

ORDINANCE No. 111590

COUNCIL BILL No. 104079

AN ORDINANCE relating to land use and zoning; amending Sections 23.44.46, 23.44.80 and 23.44.82 of the Seattle Municipal (Land Use) Code to permit installation of non-conforming solar collectors on existing buildings in single family zones.

Law Department

WP

The City of

Honorable President:

Your Committee on Land Use

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. 291954

Introduced: JAN 3 1984	By: <i>Land Use Committee</i>
Referred: JAN 3 1984	To: <i>Land Use</i>
Referred:	To:
Referred:	To:
Reported: MAR 10 1984	Second Reading: MAR 10 1984
Third Reading: MAR 19 1984	Signed: MAR 19 1984
Presented to Mayor: MAR 20 1984	Approved: MAR 22 1984
Returned to City Clerk: MAR 22 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: OK

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

3/13/84

President:

Committee on

Land Use

as referred the within Council Bill No.

104079

we have considered the same and respectfully recommend that the same:

Do Pass



Committee Chair

ORDINANCE 111590

AN ORDINANCE relating to land use and zoning; amending Sections 23.44.46, 23.44.80 and 23.44.82 of the Seattle Municipal (Land Use) Code to permit installation of nonconforming solar collectors on existing buildings in single family zones.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 23.44.46 of the Seattle Municipal (Land Use) Code as last amended by Ordinance 110793 is further amended to read as follows:

23.44.46 Solar Collectors

A. Solar 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)) 1. Solar collectors, including solar greenhouses which meet minimum standards and maximum size limits as determined by the Director, shall not be counted in lot coverage.

((B)) 2. Solar collectors except solar greenhouses attached to principal use structures may exceed the height limits of single family zones by four feet or extend four feet above the ridge of a pitched roof. However, the total height from existing grade to the top of the solar collector may not extend more than nine feet above the height limit established for the zone, Exhibit 44.46A. A solar collector which exceeds the height limit for single family zones shall be placed so as not to shade an existing solar collector or property to the north on

1 January 21, at noon, any more than would a structure built
2 to the maximum permitted height and bulk.

3 ((E)) 3. Solar collectors and solar greenhouses may
4 be located in required yards facing within thirty degrees
5 of true south according to the following conditions:

6 a. In a side yard, no closer than three feet
7 from the side property line; or

8 b. In a rear yard, no closer than fifteen feet
9 from the rear property line unless there is a dedi-
10 cated alley, in which case the solar collector shall
11 be no closer than fifteen feet from the center line
12 of the alley; or

13 c. In a front yard, solar greenhouses which
14 are integrated with the principal structure and have
15 a maximum height of twelve feet may extend into the
16 front yard up to six feet but shall not be located
17 any closer than twelve feet from the front property
18 line unless front yard averaging as established in
19 Measurements, Section 23.86.10, permits a lesser
20 front yard.

21 B. Nonconforming Solar Collectors

22 The Director may permit the installation of solar collec-
23 tors which cause an existing structure to become noncon-
24 forming, or which increase an existing nonconformity, as a
25 special exception pursuant to chapter 23.76, Master Use
26 Permit. Such installation may be permitted even if it
27 exceeds the height limit established in subsection
28 23.44.46A(2), so long as total structure height including
solar collectors does not exceed thirty-nine feet above
existing grade and the following conditions are met:

1 2. Solar collectors not including solar greenhouses
2 may be placed on rooftops, provided that such collectors
3 shall not exceed thirty-four feet in height above existing
4 grade; or, if placed on a pitched roof, shall not exceed
5 four feet above the ridge of the roof, but in no case
6 more than thirty-nine feet above existing grade.

7 3. Solar collectors including solar greenhouses
8 which meet minimum standards and maximum size limits as
9 determined by the Director, shall not be counted in lot
10 coverage.

11 4. All such solar collectors shall meet minimum
12 energy standards administered by the Director.

