

ORDINANCE No.

112131

COUNCIL BILL No.

104709

AN ORDINANCE relating to land use and zoning, adding a new Chapter 23.66 to the Seattle Municipal Code to provide for the creation of special review districts; to establish a Pioneer Square Preservation District and an International Special Review District; amending Chapter 23.49 of the Land Use Code to establish an Interim Pioneer Square Mixed Zone, an Interim International District Mixed Zone, and an Interim International District Residential Zone; amending Sections 23.30.10, 23.49.04, 23.49.05, 23.54.24, 23.84.02, 23.84.16, 23.84.24, 23.84.25, 23.84.30 and 23.84.38 of the Land Use Code; and repealing Chapter 24.68 of the Municipal Code.

COMPTROLLER FILE No.

Introduced:	JAN 7 1985	By:	Kraabel
Referred:	JAN 7 1985	To:	Urb. Redev.
Referred:		To:	
Referred:		To:	
Reported:	JAN 28 1985	Second Reading:	JAN 28 1985
Third Reading:	JAN 28 1985	Signed:	JAN 28 1985
Presented to Mayor:	JAN 29 1985	Approved:	FEB 4 1985
Returned to City Clerk:	FEB 4 1985	Published:	
Vetoed by Mayor:		Veto Published:	
Passed over Veto:		Veto Sustained:	OK

Law Department

The City of Seattle--Leg

REPORT OF CO

Honorable President:

Your Committee on

Urban Redev

to which was referred the within Council Bill No.

report that we have considered the same and respectfully

Divided Rep on
Approval (Kraabel,
(Benson)

REC'D OMB JAN 29 1985

Paul Kraabel
Committee

Leg Department

The City of Seattle--Legislative Department

REPORT OF COM

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on

Urban Redevelopment

to which was referred the within Council Bill No.

104729

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

*Divided Rep on the issue: Demolition
Approval (Kraabel, Street) in favor;
(Berson) opposed.*

REC'D OMB JAN 29 1985

Paul Kraabel
Committee

Paul Kraabel

Committee Chair

FILED
CITY OF SEATTLE

1985 APR 29 AM 8:39

COMPTROLLER AND CITY CLERK

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING - SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

April 26, 1985

Gregory Dudiak
Book Publishing Company
201 Westlake Avenue North
Seattle, WA 98109

Re: Seattle Municipal Code

Dear Gregory:

This letter is to answer your questions on the Land Use Code contained in your April 9 and April 15, 1985 letters.

I spoke with Mark Stumpf of your office on April 23 and he indicated that the first two questions in your April 9 letter refer to Ordinance 112134 rather than Ordinance 111926.

Therefore, following your number format:

- ✓ 1. Ordinance 112134, page 72, part I, the unnumbered section shall be given the section number of 23.49.198 with the catchline "Chapter 23.66 provisions apply."
2. Ordinance 112134, page 85, line 16 at Section 23.49.223 will be given the catchline "Chapter 23.66 provisions apply."
3. This question was answered in my April 10, 1985 letter to you.
4. Although the subsection scheme contained in Ordinance 111926 at sections 23.49.046, 23.49.076 and 23.49.094 vary from specification, please publish the scheme as it appears in the ordinance.
5. Ordinance 111926, page 87, the bonus ratio for Shopping Atrium should read "6 or 8."
6. Ordinance 112134 at sections 23.66.302, 23.66.304, 23.66.306 and 23.66.310, the subsections may be editorially lettered.
7. Maps A through F for Ordinance 112134 are enclosed.

LAW DEPARTMENT--THE CITY OF SEATTLE
Gregory Dudiak
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April 26, 1985

Referring to your April 15 letter regarding maps and exhibits for Ordinance 111926, I have enclosed another "cleaner" set of these. I spoke with Mark Stumpf on April 24 and I indicated to him that if these were not clean enough for reproduction, I will try to track down the originals to send to you.

Exhibits missing from this set are 49.18A and 49.18B. Joyce Kling from the Department of Construction and Land Use told me during our conversation on April 24th, that these exhibits were inadvertently omitted from the ordinance when it was introduced and passed by the City. They have decided not to amend the ordinance to include these exhibits, due to the probability the ordinance will be repealed this summer. Please make an editor's note that copies of these exhibits may be obtained from the Department of Construction and Land Use.

Regarding Exhibits 49.76A-E, these exhibits are identical to Exhibits 49.46A-E and 49.132A-E. Please print these exhibits once, and mark them as follows:

Exhibit 49.46A, 49.76A and 49.132A -
Maximum Facade Height

Exhibit 49.46B, 49.76B and 49.132B -
Exception to Maximum Setback Limits

Exhibit 49.46C, 49.76C and 49.132C -
Application of Maximum Setback Limits

Exhibit 49.46D, 49.76D and 49.132D -
Maximum Length of Setback

Exhibit 49.46E, 49.76E and 49.132E -
Maximum Setback at Intersections

Referring to your question on Exhibit 84.08B. In my letter of November 16, 1984, I asked you to make many technical corrections to Ordinance 111926. Pertinent to Exhibits 84.04 and 84.08B were the technical corrections.

Page 129, line 20, §23.84.02B, "84.04A" should be
"84.04A1".

Page 129, line 22, §23.84.0213, "84.04B" should be
"84.04A2".

LAW DEPARTMENT--THE CITY OF SEASIDE

Gregory Dudiak
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Exhibits also need technical corrections:

Exhibit 84.04 should be "84.04A1".
Exhibit 84 08B should be "84.04A2".

Exhibit 54.24A is contained within the body of the ordinance on page 106.

Please make another technical correction to Ordinance 111926, page 120, line 25: delete "feet-" at the end of the line.

Thank you for your attention to these matters.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By *Ann Kelson*
ANN KELSON
Paralegal

MAK:bb

enc.

cc: Joyce Kling
✓ City Clerk

JEF:pl
1/18/85
ix:ord2.

ORDINANCE 112131

AN ORDINANCE relating to land use and zoning, adding a new Chapter 23.66 to the Seattle Municipal Code to provide for the creation of special review districts; to establish a Pioneer Square Preservation District and an International Special Review District; amending Chapter 23.49 of the Land Use Code to establish an Interim Pioneer Square Mixed Zone, an Interim International District Mixed Zone, and an Interim International District Residential Zone; amending Sections 23.30.10, 23.49.04, 23.49.05, 23.54.24, 23.84.02, 23.84.16, 23.84.24, 23.84.25, 23.84.30 and 23.84.38 of the Land Use Code; and repealing Chapter 24.68 of the Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 23 of the Seattle Municipal Code a new Chapter 23.66 to read as follows:

CHAPTER 23.66 Special Review Districts

SUBCHAPTER 1.

GENERAL PROVISIONS

Section 23.66.010 Establishment of Special Review Districts

The Council may establish Special Review Districts by ordinance to control development in such districts.

Section 23.66.015 Procedure to Establish, Alter, or Abolish Special Review Districts

A petition to establish, alter, or abolish a Special Review District shall be filed and considered in the same manner as amendments to the Official Land Use Map, Chapter 23.34. A petition or proposal to establish a Special Review District shall include a statement of purpose. The boundaries of a Special Review District shall be drawn on the Official Land Use Map.

Section 23.66.020 Special Review Boards

A. The ordinance establishing a Special Review District may create a Special Review Board. Unless otherwise specified, a Special Review Board shall consist of seven members.

1 Five of the members shall be chosen at annual elections,
2 called and conducted by the Community Development Director,
3 at which all residents, persons who operate businesses,
4 their employees, and property owners of the Special Review
5 District shall be eligible to vote. Two of the members shall
6 be appointed by the Mayor and confirmed by the Council.
7 The Mayor shall, in making Board appointments, attempt to
8 assure that a diversity of interests in the District are
9 represented on the Board. The Community Development
10 Director shall provide twenty days notice of the Board's
11 first meeting in the City's official newspaper, by general
12 mailed release, and by publishing notice in one or more
13 community newspapers which are circulated within the
14 District. Thereafter, notice of annual meetings shall be
15 provided to the public by the Board's publication of notice
16 in one or more District community newspapers. The Council
17 shall establish terms of service for members of a Special
18 Review Board in the ordinance creating the District. No
19 person shall serve more than two consecutive terms on a
20 Special Review Board.

- 21 B. Each Special Review Board shall elect a chairperson and
22 adopt procedures as required to conduct its business. Staff
23 assistance to each Special Review Board shall be provided
24 by the Community Development Director. A majority of all
25 members of the Special Review Board shall constitute a
26 quorum for the purpose of transacting business. All
27 decisions shall be by majority vote of those members
28 present. In the event of a tie vote, a motion shall be
defeated. The Special Review Board shall keep minutes

1 of all of its official meetings which shall be maintained
2 by the Community Development Director. The Community
3 Development Director shall also maintain a copy of the
4 procedures of the Special Review Board.

- 5 C. When use and development standards for a Special Review
6 District are not provided in the ordinance creating the
7 District, the Special Review Board shall recommend such
8 standards pursuant to Section 23.66.025 of this Chapter.
- 9 D. The Special Review Board shall review applications for
10 certificates of approval, and all petitions or applications
11 for amendments to the Official Land Use Map, conditional
12 uses, special exceptions, variances and planned unit
13 developments or planned community developments and shall
14 make a recommendation on any such application or petition
15 to the Community Development Director.
- 16 E. The Special Review Board may, in its discretion, make
17 recommendations to the Mayor, the Council, and any public
18 or private agency concerning land use and development in
19 the District.

20 Section 23.66.025 Use and Development Standards

- 21 A. The Council may include use and development standards in the
22 ordinance establishing a Special Review District. If use
23 and development standards are not included, the Special
24 Review Board may, after at least one public hearing,
25 recommend use and development standards for the Special
26 Review District to the Community Development Director who
27 shall recommend use and development standards to the Council.
28

1 If the Special Review Board fails to recommend use and
2 development standards within ninety days after its first
3 meeting, the Community Development Director shall prepare
4 use and development standards and recommend such standards
5 to the Council. The Council shall consider proposed use
6 and development standards in the same manner as Land Use
7 Code text amendments. Use and development standards shall
8 be adopted by ordinance and may thereafter be amended in
9 the same manner as Land Use Code text amendments as provided
10 in Chapter 23.94.

11 B. The use and development standards shall identify the unique
12 characteristics of the District, shall include a statement
13 of purpose and intent, and shall be consistent with the
14 purposes for creating the Special Review District. The
15 standards shall identify uses, structures and design
16 features that have positive or negative effects upon the
17 character of the District, and may modify use and development
18 standards and other provisions of the Land Use Code to allow
19 and encourage or to limit or exclude structures, designs,
20 and uses. All provisions of the Land Use Code shall apply
21 in Special Review Districts. Use and development standards
22 shall specify the criteria by which uses, structures and
23 designs will be evaluated. In the event of irreconcilable
24 differences between the use and development standards adopted
25 pursuant to this Chapter, and the provisions regulating the
26 underlying zone, the provisions of this Chapter shall apply.
27
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1 C. The Community Development Director, following recommendation
2 by the Board, may adopt rules consistent with the use and
3 development standards of the Special Review District, in
4 accordance with Chapter 3.02 of the Seattle Municipal Code.

5 Section 23.66.030 Certificates of Approval - Application,
6 Review and Appeals

7 A. Certificate of Approval required

8 No person shall alter, demolish, construct, reconstruct,
9 restore, remodel, make any visible change to the exterior
10 appearance of any structure, or to the public rights-of-way
11 or other public spaces in a Special Review District, and
12 no one shall remove or substantially alter any existing
13 sign or erect or place any new sign or change the principal
14 use of any building, or any portion of a building, structure
15 or lot in a Special Review District, and no permit for such
16 activity shall be issued unless a certificate of approval
17 has been issued by the Community Development Director.

18 B. Fees

19 The fees for certificates of approval shall be established
20 in accordance with the requirements of the Permit Fee
21 Ordinance, Chapter 22.900 of the Seattle Municipal Code.

22 C. Application

23 1. An application for a certificate of approval may be
24 filed with the Special Review Board staff in the
25 Department of Community Development or with the
26 Director or the Director of Engineering as part of a
27 permit application. When a permit application is
28 filed with the Director or with the Director of
Engineering for work requiring a certificate of

1 • approval, he or she shall refer the application to
2 the Community Development Director, and the application
3 shall be considered an application for a certificate
4 of approval.

- 5 2. After the Special Review Board has given notice of
6 the meeting at which an application for a certificate
7 of approval will be considered, no other application
8 for the same alteration or change of use may be
9 submitted until the Community Development Director has
10 approved or denied the existing application and all
11 appeals have been concluded.

12 D. Review

- 13 1. Review when no Special Review Board is established

14 a. When there is no Special Review Board, the
15 Community Development Director shall, within
16 thirty days of receipt of an application for a
17 certificate of approval, determine whether the
18 proposed action is consistent with the use and
19 development standards for the District and
20 shall, within fifteen days, issue, issue with
21 conditions, or deny the requested certificate of
22 approval.

23 b. A copy of the Community Development Director's
24 decision shall be sent to the Director and mailed
25 to the owner and the applicant at the addresses
26 provided in the application.
27
28

1 2. Review when Special Review Board is established

- 2 a. When a Special Review Board has been established,
3 the Board shall hold a public meeting to receive
4 comments on certificate of approval applications.
5 b. Notice of the Board's public meeting shall be
6 posted in two prominent locations in the District
7 at least three days prior to the meeting.
8 c. The Board, after reviewing the application and
9 considering the information received at the public
10 meeting, shall make a written recommendation to
11 the Community Development Director to grant, grant
12 with conditions, or deny the certificate of
13 approval application based upon the consistency
14 of the proposed action with the requirements of
15 this Chapter, the District use and development
16 standards, and the purposes for creating the
17 District. The Board shall make its recommendation
18 within thirty days of the receipt of a completed
19 application by the Board staff. The Community
20 Development Director may extend this thirty-day
21 period for cause, and shall advise the Board
22 and the applicant in writing of the length of
23 time of the extension.
24 d. The Community Development Director shall, within
25 fifteen days of receiving the Board's recommenda-
26 tion, issue or deny a certificate of approval or
27 issue an approval with conditions.
28

1 e. A copy of the decision shall be sent to the
2 Director and mailed to the owner and the applicant
3 at the addresses provided in the application.

- 4 3. A decision denying a certificate of approval shall
5 state the specific reasons for the denial and explain
6 why the proposed changes are inconsistent with the
7 requirements of this subchapter and adopted use and
8 development standards for the District.

9 E. Appeal to Hearing Examiner

- 10 1. Any interested person may appeal the decision of the
11 Community Development Director to the Hearing Examiner
12 by filing a notice of appeal within fourteen days of
13 the Community Development Director's decision. The
14 Hearing Examiner shall hear the appeal de novo in
15 accordance with the standards and procedures established
16 for Hearing Examiner appeals by Chapter 3.02 of the
17 Seattle Municipal Code. Appeals shall be limited to
18 the issues cited in the notice of appeal. The decision
19 appealed may be reversed or modified only if the
20 Hearing Examiner finds that the Community Development
21 Director's decision was arbitrary and capricious.
22 2. If evidence is presented to the Hearing Examiner that
23 was not presented to the Board, or if the Hearing
24 Examiner determines that additional information is
25 required, then the Hearing Examiner shall remand the
26 decision to the Community Development Director for
27 consideration of the additional information or evidence.
28 3. The decision of the Hearing Examiner shall be final.
Copies of the Hearing Examiner's decision shall be
mailed to all parties of record.

1 F. Revocation of Certificates of Approval

2 Building construction, remodeling, restoration, renovation,
3 removal, demolition and use shall conform to the requirements
4 of the certificate of approval granted by the Community
5 Development Director. Approval may be revoked for failure
6 to comply with this chapter, the ordinance creating the
7 District, or the conditions of the certificate of approval.

8 G. Expiration of Certificates of Approval

9 Certificates of approval shall expire one year from the
10 date of issuance unless the Community Development Director
11 determines that extenuating circumstances justify extension
12 of the expiration date.

13 Section 23.66.035 Other Land Use Decisions

14 The Director and the Community Development Director shall
15 deliver copies of petitions for amendments to the Official Land
16 Use Map, copies of applications for planned unit developments
17 and planned community developments, and copies of applications
18 for conditional uses, special exceptions, and variances which
19 affect property within a Special Review District, to the
20 appropriate Special Review Board for its recommendation. The
21 Special Review Board shall submit any recommendations in writing
22 within thirty days of receipt of copies of the application.

23 Section 23.66.040 Enforcement and Penalties

24 Enforcement of the provisions of this Chapter shall be
25 pursuant to Chapter 23.90 of this Land Use Code.
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SUBCHAPTER II

PIONEER SQUARE PRESERVATION DISTRICT

Part 1. General Purpose and Organization

Section 23.66.100 Creation of District, Legislative Findings and Purpose

A. During the City of Seattle's relatively brief history, it has had little time in which to develop areas of consistent historical or architectural character. It is recognized that the Pioneer Square area of Seattle contains many of these rare attributes and consequently is an area of great historical and cultural significance. Further, the King County domed stadium (Kingdome), constructed in the Pioneer Square area, and the traffic and activities which it generates has resulted in adverse impacts upon the social, cultural, historic and ethnic values of the Pioneer Square area. To preserve, protect, and enhance the historic character of the Pioneer Square area and the buildings therein; to return unproductive structures to useful purposes; to attract visitors to the city; to avoid a proliferation of vehicular parking and vehicular-oriented uses; to provide regulations for existing on-street and off-street parking; to stabilize existing, and encourage a variety of new and rehabilitated housing types for all income groups; to encourage the use of transportation modes other than the private automobile; to protect existing commercial vehicle access; to improve visual and urban relationships between existing and future buildings and structures, parking spaces and public improvements within the area; and to encourage pedestrian uses, there is hereby established as a Special Review District, the Pioneer Square

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Preservation District. The boundaries of the District are shown on Map A and on the Official Land Use Map.

B. The District shall consist of an historic core and a buffer zone, as depicted on Map A. All property in the entire District shall be developed and used in accordance with the use and development standards established in this Chapter and the use and development standards for the underlying zone in which the property is located. In the event of irreconcilable differences between the use and development standards of this Chapter and other provisions of this Land Use Code, the provisions of this Chapter shall apply.

C. Reasons for designating the Pioneer Square Preservation District

1. Historic significance

The Pioneer Square Preservation District is unique because it is the site of the beginning of the city of Seattle. The area also retains much of the original architecture and artifacts of its early history. The District has played a significant role in the development of Seattle, the Puget Sound region and the State of Washington. It was the first location of industry, business and homes in early Seattle and the focus of commerce and transportation for more than a half century.

2. Architectural significance

As a collection of late nineteenth- and early twentieth-century buildings of similar materials, construction techniques and architectural styles, the District is unique, not only to the City but to

1 the country as well. Most of the buildings within
2 the District embody the distinctive characteristics
3 of the Late Victorian style. Many buildings are the
4 work of one architect, Elmer H. Fisher. For these
5 and other reasons, the buildings combine to create an
6 outstanding example of an area that is distinguishable
7 in style, form, character, and construction representative
8 of its era.

9 3. Social diversity

10 The District represents an area of unique social
11 diversity where people from many income levels and
12 social strata live, shop, and work. It is an area
13 in which social services, including missions, low-income
14 housing and service agencies exist.

15 4. Business environment

16 The District is an area of remarkable business
17 diversity. The street level of the historic core is
18 pedestrian-oriented, with its storefronts occupied
19 primarily by specialty retail shops, art galleries,
20 restaurants and taverns. The upper floors of buildings
21 in the historic core are occupied by professional
22 offices, various types of light manufacturing, and
23 housing for persons of many income groups. The buffer
24 zone is made up predominantly of light manufacturing
25 and warehousing uses. The ongoing restoration and
26 sensitive rehabilitation of many District structures
27 combined with proposed compatible new construction
28 will continue to enhance the District's economic
climate.

1 5. Educational value

2 The restoration and preservation of the District will
3 yield information of educational significance regarding
4 the way of life and the architecture of the late
5 nineteenth-century as well as adding interest and
6 color to the city. Restoration of the District will
7 preserve the environment which was characteristic of
8 an important era of Seattle's history.

9 6. Geographic location

10 The District is uniquely situated adjacent to Seattle's
11 waterfront, the central business district, the
12 International District, and the King County domed
13 stadium.

14 Section 23.66.110 Responsible Agency

15 A. A Special Review Board for the Pioneer Square Preservation
16 District is hereby created and shall be known as the
17 "Pioneer Square Preservation Board" (hereafter, the "Board"
18 or the "Preservation Board"). The Preservation Board shall
19 be composed of nine members, all of whom shall be appointed
20 by the Mayor and confirmed by the Council, and shall consist
21 of two architects, two owners of property in the District,
22 one District retail business owner, one attorney, one human
23 service representative, one at-large member, and one
24 historian or architectural historian. At least one of the
25 Board's members shall be a resident of the District.
26 Appointments shall be for terms of three years each, except
27 that initial appointments shall be staggered so that three
28 of the appointees shall serve for three years, three for
29 two years, and three for one year each. All members of the

1 Pioneer Square Preservation Board, established by Ordinance
2 110058, are appointed and confirmed as interim members of
3 the Pioneer Square Preservation Board and shall serve until
4 appointments pursuant to this Chapter have been completed.
5 Members of the Preservation Board shall serve without
6 compensation.

- 7 B. The Community Development Director shall provide staff and
8 clerical support for the Preservation Board and shall assign
9 a member of the Department's staff to act as Preservation
10 Board Coordinator. The Coordinator shall be the custodian
11 of the Board's records, handle official correspondence, and
12 organize and supervise the Board's clerical and technical
13 work. The Coordinator shall also recommend to the
14 Preservation Board such actions, policies, rules and
15 regulations as may be necessary to carry out the purposes
16 of this Chapter.
- 17 C. The Community Development Director, after receiving the
18 Board's recommendations, shall formulate detailed rules,
19 to be adopted after a public hearing pursuant to Chapter 3.02 of
20 this Code, which will clarify the use and development
21 standards for the District.

22 Section 23.66.115 Demolition Approval

- 23 A. Demolition or removal of buildings or other structures in
24 the District is prohibited unless approved by the Community
25 Development Director. Except as provided in subsection B
26 below, no approval shall be given for building demolition
27 or removal unless the following prerequisites are met:
- 28 1. The Director of Community Development, following a
recommendation by the Preservation Board, determines
that the building or structure has no architectural
or historic significance; and

2. Use and design of the replacement structure has been approved by the Community Development Director; and
 3. Proof acceptable to the Community Development Director of a valid commitment for interim and long-term financing for the replacement structure has been secured. In addition to other proof, the Community Development Director may accept a bond, letter of credit, or cash deposit as a demonstration that the project has adequate financial backing to insure completion; and
 4. Satisfactory arrangements have been made for retention of any part of the structure's facade which the Community Development Director, following a recommendation by the Preservation Board, determines to be significant; and
 5. Satisfactory assurance is provided that new construction will be completed within two years of demolition.
- B. When demolition or removal of a building or other structure in the District is essential to protect the public health, safety and welfare or when the purposes of this ordinance will be furthered by the demolition or removal, then the Director of Community Development, following review and recommendation by the Board, may authorize such demolition or removal whether the prerequisites of this section are satisfied or not.

Part 2. Use and Development Standards

Section 23.66.120 Permitted Uses

- A. All uses are permitted outright except those that are specifically prohibited by Section 23.66.122 and those that

1 are subject to special review as provided in Section
2 23.66.124.

3 B. All uses not specifically prohibited are permitted as both
4 principal and accessory uses except:

5 1. Gas stations which shall be permitted as accessory uses
6 only in parking garages; and

7 2. Principal use parking garages which shall be permitted
8 only after special review by the Preservation Board
9 pursuant to Section 23.66.124 of this chapter.

Accessory parking garages shall be permitted outright.

10 Section 23.66.122 Prohibited Uses

11 A. The following uses are prohibited in the entire District
12 as both principal and accessory uses:

13 Retail ice dispensaries

14 Plant nurseries

15 Frozen food lockers

16 Veterinary clinics

17 Automotive retail sales and service, except gas
18 stations accessory to parking garages

19 Marine sales and service

20 Fuel sales

21 Construction equipment retail sales and rental

22 Farm and industrial equipment retail sales and service

23 Heavy commercial services

24 Adult motion picture theatres

25 Adult panorams

26 Bowling alleys

27 Skating rinks

28 Communications utilities

1 Billboards and off-premise directional signs
2 Transportation facilities, except passenger terminals
3 Outdoor storage.

- 4 2. Commercial uses which are vehicle-oriented shall be
5 prohibited in the area of the District identified on
6 Map B. Such uses include, but are not limited to
7 the following:

8 Drive-in businesses, except gas stations accessory to
9 parking garages

10 Principal and accessory surface parking areas not in
11 existence prior to August 10, 1981

12 Motels.

- 13 B. All general manufacturing uses, salvage and recycling uses
14 except recycling collection stations, and all industrial
15 uses are prohibited both as principal and as accessory
16 uses.

17 Section 23.66.124. Uses Subject to Special Review

- 18 A. Principal use parking garages for long term parking in
19 areas designated on Map C, and principal use short term
20 parking garages at any location, shall require approval
21 of the Community Development Director after review and
22 recommendation by the Preservation Board.

- 23 B. A principal use parking garage may be permitted if the
24 following conditions are met:

- 25 1. The use will not increase the ambient noise level
26 in existing residences within line of sight of
27 the proposed parking structure; and

- 28 2. Exterior materials, height, wall openings and
fenestration will reflect, to the extent possible,

- 1 the character of the adjoining structures or
2 structures on the adjoining block facing the site;
3 and
4 3. Access will comply with the standards provided in
5 Section 23.66.170 of this Chapter; and
6 4. Automobile circulation within the garage will not
7 be visible from the adjoining public streets.
8 C. Uses at the street level of approved parking garages
9 shall be limited to those uses permitted in the area,
10 other than parking, to a minimum depth of twenty feet
11 along all street frontages, and along alleys and malls
12 which are limited solely to pedestrian use.
13 Section 23.66.130 Street Level Uses
14 A. Uses at street level in the area designated on Map D
15 shall require the approval of the Community Development
16 Director after review and recommendation by the
17 Preservation Board.
18 B. Preferred street level uses
19 1. Preferred uses at street level shall be highly
20 visible and pedestrian-oriented. Preferred street
21 level uses either display merchandise in a manner
22 that contributes to the character and activity of
23 the area, and/or promote residential use, including
24 but not limited to the following uses:
25 a. Art galleries, restaurants, and other retail
26 sales and service uses under three thousand
27 square feet in size.
28 b. Theaters

2. Accessory parking garages which serve preferred street level uses on streets or malls, parks or alleys designed for pedestrian uses shall also be preferred.

C. Discouraged street level uses

1. The following uses are discouraged at street level in the area designated on Map D:
 - a. Any use occupying more than fifty percent of any block frontage;
 - b. Retail sales and services over three thousand square feet and all other uses over ten thousand square feet;
 - c. Professional services establishments or offices which comprise more than twenty percent of any block frontage;
 - d. Parking garages which are not accessory to preferred uses.
2. Discouraged uses may be approved by the Community Development Director after review and recommendation by the Preservation Board if an applicant demonstrates that the proposed use is compatible with uses preferred at street level.

D. Approved street level uses in the area designated on Map D shall be subject to the following conditions:

1. No use may occupy more than fifty percent of the street level frontage of a block that is twenty thousand square feet or more in area;
2. Human service uses and personal service establishments, such as hair cutting and tanning salons.

1 may not exceed twenty-five percent of the total
2 street level frontage of any block front.

3 E. The following uses shall be prohibited at street level
4 in the area designated on Map D:

5 Wholesaling, storage and distribution uses
6 Vocational and fine arts schools
7 Research and development
8 Radio and television studios
9 Taxidermy shops
10 Appliance repair shops
11 Upholstery establishments
12 Other similar uses.

13 F. The street level location of entrances and exits of all
14 vehicular-oriented uses, where permitted, shall be
15 approved by the Community Development Director after
16 review and recommendation by the Preservation Board.
17 View-obscuring screening may be required as needed to
18 reduce adverse visual impacts on the immediate area.

19 Section 23.66.132 Council Conditional Uses

20 City facilities and public projects which do not meet
21 use and development standards may be permitted by the Council
22 pursuant to Chapter 23.80 of this Land Use Code.

23 Section 23.66.140 Height

24 A. Maximum height

25 Maximum structure height shall be as designated on the
26 Official Land Use Map, Chapter 23.32.

27 B. Minimum height

28 No structure shall be erected or permanent addition
added to an existing structure which would result in

1 the height of the new structure totaling less than fifty
2 feet. Height of the structure is to be measured from
3 mean street level fronting on the property to the mean
4 roof line of the structure.

5 C. Rooftop features

6 The height limits established for the rooftop features
7 described in this subsection may be increased by the
8 average height of the existing street parapet or a
9 historically substantiated reconstructed parapet on the
10 building on which the rooftop feature is proposed. The
11 setbacks required for rooftop features may be increased
12 by the Community Development Director, after a sight
13 line review by the Preservation Board to insure that
14 the features are minimally visible from public streets
15 and parks within three hundred feet of the structure.

16 1. Radio and television receiving aerials excluding
17 dishes, religious symbols such as belfries or
18 spires and that portion of the roof which supports
19 them, smokestacks, and flagpoles may extend up to
20 fifty feet above the roof of the structure or the
21 maximum height limit, whichever is less, except as
22 regulated in Chapter 23.64 of this Land Use Code,
23 provided that they are a minimum of ten feet from
24 all lot lines.

25 2. Open railings, planters, clerestories, skylights,
26 play equipment, parapets and firewalls may extend
27 up to four feet above the roof of the structure or
28 the maximum height limit, whichever is less, with
unlimited rooftop coverage.

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3. Solar collectors, excluding greenhouses, may extend up to seven feet above the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop coverage, provided they are a minimum of ten feet from all lot lines.
4. The following rooftop features may extend up to eight feet above the roof or maximum height limit, whichever is less, when they are set back a minimum of fifteen feet from the street and three feet from an alley. They may extend up to twelve feet above the roof when set back a minimum of thirty feet from the street. A setback may not be required at common wall lines subject to review by the Preservation Board and approval by the Director. The combined coverage of the following listed features shall not exceed fifteen percent of the roof area:
- Solar collectors, excluding greenhouses
 - Stair and elevator penthouses
 - Mechanical equipment
 - Dish antennae.
5. Residential and office penthouses
- a. Residential penthouses may cover a maximum of fifty percent of the total roof surface and may extend up to eight feet above the roof when set back a minimum of fifteen feet from the street property line, or twelve feet above the roof when set back a minimum of thirty feet from the street property line.

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b. Office penthouses shall be permitted only when the footprint of the existing structure is greater than ten thousand square feet and the structure is at least sixty feet in height. When permitted, office penthouses shall be set back a minimum of fifteen feet from all property lines and may cover a maximum of fifty percent of the total roof surface. Office penthouses may extend up to twelve feet above the roof of the structure and shall be functionally integrated into the existing structure.

c. The combined height of the structure and a residential penthouse or office penthouse, where permitted, shall not exceed the maximum height limit for that area of the District in which the structure is located.

D. When new structures are proposed in the District, the Preservation Board shall review the proposed height of the structure and make recommendations the Community Development Director who may require design changes to assure reasonable protection of views from Kobe Terrace Park.

Section 23.66.150 Maximum Setbacks

Structures located in the area designated on Map E shall cover the full width of the lot along street property lines and shall abut upon street property lines, although interior open spaces may be permitted by the Community Development

1 Director following review and recommendation by the
2 Preservation Board.

3 Section 23.66.155 Waiver of Common Recreation Area
4 Requirements

5 The Director of Community Development, after review and
6 recommendation by the Preservation Board, may waive or
7 reduce the common recreation area required by the underlying
8 zoning or modify the required standards for common
9 recreation area under the following conditions:

- 10 A. Allocation of all or a portion of the required gross
11 floor area would adversely affect the visual character
12 of the structure or the District; or
13 B. Common recreation area requirements would adversely
14 affect the economic feasibility of the project; or
15 C. It can be shown that the project is reasonably served by
16 existing public or private recreation facilities located
17 nearby.

18 Section 23.66.160 Signs

- 19 A. The following signs shall be prohibited throughout the
20 Pioneer Square Preservation District:

21 Permanently affixed, free-standing signs (except
22 those used to identify areas such as parks)

23 Roof signs

24 Billboards

25 Electric signs, excluding neon signs.

- 26 B. All flags and banners shall be subject to Preservation
27 Board review and approval of the Community Development
28 Director.

1 C. To ensure that flags, banners and signs are of a scale,
2 color, shape and type compatible with the character of
3 the District and the buildings in the district and to
4 ensure that the messages of signs are not lost through
5 undue proliferation or competition with other signs, and
6 to enhance views and sight lines into and down streets,
7 the overall design of a sign including size, shape,
8 typeface, texture, method of attachment, color, graphics
9 and lighting, shall be reviewed by the Board. Building
10 owners shall be encouraged to develop an overall signage
11 plan for their entire buildings. In determining the
12 appropriateness of signs, the Preservation Board shall
13 consider the following:

14 1. Signs attached or applied to structures:

- 15 a. The relationship of the shape of the proposed
16 sign to the architecture of the building and
17 with the shape of other approved signs;
18 b. The relationship of the texture of the
19 proposed sign to the building for which it
20 is proposed, and with other approved signs;
21 c. The possibility of physical damage to the
22 structure and the degree to which the method
23 of attachment would conceal or disfigure
24 desirable architectural features or details
25 of the structure. The method of attachment
26 shall be approved by the Director;
27 d. The relationship of the proposed colors and
28 graphics with the colors of the building and
with other approved signs;

- 1 e. The relationship of the proposed sign with
2 existing lights and lighting standards, and
3 with the architectural and design motifs of
4 the building;
5 f. Whether the proposed sign lighting will
6 detract from the character of the building;
7 and
8 g. The compatibility of the colors and graphics
9 of the proposed sign with the character of
10 the district.
11
12 2. Wall signs painted on or affixed to a building
13 shall not exceed ten percent of the total area of
14 the facade or two hundred forty square feet,
15 whichever is less. Area of original building
16 finish visible within the exterior dimensions of
17 the sign (e.g., unpainted brick) shall not be
18 considered when computing the sign's area.
19
20 3. Signs not attached to structures shall be compatible
21 with adjacent structures and with the District
22 generally.
23
24 4. When determining the appropriate size of a sign the
25 Board and the Director shall consider the purpose
26 of the sign and the character and scale of buildings
27 in the immediate vicinity, the character and scale
28 of the building for which the sign is proposed, the
proposed location of the sign on the building's
exterior, and the total number and size of signs
proposed or existing on the building, as well as
the type of sign proposed (e.g., informational,
theatre marquees, building identification, business
identification, address or hours-open signing).

