u>f.</u> Eaves and Gutters
21	The first eighteen inches of eaves and gutters
22	projecting from the principal structure.
23	<u>g.</u> <u>Solar</u> <u>collectors</u> <u>meeting</u> <u>the</u> <u>provisions</u> <u>of</u> <u>Section</u> <u>23.44.46</u> <u>and</u> <u>swimming</u> <u>pools</u> <u>meeting</u> <u>the</u> <u>provisions</u> <u>of</u> <u>Section</u> <u>23.44.44</u> .
24	Section 4. Subsection 23.44.12B, last amended by
25	Ordinance 110669, is further amended to read as follows:
26	
27	
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B. Special Features.

1. Pitched Roofs

The ridge of a pitched roof on a principal structure may extend up to five feet above the thirty-foot height limit. All parts of the roof above the height limit must be pitched at a rate of not less than three to twelve((, +))Exhibit((s 44A, B)) <u>44.12A.</u>) No portion of a shed roof shall be permitted to extend beyond the thirty-foot height limit under this provision.

2.

Sloped Lots

Additional height shall be permitted for sloped lots, at the rate of one foot for each six percent of slope. The additional height shall be permitted on the downhill side of the structure only, as described in the measurements portion of this Land Use Code, <u>Exhibit</u> 44.12B.

When the downhill portion of a sloped lot fronts on a street and the required front yard exemption in subsection 23.44(.08(d)(1)))14A is claimed, the permitted height of the wall along the lowest ((evaluation)) elevation of the site shall be reduced one foot for each foot of exemption claimed. In no case((τ)) shall the height of the wall be required to be less than thirty feet.

Section 5. Subsection 23.44.20A is amended to read as follows:

23.44.20 Special Residences

Special residences including nursing homes licensed by the State or convalescent homes, group homes or halfway houses are permitted as conditional uses subject to the following modifications of development standards:

A. Dispersion

1. ((A)) The lot line of any new or expanding special residence shall ((not)) be ((established or expanded on a lot which is within)) located six hundred feet ((of)) or more from any lot line of any other special residence in a residential zone.

2. No special residence shall be established in an area where it would increase the number of special residences located within a one-half mile radius from the proposed residence to more than five.

3. A proposed new or expanding special residence which does not meet the dispersion criteria may be permitted by the Director upon a determination that the intent of the criteria is achieved because of the presence of physical elements such as bodies of water, large open spaces, or topographical breaks or other elements such as arterials, freeways or non-residential uses, which provide substantial separation from other existing special residences. In that

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case, the Director's determination may permit both the ĩ expansion of the structure and/or the number of beds. 2 Section 6. Subsection 23.44.46A, as last amended by Ordinance 110669, is further amended to read as follows: З 23.44.46 Solar Collectors 4 Solar collectors are permitted outright as an accessory use to any principal use permitted outright or to a permitted 5 conditional use subject to the following development standards 6 ((Freestanding s)) Solar collectors, ((or those À., projecting beyond the principal or accessory structure to which they are attached,)) including solar greenhouses which meet minimum standards and maximum size limits as determined 7 by the Director, shall not be counted in lot coverage 8 ((calculations)). 9 Section 23.44.80, as last amended by Ordinance Section 7. 110669, is amended to add the following subsection: 10 <u>G.</u> Legally established uses which were permitted outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 23.44.18 through 23.44.32. 11 12 Except as provided in C and E above, legally ((G))<u>H</u>. 13 established nonconforming uses may be changed by an administrative conditional use authorization to other uses otherwise 14 not permitted in the zone. 15 The Director must find that the new use is no 1. more detrimental to property in the zone and vicinity than the existing use. This determination shall be based on the 16 following factors: 17 The zones in which both the existing use a. and the new use are allowed; 18 The number of employees and clients b. associatd with the proposed use; 19 c. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses. 20 21 Parking requirements for uses permitted under 2. this section shall be determined by the Director. 22 3. If the new use is permitted, the Director may require additional mitigating measures including but not 23 limited to landscaping, sound barriers or fences, mounding or berming, adjustments to yards or parking standards, design 24 modification, or setting hours of operation. 25 Section 8. Subsection 23.45.04A is amended to read as follows: 26 27 28 -4-CS 19.2

23.45.04 Principal Uses Permitted Outright **Mark** The following principal uses shall be permitted 2 outright in Lowrise 1 zones: 3 1. Single family dwelling units Ground-related multi-family structures such as 2. 4 duplexes, triplexes, and townhouses((7 and tandem houses)) 5 3. Boarding houses 6 4. Group homes Halfway houses meeting all development standards 5. -7 6. Nursing homes meeting all development standards 8 7. Institutions meeting all development standards 0 8. Public facilities meeting all development standards 10 Subsection 23.45.05B is amended to read as Section 9. follows: 11 ((Required setbacks for existing single family Β. 12 structures may be reduced when the single family structure has a wall, sixty percent or more of which extends into a 13 required setback. The line formed by the non-conforming wall of the structure shall be the delineation of the required 12 setback for any additions, including basement additions (Exhibit 23.45.2). All new walls shall comply with the 15 following requirements:)) <u>Certain additions may extend into a required setback when</u> an existing single family structure is already nonconforming 16 an existing single ramily structure is already nonconforming with respect to that setback. The presently nonconforming section must be at least sixty percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built. They may extend up to the height limit and may include basement additions, Exhibit 45.05A. New additions to the nonconforming wall or walls shall comply with the following requirements: 17 18 19 wall or walls shall comply with the following requirements: 20 When it is a side wall, it is at least three 1. 21 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 22 abutting the rear property line; 23 When it is a front wall, it is at least ten feet 3. 24 from the front property line. 25 Subsections 23.45.08 C and D are amended to Section 10. read as follows: 26 27 28 -5-

C. Pitched roofs

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2	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 here is a solution of the second structure.
3	the entire portion above thirty feet has a minimum of three- in-twelve pitch, (((Exhibit 23.45.6)))Exhibit 45.08B. No portion of a shed roof shall be permitted to extend beyond the
4	<u>thirty-root height limit under this provision.</u>
5	D. Rooftop features
6	 Radio and television receiving aerials, flag- poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74,
7	((+))Airport Height District((+)), provided they are no closer than fifty percent of their height above existing grade, or,
8	if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, to any
9	adjoining lot line.
10 11	2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit set in ((Section 23.45.08)) <u>paragraphs</u> A and B above.
12	3. The following rooftop features may extend ten
13	feet above the maximum height limit set in Section 23.45.08 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
14	mechanical equipment:
15	- stair and elevator penthouses
16	- mechanical equipment
17	 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge
18	- chimneys.
19	4. For height exceptions for solar collectors, see
20	and and gree enderer on the both correctors, see
diax 🐨	Section 23.45.146, Solar Collectors.
21	5. In order to protect solar access for property to the north, the applicant shall either locate the rooftop
	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
21	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
21 22	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 pro- perty to the north on January 21 at noon no more than would a
21 22 23	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 pro- perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk:
21 22 23 24	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 pro- perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk: - solar collectors
21 22 23 24 25	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
21 22 23 24 25 26	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

7	- greenhouses
2	- dish antennae
	 non-firewall parapets
3	- play equipment.
4	Section 11. Subsection 23.45.10B is amended to read as follows:
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6	B. Maximum depth
7	1. The maximum depth of a structure <u>greater</u> than <u>thirty feet in width</u> when the front facade is not modulated according to the standards of Section 23.45.12C ((or D)) shall be fifty percent of the depth of the lot.
9	2. The maximum depth of $((\frac{a}))$ structures thirty feet or less in width, and wider structures when the front facade is modulated according to the standards of Section
	23.45.12C (($or - D$)) shall be sixty-five percent of the depth of the lot.
11	Section 12. Subsections 23.45.14A and D are amended to read as follows:
12	23.45.14 Lowrise 1, Setback Requirements
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14	Front, rear and side setbacks shall be provided for all lots, according to the following provisions:
15	A. Front setback
16	The required front setback shall be the average of the setbacks of the first principal structures on either side, sub ject to the following provisions:
	1. The front setback shall in no case be required to
18	be more than five feet greater than the setback of the first principal structure on either side which is closer to the
19	front lot line.
20	2. The front setback shall not be required to exceed twenty feet.
21	3. Portions of a structure in front setbacks
22	a. Portions of a structure may project into the
23	required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.
24	b. No portions of a structure between existing
25	grade and ten feet above existing grade shall be closer to the front lot line than five feet.
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Portions of the facade which begin ((ten)) c. 1 eight feet or more above existing grade may project up to four feet beyond the lower portion of the facade without being 2 counted in setback averaging, Exhibit 45.14A. Portions of the facade which begin ((ten)) đ. з eight feet or more above existing grade shall be no closer to the front lot line than three feet, Exhibit 45.14B. 4 4. Front setback exceptions 5 Structures along heavily traveled arterials a. 6 In order to reduce noise and glare impacts, multi-family structures located on arterials with more than 7 fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in 8 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 9 the front setback of the principal structure on either side, 10 whichever is less. A list of such arterials shall be maintained by the Department. 11 b. Through lots 12 In the case of a through lot, each setback abutting a street except a side setback shall be a front set-13 back. Rear setback requirements shall not apply to the lot. 14 D. General setback exceptions Required setbacks for cluster developments 15 1. Where two or more principal structures are 16 located on one lot, (((Exhibit 23.45.18))) Exhibit 45.14E, required setbacks between structures shall be provided as 17 follows: 18 No walls shall be less than ten feet apart a. at any point. 19 A principal entrance to a structure shall b. be at least fifteen feet from the nearest interior facade 20 which contains no principal entrance. 21 c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance. 22 Within a cluster development, ((the maximum d. 23 facade width without modulation shall be thirty feet for all interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of Section 23.45.12Cl, 2, and 4 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard 24 25 development requirements. 26 27 28 -8-

Structures in cluster developments may be е. Ĩ connected by underground garages or elevated walkways((-)), provided that: 2 <u>mitted to connect any two structures in the development;</u> З (2) Additional elevated walkways, in 4 excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained. 5 6 2. Structures in required setbacks a. Detached garages, carports, or other accessory structures are permitted in the required rear or 7 side setbacks, provided that ((they are)) any accessory struc-ture located between a principal structure and the side lot 8 line shall provide the setback required for the principal structure, Exhibit 45.14F. All such accessory structures shall be no greater than twelve feet in height above existing 9 10 grade, with open rails permitted above twelve feet. 11 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 12 in required front, side, or rear setbacks. 13 c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are 14 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, 15 16 side, or rear setbacks. 17 Decks which average no more than eighteen e. inches above existing grade may project into required set-backs. Such decks shall not be permitted within five feet of 18 any lot line, unless they abut a permitted fence or freestanding wall, and are at least three feet below the top of 19 the fence or wall. The fence or wall shall be no higher than six feet. 20 Underground structures are permitted in all f. 21 setbacks. 22 Solar collectors are permitted in required g. setbacks, subject to the provisions of Section 23.45.146, Solar Collectors. 23 Ground related housing developed as townhouse <u>3.</u> 24 dwellings may have zero setbacks along common walls. 25 Subsections 23.45.16 A and B are amended to Section 13. read as follows: 26 27 28 -9-

23.45.16 Lowrise 1, Open Space Requirements Open space shall be provided for all lots, subject to the following provisions: A. Quantity 1. A minimum of three hundred square feet per unit of private, landscaped open space, at ground level and directly accessible to each unit, shall be required. On lots with slopes of twenty percent or more, 2. ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping ground-level 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 23.45.16 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.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living space of any unit. Development standards в. 1. The required open space shall be provided in one contiguous parcel, and no horizontal dimension of the open space shall be less than ten feet. 2. Required open space may be located in the front, sides, or rear of the structure. 3. Required open space may be located a maximum of ten feet above or below the unit it serves, provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit. To ensure the privacy of the open space, openings 4. such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing units are single family dwelling units. 5. 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. Portions of a structure which begin ten feet or ((6more above existing grade may project up to four feet over required open space.)) Section 14. Subsections 23.45.18 A, B and C are amended to read as follows: -10-

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23.45.18 Lowrise 1, Parking and Access Standards 1 Α. Parking quantity 2 One off-street parking space per dwelling unit is 1. required. З Reductions to the quantity of parking spaces 2. 4 provided may be made for: low-income housing for the elderly and disabled ((; provision of spaces for two-wheeled 5 vehicles;)) and the addition of residential units to existing structures, ((; and the joint use of existing parking,)) according to Section 23.54.20, Parking Quantity Exceptions. 6 3. Exceptions to the quantity of required parking 7 shall be permitted when residential units are added to nonconforming uses and structures, according to the provisions of 8 Subchapter 4_{i} ((+))Nonconforming Uses and Structures((+)). 9 Access to parking Β. 10 Alley access required 1. Except when one of the conditions listed in 11 paragraphs B2 or B3 below applies, access to parking shall be from the alley when the site abuts a platted alley improved to 12 the standards of Section 23.54.10C. Street access ahll not be permitted. 13 Street access required 2. 14 Access to parking shall be from the street when: 15 Location of alley access would create a a. significant safety hazard; 16 b. The lot does not abut a platted area. 17 3. Street or alley access permitted 18 Access to parking may be from either the alley 19 or the street ((under any of the following conditions)) when the conditions listed in paragraph B2 above do not apply, and one or more of the following conditions are met: 20 The alley borders a single family zone; ((b))a. 21 ((e))b. Topography makes alley access infeasible((+)); 22 ((a))c. The alley is not improved to the 23 standards of subsection 23.43.10C. If such an alley is used for access, it shall be improved according to the standards of 24 Section 23.54.10C. 25 Location of parking с. 26 principal use. Parking shall be located on the same site as the 27 28 -11-

$((\pm))2$. Parking may be located:

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a. Between the structure and the side or rear lot line, except as provided in Section 23.45.14D2, if the parking is screened from direct street view as provided in 2 Section 23.45.18D below, (((Exhibit 23.45.20))) Exhibit 3 45.18A. ß. In or under the structure, provided that the b. parking is screened from direct street view by the front facade of the structure and/or by garage doors, 5 (((Exhibit 23.45.20B))) Exhibit 45.18B, or by a fence and landscaping as provided in Section 23.45.18D below, 6 (((Exhibit 23.45.20C))) Exhibit 45.18C. 7 No open parking shall be permitted between a ((2))3.structure and the front lot line, or in the required front 8 setback, except as provided in paragraphs C3, C4, C5, and C6 of this Section. 9 ((3))4.For through lots less than one hundred feet in 10 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))5. For corner lots, parking between the structure 12 and the street shall be permitted along one street frontage only. 13 ((5))6.The Director may permit variations from the development standards for parking location and design and 14 curbcut quantity, including permitting the location of parking between the structure and the front lot line, for lots which 15 have no alley access and which meet one or more of the following conditions: 16 a. Street frontage of less than eighty feet; 17 Lot depth of less than one hundred feet; b. 18 A rise or drop of twelve feet or more in с. 19 the first sixty feet from the street. In order to permit such alternative parking 20 solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and 21 drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: 22 maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and 23 unobstructed traffic flow. When the front setback is averaged across the $((\Theta))$ <u>7</u>. 24 width of the front facade, parking shall be permitted between the structure and the front property lines but not in the 25 required front setback, Exhibit 45.18D. 26 Section 15. Subsection 23.45.22 C and D are amended to read as follows: 27 28 -12-