13 Section 3. That Section 23.44.82 of the Seattle Municipal
14 (Land Use) Code, as last amended by Ordinance 111390, is
15 further amended by adding thereto a new subsection F to read
16 as follows:

17 23.44.82 Nonconforming Structures

18 * * *

19 F. The installation of solar collectors on nonconforming
20 structures is permitted according to the provisions of subsec-
21 tion 23.44.46.D.

(To be used for all Ordinances except Emergency.)

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

Passed by the City Council the 19th day of March, 1924, and signed by me in open session in authentication of its passage this 19th day of March, 1924.

President Pro Tem of the City Council.

Approved by me this 22nd day of March, 1924.

Mayor.

Filed by me this 22nd day of March, 1924.

Attest: Jim Hill City Comptroller and City Clerk.

(SEAL)

Published

By Theresa Dunbar Deputy Clerk.

2634

CITY COUNCIL TRANSMITTAL

C. F. # 291954

TO:

Gordon Crandall, Law Department

Date Sent:
October 19, 1983

Reply Requested By:

FROM:

Paul Kraabel, City Council

Subject: Solar Retrofit Zoning Text Amendment.

	Review and Return File With Your Answer to Sender	
	Review and Answer Petitioner, Return File and Copy of Answer to Sender	
	Review and Make Recommendations, Return File and Recommendations to Sender () In Duplicate	
XXXXXX	Prepare Legislation and Return File to Sender	

ACTION Required

Additional Information:

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

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

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

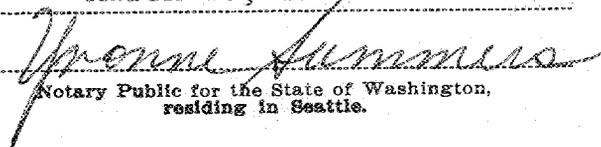
Ordinance No. 111590

was published on March 26, 1984



Subscribed and sworn to before me on

March 26, 1984


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

ORDINANCE 111199

AN ORDINANCE relating to land use and zoning, amending Sections 23.44.45, 23.44.60 and 23.44.62 of the Seattle Municipal (Land Use) Code to permit installation of nonconforming solar collectors on existing buildings in single family zones.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 23.44.46 of the Seattle Municipal (Land Use) Code as last amended by Ordinance 110793 is further amended to read as follows:

23.44.46 Solar Collectors

A. Solar 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) 1. Solar collectors, including solar greenhouses which meet minimum standards and maximum size limits as determined by the Director, shall not be counted in lot coverage.

(B) 2. Solar collectors except solar greenhouses attached to principal use structures may exceed the height limits of single family zones by four feet or extend four feet above the ridge of a pitched roof. However, the total height from existing grade to the top of the solar collector may not extend more than nine feet above the height limit established for the zone, Exhibit 44.46A. A solar collector which exceeds the height limit for single family zones shall be placed so as not to shade an existing solar collector or property to the north on January 21, at noon, any more than would a structure built to the maximum permitted height and bulk.

(C) 3. Solar collectors and solar greenhouses may be located in required yards facing within thirty degrees of true south according to the following conditions:

a. In a side yard, no closer than three feet from the side property line; or

b. In a rear yard, no closer than fifteen feet from the rear property line unless there is a dedicated alley, in which case the solar collector shall be no closer than fifteen feet from the center line of the alley; or

c. In a front yard, solar greenhouses which are integrated with the principal structure and have a maximum height of twelve feet may extend into the front yard up to six feet but shall not be located any closer than twelve feet from the front property line unless front yard averaging as established in Measurements, Section 23.86.10, permits a lesser front yard.