- 1 5. Signing displayed on the valance of awnings,
2 canopies, or marquees shall be limited to identifica-
3 tion of the name or address of the building or of
4 an establishment located in the building.
- 5 6. Projecting signs, neon signs, signs which appear to
6 be in motion, and signs with flashing, running or
7 chaser lights may be recommended only if the
8 Preservation Board determines that all other
9 criteria for permitted signs have been met and that
10 historic precedent, locational or visibility
11 concerns of the business for which the signing is
12 proposed warrant such signing.

13 C. Temporary signs

- 14 1. The following signs may be permitted for six months
15 or less if their design location, shape, size,
16 color and graphics are approved by the Community
17 Development Director after review and recommendation
18 by the Preservation Board:
 - 19 a. Signs for shows, political campaigns and
20 other special events;
 - 21 b. Temporary, non-illuminated signs advertising
22 real estate "For Sale or Lease" or announcing
23 contemplated construction or improvements to
24 the structure on the property;
 - 25 c. Temporary signs erected in connection with new
26 construction work and displayed on the premise
27 only during such time as the actual construction
28 work is in progress.

- 1 2. Temporary signs required by law shall be permitted.
- 2 Section 23.66.170 Parking and Access
- 3 A. Parking shall be required in the Pioneer Square
- 4 Preservation District, according to Section 23.54.24
- 5 of this Land Use Code.
- 6 B. To mitigate the potential impacts of required accessory
- 7 parking on the District, the Director of Community
- 8 Development, after review and recommendation by the
- 9 Preservation Board, may waive or reduce required parking
- 10 in the following circumstances:
- 11 1. After incorporating high occupancy vehicle
- 12 alternatives such as carpools and vanpools,
- 13 required parking spaces exceed the net usable space
- 14 in all below grade floors; or
- 15 2. Reasonable application of the parking standards
- 16 will adversely affect the visual character of the
- 17 District.
- 18 C. When parking is provided it shall be subject to the
- 19 requirements of Section 23.54.30 of this Land Use Code.
- 20 D. Standards for location of access to parking
- 21 1. Access to parking and loading from alleys, and from
- 22 streets which generally run east/west, is preferred
- 23 to access from Avenues. When a lot abuts more than
- 24 one right-of-way, the location of access shall be
- 25 determined by the Community Development Director in
- 26 consultation with the Director of Engineering.
- 27 This determination shall be made according to the
- 28 traffic classification of the streets, depicted
- on Map F. Access shall be from rights-of-way

classified as follows, from the most to least preferred, except when the Community Development Director, following review and recommendation by the Board, determines that access from the preferred right-of-way would create a hazardous condition:

Alleys

Access streets

Class II pedestrian streets--Minor Arterial

Class II pedestrian streets--Principal Arterial

Class I pedestrian streets--Minor Arterial

Class I pedestrian streets--Principal Arterial

Principal Transit Street

Street parks.

2. Curbcut width and the number of curbcuts permitted per street frontage shall be governed by Section 23.54.30 of this Land Use Code.

3. The street level location of entrances and exits of all parking garages, where permitted, shall be permitted only if approved by the Community Development Director after review and recommendation by the Preservation Board. View-obscuring screening may be required as needed to reduce adverse visual impacts on the immediate area.

Section 23.66.180 Exterior Building Design

To complement and enhance the historic character of the District and to retain the quality and continuity of existing buildings, the following requirements shall apply to exterior building design:

1 A. Materials

2 Unless an alternative material is approved by the
3 Director following Board review and recommendation,
4 exterior building facades shall be brick, concrete
5 tinted a subdued or earthen color, sandstone or similar
6 stone facing material commonly used in the District.
7 Aluminum, painted metal, wood and other materials may
8 be used for signs, window and door sashes and trim, and
9 for similar purposes when approved by the Community
10 Development Director as compatible with adjacent or
original uses, following Board review and recommendation.

11 B. Scale

12 Exterior building facades shall be of a scale compatible
13 with surrounding structures. Window proportions, floor
14 height, cornice line, street elevations and other
15 elements of the building facades shall relate to the
16 scale of the buildings in the immediate area.

17 C. Awnings

18 Awnings shall be functional, serving as weather protec-
19 tion for pedestrians at street level, and shall overhang
20 the sidewalk a minimum of five feet. Awnings may be
21 permitted on upper floors for the purpose of climate
22 control. All awnings shall be of a design compatible
with the architecture of buildings in the area.

23 Section 23.66.190 Streets and Sidewalks

24 A. Review by the Preservation Board shall be required
25 before any changes are permitted to sidewalk prism
26 lights, sidewalk widths, or street paving and curbs.
27
28

1 B. New access to underground areaways shall be limited to
2 access from buildings, except that new access through
3 the sidewalks shall be permitted where stair access
4 existed at any time prior to September 17, 1981, or
5 as approved by the Community Development Director after
6 review and recommendation by the Preservation Board.

7 SUBCHAPTER III.

8 INTERNATIONAL SPECIAL REVIEW DISTRICT

9 Part 1. General Purposes and Organization

10 Section 23.66.302 International Special Review District
11 Goals and Objectives

12 The International District is the urban focal point for
13 the Asian American community. The International Special
14 Review District is hereby established to promote, preserve
15 and perpetuate the cultural, economic, historical, and
16 otherwise beneficial qualities of the area, particularly
17 the features derived from its Asian heritage, by:

- 18 1. Re-establishing the District as a stable
19 residential neighborhood with a mixture of
20 housing types;
- 21 2. Encouraging the use of street level spaces for
22 pedestrian-oriented retail speciality shops with
23 colorful and interesting displays;
- 24 3. Protecting the area and its periphery from the
25 proliferation of parking lots and other automobile-
26 oriented uses;
- 27 4. Encouraging the rehabilitation of existing
28 structures;

- 1 5. Improving the visual and urban design relationships
- 2 between existing and future buildings, parking
- 3 garages, open spaces and public improvements within
- 4 the International District;
- 5 6. Exercising a reasonable degree of control over site
- 6 development and the location of off-street parking
- 7 and other automobile-oriented uses; and
- 8 7. Discouraging traffic and parking resulting from
- 9 Kingdome events and commuters working outside the
- 10 District.

11 All property within the International Special Review
12 District, as designated on the Official Land Use Map, shall
13 be subject to the use and development standards of the under-
14 lying zoning and the applicable use and development standards
15 of this Chapter 23.66. In the event of irreconcilable
16 differences between the use and development standards of
17 this Chapter and the provisions of the underlying zone or
18 other Chapters of the Seattle Municipal Code or other City
19 ordinances, the provisions of this Chapter shall apply.
20 The boundaries of the International Special Review District
21 are shown on the Official Land Use Map, and on Map A,
22 International Special Review District Boundaries, included
23 at the end of this subchapter.

24 Section 23.66.304 Interim International District Mixed
25 (I-IDM) Zone Goals and Objectives

26 The I-IDM zone designation shall recognize and promote
27 the area's unique social mix and urban design character.
28 This area is the core of the International District which

1 exemplifies Asian culture. A wide range of uses, including
2 street level retail, housing development above street level,
3 and the rehabilitation of existing buildings, shall be
4 encouraged. New residential uses and the rehabilitation of
5 existing structures shall be encouraged to provide a
6 diversity of residential opportunities. Specific objectives
7 include the following:

- 8 1. To maintain and protect the International District
9 core as an Asian cultural, retail and residential
10 center;
- 11 2. To allow flexibility and discretion in land use
12 controls, regulations and guidelines to address
13 present conditions and those which may develop
14 in the future;
- 15 3. To protect, preserve and promote small retail and
16 commercial businesses;
- 17 4. To encourage development of housing above street
18 level;
- 19 5. To encourage the rehabilitation of existing
20 buildings; and
- 21 6. To assure new development compatible in scale and
22 character with existing buildings.

23 Section 23.66.306 Interim International District
24 Residential (I-IDR) Zone Goals and
25 Objectives

26 The International District residential area shall be
27 predominantly a residential neighborhood with primarily
28 residential uses. Other compatible uses shall be permitted
to the extent that they reinforce and do not detract from
the primary use of the area. The I-IDR designation and the

1 regulations of the International Special Review District
2 shall recognize and promote the area's unique social and
3 urban design character. Special objectives include:

- 4 1. The establishment of the International District
5 hilltop as one of downtown's predominant
6 residential neighborhoods;
- 7 2. The development of flexible land use controls,
8 regulations and guidelines to address present
9 conditions and those which may develop in the
10 future;
- 11 3. The design, siting, and construction of structures
12 which minimize view blockage from Kobe Terrace Park
13 and from existing structures which are used
14 primarily for residential purposes;
- 15 4. The design, siting and construction of structures
16 which insure reasonable solar exposure and air
17 circulation to adjacent properties;
- 18 5. The design, siting and construction of structures
19 that are aesthetically compatible with the area's
20 steep topography and/or nearby public open spaces.

21 Section 23.66.308 International District Goals and
22 Objectives East of the Interstate 5
23 Freeway

24 Preferred uses for that portion of the International
25 District that lies east of the Interstate 5 Freeway include
26 residential uses, small scale commercial processing of food
27 for human consumption, and custom and craft work. Processing
28 of food and the production of arts and crafts with an Asian
emphasis are preferred. Permitted uses should contribute
to the International District's business core or to the
function and purposes of the International District.

1 Section 23.66.310 Union Station Corridor Goals and
2 Objectives

3 The Union Station Corridor is that area bounded by
4 Yesler Way, Fifth Avenue, Airport Way South, and Fourth
5 Avenues. The City, in cooperation with Metro, local
6 property owners and the affected community, should attempt
7 to formulate a strategy for the redevelopment of the Union
8 Station Corridor in coordination with the Downtown Transit
9 Project. Specific objectives for a Planned Community
10 Development in the Union Station Corridor include the
11 following:

- 12 1. Preservation: The historic Union Station structure
13 should be retained and rehabilitated with considera-
14 tion given to a mix of private and public uses;
- 15 2. Uses: Development in the Corridor should incorporate
16 a mix of uses, such as office, housing, hotel and
17 retail uses in conformance with the I-IDM zone
18 designation and the regulations of the International
19 Special Review District. Retention of existing
20 low-income housing should be given a high priority.
21 Consideration should be given to the inclusion of
22 public open space and public uses serving the
23 community;
- 24 3. Planned Community Development: The provisions of
25 Section 23.49.218, Planned Community Developments,
26 shall apply in the area. This procedure shall
27 allow projects to modify the provisions of the
28 I-IDM designation as long as the entire project is
in conformance. All planned community developments
shall be reviewed by the International Special

1 Review District Board which shall make a recommenda-
2 tion to the Director.

- 3 4. Open Space: Public open space should be included
4 in the development plan for the area. Consideration
5 should be given to the development of a linear
6 open space along Fifth Avenue south of Jackson and
7 of a major focal point at the west end of King
8 Street;
- 9 5. Parking: A major parking facility should be
10 considered for development in the area south of
11 the Union Station building. The number of parking
12 spaces provided should be sufficient to meet the
13 requirements for development in the Corridor, as
14 well as to contribute to the long range needs of
15 the International District;
- 16 6. Scale: Building height and bulk should conform to
17 the I-IDM zone designation and the regulations of
18 the International Special Review District. Develop-
19 ment south of Jackson Street should preserve the
20 Union Station building as the dominant structure;
- 21 7. View Corridors: Views from Jackson and King
22 Streets should be retained;
- 23 8. Pedestrian Environment: To integrate Union Station
24 and the Kingdome and provide a pedestrian link
25 between the International District retail core and
26 Pioneer Square, a pedestrian connection should be
27 developed south of King Street. Consideration
28 should be given to pedestrian improvements along
Jackson Street and along Fifth Avenue between
Jackson Street and Airport Way South such as

1 streetscaping, widened sidewalks and benches,
2 to "humanize" what are now vehicular oriented
3 streets.

4 Section 23.66.312 Composition of the Special Review Board

5 The International District Special Review Board (hereafter,
6 the "Board") shall consist of seven members, five of whom
7 are elected and two of whom are appointed by the Mayor and
8 confirmed by the City Council. The five elected members of
9 the Board shall consist of two members who own property in
10 the International District, or who own or are employed by
11 businesses located in the International District; two
12 members who are either residents (including tenants), or
13 persons with a recognized and demonstrated interest in the
14 welfare of the International District Community; and one
15 member at large. One member of the Pioneer Square Special
16 Review Board shall serve as a nonvoting member appointed by
17 the Pioneer Square Special Review Board to serve at that
18 Board's pleasure.

19 Section 23.66.314 Staff Support for the Special Review Board

20 The Community Development Director shall provide staff
21 and clerical support for the Board, and shall assign a member
22 of the Department's staff to act as Board Coordinator. The
23 Coordinator shall be the custodian of the Board's records,
24 handle official correspondence, and organize and supervise
25 the clerical and technical work of the Board. The Coordinator
26 shall also recommend such actions, policies, rules and
27 regulations for adoption by the board as may be necessary
28 to accomplish the objectives of this Chapter.

1 Part 2. USE AND DEVELOPMENT STANDARDS

2 Section 23.66.316 Special Review Board Recommendation
3 on Certificate of Approval

4 The Board shall review all applications for use or
5 development within the International District which require
6 a certificate of approval. The Board shall make recommenda-
7 tions based upon the extent to which proposals are consistent
8 with the goals and objectives of the International Special
9 Review District and the use and development standards of
10 this Chapter. The Community Development Director shall,
11 within fifteen days of receiving the Board's recommendation,
12 issue or deny a certificate of approval or issue a certificate
13 of approval with conditions.

14 Section 23.66.318 Demolition Approval

15 A. To discourage the unnecessary demolition of useful
16 existing structures which contribute to the District's
17 cultural and social character, an assessment of the
18 structure to be demolished shall be prepared and
19 circulated to the Board prior to its consideration of
20 a certificate of approval. Among other factors, the
21 economic, social and physical consequences and benefits
22 of the requested demolition and any alternatives to
23 demolition shall be assessed. Except as provided in
24 subsection B below, a certificate of approval may be
25 granted only when the requested demolition will not
26 adversely affect the District and no reasonable alterna-
27 tives to demolition exist, and when:

1. The Director of Community Development, following
a recommendation by the Special Review Board,
determines that the building or structure has no

- 1 important architectural or historic significance;
2 and
3 2. Use and design of a replacement structure have
4 been approved by the Community Development Director;
5 and
6 3. Proof acceptable to the Community Development
7 Director of a valid commitment for interim and
8 long-term financing for the replacement structure
9 has been secured. In addition to other proof, the
10 Community Development Director may accept a bond,
11 letter of credit, or cash deposit as a demonstration
12 that the project has adequate financial backing to
13 insure completion; and
14 4. Satisfactory arrangements have been made for
15 retention of any part of the structure's facade
16 which the Community Development Director and
17 Special Review Board determine to be significant;
18 and
19 5. Satisfactory assurance is provided that new
20 construction will be completed within two years
21 of demolition.
22 B. When demolition or removal of a building or other
23 structure in the District is essential to protect the
24 public health, safety and welfare or when the purposes
25 of this ordinance will be furthered by the demolition or
26 removal, then the Director of Community Development,
27 following review and recommendation by the Board, may
28 authorize such demolition or removal whether the
prerequisites of this section are satisfied or not.

1 Section 23.66.320 Permitted Uses

2 A. All uses shall be permitted outright except those
3 specifically prohibited by Section 23.66.322 and those
4 subject to special review under Section 23.66.324.

5 B. All uses not specifically prohibited shall be permitted
6 as both principal and accessory uses except:

- 7 1. Gas stations which are not permitted as principal
8 uses and are permitted as accessory uses only in
9 parking garages;
- 10 2. Surface parking areas which are not permitted as
11 principal uses but may be permitted as accessory
12 uses pursuant to Section 23.66.342 of this Land
13 Use Code; and
- 14 3. Principal use parking garages which may be permitted
15 only if approved after special review by the Board
16 pursuant to Section 23.66.324 of this Land Use
17 Code. Accessory parking garages shall be permitted
18 outright.

19 Section 23.66.322 Prohibited Uses

20 The following uses shall be prohibited as both principal
21 and accessory uses in the entire International Special
22 Review District:

- 23 Adult motion picture theaters
- 24 Adult panorams
- 25 Motels
- 26 Automotive retail sales and service
- 27 Drive-in businesses
- 28 Transportation facilities except passenger
terminals

1 Trailer parks
2 Open storage
3 Heavy commercial services, such as commercial
4 laundries, baby diaper services, kennels, and
5 contractor's storage yards
6 Frozen food lockers
7 Retail ice dispensaries
8 Plant nurseries
9 Veterinary clinics
10 Construction equipment and materials sales and
11 service
12 Bowling lanes
13 Skating rinks
14 Marine retail sales and service
15 Communication utilities
16 Medical testing laboratories
17 Shooting galleries
18 Mortuaries
19 All general manufacturing uses
20 All salvage and recycling uses, except recycling
21 collection stations
22 All industrial uses.
23 B. In addition to the prohibited uses listed in subsection
24 A, light manufacturing uses that occupy more than
25 10,000 square feet are prohibited in that portion of
26 the International Special Review District west of the
27 Interstate 5 Freeway.
28 C. All light manufacturing uses are prohibited in that
portion of the District in the I-IDR zone.

1 Section 23.66.324 Uses Subject to Special Review

2 A. The following uses shall be subject to special review
3 by the Board:

4 Fast food restaurants

5 Hotels

6 Principal use parking garages

7 Street level uses subject to special review as
8 provided in Section 23.66.326C

9 Planned Community Developments.

10 B. Nature of review

11 1. The evaluation of applications for uses subject to
12 special review shall be based upon the proposal's
13 impacts on the cultural, economic, social,
14 historical and related characteristics of the
15 International District, particularly those
16 characteristics derived from its Asian heritage;
17 existing and potential residential uses; the
18 pedestrian environment; traffic and parking in
19 the District; noise and light and glare.

20 2. In reviewing applications for principal use parking
21 garages the Board shall consider the potential of
22 the proposal to serve the particular parking needs
23 of the International District. The Board shall
24 encourage participation in an area-wide merchants'
25 parking association.

26 C. The Board may recommend to the Director that an
27 application for special review be approved, approved
28 with conditions, or denied.

1 Section 23.66.326 Street Level Uses

2 A. To retain and strengthen the King Street business core
3 as a pedestrian-oriented retail shopping district,
4 street level uses shall be required on streets designated
5 on Map B, The International District Retail Core.
6 Required street level uses shall satisfy the standards
7 of this Section.

8 B. Preference shall be given to pedestrian-oriented retail
9 shopping and service business uses that are highly
10 visible or prominently display merchandise in a manner
11 that contributes color and activity to the streetscape,
including but not limited to:

12 Floral shops

13 Barbecue shops

14 Oriental crafts shops

15 Groceries

16 Bakeries

17 Coffee shops

18 Sidewalk cafes

19 Restaurants

20 Travel agencies

21 Bookstores

22 Apparel shops

23 Variety stores

24 Personal services such as beauty and barber shops

25 Banks

26 Museums.

27 C. The Board may, following a special review of potential
28 impacts, including, but not limited to: traffic, parking,

1 noise and the scale and character of the pedestrian
2 environment, recommend to the Director that the
3 following uses at street level be approved when the
4 impacts of such uses are not significantly adverse:

5 Residential uses

6 Taxidermy shops

7 Appliance repair shops

8 Upholstery establishments

9 Vocational or fine arts schools

10 Warehouses or wholesale showrooms, especially

11 when including storage of jewelry, optical or

12 photographic goods, pharmaceuticals, cosmetics,

13 and other similar high value, low bulk articles

14 Experimental or testing laboratories

15 Radio and television studios.

16 The Board may recommend, and the Director may impose,
17 conditions to mitigate the impacts of approved uses.

18 D. Standards for required street level uses:

19 1. Street level uses designated on Map B, Retail

20 Core, shall not exceed fifty feet of street

21 frontage per use when located within the interior

22 portion of a block, or one hundred and forty-five

23 feet of street frontage per use when located on

24 a corner.

25 2. Street level uses shall comply with exterior

26 building finish requirements of Section 23.66.336

27 of this Land Use Code.

1 E. Non-pedestrian-oriented uses and businesses which are
2 not typically visible from the sidewalk shall not
3 exceed twenty-five feet of street frontage per use
4 when located within the interior portion of a block,
5 or one hundred forty-five feet of street frontage per
6 use when located on a corner. Examples of non-pedestrian-
7 oriented uses include but are not limited to:

8 Community clubs and centers

9 Nonprofit community service organizations

10 Family associations

11 Human service uses

12 Places of public assembly.

13 Section 23.66.328 Uses Above Street Level

14 A. To encourage and facilitate the rehabilitation and
15 renovation of existing structures for housing or other
16 uses not preferred at street level, uses above street
17 level on streets designated on Map B, Retail Core, shall
18 meet the standards of this Section.

19 B. Residential uses and non-vehicular-oriented commercial
20 uses which primarily serve the District and are in
21 operation throughout the day shall be preferred.
22 Preferred uses above street level include but are not
23 limited to:

24 Community clubs and centers

25 Offices

26 Vocational or Fine Arts Schools

27 Wholesale uses

28 Expansion of existing retail uses at street level

Medical services, such as offices for doctors or
dentists.

1 Section 23.66.330 Residential Uses East of Interstate 5

2 Residential uses shall be permitted in those parts of
3 the International Special Review District east of the
4 Interstate 5 Freeway. This provision shall supersede any
5 prohibition of residential use and Floor Area Ratio
6 established in the underlying zoning for the area.

7 Section 23.66.155 Waiver of Common Recreation Area
8 Requirements

9 The Director of Community Development, after review and
10 recommendation by the Board, may waive or reduce the common
11 recreation area required by the underlying zoning or modify
12 the required standards for common recreation area under the
13 following conditions:

- 14 A. Allocation of all or a portion of the required gross
15 floor area would adversely affect the visual character
16 of the structure or the District; or
17 B. Common recreation area requirements would adversely
18 affect the economic feasibility of the project; or
19 C. It can be shown that the project is reasonably served
20 by existing public or private recreation facilities
21 located nearby.

22 Section 23.66.332 Height

- 23 A. Maximum structure height shall be as designated on the
24 Official Land Use Map, Chapter 23.32, for that portion
25 of the International District located west of the
26 Interstate 5 Freeway.
27 B. For that portion of the International District located
28 east of the Interstate 5 Freeway, maximum structure
height shall be sixty-five feet.

1 C. Rooftop features

- 2 1. The Special Review Board and the Director shall
3 review rooftop features to preserve views from
4 Kobe Terrace Park.
5 2. Radio and television receiving aerials excluding
6 dishes, religious symbols such as belfries or
7 spires and that portion of the roof which supports
8 them, smokestacks, and flagpoles are exempt from
9 height controls, except as regulated in Chapter
10 23.64 of this Land Use Code, provided they are at
11 least ten feet from all lot lines.
12 3. Open railings, planters, clerestories, skylights,
13 dish antennae, play equipment, parapets and
14 firewalls may extend up to four feet above the
15 maximum height limit and may have unlimited
16 rooftop coverage.
17 4. Solar collectors excluding greenhouses may extend
18 up to seven feet above the maximum height limit
19 and may have unlimited rooftop coverage.
20 5. The following rooftop features may extend up to
21 fifteen feet above the maximum height limit
22 provided that the combined coverage of all
23 features listed in this subsection do not exceed
24 fifteen percent of the roof area:

25 Solar collectors, excluding greenhouses
26 Stair and elevator penthouses
27 Mechanical equipment that is set back at
28 least fifteen feet from the roof edge.

1 Section 23.66.334 Streets and Sidewalks

2 Review by the Special Review District Board and approval
3 by the Community Development Director shall be required
4 before any changes may be made to sidewalk prism lights,
5 sidewalk furniture, sidewalk widths, or street paving and
6 curbs.

7 Section 23.66.336 Exterior Building Finishes

8 A. General Requirements

9 To retain and enhance the visual order of the District,
10 which is created by existing older buildings that provide
11 unique character and form through their subtle detailing
12 and quarter and half block coverage, new development,
13 including exterior remodeling, should respect the
14 architectural and structural integrity of the building
15 in which the work is undertaken, through sympathetic
16 use of colors, material and style. Exterior building
17 facades shall be of a scale compatible with surrounding
18 structures. Window proportions, floor height, cornice
19 line, street elevations and other elements of the
20 building facades shall relate to the scale of the
21 existing buildings in the immediate area.

22 B. Asian Design Character District

23 The Asian Design Character District of the International
24 District shall be the same as the ID Retail Core, as
25 illustrated on Map B. To strengthen and preserve the
26 existing Asian architectural character of the Design
27 District, tiled awnings, recessed balconies, heavy
28 timber construction, and materials and colors as
specified below are encouraged.

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1. Materials

Building facades shall be limited to earthen materials such as brick, concrete, stucco, and wood. Other materials, such as anodized aluminum, may be used if approved by the Board. Brick and concrete may not be painted unless approved by the Board. Stucco may be used in conjunction with other contrasting materials such as dark stained wood. Decorative ceramic glazed roof tiles are encouraged, as are tiled awnings and marquees when appropriately integrated into the overall design.

2. Colors

Building facade colors must be reviewed by the Special Review Board and approved by the Community Development Director. Colors shall be compatible with those of adjacent buildings.

3. Surfaces

Textured concrete, brick, and wood surfaces are preferred over nontextured surfaces. Recesses and voids which break up monotonous surface areas and create visual relief are encouraged. The design and location of mechanical equipment visible from the street must be reviewed by the Board and approved by the Community Development Director.

4. Transparency Requirement

Street level uses shall have highly visible linkages with the street. Transparent surfaces shall be provided for at least fifty percent of the exposed street facade measured between sidewalk

1 level and a height of ten feet or the height of the
2 second floor level, whichever is less. The average
3 height of window sills shall be no greater than
4 three feet above the sidewalk. A decrease in the
5 percentage of required transparency may be permitted
6 by the Board when:

- 7 a. There is a design constraint, such as
8 permanent wainscoting, and removal or
9 alteration would detract from the structural
10 or architectural integrity of the building;
11 or
12 b. The existing layout of the building or other
13 physical constraints such as the placement
14 of load bearing walls or columns creates a
15 hardship. Whenever transparency requirements
16 are reduced, wall murals, landscaping,
17 colored awnings, display cases, or other
18 means appropriate to the setting shall be
19 provided to create visual interest.

20 5. Awnings

21 Awnings shall be functional, serving as weather
22 protection for pedestrians at street level.
23 Awnings over sidewalks shall overhang the sidewalk
24 a minimum of five feet. All awnings shall be of
25 a design compatible with the architecture of the
26 area.
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1 C. Exterior Building Design Outside the Asian Design
2 Character District

3 Outside the Asian Design Character District, earthen
4 colors and masonry construction with nonmetallic surfaces
5 are preferred. Concrete construction will also be
6 permitted when treated in a manner or incorporated into
7 a design that provides visual interest and avoids large
8 unbroken surface areas.

9 Section 23.66.338 Business Identification Signs

10 To ensure that the scale, shape, color and type of
11 signs within the International Special Review District are
12 consistent with permitted uses and are in keeping with the
13 Asian character of the area, the following sign controls
14 shall apply:

15 A. Message

16 Signs shall be limited to those that identify the name
17 of the establishment and/or the primary business or
18 service provided by it. Advertising related to
19 businesses or services not provided on the premises
20 or products not manufactured on the site are prohibited;
21 provided, that product name signs that are incidental
22 to other signs on the premises may be permitted when
23 the establishment or use on the premises is the sole
24 distributor of the product in the District.

25 B. Permitted Signs

26 Permitted signs include projecting and non-projecting
27 signs integrated into the building facade, marquee,
28 awning and window signs that are approved by the
Community Development Director following a recommendation

1 by the Board. Banners and flags bearing emblems,
2 symbols or messages shall be permitted on an interim
3 basis only and shall be subject to periodic review and
4 approval to ensure that their appearance is maintained
5 and that they comply with the requirements of this Code.

6 C. Prohibited Signs

7 Free-standing signs (except signs in parks or parking
8 lots), roof signs, portable signs, off-premise
9 advertising signs (billboards), and product advertising
10 signs of a permanent nature are prohibited. Flashing
11 signs or signs that appear to be in motion shall be
12 prohibited unless of a public service nature, such as
13 signs indicating the temperature or time of day.

14 D. Permitted Sign Area

15 1. Asian character signs

16 Asian character signs are Asian bi-lingual or
17 multi-lingual business identification signs at
18 street level in which at least forty percent of
19 the message area is in a non-English medium, or
20 signs that have recognizable Asian symbols or
21 designs that have been reviewed by the Board and
22 approved by the Community Development Director.
23 The total message area of all such signs for an
24 individual use shall not exceed the area
25 indicated on Table 338D. For street frontages
26 not listed on Table 338D, the Maximum Sign Area
27 column shall be interpolated proportionally.

28 2. Non-Asian character signs

The total message area of non-Asian character
signs for each street level use shall not exceed
seventy percent of the area authorized in
subsection D1, and indicated on Table 338D.

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TABLE 338D SIGN AREA PERMITTED

<u>Street Frontage</u>	<u>Max Sign Area Permitted</u>	<u>Street Frontage</u>	<u>Max Sign Area Permitted</u>
15	59	110	131
16	61	120	136
17	62	130	140
18	64	140	144
19	65	150	148
20	66	160	152
21	68	170	156
22	69	180	160
23	70	190	163
24	71	200	167
25	72	220	173
26	74	240	179
27	75	260	185
28	76	280	190
29	77	300	196
30	78	320	201
35	83	340	206
40	87	360	211
45	92	380	215
50	96	400	220
55	99	420	224
60	103	440	228
65	106	460	232
70	109	480	236
75	112	500	240
80	115		
85	118		
90	121		
95	124		
100	126		

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3. The total number of signs permitted per use is not limited; provided, that the total area of all signs for an individual use shall not exceed the area authorized in subsections D1 and D2. The maximum size for any single sign face for Asian and Non-Asian Character signs at street level shall be seventy-five square feet for a single faced sign and one hundred and fifty square feet for a double faced sign, unless the Community Development Director, after review and recommendation by the Board, approves a greater sign area because of hardships resulting from location, topography, or similar conditions.
 4. Businesses located on or above the second floor may have business identification signs with a total sign area that does not exceed one-half of the area authorized in subsection D1 and indicated on Table 338D. The maximum size for any single sign face above the second floor shall be forty square feet for a single faced sign and eighty square feet for a double faced sign unless the Community Development Director, after review and recommendation by the Board, approves a greater sign area because of hardships resulting from location, topography or similar conditions.
 5. The total illuminated area of theater marquees shall not exceed eighty square feet in addition to the sign area authorized in subsections D1 and D2.

1 6. Parking Lot Signage

2 The total signage area permitted for each accessory
3 parking lot shall not exceed one square foot for
4 each parking space up to a maximum of twenty-four
5 square feet. Existing principal use parking lots
6 shall have a maximum total sign area of one-half
7 square foot per parking space in the lot, to a
8 maximum of eighteen square feet.

9 a. Parking lots shall display a sign with the
10 following message:

11 (1) For Customer Parking Lots

12 "Customer Parking for (Principal
13 User or Users) Only. Other cars
14 will be impounded (location)." The
15 sign may also contain the name and
16 address of the principal user or
17 users and mention validation of
18 parking if applicable.

19 (2) For Long-term Reserved Parking Lots

20 "Reserved Parking Under Contract.
21 Other cars will be impounded (location)."
22 The sign may also contain the name and
23 telephone number of the owner.

24 b. Small directional signs, such as those
25 designating the entrance to or exit from
26 accessory parking areas, that are three or
27 fewer square feet in area and are located at
28 a height four or fewer feet above grade at
 points of egress or ingress are permitted.
 Such signs shall not be counted against the
 total permitted sign area.

1 7. Sign size shall be calculated according to the
2 provisions of Section 23.86.04 of this Land Use
3 Code.

4 E. Illumination

5 Neon-lit signs are encouraged to create an exciting
6 and enhanced visual image in the retail core.

- 7 1. No sign or light shall move, flash, or make noise.
8 Exceptions may be granted by the Community
9 Development Director for indicators of time or
10 temperature, after review and recommendation
11 by the Board.
12 2. Illuminated signs shall be designed and sited in
13 a manner to minimize glare on floors above grade
14 in nearby residences.

15 F. Exceptions for Miscellaneous Signs

- 16 1. Signs that are hand-painted, goldleafed or decaled
17 onto the glass area of a building facade shall be
18 permitted without the approval of the Community
19 Development Director or review by the Board when
20 the area of such signs does not exceed four square
21 feet per business. Signs in excess of four square
22 feet shall be subject to review by the Board and
23 approval by the Community Development Director
24 for visual interest and compatibility with the
25 surrounding area, and shall be calculated against
26 the total permitted signable area. Nonilluminated
27 symbolic signs painted on wood or other exterior
28 surfaces that are four square feet or less shall
be permitted outright.

1 2. Graphics and paintings are permitted on building
2 walls that do not abut a street lot line only if
3 such graphics and paintings are not primarily used
4 to advertise or identify businesses or products
5 and comply with the building facade provisions of
6 Section 23.66.330 of this Chapter. All graphics
7 and paintings on building walls shall be subject
8 to review by the Board and approval by the
9 Community Development Director.