C. Pitched roofs

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2	The ridge of pitched roofs on principal structures shall be allowed to extend up to thirty-five feet, so long as
3	the entire portion above thirty feet has a minimum of three- in-twelve pitch, (((Exhibit 23.45.26))) Exhibit 45.26B. No portion of a shed roof shall be permitted to extend beyond the
4	thirty-foot height limit under this provision.
5	D. Rooftop features
6	 Radio and television receiving aerials, flag- poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74,
7	((+))Airport Height District((+)), provided they are no closer than fifty percent of their height above existing grade, or,
8	if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, to any
9	adjoining lot line.
10 11	2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit set in ((Section 23.45.22)) <u>paragraphs</u> A and B above.
12	3. The following rooftop features may extend ten
13	and B above the maximum height limit set in Section 23.45.22 A and B above, so long as the combined total coverage of all
14	features does not exceed fifteen percent of the roof area or twenty percent of the roof area if the total includes screened
15	mechanical equipment:
	- stair and elevator penthouses
16	- mechanical equipment
17	 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from the roof edge
18	- chimneys.
19	4. For height exceptions for solar collectors, see
20	Section 23.45.146, Solar Collectors.
21	5. In order to protect solar access for property to the north, the applicant shall either locate the rooftop
22	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 qual roots and the state that the
23	proposed location of such rooftop features would shade pro- perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk:
24	- solar collectors
25	- planters
26	- clerestories
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1	- greenhouses
2	- dish antennae
3	- non-firewall parapets
	- play equipment.
4	Section 16. Subsection 23.45.24B is amended to read as follows:
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6	B. Maximum depth
8	 The maximum depth of a structure greater than thirty feet in width when the front facade is not modulated according to the standards of Section 23.45.26C ((or D)) shall be fifty percent of the depth of the lot.
9	2. When the front facade of the structure is thirty
10	feet or less in width, or is greater than thirty feet and is modulated according to the standards of Section 23.45.12C ((or D)), the maximum permitted depth of each structure on a lot shall be:
11	a. Ground-related housing: sixty-five percent
12	of lot depth((-));
13	b. Terraced housing on slopes of twenty-five percent or more: no maximum depth limit((-)); and
14	c. Apartments: sixty-five percent of lot depth.
15	((3)) <u>2</u> . Exceptions to maximum depth requirements
16	$((a_{\tau}))$ Structure depth is permitted to exceed
17	sixty-five percent of lot depth, (((Exhibit 23.45.28))) Exhibit 45.24A, subject to the following conditions:
18	(((1))) a. The total lot coverage shall not be greater than that which would have been possible by meeting
19	standard development requirements for maximum width, depth, and setbacks.
20 21	(((2))) <u>b.</u> Any increased side setbacks created by using this exception shall be landscaped and shall not be used for parking.
22	(((3))) <u>c.</u> Structure depth shall in no case exceed seventy-five feet.
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24	(((4))) <u>d.</u> Structures with depth greater than sixty-five percent of lot depth shall be modulated along the side setbacks according to the standards of ((Section)) sub
25	side setbacks, according to the standards of $((\frac{\text{Section}}{23.45.40C \text{ or } \overline{D}})) \frac{23.45.26C}{23.45.26C}$.
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Section 17. Section 23.45.26 is amended to read as 1 follows: 2 23.45.26 Lowrise 2, Modulation Requirements Modulation of structure facades shall be required subject З to the following criteria: 4 Α. Front facades 5 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 6 street. 7 2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated, 8 Exhibit 45.26A. 9 в. Side facades 10 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. 11 12 Apartments with a structure depth greater than 2. 13 sixty-five percent of lot depth shall be modulated along all side facades, ((wider than thirty feet)) according to the 14 standards of subsection C below. с. Modulation standards 15 Minimum depth of modulation 1. 16 a. The minimum depth of modulation shall be 17 four feet, (((Exhibit 23.45.30)) Exhibit 45.26B. 18 When balconies are part of the modulation b. and have a minimum dimension of at least six feet and a minimum area of at least sixty square feet, the minimum depth 19 of modulation shall be two feet, (((Bxhibit 23.45.32))) Exhibit 45.26C. 20 The minimum width of modulation shall be five 2. 21 feet_ (((Exhibit 23.45.30))) Exhibit 45.26B. 22 3. Maximum width of modulation The maximum width of modulation shall be 23 a. thirty feet. 24 Exceptions to maximum width of modulation b. 25 (1) When facades provide greater depth of modulation than four feet, then for every foot of modulation 26 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. 27 28 -15-

The maximum width of modulation may be (2)1 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 2 for every foot of facade setback beyond the required ((front)) З setback. This provision shall not be combined with the provisions of 3.b.(1) above, nor shall it permit facades to exceed Ä. forty-five feet in width without modulation. 5 4. Required modulation may start a maximum of ((ten)) eight feet above existing grade, and shall be continued up to 6 the roof. Section 18. Subsections 23.45.28A and D are amended to 7 read as follows: 8 ((23.45.14)) 23.45.28 Lowrise 2, Setback Requirements 9 Front, rear and side setbacks shall be provided for all lots, according to the following provisions: 10 Front setback Α. n n The required front setback shall be the average of the setbacks of the first principal structures on either side, 12 sub ject to the following provisions: 13 1. The front setback shall in no case be required to 1. The front setback shall in no case be required be more than five feet greater than the setback of the first 10 principal structure on either side which is closer to the front lot line. 15 The front setback shall not be required to exceed 2. twenty feet. 16 3. Portions of a structure in front setbacks 17 a. Portions of a structure may project into the 18 required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement. 19 No portions of a structure between existing b. 20 grade and ten feet above existing grade shall be closer to the front lot line than five feet. 21 Portions of the facade which begin ((ten)) с. eight feet or more above existing grade may project up to four 22 feet beyond the lower portion of the facade without being counted in setback averaging, Exhibit 45.28A. 23 Portions of the facade which begin ((ten)) đ. 24 eight feet or more above existing grade shall be no closer to the front lot line than three feet, Exhibit 45.28B. 25 4. Front setback exceptions 26 27 28 -16-

1	a. Scructures along heavily traveled arterials
2 3	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
4	front setback specified in the development standards, or to
5	the front setback of the principal structure on either side, whichever is less. A list of such arterials shall be maintained by the Department.
6	b. Through lots
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8	In the case of a through lot, each setback abutting a street except a side setback shall be a front set- back. Rear setback requirements shall not apply to the lot.
9	c. Parking in rear
10	For sites which are required to locate the
11	parking in the rear and have no alley, the required front set- back shall be reduced by five feet, so long as this does not reduce the required front setback to less than ten feet.
12	D. General setback exceptions
13	1. Required setbacks for cluster developments
14	Where two or more principal structures are
15	located on one lot, (((Exhibit 23.45.40))) Exhibit 45.28E, required setbacks between structures shall be provided as follows:
16	a. No walls shall be less than ten feet apart
17	at any point.
18	b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade which contains no principal entrance.
19	
20	c. A principal entrance to a structure shall be at least twenty feet from the nearest interior facade which contains a principal entrance.
21	d. Within a cluster development, ((the maximum
22	facade width without modulation shall be thirty feet for all interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of Section
23	23.45.26C1, 2, and 4 provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard
24	development requirements.
25	e. Structures in cluster developments may be connected by underground garages or elevated walkways((-)), provided that:
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Structures along heavily traveled arterial

1	(1) One elevated walkway shall be permitted to connect any two structures in the development;
2	(2) Additional elevated walkways, in
3	excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained.
4	2. Structures in required setbacks
5	a. Detached garages, carports, or other
6	accessory structures are permitted in the required rear or side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side
7	lot line shall provide the setback required for the principal structure, Exhibit 45.28F. All such accessory structures
8	shall be no greater than twelve feet in height above existing grade, with open rails permitted above twelve feet.
9	b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State
10	Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks.
11	c. Uncovered, unenclosed pedestrian bridges,
12	necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.
13	d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater
14	than six feet in height, are permitted in required front, side, or rear setbacks.
15	e. Decks which average no more than eighteen
16	inches above existing grade may project into required set- backs. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or free-
18	standing wall, and are at least three feet below the top of the fence or wall. The fence or wall shall be no higher than six feet.
19	f. Underground structures are permitted in all
20	setbacks.
21	g. Solar collectors are permitted in required setbacks, subject to the provisions of Section 23.45.146, Solar Collectors.
22	3. <u>Ground related housing developed as townhouse</u> dwellings may have zero setbacks along common walls.
23	Section 19. Section 23.45.30 is amended to read as
24	follows:
25	23.45.30 Lowrise 2, Open Space Requirements
26	Open space shall be provided for all lots, subject to the following provisions:
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28	-18-

A. Quantity

1. Ground-related housing

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

b. On lots with slopes of twenty percent or more, ((when decks would provide more usable open space than would the existing ground-level open space,)) decks of the same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping groundlevel 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 23.45.30B 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.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living space of any unit.

2.

Apartments

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

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.

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B. Development standards

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.

22 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 access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of

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walls directly facing the open space of a different unit or 1 common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing 2 units are single family dwelling units. Parking areas, driveways and pedestrian е. З access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall 4 not be counted as open space. 5 2. Apartments $\mathbf{6}$ a. No horizontal dimension for required ground-level open space shall be less than ten feet. 1 Required open space is permitted in the b. front, sides or rear of the structure. 8 Parking areas, driveways and pedestrian c. 9 access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not 10 be counted as open space. 3. Terraced housing on a slope of twenty-five 11 percent or more 12 а. No horizontal dimension for required ground-level open space shall be less than ten feet. 13 b. Required open space is permitted in the 14 front, side or rear of the structure. 15 Parking areas, driveways and pedestrian C. access except for access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted 16 as open space. 17 In order to qualify as above ground-level đ. open space, rooftop areas, balconies, or decks shall have a minimum horizontal dimension of at least ten feet, and a total 18 area of at least one ((-)) hundred ((-)) twenty square feet. 19 С. Open space exception 20 When all uncovered surface parking and access to parking is surfaced in permeable material, the quantity of 21 required ground level open space shall be reduced by five percent of the total lot area. ((When combined with the 22 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 23 percent of lot area.)) 24 Section 20. Subsections 23.45.32A, B, and C are amended to read as follows: 25 26 27 28 -20-

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

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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)) eight feet above existing grade, and shall be continued up to the roof.

Section 18. Subsections 23.45.28A and D are amended to read as follows:

((23.45.14)) 23.45.28 Lowrise 2, Setback Requirements

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

Α. 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:

> The front setback shall in no case be required to be 1.

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Street or alley access permitted 3.

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zone;

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Access to parking may be from either the alley or the street ((under any of the following conditions:)) when the conditions listed in paragraph B2 above do not apply, and

The alley borders a ((=))Single ((=))Family

The alley is not improved to the standards

Topography makes alley access infeasible((-));

one or more of the following conditions are met:

of $((\frac{\text{Section}}{\text{subsection}}))$ subsection 23.54.10C $((\frac{1}{7}))$. If such an alley is used for access, it shall be improved according to the stan-dards of subsection 23.54.10C.

C. Location of parking

((b))a.

((e))b.

((a))<u>c</u>.

1. Parking shall be located on the same site as the principal use.

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 $((\pm))2.$ Parking may be located:

Between the structure and the side or rear a. lot line, (((Exhibit 23.45.42A))) Exhibit 45.32A, except as provided in Section 23.45.28D2, if the parking is screened from direct street view as provided in Section 23.45.32D below, or

14 Ground-related housing: In or under the b. structure, provided that the parking is screened from <u>direct</u> street view by the front facade of the structure, Exhibit 15 45.32B, by garage doors, or by a fence and landscaping as provided in Section 45.32.03D below, (((Exhibit 23.45.42B))) 16 Exhibit 45.32C, or

c. Apartments and terraced housing: In or under the structure, provided that the parking is screened from street view by the front facade of the structure, (((Exhibit 23.45.42B))) Exhibit 45.32B.

((2)) <u>3</u>. No open parking shall be permitted between a structure and the front lot line, or in the required front setback, except as provided in paragraphs C3, C4, C5 and C6 of this Section.

For through lots less than one hundred feet in ((3))4.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))5. For corner lots, parking between the structure 24 and the street shall be permitted along one street frontage only. 25

((5))6. a. The Director may permit variations from the development standards for parking location and design and curbcut quantity((7)) for lots meeting the following conditions:

-22-

1	(1) Lots proposed for ground-related housing with no feasible alley access and with
2	- Less than eighty feet of street frontage, or
3	- Lot depth of less than one hundred
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5	A rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot line, and
6	(2) Lots proposed for apartments and
7	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.
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9	b. On lots meeting the standards listed above, the following variations may be permitted:
10	(1) Ground-related housing: parking may be located between the structure and the front lot line;
11.	(2) Apartments or terraced housing:
12	parking may be located under the front of the structure if screened by garage doors or by fencing and landscaping.
13	c. In order to permit such alternative parking
14	solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the
15	proposed alternative solution meets the following objectives: maintaining on-street parking capacity, an attractive
16	environment at street level, landscaped front setbacks and unobstructed traffic flow.
17	((6)) When the front setback is averaged $((7))$ across the width of the front facado parking shall be main in the set of the front facado.
18	the width of the front facade, parking shall be permitted bet- ween the structure and front property line, but not in the required front setback, Exhibit 45.32D.
19	Section 21. Subsections 23.45.36C and D are amended to
20	read as follows:
21	C. Pitched roofs
22	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
23	three-in-twelve pitch, (((Exhibit 23.45.48))) Exhibit 45.48B. No portion of a shed roof shall be permitted to extend beyond
24	the thirty-seven foot height limit under this provision.
25	D. Rooftop features
26	 Radio and television receiving aerials, flag- poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74,
27	- · · · · · · · · · · · · · · · · · · ·
28	-23-