B. NONCONFORMING SOLAR COLLECTORS

THE DIRECTOR MAY PERMIT THE INSTALLATION OF SOLAR COLLECTORS WHICH CAUSE AN EXISTING STRUCTURE TO BECOME NONCONFORMING, OR WHICH INCREASE AN EXISTING NONCONFORMITY AS A SPECIAL EXCEPTION PURSUANT TO CHAPTER 32.76, MASTER USE PERMIT. SUCH INSTALLATION MAY BE PERMITTED EVEN IF IT EXCEEDS THE HEIGHT LIMIT ESTABLISHED IN SUBSECTION 23.44.46A(2), SO LONG AS TOTAL STRUCTURE HEIGHT INCLUDING SOLAR COLLECTORS DOES NOT EXCEED THIRTY-NINE FEET ABOVE EXISTING GRADE AND THE FOLLOWING CONDITIONS ARE MET:

1. THERE IS NO FEASIBLE ALTERNATIVE TO PLACING THE COLLECTORS ON THE ROOF.

2. SUCH COLLECTOR(S) ARE LOCATED SO AS TO MINIMIZE VIEW BLOCKAGE FOR SURROUNDING PROPERTIES AND SHADING OF PROPERTY TO THE NORTH, WHILE STILL PROVIDING ADEQUATE SOLAR ACCESS FOR THE COLLECTORS.

3. SUCH COLLECTOR(S) MEET MINIMUM ENERGY STANDARDS ADMINISTERED BY THE DIRECTOR, AND

4. THE COLLECTOR(S) ARE NO

23.44.60 Nonconforming Uses

1. STRUCTURES CONTAINING NONCONFORMING USES MAY BE EXPANDED OR EXTENDED FOR THE PURPOSE OF INSTALLING SOLAR COLLECTORS, SUBJECT TO THE FOLLOWING CONDITIONS:

1. SOLAR COLLECTORS INCLUDING SOLAR GREENHOUSES MAY BE LOCATED IN REQUIRED YARDS, PROVIDED THAT SUCH COLLECTORS SHALL NOT BE LOCATED WITHIN THREE FEET OF A SIDE PROPERTY LINE, WITHIN FIFTEEN FEET OF THE REAR PROPERTY LINE OR CENTER LINE OF A DEDICATED ALLEY, OR WITHIN TWELVE FEET OF THE FRONT PROPERTY LINE UNLESS FRONT YARD AVERAGING PERMITS A LESSER FRONT YARD. (MEASUREMENTS, SECTION 23.86.10).

2. SOLAR COLLECTORS NOT INCLUDING SOLAR GREENHOUSES MAY BE PLACED ON ROOFTOPS PROVIDED THAT SUCH COLLECTORS SHALL NOT EXCEED THIRTY-FOUR FEET IN HEIGHT ABOVE EXISTING GRADE, OR IF PLACED ON A PITCHED ROOF, SHALL NOT EXCEED FOUR FEET ABOVE THE RIDGE OF THE ROOF, BUT IN NO CASE MORE THAN THIRTY-NINE FEET ABOVE EXISTING GRADE.

3. SOLAR COLLECTORS INCLUDING SOLAR GREENHOUSES WHICH MEET MINIMUM STANDARDS AND MAXIMUM SIZE LIMITS AS DETERMINED BY THE DIRECTOR, SHALL NOT BE COUNTED IN LOT COVERAGE.

4. ALL SUCH SOLAR COLLECTORS SHALL MEET MINIMUM ENERGY STANDARDS ADMINISTERED BY THE DIRECTOR.

Section 3. That Section 23.44.62 of the Seattle Municipal (Land Use) Code, as last amended by Ordinance 111390, is further amended by adding thereto a new subsection F to read as follows:

23.44.62 Nonconforming Structures

F. THE INSTALLATION OF SOLAR COLLECTORS ON NONCONFORMING STRUCTURES IS PERMITTED ACCORDING TO THE PROVISIONS OF SUBSECTION 23.44.46.D.

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19th day of March, 1984, and signed by me in open session in authentication of its passage this 19th day of March, 1984.

GEORGE BENSON,
President Pro Tem of the City Council.

Approved by me this 22nd day of March, 1984.

CHARLES ROYER,
Mayor.

Filed by me this 22nd day of March, 1984.

Attest: TIM HILL,
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by TIM HILL,
Comptroller and City Clerk.

Date of official publication in Daily
Journal of Commerce, Seattle, March 28,
1984.