10 3. Temporary Signs

- 11 a. The design, location and size of signs for
12 special events, shows and political campaigns
13 shall be subject to review by the Board and
14 approval by the Community Development Director.
15 Such signs may be permitted for periods not
16 exceeding six months.
- 17 b. Temporary, non-illuminated signs advertising
18 real estate "For Sale or Lease" or announcing
19 contemplated improvements of the real estate
20 on the premises shall be subject to Board
21 review and approval by the Community Development
22 Director.
- 23 c. Temporary signs erected in connection with
24 new construction work and displayed on the
25 property during the actual period of construc-
26 tion shall be subject to Board review and
27 approval by the Community Development Director.
- 28 d. Temporary signs required by law shall be
permitted without review or approval.

29 4. Criteria for Approval

- 30 1. The overall design of a sign including size, shape,
31 texture, method of attachment, color, and lighting,

1 shall be compatible with the use to which the sign
2 refers, with the architecture of the building upon
3 which it is to be installed, and with the District.

- 4 2. Signs shall be affixed to structures so that they
5 do not conceal, damage or disfigure desirable
6 architectural features or details of the structure.
- 7 3. Projecting signs shall be sited in a manner that
8 minimizes view blockage of abutting business signs.
- 9 4. All projecting signs shall be installed or erected
10 so that there are no visible angle iron sign
11 supports above the roof, building face, or wall.

12 Section 23.66.340 Minimum Maintenance

13 All buildings in the District shall be maintained and
14 preserved against decay and deterioration caused by neglect
15 or defective or inadequate weather protection.

16 Section 23.66.342 Parking and Access

17 A. Principal use parking garages

18 Principal use parking garages are subject to special
19 review by the Board pursuant to Section 23.66.324 of
20 this Land Use Code. Parking garages shall be designed
21 so that the street level portion of the garage is
22 committed to pedestrian-oriented uses permitted in the
23 District. When abutting street slopes exceed eight
24 percent this requirement may be waived by the Community
25 Development Director, following review and recommendation
26 by the Board. View-obscuring screening may be required
27 by the Community Development Director as needed to reduce
28 adverse visual impacts on the area.

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2 B. Accessory Parking

3 1. Parking quantity

4 The number of parking spaces required for any
5 use shall be the number required by the underlying
6 underlying zoning, except that restaurants shall
7 be required to provide one space per 500 square
8 feet for all gross floor area in excess of
9 2500 square feet; motion picture theaters shall
10 be required to provide one space per 15 seats for
11 all seats in excess of 150; and other entertainment
12 uses and places of public assembly shall be
13 required to provide one space per 400 square feet
14 for all gross floor area in excess of 2500 square
15 feet.

16 2. Exceptions to parking quantity

17 To mitigate the potential impacts of required
18 accessory parking on the District, the Community
19 Development Director, after review and recommenda-
20 tion by the Special Review Board, may waive or
21 reduce required parking under the following
22 conditions:

- 23 a. After incorporating high occupancy vehicle
24 alternatives such as carpools and vanpools,
25 required parking spaces exceed the net usable
26 space in all below grade floors; or
27 b. Strict application of the parking standard
28 would adversely affect desirable characteristics
of the District; or

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c. An acceptable parking plan is submitted to meet parking demands generated by the use. Acceptable elements of the parking plan may include but shall not be limited to the following:

- 1) Valet parking service
- 2) Validation system
- 3) Lease of parking from parking management company
- 4) Provision of employee parking.

C. When parking is provided it shall be subject to the requirements of Section 23.54.20 of this Land Use Code.

D. Access to Parking

1. Access to parking shall be reviewed by the Board on a case by case basis, according to the following criteria:
 - a. Alley access shall be preferred.
 - b. Conflicts with pedestrian traffic, with efforts to provide continuous street facades, and with transit access shall be minimized.
2. The number and width of curb cuts shall be as required in Section 23.54.30 of this Land Use Code.
3. The Board may recommend, and the Community Development Director may require, changes to proposed access to parking in order to meet the criteria of this section.

1 E. Special Parking Restrictions

- 2 1. All new surface parking areas shall be accessory
3 and may be permitted in connection with customer
4 parking which is determined by the Board to be
5 consistent with District goals and policies or
6 area-wide parking plans.
7 2. A sign complying with Section 23.66.339 of this Land
8 Use Code shall be required at each parking entrance.
9 3. Adequate screening shall be required along the
10 perimeter of each new surface parking area.

11 Section 2. Chapter 23.49 of the Seattle Municipal Code
12 is hereby amended to add new subchapters VII, VIII, and IX
13 to read as follows:

14 SUBCHAPTER VII.

15 INTERIM PIONEER SQUARE MIXED

16 Part 1. USE AND DEVELOPMENT RESTRICTIONS

17 Section 23.49.168 General Standards

18 All property located in the Interim Pioneer Square Mixed
19 (I-PSM) Zone shall be subject to the use and development
20 standards of the Pioneer Square Preservation District,
21 Chapter 23.66, in addition to the use and development
22 standards contained in this subchapter. In the event of
23 irreconcilable differences between the use and development
24 standards of this Chapter and the provisions of Chapter 23.66,
25 the provisions of Chapter 23.66 shall apply.

26 SUBCHAPTER VII.

27 INTERIM PIONEER SQUARE MIXED

28 Part 2: USE PROVISIONS

Section 23.49.170 Interim Pioneer Square Mixed, Permitted Uses

Uses permitted in the I-PSM Zone shall be those uses
designated in Section 23.66.120 of this Land Use Code.

1 Part 3: DEVELOPMENT STANDARDS

2 Section 23.49.172 Interim Pioneer Square Mixed, Lighting
3 and Glare

- 4 A. Exterior lighting shall be shielded and directed away
5 from adjacent structures and uses.
6 B. Interior lighting in parking garages shall be shielded
7 to minimize night-time glare affecting nearby uses.

8 Section 23.49.174 Interim Pioneer Square Mixed, Noise
9 Standards

- 10 A. All uses shall meet the noise standards established in
11 Chapter 25.08 of the Seattle Municipal Code.
12 B. All food processing for human consumption, custom and
13 craft work involving the use of mechanical equipment,
14 and light manufacturing activities shall be conducted
15 wholly within an enclosed structure.
16 C. The following uses or devices shall be considered major
17 noise generators:
18 1. External heat exchangers or other similar devices;
19 2. Light manufacturing uses;
20 3. Auto body, boat and aircraft repair shops.
21 D. When a major noise generator is proposed, a report from
22 an acoustical consultant shall be provided indicating
23 the measures to be taken by the applicant to meet noise
24 standards for the area. Such measures may include, but
25 shall not be limited to, the provision of buffers,
26 reduction in hours of operation, relocation of mechanical
27 equipment, increased setbacks, and the use of specified
28 construction techniques or building materials. Measures
to be taken shall be indicated on the building plans.
After a permit has been issued, any measures required
by the permit to limit noise shall be taken and
maintained.

1 E. When an existing major noise generator is to be expanded,
2 a report from an acoustical consultant shall be provided
3 which indicates how the noise generated by the expansion
4 will meet the noise standards for the area.

5 Section 23.49.176 Interim Pioneer Square Mixed, Odor
Standards

6 A. The venting of odors, vapors, smoke, cinders, dust, gas,
7 and fumes shall be at least ten feet above finished
8 grade and directed away from residential uses.

9 B. Major Odor Sources

10 1. Uses which involve the following processes or
activities shall be considered major odor sources:

11 Lithographic, rotogravure or flexographic
12 printing

13 Film burning

14 Fiberglassing

15 Selling of gasoline and/or storage of gasoline
16 in tanks larger than 260 gallons

17 Handling of heated tars and asphalts

18 Incinerating (commercial)

19 Tire buffing

20 Metal plating

21 Vapor degreasing

22 Wire reclamation

23 Use of boilers (greater than 10⁶ British

24 Thermal Units per hour, 10,000 pounds steam
per hour, or 30 boiler horsepower

25 Other similar uses.

26 2. Uses which employ the following processes shall be
27 considered major odor sources except when the
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entire activity is conducted as part of a retail sales and service use:

- Cooking of grains
- Smoking of food or food products
- Fish or fishmeal processing
- Coffee or nut roasting
- Deep fat frying
- Dry cleaning
- Other similar uses.

C. Review of Major Odor Sources

When an application is made for a use which is determined to be a major odor source, the Director, in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), shall determine the appropriate measures to be taken by the applicant to significantly reduce potential odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures required by the permit shall be taken and maintained.

Section 23.49.178 Interim Pioneer Square Mixed, Structure Heights

- A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.32.
- B. Rooftop features may be permitted according to the provisions of Section 23.66.140 of this Land Use Code.
- C. In the one hundred foot height district, no structure shall exceed the height of the tallest structure on the

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block or the adjacent block front(s) by more than fifteen feet, to a maximum of one hundred feet.

- D. In the one hundred to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed when not less than seventy-five percent of the gross floor area of the structure is in residential use.
- E. In the eighty-five to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed when not less than seventy-five percent of the gross floor area of the structure is in residential use.

Section 23.49.180 Interim Pioneer Square Mixed, General Requirements for Residential Uses

- A. Inclusion of low or moderate income units
- All new structures containing more than twenty units shall provide at least ten percent of the units as low and/or moderate income housing dedicated as such for at least twenty years, following the Interim Public Benefit Features Rule, as promulgated by the Director.
- B. Common recreation area
- Common recreation area shall be required in all new structures containing more than twenty dwelling units according to the following standards:
1. An area equivalent to five percent of the total gross floor area in residential use shall be provided as common recreation area. The common recreation area shall be available to all residents and may be provided at or above ground level.

2. No more than fifty percent of the common recreation area may be enclosed.
3. The minimum horizontal dimension for required common recreation areas shall be fifteen feet, and no required common recreation area shall be less than two hundred twenty-five square feet.
4. 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 common recreation area.

C. Dispersion criterion for halfway houses

1. No halfway house shall be established if it would increase the number of halfway houses located within a one thousand foot radius to more than five.
2. A proposed new halfway house or the expansion of an existing halfway house which does not meet the dispersion criterion may be permitted if the Director determines that the intent of the criterion is achieved because of the presence of physical elements, such as topographical breaks, or other elements such as major arterials, which provide substantial separation from other existing halfway houses.

Section 23.49.182 Interim Pioneer Square Mixed, Transfer of Development Rights

- A. No transfer of development rights from donor lots inside or outside the I-PSM Zone to receiving lots in the I-PSM Zone shall be permitted.

1 B. Transfer of development rights from sending lots in the
2 I-PSM Zone to receiving lots on the same block or
3 different blocks shall be permitted as provided in this
4 subsection.

5 1. Development rights may be transferred from sending
6 lots in the I-PSM Zone to receiving lots in the
7 I-DOC1, I-DOC2 and I-DMC Zones when the sending
8 lot contains low income housing, and:

9 a. The low income housing on the sending lot is
10 certified by the Director of Community
11 Development as meeting the guidelines of the
12 Public Benefit Features Rule;

13 b. Fifty percent of the gross floor area of the
14 structure on the sending lot, or the gross
15 floor area of the structure that was used for
16 low income housing on January 1, 1983,
17 whichever is greater, will be used for low
18 income housing for at least twenty years from
19 the date that a Certificate of Occupancy is
20 issued for the housing; and

21 c. The maximum floor area that will be transferred
22 from any sending lot located in the I-PSM Zone
23 will not exceed six times the area of the
24 sending lot, minus the gross floor area of the
25 structure(s) on the sending lot.

26 2. Development rights may be transferred from sending
27 lots in the I-PSM zone to receiving lots in the
28 I-DOC1, I-DOC2 and I-DMC zones from a sending
lot which was vacant prior to January 1, 1984 and
for which there is a new development proposed.

1 a. Structures for which abatement orders were issued
2 on or before January 1, 1984, and parking lots,
3 including minor structures accessory to parking
4 operations, shall be considered vacant for the
5 purpose of this provision.

6 b. The gross floor area that may be transferred shall
7 be limited to the unused gross floor area per-
8 mitted by the height and development standards
9 of the I-PSM zone and Chapter 23.66 of this Land
10 Use Code.

11 c. The transfer of development rights may not occur
12 until after a Certificate of Occupancy has been
13 issued for the project proposed on the vacant lot.

14 C. Transfer of development rights agreements

15 1. The fee owners of sending and receiving lots shall
16 execute deeds or other agreements which shall be
17 recorded with the title to both lots.

18 2. The agreement or deed shall be for a term which equals
19 or exceeds the life of the project on the receiving
20 lot for which the rights were transferred.

21 3. For transfers from lots containing low income housing,
22 the agreement shall provide for maintenance of the
23 housing on the sending lot as low income housing for
24 twenty years.

25 4. The agreement or deed shall state that the development
26 rights transferred from the sending lot to the receiving
27 lot may not be reclaimed unless the project on the
28 receiving lot, or that portion of the project for which
the rights were transferred, is demolished. The deed
or agreement shall also provide that its covenants or
conditions shall run with the land and shall be
specifically enforceable by any party or by The City
of Seattle.

Section 23.66.184 Interim Pioneer Square Mixed, Planned
Community Developments (PCDs)

A. Process

1. A Planned Community Development (PCD) may be permitted by the Council pursuant to Chapter 23.80, Decisions Requiring Council Approval.
2. The Pioneer Square Preservation Board shall review all Planned Community Development proposals and make a recommendation to the Director.

B. Minimum area

The minimum area for a PCD shall be three acres.

C. Evaluation of PCDs

A proposed PCD shall be evaluated on the basis of public benefits provided, impacts of the project, and consistency with the City's Land Use Policies.

1. Public benefits

A proposed PCD shall further an adopted City policy or provide one or more of the following public benefits: housing, employment, increased public revenue, strengthened neighborhood character, or improved pedestrian circulation or urban form.

2. Impacts

All of the impacts of a proposed PCD shall be evaluated, including, but not limited to, consideration of the impacts on transportation systems, parking, energy, and public services, as well as environmental factors such as noise, air, light and glare, and water quality.

1 3. The proposed PCD shall be reviewed for consistency
2 with the Downtown Land Use Policies and the Land
3 Use Policies for areas adjacent to Downtown which
4 may be affected by the PCD.

5 D. Exceptions permitted

6 Exceptions from the following provisions may be permitted
7 through the PCD process:

- 8 1. Street level use requirements
- 9 2. Street level facade requirements
- 10 3. Required common recreation area for residential uses
- 11 4. Parking quantity and design
- 12 5. Location of access.

13 Section 23.49.186 Interim Pioneer Square Mixed, Nonconforming
14 Uses

15 A. Continuation of Nonconforming Uses

- 16 1. Any nonconforming use may be continued subject
17 to the provisions of this Section.
- 18 2. Any nonconforming use which has been discontinued
19 for more than twelve consecutive months may not be
20 reestablished, recommenced, or changed to another
21 nonconforming use. A use shall be considered
22 discontinued when:
 - 23 a. A permit to change the use of the property or
24 structure has been issued and acted upon; or
 - 25 b. A structure, or portion of a structure, is
26 not being used for the use authorized by the
27 most recent permit; or
 - 28 c. The structure is vacant, or the portion of the
29 structure formerly occupied by the nonconforming
30 use is vacant. The use of the structure shall

1 be considered discontinued even if materials
2 from the former use remain or are stored on
3 the property.

4 B. A nonconforming use shall not be expanded or extended.

5 C. Structures containing nonconforming uses may be main-
6 tained, repaired, renovated, structurally altered,
7 expanded or extended, provided that all development
8 standards are met. Nonconforming uses may not be
9 expanded or extended except when such expansions or
10 extensions are required by law, or are specifically
11 authorized by this Code, or are necessary to improve
12 access for the elderly or the disabled.

13 D. A nonconforming use which is destroyed by fire or other
14 act of nature may be resumed. Any portion of a structure
15 occupied by a nonconforming use may be rebuilt to the
16 same configuration that existed immediately prior to
17 the destruction of the structure, or to a smaller
18 configuration; provided, that the Preservation Board
19 shall review the exterior design of the structure to
20 ensure reasonable compatibility with the design and
21 character of structures in the District.

22 Section 23.49.188 Interim Pioneer Square Mixed, Nonconforming
23 Structures

24 A. A nonconforming structure may be maintained, repaired,
25 renovated or structurally altered, but may not be
26 expanded or extended in any manner which increases the
27 extent of the nonconformity or creates additional
28 nonconformity, except that expansions or extensions
required by law, specified in this Section, or necessary
to improve access for the elderly or the disabled shall
be permitted.

- 1 B. A nonconforming structure destroyed by fire or other
2 act of nature may be rebuilt to the same configuration
3 that existed immediately prior to the destruction of the
4 structure; provided, that the exterior design of the
5 structure shall be reviewed by the Pioneer Square
6 Preservation Board, established in Section 23.66.110
7 of this Land Use Code, and approved by the Community
8 Development Director, to ensure reasonable compatibility
9 with the design and character of structures in the
10 District.
- 11 C. Following required review and approval, Landmark structures
12 may be expanded, even if the expansion increases the
13 extent of nonconformity, when there is no feasible
14 alternative that meets the development standards of the
15 zone while preserving the integrity of the Landmark
16 structure.

17 SUBCHAPTER VIII

18 INTERIM INTERNATIONAL DISTRICT MIXED

19 Part 1. USE AND DEVELOPMENT RESTRICTIONS * *S/B Sec. 23.49.198*

20 All property located in the Interim International
21 District Mixed (I-IDM) Zone shall be subject to the use
22 and development standards of the International District
23 Special Review District, Chapter 23.66, in addition to the
24 use and development standards contained in this subchapter.
25 In the event of irreconcilable differences between the use
26 and development standards of this Chapter and the provisions
27 of Chapter 23.66, the provisions of Chapter 23.66 shall
28 apply.

Part 2. USE PROVISIONS

Section 23.49.200 Interim International District Mixed Permitted Uses

Uses permitted in the I-IDM Zone shall be those uses
designated in Section 23.66.320 of this Land Use Code.

CS 19.2

1 Part 3. DEVELOPMENT STANDARDS

2 Section 23.49.206 Interim International District Mixed,
3 General Provisions

4 All uses shall meet the standards of Chapter 23.66 of
5 this Land Use Code as well as the provisions of this
6 subchapter.

7 Section 23.49.208 Interim International District Mixed,
8 Lighting and Glare

9 A. Exterior lighting shall be shielded and directed away
10 from adjacent uses.

11 B. Interior lighting in parking garages shall be shielded
12 to minimize night-time glare affecting nearby uses.

13 Section 23.49.210 Interim International District Mixed,
14 Noise Standards

15 A. All uses shall meet the noise standards established in
16 Chapter 25.08 of the Seattle Municipal Code.

17 B. All food processing for human consumption, custom and
18 craft work involving the use of mechanical equipment,
19 and manufacturing activities shall be conducted wholly
20 within an enclosed structure.

21 C. The following uses or devices shall be considered major
22 noise generators:

- 23 1. External heat exchangers or other similar devices;
- 24 2. Light and general manufacturing;
- 25 3. Auto body, boat and aircraft repair shops.

26 D. When a major noise generator is proposed, a report from
27 an acoustical consultant shall be provided indicating
28 the measures to be taken by the applicant to meet noise
standards for the area. Such measures may include, but
shall not be limited to, the provision of buffers,

1 reduction in hours of operation, relocation of mechanical
2 equipment, increased setbacks, and the use of specified
3 construction techniques or building materials, etc.
4 Measures to be taken shall be indicated on the building
5 plans. After a permit has been issued, any measures
6 required by the permit to limit noise shall be taken
7 and maintained.

- 8 E. When an existing major noise generator is to be
9 expanded, a report from an acoustical consultant shall
10 be provided which indicates how the noise generated by
11 the expansion will meet the noise standards for the area.

12 Section 23.49.212 Interim International District Mixed,
13 Odor Standards

- 14 A. The venting of odors, vapors, smoke, cinders, dust, gas,
15 and fumes shall be at least ten feet above finished
16 grade, and directed away from residential uses.

17 B. Major Odor Sources

- 18 1. Uses which involve the following processes or
19 activities shall be considered major odor sources:

20 Lithographic, rotogravure or flexographic
21 printing

22 Film burning

23 Fiberglassing

24 Selling of gasoline and/or storage of gasoline
25 in tanks larger than 260 gallons

26 Handling of heated tars and asphalts

27 Incinerating (commercial)

28 Tire buffing

Metal plating

1 Vapor degreasing

2 Wire reclamation

3 Use of boilers (greater than 10⁶ British

4 Thermal Units per hours, 10,000 pounds

5 steam per hour, or 30 boiler horsepower

6 Other similar uses.

- 7 2. Uses which employ the following processes shall be
8 considered major odor sources except when the
9 entire activity is conducted as part of a retail
10 sales and service use:

11 Cooking of grains

12 Smoking of food or food products

13 Fish or fishmeal processing

14 Coffee or nut roasting

15 Deep fat frying

16 Dry cleaning

17 Other similar uses.

18 C. Review of Major Odor Sources

19 When an application is made for a use which is determined
20 to be a major odor source, the Director, in conjunction
21 with the Puget Sound Air Pollution Control Agency
22 (PSAPCA) shall determine the appropriate measures to
23 be taken by the applicant to significantly reduce
24 potential odor emissions and airborne pollutants.
25 Measures to be taken shall be indicated on plans submitted
26 to the Director, and may be required as conditions for
27 the issuance of any permit. After a permit has been
28 issued, any measures required by the permit shall be
taken and maintained.

1 Section 23.49.214 Interim International District Mixed,
2 General Requirements for Residential Uses

3 A. Inclusion of low or moderate income units

4 All new structures containing more than twenty units
5 shall provide at least ten percent of the units as
6 low and/or moderate income housing dedicated as such
7 for at least twenty years, following the Interim Public
8 Benefit Features Rule, as promulgated by the Director.

9 B. Common recreation area

10 Common recreation area shall be required in all new
11 structures containing more than twenty dwelling units,
12 according to the following standards:

- 13 1. An area equivalent to five percent of the total
14 gross floor area in residential use shall be
15 provided as common recreation area. The common
16 recreation area shall be available to all residents
17 and may be provided at or above ground level.
- 18 2. No more than fifty percent of the common recreation
19 area may be enclosed.
- 20 3. The minimum horizontal dimension for required
21 common recreation areas shall be fifteen feet,
22 and no required common recreation area shall be
23 less than two hundred twenty-five square feet.
- 24 4. Parking areas, driveways and pedestrian access,
25 except for pedestrian access meeting the Washington
26 State Rules and Regulations for Barrier-Free
27 Design, shall not be counted as common recreation
28 area.

1 C. Dispersion criterion for halfway houses

- 2 1. No halfway house shall be established if it would
3 increase the number of halfway houses located
4 within a one thousand foot radius to more than
5 five.
6 2. A proposed new halfway house, or the expansion of
7 an existing halfway house which does not meet the
8 dispersion criterion, may be permitted if the
9 Director determines that the intent of the criterion
10 is achieved because of the presence of physical
11 elements, such as topographical breaks, or other
12 elements such as major arterials which provide
13 substantial separation from other existing halfway
14 houses.

15 Section 23.49.215 Interim International District Mixed,
16 Structure Height Provisions

- 17 A. Maximum structure height shall be as designated on the
18 Official Land Use Map, Chapter 23.32.
19 B. In the seventy-five to eighty-five foot height district,
20 a maximum structure height of eighty-five feet shall be
21 allowed when not less than fifty percent of the gross
22 floor area of the structure is in residential use.
23 C. In the one hundred to one hundred-twenty foot height
24 district, a maximum structure height of one hundred-
25 twenty feet shall be allowed as part of a planned
26 community development pursuant to Section 23.49.224
27 of this Land Use Code, or if at least seventy-five
28 percent of the gross floor area of the structure is
in residential use.

1 D. In the sixty-five to one hundred-twenty foot height
2 district, a maximum structure height of one hundred-
3 twenty feet shall be allowed as a part of a planned
4 community development pursuant to Section 23.49.224
5 of this Land Use Code. Special Review Board review
6 shall include an evaluation of the proposal's
7 consistency with the provisions of Section 23.66.310,
8 Union Station Corridor Goals and Objectives.

9 Section 23.49.216 Interim International District Mixed
10 Floor Area Ratio (FAR)

11 A. General standards

- 12 1. The floor area ratio (FAR), as provided in
13 subsection B, shall determine the gross floor
14 area permitted for all nonresidential uses.
15 2. Hotel uses are subject to special review by the
16 Special Review Board pursuant to Chapter 23.66
17 of this Land Use Code.

18 B. Permitted FAR for nonresidential uses.

FLOOR AREA RATIO	
Use	Base
All nonresidential uses except hotels	3
Hotel	6

21 C. Exemptions from FAR Calculations

22 The following areas shall be exempted from base and
23 maximum FAR calculations:

- 24 1. All gross floor area in residential use.
25 2. All gross floor area below grade.
26 3. All gross floor area used for required short term
27 parking or for parking accessory to a residential
28 use.

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Section 23.49.217 Interim International District Mixed,
Transfer of Development Rights

A. Transfer of development rights within the same block

1. Development rights may be transferred to lots in the I-IDM zone from lots located in the same block which contain either new housing structures or housing structures which were vacant on and rehabilitated after January 1, 1983.
2. When development rights are transferred from a sending lot that contains a new housing structure, at least fifty percent of the units in the structure shall be moderate income housing.
3. When development rights are transferred from a sending lot containing a rehabilitated housing structure, at least twenty-five percent of the units shall be low income housing, and all other units shall be moderate income housing.
4. The housing on the sending lot shall be certified by the Director of Community Development as meeting the guidelines of the Interim Public Benefit Features Rule.
5. Fifty percent of the gross floor area of the structure on the sending lot, or the gross floor area of the structure that was used for low income housing on January 1, 1983, whichever is greater, shall be committed to low income housing for at least twenty years from the date that a Certificate of Occupancy is issued for the housing.
6. The maximum floor area that may be transferred to a lot in the I-IDM zone from a sending lot on the same block shall not exceed six times the area of

- 1 the sending lot, minus the above grade gross floor
- 2 area of the structure(s) on the sending lot.
- 3 7. The maximum gross floor area in nonresidential use
- 4 permitted on a receiving lot through the transfer
- 5 of development rights from a sending lot on the
- 6 same block shall be three times the combined area
- 7 of the sending and receiving lots.
- 8 B. Transfer of development rights between lots on different
- 9 blocks in the I-IDM zone
- 10 1. Development rights from a sending lot in the I-IDM
- 11 zone which contains low income housing may be
- 12 transferred to receiving lots in I-DOC1, I-DOC2 and
- 13 I-DMC zones.
- 14 2. Development rights from a sending lot on a downtown
- 15 block outside I-IDM shall not be transferred to
- 16 receiving lots in the I-IDM zone.
- 17 3. Transfer from sending lots containing low income
- 18 housing
- 19 a. The maximum floor area that may be transferred
- 20 from any lot shall not exceed six times the
- 21 area of the sending lot, minus the existing
- 22 above grade gross floor area of structures on
- 23 the sending lot.
- 24 b. The low income housing on the sending lot must
- 25 be certified by the Director of Community
- 26 Development as meeting the guidelines of the
- 27 Interim Public Benefit Features Rule. Fifty
- 28 percent of the gross floor area of the
- structure on the sending lot, or the gross
- floor area of the structure that was used

1 for low income housing on January 1, 1983,
2 whichever is greater, shall be used for low
3 income housing for at least twenty years
4 from the date that a Certificate of Occupancy
5 is issued for the housing.

6 C. Transfer of development rights agreements

- 7 1. The fee owners of sending and receiving lots shall
8 execute a deed or other agreement which shall be
9 recorded with the titles to both lots.
10 2. The agreement or deed shall be for a term which
11 equals or exceeds the life of the structure on
12 the receiving lot for which the rights were
13 transferred.
14 3. For transfers from lots containing low income
15 housing to lots on different blocks, the agreements
16 shall provide for the maintenance of the housing
17 as low income housing for twenty years.
18 4. The agreement or deed shall state that the
19 development rights transferred from the sending
20 lot to the receiving lot may not be reclaimed
21 unless the project on the receiving lot, or that
22 portion of the project for which the rights were
23 transferred, is demolished. The deed or agreement
24 shall also provide that its covenants or conditions
25 shall run with the land and shall be specifically
26 enforceable by any party or by the City of Seattle.

27 Section 23.49.218 Planned Community Developments

28 A. Process

- 1 1. A Planned Community Development may be permitted
2 by the Council pursuant to Chapter 23.80, Decisions
3 Requiring Council Approval.

1 2. The International District Special Review Board
2 shall review all Planned Community Development
3 proposals and make a recommendation to the
4 Director.

5 B. Minimum Area

6 The minimum area for a PCD shall be three acres.

7 C. Evaluation of PCD's

8 A proposed PCD shall be evaluated on the basis of public
9 benefits provided, impacts of the project, and consistency
10 with the City's Land Use Policies.

11 1. Public Benefits

12 A proposed PCD shall further an adopted City policy
13 or provide one or more of the following public
14 benefits: housing, employment, increased public
15 revenue, strengthened neighborhood character, or
16 improved pedestrian circulation or urban form.

17 2. Impacts

18 All of the impacts of a proposed PCD shall be
19 evaluated including, but not limited to, con-
20 sideration of the impacts on transportation
21 systems, parking, energy, and public services,
22 as well as environmental factors such as noise,
23 air, light and glare, and water quality.

24 3. The proposed PCD shall be reviewed for consistency
25 with the Downtown Land Use Policies and the Land
26 Use Policies for areas adjacent to Downtown which
27 may be affected by the PCD.
28

1 D. Exceptions Permitted

2 Exceptions from the following provisions may be
3 permitted through the PCD process:

- 4 1. Street level use requirements
5 2. Street level facade requirements
6 3. Required open space for residential uses
7 4. Parking quantity and design
8 5. Location of access.

9 E. Floor Area Ratio

10 The floor area ratio permitted in the zone may be
11 exceeded on parts of the PCD site, but the floor area
12 ratio of the PCD as a whole shall meet the requirements
13 of the zone(s) in which it is located.

14 Section 23.49.220 Interim International District Mixed
15 Nonconforming Uses

16 A. Continuation of Nonconforming Uses

- 17 1. Any nonconforming use may be continued subject to
18 the provisions of this Section.
19 2. Any nonconforming use which has been discontinued
20 for more than twelve consecutive months may not be
21 reestablished, recommenced, or changed to another
22 nonconforming use. A use shall be considered
23 discontinued when:
24 a. A permit to change the use of the property
25 or structure has been issued and acted upon,
26 or
27 b. A structure, or portion of a structure, is
28 not being used for the use allowed by the
most recent permit, or

- 1 c. The structure is vacant, or the portion of
2 the structure formerly occupied by the
3 nonconforming use is vacant. The use of the
4 structure shall be considered discontinued
5 even if materials from the former use remain
6 or are stored on the property. A multi-family
7 structure with one or more vacant dwelling
8 unit shall not be considered unused unless
 the total structure is unoccupied.
- 9 B. A nonconforming use shall not be expanded or extended.
- 10 C. Structures containing nonconforming uses may be
11 maintained, repaired, renovated, structurally altered,
12 expanded or extended, provided that all development
13 standards are met. Nonconforming uses may not be
14 expanded or extended except when such expansions or
15 extensions are required by law, or are specifically
16 authorized by this Code, or are necessary to improve
17 access for the elderly or the disabled.
- 18 D. A nonconforming use which is destroyed by fire or other
19 act of nature may be resumed. Any portion of a structure
20 occupied by a nonconforming use may be rebuilt to the
21 same configuration that existed immediately prior to the
22 destruction of the structure, or to a smaller configuration.

23 Section 23.49.222 Interim International District Mixed,
24 Nonconforming Structures

- 25 A. A nonconforming structure may be maintained, repaired,
26 renovated or structurally altered but may not be
27 expanded or extended in any manner that increases the
28 extent of the nonconformity or creates additional

1 nonconformity, except that expansions or extensions
2 required by law, as specified in this Section, or
3 necessary to improve access for the elderly or the
4 disabled shall be permitted.

5 B. A nonconforming structure that is destroyed by fire or
6 other act of nature may be rebuilt to the same configura-
7 tion that existed immediately prior to the destruction
8 of the structure, or to a smaller configuration.

9 C. Subject to the review and approval requirements of
10 Chapter 23.66, Landmark structures may be expanded even
11 if the expansion increases the extent of nonconformity,
12 when there is no feasible alternative that meets the
13 development standards of the zone while preserving the
14 integrity of the Landmark structure.

15 SUBCHAPTER IX

16 INTERIM INTERNATIONAL DISTRICT RESIDENTIAL

17 Part 1. USE AND DEVELOPMENT RESTRICTIONS

18 Section 23.49.223

19 All property located in the Interim International District
20 Residential (I-IDR) zone shall be subject to the use and
21 development standards of the International District Special
22 Review District, Chapter 23.66, in addition to the use and
23 development standards contained in this subchapter. In the
24 event of irreconcilable differences between the use and
25 development standards of this Chapter and the provisions of
26 Chapter 23.66, the provisions of Chapter 23.66 shall apply.

27 Part 2. USE PROVISIONS

28 Section 23.49.224 Interim International District Permitted Uses

Uses permitted in the I-IDR zone shall be those uses
designated in Section 23.66.320 of this Land Use Code.

1
2 Part 3. DEVELOPMENT STANDARDS

3 Section 23.49.226 Interim International District General
4 Development Provisions

5 All uses shall meet the standards of Chapter 23.66 of this
6 Land Use Code as well as the provisions of this subchapter.

7 Section 23.49.228 Interim International District
8 Residential, Lighting and Glare

9 A. Exterior lighting shall be shielded and directed away
10 from adjacent uses.

11 B. Interior lighting in parking garages shall be shielded
12 to minimize night-time glare affecting nearby uses.

13 Section 23.49.230 Interim International District
14 Residential, Noise Standards

15 A. All uses shall meet the noise standards established in
16 Chapter 25.08 of the Seattle Municipal Code.

17 B. All food processing from human consumption, custom and
18 craft work involving the use of mechanical equipment,
19 and manufacturing activities shall be conducted wholly
20 within an enclosed structure.