((+))Airport Height District((+)), 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 2 their height above the roof portion where attached, to any adjoining lot line. 3 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and Δ firewalls may extend four feet above the maximum height limit set in ((Section 23.45.08)) paragraphs A and B above. $\mathbf{5}$ The following rooftop features may extend ten 3. feet above the maximum height limit set in Section 6 $((\frac{23.45.22}{2}))$ <u>23.45.36</u> A and B above, so long as the combined total coverage of all features does not exceed fifteen percent 7 of the roof area, or twenty percent of the roof area if the total includes screened mechanical equipment: 8 stair and elevator penthouses 9 mechanical equipment 10 play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from 11 the roof edge 12 chimneys. 13 For height exceptions for solar collectors, see 4. Section 23.45.146, Solar Collectors. 14 In order to protect solar access for property to 5. the north, the applicant shall either locate the rooftop features listed below at least ten feet from the north edge of 15 the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property 16 to the north on January 21 at noon no more than would a 17 structure built to maximum permitted bulk: 18 solar collectors 19 planters clerestories 20 greenhouses 21 dish antennae 22 non-firewall parapets 23 play equipment. 24 Section 22. Subsection 23.45.38B is amended to read as follows: 25 в. Maximum depth 26 The maximum depth of a structure greater than thirty feet in width when the front facade is not modulated 27 28 -24-

according to the standards of Section 23.45.12C (($\Theta r \oplus$)) shall 1 be fifty percent of the depth of the lot. 2. When the front facade of the structure is thirty feet or less in width, or is greater than thirty feet and is modulated according to the standards of Section (23.45.26)2 3 23.45.40C ((or D)) shall be: å. Ground-related housing: sixty-five percent a. of lot depth((-)); 5 b. Terraced housing on slopes of twenty-five 6 percent or more: no maximum depth limit((-)); с. Apartments: sixty-five percent of lot 7 depth. 8 Exceptions to maximum depth requirements ((3))2. 9 Structure depth is permitted to exceed $((a_{-}))$ sixty-five percent of lot depth, (((Exhibit 23.45.52))) Exhibit 45.38B, subject to the following conditions: 10 (((1))) a. The total lot coverage shall not be greater than that which would have been possible by meeting 11 standard development requirements for maximum width, depth, 12 and setbacks. 13 $((\frac{(2)}{2}))$ b. Any increased side setbacks provided to meet this condition shall be landscaped and shall not be 14 used for parking. 15 (((3))) <u>c</u>. Structure depth shall in no case exceed the maximum width permitted according to Section 23.45.38A. 16 (((4))) <u>d</u>. Apartments with depth greater than sixty-five percent of lot depth shall be modulated along the 17 side setbacks, according to the standards of ((Section)) sub-18 section 23.45.40C ((or D)). Section 23. Subsection 23.45.40 is amended to read as 19 follows: 20 Section 23.45.40 Lowrise 3, Modulation Requirements 21 Modulation of structure facades shall be required subject to the following criteria: 22 Front facades Α. 23 Modulation shall be required if the front 1. facade width exceeds thirty feet with no principal entrance facing the street, or forty feet with a principal entrance 24 facing the street. 25 For terraced housing, only the portion of the front facade closest to the street is required to be modu-26 lated, Exhibit 45.40A. 27 28 -25-

B. Side facades

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2 3	 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.
4 5	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)) according to the
6	<u>standards of subsection C below</u> .
7	C. Modulation standards 1. Minimum depth of modulation
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9	a. The minimum depth of modulation shall be four feet, (((Exhibit 23.45.54))) <u>Exhibit</u> <u>45.26B</u> .
10	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))) <u>Exhibit</u>
12	<u>45.26C</u> .
13	2. The minimum width of modulation shall be five feet, (((Exhibit 23.45.54))) <u>Exhibit 45.26B</u> .
14	3. Maximum width of modulation
15	a. The maximum width of modulation shall be thirty feet.
16	b. Exceptions to maximum width of modulation
17	(1) When facades provide greater depth of modulation than four feet, then for every foot of modulation
18	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.
19	(2) The maximum width of modulation may be
20	increased when facades are set back from the ((front)) lot line further than the required ((front)) setback, according to
21	the following guideline: the width of modulation of such a facade shall be permitted to exceed thirty feet by one foot
22	for every foot of facade setback beyond the required ((front)) setback. This provision shall not be combined with the provi- sions of 3.b.(1) above, nor shall it permit facades to exceed
23	forty-five feet in width without modulation.
24	4. Required modulation may start a maximum of ((ten)) eight feet above existing grade, and shall be continued up to
25	the roor.
26	Section <u>24</u> . Subsections 23.45.42A and D are amended to read as follows:
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28	-26-

1	Section 23.45.42 Lowrise 3, Setback Requirements
2	Front, rear and side setbacks shall be provided for all lots, according to the following provisions:
3	A. Front setback
4	The required front setback shall be the average of the setbacks of the first principal structures on either side
5	(((Figure 5))), subject to the following provisions:
6	1. The front setback shall in no case be required to be more than five feet greater than the setback of the first principal structure on either side which is closer to the
7	front lot line.
8	2. The front setback shall not be required to exceed fifteen feet.
9	3. Portions of a structure in front setbacks
10	a. Portions of a structure may project into
iya a	the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.
12	b. No portions of a structure between existing
13	grade and ten feet above existing grade shall be closer to the front lot line than five feet.
14	c. Portions of the facade which begin ((ten))
15	eight 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, Exhibit 45.42A.
16	d. Portions of the facade which begin ((ten))
17	eight feet or more above existing grade shall be no closer than three feet to the front lot line, Exhibit 45.42B.
18	4. Front setback exceptions
19	a. Structures along heavily traveled arterials
20	In order to reduce noise and glare impacts, multi-family structures located on arterials with more than
21	fifteen thousand average vehicle trips per day, according to Engineering Department data, shall be allowed a reduction in
22	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
23	the front setback of the principal structure on either side.
24	whichever is less. A list of such arterials shall be maintained by the Department.
25	b. Through lots
26	In the case of a through lot, each setback abutting a street except a side setback shall be a front set-
27	back. Rear setback requirements shall not apply to the lot.
28	-27-

Parking in rear C. 1 For sites which are required to locate the 2 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. З đ. Sloped lots 4 On sloped lots with no alley access, the 5 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 6 for a depth of sixty feet, whichever is less. 7 D. General setback exceptions 8 Required setbacks for cluster developments 1. 9 Where two or more principal structures are located on one lot, (((Exhibit 23.45.64))) Exhibit 45.42E, required setbacks between structures shall be provided as 10 follows: 11 No walls shall be less than ten feet apart a. at any point. 12 A principal entrance to a structure shall b. 13 be at least fifteen feet from the nearest interior facade which contains no principal entrance. 14 A principal entrance to a structure shall с. 15 be at least twenty feet from the nearest interior facade which contains a principal entrance. 16 Within a cluster development, ((the maximum đ. facade width without modulation shall be thirty feet for all 17 interior facades)) all interior facades wider than forty feet shall be modulated according to the standards of subsection 23.45.40C provided that maximum modulation width shall be forty feet. Perimeter facades shall follow standard develop-18 19 ment requirements. Structures in cluster developments may be 20 e. connected by underground garages or elevated walkways $((\cdot))_{r}$ provided that: 21 (1) One elevated walkway shall be 22 permitted to connect any two structures in the development; 23 (2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained. 24 25 2. Structures in required setbacks 26 Detached garages, carports, or other a. accessory structures are permitted in the required rear or side setbacks, provided that ((they are)) any accessory 27 28 -28-

structure located between a principal structure and the side lot line shall provide the setback required for the principal structure, Exhibit 45.42F. All such accessory structures shall be no greater than twelve feet in height above existing Î 2 grade, with open rails permitted above twelve feet. 3 b. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Δ Rules and Regulations for Barrier-Free Design, are permitted in required front, side, or rear setbacks. 5 Uncovered, unenclosed pedestrian bridges, C. necessary for access and less than five feet in width, are 6 permitted in required front, side and rear setbacks. 7 d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater 8 than six feet in height, are permitted in required front, side, or rear setbacks. 9 е. Decks which average no more than eighteen inches above existing grade may project into required set-backs. Such decks shall not be permitted within five feet of 10 any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of 11 the fence or wall. The fence or wall shall be no higher than 12 six feet. 13 f. Underground structures are permitted in all setbacks. 14 Solar collectors are permitted in required g. setbacks, subject to the provisions of Section 23.45.146, 15 Solar Collectors. 16 Ground related housing developed as townhouse dwellings may have zero setbacks along common walls. 17 Section 25. Section 23.45.44 is amended to read as 18 follows: Section 23.45.44 Lowrise 3, Open Space Requirements 19 Open space shall be provided for all lots, subject to the 20 following provisions: 21 Α. Quantity 22 Ground-related housing 1. 23 a. A minimum of three hundred square feet per unit of private, landscaped open space, at ground level and directly accessible to each unit, shall be required. 24 On lots with slopes of twenty percent or b. 25 ((when decks would provide more usable open space than more. would the existing ground-level open space,)) decks of the same size as the required ground-level open space may be 26 ((substituted to meet the)) built over the sloping ground-27 28 -29-

level 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 23.45.44B below. 1 2 In order to qualify for this provision, the private open space for a unit may not be covered by the deck of another unit.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living 3 space of any unit. Δ 2. Apartments 5 A minimum of twenty-five percent of the lot a. area shall be provided as usable, landscaped open space at 6 ground level. 7 b. Quantity exception for apartments 8 All required open space may be provided above ground, in the form of balconies, decks, solaria, 9 greenhouses, or roof gardens. If less than twenty-five percent of lot area is provided as open space at ground level, 10 all street setbacks shall be landscaped. 11 3. Terraced housing on a slope of twenty-five percent or more 12 a. A minimum of forty percent of the lot area shall be provided as usable, landscaped open space. 13 Ground-level open space may be reduced from b. 14 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. 15 Β. Development standards 16 Ground-related housing 1. 17 a. The required open space for each unit is not required to be in one contiguous area, but no open space 18 area shall be less than one hundred twenty square feet, and no horizontal dimension shall be less than ten feet. 19 Required open space may be located in the b. 20 front, sides, or rear of the structure. 21 Required open space may be located a maximum с. of ten feet above or below the unit it serves, provided that the access to such open space does not go through or over common 22 circulation areas, common or public open space, or the open space serving another unit. 23 d. To ensure the privacy of the open space, 24 openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing 25 26 units are single family dwelling units. 27 28

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Parking areas, driveways and pedestrian е. 1 access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 2 2. Apartments 3 No horizontal dimension for required ground a. a. level open space shall be less than ten feet. 5 b. Required open space is permitted in the front, sides, or rear of the structure. 6 Parking areas, driveways and pedestrian C. access except for pedestrian access meeting the Washington 7 State Rules and Regulations for Barrier-Free Design, shall not be counted as open space. 8 d. Balconies, decks, roof gardens, solaria, 9 and greenhouses may be provided above ground as open space. No horizontal dimension shall be less than six feet, minimum area shall be sixty square feet. 10 Terraced housing on a slope of twenty-five 3. 11 percent or more 12 No horizontal dimension for required a. ground-level open space shall be less than ten feet. 13 b. Required open space is permitted in the 14 front, sides, or rear of the structure. Parking areas, driveways and pedestrian 15 C. access except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not 16 be counted as open space. 17 đ. In order to qualify as above((-))ground open space, rooftop areas, balconies, or decks shall have a minimum horizontal dimension of at least ten feet, and a total 18 area of at least one hundred twenty square feet. 19 с. Open space exception 20 When all uncovered surface parking and access to parking is surfaced in permeable material, the quantity of 21 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 22 which provide open space above ground level, the total amount of ground level open space shall not be reduced below twenty 23 percent of lot area.)) 24 Subsections 23.45.46A, B and C are amended to Section 26. read as follows: 25 Section 23.45.46 Lowrise 3, Parking and Access Requirements 26 Α. Parking quantity 27 1. One off-street parking space per dwelling unit is required. 28 -31-

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

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3	Number of Bicycle Spaces Number of Units Required
4	5-10 1
5	11-20 2
6	More than 20 1 for every 10 units
7	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
8	<pre>vehicles;)) and the addition of residential units to existing structures((; and the joint use of existing parking)),</pre>
9	according to Section 23.54.20, Parking Quantity Exceptions.
10	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
11	spaces per unit, according to the provisions of Section $23.54.20((E))D$.
12	5. Exceptions to the quantity of required parking
13	shall be permitted when residential units are added to existing structures, according to the provisions of Subchapter
14	4, Nonconforming Uses and Structures.
15	B. Access to parking1. Alley access required
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17	Except when one of the conditions listed in paragraphs 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
18	be permitted.
19	2. Street access required
20	Access to parking shall be from the street when:
21	a. Location of alley access would create a significant safety hazard:
22	
23	b. The lot does not abut a platted ((area)) <u>alley</u> .
24	c. Apartments or terraced housing are proposed across an alley from a single family zone.
25	3. Street or alley access permitted
26	Access to parking may be from either the alley
27	or the street when the conditions listed in paragraph B2 above
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1991 Maria	do not apply, and one or more of the following conditions are met:
2	((b)) <u>a</u> . Ground-related housing is proposed across the alley from a single family zone;
3	((e))b. Topography makes alley access infeasible $((-))$;
4	C. The alley is not improved to the standards
5	of $((\frac{\text{Section}}{\text{subsection}}))$ subsection 23.54.10C $((\frac{1}{7}))$. If such an alley is used for access, it shall be improved according to the standards dards of subsection 23.54.10C.
6	C. Location of parking
7	1. Parking shall be located on the same site as the
8	principal use.
9	$((\pm))2$. Parking may be located:
10	a. Between the structure and the side or rear lot line, (((Exhibit 23.45.66A))) Exhibit 45.46A, except as
No est	provided in Section 23.45.42D2, if the parking is screened from direct street view as provided in Section 23.45.46D below, or
12	b. Ground-related housing: in or under the
13	structure, provided that the parking is screened from <u>direct</u> street view by the front facade of the structure. ((/Exhibit
14	23.45.66B))) Exhibit 45.46B, by garage doors, or by a fence and landscaping as provided in Section 23.45.46D below, (((Exhibit 23.45.66C))) Exhibit 45.46C, or
15	
16	under the structure, provided that the parking is screened from street view by the front facade of the structure.
17	(((Exhibit 23.45.66B))) <u>Exhibit 45.46B</u> .
18	((2))3. No open parking shall be permitted between a structure and the front lot line, or in the required front setback, except as provided in paragraphs C3, C4, C5, and C6
19	of this Section.
20	((3))4. For through lots less than one hundred feet in depth, parking may be located in the front setback which is
21	determined by the Director to be most consistent with the existing pattern on the block.
22	((4))5. For corner lots, parking between the structure
23	and the street shall be permitted along one street frontage only.
24	((5))6. a. The Director may permit variations from the development standards for parking location and design and
25	curbcut quantity, for lots meeting the following conditions:
26	(1) Lots proposed for ground-related ((and terraced)) housing with no feasible alley access and with
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1	- Less than eighty feet of street frontage, or
2	- Lot depth of less than one hundred feet, or
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4	- A rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot line, and
5	(2) Lots proposed for apartments and
6	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.
7	b. On lots meeting the standards listed above,
8	the following variations may be permitted:
9	(1) Ground-related housing: parking may be located between the structure and the front lot line;
10	(2) Apartments or terraced housing: parking may be located under the front of the structure if
11	screened by garage doors or by fencing and landscaping.
12	c. In order to permit such alternative parking solutions, the Director must determine that siting conditions,
13	such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the
14	proposed alternative solution meets the following objectives: maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks and
15	unobstructed traffic flow.
16	((6)) When the front setback is averaged $((7))$ across the width of the front facade, parking shall be permitted bet- ween the structure and the front property line, but not in the
17	required front setback, Exhibit 45.46D.
18	Section <u>27</u> . Subsections 23.45.50C and D are amended to read as follows:
19	C. Pitched roofs
20	The ridge of pitched roofs on principal structures
21	shall be allowed to extend up to sixty-five feet, so long as the entire portion above sixty feet has a minimum of three-in- twelve pitch, (((Exhibit 23.45.72))) Exhibit 45.72B. No
22	portion of a shed roof shall be permitted to extend beyond the sixty foot height limit under this provision.
23	D. Rooftop features
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25	poles, and spires for religious institutions are exempt from
26	height controls, except as regulated in Chapter 23.74, Airport Height District (((Chapter 23.74))), provided they are no closer than fifty percent of their height above existing
27	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.
28	-34-