21 C. The following uses or devices shall be considered major
22 noise generators:

- 23 1. External heat exchangers or other similar devices;
- 24 2. Light and general manufacturing;
- 25 3. Auto body, boat and aircraft repair shops.

26 D. When a major noise generator is proposed, a report from
27 an acoustical consultant shall be provided indicating
28 the measures to be taken by the applicant to meet noise
standards for the area. Such measures may include but
shall not be limited to; the provision of buffers,
reduction in hours of operation, relocation of mechanical
equipment, increased setbacks, and the use of specified
construction techniques or building materials. Measures
to be used shall be indicated on the building plans.

1 After a permit has been issued, any measures which were
2 required by the permit to limit noise shall be taken
3 and maintained.

- 4 E. When an existing major noise generator is to be expanded,
5 a report from an acoustical consultant shall be provided
6 which indicates how the noise generated from the new
7 portion will meet the noise standards for the area.

8 Section 23.49.234 Interim International District
Residential, Odor Standards

- 9 A. The venting of odors, vapors, smoke, cinders, dust, gas,
10 and fumes shall be at least ten feet above finished
11 grade, and directed away from residential uses.

12 B. Major Odor Sources

- 13 1. Uses which involve the following processes or
14 activities shall be considered major odor sources:

15 Lithographic, rotogravure or flexographic
16 printing

17 Film burning

18 Fiberglassing

19 Selling of gasoline and/or storage of gasoline
20 in tanks larger than 260 gallons

21 Handling of heated tars and asphalts

22 Incinerating (commercial)

23 Tire buffing

24 Metal plating

25 Vapor degreasing

26 Wire reclamation

27 Use of boilers (greater than 10⁶ British
28 Thermal Units per hours, 10,000 pounds

steam per hour, or 30 boiler horsepower

Other similar uses.

1 2. Uses which employ the following processes shall
2 be considered major odor sources except when the
3 entire activity is conducted as part of a retail
4 sales and service use:

5 Cooking of grains
6 Smoking of food or food products
7 Fish or fishmeal processing
8 Coffee or nut roasting
9 Deep fat frying
10 Dry cleaning
11 Other similar uses.

12 C. Review of Major Odor Sources

13 When an application is made for a use which is determined
14 to be a major odor source, the Director, in conjunction
15 with the Puget Sound Air Pollution Control Agency (PSAPCA),
16 shall determine the appropriate measures to be taken by
17 the applicant to significantly reduce the potential of
18 odor emissions and airborne pollutants. Measures to be
19 taken shall be indicated on plans submitted to the Director,
20 and may be required as conditions for the issuance of any
21 permit. After a permit has been issued, any measures
22 required by the permit shall be taken and maintained.

23 Section 23.49.236 Interim International District Residential,
24 General Requirements for Residential Uses

25 A. Inclusion of low or moderate income units

26 All new structures containing more than twenty units shall
27 provide at least ten percent of the units as low and/or
28 moderate income housing dedicated as such for at least
twenty years, following the Interim Public Benefit
Features Rule, as promulgated by the Director.

1 B. Common recreation area

2 Common recreation area shall be required in all new
3 structures containing more than twenty dwelling units,
4 according to the following standards:

- 5 1. An area equivalent to five percent of the total
6 gross floor area in residential use shall be
7 provided as common recreation area. The common
8 recreation area shall be available to all residents
9 and may be provided at or above ground level.
10 2. No more than fifty percent of the common recreation
11 area may be enclosed.
12 3. The minimum horizontal dimension for required common
13 common recreation areas shall be fifteen feet, and
14 no required common recreation area shall be less than
15 two hundred twenty-five square feet.
16 4. Parking areas, driveways and pedestrian access, except
17 for pedestrian access meeting the Washington State
18 Rules and Regulations for Barrier-Free Design, shall
19 not be counted as common recreation area.

20 C. Dispersion criterion for halfway houses

- 21 1. No halfway house shall be established if it would
22 increase the number of halfway houses located within
23 a one thousand foot radius to more than five.
24 2. A proposed new halfway house, or the expansion of an
25 existing halfway house which does not meet the dis-
26 persion criterion, may be permitted by the Director
27 upon a determination that the intent of the criterion
28 is achieved because of the presence of physical
elements, such as topographical breaks, or other
elements such as major arterials, which provide sub-
stantial separation from other existing halfway houses.

1 Section 23.49.238 Interim International District
2 Residential, Structure Height Provisions

3 Maximum structure height shall be as designated on the
4 Official Land Use Map, Chapter 23.32.

5 Section 23.49.240 Interim International District
6 Residential, Floor Area Ratio (FAR)

7 A. General standards

- 8 1. The floor area ratio (FAR), as provided in
9 subsection B, shall determine the gross floor area
10 permitted for all nonresidential uses.
11 2. The maximum FAR established in subsection B may be
12 reached by devoting at least fifty percent of the total
13 gross floor area of the project to residential use.

14 B. Permitted FAR

FLOOR AREA RATIO		
Use	Base	Maximum with Mixed Use*
All nonresidential uses	1	2

15 *At least 50% of the gross floor area shall be in
16 residential use.

17 C. Exemptions from FAR Calculations

18 The following areas shall be exempted from base and
19 maximum FAR calculations:

- 20 1. All gross floor area in residential use.
21 2. All gross floor area below grade.
22 3. All gross floor area used for required short term
23 parking or for parking accessory to a residential
24 use.
25 4. The gross floor area of street level uses required
26 by Chapter 23.66 of this Land Use Code to a maximum
27 of 0.5 FAR, not to exceed fifteen thousand square
28 feet.

1 5. Floor area in Landmark structures, provided that:

- 2 a. The Landmark structure is restored, if
3 necessary, and a commitment is made to
4 preserve the structure; and
5 b. After restoration, the structure contains at
6 least as much residential floor area as
7 existed in the structure on January 1, 1984;
8 and
9 c. The gross floor area of the restored structure
10 in nonresidential use does not exceed the
11 total floor area of the structure prior to
12 restoration.

13 Section 23.49.242 Interim International District
14 Residential, Transfer of Development
15 Rights

16 A. Transfer of development rights within the same downtown
17 block

18 Transfer of development rights within the same block
19 shall not be permitted within the Interim International
20 District Residential zone.

21 B. Transfer of development rights between different blocks

- 22 1. Development rights from sending lots in the I-IDR
23 zone which contain low income housing may be
24 transferred to receiving lots in the I-DOC1,
25 I-DOC2, and I-DMC zones.
26 2. Development rights from a sending lot on a downtown
27 block outside the I-IDR zone shall not be
28 transferred to receiving lots in the I-IDR zone.
3. Transfer from sending lots containing low income
housing

- 1 a. The maximum floor area that may be transferred
- 2 from any sending lot shall be limited to six
- 3 times the area of the sending lot minus the
- 4 existing gross floor area of the structure(s)
- 5 on the sending lot.
- 6 b. The low income housing on the sending lot must
- 7 be certified by the Director of Community
- 8 Development as meeting the requirements of
- 9 the Interim Public Benefit Features Rule.
- 10 c. Fifty percent of the gross floor area of the
- 11 structure on the sending lot, or the gross
- 12 floor area of the structure that was used for
- 13 low income housing on January 1, 1983,
- 14 whichever is greater, shall be used for low
- 15 income housing for at least twenty years
- 16 from the date that a Certificate of Occupancy
- 17 is issued for the housing.
- 18 C. Transfer of development rights agreements
- 19 1. The fee owners of sending and receiving lots shall
- 20 execute a deed or other agreement which shall be
- 21 recorded with the title to both lots.
- 22 2. The agreement or deed shall require that the
- 23 housing be maintained as low income housing for
- 24 twenty years and shall be for a term that equals
- 25 or exceeds the life of the project on the receiving
- 26 lot for which the development rights were
- 27 transferred.
- 28

- 1 3. The agreement or deed shall state that the
2 development rights transferred from the sending
3 lot to the receiving lot may not be reclaimed
4 unless the project on the receiving lot, or that
5 portion of the project for which the rights were
6 transferred, is demolished. The deed or agreement
7 shall also provide that its covenants or conditions
8 shall run with the land and shall be specifically
 enforceable by any party or by The City of Seattle.

9 Section 23.49.244 Interim International District
10 Residential, Minimum Lot Size

11 A. The minimum lot size shall be:

Structure Height	Minimum Lot Size
125' or less	No minimum
over 125'	19,000 square feet.

- 14 B. In order to meet the minimum lot size requirement, a
15 lot may be combined with an abutting lot occupied by
16 one or more existing structures, provided that:

- 17 1. The total area of the combined lots meets the
18 minimum lot size requirement; and
19 2. The existing structure(s) are maintained for the
20 life of the proposed structure; and
21 3. The lot coverage of the existing and proposed
22 structures meets the coverage limits established
23 in Section 23.49.246 of this Land Use Code.

24 Section 23.49.246 Interim International District
25 Residential, Coverage and Floor Size
26 Limits

27 A. Coverage

28 That portion of structures above a height of sixty-five
 feet shall meet the following coverage limits:

Percent of Coverage Permitted
by Lot Size

Elevation of Portion of Structure (in feet)	Lot Size			
	0-19,000 square feet	19,001- 25,000 square feet	25,001- 38,000 square feet	Greater than 38,000 square feet
0-65	100%	100%	100%	100%
65-85	75%	65%	55%	45%
85-125	65%	55%	50%	40%
125-240	Not applicable	45%	40%	35%

B. Floor Size

Each floor in that portion of a structure above
sixty-five feet shall have a maximum gross floor area
of eight thousand square feet.

Section 23.49.248 Interim International District
Residential, Maximum Wall Dimensions

A maximum length for that portion of structures above
sixty-five feet shall be measured parallel to the street
property line, and shall be as follows:

Maximum Length by Lot Size

Elevation of Portion of Structure (in feet)	0-19,000 square feet	Greater than 19,000 square feet
65-85	120'	120'
85-125	120'	100'
125-240	Not applicable	100'

Section 23.49.250 Interim International District
Residential, Side Setback and Street
Park Setback Requirements

A. Side Setbacks

Setbacks shall be required from side lot lines which
are not street lot lines. The setback shall occur above
an elevation of sixty-five feet. The amount of the set-
back shall be determined by the length of the frontage
of the lot on Avenues, as follows:

Frontage on Avenue	Required Setback at 65 feet
120 feet or less	Not required
121 feet to 179 feet	20 feet
180 feet or more	40 feet.

B. Street Park Setbacks

A setback from the street property line shall be required on street parks at an elevation of forty feet. The setback shall be as follows:

Elevation of Portion of Structure	Required Setback
40' - 85'	10'
86 - 240'	(H-85') x .2 + 10' where H = Total structure height in feet.

Section 23.49.252 Interim International District Residential, Nonconforming Uses

A. Continuation of Nonconforming Uses

1. Any nonconforming use may be continued subject to the provisions of this Section.
2. Any nonconforming use which has been discontinued for more than twelve consecutive months may not be reestablished, recommenced, or changed to another nonconforming use. A use shall be considered discontinued when:
 - a. A permit to change the use of the property or structure has been issued and acted upon, or
 - b. A structure, or portion of a structure, is not being used for purposes authorized by the most recent permit, or

1 c. The structure is vacant, or the portion of
2 the structure formerly occupied by the
3 nonconforming use is vacant. The use of the
4 structure shall be considered discontinued
5 even if materials from the former use remain
6 or are stored on the property. A multi-family
7 structure with one or more vacant dwelling
8 units shall not be considered unused unless
 the total structure is unoccupied.

9 B. A nonconforming use shall not be expanded or extended.

10 C. Structures containing nonconforming uses may be main-
11 tained, repaired, renovated, structurally altered,
12 expanded or extended, provided that all development
13 standards are met. Nonconforming uses may not be
14 expanded or extended except when such expansions or
15 extensions are required by law, or are specifically
16 authorized by this Code, or are necessary to improve
 access for the elderly or the disabled.

17 D. A nonconforming use that is destroyed by fire or other
18 act of nature may be resumed. Any portion of a
19 structure occupied by a nonconforming use may be
20 resumed. Any portion of a structure occupied by a
21 nonconforming use may be rebuilt to the same
22 configuration that existed immediately prior to the
23 destruction of the structure, or to a smaller configura-
 tion.

24 Section 23.49.254 Interim International District
 Residential, Nonconforming Structures

25 A. A nonconforming structure may be maintained, repaired,
26 renovated or structurally altered but may not be expanded
27 or extended in any manner that increases the extent
28

of the nonconformity or creates additional nonconformity,
except that expansions or extensions required by law,
specified in this Section, or necessary to improve access
for the elderly or the disabled shall be permitted.

B. A nonconforming structure that is destroyed by fire
or other act of nature may be rebuilt to the same
configuration that existed immediately prior to the
destruction of the structure, or to a smaller configura-
tion.

C. Subject to the required reviews and approvals, Landmark
structures may be expanded even if the expansion increases
the extent of nonconformity, when there is no feasible
alternative that meets the development standards of the
zone while preserving the integrity of the Landmark
structure.

Section 3. Section 23.49.04 of the Seattle Municipal
Code is hereby amended to read as follows:

Section 23.49.04 Transition to the Interim Code

* * *

C. Transition from Title 24 to this chapter

Any project substantially underway on August 9, 1984
or, for Projects in Interim Pioneer Square Mixed,
Interim International District Mixed and in Interim
International District Residential Zones, on January 28,
1985, at 12 o'clock noon shall, at the election of the
project applicant, be subject to either the requirements
of this Chapter or the requirements of Title 24,
provided that the applicant must elect, irrevocably and
in writing, the code which will apply to the entire
proposal, except that the applicant may elect to meet

1 all the standards of Chapter 23.54 for off-street
2 parking and meet the standards of Title 24 for the
3 remainder of the proposal.

4 The election shall apply to substantive development
5 standards only. All procedural matters shall be
6 governed by the requirements of this Chapter.

7 A project shall be considered substantially underway
8 when:

- 9 1. A complete master use permit application has been
10 filed with the Director; or
- 11 2. A complete building permit application has been
12 filed with the Director; or
- 13 3. A draft project or programmatic environmental
14 impact statement has been approved by the Director
15 for publication.

16 The transition rule established in Section 23.04.10D
17 of the Land Use Code shall apply to the transition
18 between this interim code and any permanent land use
19 code adopted for downtown. Land use policies and the
20 permanent zoning code adopted for downtown shall not
21 be used to condition projects which have vested pursuant
22 to this interim code.

23 Section 4. Section 23.30.10 of the Seattle Municipal
24 Code is hereby amended to read as follows:

25 Section 23.30.10 Classifications for the Purposes of this
26 Subtitle

27 All land within the City of Seattle shall be classified
28 as being either within one of the following land use zones
or a zone retained under Title 24 and regulated accordingly:

<u>Zones</u>	<u>Abbreviated</u>
Residential, Single Family 9600	SF 9600
Residential, Single Family 7200	SF 7200
Residential, Single Family 5000	SF 5000
Residential, Multi-Family, Lowrise 1	L1
Residential, Multi-Family, Lowrise 2	L2
Residential, Multi-Family, Lowrise 3	L3
Residential, Multi-Family, Midrise	MR
Residential, Multi-Family, Highrise	HR
Institution 1	I-1
Institution 2	I-2
Institution 3	I-3
Institution 4	I-4
Institution 5	I-5
Institution 6	I-6
Institution Master Plan	I-MP
<u>Interim Downtown Office Core 1</u>	<u>I-IDOC1</u>
<u>Interim Downtown Office Core 2</u>	<u>I-IDOC2</u>
<u>Interim Downtown Retail Core</u>	<u>I-DRC</u>
<u>Interim Downtown Mixed Commercial</u>	<u>I-DMC</u>
<u>Interim Pioneer Square Mixed</u>	<u>I-PSM</u>
<u>Interim International District Mixed</u>	<u>I-IDM</u>
<u>Interim International District Residential</u>	<u>I-IDR.</u>

Section 5. Section 23.49.05 of the Seattle Municipal Code is hereby amended to read as follows:

Section 23.49.05 Scope of General Standards

The regulations of this subchapter shall apply to all interim downtown zones ((-)), except the I-PSM, I-IDR, and I-IDM zones.

Section 6. Section 23.84.02 of the Seattle Municipal Code is amended to add a definition of Automotive Retail Sales and Services to read as follows:

Section 23.84.02 "A".

* * *

Automotive Retail Sales and Services - A retail sales and service use in which one or more of the following activities takes place:

Sale or rental of motorized vehicles;

Sale of fuel for motorized vehicles;

Major or minor repair of motorized vehicles;

Towing of motorized vehicles; or
Cleaning of motorized vehicles (carwash).

Section 7. Section 23.84.16 of the Seattle Municipal Code is amended to add a definition of Hotel to read as follows:

Section 23.84.16 "H".

* * *

Hotel - A lodging use, located in a structure in which access to individual units is predominantly by means of common interior hallways.

Section 8. Section 23.84.24 of the Seattle Municipal Code is amended to add a definition of Lodging to read as follows:

Section 23.84.24 "L".

* * *

Lodging - A retail sales and service use in which the primary activity is the rental of rooms to the general public on a transient basis.

Section 9. Section 23.84.25 of the Seattle Municipal Code is amended to add definitions of Marine Retail Sales and Service and Motel to read as follows:

Section 23.84.25 "M".

* * *

Marine Retail Sales and Service - A retail sales and service use which is engaged in one or more of the following activities:

Sale or rental of large boats

Sale of fuel for boats

Major or minor vessel repair

1 Sale of boat parts or accessories

2 Storage of boats in a marina

3 Dry storage of boats.

4 * * *

5 Motel - A lodging use, located in a structure in which
6 access to individual units is predominantly by means of
7 common exterior corridors, and/or where off-street parking
8 is close enough to the units so that baggage handling
9 is done by guests.

10 Section 10. Section 23.84.30 of the Seattle Municipal
11 Code is amended to add a definition for Panoram, Adult
12 to read as follows:

13 Section 23.84.30 "P".

14 * * *

15 Panoram, Adult - A mechanical device which exhibits or
16 displays a picture or view on film for observation by a
17 patron which is distinguished or characterized by an
18 emphasis on matter depicting, describing, or relating to
19 "specified sexual activities" or "specified anatomical
20 areas", as defined in Section 23.84.25.

21 Section 11. Section 23.84.38 of the Seattle Municipal
22 Code is amended to add a definition for Transportation
23 Facilities to read as follows:

24 Section 23.84.38 "T".

25 * * *

26 Transportation Facilities - One of the following commercial
27 uses:

28 Taxi and Ambulance Service

Passenger Terminal

Cargo Terminal

Bus Base

Helistop

Heliport

Airport.

Section 12. Section 23.54.24 of the Seattle Municipal Code is hereby amended to replace the existing Transit Access Map with the map attached hereto which extends the boundaries of the access area to include Pioneer Square and the International District.

Section 13. Chapter 24.68 of the Seattle Municipal Code is hereby repealed.

(To be used for all Ordinances except Emergency.)

Section 14. 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.

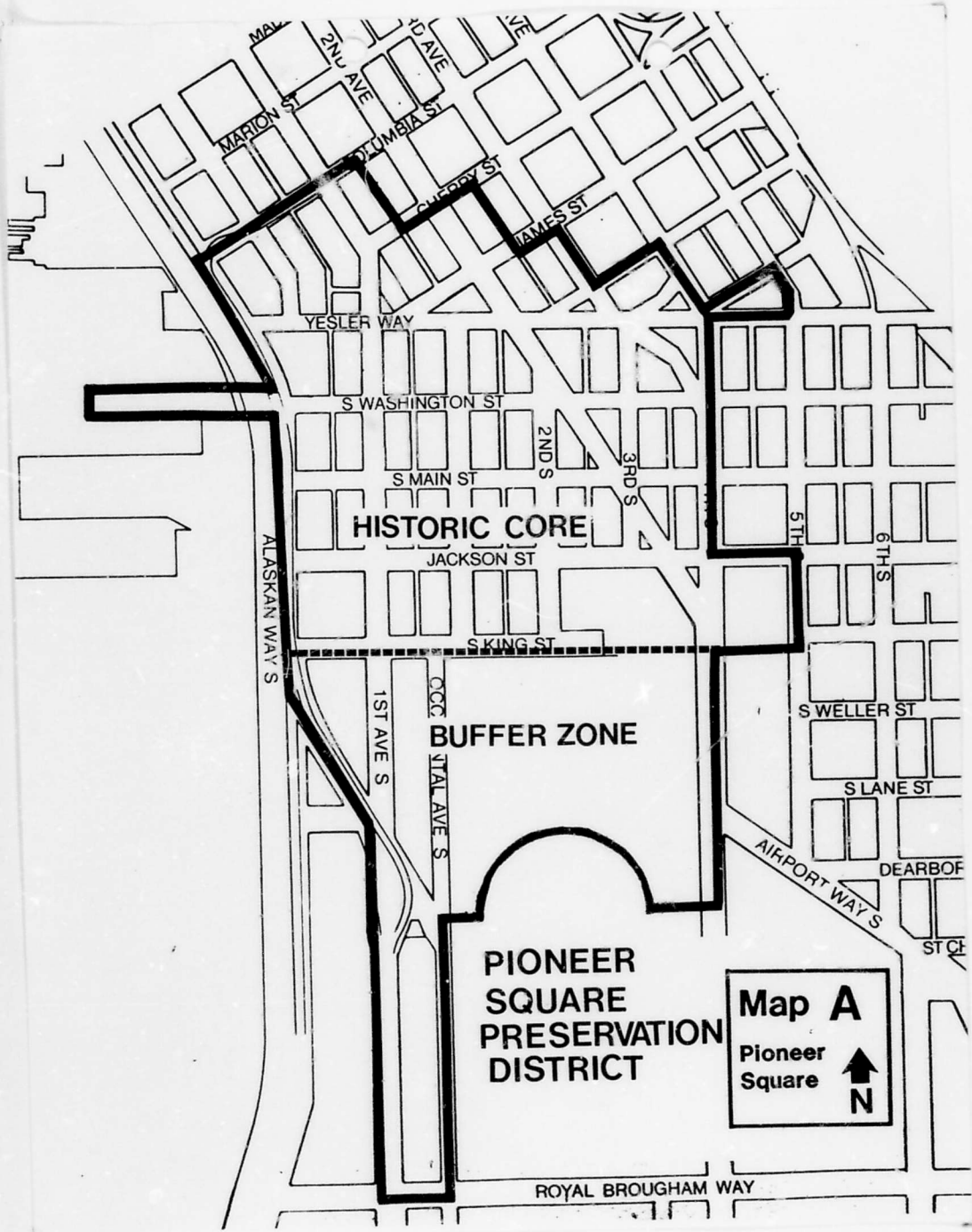
Passed by the City Council the 28th day of January, 1985
and signed by me in open session in authentication of its passage this 28th day of
January, 1985 Norman B. Lee
President of the City Council.
Approved by me this 4th day of February, 1985 Charles Porter
Mayor.
Filed by me this 4th day of February, 1985

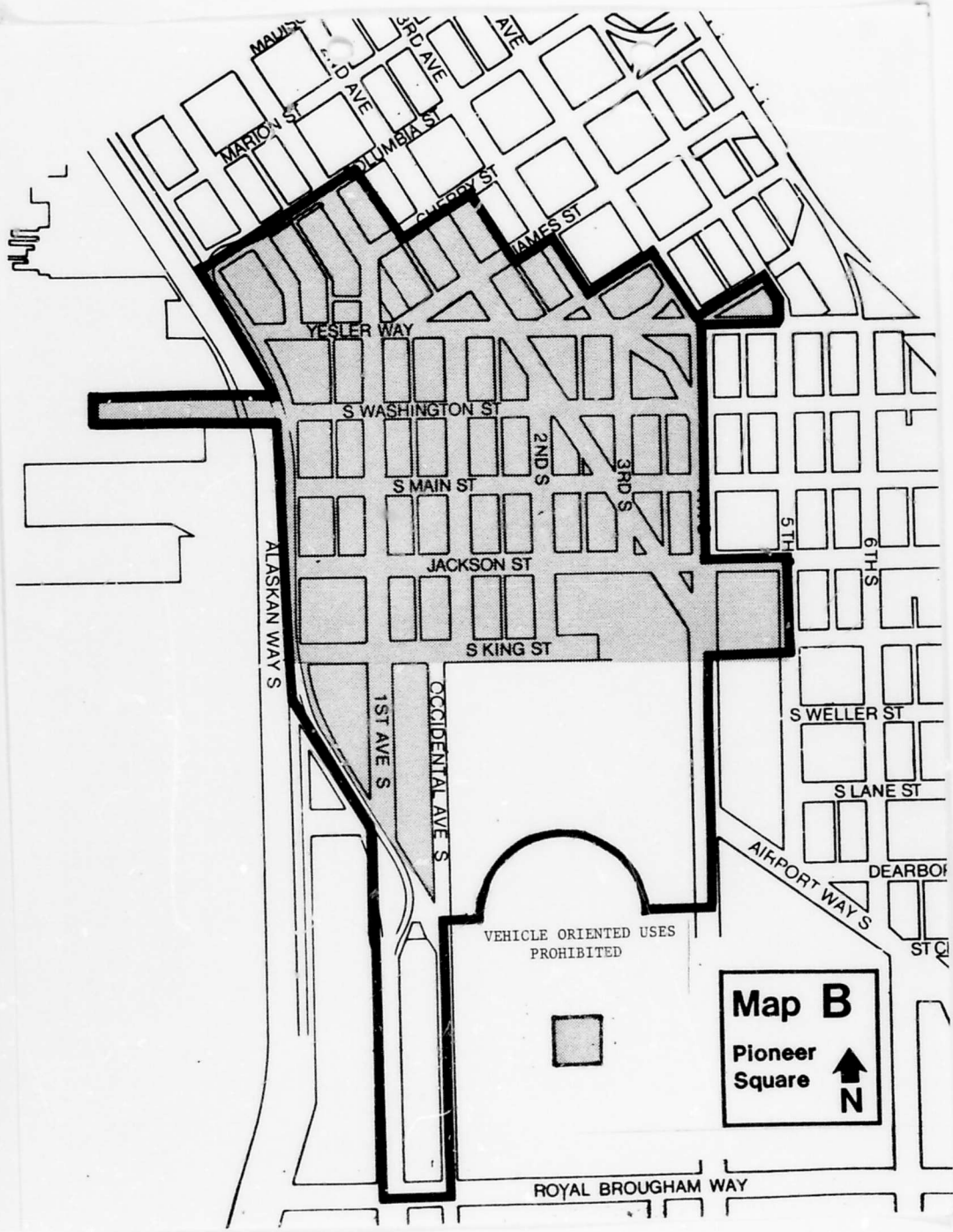
Attest: Jim Hill
City Comptroller and City Clerk.

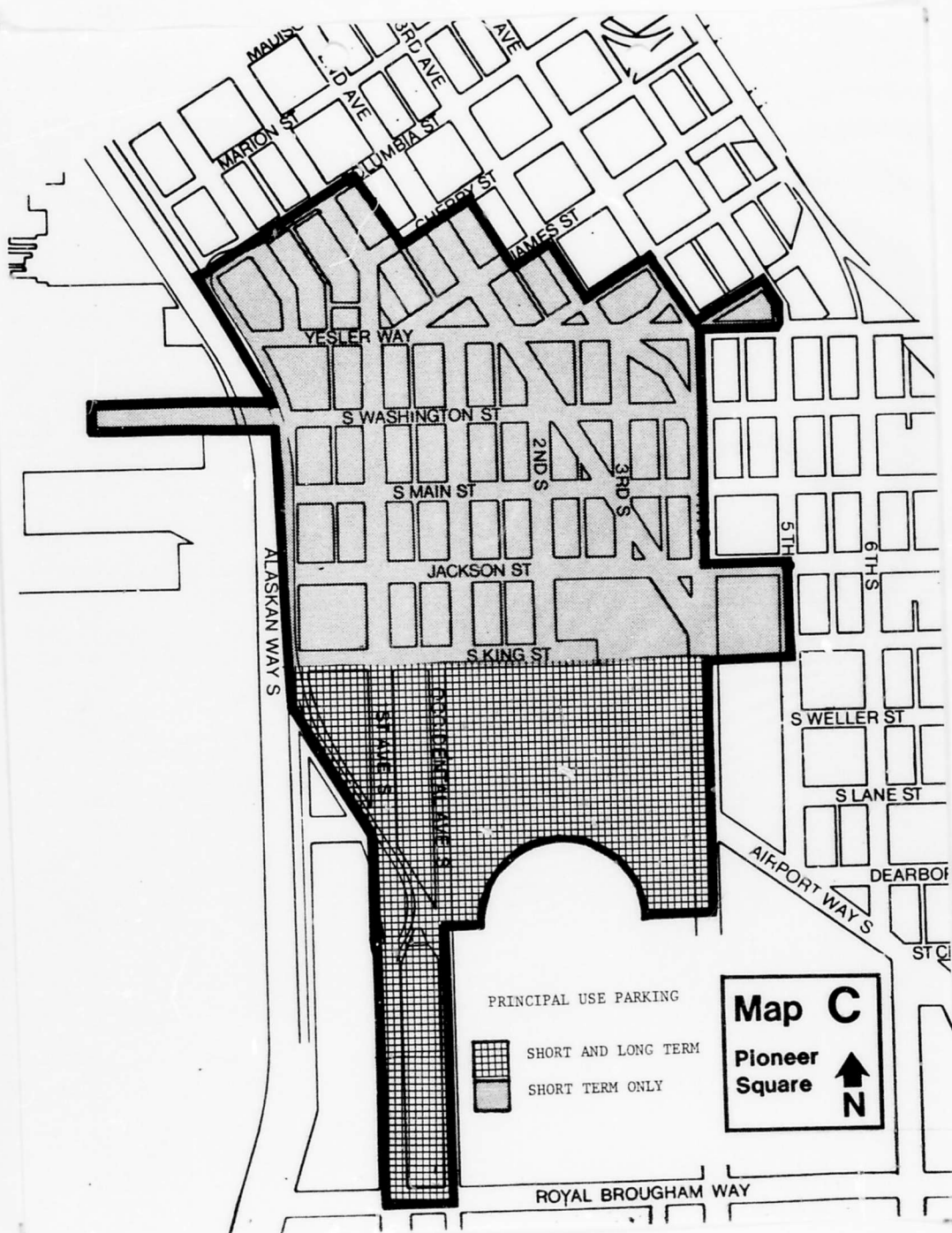
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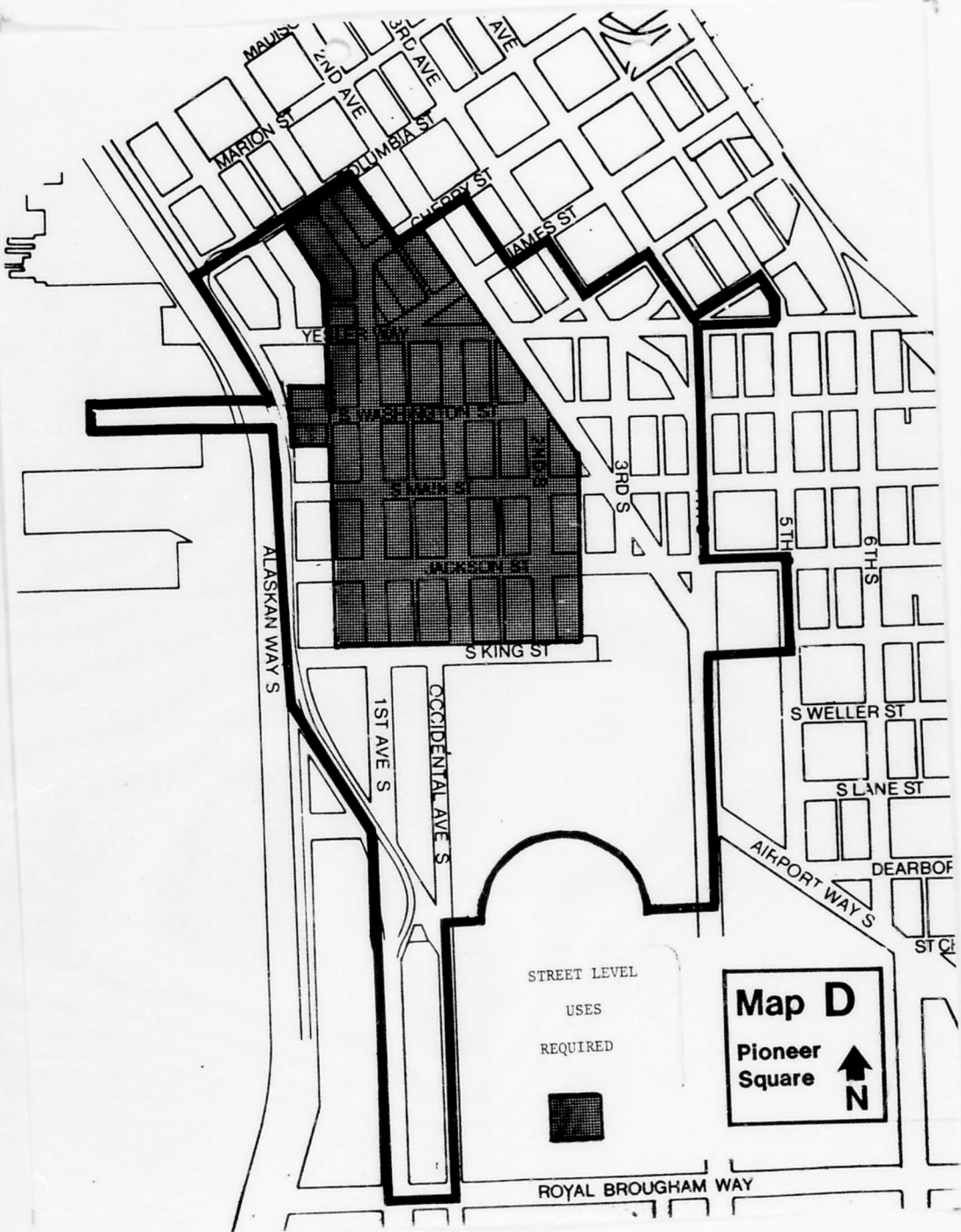
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By Lee E. E. E.
Deputy Clerk.

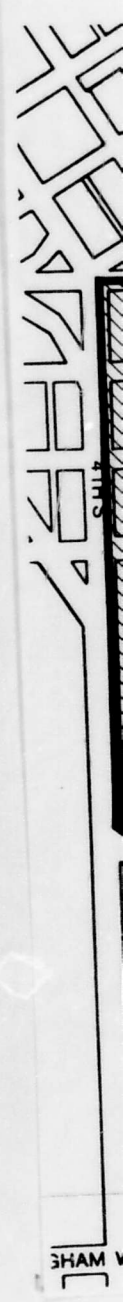
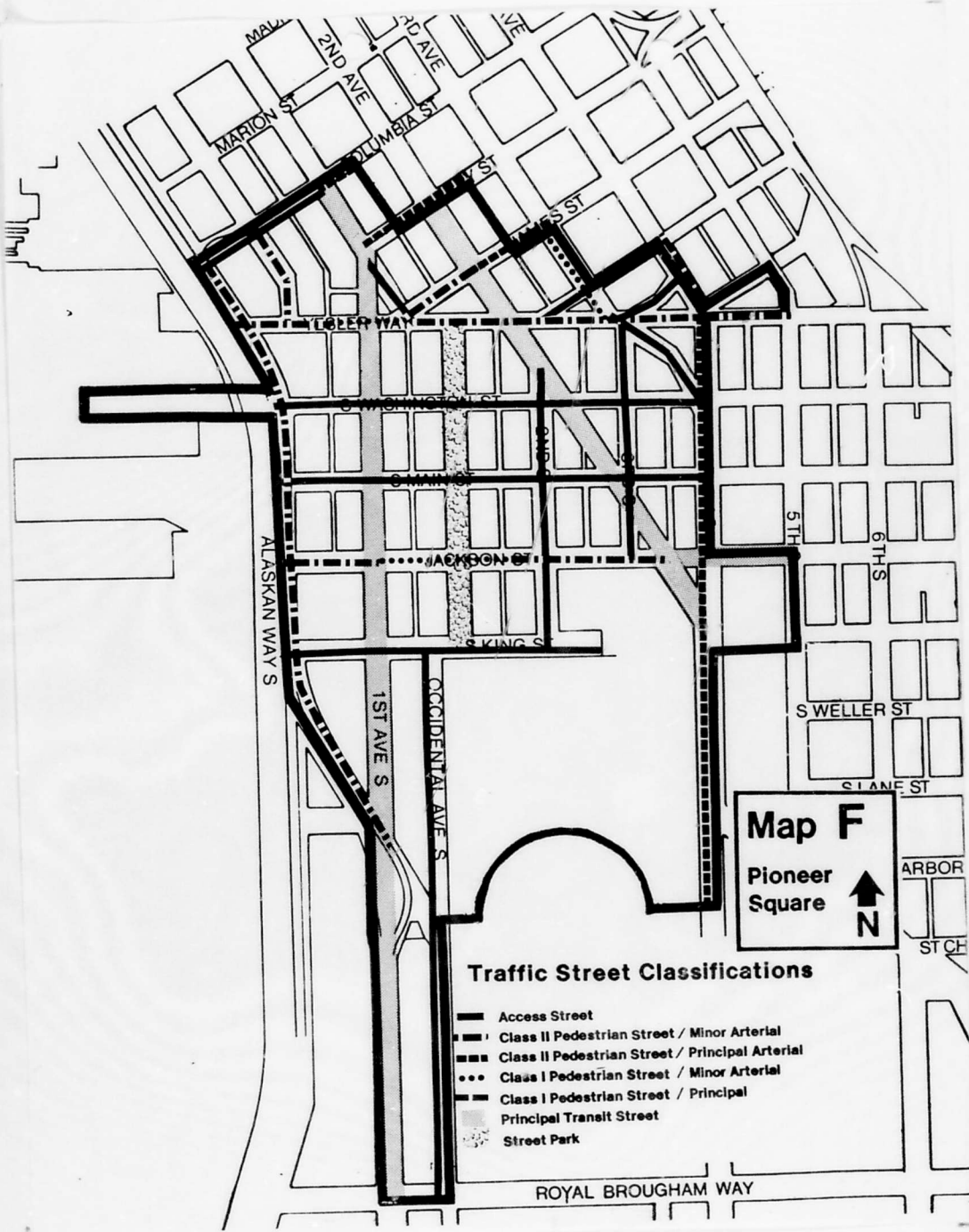














**INTERNATIONAL
SPECIAL
REVIEW DISTRICT**

Map A
**International
District**

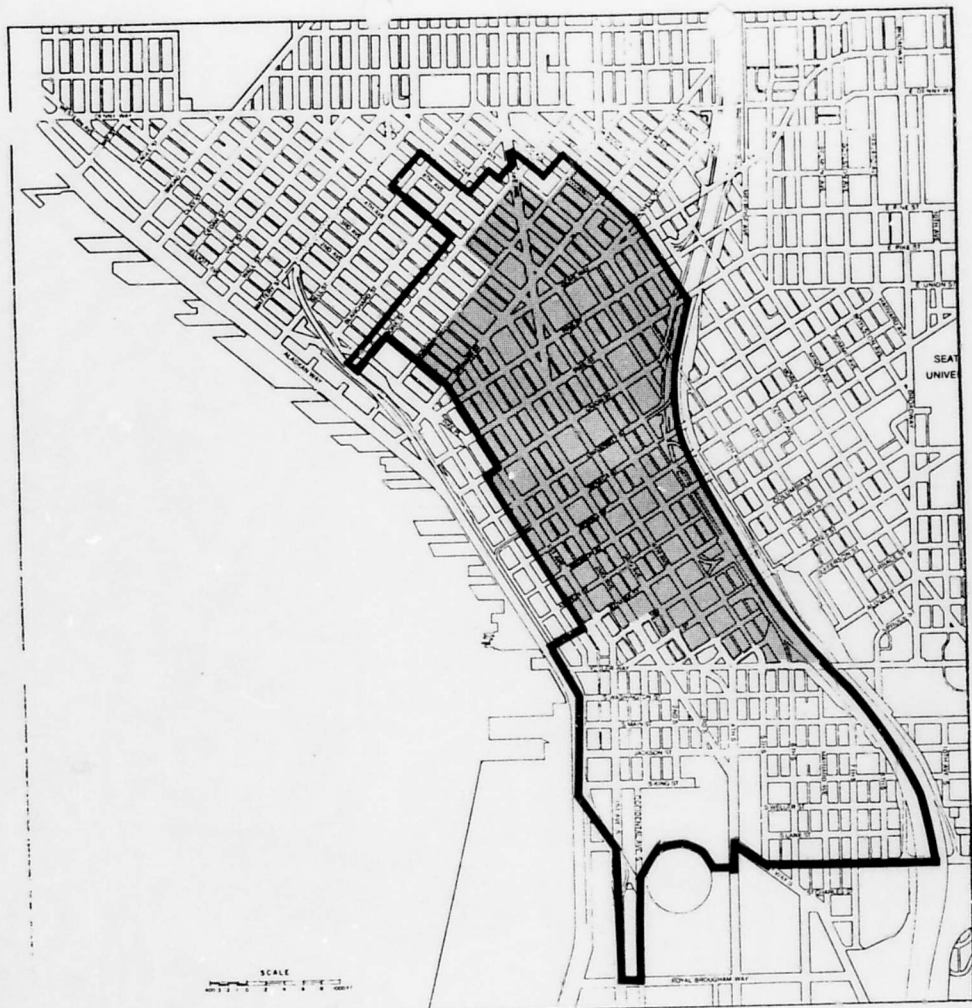
- ID boundary
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- ☒ High Transit Access
- ☐ Moderate Transit Access

Transit Access

-46-

8503140774

Office of the Comptroller
City of Seattle

Tim Hill, Comptroller

MEMORANDUM

March 1, 1985

TO: Interested Persons

FROM: Tim Hill, City Comptroller *Tim Hill*

SUBJECT: Ordinance No. 112134

Because of the size of Ordinance No. 112134 (103 pages) and the number of persons who receive copies of ordinances that amend the City's Land Use Code, we have copied the published version of this ordinance for your use.

If, however, you require a full-size copy of the original ordinance, we would be happy to provide it to you. Please call Theresa Dunbar at s2798 if you need a copy.

TH:td
Attachment



8503140774

AN ORDINANCE
Chapter
the area
Pioneer
Special
Land Use
Code, an
Interim
Sections
23.84.10
Land Use
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City of Seattle

ORDINANCE 12124

AN ORDINANCE relating to land use and zoning, adding a new Chapter 23.66 to the Seattle Municipal Code to provide for the creation of special review districts; to establish a Pioneer Square Preservation District and an International Special Review District; amending Chapter 23.49 of the Land Use Code to establish an Interim Pioneer Square Mixed Zone, an Interim International District Mixed Zone, and an Interim International District Residential Zone; amending Sections 23.30.10, 23.49.04, 23.49.05, 23.44.24, 23.44.02, 23.44.14, 23.44.24, 23.44.25, 23.44.30 and 23.44.38 of the Land Use Code; and repealing Chapter 24.68 of the Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 23 of the Seattle Municipal Code a new Chapter 23.66 to read as follows:

CHAPTER 23.66 Special Review Districts SUBCHAPTER 1. GENERAL PROVISIONS

Section 23.66.010 Establishment of Special Review Districts
The Council may establish Special Review Districts by ordinance to control development in such districts.

Section 23.66.015 Procedure to Establish, Alter, or Abolish Special Review Districts

A petition to establish, alter, or abolish a Special Review District shall be filed and considered in the same manner as amendments to the Official Land Use Map, Chapter 23.34. A petition or proposal to establish a Special Review District shall include a statement of purpose. The boundaries of a Special Review District shall be drawn on the Official Land Use Map.

Section 23.66.020 Special Review Boards

A. The ordinance establishing a Special Review District may create a Special Review Board unless otherwise specified, a Special Review Board shall consist of seven members. Five of the members shall be chosen at annual elections, called and conducted by the Community Development Director, at which all residents, persons who operate businesses, their employees, and property owners of the Special Review District shall be eligible to vote. Two of the members shall be appointed by the Mayor and confirmed by the Council. The Mayor shall, in making Board appointments, attempt to assure that a diversity of interests in the District are represented on the Board. The Community Development Director shall provide twenty days notice of the Board's first meeting in the City's official newspaper, by general mailed release, and by publishing notice in one or more community newspapers which are circulated within the District. Thereafter, notice of annual meetings shall be provided to the public by the Board's publication of notice in one or more District community newspapers. The Council shall establish terms of service for members of a Special Review Board in the ordinance creating the District. No person shall serve more than two consecutive terms on a Special Review Board.

B. Each Special Review Board shall elect a chairperson and adopt procedures as required to conduct its business. Staff assistance to each Special Review Board shall be provided by the Community Development Director. The Community Development Director shall constitute a quorum for the purpose of transacting business. All decisions shall be by majority vote of those members present. In the event of a tie vote, a motion shall be defeated. The Special Review Board shall keep minutes of all of its official meetings which shall be maintained by the Community Development Director. The Community Development Director shall also maintain a copy of the procedures of the Special Review Board.

C. When use and development standards for a Special Review District are not provided in the ordinance creating the District, the Special Review Board shall recommend such standards pursuant to Section 23.66.025 of this Chapter.

D. The Special Review Board shall review applications for certificates of approval, and all petitions or applications for amendments to the Official Land Use Map, conditional uses, special exceptions, variances and planned unit developments or planned community developments and shall make a recommendation on any such application or petition to the Community Development Director.

E. The Special Review Board may, in its discretion, make recommendations to the Mayor, the Council, and any public or private agency concerning land use and development in the District.

Section 23.66.025 Use and Development Standards

A. The Council may include use and development standards in the ordinance establishing a Special Review District. If use and development standards are not included, the Special Review Board may, after at least one public hearing, recommend use and development standards for the Special Review District to the Community Development Director who shall recommend use and development standards to the Council. If the Special Review Board fails to recommend use and development standards within ninety days after its first meeting, the Community Development Director shall prepare use and development standards and recommend such standards to the Council. The Council shall consider proposed use and development standards in the same manner as Land Use Code text amendments. Use and development standards shall be adopted by ordinance and may thereafter be amended in the same manner as Land Use Code text amendments as provided in Chapter 23.34.

B. The use and development standards shall identify the unique characteristics of the District, shall include a statement of purpose and intent, and shall be consistent with the purposes for creating the Special Review District. The standards shall identify uses, structures and design features that have positive or negative effects upon the character of the District, and may modify use and development standards and other provisions of the Land Use Code to allow and encourage or to limit or exclude structures, designs, and uses. All provisions of the Land Use Code shall apply in Special Review Districts. Use and development standards shall specify the criteria by which uses, structures and designs will be evaluated. In the event of irreconcilable differences between the use and development standards adopted pursuant to this Chapter, and the provisions regulating the underlying zone, the provisions of this Chapter shall prevail.

C. The Community Development Director, following recommendation by the Board, may adopt rules consistent with the use and development standards of the Special Review District, in accordance with Chapter 3.02 of the Seattle Municipal Code.

Section 23.66.030 Certificates of Approval - Application, Review and Appeals

A. Certificate of Approval required

No person shall alter, demolish, construct, reconstruct, restore, remodel, make any visible change to the exterior appearance of any structure, or to the public rights-of-way or other public spaces in a Special Review District, and no one shall remove or substantially alter any existing sign or erect or place any new sign or change the principal use of any building, or any portion of a building, structure or lot in a Special Review District, and no permit for such activity shall be issued unless a certificate of approval has been issued by the Community Development Director.

B. Fees

The fees for certificates of approval shall be established in accordance with the requirements of the Permit Fee Ordinance, Chapter 23.880 of the Seattle Municipal Code.

C. Applications

1. An application for a certificate of approval may be filed with the Special Review Board staff in the Department of Community Development or with the Director or the Director of Engineering as part of a permit application. When a permit application is filed with the Director or with the Director of Engineering for work requiring a certificate of approval, he or she shall refer the application to the Community Development Director, and the application shall be considered as application for a certificate of approval.

2. After the Special Review Board has given notice of the meeting at which an application for a certificate of approval will be considered, no other application for the same alteration or change of use may be submitted until the Community Development Director has approved or denied the existing application and all appeals have been concluded.

D. Review

1. Review when no Special Review Board is established

a. When there is no Special Review Board, the Community Development Director shall, within thirty days of receipt of an application for a certificate of approval, determine whether the proposed action is consistent with the use and development standards for the District and shall, within fifteen days, issue, issue with conditions, or deny the requested certificate of approval.

b. A copy of the Community Development Director's decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application.

2. Review when a Special Review Board is established

a. When a Special Review Board has been established, the Board shall hold a public meeting to receive comments on certificates of approval applications.

b. Notice of the Board's public meeting shall be posted in two prominent locations in the District at least three days prior to the meeting.

c. The Board, after reviewing the application and considering the information received at the public meeting, shall make a written recommendation to the Community Development Director to grant, grant with conditions, or deny the certificate of approval application based upon the consistency of the proposed action with the requirements of this Chapter, the District use and development standards, and the purpose for creating the District. The Board shall make its recommendation within thirty days of the receipt of a completed application by the Board staff. The Community Development Director may extend this thirty-day period for cause, and shall advise the Board and the applicant in writing of the length of time of the extension.

d. The Community Development Director shall, within fifteen days of receiving the Board's recommendation, issue or deny a certificate of approval or issue an approval with conditions.

e. A copy of the decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application.

f. A decision denying a certificate of approval shall state the specific reasons for the denial and explain why the proposed changes are inconsistent with the requirements of this subchapter and adopted use and development standards for the District.

E. Appeal to Hearing Examiner

1. Any interested person may appeal the decision of the Community Development Director to the Hearing Examiner by filing a notice of appeal within fourteen days of the Community Development Director's decision. The Hearing Examiner shall hear the appeal de novo in accordance with the standards and procedures established for Hearing Examiner appeals by Chapter 3.02 of the Seattle Municipal Code. Appeals shall be limited to the issues cited in the notice of appeal. The decision appealed may be reversed or modified only if the Hearing Examiner finds that the Community Development Director's decision was arbitrary and capricious.

2. If evidence is presented to the Hearing Examiner that was not presented to the Board, or if the Hearing Examiner determines that additional information is required, then the Hearing Examiner shall remand the decision to the Community Development Director for consideration of the additional information or evidence.

3. The decision of the Hearing Examiner shall be final. Copies of the Hearing Examiner's decision shall be mailed to all parties of record.

F. Revocation of Certificate

Building constructed, removal, demolition, alterations of the certificate of approval, for failure to comply with the terms of the certificate of approval.

G. Expiration of Certificate

Certificate of approval date of issuance or expiration of the certificate of approval.

Section 23.66.035 Other

The Director and the Director of Engineering shall deliver copies of the Official Land Use Map, copies of applications and planned community development standards, for conditional uses, affect property within appropriate Special Review Districts, and writing within thirty days of application.

Section 23.66.040 Map

Enforcement of the provisions of Chapter 23.66.

PIONEER SQUARE

Part 1. General Purpose

Section 23.66.100 Cr.

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F. Revocation of Certificates of Approval

Building construction, remodeling, restoration, renovation, removal, demolition and use shall conform to the requirements of the certificate of approval granted by the Community Development Director. Approval may be revoked for failure to comply with this chapter, the ordinance creating the District, or the conditions of the certificate of approval.

G. Expiration of Certificates of Approval

Certificates of approval shall expire one year from the date of issuance unless the Community Development Director determines that extenuating circumstances justify extension of the expiration date.

Section 23.66.035 Other Land Use Decisions

The Director and the Community Development Director shall deliver copies of petitions for amendments to the Official Land Use Map, copies of applications for planned unit developments and planned community developments, and copies of applications for conditional uses, special exceptions, and variances which affect property within a Special Review District, to the appropriate Special Review Board for its recommendation. The Special Review Board shall submit any recommendations in writing within thirty days of receipt of copies of the applications.

Section 23.66.040 Enforcement and Penalties

Enforcement of the provisions of this Chapter shall be pursuant to Chapter 23.90 of this Land Use Code.

SUBCHAPTER II

PIONEER SQUARE PRESERVATION DISTRICT

Part 1. General Purpose and Organization

Section 23.66.100 Creation of District; Legislative Findings and Purpose

A. During the City of Seattle's relatively brief history, it has had little time in which to develop areas of consistent historical or architectural character. It is recognized that the Pioneer Square area of Seattle contains many of these rare attributes and consequently is an area of great historical and cultural significance. Further, the King County domed stadium (Kingdome), constructed in the Pioneer Square area, and the traffic and activities which it generates has resulted in adverse impacts upon the social, cultural, historic and ethnic values of the Pioneer Square area. To preserve, protect, and enhance the historic character of the Pioneer Square area and the buildings thereon, to return unproductive structures to useful purposes, to attract visitors to the City, to avoid a proliferation of vehicular parking and vehicular-oriented structures, to encourage the use of transportation modes other than the private automobile, to protect existing commercial vehicle access, to improve visual and urban relationships between existing and future buildings and structures, parking spaces and public improvements within the area, and to encourage pedestrian use, there is hereby established a Special Review District, the Pioneer Square Preservation District. The boundaries of the District are shown on Map A and on the Official Land Use Map.

The District shall consist of an historic core and a buffer zone, as depicted on Map A. All property in the entire District shall be developed and used in accordance with the use and development standards established in this Chapter and the use and development standards for the underlying zone in which the property is located. In the event of irreconcilable differences between the use and development standards of this Chapter and other provisions of this Land Use Code, the provisions of this Chapter shall apply.

C. Reasons for Designating the Pioneer Square Preservation District

1. Historic significance

The Pioneer Square Preservation District is unique because it is the site of the beginning of the city of Seattle. The area also retains much of the original architecture and artifacts of its early history. The District has played a significant role in the development of Seattle, the Puget Sound region and the State of Washington. It was the first location of industry, business and homes in early Seattle and the focus of commerce and transportation for more than a half century.

2. Architectural significance

As a collection of late nineteenth- and early twentieth-century buildings of similar materials, construction techniques and architectural styles, the District is unique, not only to the City but to the country as well. Most of the buildings within the District embody the distinctive characteristics of the late Victorian style. Many buildings are the work of one architect, Elmer S. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area that is distinguishable in style, form, character, and construction representative of its era.

3. Social diversity

The District represents an area of unique social diversity where people from many income levels and social strata live, shop, and work. It is an area in which social services, including missions, low-income housing and service agencies exist.

4. Business environment

The District is an area of remarkable business diversity. The street level of the historic core is pedestrian-oriented, with its storefronts occupied primarily by specialty retail shops, art galleries, restaurants and taverns. The upper floors of buildings in the historic core are occupied by professional offices, various types of light manufacturing, and housing for persons of many income groups. The buffer zone is made up predominantly of light manufacturing and warehousing uses. The ongoing restoration and sensitive rehabilitation of many District structures combined with proposed compatible new construction will continue to enhance the District's economic climate.

5. Education value

The restoration and preservation of the District will yield information of educational significance regarding the way of life and the architecture of the late nineteenth-century as well as adding interest and color to the city. Restoration of the District will preserve the environment which was characteristic of an important era of Seattle's history.

6. Geographic location

The District is uniquely situated adjacent to Seattle's waterfront, the central business district, the International District, and the King County domed stadium.

Section 23.66.110 Responsible Agency

A. A Special Review Board for the Pioneer Square Preservation District is hereby created and shall be known as the "Pioneer Square Preservation Board" (hereafter, the "Board" or the "Preservation Board"). The Preservation Board shall be composed of nine members, all of whom shall be appointed by the Mayor and confirmed by the Council, and shall consist of two architects, two owners of property in the District, one District retail business owner, one attorney, one human services representative, one at-large member, and one historian or architectural historian. At least one of the Board's members shall be a resident of the District. Appointments shall be for terms of three years each, except that initial appointments shall be staggered so that three of the appointees shall serve for three years, three for two years, and three for one year each. All members of the Pioneer Square Preservation Board, established by Ordinance 118838, are appointed and confirmed as interim members of the Pioneer Square Preservation Board and shall serve until appointments pursuant to this Chapter have been completed. Members of the Preservation Board shall serve without compensation.

B. The Community Development Director shall provide staff and clerical support for the Preservation Board and shall assign a member of the Department's staff to act as Preservation Board Coordinator. The Coordinator shall be the custodian of the Board's records, handle official correspondence, and organize and supervise the Board's clerical and technical work. The Coordinator shall also recommend to the Preservation Board such actions, policies, rules and regulations as may be necessary to carry out the purposes of this Chapter.

C. The Community Development Director, after receiving the Board's recommendations, shall formulate detailed rules, to be adopted after a public hearing pursuant to Chapter 3.02 of this Code, which will clarify the use and development standards for the District.

Section 23.66.115 Demolition Approval

A. Demolition or removal of buildings or other structures in the District is prohibited unless approved by the Community Development Director. Except as provided in subsection B below, no approval shall be given for building demolition or removal unless the following prerequisites are met:

1. The Director of Community Development, following a recommendation by the Preservation Board, determines that the building or structure has no architectural or historic significance; and
2. Use and design of the replacement structure has been approved by the Community Development Director; and
3. Proof acceptable to the Community Development Director of a valid commitment for interim and long-term financing for the replacement structure has been secured. In addition to other proof, the Community Development Director may accept a bond, letter of credit, or cash deposit as a demonstration that the project has adequate financial backing to insure completion; and
4. Satisfactory arrangements have been made for retention of any part of the structure's facade which the Community Development Director, following a recommendation by the Preservation Board, determines to be significant; and
5. Satisfactory assurance is provided that new construction will be completed within two years of demolition.

B. When demolition or removal of a building or other structure in the District is essential to protect the public health, safety and welfare or when the purposes of this ordinance will be furthered by the demolition or removal, then the Director of Community Development, following review and recommendation by the Board, may authorize such demolition or removal whether the prerequisites of this section are satisfied or not.

Part 2. Use and Development Standards

Section 23.66.120 Permitted Uses

A. All uses are permitted outright except those that are specifically prohibited by Section 23.66.122 and those that are subject to special review as provided in Section 23.66.124.

B. All uses not specifically prohibited are permitted as both principal and accessory uses except:

1. Gas stations which shall be permitted as accessory uses only in parking garages; and
2. Principal use parking garages which shall be permitted only after special review by the Preservation Board pursuant to Section 23.66.124 of this chapter. Accessory parking garages shall be permitted outright.

Section 22.66.122 Prohibited Uses

- A. The following uses are prohibited in the entire District as both principal and accessory uses:
 - Retail ice dispensaries
 - Plant nurseries
 - Frozen food lockers
 - Veterinary clinics
 - Automotive retail sales and service, except gas stations accessory to parking garages
 - Marine sales and service
 - Coal sales
 - Construction equipment retail sales and rental
 - Farm and industrial equipment retail sales and service
 - Heavy commercial services
 - Adult motion picture theatres
 - Adult parlors
 - Bowling alleys
 - Shooting ranges
 - Communications utilities
 - Billboards and off-premise directional signs
 - Transportation facilities, except passenger terminals
 - Outdoor storage.
- B. Commercial uses which are vehicle-oriented shall be prohibited in the area of the District identified on Map B. Such uses include, but are not limited to the following:
 - Drive-in businesses, except gas stations accessory to parking garages
 - Principal and accessory surface parking areas not in existence prior to August 18, 1981
 - Hotels.
- C. All general manufacturing uses, salvage and recycling uses except recycling collection stations, and all industrial uses are prohibited both as principal and as accessory uses.

Section 22.66.124. Uses Subject to Special Review

- A. Principal use parking garages for long term parking in areas designated on Map C, and principal use short term parking garages at any location, shall require approval of the Community Development Director after review and recommendation by the Preservation Board.
- B. A principal use parking garage may be permitted if the following conditions are met:
 1. The use will not increase the ambient noise level in existing residences within line of sight of the proposed parking structure; and
 2. Exterior materials, height, wall openings and fenestration will reflect, to the extent possible, the character of the adjoining structures or structures on the adjoining block facing the site; and
 3. Access will comply with the standards provided in Section 22.66.170 of this Chapter; and
 4. Automobile circulation within the garage will not be visible from the adjoining public streets.
- C. Uses at the street level of approved parking garages shall be limited to those uses permitted in the area, other than parking, to a minimum depth of twenty feet above all street frontages, and along alleys and malls which are limited solely to pedestrian use.

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Section 22.66.130 Street Level Uses

- A. Uses at street level in the area designated on Map D shall require the approval of the Community Development Director after review and recommendation by the Preservation Board.
- B. Preferred street level uses
 1. Preferred uses at street level shall be highly visible and pedestrian-oriented. Preferred street level uses either display merchandise in a manner that contributes to the character and activity of the area, and/or promote residential use, including but not limited to the following uses:
 - a. Art galleries, restaurants, and other retail sales and service uses under three thousand square feet in size.
 2. Theaters
 3. Accessory parking garages which serve preferred street level uses on streets or malls, parks or alleys designed for pedestrian uses shall also be preferred.
- C. Discouraged street level uses
 1. The following uses are discouraged at street level in the area designated on Map B:
 - a. Any use occupying more than fifty percent of any block frontage;
 - b. Retail sales and services over three thousand square feet and all other uses over ten thousand square feet;
 - c. Professional services establishments or offices which comprise more than twenty percent of any block frontage;
 - d. Parking garages which are not accessory to preferred uses.
 2. Discouraged uses may be approved by the Community Development Director after review and recommendation by the Preservation Board if an applicant demonstrates that the proposed use is compatible with uses preferred at street level.
- D. Approved street level uses in the area designated on Map D shall be subject to the following conditions:
 1. No use may occupy more than fifty percent of the street level frontage of a block that is twenty thousand square feet or more in area;
 2. Human service uses and personal service establishments, such as hair cutting and tanning salons, may not exceed twenty-five percent of the total street level frontage of any block front.

- B. The following uses shall be prohibited at street level in the area designated on Map D:
 - Wholesaling, storage and distribution uses
 - Vocational and fine arts schools
 - Research and development
 - Radio and television studios
 - Taxidermy shops
 - Appliance repair shops
 - Upholstery establishments
 - Other similar uses.

- F. The street level location of entrances and exits of all vehicular-oriented uses, where permitted, shall be approved by the Community Development Director after review and recommendation by the Preservation Board. View-obscuring screening may be required as needed to reduce adverse visual impacts on the immediate area.

Section 22.66.132 Council Conditional Uses

City facilities and public projects which do not meet use and development standards may be permitted by the Council pursuant to Chapter 22.90 of this Land Use Code.

Section 22.66.140 Height

- A. Maximum height
Maximum structure height shall be as designated on the Official Land Use Map, Chapter 22.13.
- B. Minimum height
No structure shall be erected or permanent addition added to an existing structure which would result in the height of the new structure totaling less than fifty feet. Height of the structure is to be measured from mean street level fronting on the property to the mean roof line of the structure.

C. Rooftop features

The height limits established for the rooftop features described in this subsection may be increased by the average height of the existing street parapet or a historically substantiated reconstructed parapet on the building on which the rooftop feature is proposed. The setbacks required for rooftop features may be increased by the Community Development Director, after a sight line review by the Preservation Board to insure that the features are minimally visible from public streets and parks within three hundred feet of the structure.

1. Radio and television receiving aerials excluding dishes, religious symbols such as belfries or spires and that portion of the roof which supports them, smokestacks, and flagpoles may extend up to fifty feet above the roof of the structure or the maximum height limit, whichever is less, except as regulated in Chapter 22.64 of this Land Use Code, provided that they are a minimum of ten feet from all lot lines.
2. Open railings, planters, clerestories, skylights, play equipment, parapets and firewalls may extend up to four feet above the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop coverage.
3. Solar collectors, excluding greenhouses, may extend up to seven feet above the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop coverage, provided they are a minimum of ten feet from all lot lines.
4. The following rooftop features may extend up to eight feet above the roof or maximum height limit, whichever is less, when they are set back a minimum of fifteen feet from the street and three feet from an alley. They may extend up to twelve feet above the roof when set back a minimum of thirty feet from the street. A setback may not be required at common wall lines subject to review by the Preservation Board and approval by the Director. The combined coverage of the following listed features shall not exceed fifteen percent of the roof area:
 - Solar collectors, excluding greenhouses
 - Stair and elevator penthouses
 - Mechanical equipment
 - Dish antennae.
5. Residential and office penthouses

- a. Residential penthouses may cover a maximum of fifty percent of the total roof surface and may extend up to eight feet above the roof when set back a minimum of fifteen feet from the street property line, or twelve feet above the roof when set back a minimum of thirty feet from the street property line.
- b. Office penthouses shall be permitted only when the footprint of the existing structure is greater than ten thousand square feet and the structure is at least sixty feet in height. When permitted, office penthouses shall be set back a minimum of fifteen feet from all property lines and may cover a maximum of fifty percent of the total roof surface. Office penthouses may extend up to twelve feet above the roof of the structure and shall be functionally integrated into the existing structure.
- c. The combined height of the structure and a residential penthouse or office penthouse where permitted, shall not exceed the maximum height limit for that area of the District in which the structure is located.

- D. When new structures are proposed in the District, the Preservation Board shall review the proposed height of the structure and make recommendations to the Community Development Director who may require design changes to ensure adequate protection of views from other types of areas.

Section 22.66.150 Maximum Setbacks

Structures located in the area designated on Map B shall cover the full width of the lot along street property lines and shall abut upon street property lines. Although interior open spaces may be permitted by the Community Development Director following review and recommendation by the Preservation Board.

Section 23.64.155 Waiver of Common Recreation Area Requirements

The Director of Community Development, after review and recommendation by the Preservation Board, may waive or reduce the common recreation area required by the underlying zoning or modify the required standards for common recreation area under the following conditions:

- Allocation of all or a portion of the required gross floor area would adversely affect the visual character of the structure or the District; or
- Common recreation area requirements would adversely affect the economic feasibility of the project; or
- It can be shown that the project is reasonably served by existing public or private recreation facilities located nearby.

Section 23.64.156 Signs

- The following signs shall be prohibited throughout the Pioneer Square Preservation District:

Permanently affixed, free-standing signs (except those used to identify access such as parking)
Roof signs
Billboards
Electric signs, excluding neon signs.

- All flags and banners shall be subject to Preservation Board review and approval of the Community Development Director.

- To ensure that flags, banners and signs are of a scale, color, shape and type compatible with the character of the District and the buildings in the district and to ensure that the messages of signs are not lost through undue proliferation or competition with other signs, and to enhance views and sight lines into and down streets, the overall design of a sign including size, shape, typeface, text, method of attachment, color, graphics and lighting, shall be reviewed by the Board. Building owners shall be encouraged to develop an overall signage plan for their entire buildings. In determining the appropriateness of signs, the Preservation Board shall consider the following:

- Signs attached or applied to structures:

- The relationship of the shape of the proposed sign to the architecture of the building and with the shape of other approved signs;
- The relationship of the texture of the proposed sign to the building for which it is proposed, and with other approved signs;
- The possibility of physical damage to the structure and the degree to which the method of attachment would conceal or disfigure desirable architectural features or details of the structure. The method of attachment shall be approved by the Director;
- The relationship of the proposed colors and graphics with the colors of the building and with other approved signs;
- The relationship of the proposed sign with existing lights and lighting standards, and with the architectural and design motifs of the building;
- Whether the proposed sign lighting will detract from the character of the building; and
- The compatibility of the colors and graphics of the proposed sign with the character of the district.

- Wall signs painted on or affixed to a building shall not exceed ten percent of the total area of the facade or two hundred forty square feet, whichever is less. Area of original building finish visible within the exterior dimensions of the sign (e.g., unpainted brick) shall not be considered when computing the sign's area.

- Signs not attached to structures shall be compatible with adjacent structures and with the District generally.

- When determining the appropriate size of a sign the Board and the Director shall consider the purpose of the sign and the character and scale of buildings in the immediate vicinity, the character and scale of the building for which the sign is proposed, the proposed location of the sign on the building's exterior, and the total number and size of signs proposed or existing on the building, as well as the type of sign proposed (e.g., informational, theatre marquees, building identification, business identification, address or hours-open signage).