2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 3 set in ((Section 23.45.22)) paragraphs A and B above. 2 The following rooftop features may extend ten 3. З 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 4 features does not exceed fifteen percent of the roof area or twenty percent of the roof area if the total includes screened 5 mechanical equipment: 6 stair and elevator penthouses mechanical equipment 7 - play equipment and open mesh fencing which encloses it, so long as the fencing is at least five feet from 8 the roof edge 9 <u>chimneys</u> 10 sun and wind screens 11 penthouse pavilions for the common use of residents 12 greenhouses which meet minimum energy stan-13 dards administered by the Director. 14 For height exceptions for solar collectors, see Section 23.45.146, Solar Collectors. 15 In order to protect solar access for property to 5. the north, the applicant shall either locate the rooftop 16 features listed below at least ten feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the 17 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: 18 solar collectors 19 planters 20 clerestories 21 greenhouses 22 dish antennae 23 non-firewall parapets 24 play equipment 25 sun and wind screens 26 penthouse pavilions for the common use of residents. 27 28 -35-

Section 28. Subsection 23.45.52B is amended to read as 1 follows: 2 Β. Maximum depth The maximum depth of a structure((s)) greater З 1. than forty feet in width when the front facade is not modu-lated according to the standards of Section 23.45.12C (($\Theta r \oplus$)) shall be fifty percent of the depth of the lot. ۵ \mathbb{S} The maximum depth of ((a)) structures forty feet 2. or less in width, and wider structures when the front facade is modulated according to the standards of Section 23.45.12C 6 ((Or D)) shall be: 7 a. Ground-related housing: sixty-five percent of the depth of the lot((-)); 8 Terraced housing on slopes of twenty-five b. 9 no maximum depth limit((-)); percent or more: 10 Apartments: sixty-five percent of lot с. depth. 11 ((3))2.Exceptions to maximum depth requirements 12 ((a.)) Structure depth is permitted to exceed sixty-five percent of lot depth, (((Exhibit 23.45.74))) 13 Exhibit 45.52A, subject to the following conditions: 14 $((\frac{1}))$ a. 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 15 setbacks. 16 (((2))) b. Any increased side setbacks provided to meet this condition shall be landscaped and shall not be 17 used for parking. 18 (((3))) <u>c</u>. Structure depth shall in no case exceed one-hundred fifty feet. 19 (((4))) <u>d</u>. Structures with depth greater than sixty-five percent of lot depth shall be modulated along the 20 side setbacks, according to the standards of subsection 23.45.54C ((or D)). 21 Section 29. Section 23.45.54 is amended to read as 22 follows: Section 23.45.54 Midrise, Modulation Requirements 23 Modulation of structure facades shall be required subject 24 to the following criteria: 25 Front facades A. 26 Modulation shall be required if the front facade 1. width exceeds forty feet. Ground-related structures may 27 28 -36-

follow either the modulation standards for Lowrise 3 zones 1 (Section 23.45.40C) or the standards in this section. 2 For terraced housing, only the portion of the front facade closest to the steet is required to be modulated((-)), Exhibit 45.54A. 3 Side facades в. Л 1. On corner lots, side facades which face the 5 street shall be modulated if greater than forty feet in width. Modulation shall not be required for the side facades of 6 terraced housing. 7 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)) according to the 8 standards of subsection C below. 9 с. Modulation standards 10 Minimum depth of modulation 1. \$ 1 a. The minimum depth of modulation shall be eight feet, (((Exhibit 23.45.76))) Exhibit <u>45.54B</u>. 12 b. When balconies are part of the modulation and have a minimum depth of six feet and a minimum area of at 13 least sixty square feet, the minimum depth of modulation shall be six feet, (((Exhibit 23.45.78))) Exhibit 45.54C. 14 The minimum width of modulation shall be ten 2. feet, (((Exhibit 23.45.76))) Exhibit 45.54B. 15 3. Maximum width of modulation 16 The maximum width of modulation shall be a. 17 forty feet. 18 b. Exceptions to maximum width of modulation 19 (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 20 feet. 21 The maximum width of modulation may be (2)increased when facades are set back from the ((front)) lot 22 line further than the required ((front)) setback, according to the following guideline: the width of modulation of such a 23 facade shall be permitted to exceed forty feet by one foot for every foot of facade setback beyond the required setback. 24 This provision shall not be combined with the provisions of ((3.b.(i))) 3.b.(1) above, nor shall it permit facades to exceed fifty feet in width without modulation. 25 26 Required modulation may start a maximum of 4. ((ten)) eight feet above existing grade, and shall be continued up to the roof. 27 28 -37-

1	Section <u>30</u> . Subsections 23.45.56A and D are amended to read as follows:
2	23.45.56 Midrise, Setback Requirements
3	Front, rear and side setbacks shall be provided for all lots, according to the following provisions:
4	A. Front setback
5	The required front setback shall be the average of
6	the setbacks of the first principal structures on either side (Figure 5), subject to the following provisions:
7	1. The front setback shall in no case be required to be more than five feet greater than the setback of the first
8	principal structure on either side which is closer to the front lot line.
9	2. The front setback shall in no case be required to exceed fifteen feet.
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11	3. Portions of the structure in front setbacks($(-)$)
12	a. Portions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum
13	front setback requirement.
14	b. No portions of a structure between existing grade and ten feet above existing grade shall be closer to the front lot line than five feet.
15	c. Portions of the facade which begin ((ten))
16	eight 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, Exhibit 45.56A.
3 8	d. Portions of the facade which begin ((ten))
18	eight feet or more above existing grade shall be no closer than three feet to the front lot line, Exhibit 45.56B.
	4. Front setback exceptions
20	a. Structures along heavily traveled arterials
21	In order to reduce noise and glare impacts,
22	multi-family structures located on arterials with more than fifteen thousand average vehicle trips per day, according to
23	Engineering Department data, shall be allowed a reduction in the required front setback. The required front setback along
24	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,
25	whichever is less. A list of such arterials shall be maintained by the Department.
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b. Through lots 3 In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. 2 Rear setback requirements shall not apply to the lot. 3 c. Parking in rear ß. For sites which are required to locate the parking in the rear and have no alley, the required front set-back shall be reduced by five feet, so long as this does not 5 reduce the required front setback to less than ten feet. 6 đ. Sloped lots 7 On sloped lots with no alley access, the required front setback shall be fifteen feet minus one foot 8 for each two percent of slope. Slope shall be measured from the midpoint of the front lot line $(\overline{(7)})$ to the rear lot line, 9 or for a depth of sixty feet, whichever is less. 10 <u>D.</u> General setback exceptions 11 Required setbacks for cluster developments 1. 12 Where two or more principal structures are located on one lot, (((Exhibit 23.45.82))) Exhibit 45.56B, required setbacks between structures shall be provided as 13 follows: 14 No walls shall be less than ((ten)) sixteen a. feet apart at any point. 15 b. A principal entrance to a structure shall 16 be at least ((fifteen)) twenty-four feet from the nearest interior facade which contains no principal entrance. 17 A principal entrance to a structure shall C. be at least ((twenty)) thirty-two feet from the nearest 18 interior facade which contains a principal entrance. 19 d. Within a cluster development, ((the maximum facade width without modulation shall be thirty feet for all 20 interior facades)) all interior facades wider than fifty feet shall be modulated according to the standards of Section 23.45.54Cl, 2, and 4 provided that maximum modulation width shall be fifty feet. Perimeter facades shall follow standard 21 22 development requirements. Structures in cluster developments may be e. 23 connected by underground garages or elevated walkways((-)), provided that: 24 (1) One elevated walkway shall be 25 permitted to connect any two structures in the development; 26 27 28 -39-

5	(2) Additional elevated walkways, in excess of one, between any two structures may be permitted by the Director when it is determined that by their location or
2	design a visual separation between structures is maintained.
3	2. Structures in required setbacks
4	a. Detached garages, carports, or other accessory structures are permitted in the required rear or
5	side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side
6	lot line shall provide the setback required for the principal structure, Exhibit 45.56F. All such accessory structures shall be no greater than twelve feet in height above existing
7	grade, with open rails permitted above twelve feet.
8	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.
10	c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are permitted in required front, side and rear setbacks.
12	d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater
13	than six feet in height, are permitted in required front, side or rear setbacks.
14	e. Decks which average no more than eighteen
15	inches above existing grade may project into required set- backs. Such decks shall not be permitted within five feet of any lot line, unless they abut a permitted fence or free- standing wall, and are at least three feet below the top of
17	the fence or wall. The fence or wall shall be no higher than six feet.
18	f. Underground structures are permitted in all setbacks.
19	g. Solar collectors are permitted in required setbacks, subject to the provisions of Section 23.45.146,
20	Solar Collectors.
21	3. <u>Ground related housing developed as townhouse</u> <u>dwellings may have zero setbacks along common walls.</u>
22	Section <u>31</u> . Section 23.45.58 is amended to read as follows:
23	23.45.58 Midrise, Open Space Requirements
24	Open space shall be provided for all lots, subject to the
25	following provisions:
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Α. Quantity

Ground-related housing 1.

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

On lots with slopes of twenty percent or b. more, ((when decks would provide more usable open space than would the existing ground level open space,)) decks of the same size as the required ground-level open space may be ((substituted to meet the)) built over the sloping ground-level 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 23.45.30B 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.)) In order to qualify for this provision, such decks shall not cover the open space of another unit, nor be above the living <u>space of any unit.</u>

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2. Apartments

A minimum of twenty-five percent of the lot a. area shall be provided as usable, landscaped open space at 12 ground level.

> b. Quantity exception for apartments

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

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

A minimum of forty percent of the lot area a. 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 20 amount of open space is provided above ground in the form of balconies, decks, and/or rooftop areas.

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Development standards

Ground-related housing 1.

The required open space for each unit is a. not required to be in one contiguous area, but no open space area shall be less than one hundred twenty square feet, and no 24 horizontal dimension shall be less than ten feet. 25

Required open space may be located in the b. 26 front, sides, or rear of the structure.

-41-

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

d. To ensure the privacy of the open space, openings such as windows and doors on the ground floor of walls directly facing the open space of a different unit or common area, are prohibited, ((The open space areas of tandem houses are not subject to this provision.)) unless the facing units are single family dwelling units.

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

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a. No horizontal dimension for required ground 10 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 <u>pedestrian</u> 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 open space, balconies, decks, roof gardens, solaria, and greenhouses shall have a minimum horizontal dimension of at least six feet, and minimum area shall be sixty square feet.

2. 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 pedestrian 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 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

26 When all uncovered surface parking and access to parking is surfaced in permeable material, the quantity of

-42-

required ground-level open space shall be reduced by five 1 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 2 of ground level open space shall not be reduced below twenty percent of lot area.)) 3 Subsections 23.45.60A, B and C are amended to Section 32. Δ read as follows: 5 Section 23.45.60 Midrise, Parking and Access Requirements 6 Α. Parking quantity 1. One off-street parking space per dwelling unit is 7 required. 8 2. For apartments and terraced housing, spaces for bicycles shall be provided in a sheltered and convenient loca-9 tion according to the following chart: 10 Number of Bicycle Spaces 11 Number of Units Required 5-10 7 12 11-20 2 13 more than 20 1 per 10 units 14 Reductions to the quantity of parking spaces 3. provided may be made for: low-income housing for the elderly and disabled((; provision of spaces for two-wheeled vehicles;)) and the addition of residential units to existing 15 16 structures ((7 and the joint use of existing parking)), according to Section 23.54.20, Parking Quantity Exceptions. 17 For apartment structures of more than twenty 4. 18 units, the Director may require parking in excess of the oneto-one parking ratio, up to a maximum of one and one-quarter spaces per unit, according to the provisions of Section 19 23.54.20((H))D. 20 Exceptions to the quantity of required parking 5. shall be permitted when residential units are added to 21 existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures. 22 в. Access to parking 23 1. Alley access required 24 Except when one of the conditions listed in paragraphs B2 or B3 below applies, access to parking shall be 25 from the alley when the site abuts a platted alley improved to the standards of Section 23.54.10C. Street access shall not 26 be permitted. 27 28 -43-

2. Street access required 1 Access to parking shall be from the street when: 2 Location of alley access would create a a. significant safety hazard((-)); 3 b. The lot does not abut a platted alley; L. с. Apartments or terraced housing are proposed 5 across an alley from a Single Family, Lowrise 1 or Lowrise 2 zone. 6 3. Street or alley access permitted 7 Access to parking may be from either the alley or the street when ((\div)) the conditions listed in paragraph $\underline{B2}$ above do not apply, and one or more of the following con-8 <u>ditions</u> are met: 9 Ground-related housing is proposed across ((b))<u>a</u>. 10 the alley from a Single Family, Lowrise 1 or Lowrise 2 zone; ((e))<u>b</u>. 11 Topography makes alley access infeasible((+)); ((a))c. The alley is not improved to the standards 12 of ((Section)) subsection 23.54.10C((7)). If such an alley is used for access, it shall be improved according to the stan-dards of subsection 23.54.10C. 13 14 Ground-related housing is proposed across b. the alley from a Single Family, Lowrise 1 or Lowrise 2 zone; 15 Topography makes alley access infeasible. c. 16 С. Location of parking 17 Parking shall be located on the same site as the 1. principal use. 18 Parking may be located: $((\pm))2.$ 19 a. Between the structure and the side or rear lot line, (((Exhibit 23.45.54A))) Exhibit 45.60A, except as provided in Section 23.45.56D2, if the parking is screened from direct street view as provided in Section 23.45.60d 20 21 below, or 22 Ground-related housing: in or under the b. structure, provided that the parking is screened from direct street view by the front facade of the structure, (((Exhibit 23 23.45.84B))) Exhibit 45.60B, by garage doors, or by a fence and landscaping as provided in Section 23.45.60D below, (((Exhibit 23.45.84C))) Exhibit 45.60C, or 24 25 Apartments and terraced housing: c. in or under the structure, provided that the parking is screened from street view by the front facade of the structure, 26 (((Exhibit 23.45.84B))) Exhibit 45.60B. 27 28 -44-

No open parking shall be permitted between a ((2))3.1 structure and the front lot line, or in the required front setback, except as provided in paragraphs C3, C4, C5, and C6 of this Section. 2 For through lots less than one hundred feet in ((3))4.3 depth, parking may be located in the front setback which is determined by the Director to be most consistent with the Δ existing pattern on the block. 5 For corner lots, parking between the structure ((4))5.and the street shall be permitted along one street frontage 6 only. The Director may permit variations from the 7 ((5))6.a. development standards for parking location and design and curbcut quantity, for lots meeting the following conditions: 8 (1) Lots proposed for ground-related housing with no feasible alley access and with 9 10 - Less than eighty feet of street frontage, 11 or - Lot depth of less than one hundred 12 feet, or 13 - A rise or drop in elevation of at least twelve feet in the first sixty feet from the front lot 12 line, and 15 (2) Lots proposed for apartments and terraced housing with no feasible alley access and a rise or 16 drop in elevation of at least twelve feet in the first sixty feet from the front lot line. 17 On lots meeting the standards listed above, b. 18 the following variations may be permitted: Ground-related housing: parking may 19 (1)be located between the structure and the front lot line. 20 (2) Apartments and terraced housing: parking may be located under the front of the structure if 21 screened by garage doors or by fencing and landscaping. 22 In order to permit such alternative parking с. solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and 23 drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: 24 maintaining on-street parking capacity, an attractive environment at street level, landscaped front setbacks anđ 25 unobstructed traffic flow. 26 27 28 -45-

((6)) 7. When the front setback of the structure is averaged ((7)) across the width of the front facade, parking shall be permitted between the structure and the front property line, but not in the required front setback, Exhibit 45.60D.

Section 33. Subsections 23.45.66B and C are amended to read as follows:

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B. Additional height permitted

The Director may authorize additional height up to a maximum height of two((-))hundred((-))forty feet, as a ((conditional development)) special exception pursuant to Chapter 23.76, Master Use Permit. In order to qualify, the applicant shall comply with the following provisions:

1. If the construction of the proposed development will involve the demolition of existing housing, no height above one hundred sixty feet will be allowed unless new housing is provided on site, equivalent to the square foot living area of the housing to be demolished. Such housing shall be provided at comparable cost pursuant to the <u>Seattle</u> <u>Municipal Code, Chapter 22.210</u>, Housing Preservation Ordinance.

2. The applicant shall provide for adequate spacing between existing and proposed towers in order to minimize blockage of views from public places, and to minimize casting of shadows on public places. The applicant shall provide shadow diagrams for December twenty-first, March twenty-first, and June twenty-first, as well as elevations showing the degree, if any, 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.

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)) paragraph B1 above, and if the provisions of ((B, 2)) paragraph B2 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 highrise 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.

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(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.

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

b. Landscaped public open space

When proposed highrise developments provide (($\frac{1 \text{andscaping}}{1 \text{ andscaped}}$, usable public open space in addition to the open space required for the exclusive use of residents of the development, additional height up to a maximum of forty feet may be allowed according to the following provisions((τ)):

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

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

A unique amenity suited to the

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

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

(b)

area and of public benefit; and

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

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

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The design of the open space shall (5) 8 enhance unique site characteristics such as views, topography, trail systems and significant trees or landscaping. 2 Public open space and equipment (6)located there shall be designed to provide safety and security 3 for user groups. a (7) The open space shall be designed so that its solar exposure encourages its use. 5 Outdoor common areas and pedestrian (8) 6 access shall be separated from the paths of moving vehicles. 7 The outdoor common areas shall (9) function as more than pedestrian walkways or passageways between areas. Active areas and/or passive areas shall be 8 provided depending on the needs of the adjacent neighborhood. 9 с. Structures of architectural and historical significance 10 Additional heights may be allowed when new multi-family developments preserve structures of architectural 8 1 or historical significance, according to the following provisions: 12 Preservation of designated City (1)13 landmarks, with proceedings and controls adopted pursuant to the <u>Seattle Municipal Code</u>, <u>Chapter 25.12</u>, Landmarks Preservation Ordinance, may qualify for eighty feet of 12 additional height. 15 (2) The significant structure to be preserved may be located either on the project site or within 16 the immediate vicinity. 17 c. Height exceptions 18 Radio and television receiving aerials, flag-1. poles, and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.74, Airport Height District (((Chapter 23.14))), provided they are no closer than fifty percent of their height above existing 19 20 grade, or, if attached only to the roof, no closer than fifty percent of their height above the roof portion where attached, 21 to any adjoining lot line. 2. Railings, planters, skylights, ((chimneys,)) clerestories, greenhouses, dish antennae, and parapets, and firewalls may extend four feet above the maximum height limit 22 23 set in ((Section 23.45.08)) paragraphs A and B above. 24 The following rooftop features may extend up to 3. ten feet above the maximum height limit, so long as the combined total coverage of all features does not exceed fif-25 teen percent of the roof area, or twenty percent of the roof area if the total includes screened mechanical equipment: 26 27 28 -48-

1	- stair and elevator penthouses
2	- mechanical equipment
3	 play equipment and open mesh fencing which encloses it((, Such)), so long as the fencing ((shall be)) is at least five feet from the roof edge
4	- <u>chimneys</u>
5	- sun and wind screens
6	- penthouse pavilions for the common use of
7	residents. 4. For height exceptions for solar collectors see
8	4. For height exceptions for solar collectors, see Section 23.45.146, Solar Collectors.
9	5. In order to protect solar access for property to the north, the applicant shall either locate the rooftop
10	teatures listed below at least ten feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the
11	proposed location of such rooftop features would shade pro- perty to the north on January 21 at noon no more than would a structure built to maximum permitted bulk:
12	- solar collectors
13	- planters
14	- clerestories
15	- greenhouses
16	- dish antennae
17	- non-firewall parapets
18	- play equipment
19	- <u>sun and wind screens</u>
20	<u>residents.</u> <u>– penthouse pavilions for the common use of</u>
21	Section <u>34</u> . Subsection 23.45.70B is amended to read as follows:
22	B. Modulation standards
23	 The minimum depth of modulation shall be four feet, (((Exhibit 23.45.92))) Exhibit 45.70A.
24	2. When balconies are part of the modulation and
25	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))) Exhibit
26	<u>45.70B</u> .
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	3. The minimum width of modulation shall be five feet, (((Exhibit 23.45.92))) Exhibit <u>45.70A</u> .
2	4. Maximum width of modulation
3	a. The maximum width of modulation shall be thirty feet.
4	b. Exceptions to maximum width of modulation:
5	(1) When facades provide greater depth of
6	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
7	feet.
8	(2) The maximum width of modulation may be increased when facades are set back from the ((front)) lot
9	line further than the required ((front)) setback, according to the following guideline: the width of modulation of such a
10	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
11	paragraph 4.b.(1) above, nor shall it permit facades to exceed fifty feet in width without modulation.
12	5. Required modulation may start a maximum of
13	((ten)) eight feet above existing grade, and shall be con- tinued up to a height of at least thirty-seven feet.
14	Section <u>35</u> . Subsections 23.45.72B and D are amended to read as follows:
15	B. Rear setback
16	1. The minimum rear setback for structures or por-
17	tions of structures sixty feet or less in height shall be ten feet.
18	2. The minimum rear setback for portions of struc- tures greater than sixty feet in height shall be twenty feet.
19	D. General setback exceptions
20	1. Required setbacks for cluster developments
21	Where two or more principal structures are
22	located on one lot, (((Exhibit 23.45.98))) Exhibit 45.72B, ((required)) or where two or more portions of the same struc- ture exceed sixty feet in height above existing grade, set-
23	backs between structures or portions of structure shall be provided as follows:
24	((a. No walls shall be less than ten feet apart
25	at any point.
26	b. A principal entrance to a structure shall be at least fifteen feet from the nearest interior facade
27	which contains no principal entrance.
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A principal entrance to a structure shall C. 3 be at least twenty feet from the nearest interior facade which contains a principal entrance.)) 2 Interior facades shall be separated as <u>a.</u> follows: 3 Elevation of Facade or Portion of Facade from Å. Existing Grade Minimum Separation 5 60 feet or less <u>16 feet</u> 6 <u>61-90</u> feet 20 feet 7 <u>91-120</u> feet 28 feet 8 <u>121 feet or higher</u> <u>32 feet</u> 9 Within a cluster development, ((the maximum ((d))b. 10 facade width without modulation shall be thirty feet for all interior facades)) interior facades need not be modulated. Perimeter facades shall follow standard development require-11 ments. 12 ((e))<u>c</u>. Structures ((in cluster developments)) or portions of structures over sixty feet in height, may be con-nected by underground garages or portions of structures 13 thirty-seven feet or less in height. 14 2. Structures in required setbacks 15 Detached garages, carports, or other a. accessory structures are permitted in the required rear or 16 side setbacks, provided that ((they are)) any accessory structure located between a principal structure and the side lot line shall provide the setback required for the principal structure, Exhibit 45.72C. All such accessory structures shall be no greater than twelve feet in height above existing 17 18 grade, with open rails permitted above twelve feet. 19 Ramps or other devices necessary for access b. for the disabled and elderly, which meet Washington State 20 Rules and Regulations for Barrier-Free Design, are permitted in required front, side or rear setbacks. 21 c. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five feet in width, are 22 permitted in required front, side and rear setbacks. 23 d. Permitted fences, free-standing walls, bulkheads, signs, and other similar structures, no greater 24 than six feet in height, are permitted in required front, side or rear setbacks. 25 Decks which average no more than eighteen е. inches above existing grade may project into required set-backs. Such decks shall not be permitted within five feet of 26 27 28 -51-

any lot line, unless they abut a permitted fence or free-standing wall, and are at least three feet below the top of 1 the fence or wall. The fence or wall shall be no higher than six feet. 2 f. Underground structures are permitted in all 3 setbacks. Å. Solar collectors are permitted in required g. setbacks, subject to the provisions of Section 23.45.146, 5 Solar Collectors. Section 36. Section 23.45.76 is amended to read as 6 follows: 7 Section 23.45.76 Highrise, Parking and Access Requirements 8 Α. Parking quantity 9 One off-street parking space per dwelling unit 1. is required. 10 For apartments and terraced housing, spaces for 2. bicycles shall be provided in a sheltered and convenient loca-11 tion according to the following chart: 12 Number of Bicycle Spaces 13 Number of Spaces Required 14 5-10 1 15 11 - 202 More than 20 1 per 10 units 16 Reductions to the quantity of parking spaces 3. 17 provided may be made for: low-income housing for the elderly and disabled((; provision of spaces for two wheeled vehicles;)) and the addition of residential units to existing 18 structures((; and the joint use of existing parking)), according to Section 23.54.20, Parking Quantity Exceptions. 19 For apartment structures of more than twenty 4. 20 units, the Director may require parking in excess of the oneto-one parking ratio, up to a maximum of one and one-quarter 21 spaces per unit, according to the provisions of Section 23.54.20((H))D. 22 Exceptions to the quantity of required parking 5. shall be permitted when residential units are added to 23 existing structures, according to the provisions of Subchapter 4, Nonconforming Uses and Structures. 24 в. Access to parking 25 Alley access required 1. 26 Except when one of the conditions of paragraphs $\underline{B2}$ or $\underline{B3}$ below applies, access to parking shall be from the 27 28 -52-

alley when the site abuts a platted alley improved to the 1 standards of Section 23.54.10C. Access from the street shall not be permitted. 2 Street access required 2. 3 Access to parking shall be from the street when: Δ The alley borders on a Single Family, a. Lowrise 1 or Lowrise 2 zone: 5 b. The lot does not abut a platted alley; 6 Location of alley access would create a С. significant safety hazard. 7 З. Street or alley access permitted 8 Access to parking may be from either the alley 9 or the street when ((+)) the conditions listed in paragraph B2 above do not apply, and one or more of the following conditions are met: 10 Topography makes alley access infeasible $((\tau))$ a. 11 The alley is not improved to the standards b. 12 of ((Section)) subsection 23.54.10C. If such an alley is used for access, it shall be improved according to the standards of 13 subsection 23.54.10C. Location of parking 12 с. <u>l.</u> <u>Parking shall be located on the same site as the</u> <u>principal use, except accessory off-site parking permitted</u> <u>according to Section 23.45.166.</u> 15 16 2. Parking may be located: 17 a. Between the structure and the side or rear lot line, Exhibit 45.76A, except as provided in Section 23.45.72D2, if the parking is screened from direct street view as provided in subsection 23.45.76D below, or 18 19 b. In or under the structure, provided that the parking is screened from street view by the front facade of the structure, Exhibit 45.76B. Parking is permitted on all levels of a base structure, with the limitation that 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 20 21 22 facade is in retail use, sixty percent of the street-level floor area may be used for parking. 23 No open parking shall be permitted between a 24 structure and the front lot line, or in the required front setback. 25 ((On corner lots, two streets of retail may be 26 Permitted. On sloped sites, the Director may determine which street or streets are to be so regulated.)) 27 28 -53-

<u>D.</u> Screening of parking

1. Parking shall be screened from direct street view by the front facade of a structure, by garage doors, or 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 landscaped strip on the street side of the fence or wall. This strip may be between one and five feet deep, as measured from the property line, but the average distance from the pro-perty line to the fence shall be three feet. Such screening shall be located outside any required sight triangle. 2. The height of the visual barrier created by the screen required above shall be measured from street level. If the elevation of the lot line is different from the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the screen itself is a minimum of three feet in height, Exhibit 45.72C. Section 37. Subsection 23.45.86D is amended to read as 10 follows: D. Dispersion criteria 1. ((A lot used for a)) The lot line of any new or expanding halfway house shall be ((more than)) located six hundred feet or more from any lot line of any other halfway house or ((from a)) nursing home in a residential zone. 12 13 14 No halfway house shall be established where its 2. location would increase to more than five the number of halfway houses and/or nursing homes within a one-half mile radius 15 of the proposed site. 16 The Director shall determine whether a proposed 3. facility meets the dispersion criteria from maps which shall 17 note the location of current halfway house and nursing homes. 18 Any person who disputes the accuracy of the maps may furnish the Director with the correct information, and this information, if determined by the Director to be 19 accurate, shall be used in processing applications. 20 Section 38. Subsection 23.45.90 is amended to read as follows: 21 23.45.90 Institutions: General Provisions 22 The establishment of new institutions, such as reli-Α. gious facilities, community centers, schools, and daycare cen-ters, which meet the development standards of Sections 23.45.92 through 23.45.102 shall be permitted outright in all 23 24 Institutions not meeting all the developmulti-family zones. ment standards of ((this)) these Section may be permitted as administrative conditional uses subject to the requirements of 25 Section ((23.45.112)) 23.45.122. If the expansion of an existing institution meets all development standards, it shall 26 be permitted outright. Expansions not meeting development 27 28 -54-

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standards may be permitted as administrative conditional uses Ť. subject to the requirements of Section ((23.45.118)) 23.45.122. Section 39. Subsection 23.45.96C is amended to read as follows: З с. Side setback a The minimum side setback shall be ten feet from 1. a side lot line which abuts any other residentially zoned lot. A 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 minimum side setback of fourteen feet; structures which are taller than one((-))hundred((-))twenty feet shall have a minimum side setback of sixteen feet, (((Exhibit 23.45.102))) Exhibit 45.96A. When the depth of the structure exceeds sixty-((2--five feet, the standard side setback requirement shall be increased by the distances indicated in the following chart. This additional side setback requirement may be satisfied by averaging the side setback along the depth of the structure.)) 2. 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 averaged along the entire length of the wall. The addition setback shall be provided as shown in the following chart: Side Setback Requirements for Structures Greater than Sixty-Five Feet in Depth 0 -11-21-31-41-51-81-61-71-91-Н D 66-70 71-80 81-90 91-100 101-110 -55-CS 19.2

For structures greater than one-hundred ((fifty)) ten 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). Subsections 23.45.98B and G are amended to Section 40. read as follows: B. Joint use ((or shared use)) of existing parking areas and facilities shall be permitted if approved by the Director, according to the provisions of Section 23.54.20F, Joint Use Parking. 10 ((G. Transportation plan 1-Threshold for requiring a transportation plan The Director may modify the parking standards on 12 a case by case basis for any proposed institution using a transportation plan. A transportation plan shall be required 13 as an element of the Master Use Permit process for the establishment of new or the expansion of existing institutions 14 which are larger than four thousand square feet of structure area and/or which are required to provide twenty or more 15 parking spaces. 2-Contents of transportation plan 16 The Director shall determine the level of detail 17 to be disclosed in the transportation plan based on the probable impacts and scale of the proposed institution. 18 Consideration of the following elements and other similar factors may be required: 19 ð. Traffic 20 Number of staff during normal working hours; users, guests and others regularly associated with the 21 institution; level of vehicular traffic generated; traffic peaking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types 22 and number of vehicles associated with the use; and mitigating measures to be taken by the applicant. 23 **b-**Parking area 24 Number of spaces; extent of screening from 25 public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; 26 Prevailing direction of exhaust fumes; location of driveway 27 28 -56-

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1 2	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.
3	c. Parking overflow
4 5	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
6	measures to be taken by the applicant.
7	d. Pedestrian safety
8	Number of driveways which cross pedestrian walkways; location of passenger loading areas.
9	e. Availability of public or private mass transportation system.
10	Bus line location and frequency; extent of private mass transportation, including carpools and vanpools if provided by the applicant.
12	3. Evaluation of transportation plan
13	Based on an evaluation of the information disclosed in the transportation plan, the Director may increase the
14	onsite parking or loading space requirements to reduce the overflow of vehicles into the onstreet parking supply in the
15	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
16	parking spaces.))
17	Section <u>41</u> . Section 23.45.102 is amended to read as follows:
18	23.45.102 Institutions: Dispersion Criterion
19	((The establishment of a)) <u>The lot line of any</u> new or ((the expansion of an existing)) <u>expanding</u> institution shall
20	((not)) be located ((within)) six hundred feet or more from any lot line of any ((existing)) other institution ((or public
21	facility)) in a residential zone.
22	Section <u>42</u> . Subsection 23.45.106A is amended to read as follows:
23	23.45.106 Public Facilities
24	A. The location or expansion of the following public facilities shall be permitted outright in all multi-family
25	zones, if all of the development standards for institutions (Sections 23.45.92 through 23.45.102) are met:
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	CS 19.2

1	Police Precinct Stations
2	Fire Station <u>s</u>
£	Public Boat Moorages
3	Utility Service Uses
4	((Parks & Playgrounds
5	Museums))
6	Other similar uses.
7	Section <u>43</u> . The following section is added to Chapter 23.45:
8	23.45.108 Public or Private Parks and Playgrounds
9	The establishment of new or expansion of existing public
10	or private parks and playgrounds, including customary struc- tures and activities, shall be permitted outright in all
11	<u>multi-family zones.</u> <u>Garages and service or storage areas</u> <u>accessory to parks shall be located one hundred feet or more</u> <u>from any other lot in a residential zone and shall be screened</u>
12	from view from such lot.
13	Section <u>44</u> . Subsection 23.45.118B is amended to read as follows:
14	B. Dispersion criteria
15	1. A facility which does not meet the dispersion
16	criteria of Section 23.45.86D may be permitted, upon deter- mination by the Director that the intent of the dispersion requirements is satisfied. For example, physical elements
17	(such as water bodies, large open spaces, or topographical features) or manmade elements (such as arterials, con-
18	centrations of non-residential uses, or freeways) may provide substantial separation from existing halfway houses and nursing homes.
19	2. If the intent of the dispersion criteria is met,
20	an existing facility not in conformance with a dispersion standard may be permitted to expand. The existing facility
21	shall not be permitted to expand beyond the ((bulk requirement)) requirements of the other development standards for the zone in which it is located.
22	Section <u>45</u> . Subsections 23.45.122D and E are amended to
23	read as follows:
24	D. ((Traffic generation
25	The Director may condition a permit to mitigate potential traffic congestion problems. Measures which may be used by the Director for this purpose include, but are not
26	limited to the following:
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1. Implementing the institution's transportation plan.

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2. Limiting the number or type of vehicles associated with the facility; encouraging the use of METRO or private mass transit; requiring provision of sidewalks, and changing access, location or quantity of parking.))

D. Transportation plan

<u>l. A transportation plan shall be required for pro-</u> posed new institutions and for those institutions proposing expansions which are larger than four thousand square feet of structure area and/or required to provide twenty or more parking spaces.

2. <u>The Director shall determine</u> the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. <u>Consideration of the following elements and other similar fac-</u> tors may be required:

<u>a.</u> <u>Traffic</u>

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 and 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.

<u>c.</u> <u>Parking</u> <u>overflow</u>

Number of vehicles expected to park in the street; percentage of onstreet 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. Safety

<u>Number of driveways which cross pedestrian walk-</u> ways; location of passenger loading areas.

e. Availability of mass transportation

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Bus route location and frequency of service; 1 private transportation programs, including carpools and van-pools, to be provided by the applicant. 2 <u>3. The Director may condition a permit to mitigate</u> potential traffic and parking problems. <u>Measures which may be</u> used by the Director for this purpose include, but are not limited to the following: 3 a. Implementing the institution's transportation 5 plan to encourage use of public or private mass transit; <u>b.</u> Increasing onsite parking or loading space requirements to reduce overflow of vehicles into the onstreet 6 parking supply; 7 Changing access and location of parking; c. 8 <u>d.</u> <u>Decreasing onsite parking or loading space</u> requirements, (E. Parking I)) if the applicant can Q demonstrate that less than the required amount of parking is 10 necessary due to the specific features of the institution or the activities and programs it offers((, the Director may reduce the amount of required parking)). In such cases, the 11 applicant shall enter into an agreement with the Director, specifying the amount of parking required and linking the 12 parking reduction to the features of the institution which justify the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions 13 change, the standard requirement shall be satisfied. 14 Section 46. Section 23.45.140 is amended to add the following subsection: 15 <u>C.</u> <u>Accessory structures shall be counted in structure</u> width and depth if less than three feet from the principal 16 structure at any point. Such detached accessory structures shall have a height limit of fifteen feet. 17 18 Section 47. Subsections 23.45.146B and D are amended to read as follows: 19 Solar collectors in required setbacks Β. 20 Solar collectors are permitted in required setbacks according to the following provisions: 21 Detached solar collectors shall be permitted in 1. required rear setbacks; such collectors shall be no closer 22 than five feet to any other principal or accessory structure. 23 Detached solar collectors shall be permitted in 2. required side setbacks. Such collectors shall be no closer 24 than five feet to any other principal or accessory structure, and no closer than three feet to the side lot line. 25 The area covered or enclosed by solar collectors 3. 26 ((shall not be included in)) may be counted as required open space ((calculations)). 27 28 -60-

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)) begin at ((ten)) eight feet or more above existing grade ((level)) may be no closer than three feet from the property line. ((Those which are below ten feet may be no)) Sunshades which are between existing grade and eight feet above existing grade shall be no closer than five feet ((from)) to the property line.

D. Solar retrofits

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on the effective date of this Land Use Code as a special exception pursuant to Chapter 23.76, ((+))Master Use Permit((+)). Such a retrofit may be permitted even if it exceeds ((established)) the height limit established in subsection 23.45.146C above, if the following conditions are met:

1. There is no feasible alternative solution to placing the collector(s) on the roof;

2. The positioning of such collector(s) minimizes view blockage and shading of property to the north, while still providing adequate solar access for the collectors; and

3. Such collector(s) meet minimum energy standards administered by the Director.

14 Section <u>48</u>. Section 23.45.154 is amended to read as follows: 15

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 Chapter 23.70 or <u>Chapter 24.60, Shoreline Master Program</u>, provided that only one slip per residential unit is provided.

Section <u>49</u>. Subsection 23.45.166A is amended to read as follows:

A. The offsite parking facilities must be accessory to a multi-family structure ((built)) existing before the ((adoption)) effective date of this Land Use Code, which provides less than one parking space per unit, although it may include parking for a new residential development when developed jointly.

23 Section <u>50</u>. Section 23.45.180 is amended to read as follows:

24 23.45.180 Continuation of Nonconforming Uses

Any legally established nonconforming use existing on the effective date of this provision which does not conform to the applicable requirements of this Land Use Code may be continued subject to the provisions of this ((section)) <u>Subchapter</u>.

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Section <u>51</u>. Section 23.45.182 is amended to read as follows:

23.45.182 Extensions, Expansions, and Structural Alterations of Nonconforming Uses

A nonconforming use shall not be expanded or extended, nor shall a structure containing a nonconforming use be expanded, extended or structurally altered except as follows:

A. Expansions, extensions or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled shall be permitted.

B. Legally established apartments in Lowrise 1 zones may be improved, renovated, structurally altered, and expanded, provided 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.

C. Additional dwelling units may be added to legally established apartments in Lowrise 1 zones so long as this addition does not violate the development standards of Sections ((23.45.10)) 23.45.08 through 23.45.18, nor cause an already nonconforming structure to further exceed development standards, except that one dwelling unit may be added without a parking space if the lot area is not increased, if new parking meets all development standards, and existing parking is screened and landscaped to the greatest extent practical.

D. Dwelling units may be added to structures in nonresidential use, even if in a nonconforming structure. Such structures may be altered or expanded so long as the alteration or expansion does not violate the development standards of this chapter, nor cause an already nonconforming structure to further exceed development standards, except that one unit may be added without a parking space.

E. <u>A nonresidential nonconforming use shall not be</u> <u>expanded or extended. A structure containing a nonconforming</u> <u>use which is not residential shall not be expanded, extended</u> <u>or structurally altered except as otherwise required by law,</u> <u>except as provided in Subsections 23.45.182F and G below, or</u> <u>as necessary to improve access for the elderly and disabled.</u>

 $((\pm))$ F. Existing structures or portions of structures containing office uses, or structures for which an application has been made, which are developed in former RMH 350, RMV 200 or RMV 150 zones formerly regulated in Title 24 which meet the development standards of the respective zone, or were developed pursuant to variances, may be improved, renovated, or structurally altered. Structures containing office uses may not be expanded, and office uses may not be extended within the building beyond the floor area permitted in the former zone. Types of offices permitted shall be limited to those permitted in the former zone.

((F)) G. A nonconforming use which is destroyed by fire or other act of nature may be resumed provided it meets the requirements of Section 23.45.190.

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Subsections 23.45.184A and D are amended to Section 52. read as follows: 23.45.184 Changes To and From Nonconforming Use Existing nonresidential uses may be converted to Α. residential use. When residential units are added to nonresidential uses, one unit may be added without a parking space. If the only use in the structure will be residential A. and there is no feasible way to provide the required parking, 5 then the Director may authorize reduction or waiver of parking as a ((conditional development)) special exception pursuant to 6 Chapter 23.76, ((+)) Master Use Permit((+)). Legally established uses which were permitted outright under prior regulations but which are permitted under this chapter only as conditional uses shall be governed by the regulations of Sections 23.45.116 through 23.45.126. 8 9 Section 53. Subsection 23.45.190A is amended to read as follows: 10 23.45.190 Nonconforming Structures 11 Legally established structures existing as of the Α. date of adoption of this Land Use Code which are not in con-12 formance with one or more of the development standards for the multi-family zone in which they are located shall be prohi-13 bited from expanding in any manner which increases the extent of nonconformity or creates additional nonconformity except as 14 follows: Expansions or extensions otherwise required by 15 1. law or necessary to improve access for the elderly and disabled shall be permitted. 16 2. No parking space need be added for the first additional dwelling unit added to a structure if the lot area 17 is not increased, the new parking meets all development stan-18 dards, and existing parking is screened and landscaped to the greatest extent practical. 19 Section 23.54.10 is amended to read as Section 54. follows: 20 23.54.10 Access Standards 21 Streets Α. 22 1. Street abutment required 23 At least ten feet of a lot line shall abut on a street meeting the standards of subsection 23.54.10A3, or on a 24 permanent access easement meeting the standards of subsection 23.54.10B. 25 2. Access to new lots 26 When new lots are created or new easements are proposed, access by a street may be required by the Director when 27 one or more of the following conditions exist: 28 -63-

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Where access by easement would compromise the а. goals of the Land Use Code to provide for adequate light, air Ĩ and usable open space between structures. 2 b. If the improvement of a dedicated street is necessary or desirable to facilitate adequate water supply for 3 domestic water purposes or for fire protection, or to facilitate adequate storm drainage. Ø. If improvement of a dedicated street is C. 5 necessary or desirable in order to provide on-street parking for overflow conditions. 6 Where it is demonstrated that potential safety đ. hazards would result from multiple access points between 7 existing and future developments onto a roadway without curbs and with limited sight lines. 8 If the dedication and improvement of a street е. would provide better and/or more identifiable access for the 9 public or for emergency vehicles. 10 З. Street Improvement Standard 11 Streets providing access to and within residena. tial development shall meet the following standards, except as provided in paragraph ((b.)) 2b below: 12 13 $\{1\}$ Grading to both right of way lines; 14 $\{2\}$ Standard pavement width and depth; (3) Curbs on both sides of the street; 15 Sidewalks on both sides of the street; $\{4\}$ 16 (5) Provision of landscaped planting strips 17 and/or street trees on both sides of the street; and 18 (6) Drainage and grading according to the provisions of the Seattle Municipal Code. 19 The Director may authorize exceptions to the b. standards listed in paragraph ((a.)) 2a above under the 20 following conditions: 21 Proposed development contains less than ten (1)units; 22 Proposed development is low income housing; (2)23 (3) Full street improvement would not be practical due to topography and/or location in an environmentally 24 sensitive area; 25 (4) Street improvement would remove natural features such as trees or disrupt existing drainage patterns; 26 27 28 -64-

(5) ((An existing street serving the proposed 1 development is not at ordinance grade and new grading would affect existing access)) Full street improvement would adver-2 sely affect abutting property; or (6) The street would provide access to a single З development, and would not carry through traffic; or Δ The street is not improved to standard, but (7) is adequate for anticipated current and future needs. 5 в. Easements 6 Where a lot does not abut a street and where access by easement has been approved by the Director in accordance 7 with 23.54.10A2, access to the lot shall be provided to a street by an easement meeting the following standards: 8 1. Easements serving one single family dwelling 9 unit 10 a. Easement width shall be a minimum of ten feet: 11 b. No maximum easement length shall be set. If easement length is more than one hundred and fifty feet, a 12 vehicle turnaround shall be provided; 13 Curb cut width from the easement to the с. street shall be the minimum necessary for safety and access. 14 Easements serving at least two but fewer than five single family dwelling units 15 a. Easement width shall be a minimum of 16 ((sixteen)) twenty feet; 17 b. The easement shall provide a surfaced roadway at least sixteen feet wide; 18 c. No maximum easement length shall be set. If the easement is over six hundred feet long, a fire hydrant 19 may be required by the Director; 20 d. A turnaround shall be provided unless the easement extends from street to street; 21 Curb cut width from the easement to the e. street shall be the minimum necessary for safety and access. 22 Easements serving at least five but fewer than 23 3. ten single family dwelling units, or fewer than ten multifamily unit 24 a. Easement width, surfaced width, length, 25 turaround, and curb cut width shall be as required in paragraph 2 above; 26 b. No principal structure shall be closer than five feet to the easement. 27 28 -65-

4. Easements serving ten or more residential unit 1 Easement width shall be a minimum of a. thirty-two feet. 2 b. The easement shall provide a surfaced road-3 way at least twenty-four feet wide. 4 C. No maximum length shall be set. If the easement is over six hundred feet long, a fire hydrant may be required by the Director. 5 A turnaround shall be provided unless the đ. 6 easement extends from street to street. 7 e. Curb cut width from the easement to the street shall be the minimum necessary for safety and access. 8 f. No single family structure shall be located closer than ten feet to an easement, and no multi-family 9 structure shall be located closer than five feet to an easement. 10 One sidewalk shall be provided, extending q. 11 the length of the easement. 12 с. Alleys 13 Alley access to parking shall be required according to the provisions of each zone. An alley shall be considered 14 improved when it meets the following standards: Grading to both right of way lines; 1. 15 2. Standard pavement width and depth; 16 3. Drainage and grading according to the provisions 17 of the Seattle Municipal Code. Section 55. Subsections 23.54.20C, F, and G are amended 18 to read as follows: 19 Adding units to existing structures in multi-((嵒)) C. family zones 20 If an existing residential structure in a multi-1. 21 family zone has parking which meets the development standards, and the lot area is not increased, one unit may be added without additional parking. If two units are added, one space 22 will be required; three units will require two spaces, etc. Additional parking must meet all development standards for the 23 particular multi-family classification. 24 Exceptions to the quantity of required parking 2. shall be permitted when residential units are added to a 25 structure in a multi-family zone which has parking not conforming to development standards, or when units are added to a nonconforming use, according to the provisions of <u>Chapter</u> 23.45, Subchapter 4, Nonconforming Uses and Structures. 26 27 28 -66-

F. Joint Use of Parking

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The Director may authorize the joint use of parking by the following uses or activities under the following con-2 ditions: <u>1. Up to fifty percent of the parking required for</u> <u>a theater, bowling alley, dance hall, bar, restaurant, roller</u> <u>or ice skating rink, or other similar primarily nighttime use</u> <u>may be supplied by the off-street parking provided by the uses</u> <u>specified in paragraph F4 below.</u> 2 Δ 85 2. Up to fifty percent of the off-street parking required for any use specified under paragraph F4 may be supplied by the parking provided for uses specified in paragraph F5 below. R 7 <u>3. Up to one hundred percent of the parking</u> required for a church or for an auditorium incidental to a public or private school may be supplied by the off-street parking provided by uses specified in paragraph F4 below. 8 9 10 For the purposes of this section, the following <u>uses are considered as daytime uses: banks, business offices,</u> <u>retail stores, personal service shops, household equipment or</u> <u>furniture shops, clothing or shoe repair or service shops,</u> <u>manufacturing or wholesale buildings and other similar pri-</u> <u>marily, daytime uses when authorized by the Director.</u> 11 12 13 uses are <u>considered</u> as nighttime or <u>Sunday</u> uses: <u>auditoriums</u> 14 incidental to a public or private school, churches, bowling alleys, dance halls, theaters, bars or restaurants, roller or 15 ice skating rinks, and other similar primarily nightime ues when authorized by the Director. 16 6. <u>Conditions</u> <u>required</u> for joint use: 17 <u>a.</u> The use for which application is being made to utilize the off-street parking provided by another use shall be located within eight hundred feet of the parking. 18 19 <u>b.</u> <u>The applicant shall show that there is no</u> <u>substantial conflict in the principal operating hours of the</u> <u>two uses for which joint use of off-street parking is proposed.</u> 20 <u>C.</u> An agreement providing for joint use parking executed by the parties concerned shall, together with the applicable use permit be filed with the Director. The Director may condition the use permit to assure compliance with the joint use parking agreement. Joint use parking privileges shall continue in effect only so long as the agreement, binding on all parties, remains in force. If the 21 22 23 agreement, binding on all parties, remains in force. If the agreement becomes legally ineffective, then parking shall be provided as otherwise required by this Land Use Code. 24 25 26 27 28 -67-

1	<u>G.</u> For non-school uses located in a former or existing public school, the school use criteria of Chapter 23.78, Establishment of Criteria for Joint Use and Reuse of Schools, shall determine the off-street parking requirement.
3	Section <u>56</u> . Subsection 23.54.30C is amended to read as follows:
4	C. Ingress and egress
5	1. Backing distances and moving other vehicles
6	a. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except for single family dwellings.
8	b. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than fifty feet.
10	2. Curb cuts
11	a. Except as provided in paragraph b((-)) below, curb cuts for driveways shall be provided as follows:
12	(1) For lots with street frontage of
13	eighty feet or less, a maximum of one ten-foot-wide curb cut shall be permitted.
14	(2) For lots with street or easement frontage greater than eighty feet, a maximum of two ten-foot- wide curb cuts or one twenty-foot-wide curb cut per develop-
15	ment shall be permitted.
16 17 18	b. On arterials with more than fifteen 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.
19	c. A flare with a maximum width of two and one-half feet shall be permitted on either side of any curb cut.
20	3. Driveways
21	a. Driveways shall be not less than ten feet
22	wide.((7 and shall provide the minimum turning path radius as shown on Figure 2A.)) Driveways with a turning angle of more than thirty-five degrees shall conform to the minimum turning
23	path radius shown in Exhibit 54.30B.
24 25	b. Vehicles may back onto the street from a parking area serving five or fewer vehicles, provided that:
26	(1) The street is not an arterial as defined by the Seattle Municipal Code, Section 11.18.010,
	Arterial Street Map, and
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The slope of the driveway does not (2) 1 exceed ten percent in the first twenty feet back from the property line. 2 Driveways serving thirty or fewer parking с. spaces and less than one ((-)) hundred feet in length shall be a 3 minimum of ten feet in width for one- or two-way traffic. ((Driveways with a turning angle of more than thirty-five Å. degrees shall conform to the minimum turning path radius shown in Figure 4A.)) 5 đ. For driveways serving thirty or fewer parking spaces and greater than one-hundred feet in length, 6 the driveway shall either: 7 (1) Be a minimum of sixteen feet wide, tapered over a twenty-foot distance to a ten-foot opening at 8 the property line; or 9 (2) Provide a passing areas at least twenty feet wide and twenty feet long. The passing area shall begin twenty feet from the property line, and an appropriate taper to meet the ten-foot opening at the property line shall 10 be provided. If a taper is provided at the other end of the 11 passing area, it shall have a minimum length of twenty feet. 12 e. Driveways serving more than thirty parking spaces shall provide a minimum ten-foot-wide driveway for one-13 way traffic or a minimum twenty-foot-wide driveway for two-way traffic. ((Briveways with a turning angle of more than 14 thirty-five degrees shall conform to the minimum turning radius shown on Exhibits 2A and 2B).)) 15 Maximum grade curvature shall not exceed £. the curvature shown in Exhibit ((3)) <u>54.30C</u>. 16 4. Parking aisles 17 a. Parking aisles shall be provided according 18 to Exhibit 4. b. Turning and maneuvering areas shall be 19 located on private property, except that alleys may be credited as aisle space. 20 Section 57. Subsections 23.76.14C and E are amended to 21 read as follows: Notice of the application shall be provided by the С. 22 Director in the following manner: 23 Short Plat, sidewalk cafes, structural building overhangs, areaways, special exceptions, design departure, 24 temporary use for more than three weeks: four placards posted on or near the site, general mailed release. 25 Variances, administrative conditional use: 2. four placards posted on or near site, general mailed release, 26 mailed notice. 27 28 -69-

Substantial development permit, shoreline 3. variance, shoreline conditional use: four placards posted on or near site, general mailed release, publish notice in City official newspaper once each week for two consecutive weeks. 1 2 E. No notice of application is required for a temporary three week use or for the following Master Use Permit approvals З if they are determined to be exempt from SEPA. Δ Establishment or change of use permitted 1. 5 outright. Curb cuts; landscaping associated with develop-2. 6 ment proposals; additional onstreet parking; street and alley improvements. 7 Lot boundary adjustments. 3. 8 Section 58. Subsection 23.76.24A is amended to read as 9 follows: 23.76.24 Director's Decision on Master Use Permit 10 Α. Master Use Permit Review Criteria 11 The Director shall grant, deny, or condition approval of a Master Use Permit based on the applicant's compliance 12 with the <u>Seattle Municipal Code</u>, <u>Chapter 25.04</u>, SEPA Policies, ((Ch. 25.04, Subchapter III)) and with the substantive 13 requirements applicable to the specific approval effective at the time the Director issues a decision. 14 the time the Director issues a decision. The Director may impose conditions in order to mitigate adverse environmental impacts associated with the construction process. 15 Section 59. Subsection 23.76.36B is amended to read as 16 follows: 17 в. All appealable Master Use Permit decisions other than shoreline decisions as identified in Subsection 23.76.36A, shall be filed with the Hearing Examiner subject to the 18 following: 19 Standing. All appealable Master Use Permit 1. decisions may be appealed by any person, significantly affected by or interested in the permit. 20 21 2. Time of Filing. Appeals shall be filed with the Hearing Examiner by five o'clock p.m. of the fourteenth calendar day following publication of notice of the decision. When the 22 last day of the appeal period so computed is a Saturday, Sunday, or federal or City holiday, the period shall run until 23 five o'clock p.m. on the next business day. The appeal shall be in writing and shall clearly identify the approval(s) being 24 appealed. The appeal shall be accompanied by payment of the filing fee as set forth in the Seattle Municipal Code, Section 3.02.125, Hearing Examiner Filing Fees. Specific objections 25 to the Director's decision and the relief sought shall be stated. In form and content, the appeal shall conform with the rules of the Hearing Examiner. 26 27 28 -70-

3. Consolidated Appeals. All appeals of a Master Use Permit shall be considered together in a consolidated hearing.

4. Pre-hearing Conference. On the Hearing Examiner's motion, or at the request of any party of record, the Hearing Examiner may have a conference prior to the hearing in order to entertain pre-hearing motions, clarify issues, or consider other relevant matters.

5. Notice of Hearing. Notice of the hearing on the appeal shall be mailed at least twenty days prior to the scheduled hearing date to parties of record and those requesting notice of the specific hearing. Notice shall also be included in a general mailed release.

6. Scope of Review. Appeals shall be considered de novo. The Hearing Examiner shall entertain issues cited in the appeal which relate to procedural irregularities, compliance with substantive criteria, the adequacy of the environmental documentation upon which the decision was made, or failure to properly condition or deny a permit based on disclosed environmental impacts.

7. Standard of Review. The Director's decision shall be given substantial weight, except that, for any decision which includes deter minations on a variance or conditional use, that part of the Director's decision shall be given no deference.

8. The Record. The record shall be established at the Hearing Examiner hearing. The Hearing Examiner shall either close the record after the hearing or leave it open to a specified date for additional testimony or written argument.

9. Hearing Examiner's Decision. The Hearing Examiner shall issue a decision within fourteen days after closing the record.

 The Hearing Examiner may affirm, reverse, remand or modify the Director's decision. Written findings and conclusions supporting the Hearing Examiner's decision shall be made.

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10. Notice of Hearing Examiner Decision.

Notice of the Hearing Examiner's decison shall be mailed on the same date of the ((decisioin)) decision to the parties of record and to all those requesting notice, and shall contain information regarding appeal procedures, if any.

11. An appeal of any Hearing Examiner's decision except those decisions appealable to the City Council pursuant to <u>Seattle Municipal Code</u>, Section 25.04.210, must be filed in King County Superior Court within fourteen days of the issuance of the decision.

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Section <u>60</u>. Subsection 23.78.10 is amended to read as follows:

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23.78.10 SUAC Responsibilities

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The ((appealed)) SUAC shall:

A. Conduct a minimum of three public meetings within a ninety day period from formating of the SUAC.

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B. Gather and evaluate public comment;

C. Develop criteria for structure and grounds use which are compatible with the surrounding community, including but not limited to: benefits to the community and public; population to be served; community access; use of the school grounds within the context of recreational and aesthetic resources of the neighborhood; mitigation of large structure bulk; traffic impacts: generation, circulation, and parking; landscaping and maintenance of grounds; exterior appearance of the structure, including signing; noise; hazards; and other potential nuisances; and

D. Recommend criteria to the Director of DCD no later than ninety days after its first meeting unless a ten day extension is requested, in writing, by a majority of the SUAC and granted by the Director of DCD.

Section <u>61</u>. Section 23.84.06 is amended to read as follows:

23.84.06 "C"

Cluster development

<u>A development containing two or more principal structures</u> on one lot. In <u>Highrise zones, two or more towers on one base</u> structure shall also be considered a cluster development.

Community center

((A structure and related grounds)) An institution used for non-profit social, civic or recreational purposes and owned and operated by a private non-profit organization or public agency serving in the community in which it is located and open to the general public on equal basis and where no activities, other than the rental of the center to other nonprofit social, civic, recreational or religious organizations, are carried out for gain.

23 Section <u>62</u>. Subsection 23.84.08 is amended to read as follows:

24 23.84.08 "D"

Day care center

((A facility)) An institution operated by any person or organization which regularly provides care to a group of

8	children in other than a family setting for less than twenty- four hours a day, whether for compensation or not. (See also family day care home.)
2	Director
3	The Director of the Department of Construction and Land Use, or the Director's designee.
5	Section 63. Section 23.84.10 is amended to add a subsec- tion as follows:
6	23.84.10 "E"
7	Elevated walkway
8	A pedestrian walkway connecting structures within a cluster development and located above existing grade.
9	Section <u>64</u> . Section 23.84.12 is amended to add the following subsections:
10	23.84.12 "F"
11	Facade, Front
12	The facade extending the full width of the structure, including modulations, which is closest to and most nearly
13	parallels the front lot line.
14	Facade, Rear
15	The facade extending the full width of the structure, including modulations, that is closest to and most nearly
16	parallels the rear lot line. Facade, Side
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18	The facade extending the full width of the structure, including modulations, that is closest to and most nearly parallels the side lot line.
19	Facade, Interior
20	Any facade of a structure within a cluster development,
21	which faces, or portions of which face, the facade(s) of another structure(s) within the same development. Any facade defined as a front, rear or side facade would not be considered
22	an interior facade.
23	Facade, Perimeter
24	Any facade of a structure within a cluster development, which is either a front, rear or side facade.
25	Section <u>65</u> . Section 23.84.24 is amended to read as follows:
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23.84.24 "L"

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Lot grade, existing

2 The natural surface contour of a lot, including minor ((surface)) adjustments to the surface of the lot in prepara-З tion for construction. 4 Section 66. Section 23.84.25 is amended to read as follows: 5 23.84.25 "M" 6 Museum 7 A non-profit, non-commercial institution operated as a repository or a collection of natural, scientific, historical, 8 cultural, or literary objects of interest or works of art. 9 Section 67. Section 23.84.32 is amended to read as follows: 10 23.84.32 "R" 1 Religious facility 12 An institution, such as $((\frac{1}{2}))$ a church, temple, mosque, synagogue or other structure together with its accessory 13 structures, used primarily for religious worship. 14 Roof, shed See shed roof. 15 Section 68. Section 23.84.36 is amended to read as 16 follows: 17 School, public or private ((A structure)) An institution primarily used for systematic 18 academic instruction, excluding post-secondary colleges and universities. 19 Shed roof 20 <u>A roof having only one sloping plane.</u> 21 Short Subdivision 22 The division or redivision of land into ((four)) nine or fewer lots, tracts, parcels, sites, or divisions for the purpose 23 of sale, lease, development, or financing, and shall include all resubdivision of previously platted land and properties divided for the purpose of sale or lease of townhouse units. 24 25 Solar greenhouse <u>A solar collector which is a structure or portion of a structure ((which uses)) utilizing glass or similar glazing</u> 26 material to collect direct sunlight for space heating purposes. 27 28

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Section 69. Section 23.84.38 "T" is amended to delete a subsection as follows: ((Tandem houses Two unattached ground-related dwelling units occupying the same lot.)) Section 70. Section 23.84.44 is amended to read as follows: 23.84.44 "W" Wall, exterior An upright member of a structure which forms the boundary between the interior and exterior of that structure ((τ when there is no wall, the plane between the supports)). Section 71. Subsection 23.86.10B, last amended in Ordinance 110669 is amended to read as follows: 10 в. Front Yards 11 Determining Front Yard Requirements 1. 12 (Exhibit 86E(1) - (7))13 Front yard requirements are presented in the standard development requirements for each zone. Where the minimum required front yard is to be determined by averaging 14 the setbacks of structures on either side of a lot, the following provisions shall apply: 15 The required depth of the front yard shall a. 16 be the average of the distance between principal structures and front lot lines of the nearest principal structures on 17 each side of the lot. When the front facade of the principal structure is not parallel to the front lot line, the shortest distance from the front lot line to the structure shall be 18 used for averaging purposes. 19 b. The yards used for front yard averaging shall be on the same block front as the lot, and shall be the 20 front yards of the nearest principal structures within one hundred feet of the side lot lines of the lot. 21 c. For averaging purposes, front yard depth shall be measured from the front lot line to the wall nearest 22 to the street ((comprising)) or where there is no wall, the plane between supports, which comprises twenty percent or more 23 of the width of the front facade of the principal structure. Enclosed porches shall be considered part of the principal structure for measurement purposes. Attached garages or 24 carports permitted in front yards under either Section 23.44.08D4g or 23.44.10B5, decks, ((unenclosed)) uncovered 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 for 25 26 measurement purposes. 27 28 -75-

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In Single Family zones, when the first principal structure within one hundred feet of a side lot line of the lot is not on the same block front, or does not provide its front yard on the same street, or when there is no principal structure within one hundred feet of the side lot line, the yard depth used for averaging purposes on that side shall be twenty feet. When the front yard of the first principal e. structure within one hundred feet of the side lot line of the lot exceeds twenty feet, the yard depth used for averaging purposes on that side shall be twenty feet. f. In cases where the street is very steep or winding, the Director shall determine which adjacent single family structures should be used for averaging purposes. Sloped lots in single family zones 2. For lots in single family zones, reduction of required front yard is permitted at a rate of one foot for every percent of slope in excess of thirty-five percent. For the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of irregularly

shaped lots, the Director shall determine the line along which slope is calculated.

Section 72. Subsection 23.86.12A is amended to read as follows:

23.86.12 Setbacks in Multi-Family Zones

Α. Front setbacks

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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:

The required depth of the front ((yard)) a. setback shall be the average of the distance between principal 20 structures and front lot lines of the nearest principal structures on each side of the subject lot, (((Exhibit 86.E))) Exhibit 21 86.12A.

The setbacks used for front setback b. 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.

For averaging purposes, front setback depth C. shall be measured from the front lot line to the nearest wall, or where there is no wall, the plane between supports, which ((comprising)) comprises twenty percent or more of the width of the front facade of the principal structure on either side.

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Attached garages and enclosed porches shall be considered part 1 of the principal structure for measurement purposes. Decks less than eighteen inches above existing grade, ((unenclosed)) uncovered porches ((with or without roofs)), eaves, ((posts,)) 2 attached solar collectors, and other similar parts of the structure shall not be considered part of the principal structure. З When the front facade of the principal structure is not parallel to the front lot line, the shortest distance from the 4 front lot line to the structure shall be used for averaging purposes. 5 d. When the first principal structure within one hundred feet of a side lot line of the subject lot is not 6 on the same block front or when there is no principal structure within one hundred feet of the side lot line, the setback depth used for averaging purposes on that side shall be ten 7 feet. \otimes When the front setback of the first principal e. 9 structure within one hundred feet of the side lot line of the subject lot exceeds twenty feet, the setback depth used for averaging purposes on that side shall be twenty feet. 10 f. In cases where the street is very steep or winding, the Director shall determine which adjacent structures should be used for averaging purposes. 12 ((g. In the case of a through lot, the setback 13 used for front setback averaging on each side shall be the lesser of the two front setbacks provided by each adjoining 14 through lot.)) <u>g.</u> In the case of a through lot, the require-ment for front setbacks shall be determined independently for each street frontage. The measurement techniques of this section shall be applied for each street frontage separately. 15 16 17 <u>of a principal structure on the same lot may be used for</u> For cluster development, the front setback 18 averaging purposes. 2. Features projecting into required front setbacks 19 In certain zones portions of the front facade 20 may project into the required front setback, provided that the average distance from the front lot line to the facade satisfies 21 the minimum front setback requirement. In such cases the following provisions shall apply: 22 The front setback shall be averaged for the a. entire width of the structure. 23 b. Portions of the facade at existing grade 24 shall be used in determining the average setback. 25 Projections of the front facade which begin с. at least ((ten)) eight feet above existing grade and project less than four feet from the lower portion of the facade shall 26 not be included in the setback averaging. For such projections 27 28 -77-

which project more than four feet from the lower portion of 1 the facade, only the first four feet shall be exempt from the averaging calculation. This provision applies to such features as cantilevered floor area, decks, and bay windows. 2 Eaves, gutters, and cornices are permitted to project eighteen inches beyond any front facade without being counted in 3 averaging. 4 З. Measuring street-facing setbacks for institutions and public facilities in multi-family zones 5 In multi-family zones, the depth of setback a. from a street lot line may be averaged along the width and 6 height of the facade for institutions and public facilities, as an alternative providing greater design flexibility than 7 standard modulation requirements. 8 This average setback shall be calculated by b. dividing the three-dimensional volume of setback by the area 9 of the structure facade. Find the sum of volumes within the 10 (1)space defined by extension of the roof line, the planes of the side walls, and the vertical extension of the front lot line; 11 and 12 Divide this sum by the area of the (2) street-facing facade, calculated as the product of facade 13 height and facade width, (((Exhibit 86F))) Exhibit 86.12B. 14 Section 73. Section 23.86.14 is amended to read as follows: 15 23.86.14 Structure Width 16 Structure width shall be measured by the following Α. method: 17 1. Draw ((the smallest)) a rectangle that encloses the principal structure. 18 2. Structure width shall be the length of the side 19 of that rectangle most closely parallel to the front lot line, (((Exhibit 86H))) <u>Exhibit</u> <u>86.14A</u>. 20 Decks and balconies ((ten)) eight feet or less above 21 existing grade, unenclosed porches with or without roofs, eaves, gutters, <u>chimneys</u> not used to meet modulation require-ments, and attached solar greenhouses meeting minimum stan-dards administered by the Director shall not be considered 22 part of the principal structure for the purpose of measuring 23 the width of a structure. 24 Decks and balconies more than ten feet above existing с. grade, enclosed porches, attached garages and carports, and 25 modulated or projecting segments of a facade shall be considered part of the principal structure for the purpose of measuring the width of a structure. 26 27 28 -78-

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1	D. Structure width exception
2	In certain multi-family zones, apartment structures are allowed greater width when at least forty percent of the
з	width is sets back from the portion of the front facade closest to the front lot line a distance equivalent to twenty-five percent of the structure depth. In such cases the following
4	provisions shall apply:
5	 When the front facade(s) is(are) not essentially parallel to the property line, the facade containing the point closest to the street shall be considered the facade closest
6	to the street.
7	2. The twenty-five percent of building depth may achieved by adding together the depths of more than one face
8	segment. The forty percent of structure width may also be composed of more than one facade segment meeting the twenty- five percent setback requirement.
9	Section 74. Section 23.86.16 is amended to read as
10	follows:
11	23.86.16 Structure Depth
12	A. Measuring structure depth
13	In certain zones structure depth is limited by stan- dard development requirements. The following provisions shall apply for determining structure depth:
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15	1. Structure depth shall be measured by the following method:
16	a. Draw ((the smallest)) <u>a</u> rectangle that encloses the principal structure.
17	b. Structure depth shall be the length of the
18	sides of that rectangle most closely parallel to the side lot lines, (({Exhibit 86H})) <u>Exhibit 86.16A</u> .
19	2. Decks and balconies ten feet or less above existing grade, unenclosed porches with or without roofs,
20	eaves, gutters, chimneys not used to meet modulation require- ments, and attached solar greenhouses meeting minimum standards
21	administered by the Director shall not be considered part of the principal structure for the purpose of measuring the depth
22	of a structure. 3. Decks and balconies more than ten feet above
23	existing grade, balconies, enclosed porches, attached garages and carports, modulated or projecting segments of a facade.
24	shall be considered part of the principal structure for the purpose of measuring the depth of a structure.
25	B. Determining maximum permitted structure depth
26	In certain zones, structure depth is limited to a
27	percentage of lot depth. For those cases the following provi- sions shall apply:
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1. When the lot is essentially rectangular and has a rear lot line which is ((essentially)) within fifteen degrees of parallel to the front lot line, ((for its entire distance,)) the lot depth shall be the horizontal distance between the midpoints of the front and rear lot lines, ((frigure 33)) Exhibit 86.16B.

2. When the lot is triangular or ((pie)) wedgeshaped, lot depth shall be the horizontal distances between the midpoint of the front lot line and the rear point of the lot. If such a lot does not actually come to a point, lot depth shall be measured from midpoint of front lot line to midpoint of rear lot line, Exhibit 86.16C.

3. In the case of a through lot, lot depth shall be measured ((from front lot line to)) between midpoints of front lot lines.

4. When lot shape is so irregular that provisions 1, 2, or 3 cannot be used, lot depth shall be that distance equal to the result of lot area divided by length of front lot line, provided that in no case shall lot depth be greater than the distance from front lot line to the furthest point on the perimeter of the lot, ((Exhibit 86K))) Exhibit 86.16D.

C. Measuring structural depth exceptions

In certain zones, exceptions permit increased structure depth. For those cases total permitted lot coverage shall equal maximum width times maximum depth less the area required for modulation, according to the following provisions:

<u>width of the lot less the total required side setbacks, but shall in no case exceed the maximum width permitted for the housing type and zone.</u>

2. <u>Maximum depth shall be considered to be the</u> percentage of lot depth permitted for the proposed housing type.

<u>3. The area of minimum required modulation shall be</u> subtracted from the calculation to determine maximum lot coverage permitted.

21 Section <u>75</u>. Subsection 23.86.18 is amended to read as follows:

22 23.86.18 Open Space

23 Certain zones require a minimum amount of open space to be provided on the lot. For those cases where open space is required, the following provisions shall apply

A. In order for a portion of a lot to qualify as open space, the ground's surface shall be permeable, except for patios, paved areas designed for recreation, and pedestrian access which meets the Washington State Rules and Regulations for Barrier-Free Design. The area shall be landscaped with grass, ground cover, bushes, and/or trees.

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B. Driveways, parking areas, 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.

<u>C.</u> <u>The area covered or enclosed by solar collectors</u> <u>meeting minimum standards administered by the Director may be</u> <u>counted as required open space.</u>

D. Portions of a structure which begin eight feet or more above existing grade may project up to four feet over required ground-level open space.

((C)) E. Standard development requirements for certain zones specify a minimum contiguous area for open space. Open space areas smaller than the minimum contiguous area specified for such zones shall not be counted toward fulfilling total open space requirements for that lot.

1. Driveways and parking areas, paved or unpaved, shall be considered to separate open space areas they bisect.

2. Pedestrian access areas shall not be considered to break the contiguity of open space on each side.

 $(\{ \Theta \})$ F. In shoreline areas, when determined the amount of open space required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

Section <u>76</u>. Subsection 23.88.20A is amended to read as follows:

23.88.20 Land Use Interpretations

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A. A decision by the Director as to the meaning, application, or intent of any provision of ((this)) <u>Title 23</u>, Land Use Code, or <u>Title 24</u>, <u>Zoning and Subdivisions</u>, as it relates to a specific piece of property is known as an "interpretation". An interpretation may be requested in writing by any person or may be initiated by the Director.

Section <u>77</u>. Subsection 23.90.18A is amended to read as follows:

23.90.18 Appeal to Hearing Examiner

A. Any party affected by the final order may file a written notice of appeal with the Hearing Examiner stating in what respects the notice is erroneous and the specific grounds upon which the party affected relies for the reversal or modification of the order. The appeal shall be filed with the Hearing Examiner by five o'clock p.m. of the fourteenth calendar day following issuance of the final order of notice of violation. When the last day of the appeal period so computed is a Saturday, Sunday, federal or City holiday, the appeal period shall run until five o'clock p.m. on the next business day. The notice of appeal shall be accompanied by a receipt showing payment by the appellant of a filing fee as established in the Permit Fee Ordinance, Ch. 22.900.

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Section 78. This ordinance shall take effect and be in 1 force thirty days from and after its passage and approval, if 2 approved by the Mayor; otherwise it shall take effect at the З time it shall become a law under the provisions of the city 4 charter. 5 Passed by the City Council the ____ day of _____ 19____, and signed by me in open session in authentication of 6 its passage this ____ day of _____, 19___. 7 8 9 President of the City Council 10 11 Approved by me this ____ day of _____, 19____, 12 13 Mayor 14 Filed by me this ____ day of \setminus , 19 . 15 ATTEST: 16 City Comptroller and City Clerk 17 By:____ Deputy 18 19 (SEAL) 20 Published 21 22 23 24 25 26 27 28 -82-CS 19.2