- Signage displayed on the valance of awnings, canopies, or marquees shall be limited to identification of the name or address of the building or of an establishment located in the building.

- Projecting signs, neon signs, signs which appear to be in motion, and signs with flashing, running or chaser lights may be recommended only if the Preservation Board determines that all other criteria for permitted signs have been met and that historic precedent, locational or visibility concerns of the such signage.

C. Temporary signs

- The following signs may be permitted for six months or less if their design, location, shape, size, color and graphics are approved by the Community Development Director after review and recommendation by the Preservation Board:

- Signs for shows, political campaigns and other special events;
- Temporary, non-illuminated signs advertising real estate "For Sale or Lease" or announcing contemplated construction or improvements to the structure on the property;
- Temporary signs erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.

- Temporary signs required by law shall be permitted.

Section 23.64.170 Parking and Access

- Parking shall be required in the Pioneer Square Preservation District, according to Section 23.64.24 of this Land Use Code.

- To mitigate the potential impacts of required accessory parking on the District, the Director of Community Development, after review and recommendation by the Preservation Board, may waive or reduce required parking in the following circumstances:

- After incorporating high occupancy vehicle alternatives such as carpools and vanpools, required parking spaces exceed the net usable space in all below grade floors; or
- Reasonable application of the parking standards will adversely affect the visual character of the District.

- When parking is provided it shall be subject to the requirements of Section 23.64.26 of this Land Use Code.

- Standards for location of access to parking

- Access to parking and loading from alleys, and from streets which generally run east-west, is preferred to access from Avenues. When a lot abuts more than one right-of-way, the location of access shall be determined by the Community Development Director in consultation with the Director of Engineering. This determination shall be made according to the traffic classification of the streets, depicted on Map F. Access shall be from rights-of-way classified as follows, from the most to least preferred, except when the Community Development Director, following review and recommendation by the Board, determines that access from the preferred right-of-way would create a hazardous condition:

Alleys
Access streets
Class II pedestrian streets--Minor Arterial
Class II pedestrian streets--Principal Arterial
Class I pedestrian streets--Minor Arterial
Class I pedestrian streets--Principal Arterial
Principal Transit Street
Street fronts.

- Curb cut width and the number of curb cuts permitted per street frontage shall be governed by Section 23.64.30 of this Land Use Code.

- The street level location of entrances and exits of all parking garages, where permitted, shall be permitted only if approved by the Community Development Director after review and recommendation by the Preservation Board. View-obscuring screening may be required as needed to reduce adverse visual impacts on the surrounding area.

Section 23.64.180 Exterior Building Design

To complement and enhance the historic character of the District and to retain the quality and continuity of existing buildings, the following requirements shall apply to exterior building design:

A. Materials

Unless an alternative material is approved by the Director following Board review and recommendation, exterior building facades shall be brick, concrete tinted a subdued or earthen color, sandstone or similar stone facing material commonly used in the District. Aluminum, painted metal, wood and other materials may be used for signs, window and door casings and trim, and for interior partitions when approved by the Community Development Director as compatible with adjacent or original uses, following Board review and recommendation.

B. Scale

Exterior building facades shall be of a scale compatible with surrounding structures. Window proportions, floor height, cornice line, street elevations and other elements of the building facades shall relate to the scale of the buildings in the immediate area.

C. Awnings

Awnings shall be functional, serving as weather protection for pedestrians at street level, and shall overhang the sidewalk a minimum of five feet. Awnings may be permitted on upper floors for the purpose of climate control. All awnings shall be of a design compatible with the architecture of buildings in the area.

Section 23.64.190 Streets and Sidewalks

- Review by the Preservation Board shall be required before any changes are permitted to sidewalk prism lights, sidewalk widths, or street paving and curbs.

- New access to underground arcways shall be limited to access from buildings, except that new access through the sidewalks shall be permitted where stair access existed at any time prior to September 17, 1981, or as approved by the Community Development Director after review and recommendation by the Preservation Board.

SUBCHAPTER III.
INTERNATIONAL SPECIAL REVIEW DISTRICT

Part 1. General Purposes and Organization

Section 23.66.302 International Special Review District Goals and Objectives

The International District is the urban focal point for the Asian American community. The International Special Review District is hereby established to promote, preserve and perpetuate the cultural, economic, historical, and otherwise beneficial qualities of the area, particularly the features derived from its Asian heritage, by:

1. Re-establishing the District as a stable residential neighborhood with a mixture of housing types;
2. Encouraging the use of street level spaces for pedestrian-oriented retail specialty shops with colorful and interesting displays;
3. Protecting the area and its periphery from the proliferation of parking lots and other automobile-oriented uses;
4. Encouraging the rehabilitation of existing structures;
5. Improving the visual and urban design relationships between existing and future buildings, parking garages open spaces and public improvements within the International District;
6. Exercising a reasonable degree of control over site development and the location of off-street parking and other automobile-oriented uses; and
7. Discouraging traffic and parking resulting from roadside events and commuters working outside the District.

All property within the International Special Review District, as designated on the Official Land Use Map, shall be subject to the use and development standards of the underlying zoning and the applicable use and development standards of this Chapter 23.66. In the event of irreconcilable differences between the use and development standards of this Chapter and the provisions of the underlying zoning or other Chapters of the Seattle Municipal Code or other City ordinances, the provisions of this Chapter shall apply. The boundaries of the International Special Review District are shown on the Official Land Use Map, and on Map 1. International Special Review District Boundaries, located at the end of this subchapter.

Section 23.66.304 Interim International District Mixed (I-IM) Zone Goals and Objectives

The I-IM zone designation shall recognize and promote the area's unique social mix and urban design character. This area is the core of the International District which exemplifies Asian culture. A wide range of uses, including street level retail, housing, development above street level, and the rehabilitation of existing buildings, shall be encouraged. New residential uses and the rehabilitation of existing structures shall be encouraged to provide a diversity of residential opportunities. Specific objectives include the following:

1. To maintain and protect the International District core as an Asian cultural, retail and residential center;
2. To allow flexibility and discretion in land use controls, regulations and guidelines to address present conditions and those which may develop in the future;
3. To protect, preserve and promote small retail and commercial businesses;
4. To encourage development of housing above street level;
5. To encourage the rehabilitation of existing buildings; and
6. To ensure new development compatible in scale and character with existing buildings.

Section 23.66.306 Interim International District Residential (I-IR) Zone Goals and Objectives

The International District residential area shall be predominantly a residential neighborhood with primarily residential uses. Other compatible uses shall be permitted to the extent that they reinforce and do not detract from the primary use of the area. The I-IR designation and the regulations of the International Special Review District shall recognize and promote the area's unique social and urban design character. Specific objectives include:

1. The establishment of the International District hilltop as one of downtown's predominant residential neighborhoods;
2. The development of flexible land use controls, regulations and guidelines to address present conditions and those which may develop in the future;
3. The design, siting, and construction of structures which minimize view blockage from Kobe Terrace Park and from existing structures which are used primarily for residential purposes;
4. The design, siting and construction of structures which insure reasonable solar exposure and air circulation to adjacent properties;
5. The design, siting and construction of structures that are aesthetically compatible with the area's steep topography and/or nearby public open spaces.

Section 23.66.308 International District Goals and Objectives East of the Interstate 5 Freeway

Preferred uses for that portion of the International District that lies east of the Interstate 5 Freeway, include residential uses, small scale commercial processing of food for human consumption, and custom and craft work. Processing of food and the production of arts and crafts with an Asian emphasis are preferred. Permitted uses should contribute to the International District's business core or to the function and purposes of the International District.

Section 23.66.310 Union Station Corridor Goals and Objectives

The Union Station Corridor is that area bounded by Yeeler Way, Fifth Avenue, Airport Way South, and Fourth Avenue. The City, in cooperation with Metro, local property owners and the affected community, should attempt to formulate a strategy for the redevelopment of the Union Station Corridor in coordination with the Downtown Transit Project. Specific objectives for a Planned Community Development in the Union Station Corridor include the following:

1. Preservation: The historic Union Station structure should be retained and rehabilitated with consideration given to a mix of private and public uses;
2. Uses: Development in the Corridor should incorporate a mix of uses, such as office, housing, hotel and retail uses in conformance with the I-IM zone designation and the regulations of the International Special Review District. Retention of existing low-income housing should be given a high priority. Consideration should be given to the inclusion of public open space and public uses serving the community;
3. Planned Community Development: The provisions of Section 23.66.318, Planned Community Development, shall apply in the area. This procedure shall allow projects to modify the provisions of the I-IM designation as long as the entire project is in conformance. All planned community developments shall be reviewed by the International Special Review District Board which shall make a recommendation to the Director.
4. Open Space: Public open space should be included in the development plan for the area. Consideration should be given to the development of a linear open space along Fifth Avenue south of Jackson and of a major focal point at the west end of King Street;
5. Parking: A major parking facility should be considered for development in the area south of the Union Station building. The number of parking spaces provided should be sufficient to meet the requirements for development in the Corridor, as well as to contribute to the long range needs of the International District;
6. Scale: Building height and bulk should conform to the I-IM zone designation and the regulations of the International Special Review District. Development south of Jackson Street should preserve the Union Station building as the dominant structure;
7. View Corridors: Views from Jackson and King Streets should be retained;
8. Pedestrian Environment: To integrate Union Station and the Kingdome and provide a pedestrian link between the International District retail core and Pioneer Square, a pedestrian connection should be developed south of King Street. Consideration should be given to pedestrian improvements along Jackson Street and the "Fifth Avenue" between Jackson Street and Airport Way South such as streetscapes, widened sidewalks and benches, to "humanize" what are now vehicular-oriented streets.

Section 23.66.312 Composition of the Special Review Board

The International District Special Review Board (hereafter, the "Board") shall consist of seven members, five of whom are elected and two of whom are appointed by the Mayor and confirmed by the City Council. The five elected members of the Board shall consist of two members who own property in the International District, or who own or are employed by businesses located in the International District; two members who are either residents (including tenants), or persons with a recognized and demonstrated interest in the welfare of the International District Community; and one member at-large. One member of the Pioneer Square Special Review Board shall serve as a nonvoting member appointed by the Pioneer Square Special Review Board to serve at that Board's pleasure.

Section 23.66.314 Staff Support for the Special Review Board

The Community Development Director shall provide staff and clerical support for the Board, and shall assign a member of the Department's staff to act as Board Coordinator. The Coordinator shall be the custodian of the Board's records, handle official correspondence, and organize and supervise the clerical and technical work of the Board. The Coordinator shall also recommend such actions, policies, rules and regulations for adoption by the board as may be necessary to accomplish the objectives of this Chapter.

Part 2. Use and Development Standards

Section 23.66.316 Special Review Board Recommendation on Certificate of Approval

The Board shall review all applications for use or development within the International District which require a certificate of approval. The Board shall make recommendations based upon the extent to which proposals are consistent with the goals and objectives of the International Special Review District and the use and development standards of this Chapter. The Community Development Director shall, within fifteen days of receiving the Board's recommendation, issue or deny a certificate of approval or issue a certificate of approval with conditions.

Section 23.66.318 Demolition Approval

A. To discourage the unnecessary demolition of useful existing structures which contribute to the District's cultural and social character, an assessment of the structure to be demolished shall be prepared and circulated to the Board prior to its consideration of a certificate of approval. Among other factors, the economic, social and physical consequences and benefits of the requested demolition and any alternatives to demolition shall be assessed. Except as provided in subsection B below, a certificate of approval may be granted only when the requested demolition will not adversely affect the District and no reasonable alternatives to demolition exist, and when:

1. The Director of Community Development, following a recommendation by the Special Review Board, determines that the building or structure has no important architectural or historic significance; and

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2. Use and design of a replacement structure have been approved by the Community Development Director; and
3. Proof acceptable to the Community Development Director of a valid commitment for interim and long-term financing for the replacement structure has been secured. In addition to other proof, the Community Development Director may accept a bond, letter of credit, or cash deposit as a demonstration that the project has adequate financial backing to insure completion; and
4. Satisfactory arrangements have been made for retention of any part of the structure's facade which the Community Development Director and Special Review Board determine to be significant; and
5. Satisfactory assurance is provided that new construction will be completed within two years of demolition.

8. When demolition or removal of a building or other structure in the District is essential to protect the public health, safety and welfare or when the purpose of this ordinance will be furthered by the demolition or removal, then the Director of Community Development, following review and recommendation by the Board, may authorize such demolition or removal whether the prerequisites of this section are satisfied or not.

Section 23.66.326 Permitted Uses

- A. All uses shall be permitted outright except those specifically prohibited by Section 23.66.322 and those subject to special review under Section 23.66.324.

- B. All uses not specifically prohibited shall be permitted as both principal and accessory uses except:

1. Gas stations which are not permitted as principal uses and are permitted as accessory uses only in parking garages;
2. Surface parking areas which are not permitted as principal uses but may be permitted as accessory uses pursuant to Section 23.66.342 of this Land Use Code; and
3. Principal use parking garages which may be permitted only if approved after special review by the Board pursuant to Section 23.66.324 of this Land Use Code. Accessory parking garages shall be permitted outright.

Section 23.66.322 Prohibited Uses

The following uses shall be prohibited as both principal and accessory uses in the entire International Special Review District:

Adult motion picture theaters
Adult pensions
Motels
Automotive retail sales and service
Drive-in businesses
Transportation facilities except passenger terminals
Trailer parks
Open storage
Heavy commercial services, such as commercial laundries, baby diaper services, kennels, and contractor's storage yards
Frozen food lockers
Retail ice dispensaries
Plant nurseries
Veterinary clinics
Construction equipment and materials sales and service
Bowling lanes
Shooting ranges
Shrine retail sales and service
Communication utilities
Medical testing laboratories
Shooting galleries
Bottle stores
All general manufacturing uses
All salvage and recycling uses, except recycling collection stations
All industrial uses.

- B. In addition to the prohibited uses listed in subsection A, light manufacturing uses that occupy more than 18,000 square feet are prohibited in that portion of the International Special Review District west of the Interstate 5 Freeway.

- C. All light manufacturing uses are prohibited in that portion of the District in the I-108 zone.

Section 23.66.324 Uses Subject to Special Review

- A. The following uses shall be subject to special review by the Board:

Fast food restaurants
Motels
Principal use parking garages
Street level uses subject to special review as provided in Section 23.66.326C
Planned Community Developments.

B. Nature of review

1. The evaluation of applications for uses subject to special review shall be based upon the proposal's impacts on the cultural, economic, social, historical and related characteristics of the International District, particularly those characteristics derived from its Asian heritage; existing and potential residential uses; the pedestrian environment; traffic and parking in the District; noise and light and glare.
2. In reviewing applications for principal use parking garages, the Board shall consider the potential of the proposal to serve the particular parking needs of the International District. The Board shall encourage participation in an area-wide merchants' parking association.
- C. The Board may recommend to the Director that an application for special review be approved, approved with conditions, or denied.

Section 23.66.325 Street Level Uses

- A. To retain and strengthen the King Street business core as a pedestrian-oriented retail shopping district, street level uses shall be required on streets designated on Map B, The International District Retail Core. Required street level uses shall satisfy the standards of this Section.

- B. Preference shall be given to pedestrian-oriented retail shopping and service businesses which are highly visible or prominently display merchandise in a manner that contributes color and activity to the streetscape, including but not limited to:

Floral shops
Barbecue shops
Oriental specialty shops
Groceries
Bakeries
Coffee shops
Sidewalk cafes
Restaurants
Travel agencies
Personals
Apparel shops
Variety stores
Personal services such as beauty and barber shops
Banks
Museums

- C. The Board may, following a special review of potential impacts, including, but not limited to: traffic, parking, noise and the scale and character of the pedestrian environment, recommend to the Director that the following uses at street level be approved when the impacts of such uses are not significantly adverse:

Residential uses
Tailorery shops
Appliance repair shops
Diplomatic establishments
Vocational or fine arts schools
Markets or wholesale showrooms, especially when including storage of jewelry, optical or photographic goods, pharmaceuticals, cosmetics, and other similar high value, low bulk articles
Experimental or testing laboratories
Radio and television studios.

The Board may recommend, and the Director may impose, conditions to mitigate the impacts of approved uses.

D. Standards for required street level uses:

1. Street level uses designated on Map B, Retail Core, shall not exceed fifty feet of street frontage per use when located within the interior portion of a block, or one hundred and forty-five feet of street frontage per use when located on a corner.

2. Street level uses shall comply with exterior building finish requirements of Section 23.66.336 of this Land Use Code.

- B. Non-pedestrian-oriented uses and businesses which are not typically visible from the sidewalk shall not exceed twenty-five feet of street frontage per use when located within the interior portion of a block, or one hundred and forty-five feet of street frontage per use when located on a corner. Examples of non-pedestrian-oriented uses include but are not limited to:

Community clubs and centers
Nonprofit community service organizations
Family associations
Human service uses
Places of public assembly.

Section 23.66.325 Uses Above Street Level

- A. To encourage and facilitate the rehabilitation and renovation of existing structures for housing or other uses not preferred at street level, uses above street level on streets designated on Map B, Retail Core, shall meet the standards of this Section.

- B. Residential uses and non-vehicular-oriented commercial uses which primarily serve the District and are in operation throughout the day shall be preferred. Preferred uses above street level include but are not limited to:

Community clubs and centers
Offices
Vocational or Fine Arts Schools
Wholesale uses
Expansion of existing retail uses at street level
Medical services, such as offices for doctors or dentists.

Section 23.66.336 Residential Uses East of Interstate 5

Residential uses shall be permitted in those parts of the International Special Review District east of the Interstate 5 Freeway. This provision shall supersede any prohibition of residential use and Floor Area Ratio established in the underlying zoning for the area.

Section 23.66.155 Waiver of Common Recreation Area Requirements

The Director of Community Development, after review and recommendation by the Board, may waive or reduce the common recreation area required by the underlying zoning or modify the required standards for common recreation area under the following conditions:

- A. Allocation of all or a portion of the required gross floor area would adversely affect the visual character of the structure or the District; or
- B. Common recreation area requirements would adversely affect the economic feasibility of the project; or
- C. It can be shown that the project is reasonably served by existing public or private recreation facilities located nearby.

Section 23.66.332 Height

- A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.31, for that portion of the International District located west of the Interstate 5 Freeway.
- B. For that portion of the International District located east of the Interstate 5 Freeway, maximum structure height shall be sixty-five feet.

C. Rooftop features

1. The Special Review Board and the Director shall review rooftop features to preserve views from Kobe Terrace Park.
2. Radio and television receiving aerials including dishes, religious symbols such as halftrees or spires and that portion of the roof that supports them, smokestacks, and flagpoles are exempt from height controls, except as regulated in Chapter 23.64 of this Land Use Code, provided they are at least ten feet from all lot lines.
3. Open railings, planters, cloisterettes, skylights, fish antennas, play equipment, pergolas and firewalls may extend up to four feet above the maximum height limit and may have unlimited rooftop coverage.
4. Solar collectors excluding greenhouses may extend up to seven feet above the maximum height limit and may have unlimited rooftop coverage.
5. The following rooftop features may extend up to fifteen feet above the maximum height limit provided that the combined coverage of all features listed in this subsection do not exceed fifteen percent of the roof area:

Solar collectors, excluding greenhouses
Stair and elevator penthouses
Mechanical equipment that is set back at least fifteen feet from the roof edge.

Section 23.66.336 Streets and Sidewalks

Review: The Special Review Board and approval by the Community Development Director shall be required before any changes may be made to sidewalk prime lights, sidewalk furniture, sidewalk widths, or street paving and curbs.

Section 23.66.336 Exterior Building Finishes

A. General Requirements

To retain and enhance the visual order of the District, which is created by existing older buildings that provide unique character and form through their subtle detailing and quarter and half block coverage, new development, including exterior remodeling, should respect the architectural and structural integrity of the building in which the work is undertaken, through sympathetic use of colors, material and style. Exterior building facades shall be of a scale compatible with surrounding structures. Window proportions, floor height, cornice line, street elevations and other elements of the building facades shall relate to the scale of the existing buildings in the immediate area.

B. Asian Design Character District

The Asian Design Character District of the International District shall be the same as the ID Retail Core, as illustrated on Map B. To strengthen and preserve the existing Asian architectural character of the Design District, tiled awnings, recessed balconies, heavy timber construction, and materials and colors as specified below are encouraged.

1. Materials

Building facades shall be limited to earthen materials such as brick, concrete, stucco, and wood. Other materials, such as anodized aluminum, may be used if approved by the Board. Brick and concrete may not be painted unless approved by the Board. Stucco may be used in conjunction with other contrasting materials such as dark stained wood. Decorative ceramic glazed roof tiles are encouraged, as are tiled awnings and marquees when appropriately integrated into the overall design.

2. Colors

Building facade colors must be reviewed by the Special Review Board and approved by the Community Development Director. Colors shall be compatible with those of adjacent buildings.

3. Surfaces

Textured concrete, brick, and wood surfaces are preferred over non-textured surfaces. Recesses and voids which break up monotonous surface areas and create visual relief are encouraged. The design and location of mechanical equipment visible from the street must be reviewed by the Board and approved by the Community Development Director.

4. Transparency Requirement

Street level uses shall have highly visible linkages with the street. Transparent surfaces shall be provided for at least fifty percent of the exposed street facade measured between sidewalk level and a height of ten feet or the height of the second floor level, whichever is less. The average height of window sills shall be no greater than three feet above the sidewalk. A decrease in the percentage of required transparency may be permitted by the Board when:

- a. There is a design constraint, such as permanent winstoning, and removal or alteration would detract from the structural or architectural integrity of the building; or
- b. The existing layout of the building or other physical constraints such as the placement of load bearing walls or columns create a hardship. Where transparency requirements are reduced, wall murals, landscaping, colored awnings, display cases, or other means appropriate to the setting shall be provided to create visual interest.

5. Awnings

Awnings shall be functional, serving as weather protection for pedestrians at street level. Awnings over sidewalks shall overhang the sidewalk a minimum of five feet. All awnings shall be of a design compatible with the architecture of the area.

C. Exterior Building Design Outside the Asian Design Character District

Outside the Asian Design Character District, earthen colors and masonry construction with nonmetallic surfaces are preferred. Concrete construction will also be permitted when treated in a manner or incorporated into a design that provides visual interest and avoids large unbroken surface areas.

Section 23.66.338 Business Identification Signs

To ensure that the scale, shape, color and type of signs within the International Special Review District are consistent with permitted uses and are in keeping with the Asian character of the area, the following sign controls shall apply:

A. Message

Signs shall be limited to those that identify the name of the establishment and/or the primary business or service provided by it. Advertising related to businesses or services not provided on the premises or products not manufactured on the site are prohibited; provided, that product name signs that are incidental to other signs on the premises may be permitted when the establishment or use on the premises is the sole distributor of the product in the District.

B. Permitted Signs

Permitted signs include projecting and non-projecting signs integrated into the building facade, marquee, awning and window signs that are approved by the Community Development Director following a recommendation by the Board. Banners and flags bearing emblems, symbols or messages shall be permitted on an interior basis only and shall be subject to periodic review and approval to ensure that their appearance is maintained and that they comply with the requirements of this Code.

C. Prohibited Signs

Free-standing signs (except signs in parks or parking lots), roof signs, portable signs, off-premise advertising signs (billboards), and product advertising signs of a permanent nature are prohibited. Flashing signs or signs that appear to be in motion shall be prohibited unless of a public service nature, such as signs indicating the temperature or time of day.

D. Permitted Sign Area

1. Asian character signs

Asian character signs are Asian bi-lingual or multi-lingual business identification signs at street level in which at least forty percent of the message area is in a non-English medium, or signs that have recognizable Asian symbols or designs that have been reviewed by the Board and approved by the Community Development Director. The total message area of all such signs for an individual use shall not exceed the area indicated on Table 338D. For street frontages not listed on Table 338D, the Maximum Sign Area column shall be interpolated proportionally.

2. Non-Asian character signs

The total message area of non-Asian character signs for each street level use shall not exceed seventy percent of the area authorized in subsection D1, and indicated on Table 338D.

TABLE 338D SIGN AREA PERMITTED

Street Frontage	Max Sign Area Permitted	Street Frontage	Max Sign Area Permitted
15	59	110	131
16	61	120	136
17	62	130	140
18	64	140	144
19	65	150	148
20	66	160	152
21	68	170	156
22	69	180	160
23	70	190	163
24	71	200	167
25	72	210	171
26	73	220	175
27	75	240	183
28	76	260	189

TABLE 338D SIGN AREA PERMITTED

Street Frontage	Max Sign Area Permitted	Street Frontage	Max Sign Area Permitted
29	77	300	194
30	78	320	201
31	83	340	208
40	87	360	211
45	92	380	215
50	96	400	220
55	99	420	224
60	103	440	228
65	106	460	232
70	109	480	236
75	112	500	240
80	115		
85	118		
90	121		
95	124		
100	126		

3. The total number of signs permitted per use is not limited; provided, that the total area of all signs for an individual use shall not exceed the area authorized in subsections D1 and D2. The maximum size for any single sign face for Asian and Non-Asian Character signs at street level shall be seventy-five square feet for a single faced sign and one hundred and fifty square feet for a double faced sign, unless the Community Development Director, after review and recommendation by the Board, approves a greater sign area because of hardship resulting from location, topography, or similar conditions.

4. Businesses located on or above the second floor may have business identification signs with a total sign area that does not exceed one-half the area authorized in subsection D1 and indicated on Table 338D. The maximum size for any single sign face above the second floor shall be fifty square feet for a single faced sign and eighty square feet for a double faced sign unless the Community Development Director, after review and recommendation by the Board, approves a greater sign area because of hardship resulting from location, topography or similar conditions.

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5. The total illuminated area of letter marquees shall not exceed eighty square feet in addition to the sign area authorized in subsections D1 and D2.

6. **Parking Lot Signage**

The total signage area permitted for each accessory parking lot shall not exceed one square foot for each parking space up to a maximum of twenty-four square feet. Existing principal use parking lots shall have a maximum total sign area of one-half square foot per parking space in the lot, to a maximum of eighteen square feet.

- a. Parking lots shall display a sign with the following message:

(1) **For Customer Parking Lots**

"Customer Parking for (Principal User or Users) Only. Other cars will be impounded (location)." The sign may also contain the name and address of the principal user or users and mention validation of parking if applicable.

(2) **For Long-term Reserved Parking Lots**

"Reserved Parking Under Contract. Other cars will be impounded (location)." The sign may also contain the name and telephone number of the owner.

- b. Small directional signs, such as those designating the entrance to or exit from accessory parking areas that are three or fewer square feet in area and are located at a height four or fewer feet above grade at points of access or ingress are permitted. Such signs shall not be counted against the total permitted sign area.

7. Sign area shall be calculated according to the provisions of Section 23.66.04 of this Land Use Code.

8. **Illumination**

Neon-lit signs are encouraged to create an exciting and enhanced visual image in the retail area.

1. No sign or light shall move, flash, or make noise. Exceptions may be granted by the Community Development Director for indicators of time or temperature, after review and recommendation by the Board.
2. Illuminated signs shall be designed and sited in a manner to minimize glare on floors above grade and on nearby residences.

9. **Exceptions for Miscellaneous Signs**

1. Signs that are hand-painted, gold-leafed or decalated onto the glass area of a building facade shall be permitted without the approval of the Community Development Director or review by the Board when the area of such signs does not exceed four square feet per business. Signs in excess of four square feet shall be subject to review by the Board and approval by the Community Development Director for visual interest and compatibility with the surrounding area, and shall be calculated against the total permitted signable area. Nonilluminated symbolic signs painted on wood or other exterior surfaces that are four square feet or less shall be permitted outright.

2. Graphics and paintings are permitted on building walls that do not abut a street lot line only if such graphics and paintings are not primarily used to advertise or identify businesses or products and comply with the building facade provisions of Section 23.66.130 of this Chapter. All graphics and paintings on building walls shall be subject to review by the Board and approval by the Community Development Director.

3. **Temporary Signs**

- a. The design, location and size of signs for special events, shows and political campaigns shall be subject to review by the Board and approval by the Community Development Director. Such signs may be permitted for periods not exceeding six months.
- b. Temporary, non-illuminated signs advertising real estate "For Sale or Lease" or announcing contemplated improvements of the real estate on the premises shall be subject to Board review and approval by the Community Development Director.
- c. Temporary signs erected in connection with new construction work and displayed on the property during the actual period of construction shall be subject to Board review and approval by the Community Development Director.
- d. Temporary signs required by law shall be permitted without review or approval.

10. **Criteria for Approval**

1. The overall design of a sign including size, shape, texture, method of attachment, color, and lighting, shall be compatible with the use to which the sign refers, with the architecture of the building upon which it is to be installed, and with the District.
2. Signs shall be affixed to structures so that they do not conceal, damage or disfigure desirable architectural features or details of the structure.
3. Projecting signs shall be sited in a manner that minimizes view blockage of abutting business signs.
4. All projecting signs shall be installed or erected so that there are no visible angle iron sign supports above the roof, building face, or wall.

Section 23.66.360 **Minimum Maintenance**

All buildings in the District shall be maintained and preserved against decay and deterioration caused by neglect or defective or inadequate weather protection.

Section 23.66.362 **Parking and Access**

A. **Principal use parking garages**

Principal use parking garages are subject to special review by the Board pursuant to Section 23.66.326 of this Land Use Code. Parking garages shall be designed so that the street level portion of the garage is committed to pedestrian-oriented uses permitted in the District. When abutting street slopes exceed eight percent, this requirement may be waived by the Community Development Director, following review and recommendation by the Board. View-obscuring screening may be required by the Community Development Director as needed to reduce adverse visual impacts on the area.

B. **Accessory Parking**

1. **Parking quantity**

The number of parking spaces required for any use shall be the number required by the underlying zoning, except that restaurants shall be required to provide one space per 500 square feet for all gross floor area in excess of 2500 square feet; motion picture theaters shall be required to provide one space per 15 seats for all seats in excess of 150; and other entertainment uses and places of public assembly shall be required to provide one space per 400 square feet for all gross floor area in excess of 2500 square feet.

2. **Exceptions to parking quantity**

To mitigate the potential impacts of required accessory parking on the District, the Community Development Director, after review and recommendation by the Special Review Board, may waive or reduce required parking under the following conditions:

- a. After incorporating high occupancy vehicle alternatives such as carpools and vanpools, required parking spaces exceed the net usable space in all below grade floors; or
- b. Strict application of the parking standard would adversely affect desirable characteristics of the District; or
- c. An acceptable parking plan is submitted to meet parking demands generated by the use. Acceptable elements of the parking plan may include but shall not be limited to the following:
- 1) Valet parking service
 - 2) Validation system
 - 3) Lease of parking from parking management company
 - 4) Provision of employee parking.

- C. When parking is provided it shall be subject to the requirements of Section 23.64.20 of this Land Use Code.

D. **Access to Parking**

1. Access to parking shall be reviewed by the Board on a case by case basis, according to the following criteria:
- a. Alley access shall be preferred.
- b. Conflicts with pedestrian traffic, with efforts to provide continuous street facades, and with transit access shall be minimized.
2. The number and width of curb cuts shall be as required in Section 23.64.30 of this Land Use Code.
3. The Board may recommend, and the Community Development Director may require, changes to proposed access to parking in order to meet the criteria of this section.

E. **Special Parking Restrictions**

1. All new surface parking areas shall be accessory and may be permitted in connection with customer parking which is determined by the Board to be consistent with District goals and policies of area-wide parking plans.
2. A sign complying with Section 23.66.139 of this Land Use Code shall be required at each parking entrance.
3. Adequate screening shall be required along the perimeter of each new surface parking area.

Section 2. Chapter 23.49 of the Seattle Municipal Code is hereby amended to add new subchapters VII, VIII, and IX to read as follows:

SUBCHAPTER VII.

INTERIM PIONEER SQUARE MIXED

Part 1. **Use and Development Restrictions**

Section 23.49.168 **General Standards**

All property located in the Interim Pioneer Square Mixed (I-PSM) Zone shall be subject to the use and development standards of the Pioneer Square Preservation District, Chapter 23.66, in addition to the use and development standards contained in this subchapter. In the event of irreconcilable differences between the use and development standards of this Chapter and the provisions of Chapter 23.66, the provisions of Chapter 23.66 shall apply.

SUBCHAPTER VII.

INTERIM PIONEER SQUARE MIXED

Part 2: **Use Provisions**

Section 23.49.170 **Interim Pioneer Square Mixed, Permitted Uses**

Uses permitted in the I-PSM Zone shall be those uses designated in Section 23.66.120 of this Land Use Code.

Part 3: **Development Standards**

Section 23.49.172 **Interim Pioneer Square Mixed, Lighting and Glare**

- A. Exterior lighting shall be shielded and directed away from adjacent structures and uses.
- B. Interior lighting in parking garages shall be shielded to minimize night-time glare affecting nearby uses.

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Section 23.49.174 Interim Pioneer Square Mixed, Noise Standards

- A. All uses shall meet the noise standards established in Chapter 23.08 of the Seattle Municipal Code.
- B. All food processing for human consumption, custom and craft work involving the use of mechanical equipment, and light manufacturing activities shall be conducted wholly within an enclosed structure.
- C. The following uses or devices shall be considered major noise generators:
 1. External heat exchangers or other similar devices;
 2. Light manufacturing uses;
 3. Auto body, boat and aircraft repair shops.
- D. When a major noise generator is proposed, a report from an acoustical consultant shall be provided indicating the measures to be taken by the applicant to meet noise standards for the area. Such measures may include, but shall not be limited to, the provision of baffles, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and the use of specified construction techniques or building materials. Measures to be taken shall be indicated on the building plans. After a permit has been issued, any measures required by the permit to limit noise shall be taken and maintained.
- E. When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which indicates how the noise generated by the expansion will meet the noise standards for the area.

Section 23.49.176 Interim Pioneer Square Mixed, Odor Standards

- A. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten feet above finished grade, and directed away from residential uses.
- B. Major Odor Sources
 1. Uses which involve the following processes or activities shall be considered major odor sources:
 - Lithographic, rotogravure or flexographic printing
 - Film burning
 - Fiberglassing
 - Selling of gasoline and/or storage of gasoline in tanks larger than 160 gallons
 - Handling of heated tars and asphalts
 - Incinerating (commercial)
 - Tire buffing
 - Metal plating
 - Vapor degreasing
 - Wire reclamation
 - Use of boilers (greater than 10⁶ British Thermal Units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower)
 - Other similar uses.
 2. Uses which employ the following processes shall be considered major odor sources except when the entire activity is conducted as part of a retail sales and service use:
 - Cooking of grains
 - Smoking of food or food products
 - Fish or fishmeal processing
 - Coffee or nut roasting
 - Deep fat frying
 - Dry cleaning
 - Other similar uses.
- C. Review of Major Odor Sources

When an application is made for a use which is determined to be a major odor source, the Director, in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), shall determine the appropriate measures to be taken by the applicant to significantly reduce potential odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures required by the permit shall be taken and maintained.

Section 23.49.178 Interim Pioneer Square Mixed, Structure Heights

- A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.22.
- B. Rooftop features may be permitted according to the provisions of Section 23.66.140 of this Land Use Code.
- C. In the one hundred foot height district, no structure shall exceed the height of the tallest structure on the block or the adjacent block front(s) by more than fifteen feet, to a maximum of one hundred feet.
- D. In the one hundred to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed when not less than seventy-five percent of the gross floor area of the structure is in residential use.
- E. In the eighty-five to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed when not less than seventy-five percent of the gross floor area of the structure is in residential use.

Section 23.49.180 Interim Pioneer Square Mixed, General Requirements for Residential Uses

- A. Inclusion of low or moderate income units

All new structures containing more than twenty units shall provide at least ten percent of the units as low and/or moderate income housing dedicated as such for at least twenty years, following the Interim Public Benefit Features Rule, as promulgated by the Director.
- B. Common recreation area

Common recreation area shall be required in all new structures containing more than twenty dwelling units according to the following standards:

1. An area equivalent to five percent of the total gross floor area in residential use shall be provided as common recreation area. The common recreation area shall be available to all residents and may be provided at or above ground level.
2. No more than fifty percent of the common recreation area may be enclosed.
3. The minimum horizontal dimension for required common recreation areas shall be fifteen feet, and no required common recreation area shall be less than two hundred twenty-five square feet.
4. 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 common recreation area.

C. Dispersion criterion for half-way houses

1. No half-way house shall be established if it would increase the number of half-way houses located within a one thousand foot radius to more than five.
2. A proposed new half-way house or the expansion of an existing half-way house which does not meet the dispersion criterion may be permitted if the Director determines that the intent of the criterion is achieved because of the presence of physical elements, such as topographical breaks, or other elements such as major arterials, which provide substantial separation from other existing half-way houses.

Section 23.49.182 Interim Pioneer Square Mixed, Transfer of Development Rights

- A. No transfer of development rights from donor lots inside or outside the I-PHM zone to receiving lots in the I-PHM zone shall be permitted.
- B. Transfer of development rights from sending lots in the I-PHM zone to receiving lots on the same block or different blocks shall be permitted as provided in this subsection.
 1. Development rights may be transferred from sending lots in the I-PHM zone to receiving lots in the I-DOCL, I-DOCL and I-DMC zones when the sending lot contains low income housing, and:
 - a. The low income housing on the sending lot is certified by the Director of Community Development as meeting the guidelines of the Public Benefit Features Rule;
 - b. Fifty percent of the gross floor area of the structure on the sending lot, or the gross floor area of the structure that was used for low income housing on January 1, 1983, whichever is greater, will be used for low income housing for at least twenty years from the date that a Certificate of Occupancy is issued for the housing; and
 - c. The maximum floor area that will be transferred from any sending lot located in the I-PHM zone will not exceed six times the area of the sending lot, minus the gross floor area of the structure(s) on the sending lot.
 2. Development rights may be transferred from sending lots in the I-PHM zone to receiving lots in the I-DOCL, I-DOCL and I-DMC zones from a sending lot which was vacant prior to January 1, 1984 and for which there is a new development proposed.
 - a. Structures for which abatement orders were issued on or before January 1, 1984, and parking lots, including minor structures necessary to parking operations, shall be considered vacant for the purpose of this provision.
 - b. The gross floor area that may be transferred shall be limited to the unused gross floor area permitted by the height and development standards of the I-PHM zone and Chapter 23.66 of this Land Use Code.
 - c. The transfer of development rights may not occur until after a Certificate of Occupancy has been issued for the project proposed on the vacant lot.
- C. Transfer of development rights agreements
 1. The fee owners of sending and receiving lots shall execute deeds or other agreements which shall be recorded with the title to both lots.
 2. The agreement or deed shall be for a term which equals or exceeds the life of the project on the receiving lot for which the rights were transferred.
 3. For transfers from lots containing low income housing, the agreement shall provide for maintenance of the housing on the sending lot as low income housing for twenty years.
 4. The agreement or deed shall state that the development rights transferred from the sending lot to the receiving lot may not be reclaimed unless the project on the receiving lot, or that portion of the project for which the rights were transferred, is demolished. The deed or agreement shall also provide that its covenants or conditions shall run with the land and shall be specifically enforceable by any party or by The City of Seattle.

Section 23.66.184 Interim Pioneer Square Mixed, Planned Community Developments (PCDs)

- A. Procees
 1. A Planned Community Development (PCD) may be permitted by the Council pursuant to Chapter 23.80, Decisions Requiring Council Approval.
 2. The Pioneer Square Preservation Board shall review all Planned Community Development proposals and make a recommendation to the Director.

B. Minimum area

The minimum area for a PCD shall be three acres.

C. Evaluation of PCDs

A proposed PCD shall be evaluated on the basis of public benefits provided, impacts of the project, and consistency with the City's Land Use Policies.

1. Public benefits

A proposed PCD shall further an adopted City policy or provide one or more of the following public benefits: housing, employment, increased public revenue, strengthened neighborhood character, or improved pedestrian circulation or urban form.

2. Impacts

All of the impacts of a proposed PCD shall be evaluated, including, but not limited to, consideration of the impacts on transportation systems, parking, energy, and public services, as well as environmental factors such as noise, air, light and glare, and water quality.

3. The proposed PCD shall be reviewed for consistency with the Downtown Land Use Policies and the Land Use Policies for areas adjacent to Downtown which may be affected by the PCD.

D. Exceptions permitted

Exceptions from the following provisions may be permitted through the PCD process:

1. Street level use requirements
2. Street level facade requirements
3. Required common recreation area for residential uses
4. Parking quantity and design
5. Location of access.

Section 23.49.186 Interim Pioneer Square Mixed, Nonconforming Uses

A. Continuation of Nonconforming Uses

1. Any nonconforming use may be continued subject to the provisions of this section.
2. Any nonconforming use which has been discontinued for more than twelve consecutive months may not be reestablished, recommenced, or changed to another nonconforming use. A use shall be considered discontinued when:

- a. A permit to change the use of the property or structure has been issued and acted upon;
- b. A structure, or portion of a structure, is not being used for the use authorized by the most recent permit; or
- c. The structure is vacant, or the portion of the structure formerly occupied by the nonconforming use is vacant. The use of the structure shall be considered discontinued even if materials from the former use remain or are stored on the property.

B. A nonconforming use shall not be expanded or extended.

C. Structures containing nonconforming uses may be maintained, repaired, renovated, structurally altered, expanded or extended, provided that all development standards are met. Nonconforming uses may not be expanded or extended except when such expansions or extensions are required by law, or are specifically authorized by this Code, or are necessary to improve access for the elderly or the disabled.

D. A nonconforming use which is destroyed by fire or other act of nature may be resumed. Any portion of a structure occupied by a nonconforming use may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure, or to a smaller configuration; provided, that the Preservation Board shall review the exterior design of the structure to ensure reasonable compatibility with the design and character of structures in the District.

Section 23.49.188 Interim Pioneer Square Mixed, Nonconforming Structures

A. A nonconforming structure may be maintained, repaired, renovated or structurally altered, but may not be expanded or extended in any manner which increases the extent of the nonconformity or creates additional nonconformity, except that expansions or extensions required by law, specified in this section, or necessary to improve access for the elderly or the disabled shall be permitted.

B. A nonconforming structure destroyed by fire or other act of nature may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure; provided, that the exterior design of the structure shall be reviewed by the Pioneer Square Preservation Board, established in section 23.49.110 of this Land Use Code, and approved by the Community Development Director, to ensure reasonable compatibility with the design and character of structures in the District.

C. Following required review and approval, landmark structures may be expanded, even if the expansion increases the extent of nonconformity, when there is no feasible alternative that meets the development standards of the zone while preserving the integrity of the landmark structure.

**SUBCHAPTER VIII
INTERIM INTERNATIONAL DISTRICT MIXED**

Part 1. Use and Development Restrictions

All property located in the Interim International District Mixed (I-IDM) zone shall be subject to the use and development standards of the International District Special Review District, Chapter 23.66, in addition to the use and development standards contained in this subchapter. In the event of irreconcilable differences between the use and development standards of this Chapter and the provisions of Chapter 23.66, the provisions of Chapter 23.66 shall apply.

Part 2. Use Provisions

Section 23.49.200 Interim International District Mixed Permitted Use

Uses permitted in the I-IDM zone shall be those uses designated in Section 23.44.320 of this Land Use Code.

Part 3. Development Standards

Section 23.49.206 Interim International District Mixed, General Provisions

All uses shall meet the standards of Chapter 23.66 of this Land Use Code as well as the provisions of this subchapter.

Section 23.49.208 Interim International District Mixed, Lighting and Glare

A. Exterior lighting shall be shielded and directed away from adjacent uses.

B. Interior lighting in parking garages shall be shielded to minimize night-time glare affecting nearby uses.

Section 23.49.210 Interim International District Mixed, Noise Standards

A. All uses shall meet the noise standards established in Chapter 23.08 of the Seattle Municipal Code.

B. All food processing for human consumption, custom and craft work involving the use of mechanical equipment, and manufacturing activities shall be conducted wholly within an enclosed structure.

C. The following uses or devices shall be considered major noise generators:

1. External heat exchangers or other similar devices;
2. Light and general manufacturing;
3. Auto body, boat and aircraft repair shops.

D. When a major noise generator is proposed, a report from an acoustical consultant shall be provided indicating the measures to be taken by the applicant to meet noise standards for the area. Such measures may include, but shall not be limited to, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and the use of specified construction techniques or building materials, etc. Measures to be taken shall be indicated on the building plans. After a permit has been issued, any measures required by the permit to limit noise shall be taken and maintained.

E. When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which indicates how the noise generated by the expansion will meet the noise standards for the area.

Section 23.49.212 Interim International District Mixed, Odor Standards

A. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten feet above finished grade, and directed away from residential uses.

B. Major Odor Sources

1. Uses which involve the following processes or activities shall be considered major odor sources:

- Lithographic, rotogravure or flexographic printing
- Pile burning
- Fiberglassing
- Refilling of gasoline and/or storage of gasoline in tanks larger than 250 gallons
- Handling of heated tars and asphalt
- Incinerating (commercial)
- Tire buffing
- Metal plating
- Vapor degreasing
- Wire reclamation
- Use of boilers (greater than 10⁴ British Thermal Units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower)
- Other similar uses.

2. Uses which employ the following processes shall be considered major odor sources when the entire activity is conducted as part of a retail sales and service use:

- Cooking of grains
- Smoking of food or food products
- Fish or fishmeal processing
- Coffee or nut roasting
- Deep fat frying
- Dry cleaning
- Other similar uses.

C. Review of Major Odor Sources

When an application is made for a use which is determined to be a major odor source, the Director, in conjunction with the Puget Sound Air Pollution Control Agency (PSAPCA) shall determine the appropriate measures to be taken by the applicant to significantly reduce potential odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures required by the permit shall be taken and maintained.

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Section 23.49.214 Interim International District Mixed, General Requirements for Residential Uses

- A. Inclusion of low or moderate income units
- All new structures containing more than twenty units shall provide at least ten percent of the units as low and/or moderate income housing dedicated as such for at least twenty years, following the Interim Public Benefit Features Rule, as promulgated by the Director.

- B. Common recreation area
- Common recreation area shall be required in all new structures containing more than twenty dwelling units, according to the following standards:

1. An area equivalent to five percent of the total gross floor area in residential use shall be provided as common recreation area. The common recreation area shall be available to all residents and may be provided at or above ground level.
2. No more than fifty percent of the common recreation area may be enclosed.
3. The minimum horizontal dimension for required common recreation areas shall be fifteen feet, and no required common recreation area shall be less than two hundred twenty-five square feet.
4. 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 common recreation area.

C. Dispersion criterion for halfway houses

- No halfway house shall be established if it would increase the number of halfway houses located within a one thousand foot radius to more than five.

2. A proposed new halfway house, or the expansion of an existing halfway house which does not meet the dispersion criterion, may be permitted if the Director determines that the intent of the criterion is achieved because of the presence of physical elements, such as topographical features, or other elements such as major arterials which provide substantial separation from other existing halfway houses.

Section 23.49.215 Interim International District Mixed, Structure Height Provisions

- A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.22.
- B. In the seventy-five to eighty-five foot height district, a maximum structure height of eighty-five feet shall be allowed when not less than fifty percent of the gross floor area of the structure is in residential use.
- C. In the one hundred to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed as part of a planned community development pursuant to Section 23.49.224 of this Land Use Code, or if at least seventy-five percent of the gross floor area of the structure is in residential use.
- D. In the sixty-five to one hundred-twenty foot height district, a maximum structure height of one hundred-twenty feet shall be allowed as part of a planned community development pursuant to Section 23.49.224 of this Land Use Code. Special Review Board review shall include an evaluation of the proposal's consistency with the provisions of Section 23.66.110, Union Station Corridor Goals and Objectives.

Section 23.49.216 Interim International District Mixed Floor Area Ratio (FAR)

- A. General standards
1. The floor area ratio (FAR), as provided in subsection B, shall determine the gross floor area permitted for all nonresidential uses.
 2. Hotel uses are subject to special review by the Special Review Board pursuant to Chapter 23.66 of this Land Use Code.

B. Permitted FAR for nonresidential uses.

FLOOR AREA RATIO	
Use	Ratio
All nonresidential uses except hotels	3
Hotels	6

C. Exemptions from FAR Calculations

The following areas shall be exempted from base and maximum FAR calculations:

1. All gross floor area in residential use.
2. All gross floor area below grade.
3. All gross floor area used for required short term parking or for parking accessory to a residential use.

Section 23.49.217 Interim International District Mixed, Transfer of Development Rights

A. Transfer of development rights within the same block

1. Development rights may be transferred to lots in the I-IDM zone from lots located in the same block which contain either new housing structures or housing structures which were vacant on and rehabilitated after January 1, 1983.
2. When development rights are transferred from a sending lot that contains a new housing structure, at least fifty percent of the units in the structure shall be moderate income housing.
3. When development rights are transferred from a sending lot containing a rehabilitated housing structure, at least twenty-five percent of the units shall be low income housing, and all other units shall be moderate income housing.

4. The housing on the sending lot shall be certified by the Director of Community Development as meeting the guidelines of the Interim Public Benefit Features Rule.

5. Fifty percent of the gross floor area of the structure on the sending lot, or the gross floor area of the structure that was used for low income housing on January 1, 1983, whichever is greater, shall be committed to low income housing for at least twenty years from the date that a Certificate of Occupancy is issued for the housing.

6. The maximum floor area that may be transferred to a lot in the I-IDM zone from a sending lot on the same block shall not exceed six times the area of the sending lot, minus the above grade gross floor area of the structure(s) on the sending lot.

7. The maximum gross floor area in nonresidential use permitted on a receiving lot through the transfer of development rights from a sending lot on the same block shall be three times the combined area of the sending and receiving lots.

B. Transfer of development rights between lots on different blocks in the I-IDM zone

1. Development rights from a sending lot in the I-IDM zone which contains low income housing may be transferred to receiving lots in I-IDM1, I-IDM2 and I-IDM3 zones.

2. Development rights from a sending lot on a downtown block outside I-IDM shall not be transferred to any lot in the I-IDM zone.
3. Transfer from sending lots containing low income housing

- a. The maximum floor area that may be transferred from any lot shall not exceed six times the area of the sending lot, minus the existing above grade gross floor area of structures on the sending lot.

- b. The low income housing on the sending lot must be certified by the Director of Community Development as meeting the guidelines of the Interim Public Benefit Features Rule. Fifty percent of the gross floor area of the structure on the sending lot, or the gross floor area of the structure that was used for low income housing on January 1, 1983, whichever is greater, shall be used for low income housing for at least twenty years from the date that a Certificate of Occupancy is issued for the housing.

C. Transfer of development rights agreements

1. The fee owners of sending and receiving lots shall execute a deed or other agreement which shall be recorded with the titles to both lots.
2. The agreement or deed shall be for a term which equals or exceeds the life of the structure on the receiving lot for which the rights were transferred.
3. For transfers from lots containing low income housing to lots on different blocks, the agreements shall provide for the maintenance of the housing as low income housing for twenty years.
4. The agreement or deed shall state that the development rights transferred from the sending lot to the receiving lot may not be reclaimed unless the project on the receiving lot, or that portion of the project for which the rights were transferred, is demolished. The deed or agreement shall also provide that its covenants or conditions shall run with the land and shall be specifically enforceable by any party or by the City of Seattle.

Section 23.49.218 Planned Community Developments

A. Process

1. A Planned Community Development may be permitted by the Council pursuant to Chapter 23.66, Decisions Requiring Council Approval.
2. The International District Special Review Board shall review all Planned Community Development proposals and make a recommendation to the Director.

B. Minimum Area

- The minimum area for a PCD shall be three acres.

C. Evaluation of PCD's

- A proposed PCD shall be evaluated on the basis of public benefits provided, impacts of the project, and consistency with the City's Land Use Policies.

1. Public Benefits

A proposed PCD shall further an adopted City policy or provide one or more of the following public benefits: housing, employment, increased public revenue, strengthened neighborhood character, or improved pedestrian circulation or urban form.

2. Impacts

All of the impacts of a proposed PCD shall be evaluated including, but not limited to, consideration of the impacts on transportation systems, parking, energy, and public services, as well as environmental factors such as noise, air, light and glare, and water quality.

3. The proposed PCD shall be reviewed for consistency with the Downtown Land Use Policies and the Land Use Policies for areas adjacent to Downtown which may be affected by the PCD.

D. Exceptions Permitted

Exceptions from the following provisions may be permitted through the PCD process:

1. Street level use requirements
2. Street level facade requirements
3. Required open space for residential uses
4. Parking quantity and design
5. Location of access.

E. Floor Area Ratio

The floor area ratio permitted in the zone may be exceeded on parts of the PCD site, but the floor area ratio of the PCD as a whole shall meet the requirements of the zone(s) in which it is located.

Section 23.49.220 Interim International District Mixed-Nonconforming Uses

A. Continuation of Nonconforming Uses

1. Any nonconforming use may be continued subject to the provisions of this section.
2. Any nonconforming use which has been discontinued for more than twelve consecutive months may not be reestablished, recommenced, or changed to another nonconforming use. A use shall be considered discontinued when:
 - a. A permit to change the use of the property or structure has been issued and acted upon; or
 - b. A structure, or portion of a structure, is not being used for the use allowed by the most recent permit; or
 - c. The structure is vacant, or the portion of the structure formerly occupied by the nonconforming use is vacant. The use of the structure shall be considered discontinued even if materials from the former use remain or are stored on the property. A multi-family structure with one or more vacant dwelling units shall not be considered unused unless the total structure is unoccupied.

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B. A nonconforming use shall not be expanded or extended.

- C. Structures containing nonconforming uses may be maintained, repaired, renovated, structurally altered, expanded or extended, provided that all development standards are met. Nonconforming uses may not be expanded or extended except when such expansions or extensions are required by law, or are specifically authorized by this Code, or are necessary to improve access for the elderly or the disabled.

- D. A nonconforming use which is destroyed by fire or other act of nature may be resumed. Any portion of a structure occupied by a nonconforming use may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure, or to a smaller configuration.

Section 23.49.222 Interim International District Mixed-Nonconforming Structures

- A. A nonconforming structure may be maintained, repaired, renovated or structurally altered but may not be expanded or extended in any manner that increases the extent of the nonconformity or creates additional nonconformity, except that expansions or extensions required by law, as specified in this subchapter, or necessary to improve access for the elderly or the disabled shall be permitted.

- B. A nonconforming structure that is destroyed by fire or other act of nature may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure, or to a smaller configuration.

- C. Subject to the review and approval requirements of Chapter 23.46, landmark structures may be expanded even if the expansion increases the extent of nonconformity, when there is no feasible alternative that meets the development standards of the zone while preserving the integrity of the landmark structure.

**SUBCHAPTER 12
INTERIM INTERNATIONAL DISTRICT RESIDENTIAL**

Part 1. Use and Development Restrictions

Section 23.49.223

All property located in the Interim International District Residential (I-IDR) zone shall be subject to the use and development standards of the International District Special Review District, Chapter 23.46, in addition to the use and development standards contained in this subchapter. In the event of irreconcilable differences between the use and development standards of this Chapter and the provisions of Chapter 23.46, the provisions of Chapter 23.46 shall apply.

Part 2. Use Provisions

Section 23.49.224 Interim International District Permitted Uses

Uses permitted in the I-IDR zone shall be those uses designated in Section 23.46.220 of this Land Use Code.

Part 3. Development Standards

Section 23.49.226 Interim International District General Development Provisions

All uses shall meet the standards of Chapter 23.46 of this Land Use Code as well as the provisions of this subchapter.

Section 23.49.228 Interim International District Residential, Lighting and Glare

- A. Exterior lighting shall be shielded and directed away from adjacent uses.
- B. Interior lighting in parking garages shall be shielded to minimize night-time glare affecting nearby uses.

Section 23.49.230 Interim International District Residential, Noise Standards

- A. All uses shall meet the noise standards established in Chapter 23.08 of the Seattle Municipal Code.

- B. All food processing from human consumption, custom and craft work involving the use of mechanical equipment, and manufacturing activities shall be conducted wholly within an enclosed structure.

- C. The following uses or devices shall be considered major noise generators:

1. External heat exchangers or other similar devices;
2. Light and general manufacturing;
3. Auto body, boat and aircraft repair shops.

- D. When a major noise generator is proposed, a report from an acoustical consultant shall be provided indicating the measures to be taken by the applicant to meet noise standards for the area. Such measures may include but shall not be limited to: the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and the use of specified construction techniques or building materials. Measures to be used shall be indicated on the building plans. After a permit has been issued, any measures which were required by the permit to limit noise shall be taken and maintained.

- E. When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which indicates how the noise generated from the use portion will meet the noise standards for the area.

Section 23.49.234 Interim International District Residential, Odor Standards

- A. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten feet above finished grade, and directed away from residential uses.

B. Major Odor Sources

1. Uses which involve the following processes or activities shall be considered major odor sources:

Lithographic, rotogravure or flexographic printing
Film burning
Fiberclustering
Selling of gasoline and/or storage of gasoline in tanks larger than 350 gallons
Handling of heated tars and asphalts
Incinerating (commercial)
Tire buffing
Metal plating
Vapor degreasing
Wire reclamation
Use of boilers (greater than 10⁴ British Thermal Units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower)
Other similar uses.

2. Uses which employ the following processes shall be considered major odor sources except when the entire activity is conducted as part of a retail sales and service use:

Cooking of grains
Smoking of food or food products
Fish or fishmeal processing
Coffee or nut roasting
Deep fat frying
Dry cleaning
Other similar uses.

C. Review of Major Odor Sources

When an application is made for a use which is determined to be a major odor source, the Director, in conjunction with the Puget Sound Air Pollution Control Agency (PSAPCA), shall determine the appropriate measures to be taken by the applicant to significantly reduce the potential of odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures required by the permit shall be taken and maintained.

Section 23.49.236 Interim International District Residential, General Requirements for Residential Uses

A. Inclusion of low or moderate income units

All new structures containing more than twenty units shall provide at least ten percent of the units as low and/or moderate income housing designated as such for at least twenty years, following the Interim Public Benefit Features Rule, as promulgated by the Director.

B. Common recreation area

Common recreation area shall be required in all new structures containing more than twenty dwelling units, according to the following standards:

1. An area equivalent to five percent of the total gross floor area in residential use shall be provided as common recreation area. The common recreation area shall be available to all residents and may be provided at or above ground level.
2. No more than fifty percent of the common recreation area may be enclosed.
3. The minimum horizontal dimension for required common recreation areas shall be fifteen feet, and no required common recreation area shall be less than two hundred twenty-five square feet.

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4. 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 common recreation area.

C. Dispersion criterion for halfway houses

1. No halfway house shall be established if it would increase the number of halfway houses located within a one thousand foot radius to more than five.
2. A proposed new halfway house, or the expansion of an existing halfway house which does not meet the dispersion criterion, may be permitted by the Director upon a determination that the intent of the criterion is achieved because of the presence of physical elements, such as topographical features, or other elements such as major arterials, which provide substantial separation from other existing halfway houses.

Section 23.49.238 Interim International District Residential, Structure Height Provisions

Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.22.

Section 23.49.240 Interim International District Residential, Floor Area Ratio (FAR)

A. General standards

1. The floor area ratio (FAR), as provided in subsection B, shall determine the gross floor area permitted for all nonresidential uses.
2. The maximum FAR established in subsection B may be reached by devoting at least fifty percent of the total gross floor area of the project to residential use.

B. Permitted FAR

FLOOR AREA RATIO		
Use	Base	Maximum with Mixed Use ^a
All nonresidential uses	1	2

The least 90% of the gross floor area shall be in residential use.

C. Exceptions from FAR Calculations

The following areas shall be exempt from base and maximum FAR calculations:

1. All gross floor area in residential use.
2. All gross floor area below grade.
3. All gross floor area used for required short term parking or for parking accessory to a residential use.
4. The gross floor area of street level uses required by Chapter 23.46 of this Land Use Code to a maximum of 0.5 FAR, not to exceed fifteen thousand square feet.
5. Floor area in landmark structures, provided that:
 - a. The landmark structure is restored, if necessary, and a commitment is made to preserve the structure; and
 - b. After restoration, the structure contains at least as much residential floor area as existed in the structure on January 1, 1984; and
 - c. The gross floor area of the restored structure in nonresidential use does not exceed the total floor area of the structure prior to restoration.

Section 23.49.242 Interim International District Residential, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

Transfer of development rights within the same block shall not be permitted within the Interim International District Residential zone.

B. Transfer of development rights between different blocks

1. Development rights from sending lots in the I-IDR zone which contain low income housing may be transferred to receiving lots in the I-IDR, I-IDR2, and I-IDR3 zones.
2. Development rights from a sending lot on a downtown block outside the I-IDR zone shall not be transferred to receiving lots in the I-IDR zone.
3. Transfer from sending lots containing low income housing
 - a. The maximum floor area that may be transferred from any sending lot shall be limited to six times the area of the sending lot minus the existing gross floor area of the structure(s) on the sending lot.
 - b. The low income housing on the sending lot must be certified by the Director of Community Development as meeting the requirements of the Interim Public Benefit Features Rule.
 - c. Fifty percent of the gross floor area of the structure on the sending lot, or the gross floor area of the structure that was used for low income housing on January 1, 1983, whichever is greater, shall be used for low income housing for at least twenty years from the date that a Certificate of Occupancy is issued for the housing.

C. Transfer of development rights agreements

1. The fee owners of sending and receiving lots shall execute a deed or other agreement which shall be recorded with the title to both lots.
2. The agreement or deed shall require that the housing be maintained as low income housing for twenty years and shall be for a term that equals or exceeds the life of the project on the receiving lot for which the development rights were transferred.

3. The agreement or deed shall state that the development rights transferred from the sending lot to the receiving lot may not be reclaimed unless the project on the receiving lot, or that portion of the project for which the rights were transferred, is demolished. The deed or agreement shall also provide that its covenants or conditions shall run with the land and shall be specifically enforceable by any party or by The City of Seattle.

Section 23.49.244 Interim International District Residential, Minimum Lot Size

A. The minimum lot size shall be:

Structure Height	Minimum Lot Size
125' or less	No minimum
over 125'	19,000 square feet.

B. In order to meet the minimum lot size requirement, a lot may be combined with an abutting lot occupied by one or more existing structures, provided that:

1. The total area of the combined lots meets the minimum lot size requirement; and
2. The existing structure(s) are maintained for the life of the proposed structure; and
3. The lot coverage of the existing and proposed structures meets the coverage limits established in Chapter 23.48.246 of this Land Use Code.

Section 23.49.246 Interim International District Residential, Coverage and Floor Size Limits

A. Coverage

That portion of structures above a height of sixty-five feet shall meet the following coverage limits:

Elevation of Portion of Structure (in feet)	Percent of Coverage Permitted by Lot Size			
	0-19,000 square feet	19,001-25,000 square feet	25,001-38,000 square feet	Greater than 38,000 square feet
0-65	100%	100%	100%	100%
65-85	75%	45%	55%	45%
85-125	65%	55%	50%	40%
125-240	Not applicable	65%	40%	35%

B. Floor Size

Each floor in that portion of a structure above sixty-five feet shall have a maximum gross floor area of eight thousand square feet.

Section 23.49.248 Interim International District Residential, Maximum Wall Dimensions

A maximum length for that portion of structures above sixty-five feet shall be measured parallel to the street property line, and shall be as follows:

Elevation of Portion of Structure (in feet)	Maximum Length by Lot Size	
	0-19,000 square feet	Greater than 19,000 square feet
65-85	120'	120'
85-125	120'	100'
125-240	Not applicable	100'

Section 23.49.250 Interim International District Residential, Side Setback and Street Park Setback Requirements

A. Side Setbacks

Setbacks shall be required from side lot lines which are not street lot lines. The setback shall occur above an elevation of sixty-five feet. The amount of the setback shall be determined by the length of the frontage of the lot on Avenues, as follows:

Frontage on Avenue	Required Setback at 65 feet
120 feet or less	Not required
121 feet to 179 feet	20 feet
180 feet or more	40 feet.

B. Street Park Setbacks

A setback from the street property line shall be required on street parks at an elevation of forty feet. The setback shall be as follows:

Elevation of Portion of Structure	Required Setback
40' - 85'	10'
86 - 240'	(8-85') x .2 + 10' where M = Total structure height in feet.

Section 23.49.252 Interim International District Residential, Nonconforming Uses

A. Continuation of Nonconforming Uses

1. Any nonconforming use may be continued subject to the provisions of this section.
2. Any nonconforming use which has been discontinued for more than twelve consecutive months may not be reestablished, recommenced, or changed to another nonconforming use. A use shall be considered discontinued when:
 - a. A permit to change the use of the property or structure has been issued and acted upon; or
 - b. A structure, or portion of a structure, is not being used for purposes authorized by the most recent permit; or

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6. The structure is vacant, or the portion of the structure formerly occupied by the nonconforming use is vacant. The use of the structure shall be considered discontinued even if materials from the former use remain or are stored on the property. A multi-family structure with one or more vacant dwelling units shall not be considered unused unless the total structure is unoccupied.

B. A nonconforming use shall not be expanded or extended.

C. Structures containing nonconforming uses may be maintained, repaired, renovated, structurally altered, expanded or extended, provided that all development standards are met. Nonconforming uses may not be expanded or extended except when such expansions or extensions are required by law, or are specifically authorized by this Code, or are necessary to improve access for the elderly or the disabled.

D. A nonconforming use that is destroyed by fire or other act of nature may be resumed. Any portion of a structure occupied by a nonconforming use may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure, or to a smaller configuration.

Section 23.49.254 Interim International District Residential, Nonconforming Structures

A. A nonconforming structure may be maintained, repaired, renovated or structurally altered but may not be expanded or extended in any manner that increases the extent of the nonconformity or creates additional nonconformity, except that expansions or extensions required by law, specified in this Section, or necessary to improve access for the elderly or the disabled shall be permitted.

B. A nonconforming structure that is destroyed by fire or other act of nature may be rebuilt to the same configuration that existed immediately prior to the destruction of the structure, or to a smaller configuration.

C. Subject to the required reviews and approvals, landmark structures may be expanded even if the expansion increases the extent of nonconformity, when there is no feasible alternative that meets the development standards of the same while preserving the integrity of the landmark structure.

Section 3. Section 23.49.04 of the Seattle Municipal Code is hereby amended to read as follows:

Section 23.49.04 Transition to the Interim Code

C. Transition from Title 24 to this chapter

Any project substantially underway on August 9, 1984 or for Projects in Interim Pioneer Square Mixed, Interim International District Mixed and in Interim International District Residential zones, on January 24, 1985, at 12 o'clock noon shall, at the election of the project applicant, be subject to either the requirements of this Chapter or the requirements of Title 24, provided that the applicant must elect, irrevocably and in writing, the code which will apply to the entire project. The applicant may elect to meet all the standards of Chapter 23.54 for off-street parking and meet the standards of Title 24 for the remainder of the proposal.

The election shall apply to substantive development standards only. All procedural matters shall be governed by the requirements of this Chapter.

A project shall be considered substantially underway when:

1. A complete master use permit application has been filed with the Director; or
2. A complete building permit application has been filed with the Director; or
3. A draft project or programmatic environmental impact statement has been approved by the Director for publication.

The transition rule established in Section 23.04.100 of the Land Use Code shall apply to the transition between this interim code and any permanent land use code adopted for downtown. Land use policies and the permanent zoning code adopted for downtown shall not be used to condition projects which have vested pursuant to this interim code.

Section 4. Section 23.30.10 of the Seattle Municipal Code is hereby amended to read as follows:

Section 23.30.10 Classifications for the Purpose of this Subtitle

All land within the City of Seattle shall be classified as being either within one of the following land use zones or a zone retained under Title 24 and regulated accordingly:

Zone	Abbreviated
Residential, Single Family 9600	SP 9600
Residential, Single Family 7200	SP 7200
Residential, Single Family 5000	SP 5000
Residential, Multi-Family, Lowrise 1	L-1
Residential, Multi-Family, Lowrise 2	L-2
Residential, Multi-Family, Lowrise 3	L-3
Residential, Multi-Family, Midrise	MH
Residential, Multi-Family, Highrise	HR
Institution 1	I-1
Institution 2	I-2
Institution 3	I-3
Institution 4	I-4
Institution 5	I-5
Institution 6	I-6
Institution Master Plan	I-MP
Interim Downtown Office Core 1	I-DOCK1
Interim Downtown Office Core 2	I-DOCK2
Interim Downtown Retail Core	I-DRK
Interim Downtown Mixed Commercial	I-DMC
Interim Pioneer Square Mixed	I-PSM
Interim International District Mixed Residential	I-IDR

Section 5. Section 23.49.05 of the Seattle Municipal Code is hereby amended to read as follows:

Section 23.49.05 Scope of General Standards

The regulations of this subchapter shall apply to all interim downtown zones (I-DOCK 1-2, I-DRK, I-DMC, and I-PSM zones).

Section 6. Section 23.84.02 of the Seattle Municipal Code is amended to add a definition of Automotive Retail Sales and Services to read as follows:

Section 23.84.02 "A".

Automotive Retail Sales and Services - A retail sales and service use in which one or more of the following activities take place:

- Sale or rental of motorized vehicles;
- Sale of fuel for motorized vehicles;
- Major or minor repair of motorized vehicles;
- Towing of motorized vehicles; or
- Cleaning of motorized vehicles (carwash).

Section 7. Section 23.84.16 of the Seattle Municipal Code is amended to add a definition of Motel to read as follows:

Section 23.84.16 "M".

Motel - A lodging use, located in a structure in which access to individual units is predominantly by means of common interior hallways.

Section 8. Section 23.84.24 of the Seattle Municipal Code is amended to add a definition of Lodging to read as follows:

Section 23.84.24 "L".

Lodging - A retail sales and service use in which the primary activity is the rental of rooms to the general public on a transient basis.

Section 9. Section 23.84.25 of the Seattle Municipal Code is amended to add definitions of Marine Retail Sales and Service and Motel to read as follows:

Section 23.84.25 "M".

Marine Retail Sales and Service - A retail sales and service use in which one or more of the following activities:

- Sale or rental of large boats
- Sale of fuel for boats
- Major or minor vessel repair
- Sale of boat parts or accessories
- Storage of boats in a marina
- Dry storage of boats.

Motel - A lodging use, located in a structure in which access to individual units is predominantly by means of common interior corridors, and/or where off-street parking is close enough to the units so the business handling is done by guests.

Section 10. Section 23.84.38 of the Seattle Municipal Code is amended to add a definition for Panorama, Adult to read as follows:

Section 23.84.38 "P".

Panorama, Adult - A mechanical device which exhibits or displays a picture or view on film for observation by a patron which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or specified anatomical areas, as defined in Section 23.04.24.

Section 11. Section 23.84.38 of the Seattle Municipal Code is amended to add a definition for Transportation Facilities to read as follows:

Section 23.84.38 "T".

Transportation Facilities - One of the following commercial uses:

- Taxi and Ambulance Service
- Passenger Terminal
- Cargo Terminal
- Bus Base
- Helipad
- Helipoint
- Airport

Section 12. Section 23.54.24 of the Seattle Municipal Code is hereby amended to replace the existing Transit Access Map with the map attached hereto which extends the boundaries of the access area to include Pioneer Square and the International District.

Section 13. Chapter 24.68 of the Seattle Municipal Code is hereby repealed.

Section 14. 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 this 28th day of January, 1985.
and signed by me in open session in confirmation of the foregoing.
January 28, 1985
Approved by me this 4th day of February, 1985.
Filed by me this 4th day of February, 1985.

City Clerk
City Commissioner and City Clerk
Deputy Clerk

8563140774

Return To:

TIM HILL, CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, TIM HILL, Comptroller and City Clerk of the City of Seattle, do hereby
certify that the within, and foregoing is a true and correct copy of the
original instrument as the same appears on file and of record in this
Department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
seal of The City of Seattle, this 13th day of March, 1985

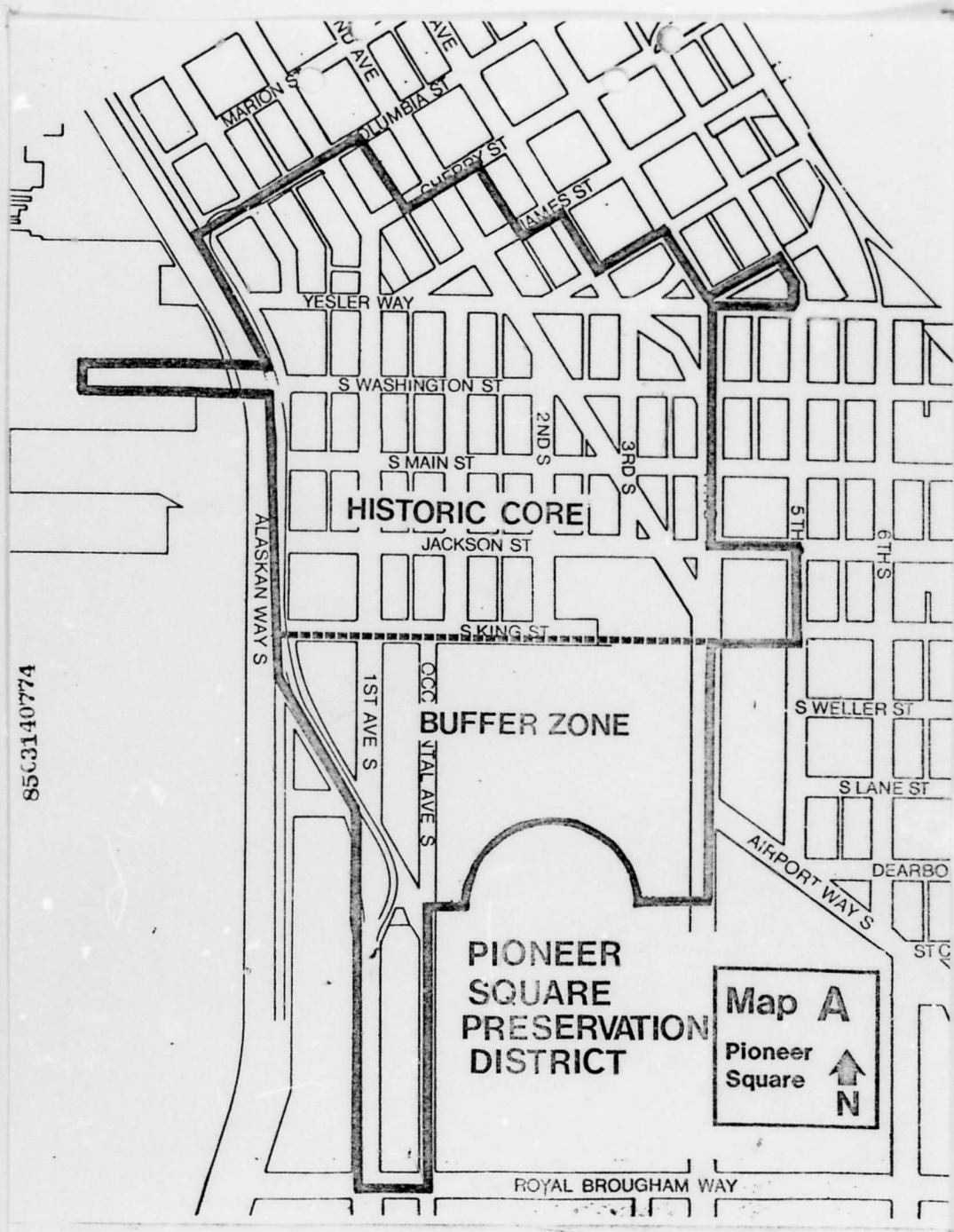


TIM HILL
Comptroller and City Clerk

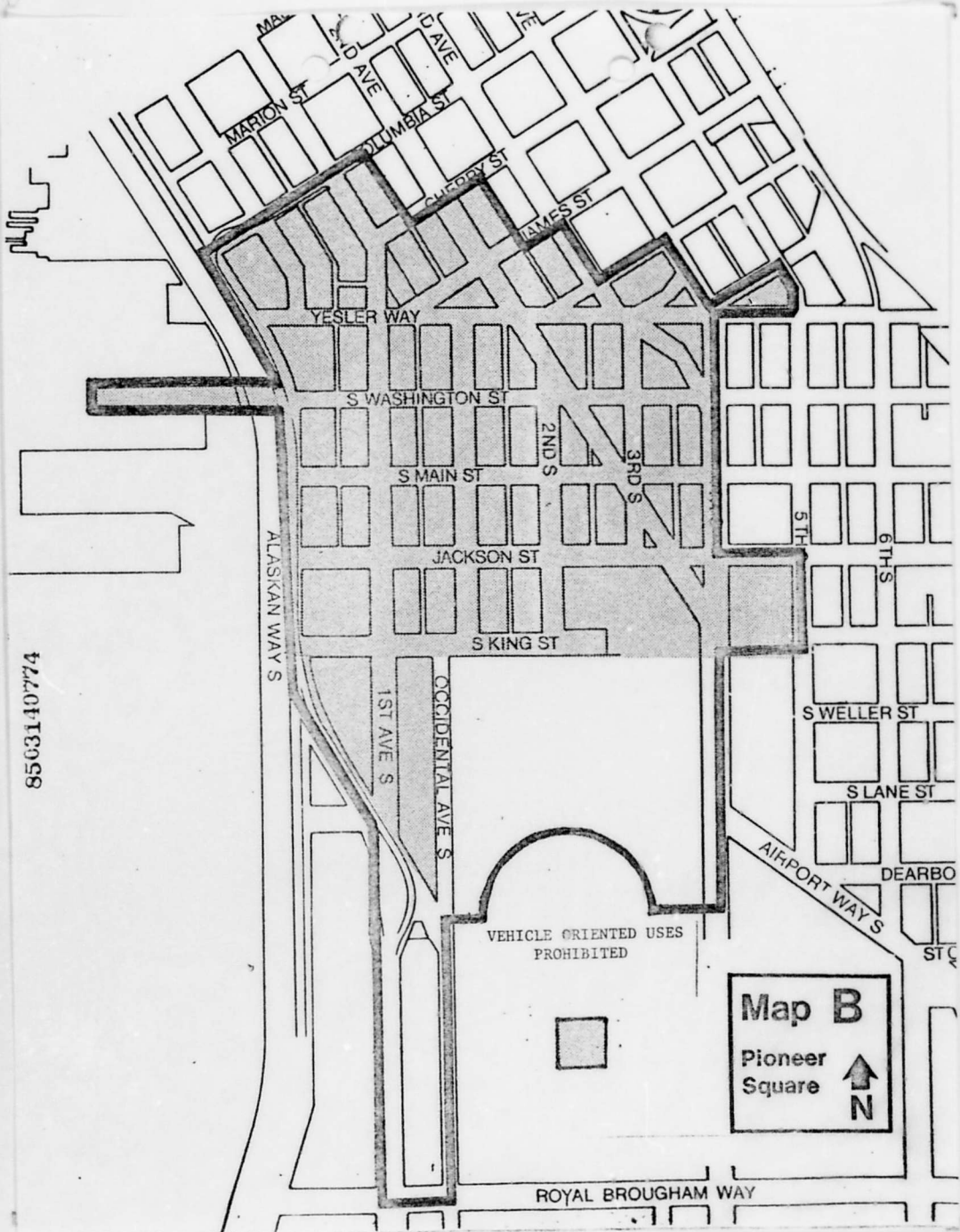
By:

Theresa Dunbar
Deputy Clerk

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Map C
Pioneer Square

PRINCIPAL USE PARKING

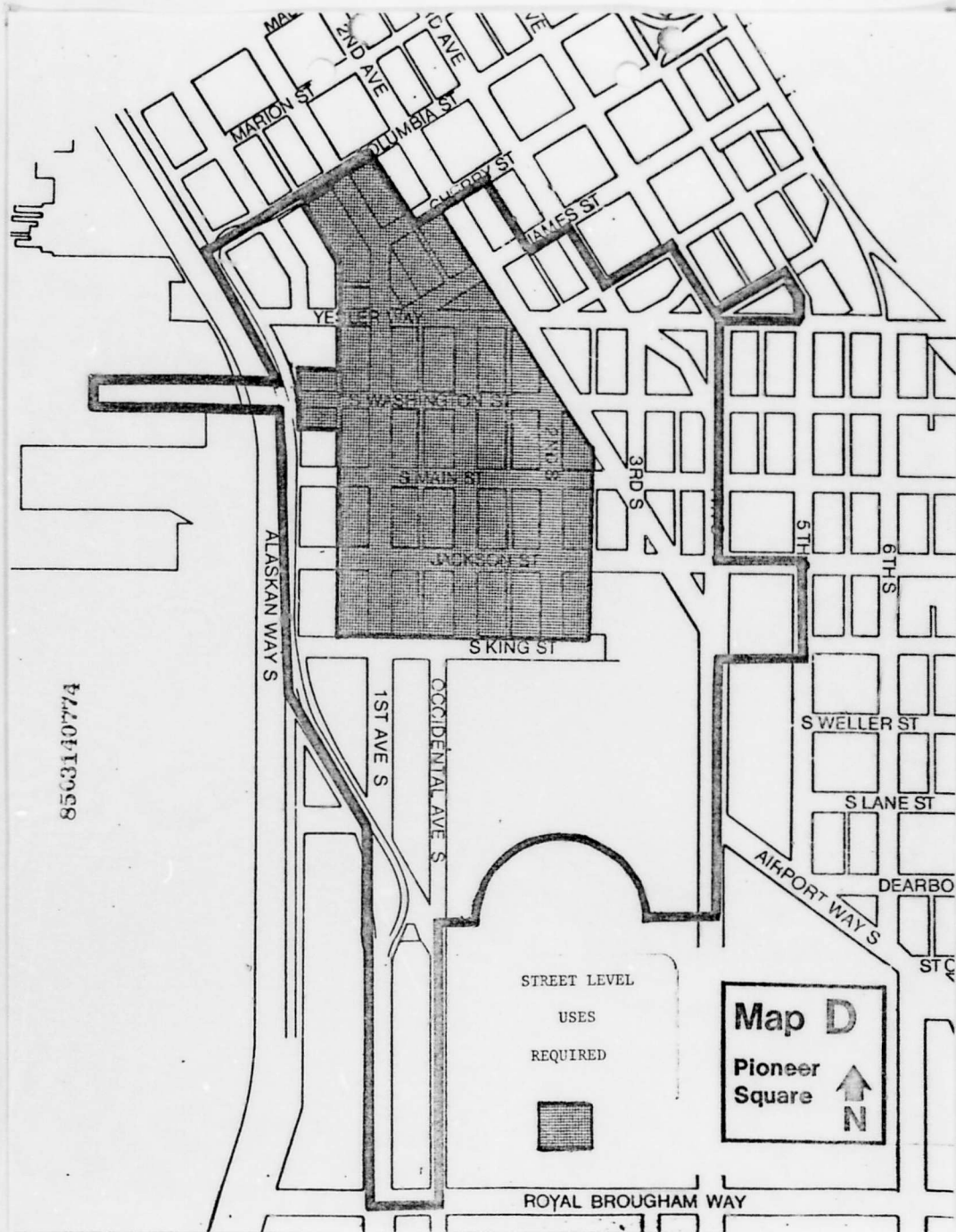
SHORT AND LONG TERM
SHORT TERM ONLY

ROYAL BROUGHAM WAY

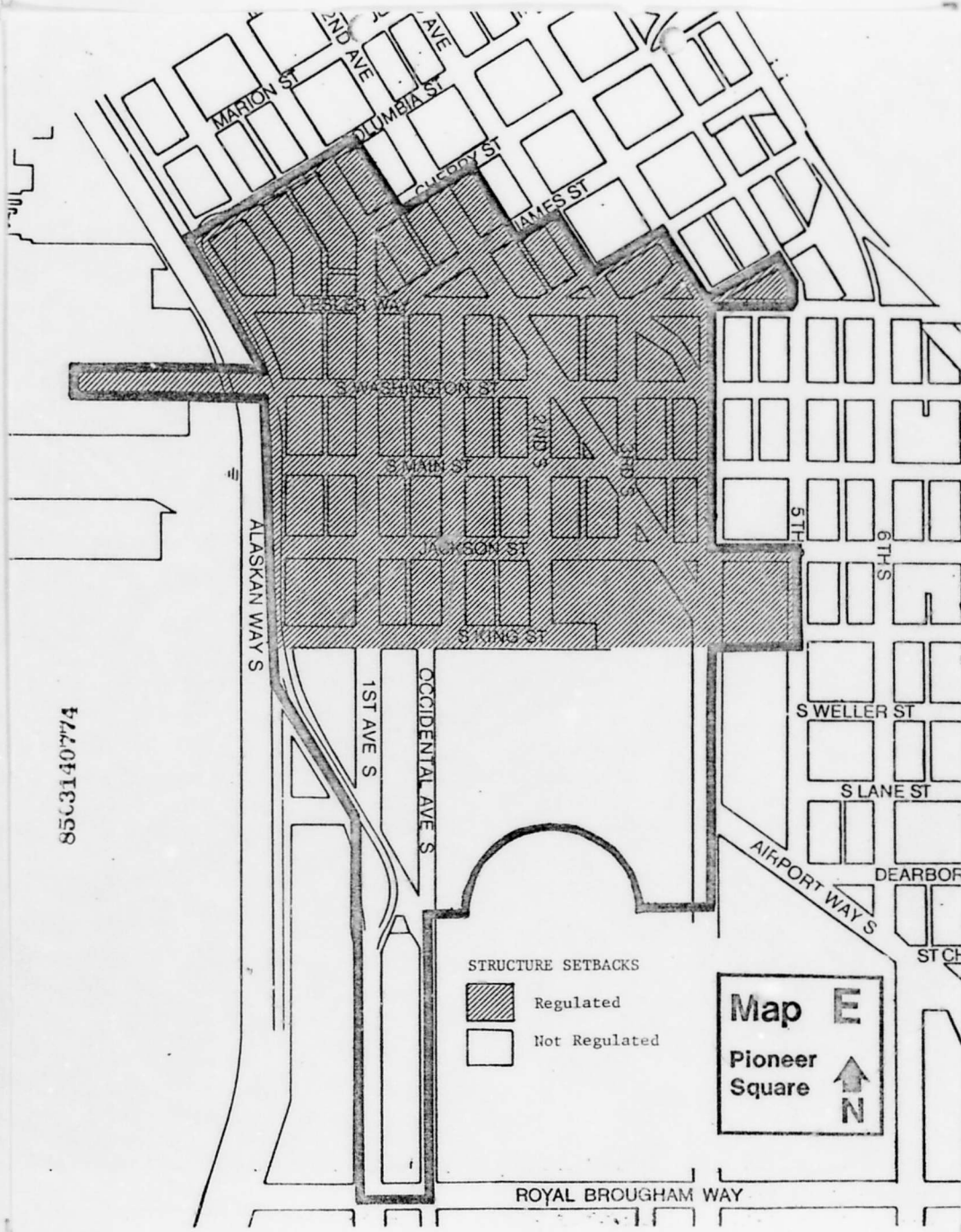


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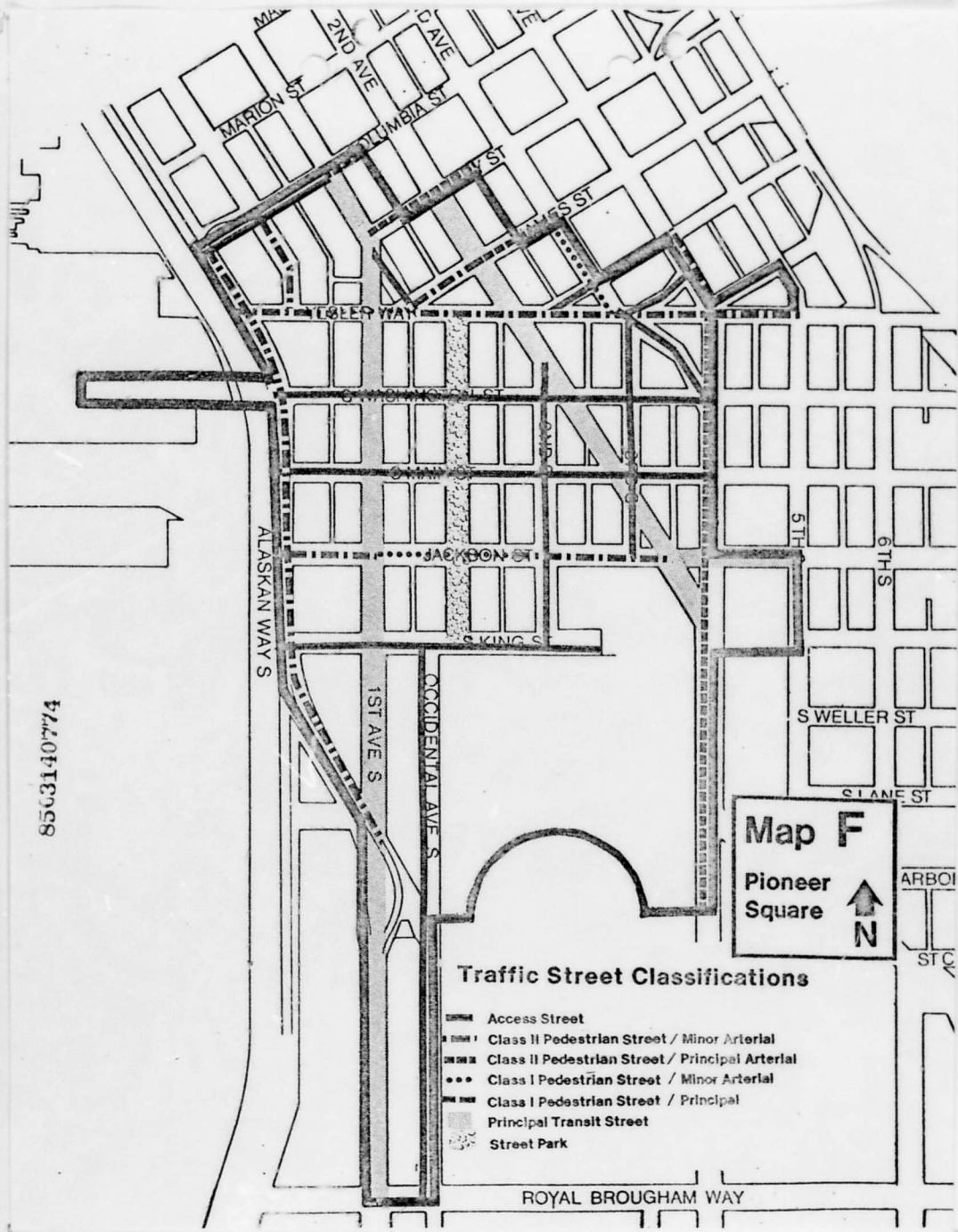
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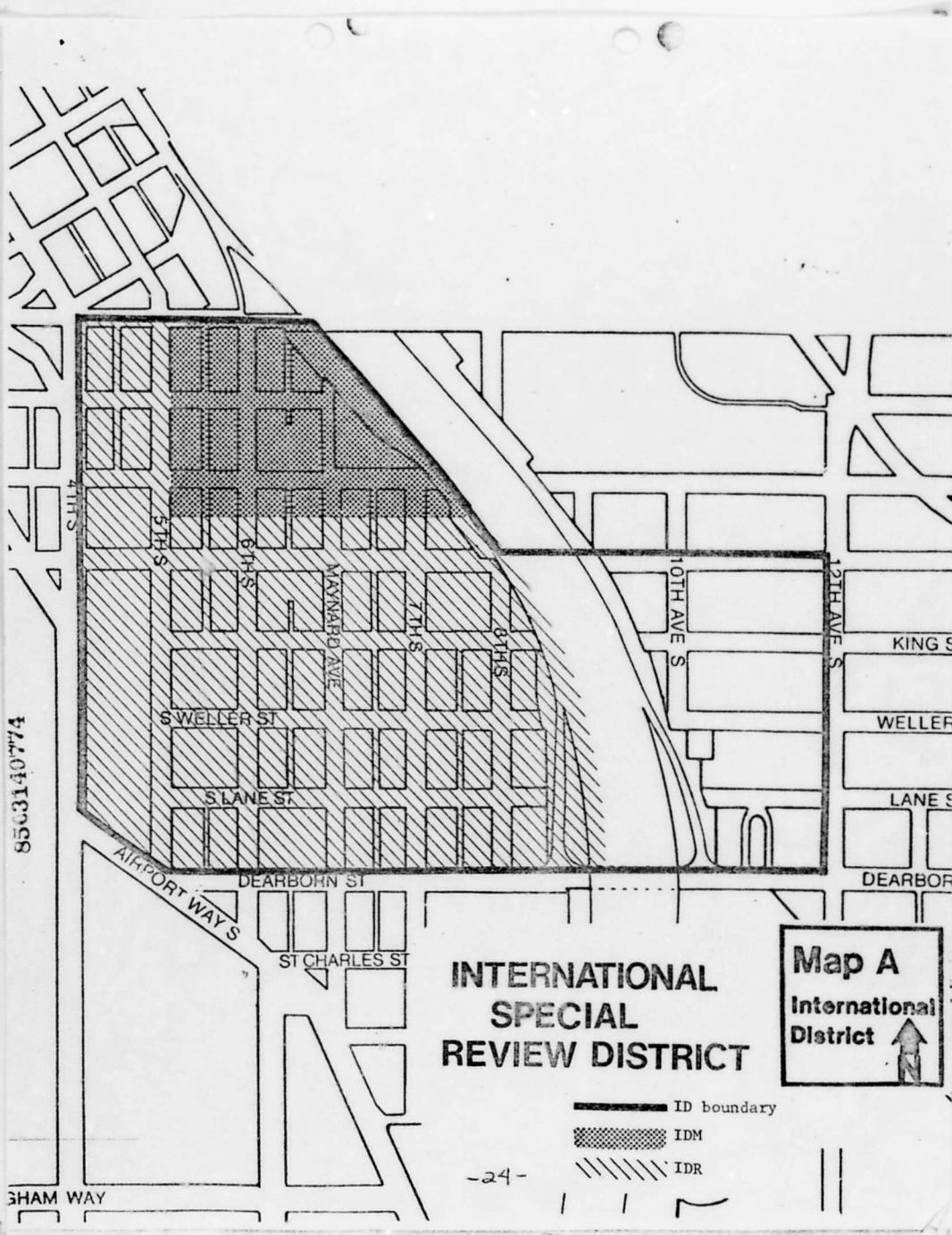


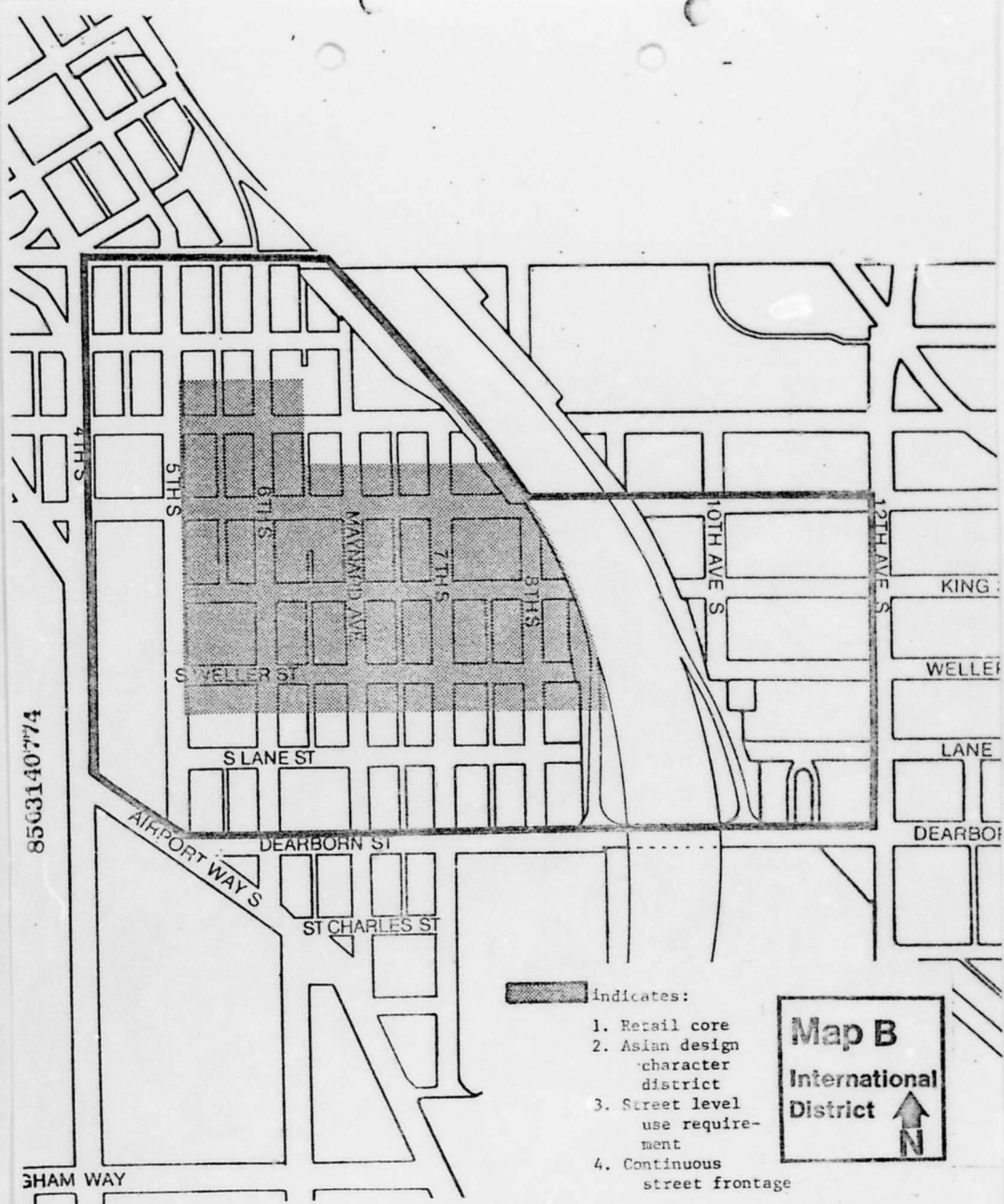
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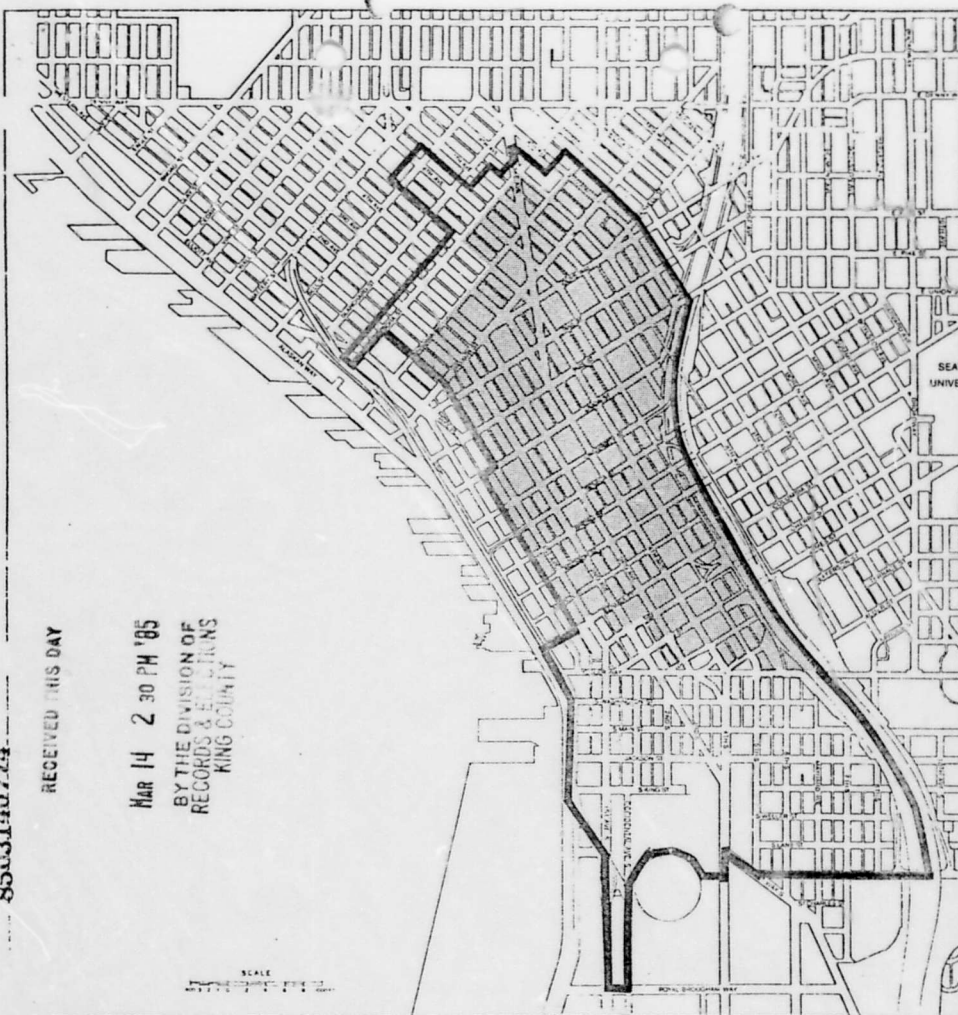


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RECEIVED THIS DAY

MAR 14 2 30 PM '85
BY THE DIVISION OF
RECORDS & ELLIOTT
KING COUNTY

SCALE
1" = 100'



- ☐ High Transit Access
- ☐ Moderate Transit Access

Transit Access

C-614

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. 112134

was published on February 7, 1985

B. Havi
Subscribed and sworn to before me on

February 7, 1985

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

TIME AND DATE STAMP

SPONSORSHIP

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

Paul Frankel

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE