

ORDINANCE No. 112303

COUNCIL BILL No. 104911

AN ORDINANCE relating to zoning and land use; adding a new Chapter 23.49 to the Seattle Municipal (Land Use) Code to establish zoning regulations and development standards for downtown Seattle; repealing the Interim Downtown Zoning regulations of existing Chapter 23.49; and Section 23.54.24 and adding a new Section 23.86.32 to Chapter 23.86; amending Chapter 23.84 (Definitions), amending Sections 23.04.10, 23.54.30, 23.66.122, 23.66.140, 23.66.322, 23.66.324, 23.66.326, 23.86.06, 23.86.07, 23.86.28, 23.86.30, 23.80.20; and amending Section 24.52.140 to conform with the new Chapter 23.49.

COURT FILE NO.

Introduced: <b>MAY 28 1985</b>	By: <b>EXECUTIVE REQUEST</b>
Referred: <b>MAY 28 1985</b>	To: <b>Land Use</b>
Referred: <b>JUN 6 1985</b>	To: <b>PUB. COUNCIL</b>
Referred:	To:
Reported: <b>JUN 10 1985</b>	Second Reading: <b>JUN 10 1985</b>
Third Reading: <b>JUN 10 1985</b>	Signed: <b>JUN 10 1985</b>
Presented to Mayor: <b>JUN 11 1985</b>	Approved:
Returned to City Clerk:	Published:
Voted by Mayor:	Veto Published:
Passed over Mayor:	Veto Sustained:

Law Department

The City of Seattle

Downtown Policies:  
Res 27281

Honorable President:  
Your Committee on

to which was referred the within Council Bill No. 104911 report that we have considered the same and respectfully

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READ OMB JUN 11 1985

Honorable President:  
Your Committee on  
to which was referred the within Council Bill No. 104911 report that we have considered the same and respectfully

City Clerk

*Law Department*

*UP*

The City of Seattle--Legislative Department

**Downtown Policies:  
Res 27281**

Date Reported  
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on

**104911**

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

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Committee Chair

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ORDINANCE 112303

1 AN ORDINANCE relating to zoning and land use; adding a new Chapter 23.49 to the  
2 Seattle Municipal (Land Use) Code to establish zoning regulations and  
3 development standards for downtown Seattle; repealing the Interim Downtown  
4 Zoning regulations of existing Chapter 23.49 and Section 23.54.24; adding a  
5 new Section 23.86.32 to Chapter 23.86; amending Chapter 23.84 (Definitions);  
6 amending Sections 23.04.10, 23.54.30, 23.66.140, 23.66.322, 23.66.324,  
7 23.66.326, 23.86.06, 23.86.07, 23.86.28, 23.86.30, 23.80.20; and amending  
8 Section 24.52.140 to conform with the new Chapter 23.49.

9 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

10 Section 1. Chapter 23.49 of The Seattle Municipal (Land Use) Code, adopted  
11 in Ordinance 111926, is hereby repealed.

12 Section 2. Section 23.04.10 of The Seattle Municipal Code is amended to  
13 read as follows:

14 \* \* \*

15 D. Special Transition Rule

- 16 1. The following transition rule shall apply only to provisions of the  
17 Land Use Code which are initiated by the City and become effective as  
18 part of a defined phase during the transition from Title 24 to  
19 Title 23(⇄) and during the transition from interim Chapter 23.49 to  
20 permanent Chapter 23.49. Once such a phase of the Land Use Code is  
21 adopted by the Council, any amendments to provisions included in the  
22 particular phase shall not invoke this transition rule.
- 23 2. Any proposal which is substantially underway on the date new Land Use  
24 Code provisions become effective shall be subject to either the new  
25 substantive provisions or to corresponding repealed or modified  
26 substantive provisions of Title 24 or repealed Chapter 23.49, at the  
27 discretion of the applicant, provided that:
- 28 a. The applicant may elect only one set of standards which shall  
apply as appropriate to the entire proposal, except that the  
applicant may elect to meet all the standards of Section 23.54.30,  
Parking Space Standards, and meet the standards of Title 24 for  
the remainder of the proposal.
- b. The election will be irrevocable and shall be made in writing at  
the time of application; and
- c. The applicant shall have no election as to procedural require-  
ments.

3. A proposal shall be considered by the Director to be substantially underway if:

- a. A Master Use Permit application has been completed and filed; provided that if an applicant has elected under Section 23.76.10B to file separate applications, only those specific approvals which are sought prior to the effective date of applicable provisions, shall be subject to this rule; or
- b. A building permit application including, if appropriate, an environmental checklist, has been filed; or
- c. A draft Environmental Impact Statement (EIS) has been approved by the Director for publication.

\* \* \*

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

CHAPTER 23.49  
DOWNTOWN ZONING

23.49.02 Scope of Provisions

- A. This Chapter details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IDM), International District Residential (IDR), Downtown Harborfront 1 (DH1), Downtown Harborfront 2 (DH2), and Pike Market Mixed (PMM).
- B. Property in the following special districts: Pike Place Market Urban Renewal Area, Pike Place Market Historic District, Pioneer Square Preservation District, International Special Review District, and the Shoreline District, are subject to both the requirements of this Chapter and the regulations of the district.
- C. The requirements and guidelines for public benefit features are found in the Public Benefit Features Rule.

Subchapter I: General Standards

23.49.06 Scope of General Standards

Unless otherwise specified, the regulations of this subchapter shall apply to all downtown zones.

23.49.08 Structure Height

The following provisions regulating structure height shall apply to all property in downtown zones except the DH1, PSM, IDM, and IDR zones.

A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.32, except that:

1. The Council shall determine the maximum permitted height when a major retail store or performing arts theater bonus is approved in Downtown Retail Core zones pursuant to Section 23.49.96; provided, that such height shall not exceed four hundred feet.
2. Any property in the Pike Market Mixed zone that is subject to an urban renewal covenant may be built no higher than the height permitted by the covenant for the life of the covenant.

B. In Downtown Mixed Residential (DMR) zones, height shall be regulated as follows:

1. No structure which contains only nonresidential uses, and no portion of a mixed use structure which contains nonresidential uses, may extend beyond the lower height limit established on the Official Land Use Map, except for rooftop features permitted by subsection C.
2. Structures which contain only residential uses, and portions of mixed use structures which contain only residential uses, may extend to the higher height limit established on the Official Land Use Map.

C. Rooftop features

1. Open railings, planters, clerestories, skylights, dish antennae, play equipment, parapets and firewalls may extend up to four feet above the maximum height limit with unlimited rooftop coverage.
2. Solar collectors may extend up to seven feet above the maximum height limit with unlimited rooftop coverage.
3. The following rooftop features may extend up to fifteen feet above the maximum height limit, as long as the combined coverage of all features

1 listed in this subsection does not exceed twenty percent of the roof  
2 area, or twenty-five percent if the total includes stair or elevator  
3 penthouses or screened mechanical equipment:

4 Solar collectors;  
5 Stair and elevator penthouses;  
6 Mechanical equipment; and  
7 Play equipment and open mesh fencing, as long as the fencing is at  
8 least fifteen feet from the roof edge.

- 9  
10 4. Radio and television receiving aerials excluding dishes; religious sym-  
11 bols such as belfries or spires, and that portion of the roof which  
12 supports them; transmission towers; smokestacks; and flagpoles may  
13 extend up to fifty feet above the roof of the structure on which they  
14 are located except as regulated in Chapter 23.64, Airport Height  
15 District, provided they are a minimum of ten feet from all lot lines.

- 16 5. Council conditional use for rooftop features

17 The rooftop features listed in subsection B4 may exceed the height spe-  
18 cified in subsection B4 if authorized by a Council conditional use,  
19 Chapter 23.80. The request for additional height shall be evaluated on  
20 the basis of public benefits provided, the possible impacts of the  
21 additional height, consistency with the City's land use policies, and  
22 the following specific criteria:

- 23 a. The feature shall be compatible with and not adversely affect the  
24 downtown skyline.  
25 b. The feature shall not have a significant adverse effect upon the  
26 light, air, solar and visual access of properties within a three  
27 hundred foot radius.  
28 c. The feature, supporting structure and structure below shall be  
compatible in design elements such as bulk, profile, color and  
materials.  
d. The feature shall not adversely affect the function of existing  
transmission or receiving equipment within a five mile radius.

e. The increased size is necessary for the successful physical function of the feature.

23.49.10 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 nighttime glare affecting nearby uses.

23.49.12 Noise Standards

- A. All uses shall meet the standards of the Seattle Municipal Code, Chapter 25.08, Noise Control.
- 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. Light manufacturing uses;
  - 2. Auto body, boat and aircraft repair shops.
- D. When a major noise generator is proposed, a report from an acoustical consultant shall be required to describe the measures to be taken by the applicant in order to meet noise standards for the area. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and use of specified construction techniques or building materials. Measures to be taken shall be specified on the plans. After a permit has been issued, any measures which were required by the permit to limit noise shall be maintained.
- E. When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which describes how the noise generated by the expansion will meet the noise standards for the area.

23.49.14 Odor Standards

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

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B. Major odor sources

1. Uses which employ the following odor-emitting 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 260 gallons  
Handling of heated tars and asphalts  
Incinerating (commercial)  
Metal plating  
Use of boilers (greater than 10<sup>6</sup> 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 in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken shall be specified 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 which were required by the permit shall be maintained.

23.49.16 Parking Quantity Requirements

The regulations in this Section shall not apply to Pike Market Mixed zones.

A. General standards

1. Long term parking requirements shall be established for all new uses, except as provided in subsection A2. The long term requirement shall

1 be determined by the accessibility of the area to transit, according to  
2 Map IA. Short term parking shall also be required for offices and  
3 retail sales and service uses in all areas, except as provided in sub-  
4 section A2.

5 2. Exceptions to the parking requirement shall be permitted as follows:

- 6 a. No parking shall be required for new uses to be located in  
7 existing structures, or when existing structures are remodeled.  
8 b. No parking shall be required for residential uses.  
9 c. No parking, either long term or short term, shall be required for  
10 the first thirty thousand square feet of retail sales and service  
11 use on lots in areas with high transit access, as identified on  
12 Map IA. No parking, either long term or short term, shall be  
13 required for the first seven thousand five hundred square feet of  
14 retail sales and service use on lots in other areas.  
15 d. No parking shall be required for the first two thousand five hun-  
16 dred square feet of any nonresidential use which is not a retail  
17 sales and service use.  
18 e. No parking shall be required when an existing structure is  
19 expanded by up to two thousand five hundred square feet or less,  
20 provided that this exemption may be used only once by any indivi-  
21 dual structure.  
22 f. No parking shall be required for any gross floor area in human  
23 service or day care use.  
24 g. In Pioneer Square Mixed zones, the Pioneer Square Preservation  
25 Board may waive or reduce required parking according to the provi-  
26 sions of Section 23.66.170, Parking and Access.  
27 h. In International District Mixed and International District Resi-  
28 dential zones, the International District Special Review District  
Board may waive or reduce required parking according to the provi-  
sions of Section 23.66.342, Parking and Access.

1 In these zones, the parking requirements for restaurants, motion  
2 picture theaters, and other entertainment uses and places of  
3 public assembly shall be established pursuant to the requirements  
4 of Section 23.66.342, rather than the provisions of this Section.

5 3. Location of required parking

6 a. Required parking may be provided on the lot and/or within eight  
7 hundred feet of the lot on which the use is located, provided  
8 that:

- 9 (1) The parking is located in a Downtown zone in conformance with  
10 the accessory parking regulations for that zone; and  
11 (2) When parking is provided on a lot other than the lot of the  
12 use for which it is required, the owner of the parking spaces  
13 shall be responsible for notifying the Director should the  
14 use of the lot for the required parking cease. In this  
15 event, the principal use must be discontinued, other parking  
16 meeting the requirements of this code must be provided  
17 within thirty days, or a variance must be applied for within  
18 fourteen days, and subsequently granted. A covenant between  
19 the owner of the parking spaces, the owner or operator of  
20 the principal use, and the City of Seattle stating the  
21 responsibilities of the parties shall be executed. This  
22 covenant and accompanying legal descriptions of the prin-  
23 cipal use lot and the lot upon which the spaces are to be  
24 located shall be recorded with the King County Department of  
25 Records and Elections and a copy with the recording number  
26 and parking layouts shall be submitted as part of any permit  
27 application for development requiring parking.

28 b. In lieu of providing required long term parking, payment may be  
made to the Downtown Parking Fund, according to the provisions of  
subsection B4.

4. For the purposes of determining parking requirements, institutions shall be considered "other nonresidential" uses on Chart 49.16A. The parking requirements for nonresidential public projects and City facilities shall be determined on a case by case basis.

B. Parking requirements

1. The long term and short term parking requirement for offices, retail sales and service uses, and other nonresidential uses shall be as established on Chart 49.16A. The unrestricted long term parking requirement for all uses except lodging may be reduced by providing additional carpool spaces, vanpools, or subsidized transit passes, according to subsection B3.

Chart 49.16A Parking Requirements  
(Expressed in parking spaces per 1,000 square feet  
of gross floor area of the use)

USE	LONG-TERM PARKING REQUIREMENT						SHORT TERM PARKING REQUIREMENT IN ALL AREAS
	Areas with High Transit Access <sup>1</sup>			Areas with Moderate Transit Access <sup>1</sup>			
	Unrestricted Long Term	Car-pool	Total	Unrestricted Long Term	Car-pool	Total	
Office	.54	.13	.67	.75	.19	.94	.1
Retail sales and service, except lodging	.32	.08	.40	.56	.14	.70	.5
Other non-residential	.16	.04	.20	.16	.04	.20	None
Lodging	1 space per 4 rooms (all areas)						None

<sup>1</sup>According to Map IA.

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- 2. Carpool spaces provided to meet the requirements of subsection B1 shall either be:
  - a. Physically set aside and designated for exclusive carpool use between 6:00 a.m. and 9:30 a.m, and shall not be leased to tenants for long term parking, except as parking for carpools and vanpools. Required carpool spaces not used by carpool vehicles by 9:30 a.m. shall be used as public short term parking with appropriate signage provided; or
  - b. Subsidized, provided that the subsidy shall be equal to at least thirty percent of the monthly market rate charged the general public for a parking space. Subsidized spaces shall be provided at the rate that carpools are formed.
  
- 3. The following substitution rates shall be used to reduce the long term parking requirement for all nonresidential uses, except lodging:
  - a. One vanpool may be substituted for six parking spaces. The unrestricted long term parking requirement may be reduced no more than ten percent for vanpool substitutions. If the proponent elects to use the vanpool option, the necessary number of vans meeting the standards of the Commuter Pool division of Metro shall be acquired, or a surety instrument acceptable to the Director shall be posted; and, vanpools shall be organized for employees in the structure. Before a Certificate of Occupancy may be issued, details of the vanpool program shall be spelled out in a Memorandum of Agreement executed between the proponent, his or her Transportation Coordinator, the Director, and the Seattle Rideshare office.
  - b. Each carpool space in excess of those required by subsection B1, which is physically reserved or subsidized according to the provisions of subsection B2, may be substituted for one and nine tenths

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dinator in addition shall survey all employees once a year to determine commute mode percentages.

b. The Seattle Rideshare office, in conjunction with the Transportation Coordinator, shall monitor the effectiveness of the ridesharing/transit incentive program on a quarterly basis. The owner or operator of the structure shall grant a designated Seattle Rideshare office representative right of entry to the parking facility to periodically review operation of the carpool set aside program.

c. A transportation information center shall be provided and maintained, which has transit information displays including transit route maps and schedules and Seattle ridesharing program information. The transportation display shall be located in the lobby or other location highly visible to employees within the structure prior to issuance of a Certificate of Occupancy.

C. Maximum parking limit

Provision of more than one long term parking space per one thousand square feet of nonresidential use may be permitted as a special exception pursuant to Chapter 23.76. When deciding whether to grant a special exception, the Director shall consider evidence of parking demand and alternative means of transportation, including but not limited to the following:

1. Whether the additional parking will substantially encourage the use of single occupancy vehicles.
2. Characteristics of the work force and employee hours, such as multiple shifts or shifts which end when transit service is not readily available.
3. Proximity of transit lines to the lot and headway times of those lines.
4. The need for a motor pool or large number of fleet vehicles at the site.

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parking spaces. No more than fifty percent of the total number of long term parking spaces provided shall be set aside or discounted for carpools.

c. A fifteen percent reduction in the unrestricted long term parking requirement may be achieved by providing free transit passes to all employees in the structure for at least five years.

4. In lieu of providing long term parking spaces on the lot or within eight hundred feet of the lot, long term spaces may be provided by a payment to the Downtown Parking Fund, if the Director determines that the parking impacts of the development can be met by other means. The Director's determination shall be based on any relevant factors including but not limited to the following:

- a. Proximity of the site to public parking.
- b. The level of transit service to the lot.
- c. Proposals by the applicant to encourage building tenants to use alternatives to single occupancy vehicles.

5. The following requirements shall apply to all structures containing more than ten thousand square feet of nonresidential use:

a. A Transportation Coordinator position shall be established and maintained within the proposed structure to devise and implement alternative means for employee commuting. The coordinator shall be trained by the Seattle Rideshare office or by an alternative organization with ridesharing experience, and shall work with the Seattle Rideshare office, Metro Commuter Pool staff, building tenants, and other building lessors. The coordinator shall disseminate ridesharing information to building occupants to encourage use of public transit, carpools, van pools and flextime; administer the in-house ridesharing program; and aid in evaluation and monitoring of the ridesharing program. The transportation coordinator

1 5. Proximity to existing long term parking opportunities downtown which  
2 might eliminate the need for additional parking on the lot.

3 6. Whether the additional parking will adversely affect vehicular and  
4 pedestrian circulation in the area.

5 D. Bicycle parking

6 Bicycle parking shall be required at the rate of one bicycle space for every  
7 twenty parking spaces provided in development requiring twenty or more park-  
8 ing spaces.

9 E. Off-street loading

10 Off-street loading spaces shall be provided according to the standards of  
11 Section 23.54.30, Parking Space Standards.

12 23.49.18 Standards for Location of Access to Parking

13 This Section shall not apply to Pike Market Mixed, Pioneer Square Mixed,  
14 International District Mixed, and International District Residential zones.

15 A. Curbcut location

16 1. When a lot abuts more than one right-of-way, the location of access  
17 shall be determined by the Director in consultation with the Director  
18 of Engineering. Except as provided in subsection A3, the location of  
19 access shall be determined by the classification of rights-of-way on  
20 Map IB and the ranking of the classification below, from most to least  
21 preferred:

- 22 Alley - if of sufficient width to accommodate anticipated uses  
23 Access street  
24 Class II Pedestrian Street--Minor Arterial  
25 Class II Pedestrian Street--Principal Arterial  
26 Class I Pedestrian Street--Minor Arterial  
27 Class I Pedestrian Street--Principal Arterial  
28 Principal Transit Street.

29 2. Curbcut controls on street parks shall be evaluated on a case by case  
30 basis, but generally access from street parks shall not be allowed.

31 3. The Director and the Director of Engineering shall also determine  
32 whether the location of the access will expedite the movement of

1 vehicles, facilitate a smooth flow of traffic, avoid the on-street  
2 queuing of vehicles, enhance vehicular safety and pedestrian comfort,  
and will not create a hazard.

3 B. Curbcut width and number

4 Curbcut width and the number of curbcuts shall satisfy the provisions of  
5 Section 23.54.30, Parking Space Standards.

6 23.49.20 Screening and Landscaping of Surface Parking Areas

7 Screening and landscaping, as required by this Section, shall be provided when  
8 surface parking areas are permitted.

9 A. Screening

10 Surface parking areas for more than five vehicles shall be screened in  
accordance with the following requirements:

- 11 1. Screening shall be required along each street lot line.
- 12 2. Screening shall consist of a landscaped berm, or a view obscuring fence  
13 or wall at least three feet in height.
- 14 3. When a fence or wall is used for screening, there shall be a landscaped  
15 strip on the street side of the fence or wall, an average of three feet  
16 from the property line, but at no point less than one and one-half  
17 feet wide. Each landscaped strip shall be planted with sufficient  
18 shrubs, grass and/or evergreen groundcover in a manner that the entire  
strip, excluding driveways, will be covered in three years.
- 19 4. Sight triangles shall be provided in accordance with Section 23.54.30,  
20 Parking Space Standards.

21 B. Landscaping

22 Surface parking areas for twenty or more vehicles shall be landscaped  
23 according to the following requirements:

24 1. Amount of landscaped area required

<u>Total number of parking spaces</u>	<u>Required landscaped area</u>
25 20 to 50 spaces	18 square feet per parking space
26 51 to 99 spaces	25 square feet per parking space
27 100 or more spaces	35 square feet per parking space.

- 1 2. The minimum size of a required landscaped area shall be one hundred  
2 square feet. Berms provided to meet the screening standards in subsec-  
3 tion A2 may be counted as part of a landscaped area. No part of a  
4 landscaped area shall be less than four feet in any dimension except  
5 those dimensions reduced by turning radii or angles of parking spaces.  
6 3. No parking stall shall be more than sixty feet from a required land-  
7 scaped area.  
8 4. One tree per every five parking spaces shall be required.  
9 5. Each tree shall be at least three feet from any curb of a landscaped  
10 area or edge of the parking area. Permanent curbs or structural  
11 barriers shall enclose landscaped areas.  
12 6. Sufficient hardy evergreen groundcover shall be planted to cover each  
13 landscaped area completely within three years. Trees shall be selected  
14 from the Seattle Engineering Department's recommended list for parking  
15 area planting.

#### 14 23.49.22 Minimum Sidewalk Width

15 The regulations in this Section shall not apply to PMM, PSM, IDM, and IDR zones.  
16 Minimum sidewalk widths are established for certain streets by Map IC. When a  
17 new structure is proposed on lots abutting these streets, sidewalks shall be  
18 widened, if necessary, to meet the minimum standard. The sidewalk may be  
19 widened into the right-of-way if approved by the Director of Engineering.

#### 19 23.49.24 View Corridor Requirements

- 20 A. Upper level setbacks shall be required for the following view corridors,  
21 identified on Map ID:
  - 22 1. Broad, Clay, Vine, Wall, Battery and Bell Streets west of First Avenue;  
23 and
  - 24 2. University, Seneca, Spring, Madison and Marion Streets west of Third  
25 Avenue.
- 26 B. Upper level setbacks for view corridors listed in subsection A1 shall be  
27 provided as follows, Exhibits 49.24A and 49.24B:  
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Location of the Lot	Maximum Elevation Above Sidewalk That Setback Can Occur	Minimum Distance of Setback From Street Property Lines
From First Avenue West to midpoint of the block	25 Feet	15 Feet
From the midpoint of the block between First and Western Avenues, west to the midpoint of the block between Western and Elliott Avenues	35 Feet	25 Feet
From the midpoint of the block between Western and Elliott Avenues west to Elliott Avenue	50 Feet	30 Feet
From Elliott Avenue west to Alaskan Way	50 Feet	40 Feet.

C. Upper level setback for view corridor listed in subsection A2 shall be provided as follows, Exhibits 49.24C and 49.24D:

Location of the Lot	Maximum Elevation Above Sidewalk That Setback Can Occur	Minimum Distance of Setback From Street Property Lines
From Third Avenue west to the midpoint of the block between Second and Third Avenues	24 Feet	20 Feet
From the midpoint of the block between Second and Third Avenues West to Second Avenue	36 Feet	20 Feet
From Second Avenue west to the midpoint of the block between Second and First Avenues	36 Feet	30 Feet
From the midpoint of the block between Second and First Avenues west to Post Alley	48 Feet	30 Feet
From Post Alley to Alaskan Way	60 Feet	40 Feet.

23.49.26 General Requirements for Residential Uses

A. Inclusion of affordable units

At least ten percent of the units in new structures containing more than twenty dwelling units shall be provided and maintained as affordable housing, according to the Public Benefit Features Rule.

B. Common recreation area

Common recreation area shall be required in all new structures containing more than twenty dwelling units. Required common recreation area shall meet 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. A maximum of 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.
5. In PSM zones, the Pioneer Square Preservation Board may waive the requirement for common recreation area, pursuant to the criteria of Section 23.66.155, Waiver of Common Recreation Area Requirements.
6. In IDM and IDR zones, the International District Special Review District Board may waive the requirement for common recreation area, pursuant to the criteria of Section 23.55.331, Waiver of Common Recreation Area Requirements.
7. For lots abutting designated street parks, up to fifty percent of the common recreation area requirement may be met through participation in the development of the street park.

C. Dispersion criterion for halfway houses

1. No halfway house shall be established in an area where it would increase the number of halfway houses located within a one thousand foot radius to more than five.
2. A proposed new or expanding 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 breaks, or other elements such as major arterials, which provide substantial separation from other existing halfway houses.

23.49.28 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 shall not be reestablished, recommenced, or changed to another use not otherwise permitted in the zone pursuant to subsection E. 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. The structure, or that portion of the structure formerly occupied by the nonconforming use, is no longer 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. If a complete application for a permit which would allow the nonconforming use to continue, or which would authorize a use not otherwise per-

mitted in the zone pursuant to subsection E, has been submitted before the structure has been vacant for twelve consecutive months, the nonconforming use shall not be considered discontinued unless the permit lapses, or the permit is denied, in which case the nonconforming use may be re-established during the six months following the denial.

- B. A nonconforming use shall not be expanded or extended.
- C. Structures or portions of structures containing a nonconforming use may be maintained, repaired, renovated, structurally altered, expanded or extended, provided that development standards are met and that the nonconforming use shall not be expanded or extended except that expansions or extensions otherwise required by law, or as specified in this Code, or as necessary to improve access for the elderly and disabled shall be permitted. To the extent the structure is nonconforming, the provisions of Section 23.49.30 shall apply.
- D. A nonconforming use which is destroyed by fire, act of nature, or other causes beyond the control of the owner may be resumed. Any portion of a structure occupied by a nonconforming use may be rebuilt to the same or smaller configuration existing immediately prior to the time the structure was destroyed. When the structure containing the nonconforming use is located in a PSM zone, the Pioneer Square Preservation Board shall review the exterior design of the structure before it is rebuilt to insure reasonable compatibility with the design and character of other structures in the Pioneer Square Preservation District.
- E. A nonconforming use may be converted to a use not otherwise permitted in the Downtown zone, if the Director finds that the new use is no more detrimental to property in the zone and vicinity than the existing use. This determination shall be based upon the following factors:
  - 1. The zones in which both the existing use and the new use are allowed.
  - 2. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses.

1 3. If the new use is permitted, the Director may require additional mit-  
2 gating measures including but not limited to landscaping, sound  
3 barriers or fences, mounding or berming, adjustments to parking  
4 standards, design modification, and the establishment of hours of  
5 operation.

6 23.49.30 Nonconforming Structures

7 A. A nonconforming structure may be maintained, repaired, renovated or struc-  
8 turally altered, but shall be prohibited from being expanded or extended in  
9 any manner which increases the extent of nonconformity or creates additional  
10 nonconformity, except that expansions or extensions otherwise required by  
11 law, as specified in this Section, or in Section 23.49.32 and Section  
12 23.49.34, or as necessary to improve access for the elderly and disabled  
13 shall be permitted. In certain instances, according to subsections D and E,  
14 expansions and extensions of portions of structures nonconforming in respect  
15 to specific provisions may not be permitted unless the nonconformity is  
16 reduced.

17 B. A nonconforming structure which is destroyed by fire, act of nature, or  
18 other causes beyond the control of the owner, may be rebuilt to the same or  
19 smaller configuration existing immediately prior to the time the structure  
20 was destroyed. When the structure is located in a PSM zone, the Pioneer  
21 Square Preservation Board shall review plans for the exterior design of the  
22 structure to insure compatibility with the design and character of other  
23 structures in the Pioneer Square Preservation District.

24 C. Landmark structures may be expanded even if the expansion increases the  
25 extent of nonconformity, when the Landmarks Board determines that there is  
26 no feasible alternative which meets the development standards of the zone  
27 while preserving the integrity of the designated features of the Landmark  
28 structure. The Director may permit the proposed expansion if it is approved  
by the Landmarks Board, and if:

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1. The expansion does not have a significant adverse effect on the light, air, solar and visual access of properties within a three hundred foot radius; and
  2. The expansion does not adversely affect the pedestrian environment in the vicinity.
- D. Portions of structures which do not conform to the standards for minimum street facade height and/or facade setback limits for the zone in which they are located may be expanded if the expansion reduces the nonconformity as regards one or both of these standards and, in the opinion of the Director, is consistent with the intent of the Code. If the Director determines that greater conformity is not structurally feasible, the expansion may increase the nonconformity in respect to these standards if all other standards are met.
- E. Portions of structures which do not conform to the standards for required street level uses and/or the street facade requirements for transparency, blank facades, or screening of parking for the zone in which they are located may be expanded if:
1. The expansion does not cause the structure to exceed the base FAR for the zone and the nonconformity is not increased; or
  2. When the nonconformity of the structure as regards these development standards is reduced, expansion of the structure up to the maximum FAR for the zone may be permitted by the Director through the use of the bonus system or transfer of development rights. The appropriate level of expansion and the required reduction or elimination of nonconformity shall be determined by the Director according to the following criteria:
    - a. The extent of the proposed expansion;
    - b. The impact of the proposed expansion on the pedestrian environment;
    - c. The amount of the existing nonconformity; and

1 d. The structural feasibility of remodelling the structure to meet  
2 these development standards.

3 23.49.32 Additions to Gross Floor Area

4 A. Existing structures may be expanded to the maximum permitted FAR. If the  
5 gross floor area is greater than that permitted by the base FAR, the expansion  
6 shall be achieved by providing public benefit features or by transferring  
7 development rights pursuant to the provisions of the zone in which  
8 the structure is located. Existing FAR shall be calculated under the rules  
9 for exempt and non-exempt space of the zone in which the structure is  
10 located.

11 B. When mechanical equipment or above grade parking which was exempted from  
12 floor area calculation under the provisions of Title 24 is proposed to be  
13 changed to uses which are not exempt from floor area calculations under this  
14 Chapter, and the structure is over the base FAR for the zone in which it is  
15 located, gross floor area in an amount equivalent to the gross floor area  
16 proposed to be changed shall be achieved through provision of public benefit  
17 features or transfer of development rights, according to the provisions of  
18 the zone in which the structure is located. This provision shall apply  
19 whether or not the structure is conforming.

20 C. When subsection A or B applies, any existing public benefit features for  
21 which increased floor area was granted under Title 24 shall, to the extent  
22 possible in the opinion of the Director, satisfy the requirements of Section  
23 23.49.34, Modification of Plazas and Other Features Bonused under Title 24.

24 23.49.34 Modification of Plazas and Other Features Bonused under Title 24

25 A. The modification of plazas, shopping plazas, arcades, shopping arcades, and  
26 voluntary building setbacks which resulted in any increase in gross floor  
27 area under Title 24 of the Seattle Municipal Code, shall be encouraged in  
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1 any downtown zone if the change makes the plaza, arcade or setback more closely  
2 conform to the requirements of this Chapter. The Director shall review  
3 proposed modifications to determine whether they provide greater public  
4 benefits and are consistent with the intent of the Public Benefit Features  
5 Rule, as specified in this Section.

6 B. Except as provided in subsections E2 and E3, no modification to a plaza or  
7 other feature listed in subsection A may be made under this Section if it  
8 will increase the total floor area ratio (FAR) of the structure. Except as  
9 permitted in subsections E2 and E3, no reduction in the area of the bonused  
10 feature may be made for any uses, except retail sales and services, human  
11 service uses, or day care centers, unless the loss of area is offset by the  
12 conversion of existing floor area in the structure to uses exempt from FAR  
13 calculation in the zone.

14 C. Plazas and shopping plazas

15 Modifications to plazas and shopping plazas for which increased gross floor  
16 area was granted under Title 24 shall be permitted, based on the classifica-  
17 tion of the plaza on Map IE.

18 1. Type I plazas

19 Type I plazas shall continue to function as major downtown open spaces.  
20 Modification of these plazas and/or reductions in plaza size shall be  
21 permitted if the Director finds that the modified or remaining plaza is  
22 consistent with the intent of the the Public Benefit Features Rule for  
23 urban plazas and parcel parks.

24 2. Type II plazas

25 Type II plazas do not function as major downtown open spaces, but they  
26 shall continue to provide open space for the public. Modification of  
27 these plazas and/or reductions in plaza size shall be permitted if the  
28 Director finds that the modified or remaining plaza is consistent with  
the intent of the Public Benefit Features Rule for urban plazas, parcel  
parks, hillside terraces, and rooftop gardens.

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D. Shopping arcades

1. Exterior shopping arcades

When street level uses are eligible for a floor area bonus in a zone in which an existing exterior shopping arcade is located, the existing shopping arcade or a portion of the existing shopping arcade may be converted to retail sales and service uses if the conversion will result in greater conformity with the street facade development standards of the zone, and if the minimum sidewalk widths established by Section 23.49.22 are met. No bonuses shall be given for any retail space created by conversion of a shopping arcade. New retail sales and service uses shall comply with the Public Benefit Features Rule for retail shopping bonuses.

2. Interior shopping arcades

Portions of existing interior shopping arcades may be modified and/or reduced in size, so long as any pathway which connects streets or other public open spaces is maintained at a width of at least fifteen feet and it continues to allow comfortable and convenient pedestrian movement. The visual interest and the sense of space and light in the shopping arcade shall be also maintained and enhanced if possible. The Public Benefit Feature Rule for shopping atrium and shopping corridor bonuses shall be used as a guideline in the review of proposed changes.

E. Arcades

The Director shall use the following standards to determine whether an arcade may be filled in, and to determine the uses that may be permitted in a former arcade.

1. Arcades that provide essential pedestrian connections, such as a connection to a bonused public open space or access to public parks, shall not be filled in.
2. Arcades that do not provide essential pedestrian connections may be filled in. In downtown areas where bonuses may be granted for shopping

1 atriums and shopping corridors, an arcade may be filled in only with  
2 uses which qualify for a retail shopping bonus. In other areas, when  
3 the total floor area of the structure does not exceed the maximum per-  
4 mitted FAR, the arcade may be filled in with uses which qualify as  
5 required street level uses except that arcades along alleys may be  
6 filled in with any permitted use. If the structure exceeds the maximum  
7 permitted FAR, arcades may only be filled in with uses which qualify  
8 for a retail shopping bonus.

- 9 3. If an arcade is filled in with a use which does not qualify for a  
10 retail shopping bonus pursuant to subsection E2, new public benefit  
11 features shall be required for any additional floor area.  
12 4. Overhead weather protection shall be provided when an arcade on a  
13 street or public open space is filled in. No additional floor area  
14 shall be granted for the required overhead weather protection.

15 F. Voluntary building setbacks

16 Voluntary building setbacks may be filled in to provide retail sales and  
17 service uses, provided that the conversion maintains the minimum required  
18 sidewalk width established in Section 23.49.22, and will result in greater  
19 conformity with the standards for required street level uses, if any, and  
20 street facade development standards for the zone.

21 Section 23.49.35 Replacement of Public Benefit Features

- 22 A. All public benefit features, except housing, shall remain for the life of  
23 the structure which includes the additional gross floor area. A public  
24 benefit feature may only be diminished or discontinued if the additional  
25 gross floor area permitted in return for the specific feature is permanently  
26 removed; or if the public benefit feature is replaced by another approved  
27 public benefit feature of at least equivalent floor area value, or by buying  
28 out the equivalent floor area value of the benefit feature according to the  
requirements of the Public Benefit Features Rule.

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B. In addition to the provisions of subsection A, this subsection shall apply in downtown zones when additional gross floor area is granted for any of the following public benefit features: human service uses, day care centers, retail shopping, cinemas, performing arts theaters, major retail stores, and museums.

1. In the event that the occupant or operator one of the public benefit features listed in this subsection moves out of a structure, the owner or owner's agent is responsible for notifying the Director within five days of the date that notice of intent to move is given or that the occupant or operator moves out, whichever is earlier.
2. Starting from the fifth day after notice is given or that the occupant or operator moves out, whichever is first, the owner or owner's agent shall have a maximum of six months to replace the use with another one which meets the provisions of this Code and the Public Benefit Features Rule.
3. When the public benefit feature is replaced, any portion of the gross floor area formerly occupied by that feature and not reoccupied by a replacement feature, may be either:
  - a. Changed to other uses which are exempt from FAR calculations in the zone in which the structure is located; or
  - b. Changed to uses which are not exempt from FAR calculations, provided that this would not cause the structure to exceed the maximum FAR limit for the zone in which it is located, and that gross floor area in an amount equivalent to the gross floor area proposed to be changed shall be achieved through provision of public benefit features, or transfer of development rights, according to the provisions of the zone in which the structure is located.
4. During the time that the space is vacant, it shall be made available to nonprofit community and charitable organizations for events at no charge.

23.49.36 Planned Community Developments (PCDs)

1 A. Authority

2 Planned Community Developments may be permitted by the Council pursuant to  
3 Chapter 23.80, Decisions Requiring Council Approval.

4 B. Development Guidelines

5 When a PCD is proposed by other than a City agency, the Director shall  
6 review and approve development guidelines for the PCD. These guidelines  
7 shall be approved prior to preparation of the detailed development program.  
8 They shall include public and private development objectives and promote  
9 City plans and policies for the area affected by the PCD.

10 C. Location

11 Planned Community Developments may be permitted by the Council pursuant to  
12 Chapter 23.80, Decision Requiring Council Approval, in the following Down-  
13 town zones:

14 1. Downtown Office Core 2

15 Downtown Retail Core

16 Downtown Mixed Commercial

17 Downtown Mixed Residential

18 International District Mixed

19 International District Residential

20 Pioneer Square Mixed

21 Downtown Harborfront 2.

22 2. A portion of a PCD may be located in DOC1 zones, provided that the por-  
23 tion located in a DOC1 zone shall be less than fifty percent of the  
24 total area of the PCD, and shall not exceed a maximum size of forty-  
25 five thousand square feet.

26 D. Minimum size

27 The minimum area for a PCD shall be one hundred thousand square feet. The  
28 area of any public right-of-way, or public right-of-way vacated less than

1 five years prior to the date of application for the PCD, within or abutting  
2 a proposed PCD shall not be included in minimum area calculations.

3 E. Evaluation of PCDs

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

7 1. Public benefits

8 A proposed PCD shall provide one or more of the following elements:  
9 housing, services, employment, increased public revenue, strengthening  
10 of neighborhood character, improvements in pedestrian circulation or  
11 urban form, and/or other elements which further an adopted City policy  
12 and provide a demonstrable public benefit.

13 2. Potential impacts

14 The potential impacts of a proposed PCD shall be evaluated, including,  
15 but not necessarily limited to, the impacts on transportation systems,  
16 parking, energy, and public services, as well as environmental factors  
17 such as noise, air, light, glare, and water quality.

18 3. The proposed PCD shall be reviewed for consistency with the Downtown  
19 Land Use Policies and the Land Use Policies for other areas adjacent to  
20 Downtown which could be affected by the PCD.

21 4. When the proposed PCD is located in the Pioneer Square Preservation  
22 District or International District Special Review District, the Board  
23 of the District(s) in which the PCD is located shall review the propo-  
24 sal and make a recommendation to the Community Development Director who  
25 shall make a recommendation to the Council.

26 F. Public benefit features in PCDs

27 Any public benefit feature eligible for a bonus in any downtown zone may be  
28 considered as part of a PCD in any downtown zone where PCDs are permitted.

1 The maximum area eligible for a bonus and the review criteria for public  
2 benefit features may be varied. The square foot age of such public benefit  
3 features shall be exempt from FAR calculations. In those zones where a  
4 bonus value has not been established for a public benefit feature, the  
5 value shall be the same as the value of the feature in the nearest zone for  
6 which a value is established.

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G. Exceptions to standards

1. Portions of a project may exceed the floor area ratio permitted in the zone or zones in which the PCD is located, but the floor area ratio of the PCD as a whole shall meet the requirements of the zone or zones in which it is located.
2. Except as provided in subsection E3, any requirements of this Chapter may be varied through the PCD process.
3. Exceptions to the following provisions shall not be permitted through the PCD process:
  - a. The following provisions of Subchapter I, General Standards:
    - (1) The maximum height permitted for any use in the zone
    - (2) Light and glare standards
    - (3) Noise standards
    - (4) Odor standards
    - (5) Minimum sidewalk widths
    - (6) View corridor requirements
    - (7) Nonconforming uses
    - (8) Nonconforming structures, when the nonconformity is to one of the standards listed in this subsection.
  - b. Use provisions except for provisions for principal and accessory parking
  - c. Transfer of development rights regulations
  - d. Bonus values assigned to public benefit features.

23.49.38 Lots Located in More Than One Zone

When a lot is located in more than one zone, the regulations for each zone shall apply to the portion of the lot located in that zone.

23.49.40 Sign Standards

The regulations in this Section shall not apply to PSM, IDM, and IDR zones, or the portions of PMM zones located in a Historic District. In areas of PMM zones located outside of a Historic District, these regulations may be modified by the provisions of the Pike Place Urban Renewal Plan.

A. On-premise signs

1. Number and type of permitted signs

- a. Each use may have one sign for each three hundred lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys. The sign may be a pole, ground, wall, marquee, under marquee, projecting or combination sign.
- b. In addition to the signs permitted by subsection A1a, each use may have one sign for each thirty lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys. The sign may be a wall, ground, marquee, under marquee, or projecting sign.
- c. In addition to the signs permitted by subsections A1a and A1b, each multiple business center may have one wall, marquee, under marquee, projecting or combination sign for each three hundred lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

2. There shall be no maximum area limits for on-premise signs.

3. Rotating and changing image signs shall be permitted.

B. Off-premise signs

1. Billboards which replace nonconforming billboards in off-premise locations shall be permitted, pursuant to Section 49.04 of the Seattle

Building Code. No new billboards shall be permitted.

2. Off-premise directional signs shall be permitted.

C. Sign height and roof signs

1. No portion of an on-premise or off-premise sign shall be located more than sixty-five feet above the elevation of the sidewalk at the street property line closest to the sign.

2. No sign, whether on-premise or off-premise, shall be located on the roof of a structure.

Subchapter II: Downtown Office Core 1

PART 1 USE PROVISIONS

23.49.42 Downtown Office Core 1, Permitted Uses

A. All uses shall be permitted outright except those specifically prohibited by Section 23.49.44, those permitted only as conditional uses by Section 23.49.46, and parking, which shall be regulated by Section 23.49.45.

B. All uses not prohibited shall be permitted as either principal or accessory uses.

23.49.44 Downtown Office Core 1, Prohibited Uses

The following uses shall be prohibited as both principal and accessory uses:

A. Drive-in businesses, except gas stations located in parking garages;

B. Outdoor storage;

C. All general manufacturing uses;

D. All salvage and recycling uses except recycling collection stations; and

E. All industrial uses.

23.49.45 Downtown Office Core 1, Principal and Accessory Parking

A. Principal use parking

1. Principal use parking garages for long term parking in areas shown on Map IIA may be permitted as conditional uses, pursuant to Section 23.49.46. Principal use parking garages for long term parking shall be prohibited in other locations.

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- 2. Principal use parking garages for short term parking shall either be
  - a. Permitted outright when the garage contains short term parking spaces for which additional floor area is granted pursuant to Section 23.49.50; or
  - b. Conditional uses in all other cases, pursuant to Section 23.49.46.
- 3. Principal use surface parking areas shall be prohibited, except that temporary principal use surface parking areas may be permitted as conditional uses pursuant to Section 23.49.46.

B. Accessory parking

- 1. Accessory parking garages for both long term and short term parking shall be permitted outright, up to the maximum parking limit established by Section 23.49.16, Parking Quantity Requirements.
- 2. Accessory surface parking areas shall not be permitted, except that temporary accessory surface parking areas may be permitted as conditional uses pursuant to Section 23.49.46.

23.49.46 Downtown Office Core 1, Conditional Uses

A. All conditional uses shall meet the following criteria:

- 1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.
- 2. In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use if it is determined that the negative impacts cannot be mitigated satisfactorily.

B. Principal use parking garages for long term parking in areas designated on Map IIA, and for short term parking at any location, except those permitted outright by Section 23.49.45B2, may be permitted as conditional uses, if the

Director finds that:

1. Traffic from the garage will not have substantial adverse effects on peak hour traffic flow to and from Interstate 5, or on traffic circulation in the area around the garage; and
  2. The vehicular entrances to the garage are located so that they will not disrupt traffic or transit routes; and
  3. The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation.
- C. Temporary surface parking areas located on lots vacant on or before January 1, 1985, or on lots which become vacant as a result of a City-initiated abatement action, may be permitted as conditional uses according to the following standards:
1. The standards stated for garages in subsection B are met; and
  2. The lot is screened and landscaped according to the provisions of Section 23.49.20, Screening and Landscaping of Surface Parking Areas; and
  3. The permit may be issued for a maximum of two years and shall not be renewed.
- D. City facilities and public projects which do not meet development standards may be permitted by the City Council pursuant to Chapter 23.80, Decisions Requiring Council Approval.
- E. Rooftop features more than fifty feet above the roof of the structure on which they are located may be authorized by the Council as a conditional use pursuant to Chapter 23.80, Decisions Requiring Council Approval, according to the criteria of Section 23.49.08, Structure Height.

#### PART II DEVELOPMENT STANDARDS

#### 23.49.48 Downtown Office Core 1, 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 types of uses.
2. The maximum FAR established in subsection B may be achieved by providing public benefit features pursuant to Section 23.49.50, or by the transfer of development rights pursuant to Section 23.49.52.

B. Permitted FAR

Permitted FAR shall be as follows:

FLOOR AREA RATIO		
Base	Maximum With Bonus for Public Benefit Features Other Than Housing or TDR Other Than From Low Income Housing	Maximum with Housing Bonus or Transfer of Development Rights From Low Income Housing
10	15	20

C. Exemptions from FAR calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area below grade.
  - b. All gross floor area located above grade which is used for principal or accessory short term parking, or for parking accessory to residential uses, up to one space per dwelling unit.
  - c. The gross floor area of public benefit features which satisfy the requirements of Section 23.49.50, Ratios for Public Benefit Features, and satisfy the Public Benefit Features Rule. For all features except housing, the exemption shall apply whether the feature is granted a floor area bonus or not, regardless of maximum bonusable area limitations.
2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor

1 area calculations. The allowance shall be calculated on the gross floor  
2 area after all exempt space permitted under subsection C1 has been  
3 deducted. Mechanical equipment located on the roof of a structure,  
4 whether enclosed or not, shall be calculated as part of the total gross  
5 floor area of the structure.

6 23.49.50 Downtown Office Core 1, Ratios for Public Benefit Features

7 A. General provisions

- 8 1. No floor area beyond the base FAR shall be granted for any project  
9 which causes:
- 10 a. The destruction of any designated feature of a Landmark structure,  
11 unless authorized by the Landmarks Board; or
  - 12 b. The demolition on the project lot of housing which has been  
13 occupied at any time since January 1, 1974, if actions equivalent  
14 to total housing replacement, as defined in the Public Benefit  
15 Features Rule, are not taken. Housing replacement in excess of  
16 that required by the Housing Preservation Ordinance, not to exceed  
17 seventy-five percent of the gross floor area of the replacement  
18 housing provided, may be used to qualify for a housing bonus under  
19 the Public Benefit Features Rule. A housing replacement bonus may  
20 be granted even if no other public benefit features are provided  
21 on the project lot.
- 22 2. Additional gross floor area may be permitted up to the "maximum FAR  
23 with housing" described in Section 23.49.48 when low or moderate income  
24 housing is included in the development proposal and the following cri-  
25 teria are met:
- 26 a. Except when a housing bonus is granted for replacement housing  
27 pursuant to subsection A1b, gross floor area equivalent to three  
28 times the area of the lot shall be earned through the provision of  
public benefit features other than housing or from transfer of

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development rights other than from low income housing, before a housing bonus may be used.

b. The housing bonus shall be granted by the Director based on a finding by the Director of Community Development that the proposed housing satisfies the Public Benefit Features Rule.

3. The Director shall review the design of any public benefit feature in subsection B and determine whether the feature, as proposed for a specific project, provides a public benefit and is consistent with the definitions in Chapter 23.84 and with the Public Benefit Features Rule.

4. Except for housing, human services and day care, all public benefit features provided in return for a bonus shall be located on the same lot or abutting public right-of-way as the project in which the bonus floor area is used.

B. Public benefit features

If the Director approves the design of public benefit features according to subsection A, floor area bonuses shall be granted, as follows:

PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
Human Service Use in New Structure	7 <sup>6</sup>	10,000 square feet
Human Service Use in Existing Structure	3.5 <sup>6</sup>	10,000 square feet
Day Care in New Structure	12.5 <sup>6</sup>	10,000 square feet <sup>5</sup>
Day Care in Existing Structure	6.5 <sup>6</sup>	10,000 square feet <sup>5</sup>
Cinema	7	15,000 square feet
Shopping Atrium in areas shown on Map IIB	6 or 8 <sup>2</sup>	15,000 square feet
Shopping Corridor in areas shown on Map IIB	6 or 7.5 <sup>3</sup>	7,200 square feet
Retail shopping in areas shown on Map IIB	3	0.5 times the area of the lot, not to exceed 15,000 square feet
Parcel Park	5	7,000 square feet
Rooftop Garden, Street Accessible	2.5	20% of lot area
Rooftop Garden, Interior Accessible	1.5	30% of lot area
Hillclimb Assist in areas shown on Map IIB	1.0 FAR <sup>4</sup>	Not applicable

1	Hillside Terrace in areas shown on Map IIB	5	6,000 square feet
2	Sidewalk widening if required by Section 23.49.16	3	Area necessary to meet required sidewalk width
3	Overhead weather protection on Pedestrian I streets designated on Map IID	3 or 4.5 <sup>3</sup>	10 times the street frontage of the lot
4	Sculptured Building Top	1.5 square feet per square foot of reduction	30,000 square feet
5	Small Lot Development	2.0 FAR <sup>4</sup>	Not applicable
6	Short term Parking, above grade, in areas shown on Map IIB	1	200 parking spaces
7	Short term Parking, below grade, in areas shown on Map IIB	2	200 parking spaces
8	Performing Arts Theater	12	Subject to the Public Benefit Features Rule
9	Museums	5	30,000 square feet
10	Urban Plaza	5	15,000 square feet
	Public Atrium	6	5,500 square feet
11	Transit Station Access in areas shown on Map IIB	15,000 to 30,000 square feet <sup>7</sup>	2 per lot
12	Housing	Subject to the Public Benefit Features Rule	Subject to the Public Benefit Features Rule; maximum amount of bonus is 7 times the area of the lot.

14 1 Ratio of additional square feet of floor area granted per square foot of public benefit feature provided.

15 2 Amount depends on height of the shopping atrium.

16 3 Higher bonus is granted when skylights are provided.

17 4 This is the amount of bonus granted when the public benefit feature is provided, regardless of its size.

18 5 Daycare space from 3001 to 10,000 square feet bonused at same ratio as human service uses.

19 6 Human service and day care may be provided in another zone; in that case, bonus ratio subject to Public Benefit Features Rule.

20 7 Amount of bonus granted subject to Public Benefit Features Rule.

21 23.49.52 Downtown Office Core 1, Transfer of Development Rights

22 A. Transfer of development rights within the same downtown block

23 Development rights may be transferred to lots in DOC1 zones from lots located on the same block. The maximum FAR permitted on a receiving lot in DOC1 zones when a transfer of development rights from sending lots on the same downtown block is used shall be fifteen, except that when the sending lot or lots contain low income housing and the requirements of subsection B1 are satisfied, the maximum FAR shall be twenty.

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B. Transfer of development rights between different downtown blocks

Development rights may be transferred to lots in DOC1 zones from sending lots on different blocks which contain low income housing or Landmark structures, or from infill lots in PSM zones, as provided below:

1. Transfer from low income housing

- a. Development rights may not be transferred from lots containing low income housing unless gross floor area equivalent to three times the area of the receiving lot has been achieved on the receiving lot through the use of bonuses for public benefit features other than housing, or from the transfer of development rights other than from low income housing.
- b. Lots containing low income housing from which development rights are transferred may be located in any downtown zone except PMM, DH-1 and DH-2 zones.
- c. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
- d. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
- e. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
- f. The low income housing on the sending lot shall be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.
- g. The maximum FAR permitted on a receiving lot in DOC1 zones when development rights are transferred from sending lots containing low income housing shall be twenty.

2. Transfer from Landmark structures or infill lots in PSM zones

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- a. Landmark structures from which development rights may be transferred shall be located in DOC1, DOC2, or DRC zones, or on lots in DMC zones located south of Virginia Street.
- b. Landmark structures on sending lots shall be restored and maintained as required by the Landmarks Board, according to the procedures in the Public Benefit Features Rule.
- c. Lots proposed for infill development in PSM zones from which development rights are transferred must have been vacant as of January 1, 1984. For the purposes of this provision, structures with abatement orders as of January 1, 1984, and surface parking areas, including minor structures accessory to parking operations, shall be considered vacant.
- d. The maximum FAR permitted on a receiving lot in DOC1 zones when development rights are transferred from Landmark structures or infill lots shall be fifteen.

C. Standards for sending lots

- 1. The gross floor area that may be transferred from any sending lot to a receiving lot, subject to the limitations in subsections A and B, shall be as follows:
  - a. When the sending lot is located in a DOC1 or DOC2 zone, the gross floor area that may be transferred shall be the area of the sending lot times the base FAR of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemptions permitted by the regulations of the zone.
  - b. When the sending lot is located in a DRC, IDR or IDM zone; or a DMC or DMR zone with a height limit of less than two hundred and forty feet; the gross floor area that may be transferred shall be six times the area of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemptions permitted by the regulations of the zone.

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c. When the sending lot is located in a DMC or DMR zone with a two hundred and forty foot height limit, the gross floor area that may be transferred shall be eight times the area of the sending lot, excluding any exemptions permitted by the regulations of the zone.

d. When the sending lot is located in a PSM zone, the gross floor area that may be transferred shall be either:

- (1) Six times the area of the sending lot, minus any existing above grade gross floor area on the sending lot, for transfers from low income housing or within block transfers not from infill development; or
- (2) The amount of gross floor area permitted by the development standards of the PSM zone and the Pioneer Square Preservation District, minus any above grade gross floor area to be built on the sending lot, when the transfer is from proposed infill development.

2. When development rights are transferred from a sending lot in DOC1 zones, the amount of gross floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.48, minus the total of:

- a. The existing gross floor area on the lot, less any exemptions permitted under Section 23.49.48C; plus
- b. The amount of gross floor area that was transferred from the lot.

D. 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 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 the maintenance of the low income housing on the sending lot for a minimum of twenty years.

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

8 23.49.54 Downtown Office Core 1, Street Level Use Requirements

9 Street level uses listed in subsection A shall be required on streets designated  
10 on Map IIA. Required street level uses shall meet the standards of this  
11 Section.

12 A. Types of uses

13 The following uses shall qualify as required street level uses:

- 14 1. Retail sales and services, except lodging;
- 15 2. Human service uses and day care centers;
- 16 3. Customer service offices;
- 17 4. Entertainment uses, including cinemas and theaters;
- 18 5. Museums;
- 19 6. Public atriums.

20 B. General standards

- 21 1. A minimum of seventy-five percent of each street frontage to which  
22 street level use requirements apply shall be occupied by uses listed in  
23 subsection A. The remaining twenty-five percent of the street frontage  
24 may contain other permitted uses and/or pedestrian or vehicular entran-  
25 ces. The frontage of any exterior public open space which satisfies the  
26 Public Benefit Features Rule, whether it receives a bonus or not, and  
27 any outdoor common recreation area required for residential uses, shall  
28 not be counted in street frontage.

1 2. Required street level uses shall be located within ten feet of the  
2 street property line or shall abut a bonused public open space. When  
3 sidewalk widening is required by Section 23.49.22, the ten feet shall be  
4 measured to the line established by the new sidewalk width, rather than  
5 the street property line.

6 3. Except for day care centers, pedestrian access to required street level  
7 uses shall be provided directly from the street or a bonused public  
8 open space. Pedestrian entrances shall be located no more than three  
9 feet above or below sidewalk grade or shall be at the same elevation as  
10 the abutting bonused public open space.

11 23.49.56 Downtown Office Core 1, Street Facade Requirements

12 Standards for the street facades of structures are established for the following  
13 elements:

14 Minimum facade heights	Blank facade limits
15 Setback limits	Screening of parking
16 Facade transparency	Street trees.

17 These standards shall apply to each lot line of a lot which abuts a street  
18 designated on Map IID as having a pedestrian classification. The standards for  
19 each street frontage shall vary according to the pedestrian classification of  
20 the street on Map IID, and whether property line facades are required by Map  
21 IIC.

22 A. Minimum facade height

23 1. Minimum facade height shall be as described in the Chart below, Exhibit  
24 49.56A, but minimum facade heights shall not apply when all portions of  
25 the structure are lower than the elevation of the required minimum  
26 facade height listed below.

27 Class I Pedestrian Streets and All Streets Where Property Line Facades Are Required	Class II Pedestrian Streets
28 <u>Minimum facade height<sup>1</sup></u>	<u>Minimum facade height<sup>1</sup></u>
35 feet	25 feet

<sup>1</sup>Except as modified by view corridor requirements

1 2. On designated view corridors specified in Section 23.49.24, the minimum  
2 facade height shall be the required elevation of the setback, when it  
3 is less than the minimum facade height required in subsection A1.

4 B. Facade setback limits

5 1. Setback limits for property line facades

6 The following setback limits shall apply to all streets designated on  
7 Map IIC as requiring property line facades.

8 a. The facades of structures fifteen feet or less in height shall be  
9 located within two feet of the street property line.

10 b. Structures greater than fifteen feet in height shall be governed  
11 by the following criteria:

12 (1) No setback limits shall apply up to an elevation of fifteen  
13 feet above sidewalk grade.

14 (2) Between the elevations of fifteen and thirty-five feet above  
15 sidewalk grade, the facade shall be located within two feet  
16 of the street property line, except that:

17 i. Any exterior public open space which satisfies the  
18 Public Benefit Features Rule, whether it receives a  
19 bonus or not, and any outdoor common recreation area  
20 required for residential uses, shall not be considered  
21 part of a setback.

22 ii. Setbacks between the elevations of fifteen and thirty-  
23 five feet above sidewalk grade at the property line  
24 shall be permitted according to the following standards,  
25 Exhibit 49.56B:

26 - The maximum setback shall be ten feet.

27 - The total area of a facade which is set back more  
28 than two feet from the street property line shall not  
exceed forty percent of the total facade area between  
the elevations of fifteen and thirty-five feet.

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- No setback deeper than two feet shall be wider than twenty feet, measured parallel to the street property line.

- The facade of the structure shall return to within two feet of the street property line between each setback area for a minimum of ten feet. Balcony railings and other nonstructural features or walls shall not be considered the facade of the structure.

c. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

2. General setback limits

The following setback limits shall apply on streets not requiring property line facades, as shown on Map IIC. Except when the entire structure is fifteen feet or less in height, the setback limits shall apply to the facade between an elevation of fifteen feet above sidewalk grade and the minimum facade height established in subsection A, Exhibit 49.56C. When the structure is fifteen feet or less in height, the setback limits shall apply to the entire street facade.

a. The maximum area of all setbacks between the lot line and facade along each street frontage of a lot shall not exceed the area derived by multiplying the averaging factor by the width of the street frontage of the structure along that street, Exhibit 49.56D. The averaging factor shall be five on Class I pedestrian streets and ten on Class II pedestrian streets.

b. The maximum width, measured along the street property line, of any setback area exceeding a depth of fifteen feet from the street property line shall not exceed eighty feet, or thirty percent of the lot frontage on that street, whichever is less, Exhibit 49.56D.

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- c. The maximum setback of the facade from the street property lines at intersections shall be ten feet. The minimum distance the facade must conform to this limit shall be twenty feet along each street, Exhibit 49.56E.
- d. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be considered part of a setback, Exhibit 49.56C.
- e. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

C. Facade transparency requirements

- 1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.
- 2. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code, this subsection shall apply.
- 3. Transparency requirements shall be as follows:
  - a. Class I pedestrian streets: A minimum of sixty percent of the street level facade shall be transparent.
  - b. Class II pedestrian streets: A minimum of thirty percent of the street level facade shall be transparent.
  - c. When the slope of the street frontage of the facade exceeds seven and one half percent, the required amount of transparency shall be reduced to forty-five percent on Class I pedestrian streets and twenty-two percent on Class II pedestrian streets.

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D. Blank facade limits

1. General provisions

- a. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.
- b. Any portion of a facade which is not transparent shall be considered to be a blank facade.

2. Blank facade limits for Class I pedestrian streets:

- a. Blank facades shall be no more than fifteen feet wide except for garage doors which may exceed fifteen feet. Blank facade width may be increased to thirty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed forty percent of the street facade of the structure on each street frontage; or fifty-five percent if the slope of the street frontage of the facade exceeds seven and one half percent.

3. Blank facade limits for Class II pedestrian streets:

- a. Blank facades shall be no more than thirty feet wide, except for garage doors which may exceed thirty feet. Blank facade width may be increased to sixty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.

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- b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed seventy percent of the street facade of the structure on each street frontage; or seventy-eight percent if the slope of the street frontage of the facade exceeds seven and one half percent.

E. Screening of parking

- 1. Parking located at or above street level in a garage shall be screened according to the following requirements:
  - a. On Class I pedestrian streets, parking shall not be permitted at street level unless separated from the street by other uses, provided that garage doors need not be separated.
  - b. On Class II pedestrian streets, parking shall be permitted at street level when at least thirty percent of the street frontage of the parking area, excluding that portion of the street frontage occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsections C and D. The remaining parking shall be screened from view at street level and the street facade shall be enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.
  - c. The perimeter of each floor of parking garages above street level shall have an opaque screen at least three and one half feet high.
- 2. Surface parking areas shall be screened and landscaped pursuant to Section 23.49.20, Screening and Landscaping of Surface Parking Areas.

F. Street tree requirements

Street trees shall be required on all streets abutting a lot. When areaways are located beneath the sidewalk, the street trees shall be planted in below grade containers with provisions for watering the trees. Street trees shall be planted according to the City of Seattle Board of Public Works Tree Planting Standards.

23.49.58 Downtown Office Core 1, Upper Level Development Standards

The regulations in this Section shall apply to all structures in which any floor above an elevation of one hundred twenty-five feet above the sidewalk exceeds fifteen thousand square feet.

A. Coverage limits

On streets designated on Map IID as having a pedestrian classification, coverage limit areas shall be established at two elevations:

1. Between an elevation of one hundred twenty-five feet and two hundred forty feet above the adjacent sidewalk, the area within twenty feet of each street property line and sixty feet of intersecting street property lines, Exhibit 49.58A, shall be established as the coverage limit area.
2. Above an elevation of two hundred forty feet above the adjacent sidewalk, the area within forty feet of each street property line and sixty feet of intersecting street property lines, Exhibit 49.58A, shall be established as the coverage limit area.
3. The percent of the coverage limit area which may be covered by a portion of a structure shall be as follows:

Elevation	Lots With One Street Frontage	Lots With Two or More Street Frontages	
		Lots 40,000 square feet or less in size	Lots greater than 40,000 square feet in size
126' to 240'	60%	40%	20%
Above 240'	50%	40%	20%

1 4. To qualify as uncovered area, at least half the area required to be  
2 uncovered shall be contiguous and shall have a minimum depth of fifteen  
3 feet.

4 5. To meet the coverage limits, a lot may be combined with one or more  
5 abutting lots, whether occupied by existing structures or not, provided  
6 that:

7 a. The coverage of all structures on the lots meets the limits set in  
8 this subsection A; and

9 b. The fee owners of the abutting lot(s) shall execute a deed or  
10 other agreement, which shall be recorded with the title to the  
11 lots, which restricts future development so that in combination  
12 with the other lots, the coverage limits shall not be exceeded.

13 B. Maximum facade lengths

14 A maximum length shall be established for facades above an elevation of one  
15 hundred twenty-five feet above the adjacent sidewalk. This maximum length  
16 shall be measured parallel to each street property line of streets desig-  
17 nated on Map IID as having a pedestrian classification and shall apply to  
18 any portion of a facade, including projections such as balconies, which is  
19 located within fifteen feet of street property lines.

20 1. The maximum length of facades above an elevation of one hundred twenty-  
21 five feet shall be as follows:

Elevation	Lots With One Street Frontage	Lots With Two or More Street Frontages	
		Lots 40,000 square feet or less in size	Lots greater than 40,000 square feet in size
126' to 240'	120'	120'	120'
Above 240'	90'1	120'	90'1

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25 <sup>1</sup>Above a height of two hundred forty feet, for each half percent  
26 reduction of coverage in the coverage limit area from the requirements  
27 established in subsection A, the maximum facade length may be increased  
28 by one foot up to a maximum of one hundred twenty feet.

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2. To be considered a separate facade for the purposes of determining the maximum facade length established in subsection B1, any portion of a facade above an elevation of one hundred twenty-five feet which is less than fifteen feet from a street property line shall be separated from any similar portion of the facade by at least sixty feet.

5 Subchapter III: Downtown Office Core 2

6 PART I USE PROVISIONS

7 23.49.60 Downtown Office Core 2, Permitted Uses

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- A. All uses shall be permitted outright except those specifically prohibited by Section 23.49.62, those permitted only as conditional uses by Section 23.49.64, and parking, which shall be regulated by Section 23.49.63.
  - B. All uses not prohibited shall be permitted as either principal or accessory uses.

12 23.49.62 Downtown Office Core 2, Prohibited Uses

13 The following uses shall be prohibited as both principal and accessory uses:

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- A. Drive-in businesses, except gas stations located in parking garages;
  - B. Outdoor storage;
  - C. All general manufacturing uses;
  - D. All salvage and recycling uses except recycling collection stations;
  - E. All industrial uses.

19 23.49.64 Downtown Office Core 2, Principal and Accessory Parking

20 A. Principal use parking

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1. Principal use parking garages for long term parking in areas shown on Map IIIA may be permitted as conditional uses, pursuant to Section 23.49.66. Principal use parking garages for long term parking shall be prohibited in other locations.
  2. Principal use parking garages for short term parking shall either be:
    - a. Permitted outright when the garage contains short term parking spaces for which additional floor area is granted pursuant to Section 23.49.70; or

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b. Conditional uses in all other cases, pursuant to Section 23.49.66.

3. Principal use surface parking areas shall be conditional uses in areas shown on Map IIIA, and shall be prohibited in other locations, except that temporary principal use surface parking areas may be permitted as conditional uses pursuant to Section 23.49.66.

B. Accessory parking

1. Accessory parking garages for either long term or short term parking shall be permitted outright, up to the maximum parking limit established by Section 23.49.16, Parking Quantity Requirements.

2. Accessory surface parking areas shall be:

a. Permitted outright when located in areas shown on Map IIIA and containing twenty or fewer parking spaces; or

b. Permitted as a conditional use when located in areas shown on Map IIIA and containing more than twenty spaces; or

c. Prohibited in areas not shown on Map IIIA, except that temporary accessory surface parking areas may be permitted as conditional uses pursuant to Section 23.49.66.

23.49.66 Downtown Office Core 2, Conditional Uses

A. All conditional uses shall meet the following criteria:

1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

2. In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use if it is determined that the negative impacts cannot be mitigated satisfactorily.

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B. Principal use parking garages for long term parking in areas designated on Map IIIA, and for short term parking at any location, except those permitted outright by Section 23.49.64B2, may be permitted as conditional uses, if the Director finds that:

1. Traffic from the garage will not have substantial adverse effects on peak hour traffic flow to and from Interstate 5, or on traffic circulation in the area around the lot; and
2. The vehicular entrances to garage are located so that they will not disrupt traffic or transit routes; and
3. The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation.

C. Surface parking areas where permitted as a conditional use by Section 23.49.64, and temporary surface parking areas located on lots vacant on or before January 1, 1985, or on lots which become vacant as a result of a City-initiated abatement action, may be permitted as conditional uses according to the following standards:

1. The standards stated for garages in subsection B are met; and
2. The lot is screened and landscaped according to the provisions of Section 23.49.20, Screening and Landscaping of Surface Parking Areas; and
3. For temporary surface parking areas, the permit may be issued for a maximum of two years and shall not be renewed.

D. City facilities and public projects which do not meet development standards may be permitted by the Council pursuant to Chapter 23.80, Decisions Requiring Council Approval.

E. Rooftop features more than fifty feet above the roof of the structure on which they are located may be authorized by the Council as a conditional use pursuant to Chapter 23.80, Decisions Requiring Council Approval, according to the criteria of Section 23.49.08, Structure Height.

PART II DEVELOPMENT STANDARDS

23.49.68 Downtown Office Core 2, 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 providing public benefit features according to Section 23.49.70, or by the transfer of development rights according to Section 23.49.72.

B. Permitted FAR

Permitted FAR shall be as follows:

FLOOR AREA RATIO		
Base	Maximum With Bonus for Public Benefit Features Other Than Housing or TDR Other Than From Low Income Housing	Maximum With Housing Bonus or Transfer of Development Rights From Low Income Housing
8	11	14

C. Exemptions from FAR calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area in residential use, except on sending lots from which development rights are transferred according to Section 23.49.72C.
  - b. All gross floor area below grade.
  - c. All gross floor area located above grade which is used for principal or accessory short term parking, or for parking accessory to residential uses, up to one space per dwelling unit.

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d. The gross floor area of public benefit features which satisfy the requirements of Section 23.49.70, Ratios for Public Benefit Features, and the Public Benefit Features Rule, whether granted a floor area bonus or not, regardless of maximum bonusable area limitations.

2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.70 Downtown Office Core 2, Ratios for Public Benefit Features

A. General provisions

1. No floor area beyond the base FAR shall be granted for any project which causes:
  - a. The destruction of any designated feature of a Landmark structure unless authorized by the Landmarks Board; or
  - b. The demolition on the project lot of housing which has been occupied at any time since January 1, 1974, if actions equivalent to total housing replacement, as defined in the Public Benefit Features Rule, are not taken. Housing replacement in excess of that required by the provisions of the Housing Preservation Ordinance, not to exceed seventy-five percent of the gross floor area of the replacement housing provided, may be used to qualify for a housing bonus under the Public Benefit Features Rule. A housing replacement bonus may be granted even if no other public benefit features are provided on the project lot.

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2. Additional floor area may be permitted up to the "maximum FAR with housing" described in Section 23.49.68 when low or moderate income housing is included in the development proposal and the following criteria are met:

- a. Except when a housing bonus is granted for replacement housing pursuant to subsection A1b, gross floor area equivalent to two times the area of the lot shall be earned through the provision of public benefit features other than housing or from transfer of development rights other than from low income housing, before a housing bonus may be used.
- b. The housing bonus shall be granted by the Director based on a finding by the Director of Community Development that the proposed housing satisfies the Public Benefit Features Rule.

3. The Director shall review the design of any public benefit feature in subsection B and determine whether the feature, as proposed for a specific project, provides a public benefit and is consistent with the definitions in Chapter 23.84 and the Public Benefit Features Rule.

4. Except for housing, human services and day care, all public benefit features provided in return for a bonus shall be located on the same lot or abutting public right-of-way as the project in which the bonus floor area is used.

B. Public benefit features

If the Director approves the design of public benefit features according to subsection A, floor area bonuses shall be granted, as follows:

	PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
2	Human Service Use in New Structure	9 <sup>6</sup>	10,000 square feet
3	Human Service Use in Existing Structure	4.5 <sup>6</sup>	10,000 square feet
4	Daycare in New Structure	16 <sup>6</sup>	10,000 square feet <sup>5</sup>
	Daycare in Existing Structure	8 <sup>6</sup>	10,000 square feet <sup>5</sup>
5	Cinema	9	15,000 square feet
	Shopping atrium in areas shown on Map IIIB	6 or 8 <sup>2</sup>	15,000 square feet
6	Shopping corridor in areas shown on Map IIIB	6 or 7.5 <sup>3</sup>	7,200 square feet
7	Retail shopping in areas shown on Map IIIB	4	0.5 times the area of the lot, not to exceed 15,000 square feet
8	Parcel park	6.5	7,000 square feet
9	Street park	6.5	1 times the area of the lot
	Rooftop garden, street accessible	3	20% of lot area
10	Rooftop garden, interior accessible	2	30% of lot area
11	Hillclimb assist in areas shown on Map IIIB	1.0 FAR <sup>4</sup>	Not applicable
12	Hillside terrace in areas shown on Map IIIB	6.5	6,000 square feet
13	Sidewalk widening if required by Section 23.49.16	3	Area necessary to meet required sidewalk width
14	Overhead weather protection on Pedestrian I streets designated on Map IIID	3 or 4.5 <sup>3</sup>	10 times the street frontage 30,000 square feet
15	Sculptured building top	1.5 square feet per square foot of reduction	30,000 square feet
16	Small lot development	1.5 FAR <sup>4</sup>	Not applicable
17	Short term parking, above grade, in areas shown on Map IIIB	1	200 parking spaces
18	Short term parking, below grade, in areas shown on Map IIIB	2	200 parking spaces
19	Performing arts theatre	12	Subject to the Public Benefit Features Rule
20	Museum	6.5	30,000 square feet
21	Urban plaza	6.5	15,000 square feet
	Public atrium	8	5,500 square feet
22	Transit station access in areas shown on Map IIIB	15,000 to 30,000 square feet <sup>7</sup>	2 per lot
23	Housing	Subject to the Public Benefit Features Rule	Subject to the Public Benefit Features Rule; maximum amount of bonus is 4 times the area of of the lot.

- 1 Ratio of additional square feet of floor area granted per square foot of public benefit feature provided.
- 2 Amount depends on height of the shopping atrium.
- 3 Higher bonus is granted when skylights are provided.
- 4 This is the amount of bonus granted when the public benefit feature is provided, regardless of its size.
- 5 Daycare space from 3001 to 10,000 square feet bonused at same ratio as human service uses.
- 6 Human services and day care may be provided in another zone; in that case, bonus ratio subject to Public Benefit Features Rule.
- 7 Amount of bonus granted determined in accordance with Public Benefit Features Rule.

23.49.72 Downtown Office Core 2, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

Development rights may be transferred to lots in DOC2 zones from lots located in the same block. The maximum FAR permitted on a receiving lot in DOC2 zones when a transfer of development rights from sending lots on the same downtown block is used shall be eleven, except that when the sending lot or lots contain low income housing and the requirements of subsection B1 are satisfied, the maximum FAR shall be fourteen.

B. Transfer of development rights between different downtown blocks.

Development rights may be transferred to lots in DOC2 zones from sending lots containing low income housing or Landmark structures, or from infill lots in PSM zones, as provided below:

1. Transfer from low income housing

a. Development rights may not be transferred from lots containing low income housing unless gross floor area equivalent to two times the area of the receiving lot has been achieved on the receiving lot through the use of bonuses for public benefit features other than housing, or from the transfer of development rights other than from low income housing.

b. Lots containing low income housing from which development rights are transferred may be located in any downtown zone except PMM, DH-1 and DH-2 zones.

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- c. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
  - d. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
  - e. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
  - f. The low income housing on the sending lot shall be certified by the Director of Community Development as satisfying the the Public Benefit Features Rule.
  - g. The maximum FAR permitted on a receiving lot in DOC2 zones when development rights are transferred from sending lots containing low income housing shall be fourteen.
2. Transfer from designated Landmark structures or infill lots in Pioneer Square Mixed zones
- a. Landmark structures from which development rights may be transferred shall be located in DOC1, DOC2, or DRC zones, or on lots in DMC zones located south of Virginia Street.
  - b. Landmark structures on sending lots shall be restored and maintained as required by the Seattle Landmarks Board, according to the procedures in the Public Benefit Features Rule.
  - c. Lots proposed for infill development in PSM zones from which development rights are transferred must have been vacant as of January 1, 1984. For the purposes of this provision, structures with abatement orders as of January 1, 1984, and surface parking areas, including minor structures accessory to parking operations, shall be considered vacant.
  - d. The maximum FAR permitted on a receiving lot in DOC2 zones when development rights are transferred from Landmark structures or infill lots shall be eleven.

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C. Standards for sending lots

1. The gross floor area that may be transferred from any sending lot to a receiving lot, subject to the limitations in subsections A and B, shall be as follows:

- a. When the sending lot is located in the DOC1 or DOC2 zone, the gross floor area that may be transferred shall be the area of the sending lot times the base FAR of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemption permitted by the regulations of the zone.
- b. When the sending lot is located in a DRC, IDR or IDM zone; or a DMC or DMR zone with a height limit of less than two hundred and forty feet; the gross floor area that may be transferred shall be six times the area of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemptions permitted by the regulations of the zone.
- c. When the sending lot is located in a DMC or DMR zone with a two hundred and forty foot height limit, the gross floor area that may be transferred shall be eight times the area of the sending lot minus any existing floor area on the sending lot, excluding any exemptions permitted by the regulations of the zone.
- d. When the sending lot is located in a PSM zone, the maximum gross floor area that may be transferred shall be either:
  - (1) Six times the area of the sending lot, minus any existing above grade gross floor area on the sending lot, for transfers from low income housing or within block transfers not from infill development; or
  - (2) The amount of gross floor area permitted by the development standards of the PSM zone and the Pioneer Square Preservation District, minus any above grade gross floor area to be built on the sending lot, when the transfer is from proposed infill development.

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2. When development rights are transferred from a sending lot in DOC2 zones, the amount of gross floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.68, minus the total of:
    - a. The existing gross floor area on the lot, less any exemptions permitted under Section 23.49.68C; plus
    - b. The amount of gross floor area which was transferred from the lot.

D. 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 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 the maintenance of the low income housing for a minimum of 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.

23.49.74 Downtown Office Core 2, Street Level Use Requirements

Street level uses shall be required on streets designated on Map IIIA. Required street level uses shall meet the standards of this Section.

A. Types of uses

The following uses shall qualify as required street level uses:

1. Retail sales and services, except lodging

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2. Human service uses and day care centers
3. Customer service offices
4. Entertainment uses, including cinemas and theaters
5. Museums
6. Public atriums.

B. General standards

1. A minimum of seventy-five percent of each street frontage to which street level use requirements apply shall be occupied by uses listed in subsection A. The remaining twenty-five percent of the street frontage may contain other permitted uses and/or pedestrian or vehicular entrances. The frontage of any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be counted in street frontage.
2. Required street level uses shall be located within ten feet of the street property line or shall abut a bonused public open space. When sidewalk widening is required by Section 23.49.22, the ten feet shall be measured to the line established by the new sidewalk width, rather than the street property line.
3. Except for day care centers, pedestrian access to required street level uses shall be provided directly from the street or a bonused public open space. Pedestrian entrances shall be located no more than three feet above or below sidewalk grade or shall be at the same elevation as the abutting bonused public open space.

23.49.76 Downtown Office Core 2, Street Facade Requirements

Standards for the street facades of structures are established for the following elements:

Minimum facade heights	Blank facade limits
Setback limits	Screening of parking
Facade transparency	Street trees.

1 These standards shall apply to each lot line of a lot which abuts a street  
2 designated on Map IIID as having a pedestrian classification. The standards for  
3 each street frontage shall vary according to the pedestrian classification of the  
4 street on Map IIID, and whether property line facades are required by Map IIIC.

5 A. Minimum facade height

- 6 1. Minimum facade height shall be as described in the Chart below, Exhibit  
7 49.76A, but minimum facade heights shall not apply when all portions of  
8 the structure are lower than the elevation of the required minimum  
9 facade height listed below.

10 Class I Pedestrian Streets and All Streets Where Property Line Facades Are Required	11 Class II Pedestrian Streets
12 <u>Minimum facade height<sup>1</sup></u>	13 <u>Minimum facade height<sup>1</sup></u>
14 35 feet	15 25 feet

16 <sup>1</sup>Except as modified by view corridor requirements.

- 17 2. On designated view corridors specified in Section 23.49.24, the minimum  
18 facade height shall be the required elevation of the setback, when it  
19 is less than the minimum facade height required in subsection A1.

20 B. Facade setback limits

- 21 1. Setback limits for property line facades

22 The following setback limits shall apply to all streets designated on  
23 Map IIIC as requiring property line facades.

- 24 a. The facades of structures fifteen feet or less in height shall be  
25 located within two feet of the street property line.  
26 b. Structures greater than fifteen feet in height shall be governed  
27 by the following criteria:

- 28 (1) No setback limits shall apply up to an elevation of fifteen  
feet above sidewalk grade.

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(2) Between the elevations of fifteen and thirty-five feet above sidewalk grade, the facade shall be located within two feet of the street property line, except that:

i. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be considered part of a setback.

ii. Setbacks between the elevations of fifteen and thirty-five feet above sidewalk grade at the property line shall be permitted according to the following standards, Exhibit 49.76B:

- The maximum setback shall be ten feet.
- The total area of a facade which is set back more than two feet from the street property line shall not exceed forty percent of the total facade area between the elevations of fifteen and thirty-five feet.
- No setback deeper than two feet shall be wider than twenty feet, measured parallel to the street property line.
- The facade of the structure shall return to within two feet of the street property line between each setback area for a minimum of ten feet. Balcony railings and other nonstructural features or walls shall not be considered the facade of the structure.

c. When sidewalk widening is required according to Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

2. General setback limits

1 The following setback limits shall apply on streets not requiring pro-  
2 perty line facades, as shown on Map IIIC. Except when the entire  
3 structure is fifteen feet or less in height, the setback limits shall  
4 apply to the facade between an elevation of fifteen feet above sidewalk  
5 grade and the minimum facade height established in subsection A,  
6 Exhibit 49.76C. When the structure is fifteen feet or less in height,  
7 the setback limits shall apply to the entire street facade.

8 a. The maximum area of all setbacks between the lot line and facade  
9 along each street frontage of a lot shall not exceed the area  
10 determined by multiplying the averaging factor by the width of the  
11 street frontage of the structure along that street, Exhibit  
12 49.76D. The averaging factor shall be five on Class I pedestrian  
13 streets and ten on Class II pedestrian streets. Parking shall not  
14 be located between the facade and the street lot line.

15 b. The maximum width, measured along the street property line, of any  
16 setback area exceeding a depth of fifteen feet from the street  
17 property line shall not exceed eighty feet, or thirty percent of  
18 the lot frontage on that street, whichever is less, Exhibit  
19 49.76D.

20 c. The maximum setback of the facade from the street property lines  
21 at intersections shall be ten feet. The minimum distance the  
22 facade must conform to this limit shall be twenty feet along each  
23 street, Exhibit 49.76E.

24 d. Any exterior public open space which satisfies the Public Benefit  
25 Features Rule, whether it receives a bonus or not, and any outdoor  
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common recreation area required for residential uses, shall not be considered part of a setback, Exhibit 49.76C.

- e. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

C. Facade transparency requirements

- 1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.
- 2. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code, this subsection shall apply.
- 3. Transparency requirements shall be as follows:
  - a. Class I pedestrian streets and street parks: A minimum of sixty percent of the street level facade shall be transparent.
  - b. Class II pedestrian streets: A minimum of thirty percent of the street level facade shall be transparent.
  - c. When the slope of the street frontage of the facade exceeds seven and one half percent, the required amount of transparency shall be reduced to forty-five percent on Class I pedestrian streets and street parks and twenty-two percent on Class II pedestrian streets.

D. Blank facade limits

- 1. General provisions
  - a. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.
  - b. Any portion of a facade which is not transparent shall be considered to be a blank facade.

2. Blank facade limits for Class I pedestrian streets and street parks:

- a. Blank facades shall be no more than fifteen feet wide, except for garage doors which may exceed fifteen feet. Blank facade width may be increased to thirty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed forty percent of the street facade of the structure on each street frontage; or fifty-five percent if the slope of the street frontage of the facade exceeds seven and one-half percent.

3. Blank facade limits for Class II pedestrian streets:

- a. Blank facades shall be no more than thirty feet wide, except for garage doors which may exceed thirty feet. Blank facade width may be increased to sixty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed seventy percent of the street facade of the structure on each street frontage; or seventy-eight percent if the slope of the street frontage of the facade exceeds seven and one-half percent.

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E. Screening of parking

1. Parking located at or above street level in a garage shall be screened according to the following requirements:

a. On Class I pedestrian streets and street parks, parking shall not be permitted at street level unless separated from the street by other uses, provided that garage doors need not be separated.

b. On Class II pedestrian streets, parking shall be permitted at street level when at least thirty percent of the street frontage of the parking area, excluding that portion of the frontage area occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsections C and D. The remaining parking shall be screened from view at street level and the street facade shall be enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

c. The perimeter of each floor of parking garages above street level shall have an opaque screen at least three and one half feet high.

2. Surface parking areas shall be screened and landscaped pursuant to Section 23.49.20, Screening and Landscaping of Surface Parking Areas.

F. Street tree requirements

Street trees shall be required on all streets abutting a lot. When areaways are located beneath the sidewalk, the street trees shall be planted in below grade containers with provisions for watering the trees. Street trees shall be planted according to the City of Seattle Board of Public Works Tree Planting Standards.

23.49.78 Downtown Office Core 2, Upper Level Development Standards

The regulations in this Section shall apply to all structures in which any floor above an elevation of one hundred twenty-five feet above the adjacent sidewalk exceeds fifteen thousand square feet in size.

1 A. Coverage limits

2 On streets designated on Map IIID as having a pedestrian classification,  
3 coverage limit areas shall be established at two elevations:

- 4 1. Between an elevation of one hundred twenty-five feet and two hundred  
5 forty feet above the adjacent sidewalk, the area within twenty feet of  
6 each street property line and sixty feet of intersecting street pro-  
7 perty lines, Exhibit 49.78A, shall be established as the coverage limit  
8 area.  
9 2. Above an elevation of two hundred forty feet above the adjacent side-  
10 walk, the area within forty feet of each street property line and sixty  
11 feet of intersecting street property lines, Exhibit 49.78A, shall be  
12 established as the coverage limit area.  
13 3. The percent of the coverage limit area which may be covered by a por-  
14 tion of a structure shall be as follows:

Elevation	Lots With One Street Frontage	Lots With Two or More Street Frontages	
		Lots 40,000 square feet or less in size	Lots greater than 40,000 square feet in size
126' to 240'	60%	40%	20%
Above 240'	50%	40%	20%

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18 4. To qualify as uncovered area, at least half the area required to be  
19 uncovered shall be contiguous and shall have a minimum depth of fifteen  
20 feet.  
21 5. To meet the coverage limits, a lot may be combined with one or more  
22 abutting lots, whether occupied by existing structures or not, provided  
23 that:  
24 a. The coverage of all structures on the lots meets the limits set in  
25 this subsection A; and  
26 b. The fee owners of the abutting lot(s) shall execute a deed or  
27 other agreement, which shall be recorded with the title to the  
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lots, which restricts future development so that in combination with the other lots, the coverage limits shall not be exceeded.

B. Maximum facade lengths

A maximum length shall be established for facades above an elevation of one hundred twenty-five feet above the adjacent sidewalk. This maximum length shall be measured parallel to each street property line of streets designated on Map IIID as having a pedestrian classification and shall apply to any portion of a facade, including projections such as balconies, which is located within fifteen feet of street property lines.

1. The maximum length of facades above an elevation of one hundred twenty-five feet shall be as follows:

Elevation	Lots With One Street Frontage	Lots With Two or More Street Frontages	
		Lots 40,000 square feet or less in size	Lots greater than 40,000 square feet in size
126' to 240'	120'	120'	120'
Above 240'	90' <sup>1</sup>	120'	90' <sup>1</sup>

<sup>1</sup>Above an elevation of two hundred forty feet, for each half percent reduction of coverage in the coverage limit area from the requirements established in subsection A, the maximum facade length may be increased by one foot to a maximum of one hundred twenty feet.

2. To be considered a separate facade for the purposes of determining the maximum facade length established in subsection B1, any portion of a facade above an elevation of one hundred twenty-five feet which is less than fifteen feet from a street property line shall be separated from any similar portion of the facade by at least sixty feet.

Subchapter IV: Downtown Retail Core

PART I USE PROVISIONS

23.49.90 Downtown Retail Core, Permitted Uses

- A. All uses shall be permitted outright except those specifically prohibited by Section 23.49.92, those permitted only as conditional uses by Section 23.49.96, and parking, which shall be regulated by Section 23.49.94.

1 B. All uses not prohibited shall be permitted as either principal or accessory  
2 uses.

3 23.49.92 Downtown Retail Core, Prohibited Uses

4 The following uses shall be prohibited as both principal and accessory  
5 uses:

6 A. Drive-in businesses, except gas stations located in parking garages;

7 B. Outdoor storage;

8 C. All general manufacturing uses;

9 D. All salvage and recycling uses except recycling collection stations;

10 E. All industrial uses.

11 23.49.94 Downtown Retail Core, Principal and Accessory Parking

12 A. Principal use parking

13 1. Principal use parking garages for long term parking shall be prohi-  
14 bited.

15 2. Principal use parking garages for short term parking shall either be:

16 a. Permitted outright when the garage contains only short term park-  
17 ing spaces for which additional floor area is granted pursuant to  
18 Section 23.49.100; or

19 b. Permitted as conditional uses pursuant to Section 23.49.96.

20 3. Principal use surface parking areas for both long and short term  
21 parking shall be prohibited.

22 B. Accessory parking

23 1. Accessory parking garages for both long term and short term parking  
24 shall be permitted outright, up to the maximum parking limit estab-  
25 lished by Section 23.49.16, Parking Quantity Requirements.

26 2. Accessory surface parking areas shall not be permitted, except that  
27 temporary accessory surface parking areas may be permitted as con-  
28 ditional uses pursuant to Section 23.49.96.

23.49.96 Downtown Retail Core, Conditional Uses

A. All conditional uses shall meet the following criteria:

1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.
2. In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.

B. Major retail stores and performing arts theaters may be granted a public benefit feature bonus through a Council conditional use process, Chapter 23.80, Decisions Requiring Council Approval. Through the bonus, increases in permitted height and floor area ratios, and changes in development standards may be granted if the desired quality of the public environment can be maintained, according to the following standards:

1. Standards for major retail store

a. Type of store

Major retail stores shall be operated by an established concern with a reputation for quality and service, which is not located in the Downtown Retail Core when the conditional use is sought, and shall provide a range of merchandise and services.

b. Size standards and bonus ratio

- (1) Minimum lot size shall be twenty-five thousand square feet.
- (2) The minimum size of a major retail store shall be eighty thousand square feet. Major retail stores shall be under the management of a single retail firm and shall function as a single business establishment. Storage area, store offices, and other support space necessary for the operation of the retail sales area shall also be bonused.

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(3) For each square foot of major retail store, two and one half square feet of additional floor area shall be granted, up to the maximum set in subsection B1b(4).

(4) Up to two hundred thousand square feet of the store shall be eligible for a floor area bonus.

c. Access

The store should be oriented to activity on the street and should, wherever possible, provide opportunities for through block circulation.

(1) At least one major pedestrian entrance shall be provided directly from the sidewalk of each street frontage of the store. All entrances shall be at the same elevation as the sidewalk.

(2) Bonused major retail store space may be provided above and below street level as long as all areas are connected and function as a single retail establishment.

d. Hours of operation

Major retail stores shall be open to the general public during established shopping hours for a minimum of eight hours a day, six days per week.

2. Standards for performing arts theater

a. Type of theater

Theaters shall provide a place for live performances of drama, dance and music. The auditorium area should be specifically designed for the presentation of live performances under optimum viewing and acoustical conditions. Theaters principally intended for nightclub or cabaret type entertainment or adult entertainment will not qualify for conditional use approval.

The developer shall commit to manage the theater or shall secure a lease for at least ten years from a theater operator or resident theater group with acceptable credentials.

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b. Area, dimensions and bonus ratio

Theaters eligible for conditional use approval may include a wide variety of theater sizes and types to encourage a broad range of live entertainment offerings downtown.

- (1) The minimum theater size eligible for a bonus shall have a seating area of at least two hundred seats and the necessary support areas.
- (2) For each square foot of performing arts theater, twelve square feet of additional floor area shall be granted.
- (3) The maximum area eligible for a bonus shall be established as part of the review process. The process shall include an assessment of existing theaters and the sizes of future theaters needed to provide a range of performing arts facilities in the downtown.
- (4) The arrangement of seating and stage areas of the theater shall be expressly designed for the presentation of performing arts. The size of the stage area, floor slopes, ceiling heights and acoustical and lighting systems shall be adequate to meet the viewing requirements of the audience relative to the size of the auditorium.

c. Access and street orientation

The theater shall be designed to promote activity on the street and add visual interest. It shall be highly accessible and visible from a street or public open space.

- (1) A lighted marquee, display signs, and/or banners related to the theater operation shall be located above the main street entrance. Lobby areas with transparent walls located on the streetfront are desirable.
- (2) To avoid creating large expanses of street frontage with limited visual interest or activity, theater street frontage shall be limited. Theater frontage shall be limited to sixty

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feet; any street level area of the theater exceeding this limit must be separated from the street by another use. Departure from these standards may be permitted to address special conditions of the lot which may affect the theater's street orientation or to accommodate specific needs related to the theater's operation.

- (3) A covered queuing area shall be provided; interior lobby space may satisfy this requirement.
- (4) Direct access shall be provided to the theater lobby from the street or a bonused public open space. The theater itself, however, may be above or below street level.
- (5) Truck loading/unloading space shall be provided off street, preferably off an alley.

3. Restrictions on demolition and alteration of existing structures  
The design of projects including a major retail store or performing arts theater shall incorporate the existing exterior street front facade(s) of the structures listed below which are significant to the architecture, history and character of downtown. Changes may be permitted to the exterior facade(s) to the extent that significant features are preserved and the visual integrity of the design is maintained. The degree of exterior preservation required will vary, depending upon the nature of the project and the characteristics of the affected structure(s).

The Director shall evaluate whether the manner in which the facade is proposed to be preserved meets the intent to preserve the architecture, character and history of the Retail Core. If the listed structures are also Landmark structures, approval by the Landmarks Board shall be required prior to consideration of the project by the Council. The Landmarks Board's recommendation shall be incorporated into the Director's report to the Council. *Inclusion of a structure on the list below is solely for the purpose of approving additional height and FAR under Section 23.49.96B, and shall not be interpreted in any way to prejudice the structure's merit as a Landmark.*



1 Sixth and Pine Building, 523 Pine Street  
2 Decatur Building, 1513 - 6th Avenue  
3 Coliseum Theater, 5th & Pike  
4 Seaboard Building, 1506 Westlake Avenue  
5 Fourth and Pike Building, 1424 - 4th Avenue  
6 Pacific First Federal Savings, 1400 - 4th Avenue  
7 Joshua Green Building, 1425 - 4th Avenue  
8 Equitable Building, 1415 - 4th Avenue  
9 1411 Fourth Avenue Building, 1411 - 4th Avenue  
10 Mann Building, 1411 - 3rd Avenue  
11 Olympic Savings Tower, 217 Pine Street  
12 Fischer Studio Building, 1519 - 3rd Avenue  
13 Bon Marche, 3rd & Pine  
14 Melbourne House, 1511 - 3rd Avenue  
15 Woolworth's, 1512 - 3rd Avenue.

16 4. Height and scale

17 In determining the amount of change permitted in development standards  
18 for height and setbacks, the primary objective shall be the preser-  
19 vation of the existing sense of openness and the human scale environ-  
20 ment in the Downtown Retail Core. The acceptability of negative  
21 impacts associated with departure from the base regulations shall  
22 depend on the priority of the streets adjacent to the proposed project,  
23 according to Map IVB.

24 a. An increase in the height limit up to four hundred feet may be  
25 permitted when the primary objective described above will be  
26 furthered and:

- 27 (1) The additional height and bulk will not result in substantial  
28 wind impacts on public open spaces and sidewalks; and  
(2) The shadows cast on the Westlake Park south of Pine Street,  
and all Priority 1 Streets shown on Map IVB, from 11 a.m. to  
2 p.m. on March 21 and September 21 will not be increased  
beyond those cast by existing structures.

b. When an increase in the height limit is permitted, upper level  
setbacks shall be provided. The applicant may choose to provide  
the upper level setbacks pursuant to the provisions of subsection  
23.49.106B, or as follows:

(1) Coverage limit areas shall be established at two elevations:

i. Between an elevation of sixty-five feet and two hundred forty feet above the adjacent sidewalk, the area within twenty feet of each street property line and sixty feet of intersecting street property lines shall be the coverage limit area, Exhibit 49.96A.

ii. Above an elevation of two hundred forty feet above the adjacent sidewalk, the area within forty feet of each street property line and sixty feet of intersecting street property lines shall be the coverage limit area, Exhibit 49.96A.

iii. Within the coverage limit area, coverage and maximum facade lengths shall be as follows:

		Structure elevation	
		Less than 65'	65' and above
Priority 1 streets shown on Map IVB			
Maximum coverage in coverage limit area	100%		20%
Maximum facade length <sup>1</sup>	no limit		90'
Priority 2 streets shown on Map IVB			
Maximum coverage in coverage limit area	100%		30%
Maximum facade length <sup>1</sup>	no limit		90'
Priority 3 streets shown on Map IVB			
Maximum coverage in coverage limit area	Upper level development standards of abutting zones shall apply		
Maximum facade length <sup>1</sup>			

<sup>1</sup>Facade length limited only within fifteen feet of street property line. The minimum distance between facades within fifteen feet of street property line shall be sixty feet.

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(2) All existing structures retained as part of the proposed project shall be calculated together with the new structure to determine permitted coverage.

c. To contribute to a sense of openness and increase opportunities for light and air to streets, portions of facades of new structures which exceed an elevation of one hundred twenty-five feet shall be separated from all other portions of facades on the same block front which exceed that elevation, both on the project lot and abutting lots, by a minimum distance of sixty feet above an elevation of one hundred feet, Exhibit 49.96B. The depth of the separation shall be at least sixty feet, measured from the street property line.

5. Design treatment

The materials, scale and details of new development using the major retail store or performing arts theater bonus shall harmonize with existing development in the area and contribute to the visual interest of the pedestrian environment.

a. In addition to the street facade requirements of Section 23.49.106, large expanses of blank walls above street level which are visible from any street or public open space are prohibited. Below an elevation of sixty-five feet, all street facades shall be articulated and contain architectural design features such as windows, columns or other structural features, belt courses, cornices, setbacks, ornamentation, awnings, or canopies, that reflect the character of nearby structures.

b. Building materials shall be compatible with those of existing structures in the Downtown Retail Core. Large areas of dark or reflective materials are prohibited.

c. Overhead weather protection is required on all street frontages of the project. Coverings that are transparent and allow sunlight to reach the sidewalk are preferred.

6. Scale of surrounding development

1 Project proposals using the major retail store or performing arts  
2 theater bonus shall be considered with respect to similar scale deve-  
3 lopments in the Downtown Retail Core. The bonus shall not be granted  
4 if it would result in additional large scale development which, con-  
5 sidered together with other projects of similar scale, would create  
6 traffic and pedestrian circulation problems and would conflict with the  
7 desired scale and pedestrian character of the area.

7. Combined lot option

8 a. Two lots located in the DRC zone may be combined for the purpose  
9 of calculating the density for a total project incorporating a  
10 major retail store or a performing arts theater. The lots may be  
11 located on the same block or on different blocks. The Council  
12 conditional use process shall apply to both lots.

13 b. The density for all development shall be calculated as if both  
14 lots were a single lot and shall conform to the permitted FAR set  
15 forth in Section 23.49.98B. In no circumstance shall the FAR for  
16 the two lots taken together exceed the permitted density.

17 c. The height limits and development standards of subsection B4 shall  
18 apply to each lot.

19 d. The fee owners of each of the combined lots shall execute a deed  
20 or other agreement which shall be recorded with the titles to both  
21 lots. In the agreement or deed, the owners shall acknowledge that  
22 development on the combined lots shall not exceed the combined FAR  
23 limits for both lots and, should development on one lot exceed the  
24 FAR limit for that lot, then development on the other lot shall be  
25 restricted by the amount of excess FAR used on the more developed  
26 lot, for the life of the improvement on the more developed lot.  
27 The deed or agreement shall also provide that its covenants and  
28 conditions shall run with the land and shall be specifically en-  
forceable by the parties and by the City of Seattle.

1 C. Principal use parking garages for short term parking may be permitted as  
2 conditional uses, if the Director finds that:

- 3 1. Traffic from the garage will not have substantial adverse effects on  
4 peak hour traffic flow to and from Interstate 5, or traffic circulation  
5 in the area around the garage; and  
6 2. The vehicular entrances to the garage are located so that they will not  
7 disrupt traffic or transit routes; and  
8 3. The traffic generated by the garage will not have substantial adverse  
9 effects on pedestrian circulation.

10 D. Temporary surface parking areas located on lots vacant on or before January  
11 1, 1985, or on lots which become vacant as a result of City-initiated abate-  
12 ment action, may be permitted as conditional uses according to the following  
13 standards:

- 14 1. The standards stated for garages in subsection C are met; and  
15 2. The lot is screened and landscaped according to the provisions of  
16 Section 23.49.20, Screening and Landscaping of Surface Parking Areas;  
17 and  
18 3. The permit may be issued for a maximum of two years and shall not be  
19 renewed.

20 E. City facilities and public projects which do not meet development standards  
21 may be permitted by the Council as a Council conditional use pursuant to  
22 Chapter 23.80, Decisions Requiring Council Approval.

23 F. Rooftop features more than fifty feet above the roof of the structure on  
24 which they are located may be authorized by the Council as a Council con-  
25 ditional use pursuant to Chapter 23.80, Decisions Requiring Council  
26 Approval, using to the criteria of Section 23.49.08, Structure Height.

27 PART II DEVELOPMENT STANDARDS

28 23.49.98 Downtown Retail Core, Floor Area Ratio (FAR)

A. General standards

1. The floor area ratio (FAR), as provided in subsection B, shall deter-  
mine the gross floor area permitted for all nonresidential uses.

2. The maximum FAR established in subsection B may be achieved by providing public benefit features pursuant to Section 23.49.100, or by the transfer of development rights pursuant to Section 23.49.102.

B. Permitted FAR

Permitted FAR shall be as follows:

FLOOR AREA RATIO

Maximum With Bonus for Public Benefit Features Other Than Housing or Transfer Base of Development Rights <sup>1</sup>	Maximum With Bonus for Public Benefit Features, Including Housing, Where Permitted As Shown on Map IVA	Maximum With Major Retail Store Bonus	Maximum With Performing Arts Theater Bonus
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			12

<sup>1</sup>As permitted by Section 23.49.102A.

C. Exemptions from FAR calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area in residential use, except on sending lots from which development rights are transferred according to Section 23.49.102.
  - b. All gross floor area below grade.
  - c. All gross floor area located above grade which is used for principal or accessory short term parking, or for parking accessory to residential uses, up to one space per dwelling unit.
  - d. The gross floor area of public benefit features (including a performing arts theater but excluding a major retail store) which satisfy the requirements of Section 23.49.100, Ratios for Public Benefit Features, and satisfy the Public Benefit Features Rule, whether granted a floor area bonus or not, regardless of maximum bonusable area limitations.
  - e. The sum of the gross floor area of the following uses, up to a maximum FAR of one-and-one-half:

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- (1) Retail sales and services uses, including major retail stores, except lodging;
- (2) Human service uses and day care centers;
- (3) Customer service offices;
- (4) Entertainment uses, such as theaters; and
- (5) Museums.

The exemption for the uses listed in this subsection C1e shall be increased to a maximum FAR of two when a performing arts theater or three when a major retail store is given a bonus as part of a project pursuant to Section 23.49.96.

- 2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.100 Downtown Retail Core, Ratios for Public Benefit Features

A. General provisions

- 1. No floor area beyond the base FAR shall be granted for any project which causes:
  - a. The destruction of any designated feature of a Landmark structure, unless authorized by the Landmarks Board; or
  - b. On areas shown on Map IVA where FAR 9 may be achieved through provision of housing, the demolition on the project lot of housing which has been occupied at any time since January 1, 1974, if actions equivalent to total housing replacement, as defined in the Public Benefit Features Rule, are not taken. Housing replacement in excess of that required by the provisions of the Housing

1 Preservation Ordinance, not to exceed seventy-five percent of the  
2 gross floor area of the replacement housing provided, may be used  
3 to qualify for a housing bonus under the Public Benefit Features  
4 Rule. A housing replacement bonus may be granted even if no other  
5 public benefit features are provided on the project lot.

6 2. Additional floor area may be permitted up to the "maximum FAR with  
7 public benefit features including housing" described in Section  
8 23.49.98 when low or moderate income housing is included in the  
9 development proposal and the following criteria are met:

10 a. Except when a housing bonus is granted for replacement housing  
11 pursuant to subsection A1b, gross floor area equivalent to two  
12 times the area of the lot shall be earned through the provision of  
13 public benefit features other than housing, before a housing bonus  
14 may be used.

15 b. The housing bonus shall be granted by the Director based on a  
16 finding by the Director of Community Development that the proposed  
17 housing satisfies the Public Benefit Features Rule.

18 3. The Director shall review the design of any public benefit feature in  
19 subsection B to determine whether the feature, as proposed for a speci-  
20 fic project, provides a public benefit and is consistent with the defi-  
21 nitions in Chapter 23.94 and the Public Benefit Features Rule.

22 4. Except for housing, human services, day care, major retail stores, and  
23 performing arts theaters, all public benefit features provided in  
24 return for a bonus shall be located on the same lot or abutting right-  
25 of-way as the project in which the bonus floor area is used.

26 B. Public benefit features

27 If the Director approves the design of public benefit features according to  
28 subsection A, floor area bonuses shall be granted, as follows:

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PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
Human Service Use in New Structure	3.5 <sup>6</sup>	10,000 square feet
Human Service Use in Existing Structure	2.0 <sup>6</sup>	10,000 square feet
Daycare in New Structure	6 <sup>6</sup>	10,000 square feet <sup>5</sup>
Daycare in Existing Structure	3.5 <sup>6</sup>	10,000 square feet <sup>5</sup>
Cinema	3.5	15,000 square feet
Shopping Atrium	6 or 8 <sup>2</sup>	15,000 square feet
Shopping Corridor	6 or 7.5 <sup>3</sup>	7,200 square feet
Rooftop Garden, interior accessible	1	30% of lot area
Sidewalk widening if required by Section 23.49.22	3	Area necessary to meet required sidewalk width
Overhead weather protection	3 or 4.5 <sup>3</sup>	10 times the street frontage of the lot
Short term parking, above grade, in areas shown on Map IVC	1	200 parking spaces
Short term parking, below grade in areas shown on Map IVC	2	200 parking spaces
Small lot development	1.5 FAR <sup>4</sup>	Not applicable
Transit Station Access in areas shown on Map IVC	15,000 to 30,000 square feet <sup>7</sup>	1 per lot
Housing in areas shown on Map IVA	Subject to the Public Benefit Features Rule	Subject to the Public Benefit Features Rule; maximum amount of bonus is 2 times the area of lot.

- 1 Ratio of additional square feet of floor area granted per square foot of public benefit feature provided.
- 2 Amount depends on height of the shopping atrium.
- 3 Higher bonus is granted when skylights are provided.
- 4 This is the amount of bonus granted when the public benefit feature is provided, regardless of its size.
- 5 Daycare space from 3001 to 10,000 square feet bonused at same ratio as human service uses.
- 6 Human service and day care may be provided in another zone; in that case, bonus ratio subject to Public Benefit Features Rule.
- 7 Amount of bonus granted determined by Public Benefit Features Rule.

23.49.102 Downtown Retail Core, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

1. Development rights may be transferred to lots in a DRC zone only from lots which are also zoned DRC which are located in the same block. The maximum FAR permitted on a receiving lot in DRC zones when a transfer of development rights from a sending lot or lots on the same downtown block is used shall be seven.

2. Development rights may be transferred from sending lots in DRC zones to receiving lots in DOC1 and DOC2 zones located on the same downtown block.

B. Transfer of development rights between different downtown blocks

1. Development rights may not be transferred to lots in DRC zones from sending lots on different blocks.

2. Development rights from sending lots in DRC zones which contain low income housing may be transferred to receiving lots in DOC1 and DOC2 zones.

a. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.

b. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.

c. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.

d. The low income housing on the sending lot shall be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.

C. Standards for sending lots

1. The gross floor area that may be transferred from any lot in a DRC zone, subject to the limitations in subsections A and B, shall be six times the area of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemptions permitted by the regulations of Section 23.49.98.

2. When development rights are transferred from a sending lot in DRC zones, the amount of gross floor area which may then be built on the

1 sending lot shall be equal to the area of the lot multiplied by the  
2 applicable FAR limit set in Section 23.49.98. minus the total of:

- 3 a. The existing gross floor area on the lot, less any exemptions per-  
4 mitted under Section 23.49.98C; plus  
5 b. The amount of gross floor area which was transferred from the lot.

6 D. Transfer of development rights agreements

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

22 23.49.104 Downtown Retail Core, Street Level Use Requirements

23 Street level uses listed in subsection A shall be required on all streets.

24 Required street level uses shall meet the standards of this Section.

25 A. Types of uses

26 The following types of uses shall qualify as required street level uses:

- 27 1. Retail sales and service uses, except lodging;  
28 2. Human service uses and day care centers;  
3. Customer service offices;  
4. Entertainment uses, including cinemas and theaters; and  
5. Museums.

1 B. General standards

- 2 1. A minimum of seventy-five percent of each street frontage to which  
3 street level use requirements apply shall be occupied by uses listed in  
4 subsection A, except that no more than twenty percent of the total  
5 street frontage of the lot may be occupied by human service uses, day  
6 care centers, customer service offices, entertainment uses, or museums.  
7 The remaining twenty-five percent of the street frontage may contain  
8 other permitted uses and/or pedestrian or vehicular entrances.  
9 2. Required street level uses shall be located within ten feet of the  
10 street property line. Where sidewalk widening is required by Section  
11 23.49.22, the ten feet shall be measured to the line established by the  
12 new sidewalk width, rather than the street property line.  
13 3. Except for day care centers, pedestrian access to required street level  
14 uses shall be provided directly from the street. Pedestrian entrances  
15 shall be located no more than three feet above or below sidewalk grade.

16 23.49.106 Downtown Retail Core, Street Facade Requirements

17 Standards for the street facades of structures are established for the following  
18 elements:

19	Minimum and maximum facade heights	Blank facade limits
20	Setback limits	Screening of parking
21	Upper level setbacks	Street trees.
22	Facade transparency	

23 These standards shall apply to each lot line of a lot which abuts a street.

24 A. Minimum facade height

25 Minimum facade height shall be thirty-five feet, Exhibit 49.106A, except  
26 that this requirement shall not apply when all portions of the structure are  
27 lower than an elevation of thirty-five feet.

28 B. Maximum facade heights and upper level setbacks

1. As depicted in Exhibit 49.106B, upper level setbacks and maximum facade  
heights shall be established for all structures greater than one  
hundred twenty-five feet in height as follows:

Height of Structure	Setback From Street Property Line Above Maximum Street Facade	Maximum Street Facade Height
126'-170'	15'	95'
Greater than 170'	Setback = $\frac{\text{Structure Height} - 125'}{3}$	125' - 2x (where x = setback in feet)

2. The required upper level setback shall be at the elevation of the maximum street facade height, and shall continue for the full height of the structure, Exhibit 49.106B.

C. Facade setback limits

1. The facades of structures less than or equal to fifteen feet in height shall be located within two feet of the street property line.
2. Structures greater than fifteen feet in height shall be governed by the following criteria:
  - a. No setback limits shall apply up to an elevation of fifteen feet above sidewalk grade.
  - b. Between the elevations of fifteen and thirty-five feet above sidewalk grade, the facade shall be located within two feet of the street property line, except that setbacks between the elevations of fifteen and thirty-five feet above sidewalk grade at the property line shall be permitted according to the following standards, Exhibit 49.106C.
    - (1) The maximum setback shall be ten feet.
    - (2) The total area of a facade which is set back more than two feet from the street property line shall not exceed forty percent of the total facade area between the elevations of fifteen and thirty-five feet.
    - (3) No setback deeper than two feet shall be wider than twenty feet, measured parallel to the street property line.

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(4) The facade of the structure shall return to within two feet of the street property line between each setback area for a minimum of ten feet. Balcony railings and other nonstructural features or walls shall not be considered the facade of the structure.

3. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

D. Facade transparency requirements

1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code, this subsection shall apply.

E. Blank facade limits

1. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.

2. Any portion of the facade which is not transparent shall be considered to be a blank facade.

3. Blank facades shall be limited to segments fifteen feet wide, except for garage doors which may be wider than fifteen feet. Blank facade width may be increased to thirty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.

1 4. Any blank segments of the the facade shall be separated by transparent  
2 areas at least two feet wide.

3 5. The total of all blank facade segments, including garage doors, shall  
4 not exceed forty percent of the street facade of the structure on each  
5 street frontage.

6 F. Screening of parking

7 Parking located at or above street level in parking garages shall be  
8 screened according to the following requirements:

9 1. Parking shall not be permitted at street level unless separated from  
10 the street by other uses, provided that garage doors need not be  
11 separated.

12 2. The perimeter of each floor of parking garages above street level shall  
13 have an opaque screen at least three and one half feet high.

14 G. Street tree requirements

15 Street trees shall be required on all streets abutting a lot. When areaways  
16 are located beneath the sidewalk, the street trees shall be planted in below  
17 grade containers with provisions for watering the trees. Street trees shall  
18 be planted according to the City of Seattle Board of Public Works Tree  
19 Planting Standards.

20 Subchapter V: Downtown Mixed Commercial

21 PART I USE PROVISIONS

22 23.49.116 Downtown Mixed Commercial, Permitted Uses

23 A. All uses shall be permitted outright except those specifically prohibited by  
24 Section 23.49.118, those permitted only as conditional uses by Section  
25 23.49.122, and parking, which shall be regulated by Section 23.49.120.

26 B. All uses not prohibited shall be permitted as either principal or accessory  
27 uses.

28 23.49.118 Downtown Mixed Commercial, Prohibited Uses

The following uses shall be prohibited as both principal and accessory uses:

- 1 A. Drive-in businesses, except gas stations located in parking garages;
- 2 B. Outdoor storage;
- 3 C. Adult motion picture theaters and adult panorams;
- 4 D. All general manufacturing uses;
- 5 E. All salvage and recycling uses except recycling collection stations;
- 6 F. All industrial uses.

23.49.120 Downtown Mixed Commercial, Principal and Accessory Parking

7 A. Principal use parking

- 8 1. Principal use parking garages for long term parking in areas shown on  
9 Map VA may be permitted conditional uses, pursuant to Section  
10 23.49.122. Principal use parking garages for long term parking shall  
11 be prohibited in other locations.
- 12 2. Principal use parking garages for short term parking shall either be  
13 a. Permitted outright when the garage contains short term parking  
14 spaces for which additional floor area is granted pursuant to  
15 Section 23.49.126; or  
16 b. Conditional uses in all other cases, pursuant to Section  
17 23.49.122.
- 18 3. Principal use surface parking areas shall be conditional uses in areas  
19 shown on Map VA, and shall be prohibited in other locations, except  
20 that temporary principal use parking areas may be permitted as con-  
21 ditional uses pursuant to Section 23.49.122.

22 B. Accessory parking

- 23 1. Accessory parking garages for both long term and short term parking  
24 shall be permitted outright, up to the maximum parking limit estab-  
25 lished by Section 23.49.16, Parking Quantity Requirements.
- 26 2. Accessory surface parking areas shall either be:  
27 a. Permitted outright when located in areas shown on Map VA and con-  
28 taining twenty or fewer parking spaces; or

- 1                   b. Permitted as a conditional use when located in areas shown on Map  
2                   VA and containing more than twenty spaces; or  
3                   c. Prohibited in areas not shown on Map VA, except that tem-  
4                   porary accessory surface parking areas may be permitted as a  
5                   conditional use pursuant to Section 23.49.122.

6                   23.49.122 Downtown Mixed Commercial, Conditional Uses

7                   A. All conditional uses shall meet the following criteria:

- 8                   1. The use shall be determined not to be materially detrimental to the  
9                   public welfare or injurious to property in the zone or vicinity in  
10                   which the property is located.  
11                   2. In authorizing a conditional use, adverse negative impacts may be miti-  
12                   gated by imposing requirements or conditions deemed necessary for the  
13                   protection of other properties in the zone or vicinity and the public  
14                   interest. The Director or Council shall deny the conditional use, if  
15                   it is determined that the negative impacts cannot be mitigated satis-  
16                   factorily.

17                   B. Principal use parking garages for long term parking in areas designated on  
18                   Map VA, and for short term parking at any location, except those permitted  
19                   outright by Section 23.49.116B2, may be permitted as administrative con-  
20                   ditional uses, if the Director finds that:

- 21                   1. Traffic from the garage will not have substantial adverse effects on  
22                   peak hour traffic flow to and from Interstate 5, or on traffic cir-  
23                   culation in the area around the garage; and  
24                   2. The vehicular entrances to the garage are located so that they will not  
25                   disrupt traffic or transit routes; and  
26                   3. The traffic generated by the garage will not have substantial adverse  
27                   effects on pedestrian circulation.

28                   C. Surface parking areas where permitted as a conditional use by Section  
29                   23.49.120, and temporary surface parking areas located on lots  
30                   vacant on or before January 1, 1985, or on lots which become vacant

as a result of a City-initiated abatement action, may be permitted as conditional uses according to the following standards:

1. The standards stated for garages in subsection B are met; and
  2. The lot is screened and landscaped according to the provisions of Section 23.49.20, Screening and Landscaping of Surface Parking Areas; and
  3. For temporary surface parking areas, the permit may be issued for a maximum of two years and shall not be renewed.
- D. City facilities and public projects which do not meet development standards may be permitted by the Council pursuant to Chapter 23.80, Decisions Requiring Council Approval.
- E. Rooftop features more than fifty feet above the roof of the structure on which they are located may be authorized by the Council as a conditional use pursuant to Chapter 23.80, Decisions Requiring Council Approval, according to the criteria of Section 23.49.08, Structure Height.

#### PART II DEVELOPMENT STANDARDS

##### 23.49.124 Downtown Mixed Commercial, 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 achieved by providing public benefit features pursuant to Section 23.49.126, or by transferring development rights pursuant to Section 23.49.128.

###### B. Permitted FAR

Permitted FAR shall be as follows:

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FLOOR AREA RATIO		
	Base	Maximum With Bonus for Public Benefit Features or Transfer of Development Rights
65' Height District	4	4
85' Height District	4.5	6
Height Districts above 85'	5	7

C. Exemptions from FAR calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area in residential use, except on sending lots from which development rights are transferred, according to Section 23.49.128.
  - b. All gross floor area below grade.
  - c. All gross floor area used for accessory parking.
  - d. The gross floor area of public benefit features which satisfy the requirements of Section 23.49.126, Ratios for Public Benefit Features, and satisfy the Public Benefit Features Rule, whether granted a floor area bonus or not, regardless of the maximum bonuable area limitation.
2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.126 Downtown Mixed Commercial, Ratios for Public Benefit Features

A. General provisions

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1. No floor area beyond the base FAR shall be granted for any project which causes the destruction of any designated feature of a Landmark structure, unless authorized by the Landmarks Board.
2. The Director shall review the design of public benefit features listed in subsection B to determine whether the feature, as proposed for a specific project, actually provides a public benefit and is consistent with the definitions in Chapter 23.84 and with the Public Benefit Features Rule.
3. Except for human services and day care, all public benefit features provided in return for a bonus shall be located on the same lot or abutting public right-of-way as the project in which the bonus floor area is used.

B. Public benefit features

If the Director approves the design of public benefit features according to subsection A, floor area bonuses shall be granted as follows:

PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
Human Service Use in New Structure	6 <sup>6</sup>	10,000 square feet
Human Service Use in Existing Structure	3 <sup>6</sup>	10,000 square feet
Daycare in New Structure	11 <sup>6</sup>	10,000 square feet <sup>5</sup>
Daycare in Existing Structure	5.5 <sup>6</sup>	10,000 square feet <sup>5</sup>
Cinema	6	15,000 square feet
Shopping Atrium in areas shown on Map VB	6 or 8 <sup>2</sup>	15,000 square feet
Shopping Corridor in areas shown on Map VB	6 or 7.5 <sup>3</sup>	7,200 square feet
Retail shopping in areas shown on Map VB	2.5	0.5 times the area of the lot not to exceed 15,000 square feet
Parcel Park	4	7,000 square feet
Street Park	4	1.0 times the area of the lot
Rooftop Garden, Street Accessible	2	20% of lot area
Rooftop Garden, Interior Accessible	1.5	30% of lot area

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PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
Hillclimb Assist in areas shown on Map VB	1.0 FAR <sup>4</sup>	Not Applicable
Hillside Terrace in areas shown on Map VB	3	6,000 square feet
Sidewalk widening if required by Section 23.49.22	3	Area necessary to meet required sidewalk width
Small Lot Development in View Corridors required by Section 23.49.24	1.0 FAR <sup>4</sup>	Not applicable
Small Lot Development on Blocks with DOCI Zoning	.5 FAR <sup>4</sup>	No: applicable
Overhead weather protection on Pedestrian I streets designated on Map VD	3 or 4.5 <sup>3</sup>	10 times the street frontage of the lot
Museum	5	30,000 square feet

1 Ratio of additional square feet of floor area granted per square foot of public benefit feature provided.  
 2 Amount depends on height of shopping atrium.  
 3 Higher bonus is granted when skylights are provided.  
 4 This is the amount of bonus granted when the public benefit feature is provided, regardless of its size.  
 5 Daycare space from 3001 to 10,000 square feet bonused at same ratio as human service uses.  
 6 Human services and day care may be provided in another zone; in that case, bonus ratio subject to Public Benefit Features Rule.

23.49.128 Downtown Mixed Commercial, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

- Development rights may be transferred to lots in DMC zones with height limits of eighty-five feet or greater from sending lots located on the same block which contain low income housing or Landmark structures or from infill lots in PSM zones, as provided in subsection B.
- Development rights may be transferred from lots in DMC zones to receiving lots in DOC1 and DOC2 zones located on the same downtown block.

B. Transfer of development rights between different downtown blocks

Development rights may be transferred to lots in DMC zones with height limits of eighty-five feet or greater from sending lots on different blocks which contain Landmark structures or low income housing, or from infill lots in PSM zones, as provided below:

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1. Transfer from low income housing

- a. Lots containing low income housing from which development rights are transferred may be located in DMC, DMR, IDM, IDR, or PSM zones.
- b. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
- c. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
- d. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
- e. The low income housing on the sending lot must be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.
- f. The maximum FAR permitted on a receiving lot in DMC zones when development rights are transferred from sending lots containing low income housing shall be six or seven, in accordance with Section 23.49.124.

2. Transfers from Landmark structures or infill lots in Pioneer Square Mixed zones

- a. Landmark structures from which development rights may be transferred shall be located on lots in DMC zones located south of Virginia Street.
- b. Landmark structures on sending lots shall be restored and maintained as required by the Landmarks Board, according to the procedures in the Public Benefit Features Rule.

1 c. Lots proposed for infill development in PSM zones from which  
2 development rights are transferred must have been vacant as of  
3 January 1, 1984. For the purposes of this provision, structures  
4 with abatement orders as of January 1, 1984, and surface parking  
5 areas, including minor structures accessory to parking operations,  
6 shall be considered vacant.

7 d. The maximum FAR permitted on a receiving lot in DMC zones when  
8 development rights are transferred from Landmark structures or  
9 infill lots shall be six or seven, in accordance with Section  
10 23.49.124.

11 C. Standards for sending lots

12 1. The gross floor area that may be transferred from any sending lot to a  
13 receiving lot, subject to the limitations in subsections A and B, shall  
14 be as follows:

15 a. When the sending lot is located in a DRC, IDR or IDM zone; or a  
16 DMC or DMR zone with a height limit of less than two hundred and  
17 forty feet; the gross floor area that may be transferred shall be  
18 six times the area of the sending lot, minus any existing gross  
19 floor area on the sending lot, excluding any exemptions permitted  
20 by the regulations of the zone.

21 b. When the sending lot is located in a DMC or DMR zone with a two  
22 hundred and forty foot height limit, the gross floor area that may  
23 be transferred shall be eight times the area of the sending lot,  
24 minus any existing floor area on the sending lot, excluding any  
25 exemptions permitted by the regulations of the zone.

26 c. When the sending lot is located in a PSM zone, the gross floor  
27 area that may be transferred shall be either:

28 (1) Six times the area of the sending lot, minus any existing  
above grade gross floor area on the sending lot, for trans-  
fers from low income housing or within block transfers not  
from infill development; or

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(2) The amount of gross floor area permitted by the development standards of the PSM zone and the Pioneer Square Preservation District, minus any above grade gross floor area to be built on the sending lot, when the transfer is from proposed infill development.

2. When development rights are transferred from a sending lot in DMC zones, the amount of gross floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.124, minus the total of:
  - a. The existing gross floor area on the lot, less any exemptions permitted under Section 23.49.124; plus
  - b. The amount of gross floor area which was transferred from the lot.

D. 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 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 the maintenance of the low income housing for a minimum of 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 also shall provide that its covenants and conditions shall run with the land and shall be specifically enforceable by any party or by the City of Seattle.

23.49.130 Combined Lot Development

1 In DMC zones, lots which have lot lines within four hundred feet of each other  
2 may be combined for the purpose of calculating the permitted gross floor area  
3 when projects include affordable housing, according to the following provisions:

- 4 A. At least one of the lots shall be developed with a new or rehabilitated  
5 structure that contains housing. Existing structures shall either be non-  
6 residential prior to rehabilitation, or if residential, shall have been  
7 unoccupied since January 1, 1983.
- 8 B. When housing is provided in a new structure, at least half of the units  
9 shall be affordable housing at initial sale or rental.
- 10 C. When an existing structure is rehabilitated, twenty-five percent of the  
11 units shall be low income housing as provided in the Public Benefit Features  
12 Rule, unless the Director determines that the twenty-five percent low income  
13 requirement is infeasible. All of the units in the structure that are not  
14 low income shall be moderate income housing, at the time of initial sale or  
15 rental.
- 16 D. The affordable housing shall be certified by the Director of Community  
17 Development as satisfying the Public Benefit Features Rule.
- 18 E. The permitted gross floor area shall be calculated by multiplying the total  
19 area of the lots by the FAR permitted by Section 23.49.124, Floor Area  
20 Ratio. The permitted gross floor area may be allocated between the lots in  
21 any manner, provided that the height limits and other development standards  
22 of the DMC zone are met on each lot.
- 23 F. The fee owners of each of the combined lots shall execute a deed or other  
24 agreement which shall be recorded with the titles to both lots. In the  
25 agreement or deed, the owners shall acknowledge that development on the  
26 combined lots shall not exceed the combined FAR limits for both lots and,  
27 should development on one lot exceed the FAR limit for that lot, then  
28 development on the other lot shall be restricted by the amount of excess FAR

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used on the more developed lot, for the life of the improvement on the more developed lot. The deed or agreement shall also provide that its covenants and conditions shall run with the land and shall be specifically enforceable by the parties and by the City of Seattle.

23.49.132 Downtown Mixed Commercial, Street Level Use Requirements

Street level uses listed in subsection A shall be required on the streets designated on Map VA. Required street level uses shall meet the standards of this Section.

A. Types of uses

The following uses shall qualify as required street level uses:

1. Retail sales and services, except lodging;
2. Human service uses and day care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums.

B. General standards

1. A minimum of seventy-five percent of each street frontage to which street level use requirements apply shall be occupied by uses listed in subsection A. The remaining twenty-five percent may contain other permitted uses and/or pedestrian or vehicular entrances. The frontage of any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses shall not be counted in street frontage.
2. Required street level uses shall be located within ten feet of the street property line or shall abut a bonused public open space. When sidewalk widening is required by Section 23.49.22, the ten feet shall be measured to the line established by the new sidewalk width rather than the street property line.

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3. Except for day care centers, pedestrian access to required street level uses shall be provided directly from the sidewalk or an adjacent bonused public open space. Pedestrian entrances shall be located no more than three feet above or below sidewalk grade or shall be at the same elevation as the abutting bonused public open space.

23.49.134 Downtown Mixed Commercial, Street Facade Requirements

Standards for the facades of structures are established for the following elements:

Minimum facade heights	Blank facade limits
Setback limits	Screening of parking
Facade transparency	Street trees.

These standards shall apply to each lot line of a lot which abuts a street designated on Map VD as having a pedestrian classification. The standards for each street frontage shall vary according to the pedestrian classification of the street on Map VD, and whether property line facades are required by Map VD.

A. Minimum facade height

1. Minimum facade height shall be described in the Chart below, Exhibit 49.134A, but minimum facade heights shall not apply when all portions of the structure are lower than the elevation of the required minimum facade height listed below.

All Streets Where Property Line Facades Are Required	Class I Pedestrian Streets and Street Parks	Class II Pedestrian Streets
Minimum facade <sup>1</sup> height	Minimum facade <sup>1</sup> height	Minimum facade <sup>1</sup> height
35 feet	25 feet	15 feet

<sup>1</sup>Except as modified by view corridor requirements.

2. On designated view corridors described in Section 23.49.24, the minimum facade height shall be the required elevation of the setback when it is less than the minimum facade height required in subsection A1.

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1 B. Facade setback limits

2 1. Setback limits for property line facades

3 The following setback limits shall apply to all streets designated on  
4 Map VC as requiring property line facades.

5 a. The facades of structures fifteen feet or less in height shall be  
6 located within two feet of the street property line.

7 b. Structures greater than fifteen feet in height shall be governed  
8 by the following criteria:

9 (1) No setback limits shall apply up to an elevation of fifteen  
10 feet above sidewalk grade.

11 (2) Between the elevations of fifteen and thirty-five feet above  
12 sidewalk grade, the facade shall be located within two feet  
13 of the street property line, except that:

14 i. Any exterior public open space which satisfies the  
15 Public Benefit Features Rule, whether it receives a  
16 bonus or not, and any outdoor common recreation area  
17 required for residential uses, shall not be considered  
18 part of a setback.

19 ii. Setbacks between the elevations of fifteen and thirty-  
20 five feet above sidewalk grade at the property line  
21 shall be permitted according to the following standards,  
22 Exhibit 49.134B:

23 - The maximum setback shall be ten feet.

24 - The total area of a facade which is set back more  
25 than two feet from the street property line shall  
26 not exceed forty percent of the total facade area  
27 between the elevations of fifteen and thirty-five  
28 feet.

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- No setback deeper than two feet shall be wider than twenty feet, measured parallel to the street property line.

- The facade of the structure shall return to within two feet of the street property line between each setback area for a minimum of ten feet. Balcony railings and other nonstructural features or walls shall not be considered the facade of the structure.

c. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

2. General setback limits

The following setback limits shall apply on streets not requiring property line facades, as shown on Map VC. Except when the entire structure is fifteen feet or less in height, the setback limits shall apply to the facade between an elevation of fifteen feet above sidewalk grade and the minimum facade height established in subsection A, Exhibit 49.134C. When the structure is fifteen feet or less in height, the setback limits shall apply to entire street facade.

a. The maximum area of all setbacks between the lot line and facade along each street frontage of a lot shall not exceed the area determined by multiplying the averaging factor by the width of the street frontage of the structure along the street, Exhibit 49.134D. The averaging factor shall be five on Class I pedestrian streets and ten on Class II pedestrian streets and street parks. Parking shall not be located between the facade and the street lot line.

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- b. The maximum width, measured along the street property line, of any setback area exceeding a depth of fifteen feet from the street property line shall not exceed eighty feet, or thirty percent of the lot frontage on that street, whichever is less, Exhibit 49.134D.
- c. The maximum setback of the facade from the street property lines at intersections shall be ten feet. The minimum distance the facade must conform to this limit shall be twenty feet along each street, Exhibit 49.134E.
- d. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not and any outdoor common recreation area required for residential uses, shall not be considered part of a setback, Exhibit 49.134C.
- e. When sidewalk widening is required by section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

C. Facade transparency requirements

- 1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.
- 2. Facade transparency requirements shall not apply to portions of structures in residential use.
- 3. When the transparency requirements of this subsection are inconsistent with the glazing requirements of the Energy Code, this subsection shall apply.
- 4. Transparency requirements shall be as follows:
  - a. Class I pedestrian streets and street parks: A minimum of sixty percent of the street level facade shall be transparent.

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- b. Class II pedestrian streets: A minimum of thirty percent of the street level facade shall be transparent.
- c. When the slope of the street frontage of the facade exceeds seven and one half percent, the required amount of transparency shall be reduced to forty-five percent on Class I pedestrian streets and street parks, and twenty-two percent on Class II pedestrian streets.

D. Blank facade limits

1. General provisions

- a. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.
- b. Any portion of a facade which is not transparent shall be considered to be a blank facade.
- c. Blank facade limits shall not apply to portions of structures in residential use.

2. Blank facade limits for Class I pedestrian streets and street parks:

- a. Blank facades shall be limited to segments fifteen feet wide, except for garage doors which may exceed fifteen feet. Blank facade width may be increased to thirty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed forty percent of the street facade of the structure on each street frontage; or fifty-five percent if the slope of the street frontage of the facade exceeds seven and one-half percent.

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3. Blank facade limits for Class II pedestrian streets:

- a. Blank facades shall be no more than thirty feet wide, except for garage doors which may exceed thirty feet. Blank facade width may be increased to sixty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments including garage doors, shall not exceed seventy percent of the street facade of the structure on each street frontage; or seventy-eight percent if the slope of the street frontage of the facade exceeds seven and one-half percent.

E. Screening of parking

- 1. Parking located at or above street level in a garage shall be screened according to the following requirements:
  - a. On Class I pedestrian streets and street parks, parking shall not be permitted at street level unless separated from the street by other uses, provided that garage doors need not be separated.
  - b. On Class II pedestrian streets parking shall be permitted at street level when at least thirty percent of the street frontage of the parking area, excluding that portion of the frontage occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian

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streets in subsections C and D. The remaining parking shall be screened from view at street level and the street facade shall be enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

c. The perimeter of each floor of parking garages above street level shall have an opaque screen at least three and one half feet high.

2. Surface parking areas shall be screened and landscaped pursuant to Section 23.49.20, Screening and Landscaping of Surface Parking Areas.

F. Street tree requirements

Street trees shall be required on all streets abutting a lot. When areaways are located beneath the sidewalk, the street trees shall be planted in below grade containers with provisions for watering the trees. Street trees shall be planted according to the City of Seattle Board of Public Works Tree Planting Standards.

23.49.136 Downtown Mixed Commercial, Upper Level Development Standards

The regulations in this Section shall apply to all structures in which any floor above an elevation of one hundred twenty-five feet above the adjacent sidewalk exceeds fifteen thousand square feet.

A. Coverage limits

On streets designated on Map VD as having a pedestrian classification, a coverage limit area shall be established as follows:

1. Above an elevation of one hundred twenty-five feet above the adjacent sidewalk the area within twenty feet of each street property line and sixty feet of intersecting street property lines, Exhibit 49.136A, shall be established as the coverage limit area.
2. The percent of the coverage limit area which may be covered by a portion of a structure shall be as follows:

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Elevation	Lots With One Street Frontage	Lots With Two or More Street Frontages	
		Lots 40,000 square feet or less in size	Lots greater than 40,000 square feet in size
Greater than 125'	60%	40%	20%

3. To qualify as uncovered area, at least half the area required to be uncovered shall be contiguous and shall have a minimum depth of fifteen feet.
4. To meet the coverage limits, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:
  - a. The coverage of all structures on the lots meets the limits set in this subsection A; and
  - b. The fee owners of the abutting lot(s) shall execute a deed or other agreement, which shall be recorded with the title to the lots, which restricts future development so that in combination with the other lots, the coverage limits shall not be exceeded.

B. Maximum facade lengths

A maximum length shall be established for facades above an elevation of one hundred twenty-five feet above the adjacent sidewalk. This maximum length shall be measured parallel to each street property line of streets designated on Map VD as having a pedestrian classification, and shall apply to any portion of a facade, including projections such as balconies, which is located within fifteen feet of street property lines.

1. The maximum length of facades above an elevation of one hundred twenty-five feet shall be one hundred twenty feet.
2. To be considered a separate facade for the purposes of determining the maximum facade length established in subsection B1, any portion of a facade above an elevation of one hundred twenty-five feet, which is

less than fifteen feet from a street property line, shall be separated from any similar portion of the facade by at least sixty feet.

- C. When a lot in a DMC zone is across a street from the Pike Market Historic District, Map VE, a continuous upper level setback of fifteen feet shall be provided on all street frontages across from the Historic District at a maximum height of eighty-five feet. The fifteen foot setback line shall be considered the street property line for the application of the provisions of subsections A and B.

Subchapter VI: Downtown Mixed Residential

23.49.140 General Provisions

All property zoned Downtown Mixed Residential (DMR) shall be designated as either Downtown Mixed Residential/Residential (DMR/R) or Downtown Mixed Residential/Commercial (DMR/C) on the Official Land Use Map, Chapter 23.32.

PART 1 USE PROVISIONS

23.49.142 Downtown Mixed Residential, Permitted Uses

- A. All uses shall be permitted outright except those specifically prohibited by Section 23.49.144, and those permitted only as conditional uses by Section 23.49.148, and parking, which shall be regulated by Section 23.49.146.
- B. All uses not prohibited shall be permitted as either principal or accessory uses.

23.49.144 Downtown Mixed Residential, Prohibited Uses

The following uses shall be prohibited as both principal and accessory uses:

- A. Drive-in businesses, except gas stations located in parking garages;
- B. Outdoor storage;
- C. Adult motion picture theaters and adult panorams;
- D. Light manufacturing uses in DMR/R areas;
- E. All general manufacturing uses;
- F. All salvage and recycling uses, except recycling collection stations;
- G. All industrial uses.

23.49.146 Downtown Mixed Residential, Principal and Accessory Parking

A. Principal use parking

1. Principal use parking garages for long term and short term parking shall be prohibited, except those garages permitted as conditional uses pursuant to Section 23.49.148.
2. Principal use surface parking areas shall be prohibited, except that temporary principal use surface parking areas may be permitted as conditional uses pursuant to Section 23.49.148.

B. Accessory parking

1. Accessory parking garages for both long term and short term parking shall be permitted outright, up to the maximum parking limit established by Section 23.49.16, Parking Quantity Requirements.
2. Accessory surface parking areas shall be:
  - a. Prohibited in DMR/R areas;
  - b. Permitted outright in DMR/C areas when containing twenty or fewer parking spaces; or
  - c. Permitted as a conditional use in DMR/C areas when containing more than twenty parking spaces, pursuant to Section 23.49.148;
  - d. Permitted as a conditional use in DMR/C areas on a temporary basis pursuant to Section 23.49.148.

23.49.148 Downtown Mixed Residential, Conditional Uses

A. All conditional uses shall meet the following criteria:

1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.
2. In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.

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B. Principal use parking garages serving residential uses may be permitted as conditional uses, if the Director finds that:

1. Unserved parking demand associated with existing or forecast future residential development within one thousand feet of the proposed parking facility is sufficient to warrant construction of the facility; and
2. The garage will be operated in a manner such that substantial traffic associated with uses not located within the DMR zone will not be generated; and
3. The vehicular entrances to the garage are located so that they will not disrupt traffic or transit routes; and
4. The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation.

C. Surface parking areas where permitted as a conditional use by Section 23.49.146 and temporary surface parking areas located on lots vacant on or before January 1, 1985, or on lots which become vacant as a result of a City-initiated abatement action, may be permitted as conditional uses in DMR/C areas if the Director finds that:

1. Traffic from the parking area will not have substantial adverse effects on pedestrian circulation in the surrounding area; and
2. The vehicular entrances to the parking area are located so that they will not disrupt traffic or transit routes; and
3. The traffic generated by the parking area will not have substantial adverse effects on pedestrian circulation; and
4. The parking area is screened and landscaped according to the provisions of Section 23.49.20, Screening and Landscaping of Surface Parking Areas; and
5. For temporary surface parking areas, the permit may be issued for a maximum of two years and shall not be renewed.

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D. City facilities and public projects which do not meet development standards may be permitted by the Council pursuant to the provisions of Chapter 23.80, Decisions Requiring Council Approval.

E. Rooftop features more than fifty feet above the roof of the structure on which they are located may be authorized by the Council as a conditional use pursuant to Chapter 23.80, Decisions Requiring Council Approval, according to the criteria of Section 23.49.08, Structure Height.

PART 2 DEVELOPMENT STANDARDS

23.49.150 Downtown Mixed 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 achieved by providing public benefit features pursuant to Section 23.49.152.

B. Permitted FAR

- 1. Permitted FAR shall be as follows in DMR/R areas:

FLOOR AREA RATIO		
	Base	Maximum With Public Benefit Features, Including Housing Bonus
85/65 feet	1	Does not apply
125/65 feet	1	2
240/65 feet	1	2

2. Permitted FAR shall be as follows in DMR/C areas:

	FLOOR AREA RATIO		
	Base	Maximum With Bonus For Public Benefit Features Other Than Housing	Maximum With Housing Bonus
85/65 feet	1	2	4
125/65 feet	1	2	4
240/125 feet	2	3	5

3. There shall be no limit to nonresidential FAR within designated  
Landmark structures, provided that:

- a. The structure is restored, if necessary, and a commitment 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, 1974; and
- c. The gross floor area in nonresidential use on the lot is limited to the total gross floor area of the structure prior to restoration.

C. Exemptions from FAR Calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area in residential use, except on sending lots from which development rights are transferred, according to Section 23.49.154.
  - b. All gross floor area below grade;
  - c. All gross floor area used for accessory parking located above grade;

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d. The gross floor area of public benefit features which satisfy the requirements of Section 23.49.152, Ratios for Public Benefit Features, and satisfy the Public Benefit Features Rule, whether granted a floor area bonus or not, regardless of maximum bonusable area limitations.

2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.152 Downtown Mixed Residential, Ratios for Public Benefit Features

A. General provisions

1. No floor area beyond the base FAR shall be granted for any project which causes:
  - a. The destruction of any designated feature of a Landmark structure unless authorized by the Landmarks Board; or
  - b. On lots not located in DMR/R eighty-five foot height districts, the demolition on the project lot of housing which has been occupied any time since January 1, 1974, if actions equivalent to total housing replacement, as defined by the Public Benefit Features Rule, are not taken. Housing replacement in excess of that required by the provisions of the Housing Preservation Ordinance, not to exceed seventy-five percent of the gross floor area of the replacement housing provided, may be used to qualify for a housing bonus under the Public Benefit Features Rule. A housing replacement bonus may be granted even if no other public benefit features are provided on the project lot.

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2. Additional gross floor area may be permitted up to the maximum FAR with housing bonus described in Section 23.49.150 when affordable housing is included in the development proposal and the following criteria are met:

- a. In DMR/C areas, except when a housing bonus is granted for replacement housing pursuant to subsection A1b, gross floor area equivalent to the area of the lot shall be earned through the provision of public benefit features other than housing before a housing bonus may be used.
- b. The housing bonus shall be granted only for the direct production of affordable housing in a new structure, or in a rehabilitated structure or portion of a rehabilitated structure which was not in residential use as of January 1, 1983.
- c. The housing shall be located in a DMR zone.
- d. The housing bonus shall be granted by the Director based on a finding by the Director of Community Development that the proposed housing satisfies the requirements of the Public Benefit Features Rule.

3. The Director shall review the design of any public benefit feature listed in subsection B to determine whether the feature, as proposed for a specific project, provides public benefits and is consistent with the definitions in Chapter 23.84 and the Public Benefit Features Rule.

4. Except for housing, human services and day care, all public benefit features provided in return for a bonus shall be located on the same lot or abutting public right-of-way as the project in which the bonus floor area is used.

B. Public Benefit Features

If the Director approves the design of public benefit features according to Subsection A, floor area bonuses shall be granted as follows:

	PUBLIC BENEFIT FEATURE	BONUS RATIO <sup>1</sup>	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
2	Human Service Use in New Structure	4.5 <sup>5</sup>	10,000 square feet
3	Human Service Use in Existing Structure	2.5 <sup>5</sup>	10,000 square feet
4	Daycare in New Structure	8.0 <sup>5</sup>	10,000 square feet <sup>4</sup>
	Daycare in Existing Structure	4.0 <sup>5</sup>	10,000 square feet <sup>4</sup>
	Cinema	4.5	15,000 square feet
5	Retail shopping in areas shown on Map VIA	3	0.5 FAR, not to exceed 15,000 square feet
6	Residential Parcel Park	3	12,000 square feet
	Street Park on streets shown on Map VIA	3	1.0 FAR
7	Hillside Terrace in areas shown on Map VIA	3	6,000 square feet
8	Sidewalk widening if required in Section 23.49.16	3	Area necessary to meet required sidewalk width
9	Small lot development	1.0 FAR <sup>2</sup>	Not applicable
	Overhead weather protection on pedestrian I streets designated on Map VID	3 or 4.5 <sup>3</sup>	10 times the street frontage of the lot
10	Voluntary Building Setback on street parks shown on Map VIA.	3	10 times the frontage on the street park.
12	Housing in DMR/R areas with heights above 125' and all DMR/C areas	Subject to the Public Benefit Features Rule	Subject to the Public Benefit Features Rule; maximum amount of bonus is 1 times the area of the lot in DMR/R areas, and 2 times the area of lot in DMR/C areas.

1 Ratio of additional square footage of floor area granted per square foot of public benefit feature provided.  
2 This is the amount of bonus granted when the public benefit feature is provided, regardless of its size.  
3 Higher bonus is granted when skylights are provided.  
4 Daycare space from 3001 to 10,000 square feet bonused at same ratio as human service uses.  
5 Human services and day care may be provided in another zone; in that case, bonus ratio subject to Public Benefit Features Rule.

23.49.154 Downtown Mixed Residential, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

1. Development rights shall not be transferred to lots in DMR zones from lots located in the same downtown block.
2. Development rights from sending lots in DMR zones may be transferred to receiving lots in DOC1 and DOC2 zones located on the same downtown block.

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3. Development rights may be transferred from lots in DMR zones containing low income housing to receiving lots in DMC zones located on the same block in accordance with subsection B2.

B. Transfer of development rights between different downtown blocks

1. Development rights from a sending lot on a different downtown block shall not be transferred to receiving lots in Downtown Mixed Residential zones.
2. Development rights from sending lots in Downtown Mixed Residential zones which contain low income housing may be transferred to receiving lots in DOC1, DOC2 and DMC zones, as provided below:
  - a. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
  - b. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
  - c. Surface parking areas shall not be included in the area of the sending lot purposes of calculating the amount of development rights which may be transferred.
  - d. The low income housing on the sending lot must be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.

C. Standards for sending lots

1. The gross floor area that may be transferred from any lot in a DMR zone with a height limit of less than two hundred and forty feet shall be six times the area of the sending lot, minus any existing gross floor area on the sending lot, excluding any exemptions permitted by subsection 23.49.150.C.
2. The gross floor area that may be transferred from lots in DMR zones with a two hundred and forty foot height limit shall be eight times the area of the sending lot, minus any existing gross floor area on the sending lot, excluding exemptions permitted by subsection 23.49.150C.

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3. When development rights are transferred from a sending lot in DMR zones, the amount of gross nonresidential floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.152, minus the total of:
    - a. The existing gross nonresidential floor area on the lot, less any exemptions permitted under Section 23.49.150C; plus
    - b. The amount of gross floor area which was transferred from the lot.
  4. When development rights are transferred from a sending lot in a DMR zone with a height limit of less than two hundred and forty feet, the amount of gross residential floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by six, minus the total of:
    - a. The existing gross floor area of the lot, less any exemptions permitted under Section 23.49.150C; plus
    - b. The amount of gross floor area which was transferred from the lot.
  5. When development rights are transferred from a sending lot in a DMR zone with a height limit of two hundred and forty feet, the amount of gross residential floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by eight, minus the total of:
    - a. The existing gross floor area of the lot, less any exemptions permitted under Section 23.49.150C;
    - b. The amount of gross floor area which was transferred from the lot.
- D. Transfer of development rights agreements
1. The fee owners of the 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 be for a term which equals or exceeds the life of the project on the receiving lot for which the rights were transferred.

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3. For transfers from lots containing low income housing, the agreement shall provide for the maintenance of the low income housing on the sending lot for a minimum of 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 and conditions shall run with the land and shall be specifically enforceable by any party or by the City of Seattle.

23.49.156 Downtown Mixed Residential, Minimum Lot Size

- A. There shall be a minimum lot size of nineteen thousand square feet for any structure over one hundred twenty five-feet high.
- B. To meet the minimum lot size requirement, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:
  1. The total area of the combined lots meets the minimum lot size requirement;
  2. All lots have frontage on the same Avenue;
  3. Any existing structure does not exceed a height of one hundred twenty-five feet;
  4. The coverage of both the proposed and any existing structures meets the coverage limits established in Section 23.49.158; and
  5. The fee owners of the abutting lot(s) shall execute a deed or other agreement, which shall be recorded with the title to the lots, which restricts future development to a maximum height of one hundred twenty-five feet for the life of the proposed structure; and which precludes the use of the lot(s) in combination with any abutting lots for purposes of meeting the minimum lot size requirements of this Section.

23.49.158 Downtown Mixed Residential, Coverage and Floor Size Limits

A. Coverage

1. Except on lots located in the DMR/R eighty-five foot height district, portions of structures above an elevation 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%
66-85	75%	65%	55%	45%
86-125	65%	55%	50%	40%
126-240	Not applicable	45%	40%	35%

2. In order to meet the coverage limits, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:
- a. The coverage of all structures on the lots meets the limits set in this subsection A; and
- b. The fee owners of the abutting lot(s) shall execute a deed or other agreement, which shall be recorded with the title to the lots, which restricts future development so that in combination with the other lots, the coverage limits shall not be exceeded.

B. Floor Size

Each floor in portions of structures above an elevation of one hundred twenty-five feet shall have a maximum gross floor area of eight thousand square feet.

23.49.160 Downtown Mixed Residential, Street Level Use Requirements

Street level uses listed in subsection A shall be required on the streets designated on Map VIB. Required street level uses shall meet the standards of this Section.

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A. Types of Uses

The following uses shall qualify as required street level uses:

1. Retail sales and services, except lodging;
2. Human service uses and day care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums.

B. General standards

1. A minimum of seventy-five percent of each street frontage to which street level use requirements apply shall be occupied by uses listed in subsection A. The remaining twenty-five percent may contain other permitted uses and/or pedestrian or vehicular entrances. The frontage of any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be counted in street frontage.
2. Required street level uses shall be located within ten feet of the street property line or shall abut a public open space. When sidewalk widening is required by Section 23.49.22, the ten feet shall be measured to the line established by the new sidewalk width rather than the street property line.
3. Except for day care centers, pedestrian access to required street level uses shall be provided directly from the street or a bonused public open space. Pedestrian entrances shall be located no more than three feet above or below sidewalk grade or shall be at the same elevation as the abutting bonused public open space.

23.49.162 Downtown Mixed Residential, Street Facade Requirements

Standards for the facades of structures are established for the following

elements:

Minimum facade heights  
Setback limits  
Facade transparency

Blank facade limits  
Screening of parking  
Landscaping.

These standards shall apply to each lot line of a lot which abuts a street designated on Map VID as having a pedestrian classification. The standards on each street frontage shall vary according to the pedestrian classification of the street on Map VID, and whether property line facades are required by Map VIC.

A. Minimum facade height

- 1. Minimum facade height shall be as described in the chart below, Exhibit 49.162A, but minimum facade heights shall not apply when all portions of the structure are lower than the elevation of the required minimum facade height listed below.

All Streets Where Property Line Facades Are Required	Class I Pedestrian Streets and Street Parks	Class II Pedestrian Streets
Minimum facade <sup>1</sup> height	Minimum facade <sup>1</sup> height	Minimum facade <sup>1</sup> height
35 feet	25 feet	15 feet

<sup>1</sup>Except as modified by view corridor requirements.

- 2. On designated view corridors, Section 23.49.24, the minimum facade height shall be the required elevation of the setback, when it is less than the minimum facade height required in subsection A1.

B. Facade setback limits

- 1. Setback limits for property line facades

The following setback limits shall apply to all streets designated on Map VIC as requiring property line facades.

- a. The facades of structures fifteen feet or less in height shall be located within two feet of the street property line.

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b. Structures greater than fifteen feet in height shall be governed by the following criteria:

(1) No setback limits shall apply up to an elevation of fifteen feet above sidewalk grade.

(2) Between the elevations of fifteen and thirty-five feet above sidewalk grade, the facade shall be located within two feet of the street property line, except that:

i. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be considered part of a setback.

ii. Setbacks between the elevations of fifteen and thirty-five feet above sidewalk grade at the property line shall be permitted according to the following standards, Exhibit 49.162B:

- The maximum setback shall be ten feet.
- The total area of a facade which is set back more than two feet from the street property line shall not exceed forty percent of the total facade area between the elevations of fifteen and thirty-five feet.
- No setback deeper than two feet shall be wider than twenty feet, measured parallel to the street property line.
- The facade of the structure shall return to within two feet of the street property line between each setback area for a minimum of ten feet. Balcony railings and other nonstructural features or walls shall not be considered the facade of the structure.

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c. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

2. General setback limits

The following setback limits shall apply on streets not requiring property line facades as shown on Map VIC. Except when the entire structure is fifteen feet or less in height, the setback limits shall apply to the facade between an elevation of fifteen feet above sidewalk grade and the minimum facade height established in subsection A, Exhibit 49.162C. When the structure is fifteen feet or less in height, the setback limits shall apply to the entire street facade.

a. The maximum area of all setbacks between the lot line and facade shall be limited according to an averaging technique. The maximum area of all setbacks along each street frontage of a lot shall not exceed the area determined by multiplying the averaging factor by the width of the street frontage of the structure along that street, Exhibit 49.162D. The averaging factor shall be five on Class I pedestrian streets, twenty on Class II pedestrian streets, and thirty on street parks. Parking shall not be located between the facade and the street lot line.

b. The maximum width, measured along the street property line, of any setback area exceeding a depth of fifteen feet from the street property line shall not exceed eighty feet, or thirty percent of the lot frontage on that street, whichever is less, Exhibit 49.162D.

c. The maximum setback of the facade from the street property line at intersections shall be ten feet. The minimum distance the facade must conform to this limit shall be twenty feet along each street, Exhibit 49.162E.

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- d. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be considered part of a setback, Exhibit 49.162C.
- e. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

C. Facade transparency requirements

- 1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.
- 2. Facade transparency requirements shall not apply to portions of structures in residential use.
- 3. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code, this subsection shall apply.
- 4. Transparency requirements shall be as follows:
  - a. Class I pedestrian streets: A minimum of sixty percent of the street level facade shall be transparent.
  - b. Class II Pedestrian streets and street parks: A minimum of thirty percent of the street level facade shall be transparent.
  - c. When the slope of the street frontage of the facade exceeds seven and one half percent, the required amount of transparency shall be reduced to forty-five percent on Class I pedestrian streets and twenty-two percent on Class II pedestrian streets and street parks.

D. Blank facade limits

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1. General provisions

- a. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.
- b. Any portion of a facade which is not transparent shall be considered to be a blank facade.
- c. Blank facade limits shall not apply to portions of structures in residential use.

2. Blank facade limits for Class I pedestrian streets:

- a. Blank facades shall be limited to segments fifteen feet wide, except for garage doors which may exceed fifteen feet. Blank facade width may be increased to thirty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.
- c. The total of all blank facade segments, including garage doors, shall not exceed forty percent of the street facade of the structure on each street frontage; or fifty-five percent if the slope of the street frontage of the facade exceeds seven and one half percent.

3. Blank facade limits for Class II pedestrian streets and street parks:

- a. Blank facades shall be limited to segments thirty feet wide, except for garage doors which may exceed thirty feet. Blank facade width may be increased to sixty feet if the Director deter-

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mines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest.

The width of garage doors shall be limited to the width of the driveway plus five feet.

b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.

c. The total of all blank facade segments including garage doors, shall not exceed seventy percent of the street facade of the structure on each street frontage; or seventy-eight percent if the slope of the street frontage of the facade exceeds seven and one half percent.

E. Screening of parking

Parking located at or above street level in a garage shall be screened according to the following requirements:

1. On Class I pedestrian streets and street parks, parking shall not be permitted at street level unless separated from the street by other uses provided, that garage doors need not be separated.

2. On Class II pedestrian streets and street parks, parking shall be permitted at street level when at least thirty percent of the street frontage of the parking area, excluding that portion of the frontage occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsection D2. The remaining parking shall be screened from view at street level and the street facade shall be enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

3. The perimeter of each floor of parking garages above street level shall have an opaque screen at least three and one half feet high.

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F. Landscaping requirements

1. Street tree requirements

Street trees shall be required on all streets abutting a lot. When areaways are located beneath the sidewalk, the street trees shall be planted in below grade containers with provisions for watering the trees. Street trees shall be planted according to the City of Seattle Board of Public Works Tree Planting Standards.

2. Landscaping in the street right-of-way

All new development shall provide landscaping in the sidewalk area of the street right-of-way. The square feet of landscaped area provided shall be at least one and one-half times the length of the street property line. The following standards shall apply to the required landscaped area:

- a. The landscaped area shall be at least eighteen inches wide and shall be located in the public right-of-way along the entire length of the street property line.
- b. Exceptions shall be allowed for building entrances, vehicular access or other connections between the sidewalk and the lot, but in no case shall exceptions exceed fifty percent of the total length of the street property line(s).
- c. As alternative to locating the landscaping at the street property line, all or a portion of the required landscaped area may be provided in the sidewalk within five feet of the curblines.
- d. Landscaping provided within five feet of the curblines shall be located and designed in relation to the required street tree planting and take into consideration use of the curb lane for parking and loading.

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- e. A minimum unobstructed sidewalk width of five feet on east/west streets and eight feet on Avenues shall be provided.
- f. All plant material shall be planted directly in the ground. A minimum of fifty percent of the plant material shall be perennial.
- g. Where the required landscaping is on a street park or street with urban design and/or landscaping guidelines promulgated by the Engineering Department, the planting shall be in conformance with those provisions.

3. Landscaping in setbacks

- a. Twenty percent of areas on the street property line that are not covered by a structure, which have a depth of ten feet or more from the street property line and are larger than three hundred square feet, shall be landscaped. Any area under canopies or marquees shall be considered uncovered. Any setback provided to meet the minimum sidewalk widths established by Section 23.49.22, shall be exempt from the calculation of the area to be landscaped.
- b. All plant material shall be planted directly in the ground or in permanently installed planters. A minimum of fifty percent of the plant material shall be perennial and shall include trees when the setback exceeds six hundred square feet.

23.49.164 Downtown Mixed Residential, Maximum Wall Dimensions

Except on lots located in the DMR/R eighty-five foot height district, a maximum length shall be established for portions of structures above an elevation of sixty-five feet. This maximum length 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
66- 85	120'	120'
86-125	120'	120'
126-240	Not applicable	100'

23.49.166 Downtown Mixed Residential, Side Setback and Street Park Setback Requirements

A. Side setbacks

Except on lots located in the DMR/R eighty-five foot height district, setbacks shall be required from side lot lines that are not street side 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 Above 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

Except on lots located in DMR/R eighty-five foot height districts, a setback from the street property line shall be required on street parks designated on Map VID at an elevation of forty feet. The setback shall be as follows:

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

Subchapter VII Pioneer Square Mixed

All property located within the Pioneer Square Mixed (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 Chapter. In the event that there is a conflict between the use and development standards of this Chapter and the provisions of the Pioneer Square Preservation District, Chapter 23.66, Subchapter II, the provisions of Chapter 23.66 shall apply.

PART 1 USE PROVISIONS

23.49.170 Pioneer Square Mixed, Permitted Uses

The Overlay District regulations of the Pioneer Square Preservation District, Chapter 23.66, contain the use provisions for the PSM zone.

PART 2 DEVELOPMENT STANDARDS

23.49.178 Pioneer Square Mixed, Structure Height

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

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 shall be measured from mean street level fronting on the property to the mean roof line of the structure.

C. Rooftop features may be permitted according to the provisions of Section 23.66.140.

D. In the one hundred foot height district, no structure shall exceed by more than fifteen feet the height of the tallest structure on the block or the adjacent block front(s), to a maximum of one hundred feet.

E. In the one hundred to one hundred twenty foot height district, structure height over one hundred feet to a maximum of one hundred twenty feet shall be permitted if a minimum of seventy-five percent of the gross floor area of the structure is in residential use.

F. In the eighty-five to one hundred twenty foot height district, structure height over eighty-five feet to a maximum of one hundred twenty feet shall be permitted if a minimum of seventy-five percent of the gross floor area of the structure is in residential use.

23.49.180 Pioneer Square Mixed, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

1. Development rights shall not be transferred to receiving lots in PSM zones from lots located on the same downtown block.
2. Development rights may be transferred from lots in PSM zones to receiving lots in DOC1 and DOC2 zones located on the same downtown block.
3. Development rights may be transferred from lots in PSM zones containing low income housing or infill development to lots in DMC zones located on the same block in accordance with subsection B.

B. Transfer of development rights between different downtown blocks

1. Development rights shall not be transferred to receiving lots in PSM zones from lots on different downtown blocks.
2. Development rights may be transferred from sending lots in PSM zones to receiving lots in DOC1, DOC2 and DMC zones located on a different block when the sending lot contains low income housing.
  - a. Each structure on the sending lot shall have the greater of fifty percent of total gross floor area or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
  - b. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
  - c. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
  - d. The low income housing on the sending lot shall be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.

1 3. Development rights may be transferred from sending lots in the PSM zone  
2 to receiving lots located on different downtown blocks in the DOC1,  
3 DOC2 and DMC zones from a sending lot which is proposed for infill  
4 development and was vacant as of January 1, 1984.

5 a. Lots with structures subject to abatement orders on or before  
6 January 1, 1984, and surface parking areas, including lots with  
7 minor structures accessory to parking operations, shall be con-  
8 sidered vacant for the purpose of this section.

9 b. The transfer of development rights may not occur until a  
10 Certificate of Occupancy has been issued for the project proposed  
11 on the vacant lot.

12 C. Amount transferable from sending lots

13 1. The gross floor area that may be transferred from any lot in a PSM  
14 zone, subject to the limitations in subsections A and B, shall be as  
15 follows:

16 a. The amount of gross floor area permitted by the development stan-  
17 dards of the PSM zone and the Pioneer Square Preservation  
18 District, minus any above grade gross floor area to be built on  
19 the sending lot, when the transfer is from proposed infill deve-  
20 lopment.

21 b. Six times the area of the sending lot, minus any existing above  
22 grade gross floor area on the sending lot, for transfers from low  
23 income housing or within block transfers not from infill develop-  
24 ment.

25 2. When development rights are transferred from a sending lot in PSM  
26 zones, the following provisions shall apply:

27 a. If all the available gross floor area permitted by the development  
28 standards of the PSM zone and the Pioneer Square Preservation  
District has been transferred, no additions to gross floor area  
shall be made to the sending lot.

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b. If gross floor area is still available for use on the sending lot, the lot may be developed up to the remaining gross floor area allowed by the development standards of the PSM zone and the Pioneer Square Preservation District.

D. Transfer of development rights agreements

1. The fee owners of the 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 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 the maintenance of the low income housing on the sending lot for a minimum of 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.

Subchapter VIII International District Mixed

All property located in the International District Mixed (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 Chapter. In the event that there is a conflict between the use and development standards of this Chapter and the provisions of the International District Special Review District, the provisions of Chapter 23.66 shall apply.

PART 1 USE PROVISIONS

23.49.200 International District Mixed, Permitted Uses

The Overlay District regulations of the International Special Review District, Chapter 23.66, contain the use provisions for the IDM zone.

PART 2 DEVELOPMENT STANDARDS

23.49.208 International District Mixed, Structure Height

- A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.32.
- B. In the seventy-five to eighty-five foot height district, structures in excess of seventy-five feet, to a maximum of eighty-five feet, shall be permitted only if fifty percent or more of the gross floor area is in residential use.
- C. In the the one hundred to one hundred twenty foot height district, structures in excess of one hundred feet, to a maximum of one hundred twenty feet, shall be permitted if seventy-five percent or more of the gross floor area is in residential use, or may be permitted as part of a planned community development, pursuant to Section 23.49.36, Planned Community Developments.
- D. In the sixty-five to one hundred twenty foot height district, structures in excess of sixty-five feet, to a maximum of one hundred twenty feet, may be permitted only as a part of a planned community development, pursuant to Section 23.66.36, Planned Community Developments.

23.49.210 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 in excess of three FAR are subject to special review by the Special Review Board according to the Overlay District Regulations of the International District Special Review District, Chapter 23.66.

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B. Permitted FAR

Permitted FAR shall be as follows:

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

C. Exemptions from FAR Calculations

1. The following areas shall be exempt from base and maximum FAR calculations:
  - a. All gross floor area in residential use, except on sending lots from which development rights are transferred according to Section 23.49.212.
  - b. All gross floor area below grade.
  - c. All gross floor area used for accessory parking.
  - d. When required by the regulations of the International District Special Review District, Chapter 23.66, required street level uses shall be exempt to a maximum of one-half FAR, not to exceed fifteen thousand square feet.
2. As an allowance for mechanical equipment, three and one half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under Section C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.212 International District Mixed, Transfer of Development Rights

A. Transfer of development rights within the same downtown block

1. Development rights shall not be transferred to lots in IDM zones from lots located in the same block.
2. Development rights may be transferred from lots in IDM zones to receiving lots in DOC1 and DOC2 zones located on the same downtown block.
3. Development rights may be transferred from lots in IDM zones containing low income housing to receiving lots in DMC areas located on the same downtown block in accordance with subsection B2.

B. Transfer of development rights between lots on different blocks

1. Development rights shall not be transferred to receiving lots in IDM zones from lots on different downtown blocks.
2. Development rights may be transferred from sending lots in IDM zones to receiving lots in DOC1, DOC2, and DMC zones when the sending lot contains low income housing.
  - a. Each structure on the sending lot shall have the greater of fifty percent of the total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
  - b. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.
  - c. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
  - d. The low income housing on the sending lot must be certified by the Director of Community Development as satisfying the Public Benefit Features Rule.

C. Standards for sending lots

1. The gross floor area that may be transferred from any sending lot in an IDM zone, subject to the limitations in subsections A and B, shall be six times the area of the sending lot, minus any existing above grade gross floor area on the sending lot, excluding exemptions permitted under Section 23.49.210.
2. When development rights are transferred from a sending lot in IDM zones, the amount of gross floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.210, minus the total of:
  - a. The existing gross floor area on the lot, less any exemptions permitted under Section 23.49.210; plus
  - b. The amount of gross floor area which was transferred from the lot.

D. Transfer of development rights agreements

1. The fee owners of the 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 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 the maintenance of the low income housing on the sending lot for a minimum of 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.

23.49.214 Combined Lot Development

1 In IDM zones, lots that have lot lines within four hundred feet of each other  
2 may be combined for the purpose of calculating the permitted gross floor area  
3 when projects include affordable housing, according to the following provisions:

- 4 A. At least one of the lots shall be developed with a new or rehabilitated  
5 structure that contains housing. Existing structures shall either be  
6 nonresidential prior to rehabilitation, or if residential shall have been  
7 unoccupied since January 1, 1983.
- 8 B. When housing is provided in a new structure, at least half of the units  
9 shall be affordable housing at initial sale or rental.
- 10 C. When an existing structure is rehabilitated, twenty-five percent of the  
11 units shall be low income housing as provided in the Public Benefit Features  
12 Rule, unless the Director determines that the twenty-five percent low income  
13 requirement is infeasible. All of the units in the structure that are not  
14 low income shall be moderate income housing at the time of initial sale of  
15 rental.
- 16 D. The affordable housing shall be certified by the Director of Community  
17 Development as satisfying the Public Benefit Features Rule.
- 18 E. The permitted gross floor area shall be calculated by multiplying the total  
19 area of the lots by the FAR permitted by Section 23.49.210, Floor Area  
20 Ratio. The permitted gross floor area may be allocated between the lots in  
21 any manner, provided that the height limits and other development standards  
22 of the IDM zone and the International District Special Review District are  
23 met on each lot.
- 24 F. The fee owners of each of the combined lots shall execute a deed or other  
25 agreement which shall be recorded with the titles to both lots. In the  
26 agreement or deed, the owners shall acknowledge that development on the com-  
27 bined lots shall not exceed the combined FAR limits for both lots and,  
28 should development on one lot exceed the FAR limit for that lot, then

1 development on the other lot shall be restricted by the amount of excess FAR  
2 used on the more developed lot, for the life of the improvement on the more  
3 developed lot. The deed or agreement shall also provide that its covenants  
4 and conditions shall run with the land and shall be specifically enforceable  
5 by the parties and by the City of Seattle.

6 Subchapter IX International District Residential

7 All property located in the International District Residential (IDR) zone shall  
8 be subject to the use and development standards of the International District  
9 Special Review District, Chapter 23.66, in addition to the use and development  
10 standards contained in this Chapter. In the event that there is a conflict bet-  
11 ween the use and development standards of this Chapter and the provisions of the  
12 International District Special Review District, the provisions of Chapter 23.66  
13 shall apply.

14 PART 1 USE PROVISIONS

15 23.49.226 International District Residential, Permitted Uses

16 The Overlay District regulations of the International Special Review District,  
17 Chapter 23.66, contain use provisions for IDR zones.

18 PART 2 DEVELOPMENT STANDARDS

19 23.49.236 International District Residential, Structure Height

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

22 23.49.238 International District Residential, Floor Area Ratio (FAR)

23 A. General standards

- 24 1. The floor area ratio (FAR), as provided in subsection B, shall deter-  
25 mine the gross floor area permitted for all nonresidential uses.  
26 2. The maximum FAR established in subsection B may be achieved by com-  
27 mitting at least fifty percent of the total gross floor area of the  
28 project to residential use.

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B. Permitted FAR

Permitted FAR shall be as follows:

Use	FLOOR AREA RATIO	
	Base	Maximum When At Least Fifty Percent of the Total Gross Floor Area of the Project Is in Residential Use
All non-residential uses	1	2

C. Exemptions from FAR Calculations

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

- a. All gross floor area in residential use, except on sending lots from which development rights are transferred according to Section 23.49.240.
- b. All gross floor area below grade.
- c. All gross floor area used for accessory parking.
- d. When required by the regulations of the International District Special Review District, Chapter 23.66, required street level uses shall be exempt to a maximum of one half FAR, not to exceed fifteen thousand square feet.
- e. Floor area in Landmark structures, provided that:
  - (1) A commitment is made to restore and preserve the structure and
  - (2) After restoration, the structure shall contain at least as much residential floor area as existed in the structure on January 1, 1984; and
  - (3) The gross floor area of the restored structure in nonresidential use does not exceed the total floor area of the structure prior to restoration.

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2. As an allowance for mechanical equipment, three and one-half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

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23.49.240 International District Residential, Transfer of Development Rights

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A. Transfer of development rights within the same block

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1. Development rights shall not be transferred to lots in IDR zones from lots located in the same block.
  2. Development rights may be transferred from sending lots in IDR zones to receiving lots in DOC1 and DOC2 zones located on the same downtown block.
  3. Development rights may be transferred from lots in the IDR zone containing low income housing to receiving lots in DMC zones located on the same block in accordance with subsection B2.

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B. Transfer of development rights between different downtown blocks

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1. Development rights shall not be transferred to receiving lots in IDR zones from lots on different downtown blocks.
  2. Development rights may be transferred from sending lots in IDR zones to receiving lots in the DOC1, DOC2, and DMC zones, when the sending lot contains low income housing.
    - a. Each structure on the sending lot shall have the greater of fifty percent of the total gross floor area, or the gross floor area in use as low income housing on January 1, 1983, committed to low income housing use.
    - b. Sending lots shall have gross floor area equivalent to at least one FAR in low income housing use.

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- c. Surface parking areas shall not be included in the area of the sending lot for purposes of calculating the amount of development rights which may be transferred.
- d. The low income housing on the sending lot must be certified by the Director of Community Development as meeting the guidelines of the Public Benefit Features Rule.

C. Standards for sending lots

- 1. The gross floor area that may be transferred from any lot in an IDR zone, subject to the limitations in subsections A and B, shall be six times the area of the sending lot, minus any existing above grade gross floor area on the sending lot excluding exemptions permitted under Section 23.49.238.
- 2. When development rights are transferred from a sending lot in IDR zones, the amount of gross nonresidential floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by the applicable FAR limit set in Section 23.49.238, minus the total of:
  - a. The existing gross nonresidential floor area on the lot, less any exemptions permitted under Section 23.49.238; plus
  - b. The amount of gross floor area which was transferred from the lot.
- 3. When development rights are transferred from a sending lot in the IDR zone, the amount of gross residential floor area which may then be built on the sending lot shall be equal to the area of the lot multiplied by six, minus the total of:
  - a. The existing gross floor area of the lot, less any exemptions permitted under Section 23.49.238C; plus
  - b. The amount of gross floor area which was transferred from the lot.

D. 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 be for a term which equals or exceeds the life of the project on the receiving lot for which the development rights were transferred.
3. For transfers from lots containing low income housing, the agreement shall provide for the maintenance of the low income housing on the sending lot for a minimum of 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.

23.49.242 International District Residential, Minimum Lot Size

- A. There shall be a minimum lot size of nineteen thousand square feet for any structure over one hundred twenty-five feet high.
- B. To meet the minimum lot size requirement, a lot may be combined with one or more abutting lots whether occupied by existing structures or not, provided that:
  1. The total area of the combined lots meets the minimum lot size requirement;
  2. All lots have frontage on the same street;
  3. Any existing structure does not exceed a height of one hundred twenty-five feet;
  4. The coverage of both the proposed and any existing structures meets the coverage limits established in Section 23.49.244; and

5. The fee owners of the abutting lot(s) shall execute a deed or other agreement, which shall be recorded with the title to the lots, which restricts future development to a maximum height of one hundred twenty-five feet for the life of the proposed structure; and which precludes the use of the lot(s) in combination with any abutting lots for purposes of meeting the minimum lot size requirements of this Section.

23.49.244 International District Residential, Coverage and Floor Size Limits

A. Coverage

1. Portions 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%
66-85	75%	65%	55%	45%
86-125	65%	55%	50%	40%
126-150	Not applicable	45%	40%	35%

2. In order to meet the coverage limits, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:

- a. The coverage of all structures on the lots meets the limits set in this subsection A; and
- b. The fee owners of the abutting lot(s) shall execute a deed or other agreement, which shall be recorded with the title to the lots, which restricts future development so that in combination with the other lots, the coverage limits shall not be exceeded.

1 B. Floor Size

2 Each floor in portions of structures above an elevation of one hundred  
3 twenty-five feet shall have a maximum gross floor area of eight thousand  
4 square feet.

5 23.49.246 International District Residential, Maximum Wall Dimensions

6 A maximum length shall be established for portions of structures above an eleva-  
7 tion of sixty-five feet. This maximum length shall be measured parallel to the  
8 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'
86-125	120'	100'
126-150	Not applicable	100'

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13 23.49.248 International District Residential, Side Setback and Street Park  
14 Setback Requirements

15 A. Side Setbacks

16 Setbacks shall be required from side lot lines that are not street side lot  
17 lines. The setback shall occur above an elevation of sixty-five feet. The  
18 amount of the setback shall be determined by the length of the frontage of  
19 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.

1 B. Street Park Setbacks

2 A setback from the street property line shall be required on street  
3 parks, Map IXA, at an elevation of forty feet. The setback shall be as  
4 follows:

5 Elevation of 6 Portion of 7 Structure	Required Setback
8 40' to 85'	10'
9 86' to 240'	$(H-85') \times .2 + 10'$ where H = Total structure height in feet.

10 Subchapter X: Downtown Harborfront 1

11 PART 1 USE PROVISIONS

12 23.49.300 Downtown Harborfront 1, Uses

13 Uses that shall be permitted or prohibited in Downtown Harborfront 1 are deter-  
14 mined by the Seattle Shoreline Master Program.

15 PART 2 DEVELOPMENT STANDARDS

16 23.49.302 Downtown Harborfront 1, General Provisions

17 All uses shall meet the development standards of the Seattle Shoreline Master  
18 Program.

19 23.49.304 Downtown Harborfront 1, Transfer of Development Rights

20 Development rights may not be transferred to or from lots in DH1 zones.

21 23.49.304 Downtown Harborfront 1, Parking

22 Parking located at or above grade shall be screened according to the following  
23 requirements:

24 A. Parking where permitted on dry land at street level shall be screened  
25 according to the provisions of Section 23.49.20, Screening and Landscaping  
26 of Parking Areas.

27 B. The perimeter of each floor of parking garages above street level shall have  
28 an opaque screen at least three and one half feet high.

Subchapter XI: Downtown Harborfront 2

PART 1 USE PROVISIONS

1 23.49.318 Downtown Harborfront 2, Permitted Uses

- 2 A. All uses shall be permitted outright except those which are specifically  
3 prohibited in Section 23.49.320, those which are permitted only as con-  
4 ditional uses by Section 23.49.324, and parking, which shall be regulated by  
5 Section 23.49.322. Additionally, uses may be further restricted by the  
6 Seattle Shoreline Master Program.  
7 B. All uses not specifically prohibited shall be permitted as either principal  
8 or accessory uses.

9 23.49.320 Downtown Harborfront 2, Prohibited Uses

The following uses shall be prohibited as both principal and accessory uses:

- 10 A. Drive-in businesses, except gas stations located in parking garages;  
11 B. Outdoor storage, except when accessory to water-dependent or water-related  
12 uses located in Downtown Harborfront 1 or Downtown Harborfront 2;  
13 C. Adult motion picture theaters and adult panorams;  
14 D. All general manufacturing uses;  
15 E. All salvage and recycling uses except recycling collection stations; and  
16 F. All industrial uses.

17 23.49.322 Downtown Harborfront 2, Principal and Accessory Parking

- 18 A. Principal use parking  
19 1. Principal use parking garages for both long term and short term parking  
20 shall be conditional uses, according to Section 23.49.324.  
21 2. Principal use surface parking areas shall be conditional uses in areas  
22 shown on Map XIA, and shall be prohibited in other locations, except  
23 that temporary principal use surface parking areas may be permitted as  
24 conditional uses pursuant to Section 23.49.324.  
25 B. Accessory parking  
26 1. Accessory parking garages for both long term and short term parking  
27 shall be permitted outright.  
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- 2. Accessory surface parking areas shall either be:
  - a. Permitted outright when located in areas shown on Map XIA and containing twenty or fewer parking spaces; or
  - b. Permitted as a conditional use when located in areas shown on Map XIA and containing more than twenty spaces; or
  - c. Prohibited in areas not shown on Map XIA, except that temporary accessory surface parking areas may be permitted as a conditional use pursuant to Section 23.49.324.

23.49.324 Downtown Harborfront 2, Conditional Uses

- A. All conditional uses shall meet the following criteria:
  - 1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.
  - 2. In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.
- B. Principal use parking garages for long term or short term parking may be permitted as conditional uses, if the Director finds that:
  - 1. Traffic from the garage will not have substantial adverse effects on traffic circulation in the area around the garage; and
  - 2. The entrances to the garages are located so that they will not disrupt traffic or transit routes; and
  - 3. The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation.

1 C. Surface parking areas where permitted as a conditional use by Section  
2 23.49.322, and temporary surface parking areas located on lots vacant on or  
3 before January 1, 1985, or on lots which become vacant as a result of a  
4 City-initiated abatement action, may be permitted as conditional uses  
5 according to the following standards:

- 6 1. The standards stated for garages in subsection B are met; and
- 7 2. The lot is screened and landscaped according to the provisions of  
8 Section 23.49.20, Screening and Landscaping of Surface Parking Areas,  
9 and
- 10 3. For temporary surface parking areas, the permit may be issued for a  
11 maximum of two years and shall not be renewed.

12 D. City facilities and public projects which do not meet development standards  
13 of this subchapter but do meet the development standards of the Seattle  
14 Shoreline Master Program, where applicable, may be permitted by the Council  
15 pursuant to Chapter 23.80, Decisions Requiring Council Approval.

16 E. Rooftop features more than fifty feet above the roof of the structure on  
17 which they are located may be authorized by the Council as a conditional use  
18 pursuant to Chapter 23.80, Decisions Requiring Council Approval, according  
19 to the criteria of Section 23.49.08, Structure Height.

#### 20 PART 2 DEVELOPMENT STANDARDS

##### 21 23.49.326 Downtown Harborfront 2, General Provisions

22 When a lot is in the Shoreline District, maximum height and lot coverage shall  
23 be regulated by the Seattle Shoreline Master Program, but may be reduced by the  
24 standards below.

##### 25 23.49.328 Downtown Harborfront 2, Floor Area Ratio (FAR)

###### 26 A. General standards

- 27 1. The floor area ratio (FAR), as provided in subsection B, shall deter-  
28 mine the gross floor area permitted for all types of uses.
2. The maximum FAR established in subsection B may be reached by providing  
public benefit features according to Section 23.49.330.

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B. Permitted FAR

Permitted FAR shall be as follows:

FLOOR AREA RATIO	
Base FAR	Maximum with Bonus for Public Benefit Features
2.5	Development Standards Regulate Maximum FAR

C. Exemptions from FAR calculations

1. The following areas shall be exempted from base and maximum FAR calculations:
  - a. All gross floor area below grade.
  - b. All gross floor area used for accessory parking located above grade.
2. As an allowance for mechanical equipment, three and one half percent of the gross floor area of a structure shall not be counted in gross floor area calculations. The allowance shall be calculated on the gross floor area after all exempt space permitted under subsection C1 has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, shall be calculated as part of the total gross floor area of the structure.

23.49.330 Downtown Harborfront 2, Ratios for Public Benefit Features

A. General provisions

1. No floor area beyond the base FAR shall be granted for any project which causes the destruction of a designated feature of a Landmark structure.
2. The Director shall review the design of any public benefit features listed in subsection B and determine whether these features, as proposed for specific projects, provide a public benefit and are consistent with the definitions in Chapter 23.84 and the Public Benefit Features Rule.

3. All public benefit features provided in return for a bonus shall either be located on the same lot as the project in which the bonus floor area is used, or shall be provided off-site consistent with a Harborfront Improvement Plan which has been approved by the City Council.

B. Public Benefit Features

If the Director approves the design of public benefit features, floor area bonuses shall be granted as follows:

PUBLIC BENEFIT FEATURE	BONUS RATIO	MAXIMUM AREA OF PUBLIC BENEFIT FEATURE ELIGIBLE FOR BONUS
Open space on the project lot	3 square feet of floor area per 1 square foot open space	30% of lot area
Harborfront open space or improvements	Subject to Public Benefit Features Rule	Up to maximum permitted by height and development standards

23.49.331 Downtown Harborfront 2, Transfer of Development Rights

Development rights may not be transferred to or from lots in DH2 zones.

23.49.332 Downtown Harborfront 2, Street Facade Requirements

Standards for the facades of structures at street level are established for the following elements:

Minimum facade heights Setback limits Facade transparency	Blank Facade limits Screening of parking Street trees.
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B. Facade setback limits

1. Except when the entire structure is less than or equal to fifteen feet in height, the setback limits shall apply to the facade between an elevation of fifteen feet above sidewalk grade and the minimum facade height established in subsection A, Exhibit 49.332B. When the structure is less than or equal to fifteen feet in height, the setback limits shall apply to the entire street facade.

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2. The maximum area of all setbacks between the lot line and facade along each street frontage of a lot shall not exceed the area determined by multiplying the averaging factor times by the width of the street frontage of the lot along that street, Exhibit 49.332C. The averaging factor shall be thirty on both Class II pedestrian streets and street parks. Parking shall not be located between the facade and the street lot line.
3. The maximum width, measured along the street property line, of any setback area exceeding a depth of fifteen feet from the street property line shall not exceed eighty feet, or thirty percent of the lot frontage on that street, whichever is less, Exhibit 49.332C.
4. The maximum setback of the facade from the street property line at intersections shall be ten feet. The minimum distance the facade must conform to this limit shall be twenty feet along each street, Exhibit 49.332D.
5. Any exterior public open space which satisfies the Public Benefit Features Rule, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, shall not be considered part of a setback, Exhibit 49.332B.
6. When sidewalk widening is required by Section 23.49.22, setback standards shall be measured to the line established by the new sidewalk width rather than the street property line.

C. Facade transparency requirements

1. Facade transparency requirements shall apply to the area of the facade between two feet and eight feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.
2. Facade transparency requirements shall not apply to portions of structures in residential use.

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3. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code, this subsection shall apply.

4. Transparency requirements shall be as follows:

- a. Class II pedestrian streets and street parks: A minimum of thirty percent of the street level facade shall be transparent.
- b. When the slope of the street frontage of the facade exceeds seven and one half percent, the required amount of transparency shall be reduced to twenty-two percent.

D. Blank facade limits

1. General provisions

- a. Blank facade limits shall apply to the area of the facade between two feet and eight feet above the sidewalk.
- b. Any portion of a facade which is not transparent shall be considered to be a blank facade.
- c. Blank facade limits shall not apply to portions of structures in residential use.

2. Blank facade limits for Class II pedestrian streets and street parks:

- a. Blank facades shall be limited to segments thirty feet wide, except for garage doors which may exceed thirty feet. Blank facade width may be increased to sixty feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus five feet.
- b. Any blank segments of the facade shall be separated by transparent areas at least two feet wide.

1 c. The total of all blank facade segments, including garage doors,  
2 shall not exceed seventy percent of the street facade of the  
3 structure on each street frontage; or seventy-eight percent if the  
4 slope of the street frontage of the facade exceeds seven and one  
5 half percent.

6 E. Screening of parking

7 1. Parking located at or above street level in a garage shall be screened  
8 according to the following requirements:

9 a. On Class II Pedestrian Streets, parking shall be permitted at  
10 street level when at least thirty percent of the street frontage  
11 of the parking area, excluding that portion of the frontage  
12 occupied by garage doors, is separated from the street by other  
13 uses. The facade of the separating uses shall be subject to the  
14 transparency and blank wall standards for Class I Pedestrian  
15 Streets in subsections C and D. The remaining parking shall be  
16 screened from view at street level and the street facade shall be  
17 enhanced by architectural detailing, artwork, landscaping, or  
18 similar visual interest features.

19 b. On street parks, parking shall not be permitted at street level  
20 unless separated from the street by other uses provided that  
21 garage doors need not be separated.

22 c. The perimeter of each floor of parking garages above street level  
23 shall have an opaque screen at least three and one half feet high.

24 2. Surface parking areas shall be screened and landscaped pursuant to  
25 Section 23.49.20, Screening and Landscaping of Surface Parking Areas.

26 F. Street Tree Requirements

27 Street trees shall be required on all streets abutting a lot. When areaways  
28 are located beneath the sidewalk, the street trees shall be planted in below

1 grade containers with provisions for watering the trees. Street trees shall  
2 be planted according to the City of Seattle Board of Public Works Tree  
Planting Standards.

3 Subchapter XII: Pike Market Mixed

4 PART 1 USE PROVISIONS

5 23.49.336 Pike Market Mixed, Permitted Uses

- 6 A. Permitted uses within the Pike Market Historic District, shown on Map XIIA,  
7 shall be determined by the Pike Place Market Historical Commission pursuant  
8 to the Pike Market Historical District Ordinance, Chapter 25.14, Seattle  
Municipal Code.
- 9 B. In areas outside of the Pike Market Historic District in the Pike Market  
10 Mixed (PMM) zone, as shown on Map XIIA, all uses are permitted outright  
11 except those specifically prohibited by Section 23.49.338.
- 12 C. All uses not prohibited are permitted as either principal or accessory uses.

13 23.49.338 Pike Market Mixed, Prohibited Uses

- 14 A. The following uses are prohibited as both principal and accessory uses in  
15 areas outside of the Pike Place Market Historic District, Map XIIA.
- 16 1. Drive-in businesses, except gas stations located in parking garages;
  - 17 2. Outdoor storage;
  - 18 3. Adult motion picture theaters and adult panorams;
  - 19 4. Transportation facilities;
  - 20 5. Communication utilities;
  - 21 6. All general manufacturing uses;
  - 22 7. All salvage and recycling uses, except recycling collection stations;  
and
  - 23 8. All industrial uses.
- 24 B. Within the Pike Place Market Historical District, Map XIIA, uses may be pro-  
25 hibited by the Pike Market Historical Commission pursuant to the Pike Market  
26 Historical District Ordinance.

PART 2 DEVELOPMENT STANDARDS

23.49.342 Pike Market Mixed, Floor Area Ratio

A. General standards

The floor area ratio (FAR), as provided in subsection B, shall determine the gross floor area permitted for all uses.

B. Permitted FAR

The permitted FAR shall be seven.

C. Exemptions from FAR calculations

All floor area below grade shall be exempt from FAR calculations.

23.49.344 Pike Market Mixed, Transfer of Development Rights

Development rights may not be transferred to or from lots in Pike Market Mixed zones.

Section 4. Section 23.54.24 of The Seattle Municipal Code is hereby repealed.

Section 5. Section 23.54.30 is hereby amended to read as follows:

\* \* \*

E. Curb cuts

Curb cut requirements shall be determined by whether the parking served by the curb cut is for residential and nonresidential use. When a curb cut is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection E2.

1. Residential uses

- a. For lots not located on an arterial with more than fifteen thousand vehicle trips per day according to Engineering Department data, the number of curb cuts permitted shall be according to the following chart:

<u>Street or Easement Frontage of the Lot</u>	<u>Number of Curb Cuts Permitted</u>
0 - 80 feet	1
81 - 160 feet	2
161 - 240 feet	3
241 - 320 feet	4

For lots with frontage in excess of three hundred twenty feet, the pattern established in the chart shall be continued.

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b. Curb cuts shall not exceed a maximum width of ten feet except that one curb cut greater than ten feet but in no case greater than twenty feet in width may be substituted for each two curb cuts permitted by subsection E1a and except as specifically permitted by the development standards in a zone.

c. For lots on arterials with more than fifteen thousand average vehicle trips per day, according to Engineering Department data, curb cuts of a maximum width of twenty-three feet shall be permitted according to the following chart. A list of such arterials shall be maintained by the Department.

<u>Street Frontage of the Lot</u>	<u>Number of Curb Cuts Permitted</u>
0 - 150 feet	1
161 - 320 feet	2
321 - 480 feet	3

For lots with street frontage in excess of four hundred eighty feet, the pattern established in the chart shall be continued.

d. There shall be at least thirty feet between any two curb cuts located on a lot.

e. A curb cut may be less than the maximum width permitted but shall be at least as wide as the minimum required width of the driveway it serves.

f. Where two adjoining lots share a common driveway according to the provisions of Section 23.54.30D1, the combined frontage of the two lots shall be considered one in determining the maximum number of permitted curb cuts.

2. Nonresidential uses

a. Number of curb cuts

(1) For major institutional uses, a maximum of two curb cuts at least thirty feet apart for one-way traffic, or one curb cut for two-way traffic, shall be permitted for each two hundred feet of street or easement frontage.

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(2) In ~~(interim)~~ downtown zones, a maximum of two curb cuts for one-way traffic at least forty feet apart, or one curb cut for two-way traffic, shall be permitted on each street front where access is permitted by Section ~~((23.49.14))~~ 23.49.18. No curb cut shall be located within forty feet of an intersection. These standards may be modified by the Director on lots with steep slopes or other special conditions, the minimum necessary to provide vehicular and pedestrian safety and facilitate a smooth flow of traffic, in accordance with the Downtown Land Use Policies.

b. Curb cut widths

- (1) The minimum width of curb cuts for one-way traffic shall be twelve feet, and the maximum width shall be fifteen feet.
- (2) The minimum width of curb cuts for two-way traffic shall be twenty-two feet, and the maximum width shall be twenty-five feet, except that the maximum width may be increased to thirty feet when truck and auto access are combined.

c. The entrances to all garages accessory to nonresidential uses and the entrances to all principal use parking garages shall be at least six feet nine inches high.

3. Curb cut flare

A flare with a maximum width of two and one-half feet shall be permitted on either side of curb cuts in any zone.

\* \* \*

Section 6. Section 23.66.122 of The Seattle Municipal Code is amended to read as follows:

23.66.122 Prohibited Uses

A. 1. 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

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Automotive retail sales and service, except gas stations located in  
~~((accessory to))~~ parking garages  
Marine sales and service  
Fuel sales  
Construction ~~((equipment retail sales))~~ and ~~((rental))~~ building main-  
tenance services  
Sale and rental of commercial ((Farm and industrial)) equipment  
~~((retail sales))~~ and construction materials ((service))  
~~((Heavy))~~ ~~eCommercial ((services))~~ laundry  
Adult motion picture theatres  
Adult panorams  
Kennels  
Bowling alleys  
Skating rinks  
Communication~~((s))~~ utilities  
Billboards and off-premise directional signs  
Transportation facilities, except passenger terminals  
Outdoor storage.

2. 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 10, 1981  
Motels.

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.

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))~~ Administrative offices and medical services 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.

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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.

E. 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 7. Section 23.66.140 of The Seattle Municipal Code is amended to read as follows:

23.66.140 Height

A. Maximum height

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

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 the minimum height established by Map G ((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

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

- 9 1. Radio and television receiving aerials excluding dishes, religious  
10 symbols such as belfries or spires and that portion of the roof which  
11 supports them, smokestacks, and flagpoles may extend up to fifty feet  
12 above the roof of the structure or the maximum height limit, whichever  
13 is less, except as regulated in Chapter 23.64 of this Land Use Code,  
14 provided that they are a minimum of ten feet from all lot lines.
- 15 2. Open railings, planters, clerestories, skylights, play equipment, para-  
16 pets and firewalls may extend up to four feet above the roof of the  
17 structure or the maximum height limit, whichever is less, with  
18 unlimited rooftop coverage.
- 19 3. Solar collectors, excluding greenhouses, may extend up to seven feet  
20 above the roof of the structure or the maximum height limit, whichever  
21 is less, with unlimited rooftop coverage, provided they are a minimum  
22 of ten feet from all lot lines.
- 23 4. The following rooftop features may extend up to eight feet above the  
24 roof or maximum height limit, whichever is less, when they are set back  
25 a minimum of fifteen feet from the street and three feet from an alley.  
26 They may extend up to twelve feet above the roof when set back a mini-  
27 mum of thirty feet from the street. A setback may not be required at  
28 common wall lines subject to review by the Preservation Board and  
approval by the Community Development 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.

Section 8. Section 23.66.322 of The Seattle Municipal Code is amended to read as follows:

23.66.322 Prohibited Uses

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

Adult motion picture theaters  
Adult panorams  
All general manufacturing uses  
All industrial uses  
All salvage and recycling uses, except recycling collection stations  
Automotive retail sales and service  
Bowling (~~lanes~~) alleys  
Communication utilities

Construction (~~(equipment)~~) and building maintenance services  
(~~materials sales and service~~)

Sales and rental of commercial equipment and construction materials

1 Drive-in businesses

2 Frozen food lockers

3 (~~Heavy commercial services, such as~~) Commercial laundries (~~(, baby-~~  
4 ~~diaper services,)~~)

5 ~~\*Kennels ((, and contractor's storage yards))~~

6 Marine retail sales and service

7 Medical testing laboratories

8 Mortuaries

9 Motels

10 Outdoor (~~(Open)~~) storage

11 Plant nurseries

12 Retail ice dispensaries

13 Shooting galleries

14 Skating rinks

15 Trailer parks

16 Transportation facilities except passenger terminals

17 Veterinary clinics.

18 B. In addition to the prohibited uses listed in subsection A, light manufac-  
19 turing uses that occupy more than ten thousand square feet are prohibited in  
20 that portion of the International Special Review District west of the  
21 Interstate 5 Freeway.

22 C. All light manufacturing uses are prohibited in that portion of the District  
23 in (~~the I-~~)IDR zones.

24 Section 9. Section 23.66.324 of The Seattle Municipal Code is amended to  
25 read as follows:

26 23.66.324 Uses Subject to Special Review

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

28 Fast food restaurants

Hotels

Planned Community Developments.

Principal use parking garages

Street level uses subject to special review as provided in

Section 23.66.326C.

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.

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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 10. Section 23.66.326 of The Seattle Municipal Code is amended to read as follows:

23.66.326 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 business uses that are highly visible or prominently display merchandise in a manner that contributes color and activity to the streetscape, including but not limited to:

- Apparel shops
- Bakeries
- Banks
- Barbecue shops
- Bookstores
- Coffee shops
- Floral shops
- Groceries
- Museums((-))
- Oriental crafts shops
- Personal services such as beauty and barber shops
- Restaurants
- Sidewalk cafes
- Travel agencies
- Variety stores.

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 Community Development Director that the following uses at street level be approved when the impacts of such uses are not significantly adverse:

1 Appliance repair shops  
2 Experimental ~~((or testing))~~ laboratories  
3 Radio and television studios  
4 Residential uses  
5 Taxidermy shops  
6 Upholstery establishments  
7 Vocational or fine arts schools  
8 Warehouses or wholesale showrooms, especially when including storage of  
9 jewelry, optical or photographic goods, pharmaceuticals, cosmetics,  
10 and other similar high value, low bulk articles.

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

6 D. Standards for required street level uses:

- 7 1. Street level uses designated on Map B, Retail Core, shall not exceed  
8 fifty feet of street frontage per use when located within the interior  
9 portion of a block, or one hundred and forty-five feet of street front-  
10 age per use when located on a corner.  
11 2. Street level uses shall comply with exterior building finish require-  
12 ments of Section 23.66.336 of this Land Use Code.

13 E. Non-pedestrian-oriented uses and businesses which are not typically visible  
14 from the sidewalk shall not exceed twenty-five feet of street frontage per  
15 use when located within the interior portion of a block, or one hundred  
16 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:

17 Community clubs and centers  
18 Family associations  
19 Human service uses  
20 Nonprofit community service organizations  
21 Places of public assembly.

22 Section 11. Section 23.84.02 "A" of The Seattle Municipal Code is amended  
23 to read as follows:

24 \* \* \*

25 Accessory Parking

26 See Parking, Accessory.

27 ~~((Arterial, principal~~

28 A street so designated in the Seattle Municipal Code,

Chapter 11.18. Principal arterials are characterized by heavy

traffic volume, emphasis on inter-community travel and strong  
priority of traffic flow over access to abutting property.)

\* \* \*

Administrative (~~-, professional and contractor's~~) offices

An office use in which services are provided to customers primarily by  
phone or mail, on the premises by appointment, or by going to the  
customer's home or place of business. Examples of such services  
include but are not limited to insurance, general contracting, janitorial  
services, legal, architectural, (~~law, architecture plumbing,~~  
~~consulting,~~) communication, (~~engineering,~~) and data processing(~~-,~~);  
(~~employment, administration~~) and personnel agencies, administrative  
offices of businesses, unions or charitable organizations, and wholesalers  
and manufacturer's representatives. Administrative (~~-, pro-~~  
~~essional and contractor's~~) offices may include accessory storage, but  
not the storage of building materials, contractor's or building main-  
tenance equipment, or items, other than samples, for wholesale sale.

\* \* \*

Affordable Housing

See Housing, Affordable.

\* \* \*

Areaway

A sunken space or court, either covered or uncovered, which  
affords room, access or light to a structure.

\* \* \*

Avenue

The following public rights-of-way when located in a  
(~~an interim~~) downtown zone: Elliott, Western, First, Second,  
Third, Fourth, Fifth, Sixth, Seventh, Eighth, (~~and~~) Ninth,  
Terry, Boren, Minor and Yale Avenues and Occidental and Maynard  
Avenue S.

1 Section 12. Section 23.84.04 "B" of The Seattle Municipal Code is amended  
2 to add a subsection as follows:

3 \* \* \*

4 Business support services

5 A non-household sales and service use in which services are provided  
6 primarily for businesses, institutions, and/or government agencies,  
7 rather than for households, in a setting other than an office. Ex-  
8 amples include but are not limited to commercial photography studios,  
9 blueprint companies, commercial and medical testing laboratories,  
10 assaying services, and microfilming and copying service.

11 Section 13. Section 23.84.06 "C" of The Seattle Municipal Code is amended  
12 to add new subsections to read as follows:

13 Cargo terminals

14 A transportation facility in which quantities of goods or container  
15 cargo are transferred to other carriers or stored outdoors in order to  
16 transfer them to other locations. Cargo terminals may include  
17 accessory warehouses, storage yards, and offices.

18 \* \* \*

19 Commercial laundry

20 A non-household sales and service use in which items such as clothes  
21 and linens are cleaned. This definition includes cleaning for hospi-  
22 tals, restaurants, hotels, and diaper cleaning services, as well as rug  
23 and dry cleaning plants where on-premise retail services to individual  
24 households are incidental to the operation of the plant.

25 \* \* \*

26 Community club

27 ((See community center.)) An institution used for athletic, social,  
28 civic or recreational purposes operated by a nonprofit organization,  
membership to which is open to the general public on an equal basis.

\* \* \*

Construction and building maintenance services

A non-household sales and service use in which contracting services, such as the processing of building materials such as concrete or asphalt, are provided; or in which construction or building maintenance equipment or materials are stored, either in conjunction with an office, or as a separate use.

\* \* \*

Curbline

The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curbline shall be established by the Director of Engineering.

Section 14. Section 23.84.12 "F" of The Seattle Municipal Code is amended to read as follows:

\* \* \*

FAR

See Floor area ratio

Floor Area Ratio

A ratio expressing the relationship between the amount of ((usable)) gross floor area permitted in a structure and the area of the lot on which the structure is located as depicted in Exhibit 84.12A.

\* \* \*

Fuel sales

A non-household sales and service use in which heating fuel, such as wood, oil, or coal, is sold.

Section 15. Section 23.84.16 "H" of The Seattle Municipal Code is amended to read as follows:

\* \* \*

Heliport

A transportation facility in which an area on a roof or on the ground is used for the take-off and landing of helicopters or other steep gra-

dient aircraft, and one or more of the following services are provided:  
cargo facilities, maintenance and overhaul, fueling service, tie-down  
space, hangars and other accessory buildings and open spaces.

Helistop

A transportation facility in which an area on a roof or on the ground  
is used for the take-off and landing of helicopters or steep gradient  
aircraft, but not including fueling services, hangars, maintenance,  
overhaul or tie-down space for more than one aircraft.

Hillclimb assist

A public benefit feature consisting of a pedestrian corridor that  
incorporates a mechanical device or combination of mechanical and non-  
mechanical features to connect ((parallel)) Avenues across lots with  
slopes of ten percent or more to aid pedestrian movement up and down  
the slopes.

Hillside terrace

A public benefit feature consisting of an ((An)) extension of the  
public sidewalk on lots with slopes of ten percent or more, which  
through design features provides public street space, helps integrate  
street level uses along the sidewalk, and makes pedestrian movement up  
and down steep slopes easier and more pleasant.

\* \* \*

Hotel

A lodging use, located in a structure in which access to individual  
units is predominantly by means of common interior hallways((→)), and  
in which a majority of the rooms are provided to transients for a fee  
on a daily or short term basis.

Housing, Affordable

Low or moderate income housing

Human service use

Public or nonprofit agencies ((Services)) organized and operated  
exclusively for charitable purposes, which ((qualify for tax exempt

status under the provisions of Section 501(c)(3) of the Internal Revenue Code, and which)) provides at least one of the following services: emergency food, medical or shelter services; health care, mental health care, alcohol or drug abuse services; information and referral services for housing, employment or education; or day care services for adults (~~or children~~). Human service uses shall provide at least one of the listed services directly to a client group on the premises rather than serve only administrative functions.

Section 16. Section 23.84.25 "M" of The Seattle Municipal Code is amended to add a subsection to read as follows:

\* \* \*

Motel

A lodging use, located in a structure in which access to individual units is predominantly by means of common exterior corridors, (~~and/or where off-street parking is close enough to the units so that baggage handling is done by guests,~~) and in which a majority of rooms are provided to transients on a daily or short term basis, and in which off-street surface parking is provided on the lot.

Section 17. Section 23.84.26 "N" of The Seattle Municipal Code is amended to add a new section to read as follows:

\* \* \*

Non-household sales and services

One of the following commercial uses:

Business support services  
Sales and rental of commercial equipment and construction materials  
Construction and building maintenance services  
Commercial laundries  
Fuel sales, except fuel for boats or automobiles.

Section 18. Section 23.84.28 "O" of The Municipal Code is amended to add a new section to read as follows:

\* \* \*

Outdoor storage

A wholesaling, storage and distribution use, in which an unenclosed area is used for the long term (more than seventy-two hours) retention

1 of materials and/or equipment, whether such materials or equipment are  
2 to be bought, sold, repaired, stored, incinerated, recycled, or dis-  
3 carded. The public does not have free access to outdoor storage areas  
4 as they would to an outdoor sales area or an outdoor display of rental  
5 equipment. Outdoor parking areas for two or more fleet vehicles of  
6 more than ten thousand pounds gross vehicle weight shall also be con-  
7 sidered outdoor storage. Temporary outdoor storage of construction  
8 equipment and materials associated with an active permit shall not be  
9 considered outdoor storage.

10 Section 19. Section 23.84.30 "P" of The Seattle Municipal Code is amended  
11 to read as follows:

12 \* \* \*

13 Parcel park

14 A public benefit feature consisting of a small open space which is  
15 accessible to the public (~~twenty-four hours a day~~) and which provides  
16 downtown pedestrians an opportunity to rest and relax in a developed  
17 urban environment through such amenities as seating, landscaping, and  
18 artwork.

19 \* \* \*

20 Parking, accessory, surface area or garage

21 One or more parking spaces which are either reserved or required for a  
22 particular use or structure.

23 \* \* \*

24 Parking, principal use, surface area or garage

25 A commercial use in which an open area or garage is provided for the  
26 parking of vehicles by the public, and is not reserved or required to  
27 accommodate occupants, clients, customers, or employees of a particular  
28 establishment or premises.

\* \* \*

Parking space, long term

A parking space which will be occupied by the same motor vehicle for  
six hours or more and generally used by persons who commute to work by  
private motor vehicle.

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Parking space, short term

A parking space occupied by individual motor vehicles for less than six hours and generally used intermittently by shoppers, visitors, or outpatients.

\* \* \*

Passenger terminal

A transportation facility located on a sea or land transportation line, where people transfer from one mode of vehicular transportation to another or between carriers within the same mode. Terminals may include ticket counters, waiting areas, management offices, baggage handling facilities, and shops and restaurants. Metro street bus stops are not included in this definition.

\* \* \*

Planned community development (PCD)

A zoning process which authorizes exceptions from certain development standards for structures on large tracts of land in certain downtown zones. A PCD is developed as a single entity through a public process, and requires Council approval.

\* \* \*

Plaza, urban

A public benefit feature consisting of a public open space in the most intensely developed ((office core)) areas of downtown which is located to ((denote an important place within downtown,)) create a focus for surrounding development, increase light and air at street level, and insure adequate space at transit stations and major transfer points to increase the convenience and comfort of transit riders.

\* \* \*

~~((Principal arterial  
See Arterial, principal.))~~

\* \* \*

Public atrium

1           A public benefit feature consisting of an ((An)) indoor public open  
2           space which provides opportunities for passive recreational activities  
3           and events, and for public gatherings, in an area protected from the  
4           weather, and including such amenities as seating, landscaping and art-  
5           work.

6           Public benefit feature

7           Amenities, uses, and other features of benefit to the public  
8           in downtown zones, which are provided by a developer and  
9           which can qualify for an increase in floor area. Examples include  
10           public open space, pedestrian improvements, housing, and provision of  
11           human services.

12           Public display space

13           See museum.

14           Section 20. Section 23.84.32 "R" of The Seattle Municipal Code is amended  
15           to delete a subsection, add a subsection and to read as follows:

16           Recreational area, common

17           An open space of appropriate size, shape, location and topographic  
18           siting to provide landscaping, pedestrian access or opportunity for  
19           recreational activity, either in or out of doors, for all the  
20           ((occupants)) residents of a structure containing dwelling units.  
21           Parking areas and driveways are not common recreational areas.

\* \* \*

22           ((Research and development

23           A business establishment in which a combination of interrelated  
24           activities, including laboratory research, development of new pro-  
25           ducts, manufacturing and shipping, and consulting and marketing  
26           are conducted.))

\* \* \*

1 Residential use - any one of the following uses:

2 Single family dwellings

3 Multi-family structures

4 Special residences

5 Hotels containing a preponderance of rooms rented for periods of one  
6 month or longer.

7 Retail sales and services

8 A commercial use in which services are provided or goods are rented or  
9 sold at retail to the general public for direct consumption and not for  
10 resale, or in which services are provided. Merchandise may be bought as  
11 well as sold and may be processed as long as the items processed are  
12 sold only on the premises, and production is incidental or subordinate  
13 to the selling, rental, or repair of goods. ((This definition shall  
14 include medical and veterinar services, and lodging uses.))

15 Retail shopping

16 A public benefit feature consisting of uses provided at street level  
17 which contribute to pedestrian activity and interest.

18 \* \* \*

19 Rooftop garden - interior accessible

20 A public benefit feature consisting of an ((An)) open space located on  
21 the roof of a ((building)) structure which is accessible to the public  
22 from the lobby of the building ((during the structure's normal operat-  
23 ing hours,)) and which is ((located)) no ((higher)) more than two  
24 hundred forty feet above grade, and which provides such amenities as  
25 landscaping, seating, and artwork.

26 Rooftop garden - street accessible

27 A public benefit feature consisting of an ((An)) open space located on  
28 the roof of a ((building)) structure which is accessible to the public  
29 from the street or a plaza ((during the normal operating hours of the  
30 building)), and is ((located)) no more than ten feet above the eleva-  
31 tion where public access is provided, and provides such amenities as  
32 landscaping, seating, and artwork.



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Section 22. Section 23.84.38 "T" of The Seattle Municipal Code is amended to read as follows:

\* \* \*

Transit station access easement

A public benefit feature consisting of an easement for a pedestrian route or connection to provide direct access from street level to transit tunnel stations and concourses.

Transit (~~tunnel~~) station access, grade level

A public benefit feature consisting of a pedestrian (~~corridor~~) connection which provides direct access from street level to transit tunnel stations or concourses at approximately the same level as the station mezzanine.

Transit (~~tunnel~~) station access, mechanical

A public benefit feature consisting of a pedestrian (~~corridor~~) connection that incorporates a mechanical device, such as an escalator, to provide direct access from street level to transit tunnel stations and concourses.

Section 23. Section 23.84.48 "Z" of The Seattle Municipal Code is amended as follows:

\* \* \*

Zone, (~~interim~~) downtown

The following zones regulated by Title 23: (~~I-DOC1, I-DOC2, I-DRC and I-DMC~~) DOC-1, DOC-2, DRC, DMC, DMR, IDM, IDR, PSM, PMM, DH1, and DH2.

Zone, residential

The following zones regulated by Title 23: SF9600, SF7200, SF5000, L1, L2, L3, MR, IR, DMR, and IDR; and the following zones regulated by Title 24: RD7200, RD5000, RM800, RMV150, and RMV200.

Section 24. Section 23.86.06 of The Seattle Municipal Code is amended to read as follows:

\* \* \*

Shopping atrium

1 A public benefit feature consisting of a large enclosed space which is  
2 accessible to the public, ((at least from 7 a.m. to midnight daily))  
3 and which provides a combination of retail stores and passive  
4 recreational space in a weather-protected, convenient, and attractive  
5 atmosphere for shoppers that also contributes to the activity and  
6 visual interest at street level.

\* \* \*

Sidewalk widening

8 A public benefit feature consisting of an extension of the surface of a  
9 sidewalk, generally onto private property, which is free of all per-  
10 manent obstructions.

\* \* \*

Sign, under marquee

12 A lighted or unlighted ((display)) sign attached to the underside of a  
13 marquee.

Small lot development

15 A public benefit feature through which additional gross floor area is  
16 granted for development of small lots in certain downtown zones.

\* \* \*

Street park

19 A street designated as a street park on the Pedestrian Street Classifi-  
20 cation Map for the ((interim)) downtown zone in which it is located,  
21 and which is intended for enhanced pedestrian and open space use  
22 through a variety of treatments, such as sidewalk widening, landscap-  
23 ing, and traffic revisions.

\* \* \*

Structure, enclosed

25 A roofed structure or portion of a structure having no openings other  
26 than fixed windows and such exits as are required by law, and which is  
27 equipped with self-closing doors.

Section 23.86.06 Structure Height

\* \* \*

D. Height measurement techniques in ((Interim)) Downtown zones

1. Determine the major street property line, which shall be the lot's longest street property line. When the lot has two or more street lot lines of equal length, the applicant shall choose the major street property line.
2. Determine the slope of the lot along the entire length of the major street property line.
3. The maximum height shall be measured as follows:
  - a. When the slope of the major street property line is less than or equal to seven and one half percent, the elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of the major street property line. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line as depicted in Exhibit 86.06B.
  - b. When the slope of the major street property line exceeds seven and one half percent, the major street property line shall be divided into four or fewer equal segments no longer than one hundred ((thirty)) twenty feet in length. The elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of each segment. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line, as depicted in Exhibit 86.06C.

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c. For lots with more than one street frontage, where there is no street property line which is essentially parallel to the major street property line, when a measurement has been made for the portion of the block containing the major street property line, the next measurement shall be taken from the longest remaining street lot line.

4. No parts of the structure, other than those specifically exempted or excepted under the provisions of the zone shall extend beyond the elevation of maximum height.

5. Underground portions of structures are not included in height calculations. The height of structures shall be calculated from the point at which the sides meet the surface of the ground.

Section 25. Section 23.86.07 of The Seattle Municipal Code is amended to read as follows:

23.86.07 Floor Area Ratio in Downtown Zones

In Downtown zones, certain items are exempted from calculation of gross floor area for purposes of determining the floor area ratio (FAR) of a structure. When gross floor area below grade is exempted, the amount of below grade floor area shall be measured as follows:

- A. The existing grade of the lot shall be established by the elevations of the perimeter lot lines of the lot.
- B. To determine the amount of gross floor area which is below grade, find the point where the ceiling of each floor intersects the existing grade elevation. Draw a line perpendicular to the point of intersection. All gross floor area behind this line shall be considered below grade, Exhibit 86.07A.

Section 26. Section 23.86.28 of The Seattle Municipal Code is amended to read as follows:

Section 23.86.28 Blank Facades

In zones where blank facades are required to be limited, the following provisions shall be used to determine the percent and length of blank facades. ((Any portion of a facade which is not transparent shall be considered to be a blank facade.))

A. Percent of blank facades

1. Blank facades shall be measured in an area between two feet and eight feet above the elevation of the property line at the sidewalk as depicted in Exhibit 86.28A. Areaways, stairways, and other excavations at the property line shall not be considered in measuring the elevation of the street property line. When sidewalk widening is required according to Section 23.49.22 (~~23.49.16~~), the elevation of the line establishing the new sidewalk width shall be used rather than the street property line.
2. When the blank facade is limited for facades which abut bonused public open spaces, the measurement of facade transparency shall be from the elevation of the public open space.

B. Length of blank facades

The length of a blank facade located within the area established in subsection A of this section shall be measured between the closest points of adjacent transparent areas, at five feet above the elevation of the property line at the sidewalk. Garage doors shall not be counted in determining the length of blank facades, as depicted in Exhibit 86.28A.

Section 27. Chapter 23.86 is hereby amended to add a new section 23.86.32 to read as follows:

23.86.32 Gross Floor Area in Residential Use

When a requirement is based on the percentage of a structure's gross floor area which is in residential use, residential area shall include the following:

- A. The gross floor area of all floors or portions of floors of a structure which are devoted entirely to residential use.
- B. The pro-rated portion share of a structure's common areas in the same proportion as the residential use to other uses occupying the structure.

Section 28. Section 23.80.20 of The Seattle Municipal Code is amended to read as follows:

23.80.20 Planned Community Development

- A. The process for planned community developments shall be the same as for council conditional uses, Section 23.80.10.

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- B. Approval of an application for a planned community development shall be by ordinance. The ordinance shall also amend the Official Zoning Map to indicate:
1. The boundaries of the approved planned community development;
  2. The ordinance approving the preliminary plans for the planned community development; and
  3. The number of the Comptroller's File containing the approved preliminary plans.
- C. If the Council approves the application for a planned community development it shall authorize the applicant to prepare final plans which, together with any required covenants, shall be filed with the Director within one year of the date of Council authorization, unless a longer period is authorized by the Council. If the Director finds that the final plans conform substantially to the Council authorization, the Director shall mail notice to all parties of record and to those who request such a notice stating where plans and relevant information may be inspected, and that a certificate of compliance will be issued to the applicant within twenty days unless an appeal is filed with the Hearing Examiner. Any interested person may appeal the Director's decision issuing a certificate of compliance. If no appeal is filed within twenty days, the certificate of compliance shall be issued. If in the Director's judgment the final plans do not conform to the Council's authorization, the application shall be denied. The applicant may file an appeal of a denial with the Hearing Examiner within twenty days of mailing of written notice of non-compliance. No building or use permit shall be issued for a planned community development prior to issuance of a certificate of compliance by the Director.
- D. If an appeal is filed with the Hearing Examiner, the Hearing Examiner shall set the time for a public hearing on the appeal. Notice of the hearing on the appeal shall be mailed at least twenty days prior to the scheduled hearing date to parties of record and those requesting notice of the specific hearing. Notice shall also be included in a general mailed release.

1 Hearing Examiner review shall be limited to matters of compliance with sti-  
2 pulated conditions and conformance with the approved preliminary plans. The  
3 Director's decision shall be reversed or modified only if clearly erroneous.  
4 The Hearing Examiner may approve or deny the Director's certificate of  
5 compliance, or may direct specific changes to the final plans citing spe-  
6 cific requirements of the Council authorization. If the Hearing Examiner  
7 denies the certificate of compliance or requires changes in the final plans,  
8 then the applicant may apply to the Council for modification of the relevant  
9 conditions following the procedures of Section 23.80.10. Otherwise the  
10 Hearing Examiner's decision shall be final.

11 Section 29. Section 24.52.140 of The Seattle Municipal Code is amended to  
12 read as follows:

13 24.52.140 Building Height

14 No building shall exceed the height of sixty feet, except as modified in  
15 Sections 24.62.030 and 24.62.040 and except for structures located on lots  
16 within one thousand eight hundred feet of any area shown on Map A ((a-GM or CMC  
17 Zone)), the gross floor area of which, excluding floor area for accessory park-  
18 ing, shall not exceed four times the lot area; provided, that when such struc-  
19 tures occupy less than one hundred percent of the lot, the floor area ratio may  
20 be increased proportionately as follows:

<u>Percent of Lot Coverage</u>	<u>Maximum Floor Area Ratio</u>
99 to 90%	4.0 to 4.2
90 to 80	4.2 to 4.4
80 to 70	4.4 to 4.7
70 to 60	4.7 to 5.0
60 to 50	5.0 to 5.5
50 to 40	5.5 to 6.0
40 to 30	6.0 to 6.5
30 or less	6.5

(To be used for all Ordinances except Emerg.)

Section 30. 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 10<sup>th</sup> day of June, 1985,  
and signed by me in open session in authentication of its passage this 10<sup>th</sup> day of June, 1985.

*Norman B. Hill*  
President of the City Council.

Approved by me this 13<sup>th</sup> day of June, 1985.

*Charles Royer*  
Mayor.

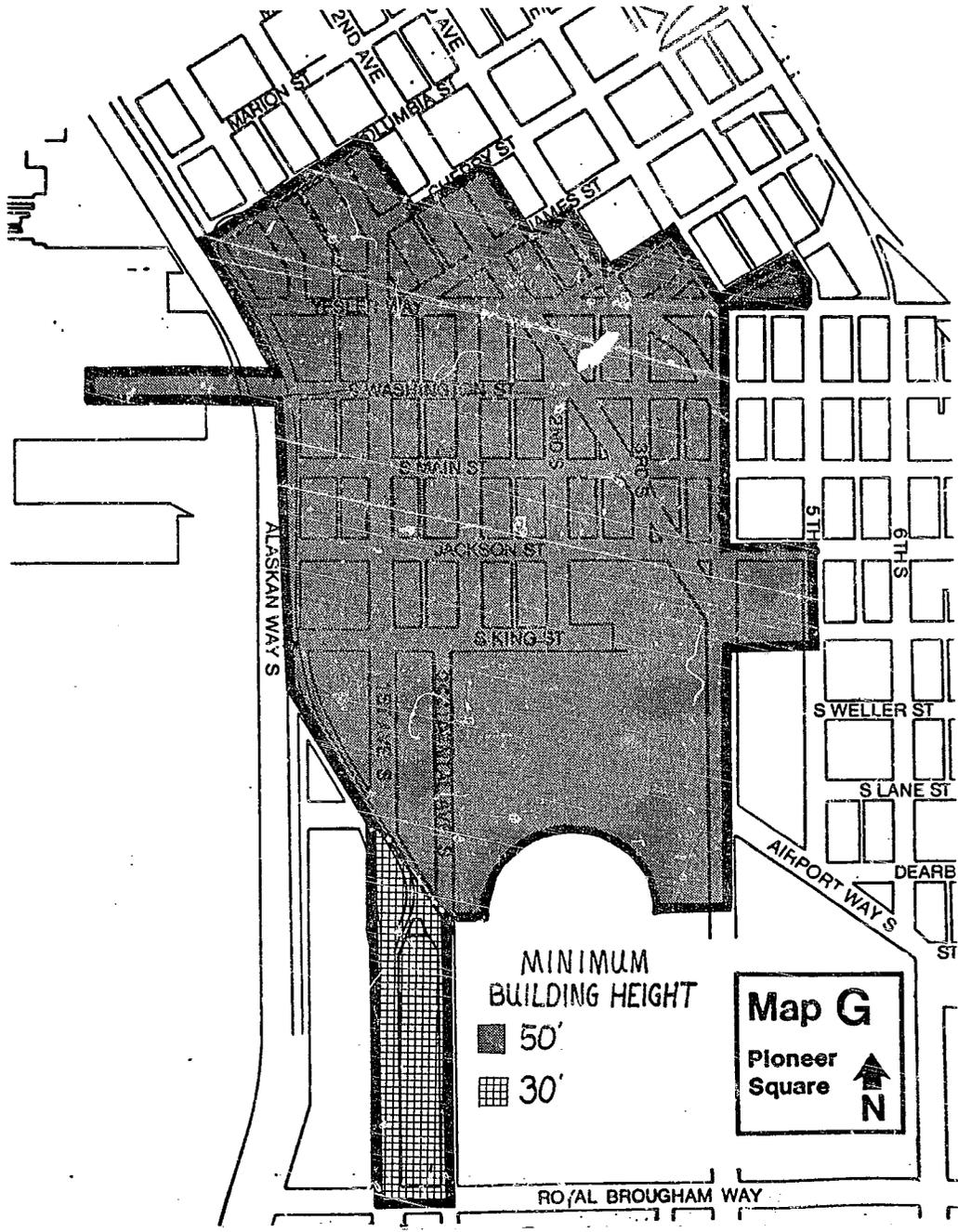
Filed by me this 13<sup>th</sup> day of June, 1985.

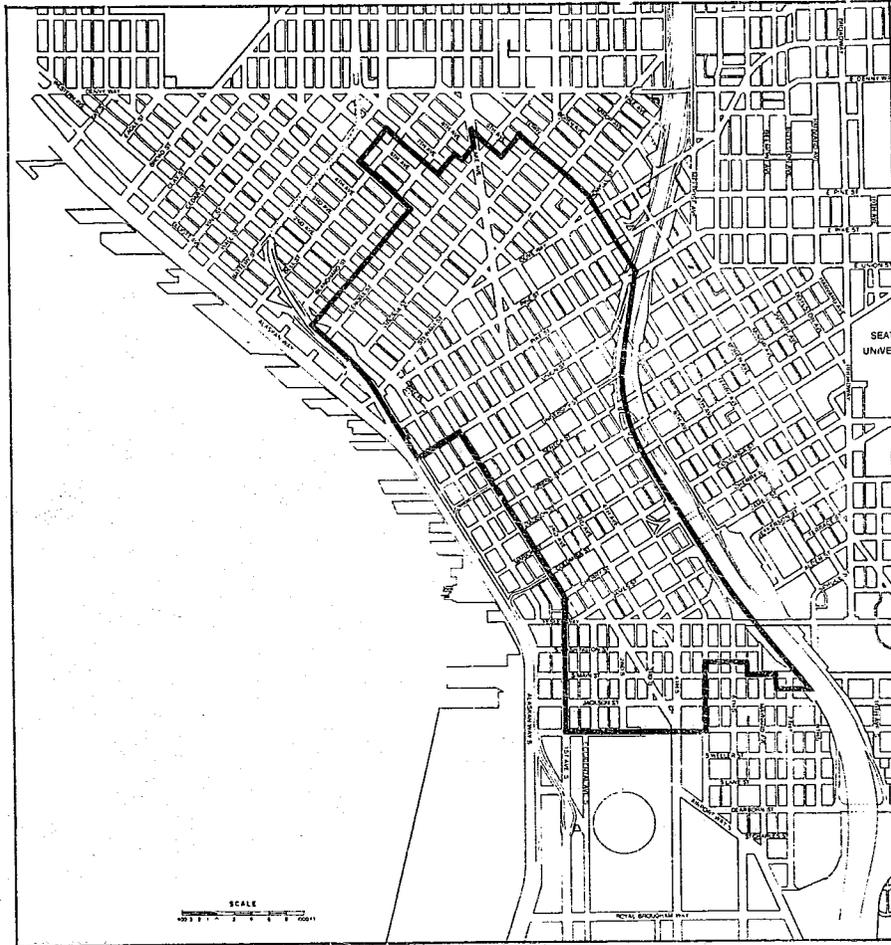
*Jim Hill*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published

By *Theresa Underwood*  
Deputy Clerk.





**Map A**

**Height Exception for CG Zones**

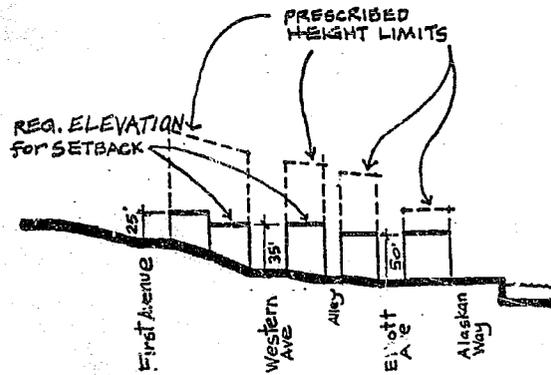


Exhibit 49.24A

Elevation at which view corridor setback is required

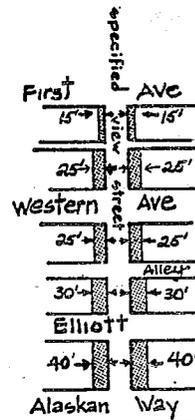


Exhibit 49.24B

Setback depth on view corridors

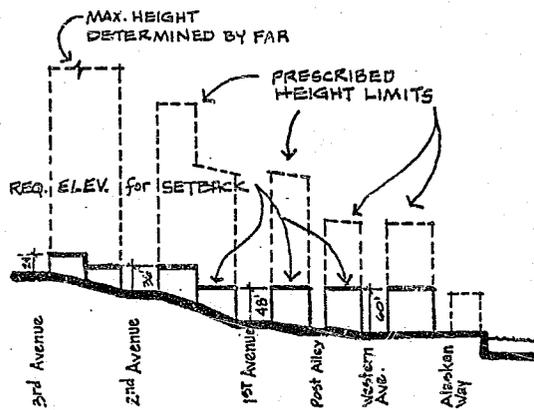


Exhibit 49.24C

Elevation at which view corridor setback is required

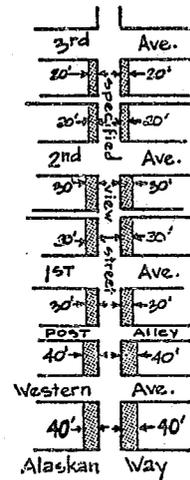
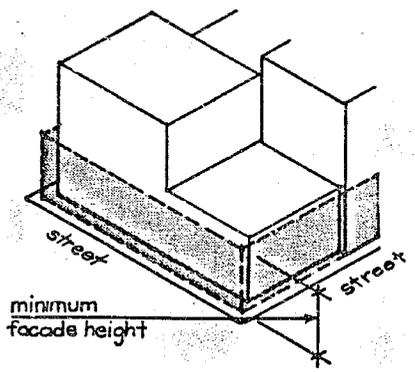
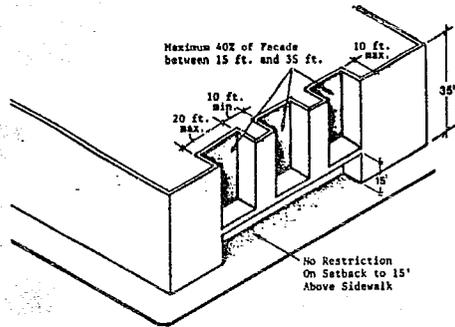


Exhibit 49.24D

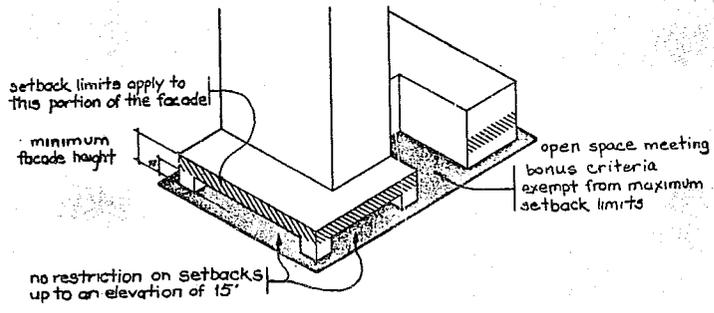
Setback depth on view corridors



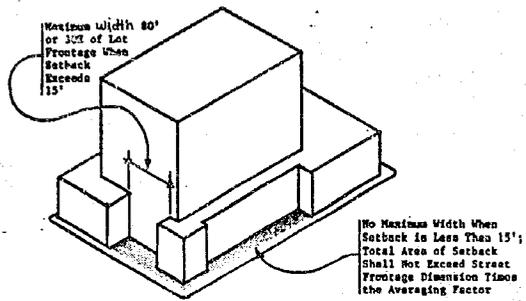
**Exhibit 49.56A Minimum Facade Height**



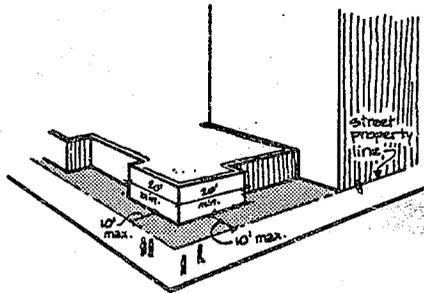
**Exhibit 49.56B Exception to Maximum Setback Limits**



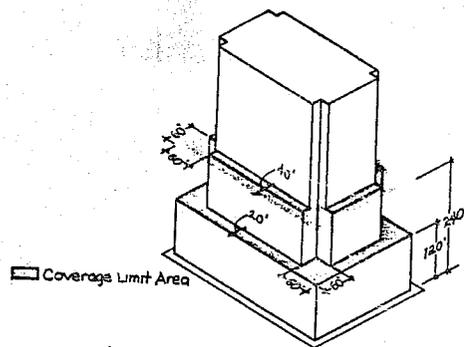
**Exhibit 49.56C Application of Maximum Setback Limits**



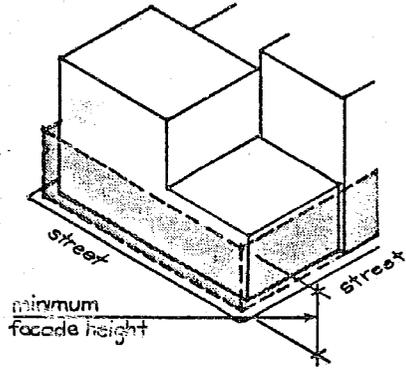
**Exhibit 49.56D Maximum Width of Setback**



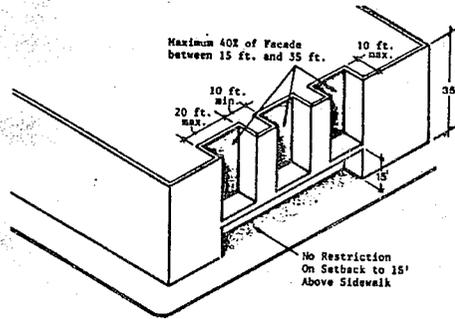
**Exhibit 49.56E Maximum Setback at Intersections**



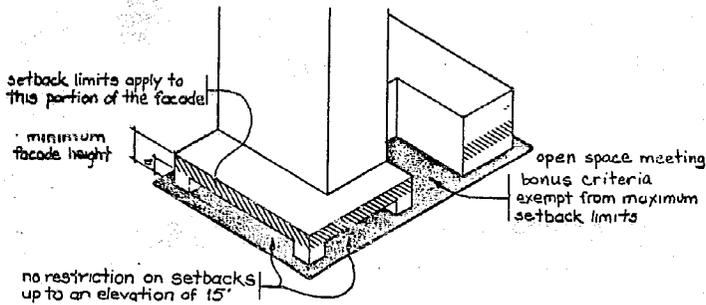
**Exhibit 49.53A Coverage Limit Area**



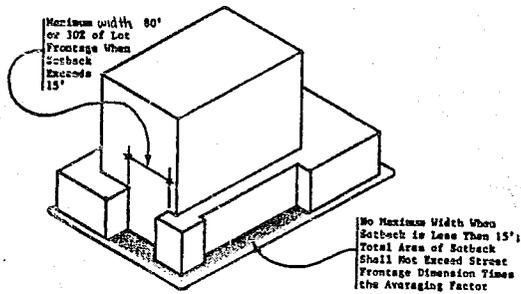
**Exhibit 49.76A Minimum Facade Height**



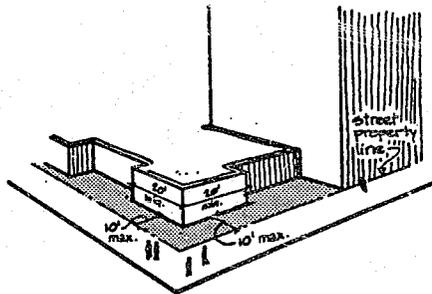
**Exhibit 49.76B Exception to Maximum Setback Limits**



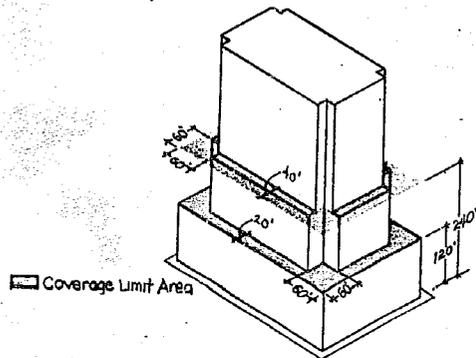
**Exhibit 49.76C Application of Maximum Setback Limits**



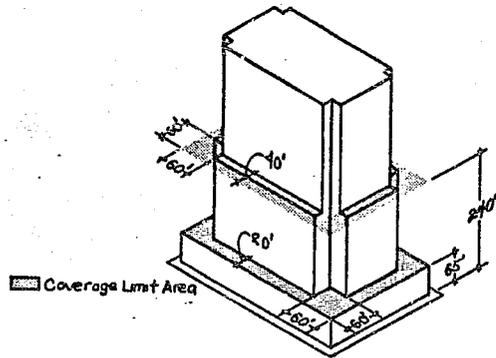
**Exhibit 49.76D Maximum Width of Setback**



**Exhibit 49.76E Maximum Setback at Intersections**

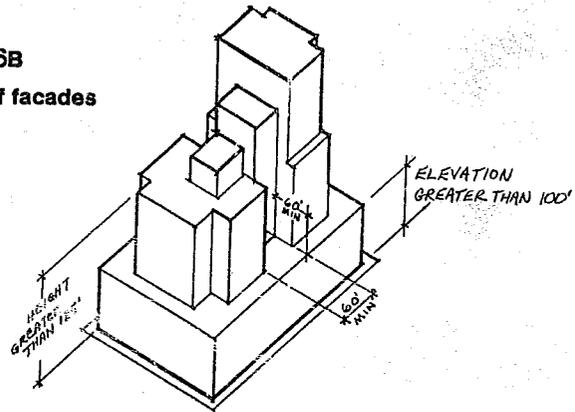


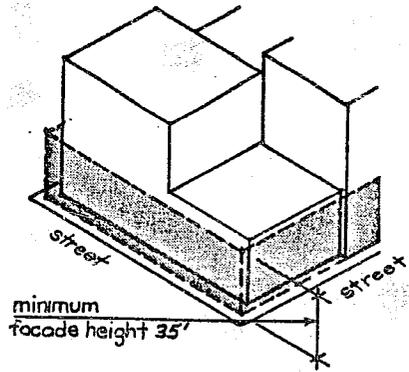
**Exhibit 49.78A Coverage Limit Area**



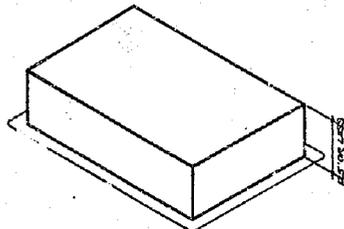
**Exhibit 49.96A Coverage Limit Option with Major Retail Store Bonus**

**Exhibit 49.96B  
Separation of facades**

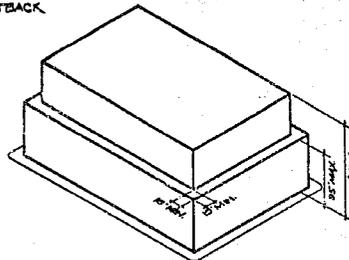




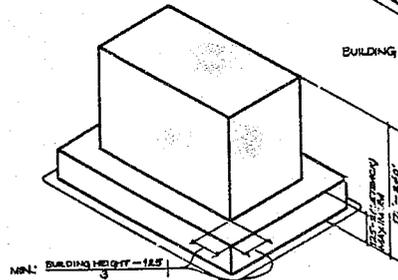
**Exhibit 49.106A Minimum Facade Height**



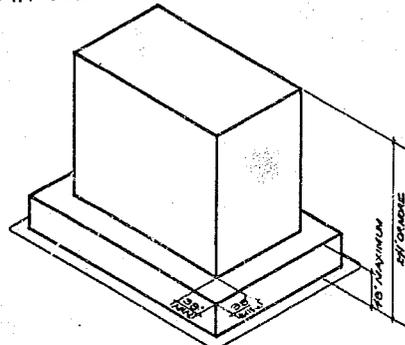
BUILDING HEIGHT 25' OR LESS  
NO REQUIRED UPPER LEVEL SETBACK



BUILDING HEIGHT 26' TO 170'

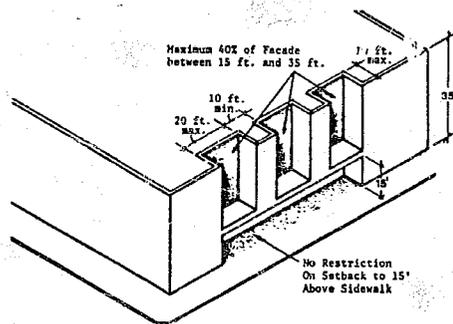


BUILDING HEIGHT 171' TO 240'

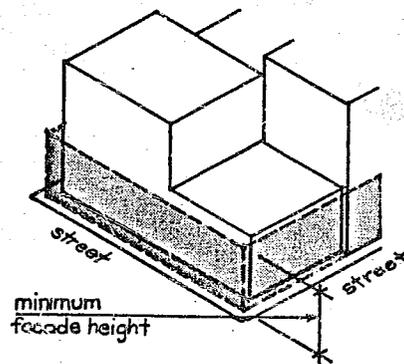


BUILDING HEIGHT OVER 241'

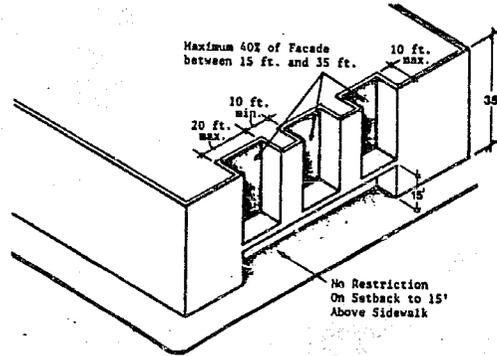
Exhibit 49.106B Upper Level Setbacks in the Downtown Retail Core



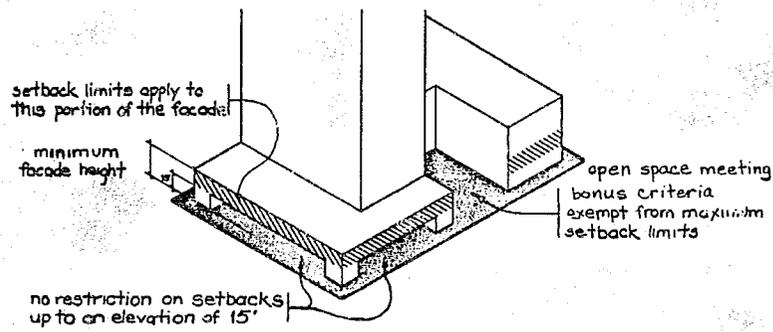
**Exhibit 49.106C Exception to Maximum Setback Limits**



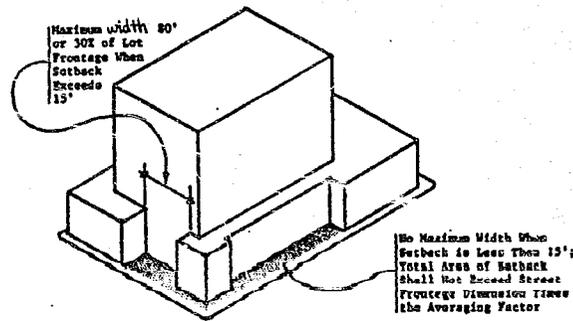
**Exhibit 49.134A Minimum Facade Height**



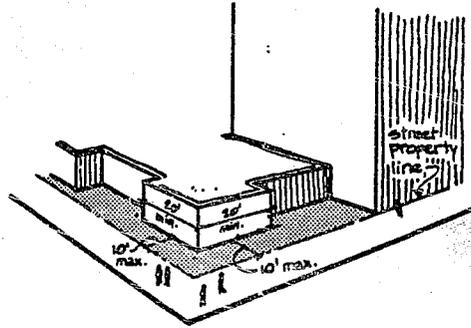
**Exhibit 49.134B Exception to Maximum Setback Limits**



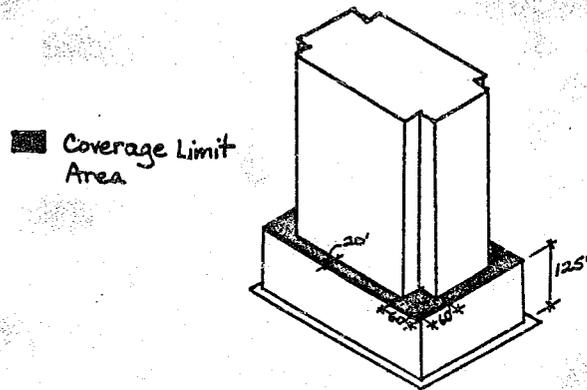
**Exhibit 49.134C Application of Maximum Setback Limits**



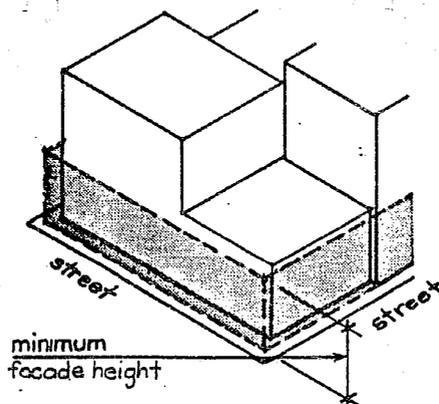
**Exhibit 49.134D Maximum Width of Setback**



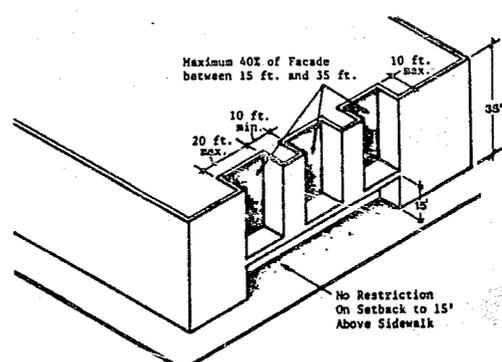
**Exhibit 49.134 Maximum Setback at Intersections**



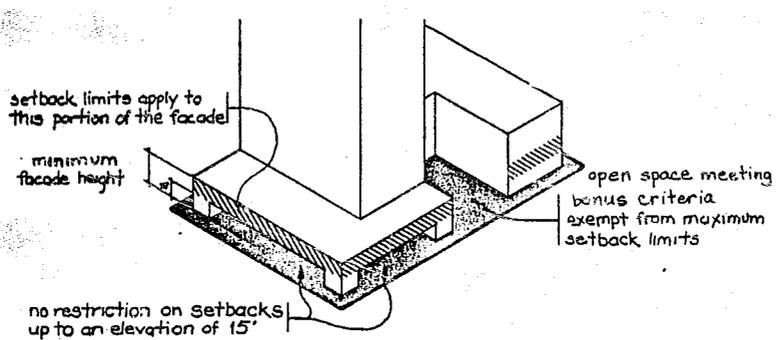
**Exhibit 49.136A Coverage Limit Area**



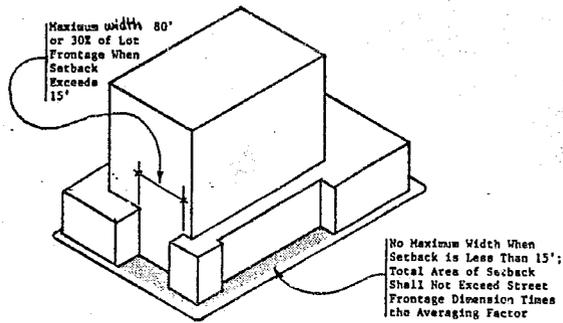
**Exhibit 49.162A Minimum Facade Height**



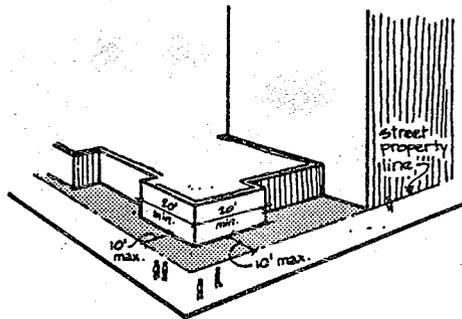
**Exhibit 49.162B Exception to Maximum Setback Limits**



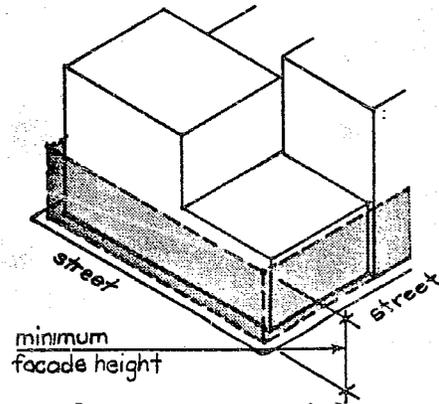
**Exhibit 49.162C Application of Maximum Setback Limits**



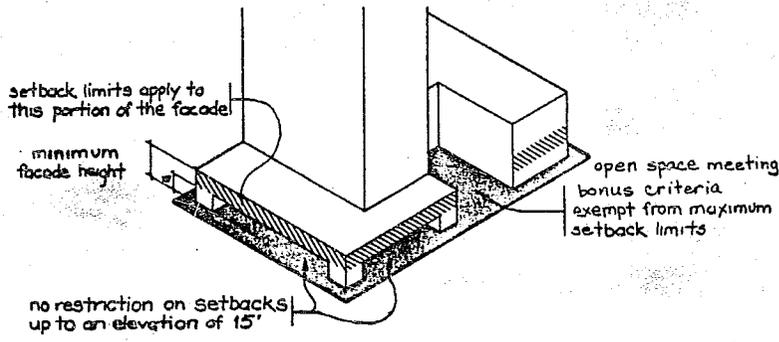
**Exhibit 49.162D Maximum Width of Setback**



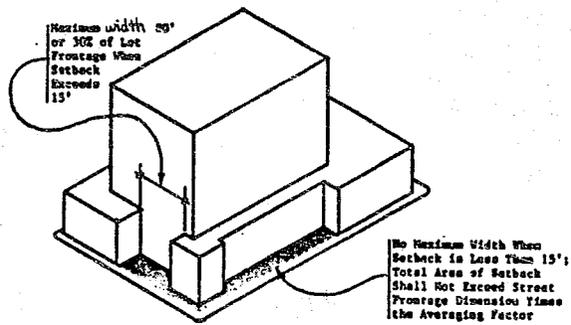
**Exhibit 49.162E Maximum Setback at Intersections**



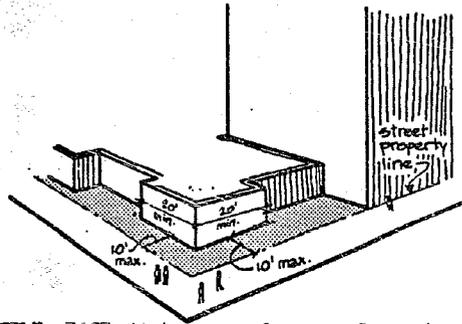
**Exhibit 49.332A Minimum Facade Height**



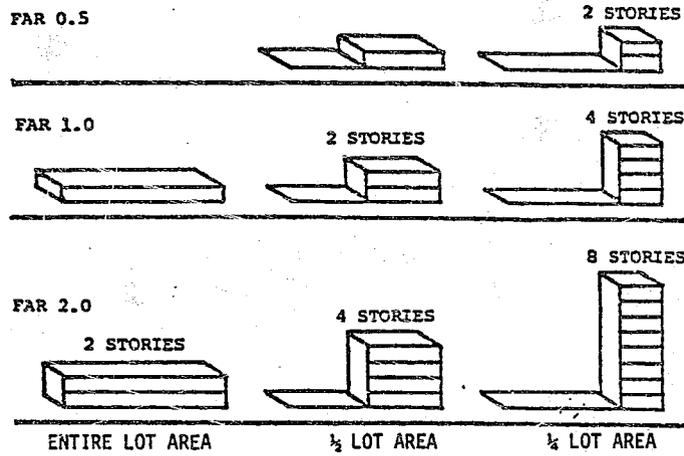
**Exhibit 49.332B Application of Maximum Setback Limits**



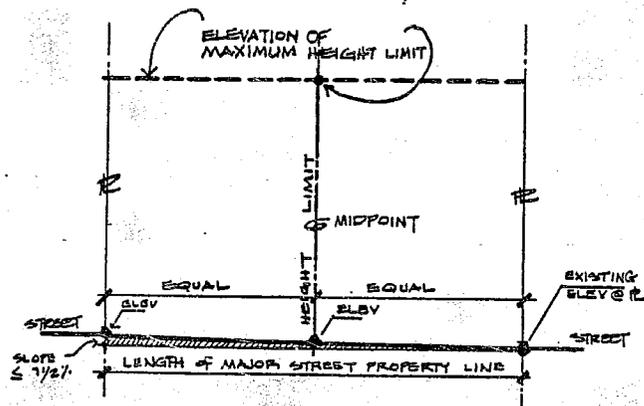
**Exhibit 49.332C Maximum Width of Setback**



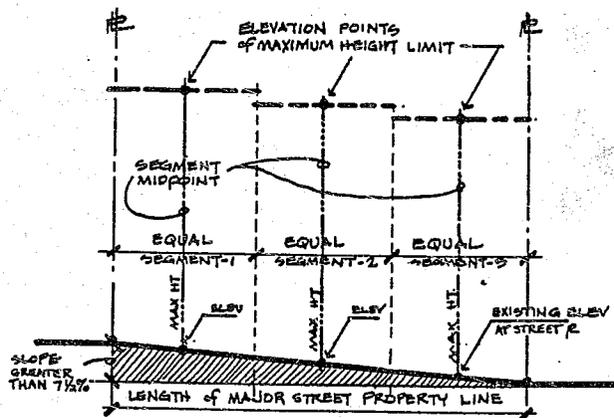
**Exhibit 49.332D Maximum Setback at Intersections**



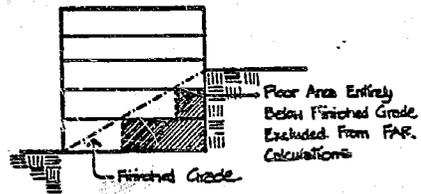
**Exhibit 84.12A Floor Area Ratio**



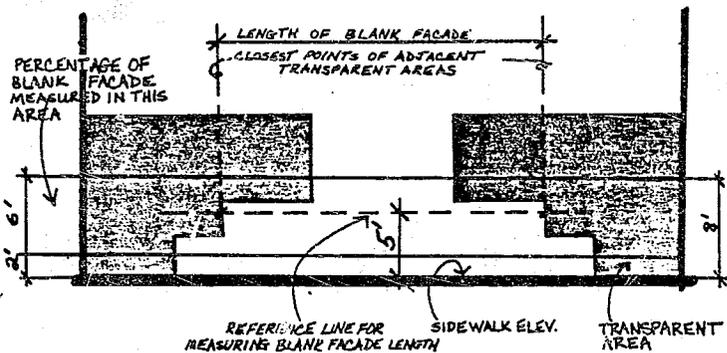
**Exhibit 86.06B** Maximum Height-Slope Less Than or Equal to 7 1/2%



**Exhibit 86.06C** Maximum Height-Slope Greater Than 7 1/2%



**Exhibit 86.07A Floor Area Below Grade**



**Exhibit 86.28A Percent of and Length of Blank Facades**

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ORDINANCE 112303

AN ORDINANCE relating to zoning and land use; adding a new Chapter 23.49 to the Seattle Municipal (Land Use) Code to establish zoning regulations and development standards for downtown Seattle; repealing the Interim Downtown Zoning regulations of existing Chapter 23.49 and Section 23.54.24; adding a new Section 23.86.32 to Chapter 23.86; amending Chapter 23.84 (Definitions); amending Sections 23.04.10, 23.54.30, 23.66.140, 23.66.322, 23.66.324, 23.66.326, 23.66.06, 23.86.07, 23.86.28, 23.86.30, 23.80.20; and amending Section 24.52.140 to conform with the new Chapter 23.49.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 23.49 of The Seattle Municipal (Land Use) Code, adopted in Ordinance 111926, is hereby repealed.

Section 2. Section 23.04.10 of The Seattle Municipal Code is amended to read as follows:

\* \* \*

D. Special Transition Rule

1. The following transition rule shall apply only to provisions of the Land Use Code which are initiated by the City and become effective as part of a defined phase during the transition from Title 24 to Title 23(=) and during the transition from interim Chapter 23.49 to permanent Chapter 23.49. Once such a phase of the Land Use Code is adopted by the Council, any amendments to provisions included in the particular phase shall not invoke this transition rule.
2. Any proposal which is substantially underway on the date new Land Use Code provisions become effective shall be subject to either the new substantive provisions or to corresponding repealed or modified substantive provisions of Title 24 or repealed Chapter 23.49, at the discretion of the applicant, provided that:
  - a. The applicant may elect only one set of standards which shall apply as appropriate to the entire proposal, except that the applicant may elect to meet all the standards of Section 23.54.30, Parking Space Standards, and meet the standards of Title 24 for the remainder of the proposal.
  - b. The election will be irrevocable and shall be made in writing at the time of application; and
  - c. The applicant shall have no election as to procedural requirements.

8508060583

BY THE DIVISION OF  
RECORDS & ELECTIONS  
KING COUNTY  
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3. A proposal shall be considered by the Director to be substantially underway if:
- a. A Master Use Permit application has been completed and filed; provided that if an applicant has elected under Section 23.76.108 to file separate applications, only those specific approvals which are sought prior to the effective date of applicable provisions shall be subject to this rule; or
  - b. A building permit application including, if appropriate, an environmental checklist, has been filed; or
  - c. A draft Environmental Impact Statement (EIS) has been approved by the Director for publication.

\* \* \*

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

CHAPTER 23.49  
DOWNTOWN ZONING

23.49.02 Scope of Provisions

- A. This Chapter details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IDM), International District Residential (IDR), Downtown Harborfront 1 (DH1), Downtown Harborfront 2 (DH2), and Pike Market Mixed (PMI).
- B. Property in the following special districts: Pike Place Market Urban Renewal Area, Pike Place Market Historic District, Pioneer Square Preservation District, International Special Review District, and the Shoreline District, are subject to both the requirements of this Chapter and the regulations of the district.
- C. The requirements and guidelines for public benefit features are found in the Public Benefit Features Rule.

Subchapter I: General Standards

23.49.06 Scope of General Standards

Unless otherwise specified, the regulations of this subchapter shall apply to all downtown zones.

*Handwritten notes at the top of the page, including "Dish" and "intc" followed by illegible scribbles.*

# City of Seattle Notices

Daily

## City of Seattle

ORDINANCE 112303

AN ORDINANCE relating to zoning and land use; adding a new Chapter 23.49 to the Seattle Municipal (Land Use) Code to establish zoning regulations and development standards for downtown Seattle; repealing the Interim Downtown Zoning regulations of existing Chapter 23.49 and Section 23.54.24; adding a new Section 23.85.32 to Chapter 23.85; amending Chapter 23.84 (Definitions); amending Sections 23.04.10, 23.54.30, 23.66.140, 23.66.122, 23.66.324, 23.66.326, 23.85.06, 23.85.07, 23.86.28, 23.86.30, 23.86.20; and amending Section 24.52.140 to conform with the new Chapter 23.49.

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### D. Special Transition Rule

1. The following transition rule shall apply only to provisions of the Land Use Code which are initiated by the City and become effective as part of a defined phase during the transition from Title 24 to Title 23(-) and during the transition from Interim Chapter 23.49 to permanent Chapter 23.49. Once such a phase of the Land Use Code is adopted by the Council, any amendments to provisions included in the particular phase shall not invoke this transition rule.

2. Any proposal which is substantially underway on the date new Land Use Code provisions become effective shall be subject to either the new substantive provisions or to corresponding repealed or modified substantive provisions of Title 24 or repealed Chapter 23.49, at the discretion of the applicant, provided that:

- a. The applicant may elect only one set of standards which shall apply as appropriate to the entire proposal, except that the applicant may elect to meet all the standards of Section 23.54.30, Parking Space Standards, and meet the standards of Title 24 for the remainder of the proposal.
  - b. The election will be irrevocable and shall be made in writing at the time of application; and
  - c. The applicant shall have no election as to procedural requirements.
3. A proposal shall be considered by the Director to be substantially underway if:
- a. A Master Use Permit application has been completed and filed, provided that if an applicant has elected under Section 23.76.108 to file separate applications, only those specific approvals which are sought prior to the effective date of applicable provisions shall be subject to this rule; or
  - b. A building permit application including, if appropriate, an environmental checklist, has been filed; or
  - c. A draft Environmental Impact Statement (EIS) has been approved by the Director for publication.

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

### CHAPTER 23.49 DOWNTOWN ZONING

#### 23.49.02 Scope of Provisions

A. This Chapter details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IMD), International District

the basis of public benefits provided, the possible impacts of the additional height, consistency with the City's land use policies, and the following specific criteria:

- a. The feature shall be compatible with and not adversely affect the downtown skyline.
- b. The feature shall not have a significant adverse effect upon the light, air, solar and visual access of properties within a three hundred foot radius.
- c. The feature, supporting structure and structure below shall be compatible in design elements such as bulk, profile, color and materials.
- d. The feature shall not adversely affect the function of existing transmission or receiving equipment within a five mile radius.
- e. The increased size is necessary for the successful physical function of the feature.

#### 23.49.10 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.

#### 23.49.12 Noise Standards

- A. All uses shall meet the standards of the Seattle Municipal Code, Chapter 25.08, Noise Control.
- 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. Light manufacturing uses;
  - 2. Auto body, boat and aircraft repair shops.
- D. When a major noise generator is proposed, a report from an acoustical consultant shall be required to describe the measures to be taken by the applicant in order to meet noise standards for the area. Such measures may include, for example, a provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and use of specified construction techniques or building materials. Measures to be taken shall be specified on the plans. After a permit has been issued, any measures which were required by the permit to limit noise shall be maintained.
- E. When an existing major noise generator is to be expanded, a report from an acoustical consultant shall be provided which describes how the noise generated by the expansion will meet the noise standards for the area.

#### 23.49.14 Odor Standards

- A. The venting of odors, fumes, vapors, smoke, condensers, dust, and gas shall be at least ten feet above finished grade, and directed away from residential uses within fifty feet of the vent.
- B. Major odor sources
  - 1. Uses which employ the following odor-emitting 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 260 gallons
    - Handling of heated tars and asphalts
    - Incinerating (commercial)
    - Metal plating
    - 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

the accessory parking regulations (2) when parking is provided on a use for which it is required shall be responsible for not use of the lot for the required event, the principal use must meeting the requirements of within thirty days, or a var fourteen days, and subsequent the owner of the parking space the principal use, and the responsibilities of the parking covenant and accompanying municipal use lot and the lot location shall be recorded in Records and Elections and parking layouts shall application for development

- b. In lieu of providing required made to the Downtown Parking subsection B4.
- 4. For the purposes of determining shall be considered "other nonresidential parking requirements for nonresidential titles shall be determined on a case parking requirements
  - 1. The long term and short term parking sales and service uses, and other established on Chart 49.16A. The requirement for all uses except 10 additional carpool spaces, vanpool according to subsection B3.

Chart 49.16A Parking (Expressed in parking spaces of gross floor area)

USE	LONG-TERM PARKING		
	AREAS WITH HIGH TRANSIT ACCESSIBILITY	UNRESTRICTED LONG TERM	CARPPOOL TOTAL
Office	.54	.13	
Retail sales and services, except lodging	.32	.08	.40
Other non-residential	.16	.04	.20
Lodging	1 space per 4		

- According to Map 1A.
- 2. Carpool spaces provided to meet either be:
  - a. Physically set aside and do between 8:00 a.m. and 9:30 a.m. for long term parking, exc

CHAPTER 23.49  
DOWNTOWN ZONING

23.49.02 Scope of Provisions

A. This Chapter details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IDM), International District Residential (IDR), Downtown Harborfront 1 (DH1), Downtown Harborfront 2 (DH2), and Pike Market Mixed (PMX).

B. Property in the following special districts: Pike Place Market Urban Renewal Area, Pike Place Market Historic District, Pioneer Square Preservation District, International Special Review District, and the Shoreline District, are subject to both the requirements of this Chapter and the regulations of the district.

C. The requirements and guidelines for public benefit features are found in the Public Benefit Features Rule.

Subchapter 1: General Standards

23.49.05 Scope of General Standards

Unless otherwise specified, the regulations of this subchapter shall apply to all downtown zones.

23.49.08 Structure Height

The following provisions regulating structure height shall apply to all property in downtown zones except the DM1, PSM, IDM, and IDR zones.

A. Maximum structure height shall be as designated on the Official Land Use Map, Chapter 23.32, except that:

1. The Council shall determine the maximum permitted height when a major retail store or performing arts theater bonus is approved in Downtown Retail Core zones pursuant to Section 23.49.96; provided, that such height shall not exceed four hundred feet.
2. Any property in the Pike Market Mixed zone that is subject to an urban renewal covenant may be built no higher than the height permitted by the covenant for the life of the covenant.

B. In Downtown Mixed Residential (DMR) zones, height shall be regulated as follows:

1. No structure which contains only nonresidential uses, and no portion of a mixed use structure which contains nonresidential uses, may extend beyond the lower height limit established on the Official Land Use Map, except for rooftop features permitted by subsection C.
2. Structures which contain only residential uses, and portions of mixed use structures which contain only residential uses, may extend to the higher height limit established on the Official Land Use Map.

C. Rooftop features:

1. Open railings, planters, clerestories, skylights, dish antennae, play equipment, parapets and firewalls may extend up to four feet above the maximum height limit with unlimited rooftop coverage.
2. Solar collectors may extend up to seven feet above the maximum height limit with unlimited rooftop coverage.
3. The following rooftop features may extend up to fifteen feet above the maximum height limit, as long as the combined coverage of all features listed in this subsection does not exceed twenty percent of the roof area, or twenty-five percent if the total includes stair or elevator penthouses or screened mechanical equipment:
  - Solar collectors;
  - Stair and elevator penthouses;
  - Mechanical equipment; and
  - Play equipment and open mesh fencing, as long as the fencing is at least fifteen feet from the roof edge.

4. Radio and television receiving aerials excluding dishes; religious symbols such as helixes or spirals, and that portion of the roof which supports them; transmission towers; snow-stacks; and flagpoles may extend up to fifty feet above the roof of the structure on which they are located except as regulated in Chapter 23.64, Airport Height District, provided they are a minimum of ten feet from all lot lines.

5. Council conditional use for rooftop features  
The rooftop features listed in subsection B4 may exceed the height specified in subsection B4 if authorized by a Council conditional use, Chapter 23.80. The request for conditional height shall be evaluated on

Fiberglassing  
Selling of gasoline and/or storage of gasoline in tanks larger than 250 gallons  
Handling of heated tars and asphalts  
Incinerating (commercial)  
Metal plating  
Use of boilers (greater than 106 British Thermal Units per hour or 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 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 in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken shall be specified 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 which were required by the permit shall be maintained.

23.49.16 Parking Quantity Requirements

The regulations in this Section shall not apply to Pike Market Mixed zones.

A. General standards

1. Long term parking requirements shall be established for all new uses, except as provided in subsection A2. The long term requirement shall be determined by the accessibility of the area to transit, according to Map IA. Short term parking shall also be required for offices and retail sales and service uses in all areas, except as provided in subsection A2.

2. Exceptions to the parking requirement shall be permitted as follows:

- a. No parking shall be required for new uses to be located in existing structures, or when existing structures are demolished.
- b. No parking shall be required for residential uses.
- c. No parking, either long term or short term, shall be required for the first thirty thousand square feet of retail sales and service use on lots in areas with high transit access, as identified on Map IA. No parking, either long term or short term, shall be required for the first seven thousand five hundred square feet of retail sales and service use on lots in other areas.
- d. No parking shall be required for the first two thousand five hundred square feet of any nonresidential use which is not a retail sales and service use.
- e. No parking shall be required when an existing structure is expanded by up to two thousand five hundred square feet or less, provided that this exemption may be used only once by any individual structure.
- f. No parking shall be required for any gross floor area in human service or day care use.
- g. In Pioneer Square Mixed zones, the Pioneer Square Preservation Board may waive or reduce required parking according to the provisions of Section 23.66.170, Parking and Access.
- h. In International District Mixed and International District Residential zones, the International District Special Review District Board may waive or reduce required parking according to the provisions of Section 23.66.342, Parking and Access.  
In these zones, the parking requirements for restaurants, motion picture theaters, and other entertainment uses and places of public assembly shall be established pursuant to the requirements of Section 23.66.342, rather than the provisions of this Section.

3. Location of required parking

- a. Required parking may be provided on the lot and/or within eight hundred feet of the lot on which the use is located, provided that:

(1) The parking is located in a downtown zone in conformance with

According to Map IA.

2. Carpool spaces provided either be:

- a. Physically set aside between 7:00 a.m. and 9:30 a.m. shall be used for long term parking pools. Required carpool spaces shall be used for private signage provided.
- b. Subsidized, provided thirty percent of the cost of the parking spaces at the rate that carpooling is encouraged.

3. The following substitution parking requirement for city-owned lots:

- a. One vanpool may be substituted for ten percent of vanpool spaces required by the Comprehensive Code, or a surety posted; and, vanpools structure. Before a details of the vanpool of Agreement executed by the Transportation Coordinator office.

b. Each carpool space in which is physically located shall be required for new uses to be located in existing structures, or when existing structures are demolished.

c. A fifteen percent reduction in parking requirement may be applied to all employees in the area.

4. In lieu of providing long term parking, the payment to the Downtown Parking Authority shall be determined by the Director's determination including but not limited to:

- a. Proximity of the site to transit.
- b. The level of transit service.
- c. Proposals by the applicant for alternative means of transit.

5. The following requirements shall apply to parking spaces more than ten thousand square feet in size:

- a. A Transportation Coordinator may waive or reduce required parking in the following zones: Pioneer Square Mixed zones, the International District Mixed and International District Residential zones, the International District Special Review District zones, the parking requirements for theaters, and other entertainment uses and places of public assembly shall be established pursuant to Section 23.66.342, rather than the provisions of this Section. The parking may be provided on the lot on which the use is located in a downtown zone in conformance with

line and/or storage of gasoline in tanks larger than 250 gallons and asphalts (commercial)

(greater than 106 British Thermal Units per hour, or 30 boiler horsepower)

The following processes shall be considered major odor sources when the entire activity is conducted as part of 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 in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken shall be specified 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 which were required by the permit shall be maintained.

23.49.16 Parking Quantity Requirements

The regulations in this Section shall not apply to Pike Market Mixed zones.

A. General standards

1. Long term parking requirements shall be established for all new uses, except as provided in subsection A2. The long term requirement shall be determined by the accessibility of the area to transit, according to Map IA. Short term parking shall also be required for offices and retail sales and service uses in all areas, except as provided in subsection A2.

2. Exceptions to the parking requirement shall be permitted as follows:

- a. No parking shall be required for new uses to be located in existing structures, or when existing structures are demolished.
- b. No parking shall be required for residential uses.
- c. No parking, either long term or short term, shall be required for the first thirty thousand square feet of retail sales and service use on lots in areas with high transit access, as identified on Map IA. No parking, either long term or short term, shall be required for the first seven thousand five hundred square feet of retail sales and service use on lots in other areas.
- d. No parking shall be required for the first two thousand five hundred square feet of any nonresidential use which is not a retail sales and service use.
- e. No parking shall be required when an existing structure is expanded by up to two thousand five hundred square feet or less, provided that this exemption may be used only once by any individual structure.
- f. No parking shall be required for any gross floor area in human service or day care use.
- g. In Pioneer Square Mixed zones, the Pioneer Square Preservation Board may waive or reduce required parking according to the provisions of Section 23.66.170, Parking and Access.
- h. In International District Mixed and International District Residential zones, the International District Special Review District Board may waive or reduce required parking according to the provisions of Section 23.66.342, Parking and Access.  
In these zones, the parking requirements for restaurants, motion picture theaters, and other entertainment uses and places of public assembly shall be established pursuant to the requirements of Section 23.66.342, rather than the provisions of this Section.

3. Location of required parking

- a. Required parking may be provided on the lot and/or within eight hundred feet of the lot on which the use is located, provided that:

(1) The parking is located in a downtown zone in conformance with

oline and/or storage of gasoline in tanks larger than 100 gallons, and tar and asphalt (commercial)

(greater than 10<sup>6</sup> British Thermal Units per hour or 30 boiler horsepower) uses.

The following processes shall be considered major when the entire activity is conducted as part of a service use:

1. Printing  
2. Food or food products processing  
3. Roasting

4. Uses...

5. Sources

made for a use which is determined to be a major use in consultation with the Puget Sound Air Pollution

Agency, shall determine the appropriate measures to be taken in order to significantly reduce potential odor pollutants. The measures to be taken shall be specified to the Director and may be required as conditions of any permit. After a permit has been issued, any required by the permit shall be maintained.

6. Requirements

Section shall not apply to Pike Market Mixed zones.

7. Requirements shall be established for all new uses, as provided in subsection A2. The long term requirement shall be the accessibility of the area to transit, according to the long term parking shall also be required for offices and other service uses in all areas, except as provided in subsection B.

8. The parking requirement shall be permitted as follows: a. For new uses to be located in new structures, or when existing structures are remodeled, the parking shall be required for residential uses.

b. For either long term or short term, shall be required for thirty thousand square feet of retail sales and services in areas with high transit access, as identified on the map. No parking, either long term or short term, shall be required for the first seven thousand five hundred square feet of retail sales and service use on lots in other areas.

c. For either long term or short term, shall be required for the first two thousand five hundred square feet of any non-residential use which is not a retail sales and service use.

d. For either long term or short term, shall be required when an existing structure is remodeled by up to two thousand five hundred square feet or less, that this exception may be used only once by any individual structure.

e. For either long term or short term, shall be required for any gross floor area in human day care use.

f. For either long term or short term, shall be required for any gross floor area in human day care use, the Pioneer Square Preservation District, or the Pioneer Square Mixed zones, the Pioneer Square Preservation District, or the Pioneer Square Mixed zones, according to the provisions of Section 23.66.170, Parking and Access.

g. For either long term or short term, shall be required for any gross floor area in human day care use, the International District Mixed and International District Residential zones, the International District Special Review District, or the International District Special Review District, according to the provisions of Section 23.66.342, Parking and Access.

h. For either long term or short term, shall be required for any gross floor area in human day care use, the parking requirements for restaurants, motels, theaters, and other entertainment uses and places of assembly shall be established pursuant to the requirements of Section 23.66.342, rather than the provisions of this Section, for required parking.

i. For either long term or short term, shall be required for any gross floor area in human day care use, parking may be provided on the lot and/or within the lot of the lot on which the use is located, provided the parking is located in a Downtown zone in conformance with

According to Map 1A.

2. Carpool spaces provided to meet the requirements of subsection B1 shall be either be:

a. Physically set aside and designated for exclusive carpool use between 6:00 a.m. and 9:30 a.m., and shall not be leased to tenants for long term parking, except as parking for carpools and vanpools. Required carpool spaces not used by carpool vehicles by 9:30 a.m. shall be used as public short term parking with appropriate signage provided; or

b. Subsidized, provided that the subsidy shall be equal to at least thirty percent of the monthly market rate charged the general public for a parking space. Subsidized spaces shall be provided at the rate that carpools are for.

3. The following substitution rates shall be used to reduce the long term parking requirement for all nonresidential uses, except lodging:

a. One vanpool may be substituted for six parking spaces. The unrestricted long term parking requirement may be reduced no more than ten percent for vanpool substitutions. If the proponent elects to use the vanpool option, the necessary number of vans meeting the standards of the Computer Pool division of Metro shall be acquired, or a surety instrument acceptable to the Director shall be posted; and, vanpools shall be organized for employees in the structure. Before a Certificate of Occupancy may be issued, details of the vanpool program shall be spelled out in a Memorandum of Agreement executed between the proponent, his or her Transportation Coordinator, the Director, and the Seattle Rideshare office.

b. Each carpool space in excess of those required by subsection B1, which is physically reserved or subsidized according to the provisions of subsection B2, may be substituted for one and five tenths parking spaces. No more than fifty percent of the total number of long term parking spaces provided shall be set aside or discounted for carpools.

c. A fifteen percent reduction in the unrestricted long term parking requirement may be achieved by providing free transit passes to all employees in the structure for at least five years.

4. In lieu of providing long term parking spaces on the lot or within eight hundred feet of the lot, long term spaces may be provided by a payment to the Downtown Parking Fund, if the Director determines that the parking impacts of the development can be met by other means. The Director's determination shall be based on any relevant factors including but not limited to the following:

a. Proximity of the site to public parking.  
b. The level of transit service to the lot.  
c. Proposals by the applicant to encourage building tenants to use alternatives to single occupancy vehicles.

5. The following requirements shall apply to all structures containing more than ten thousand square feet of nonresidential use:

a. A Transportation Coordinator position shall be established and maintained within the proposed structure to devise and implement alternative means for employee commuting. The coordinator shall be trained by the Seattle Rideshare office or by an alternative organization with ridesharing experience, and shall work with the Seattle Rideshare office, Metro Computer Pool staff, building tenants, and other building lessors. The coordinator shall disseminate ridesharing information to building occupants to encourage use of public transit, carpools, van pools and flextime; administer the in-house ridesharing program; and aid in evaluation and monitoring of the ridesharing program. The transportation coordinator in addition shall survey all employees once a year to determine commute mode percentages.

b. The Seattle Rideshare office, in conjunction with the Transportation Coordinator, shall monitor the effectiveness of the ridesharing/transit incentive program on a quarterly basis. The owner

2. Curbcut controls on street parks shall be evaluated on a case by case basis, but generally access from street parks shall not be allowed.

3. The Director and the Director of Engineering shall also determine whether the location of the access will expedite the movement of vehicles, facilitate a smooth flow of traffic, avoid the on-street queuing of vehicles, enhance vehicular safety and pedestrian comfort, and will not create a hazard.

B. Curbcut width and number

Curbcut width and the number of curbcuts shall satisfy the provisions of Section 23.54.30, Parking Space Standards.

23.49.20 Screening and Landscaping of Surface Parking Areas

Screening and landscaping, as required by this Section, shall be provided when surface parking areas are permitted.

A. Screening

Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

1. Screening shall be required along each street lot line.
2. Screening shall consist of a landscaped berm, or a view obscuring fence or wall at least three feet in height.
3. When a fence or wall is used for screening, there shall be a landscaped strip on the street side of the fence or wall, an average of three feet from the property line, but at no point less than one and one-half feet wide. Each landscaped strip shall be planted with sufficient shrubs, grass and/or overgreen groundcover in a manner that the entire strip, excluding driveways, will be covered in three years.
4. Sight triangles shall be provided in accordance with Section 23.54.30, Parking Space Standards.

B. Landscaping

Surface parking areas for twenty or more vehicles shall be landscaped according to the following requirements:

1. Amount of landscaped area required

Total number of parking spaces	Required landscaped area
20 to 50 spaces	18 square feet per parking space
51 to 99 spaces	25 square feet per parking space
100 or more spaces	33 square feet per parking space

2. The minimum size of a required landscaped area shall be one hundred square feet. Berms provided to meet the screening standards in subsection A2 may be counted as part of a landscaped area. No part of a landscaped area shall be less than four feet in any dimension except those dimensions reduced by turning radii or angles of parking spaces.
3. No parking stall shall be more than sixty feet from a required landscaped area.
4. One tree per every five parking spaces shall be required.
5. Each tree shall be at least three feet from any curb of a landscaped area or edge of the parking area. Permanent curbs or structural barriers shall enclose landscaped areas.
6. Sufficient hardy evergreen groundcover shall be planted to cover each landscaped area completely within three years. Trees shall be selected from the Seattle Engineering Department's recommended list for parking area planting.

23.49.22 Minimum Sidewalk Width

The regulations in this Section shall not apply to PMH, PSM, IDM, and IDR zones. Minimum sidewalk widths are established for certain streets by Map 1C. When a new structure is proposed on lots abutting these streets, sidewalks shall be widened, if necessary, to meet the minimum standard. The sidewalk may be widened into the right-of-way if approved by the Director of Engineering.

23.49.24 View Corridor Requirements

A. Upper level setbacks shall be required for the following view corridors, identified on Map 1D:

1. Grand, Clay, Vine, Wall, Battery and Bell Streets west of First Avenue; and
2. University, Seneca, Spring, Madison and Marion Streets west of Third Avenue.

B. Upper level setbacks for view corridors listed in subsection A1 shall be provided as follows, Exhibits 49.24A and 49.24B:

C-676

### Affidavit of Publication

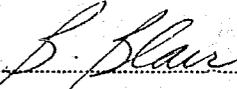
#### STATE OF WASHINGTON KING COUNTY—SS.

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 .....

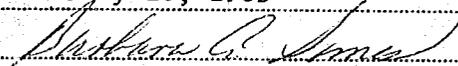
Ordinance No. 112303

was published on ... July 18, 1985



Subscribed and sworn to before me on

July 18, 1985



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

ORD. 112303

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

January 29, 1986

FILED  
CITY OF SEATTLE

1986 JAN 30 AM 10:49

COMPTROLLER AND CITY CLERK

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

Re: Seattle Municipal Code

Dear Gregory:

This letter is in response to your letter of January 24, 1986.

1. (a) Please correct the typographical error appearing in Ordinance 112303, page 30, line 24/25. The reference to "Section 49.04" should be "Section 4904."
- (b) Please include editor's note after Section 23.49.040 stating that Section 4904 of the Seattle Building Code is included in the document adopted in SMC Section 22.100.010.
2. Please correct the typographical error of omitted language appearing in Ordinance 112519, Section 12, page 16, line 19/20. Between the lines with the language "shown on Map III B" and "Performing arts theatre", insert the following language:

Short term parking                    2                    200 parking spaces  
below grade, in areas  
shown on Map III E

Thank you for your attention to these matters.

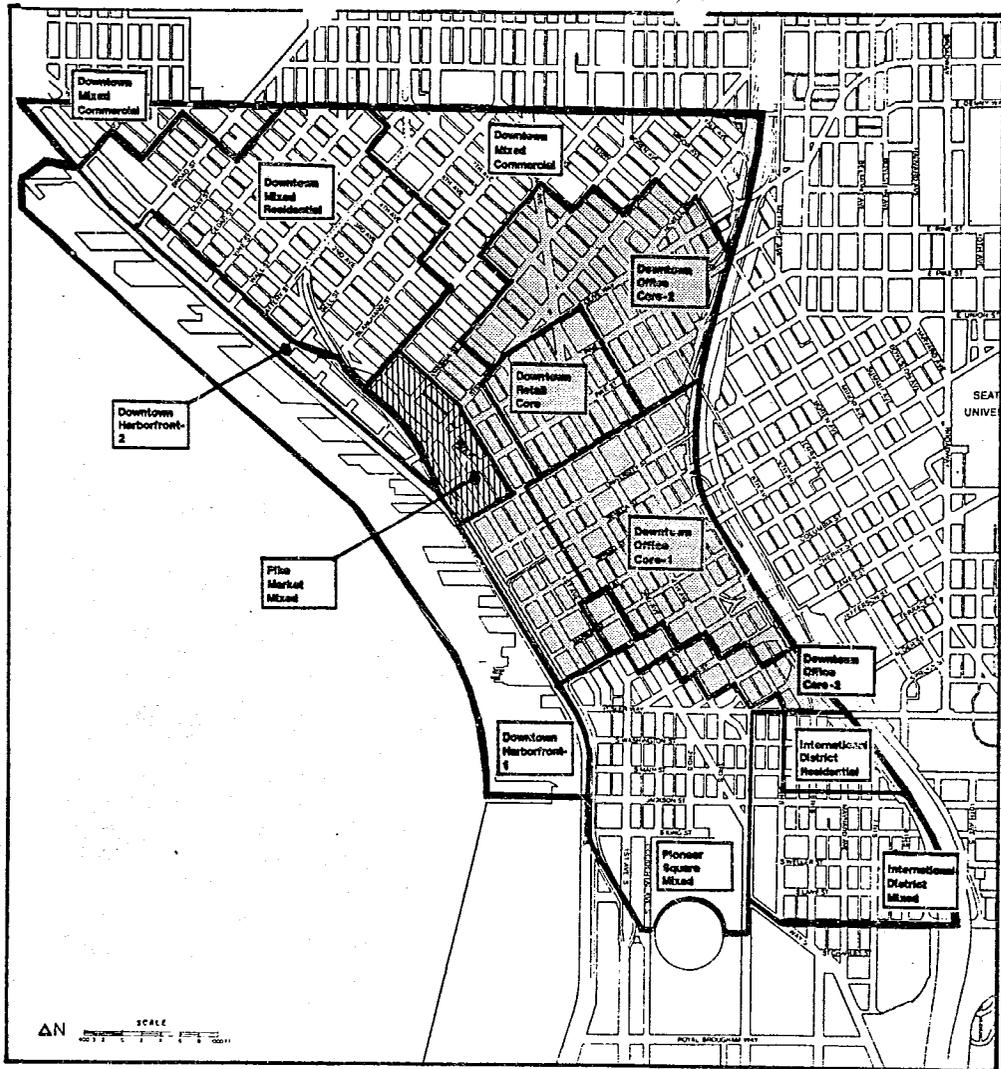
Very truly yours,

DOUGLAS N. JEWETT  
City Attorney

MAK:bb

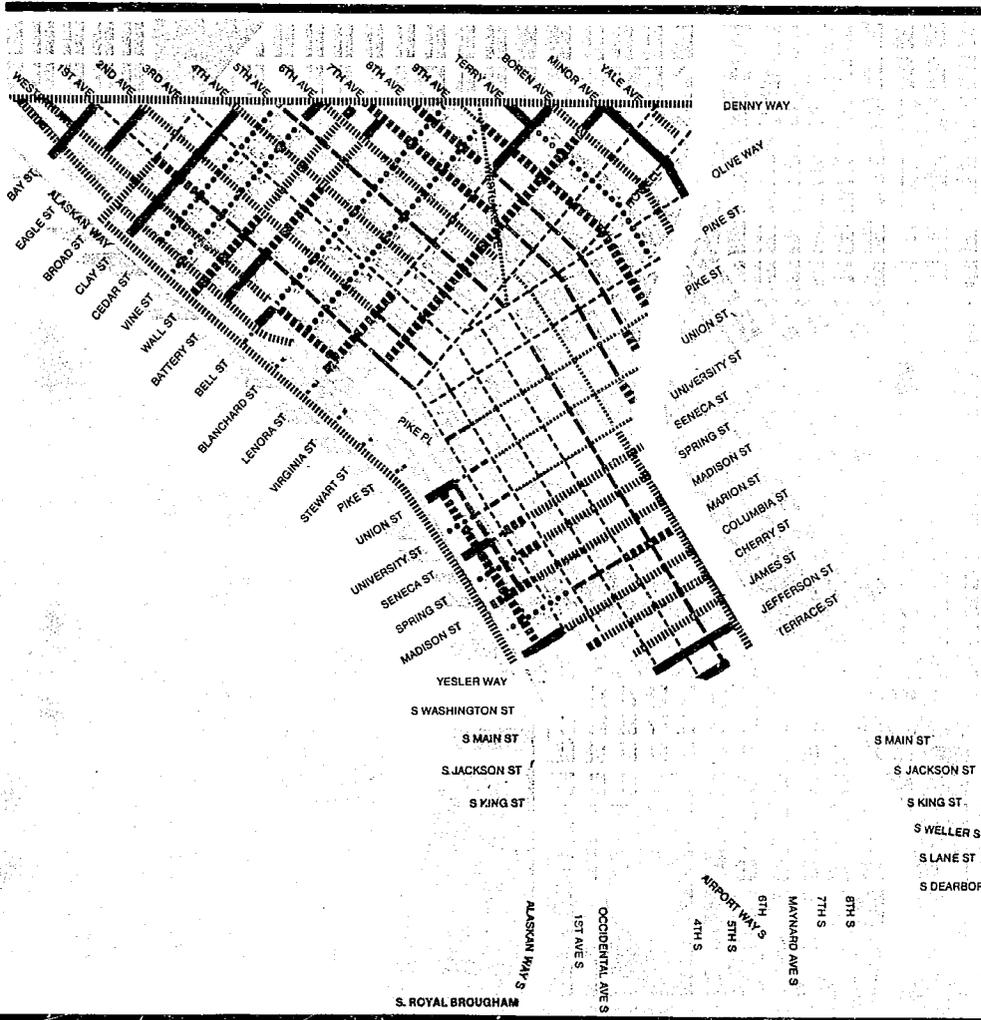
cc: James Fearn  
Don Stout  
Guy Fletcher  
Dorothy McFarlin

by ANN KELSON  
Paralegal



-  Areas with High Transit Access
-  Areas with Moderate Transit Access
-  No Parking Required

**Map I A**  
Downtown  
Zones

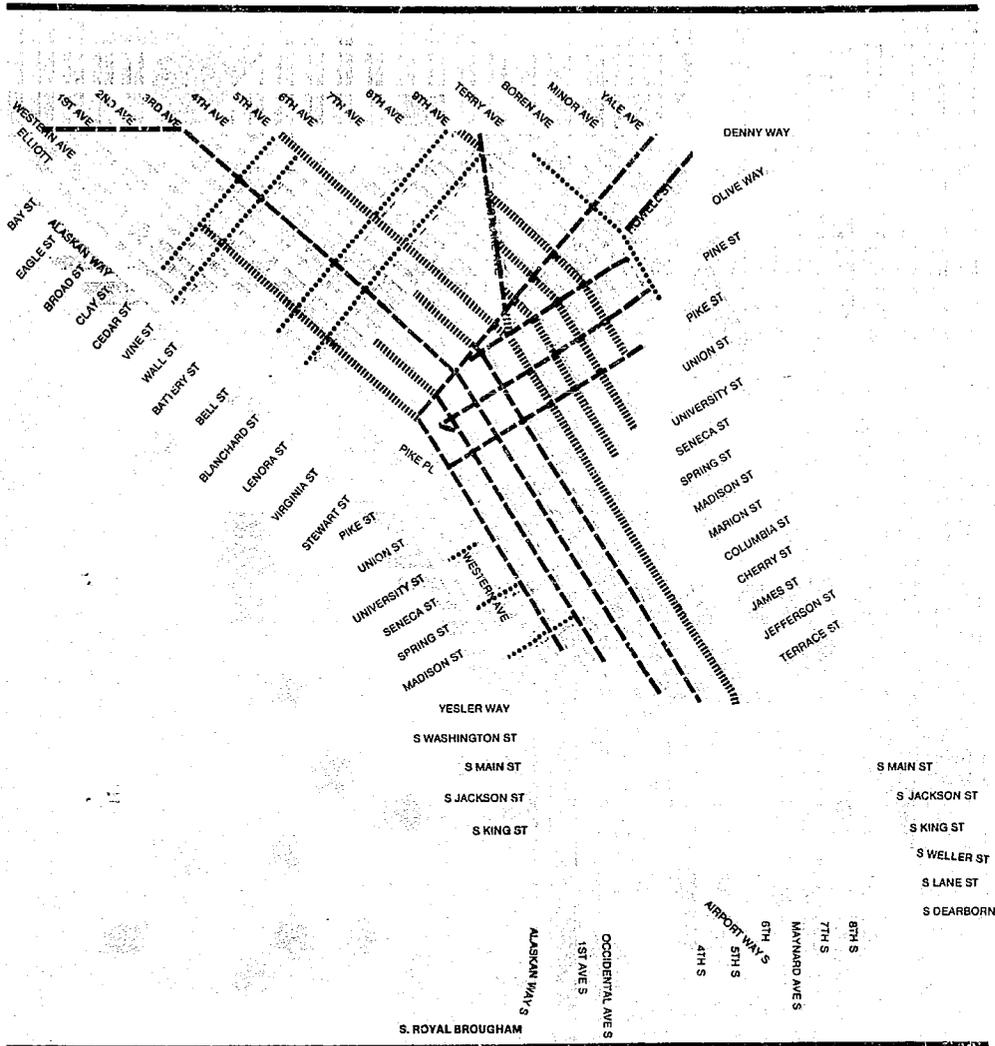


- Access Street
- Class II Pedestrian Street / Minor Arterial
- Class II Pedestrian Street / Principal Arterial
- Class I Pedestrian Street / Minor Arterial
- Class I Pedestrian Street / Principal Arterial
- Principal Transit Street
- .....** Street Park
- .....** Undeveloped Street

**Street Classifications**



**Map 1 B**  
Downtown Zones

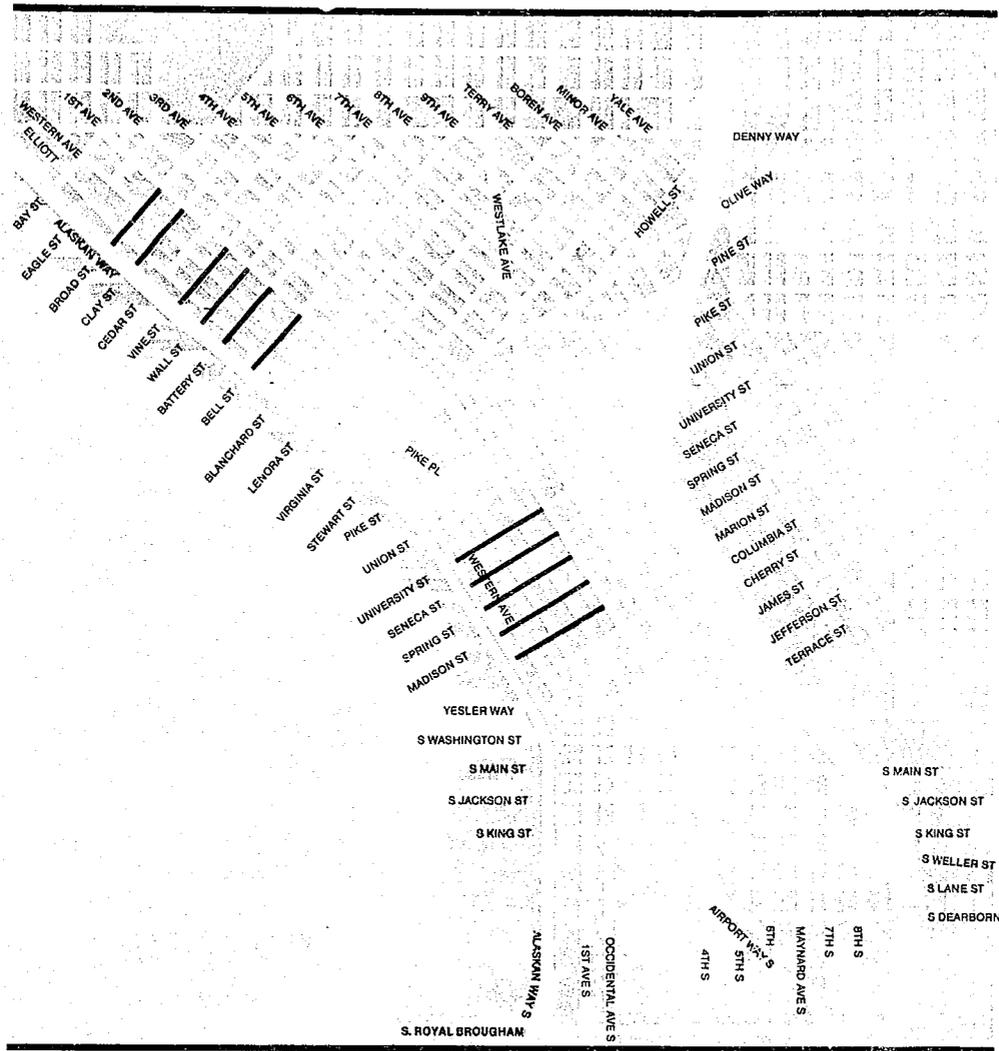


**Sidewalk Widths**

-  Variable
-  12'
-  15'
-  18' (When on a one-way street, only the side with transit stops shall be 18'; the other side shall be 15'.)

**Map IC**

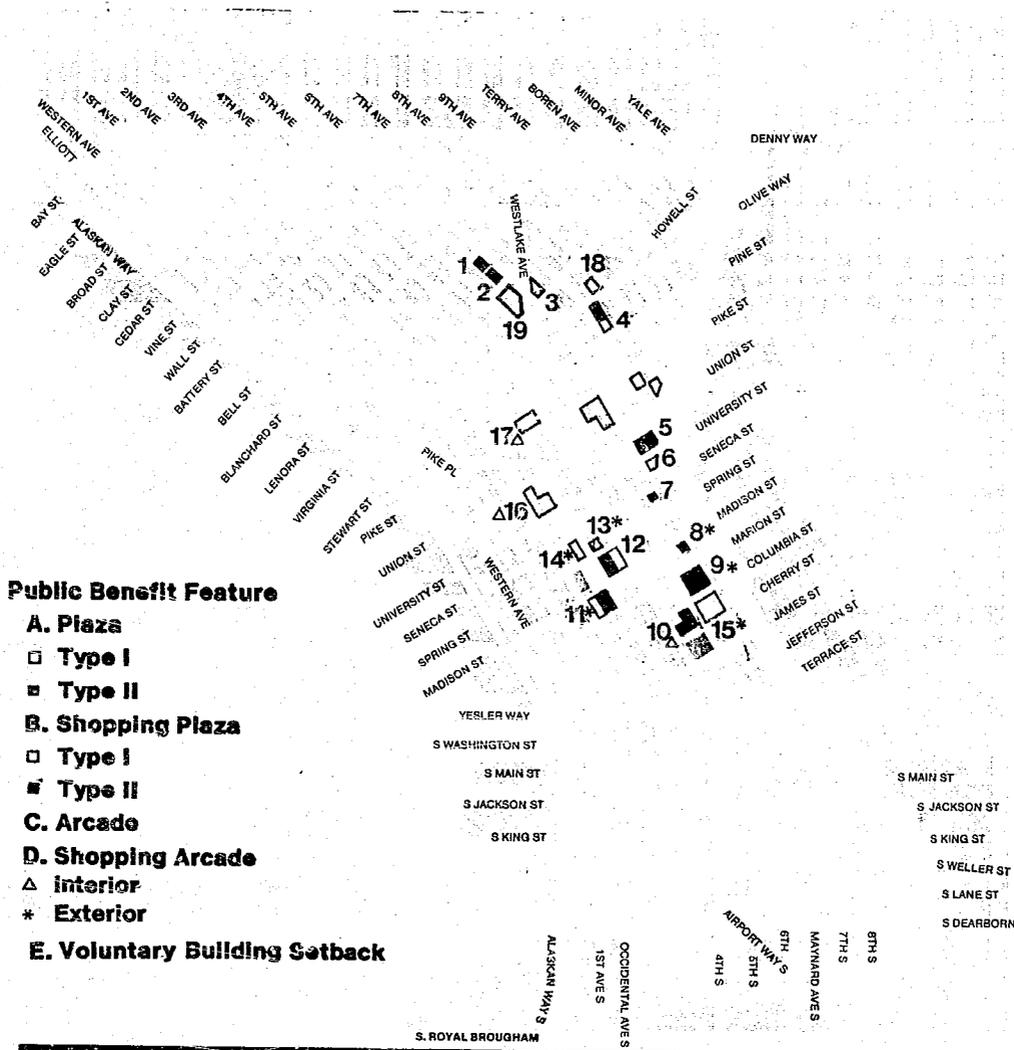
**Downtown Zones**



 View Corridors

**Map 1 D**  
**Downtown**  
**Zones**

**View Corridors**



**Public Benefit Feature**

**A. Plaza**

- Type I
- Type II

**B. Shopping Plaza**

- Type I
- Type II

**C. Arcade**

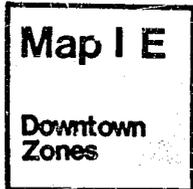
**D. Shopping Arcade**

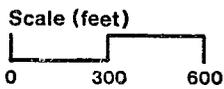
- △ Interior
- \* Exterior

**E. Voluntary Building Setback**

- |  |                                       |
|--|---------------------------------------|
| 1. United Airlines Building A,C,E        | 11. First Interstate Center A,B,C,D,E |
| 2. Westin Building A,C                   | 12. Seattle First National Bank A,C   |
| 3. Plaza 600 Building C,E                | 13. Northern Life Building C          |
| 4. 1600 Bell Plaza A,C,E                 | 14. 1111 Third Avenue Building B,C,D  |
| 5. One Union Square A,E                  | 15. Sixth & Columbia A,B,C,D          |
| 6. Park Place A,C                        | 16. Marathon Crown Center B,C,D       |
| 7. Crowne Plaza Hotel A,C                | 17. Century Square Tower D            |
| 8. Madison Hotel A,C,D,E                 | 18. Marsh & McClellan Building A      |
| 9. Seafirst Fifth Avenue Plaza A,B,C,D,E | 19. Westin Hotel A,E                  |
| 10. Columbia Center A,B,C,D              |                                       |

**Existing Public Benefit Features**



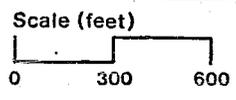
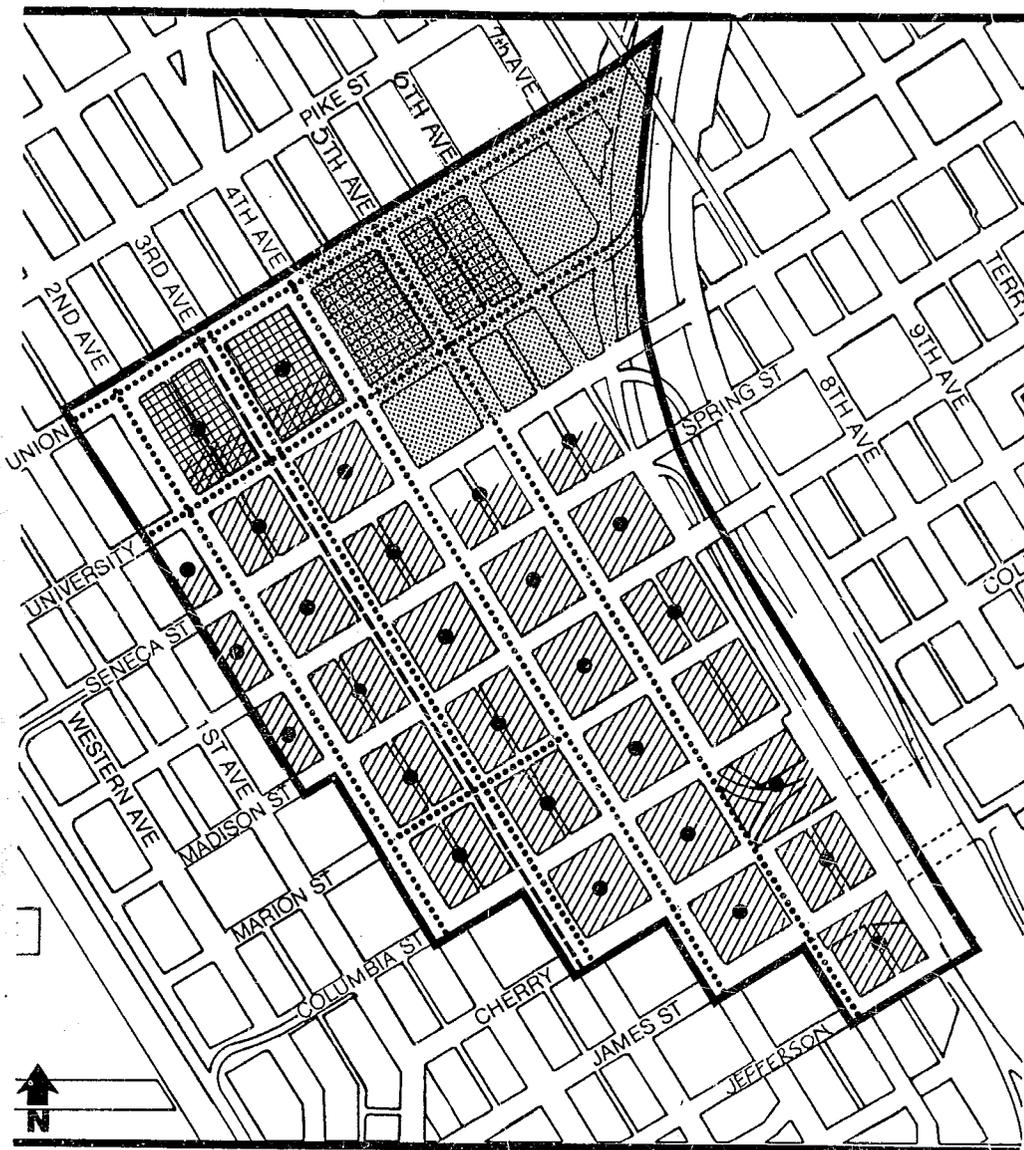


-  Street Level Uses Required
-  Principal Use Long Term Parking  
Garages Permitted as Conditional  
Uses

Principal Use Parking / Required Street Level Uses

## Map IIA

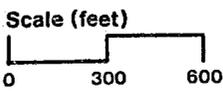
Downtown  
Office  
Core-1



**Public Benefit Features**

-  Hillside Terrace
-  Hillclimb Assist
-  Shopping Atrium and Shopping Corridor
-  Retail Shopping Bonus
-  Short Term Parking
-  Transit Station Access

**Map IIB**  
 Downtown  
 Office  
 Core-1

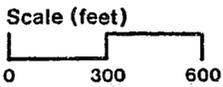
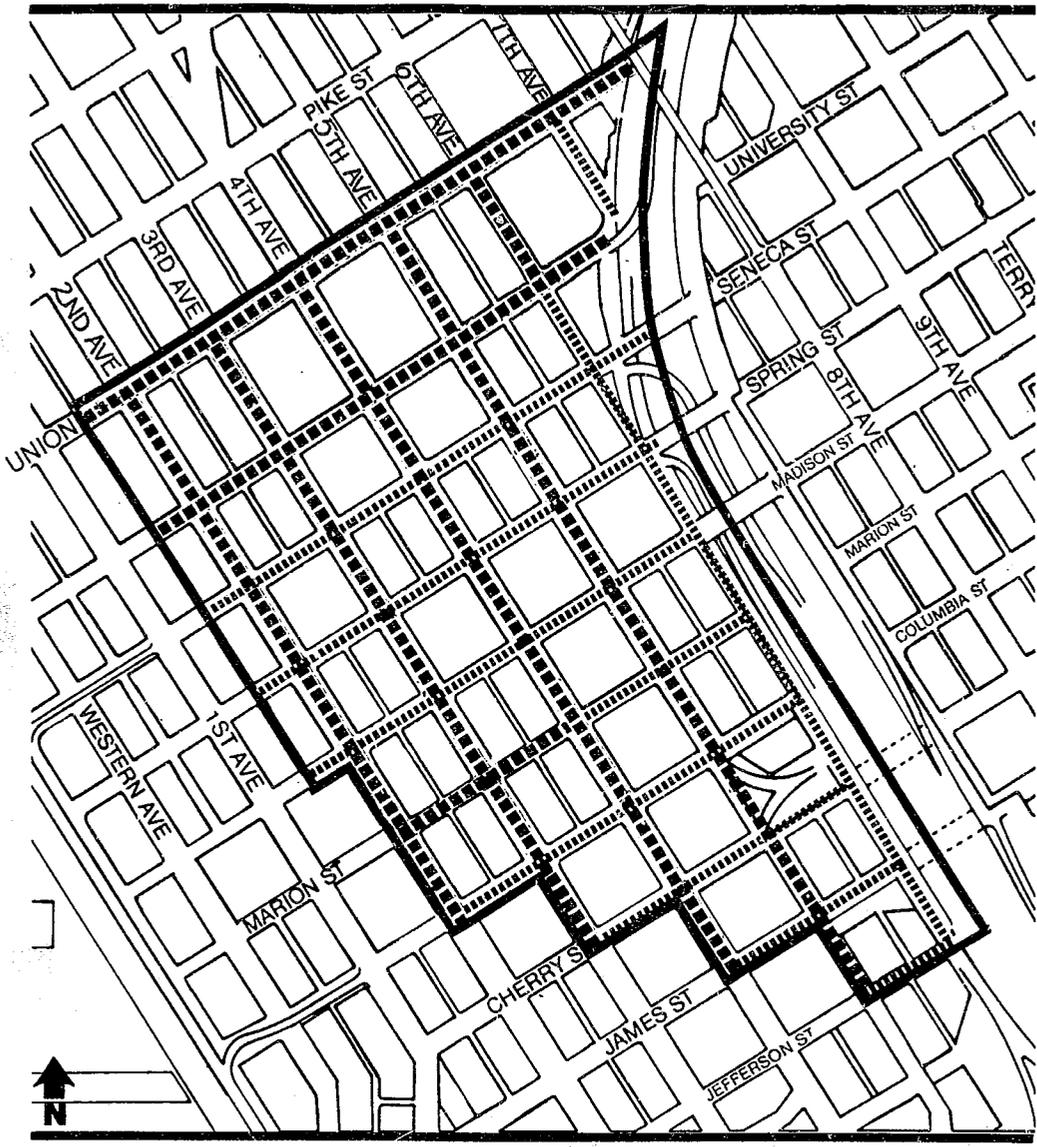


 Property Line Facades Required

**Map IIC**

Downtown  
Office  
Core-1

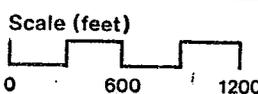
**Property Line Facades**



 **Class I**  
 **Class II**

**Map IID**  
Downtown  
Office  
Core-1

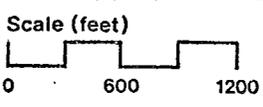
**Pedestrian Street Classifications**



-  **Street Level Uses Required**
-  **Principal Use Long Term Parking Garages Permitted as Conditional Uses**
-  **Principal Use Long Term Parking Garages Permitted as Conditional Uses, Accessory and Principal Use Surface Parking Areas Permitted according to Section 23.49.64**

**Map IIIA**  
**Downtown Office Core-2**

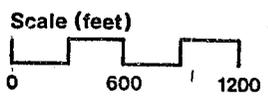
**Parking Location Restrictions / Required Street Level Uses**



**Public Benefit Features**

-  Hillside Terrace
-  Hillclimb Assist
-  Shopping Atrium and Shopping Corridor
-  Retail Shopping Bonus
-  Short Term Parking
-  Transit Station Access

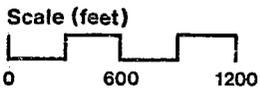
**Map IIIB**  
**Downtown**  
**Office**  
**Core-2**



 Property Line Facades Required

**Map III C**  
 Downtown  
 Office  
 Core-2

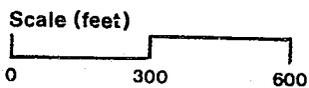
**Property Line Facades**



- Class I
- Class II
- Street Park

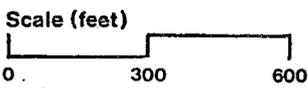
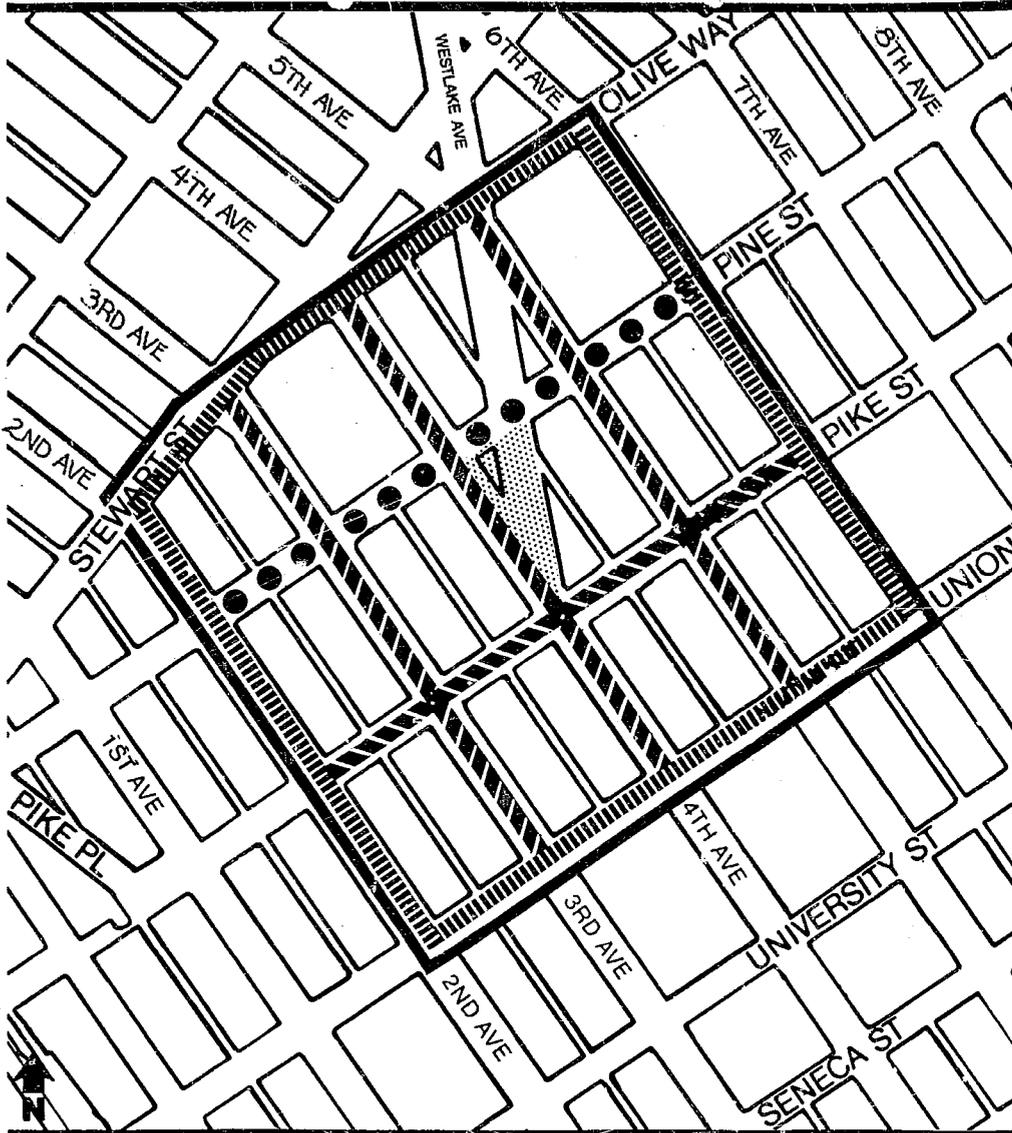
**Map III D**  
 Downtown  
 Office  
 Core-2

**Pedestrian Street Classifications**



 Housing Bonus Permitted

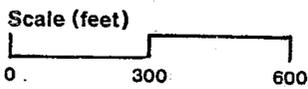
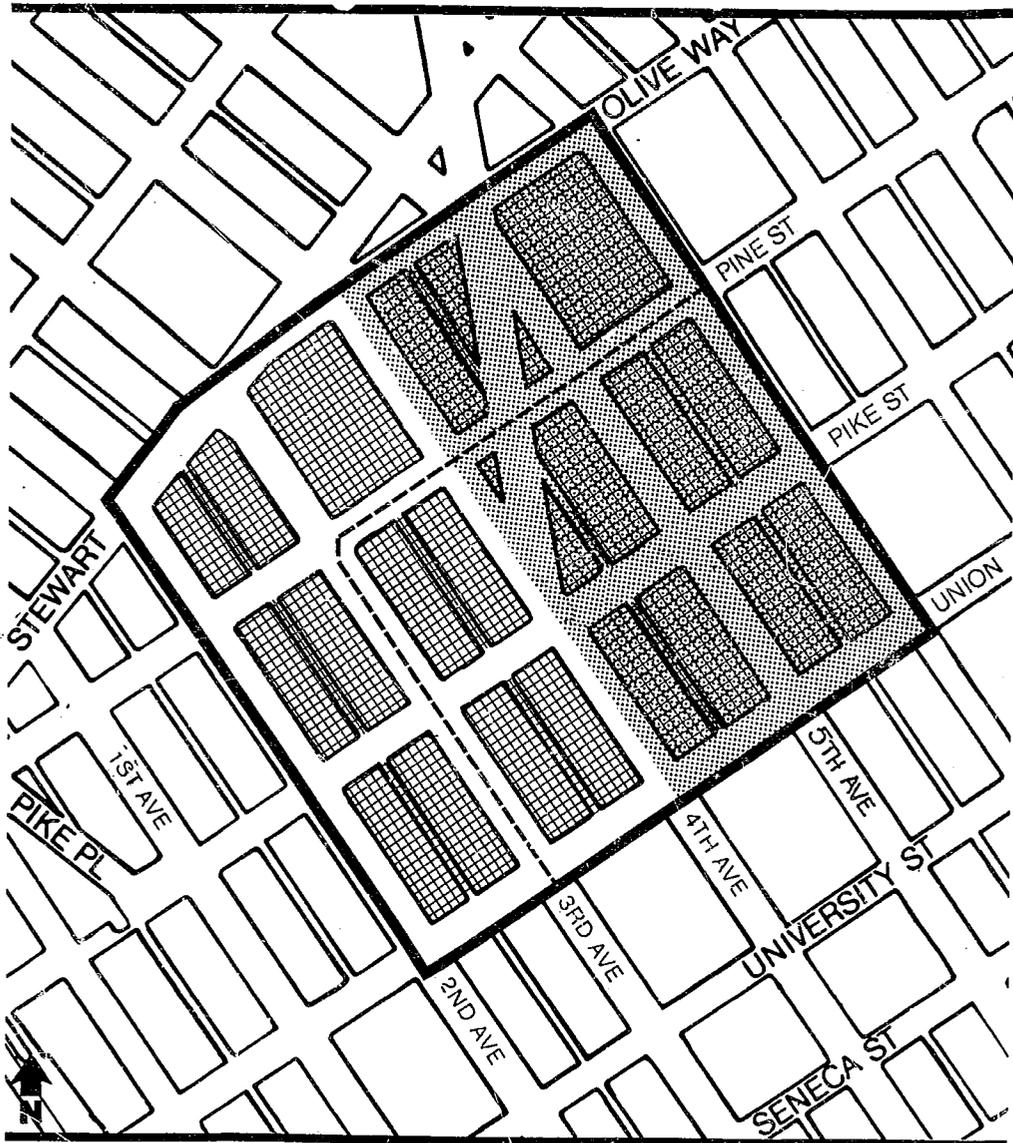
**Map IVA**  
Downtown  
Retail  
Core



**Priority for Minimizing Impacts of  
Performing Arts Theater Bonus and  
Major Retail Store Bonus on Streets and Public Spaces**

- ● Priority 1
- ▨ Priority 1
- ▩ Priority 2
- ▧ Priority 3

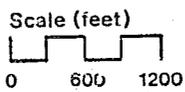
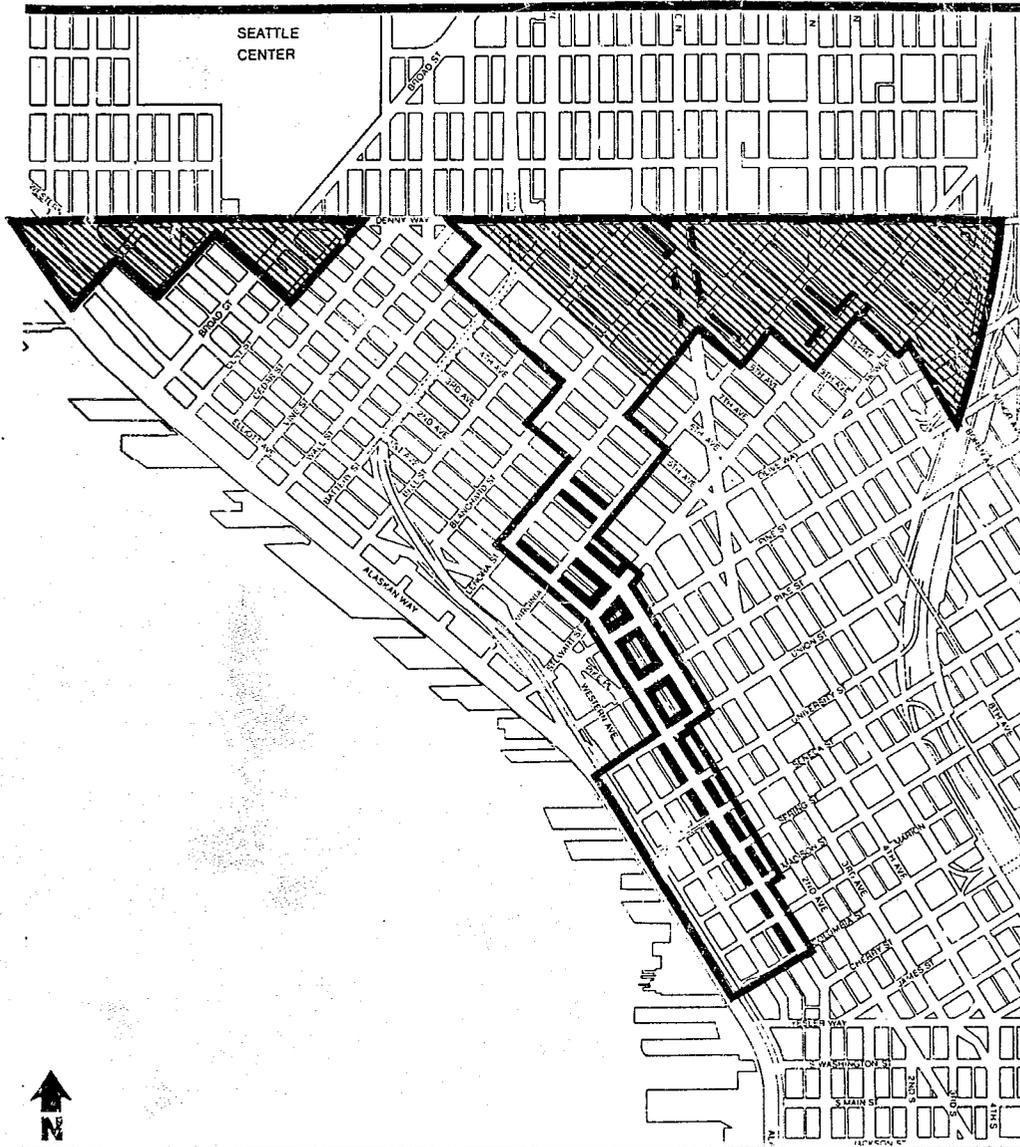
**Map IVB**  
Downtown  
Retail  
Core



-  Shopping Atrium and Shopping Corridor
-  Short Term Parking
-  Transit Station Access

**Public Benefit Features**

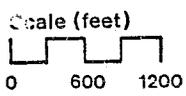
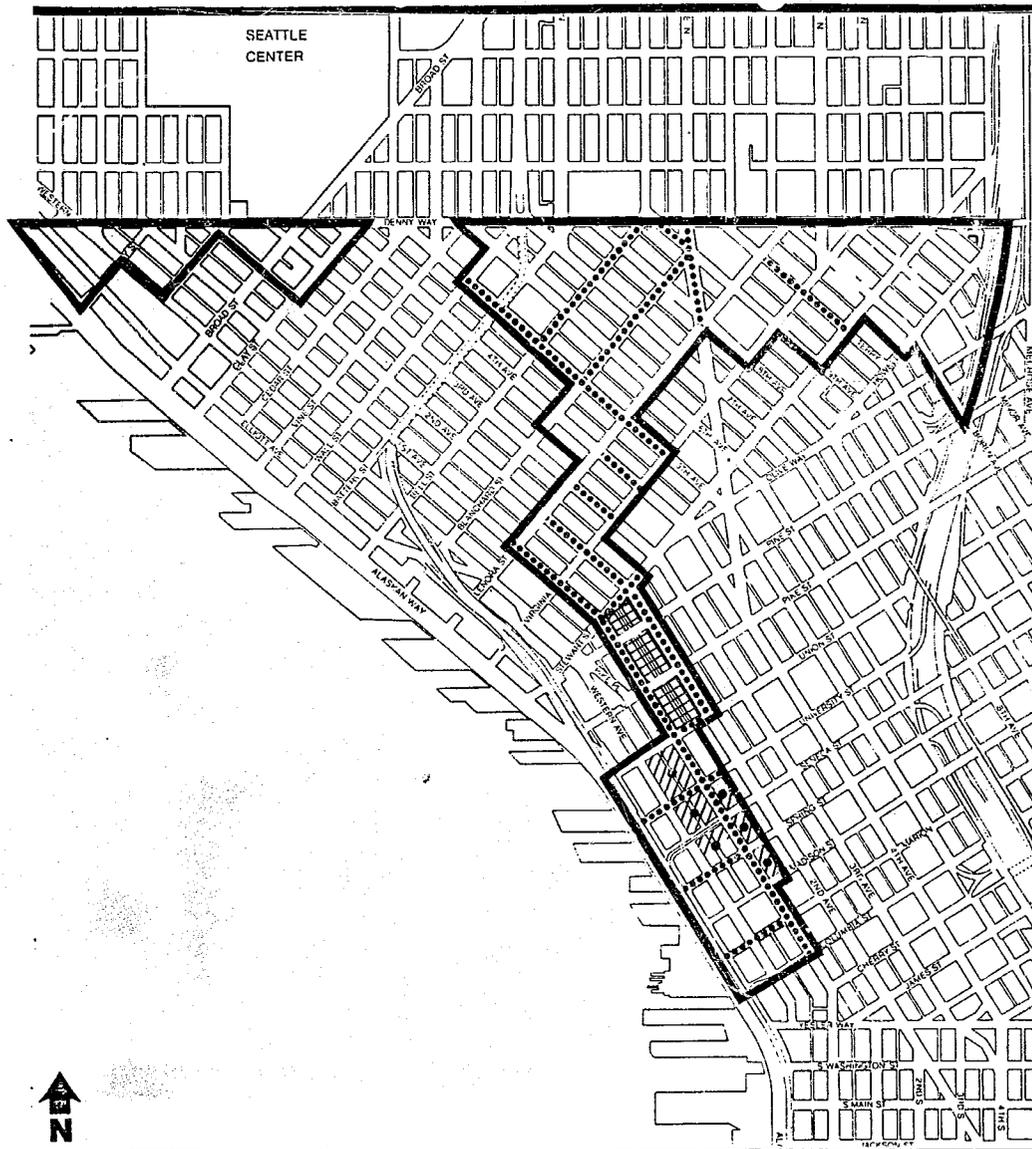
**Map IVC**  
 Downtown  
 Retail  
 Core



-  **Street Level Uses Required**
-  **Principal Use Long Term Parking Garages Permitted as Conditional Uses, Principal Use and Accessory Surface Parking Areas Permitted according to Section 23.49.120**

**Map V A**  
 Downtown  
 Mixed  
 Commercial

**Parking Location Restrictions / Required Street Level Uses**

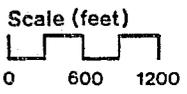
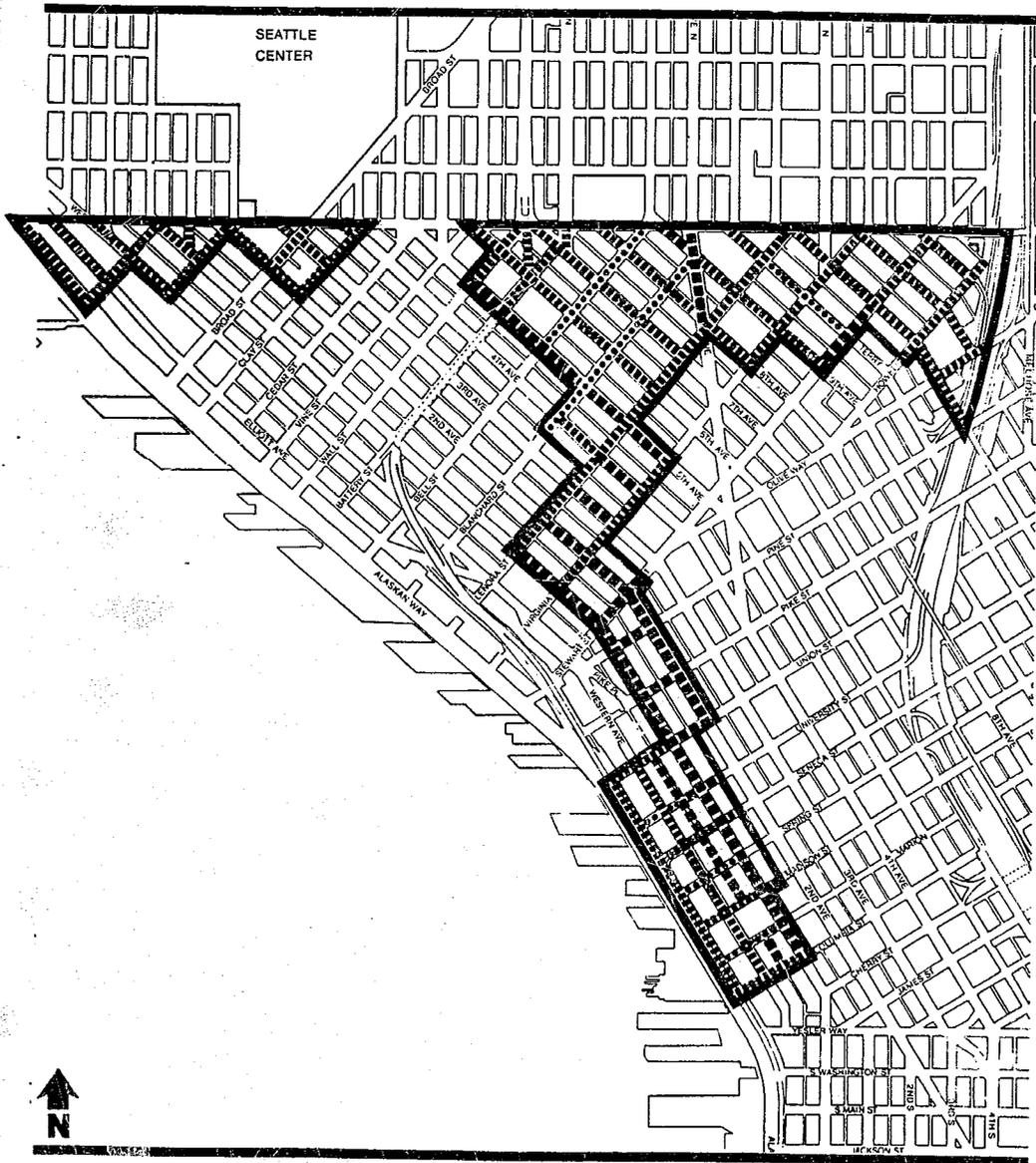


-  Hillside Terrace
-  Hillclimb Assist
-  Retail Shopping Bonus
-  Shopping Atrium and Shopping Corridor

**Map VB**  
 Downtown  
 Mixed  
 Commercial

**Public Benefit Features**



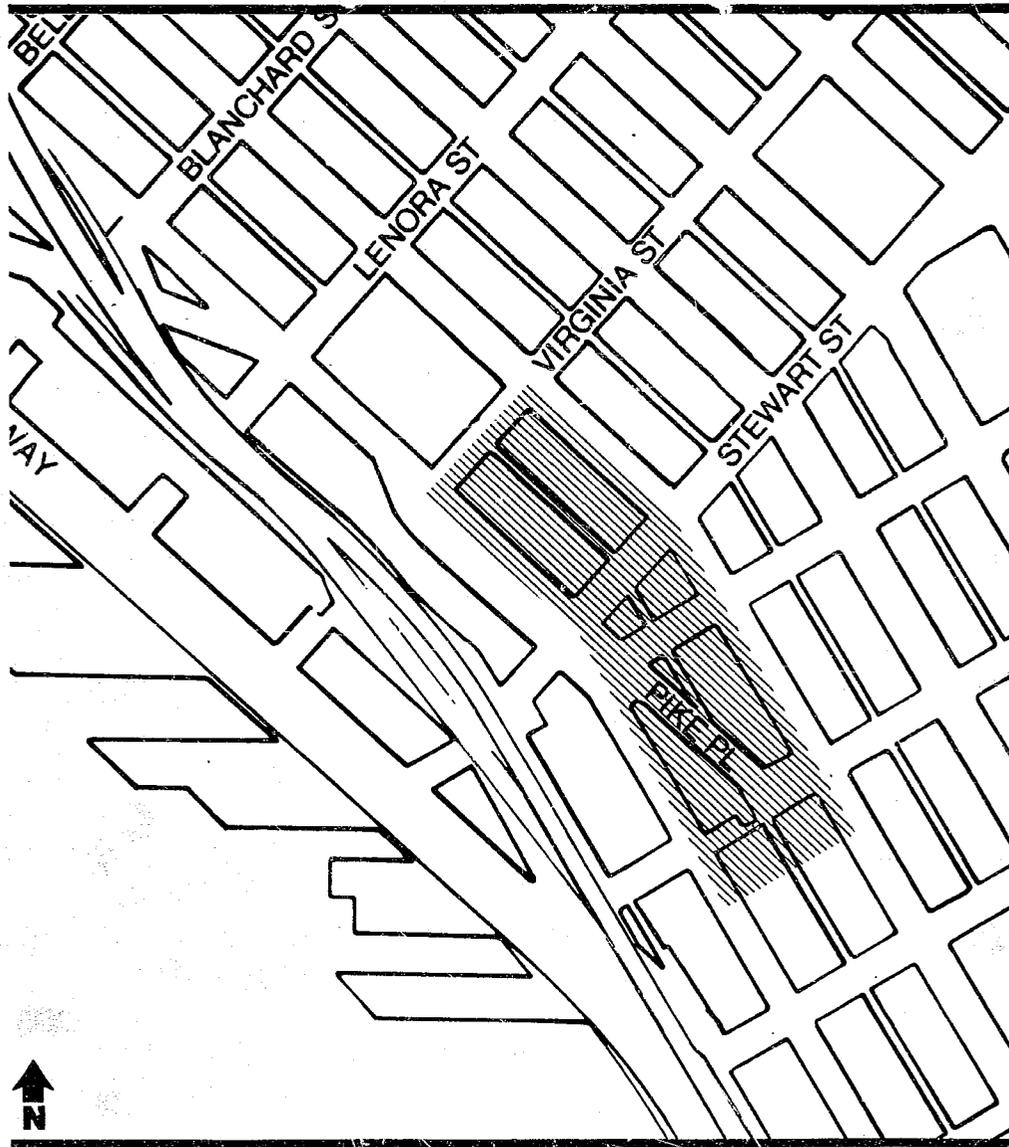


-  Class I
-  Class II
-  Street Park

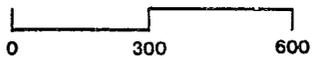
**Map V D**

**Downtown  
Mixed  
Commercial**

**Pedestrian Street Classifications**



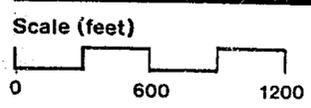
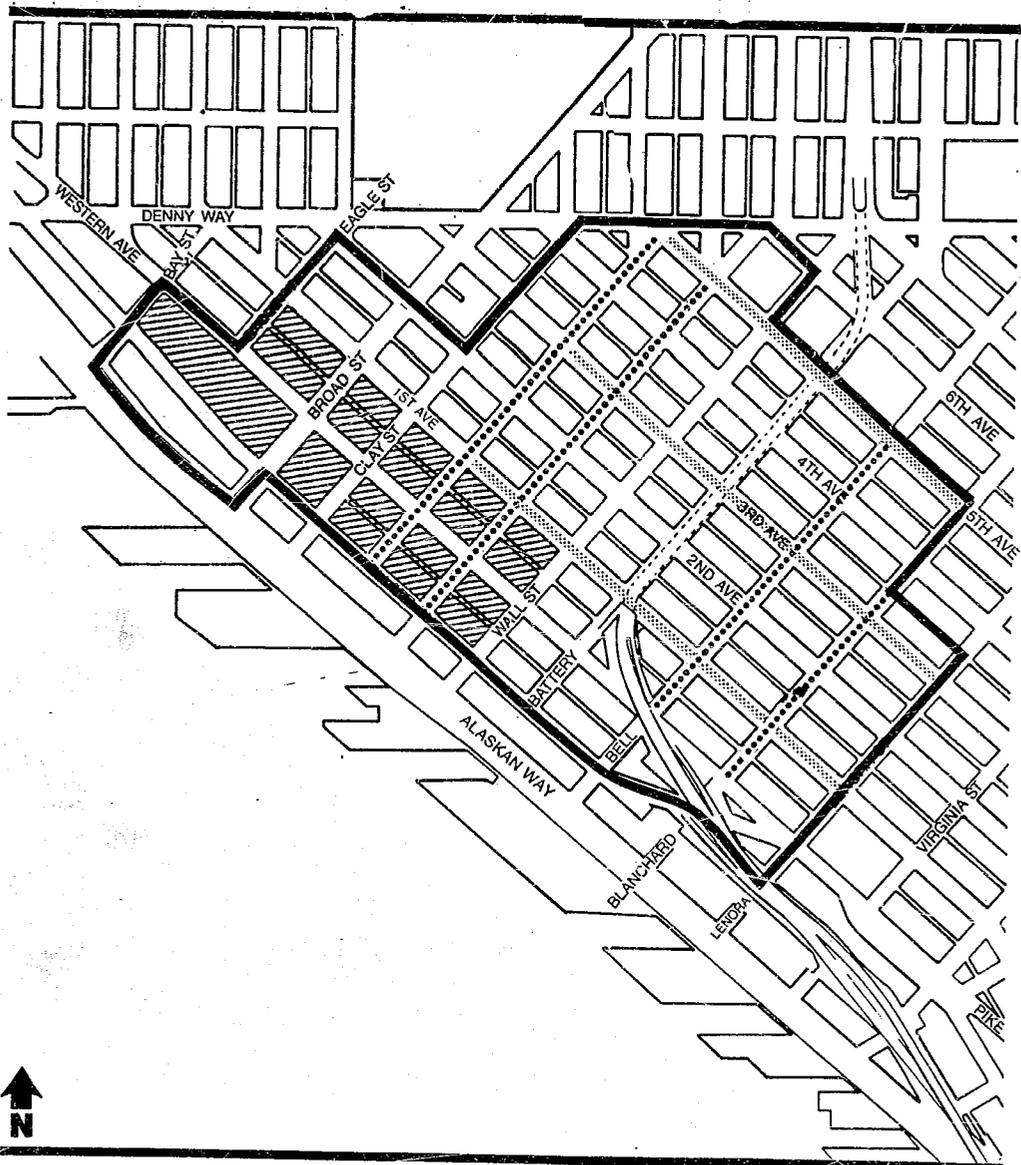
Scale (feet)



 Pike Market Historic District

**Map VE**

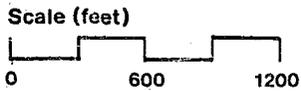
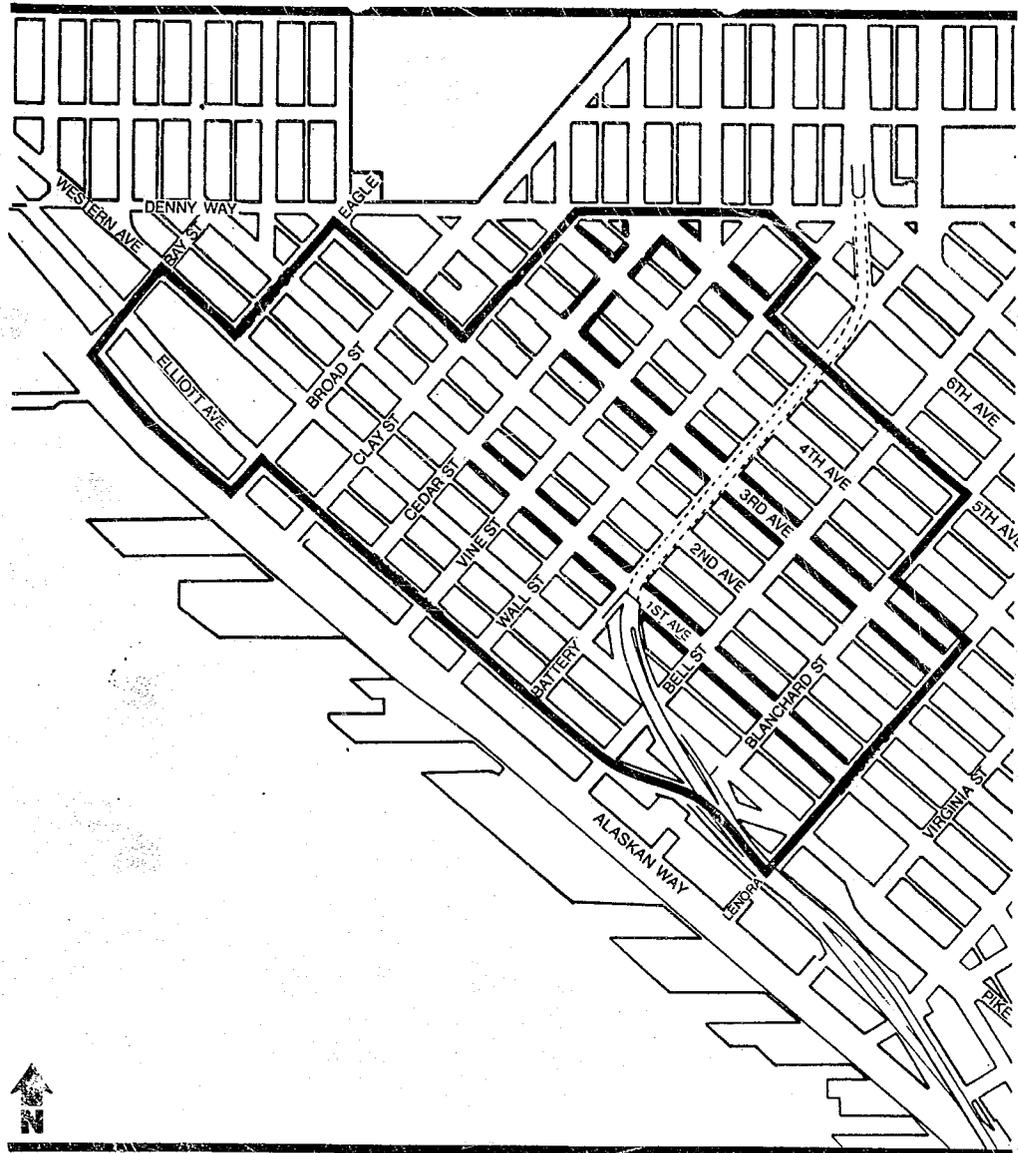
Downtown  
Mixed  
Commercial



-  Hillside Terrace
-  Street Parks
-  Retail Shopping Bonus

**Public Benefit Features**

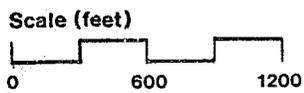
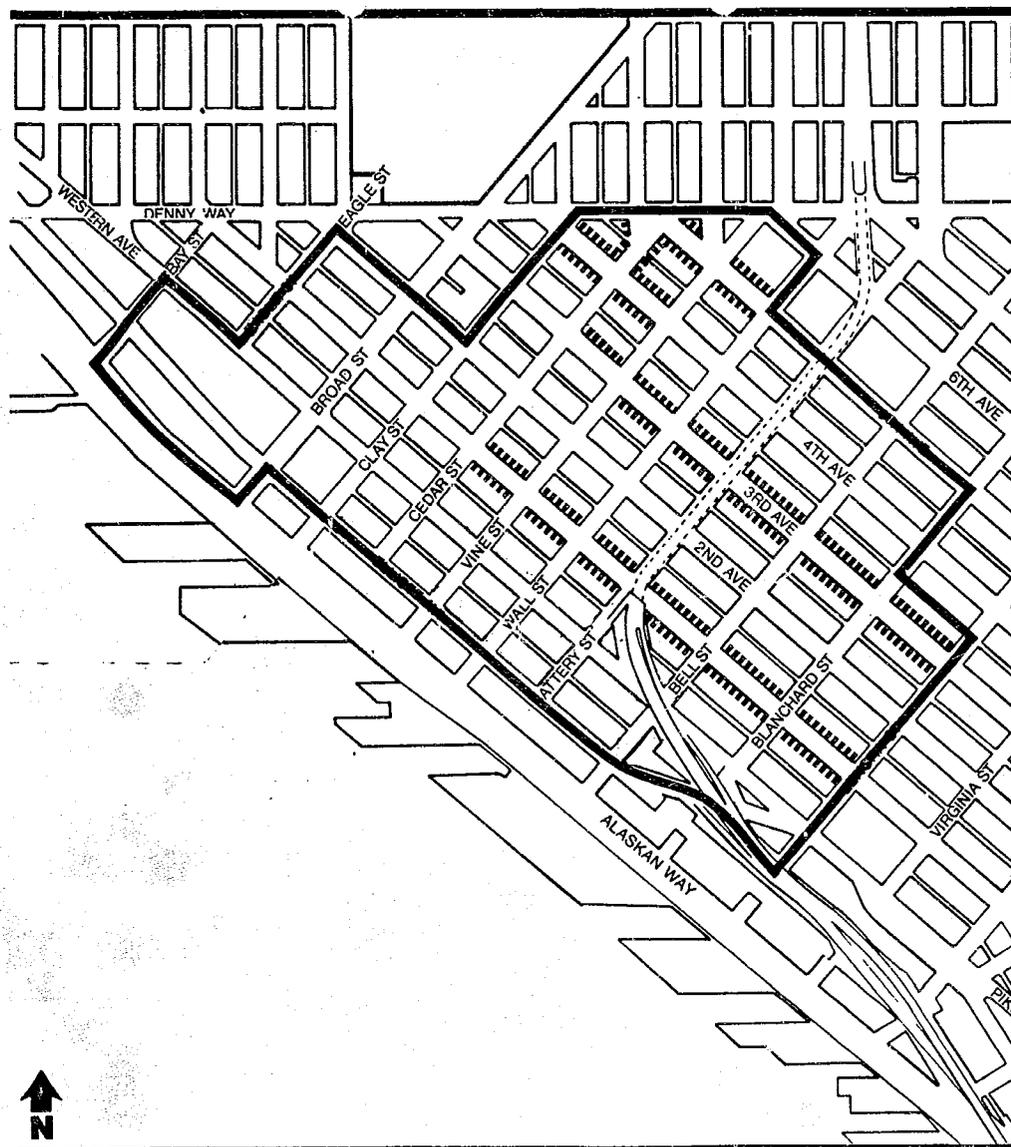
**Map VIA**  
 Downtown  
 Mixed  
 Residential



 Street Level Uses Required

**Required Street Level Uses**

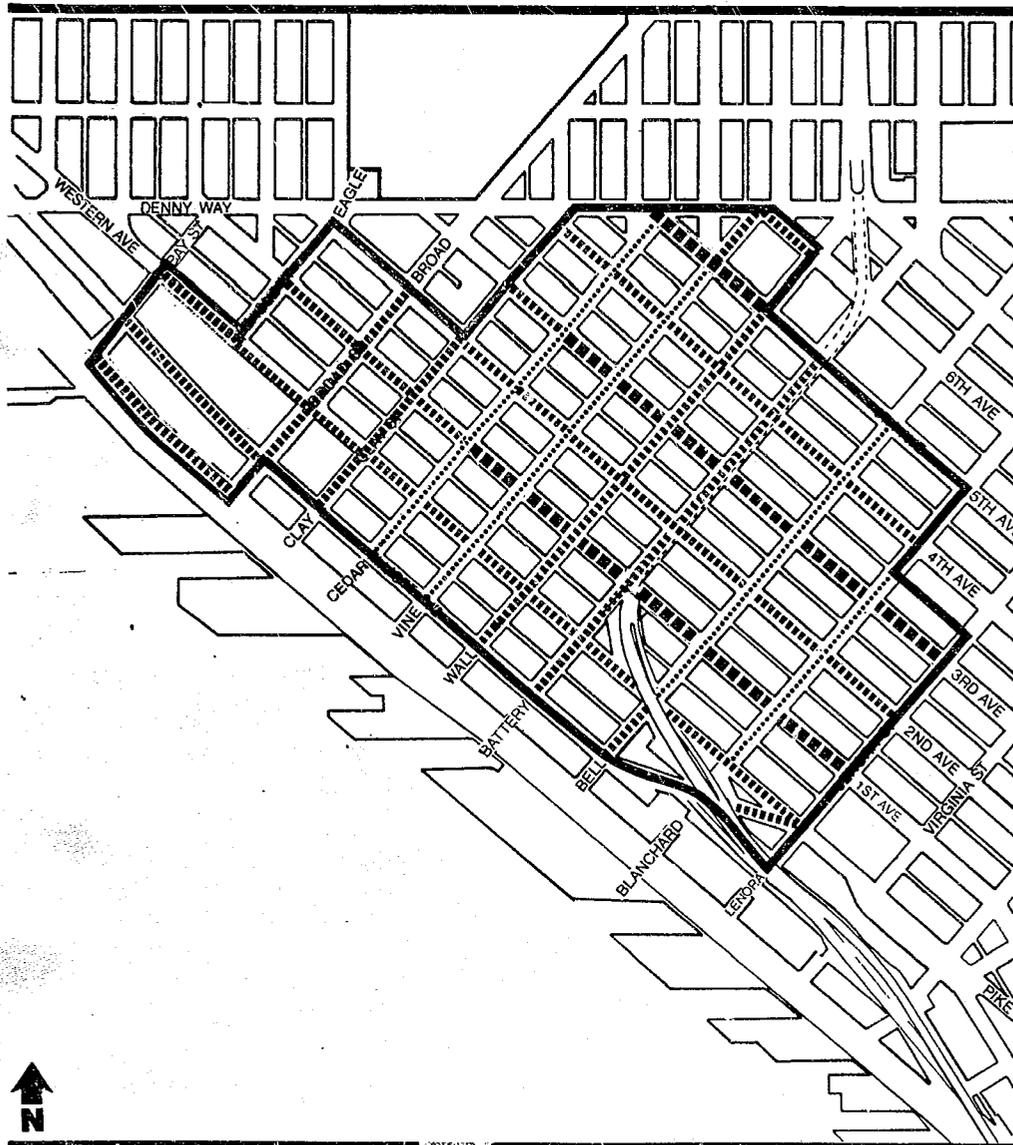
**Map VI B**  
 Downtown  
 Mixed  
 Residential



 Property Line Facades

Property Line Facades

**Map VIC**  
 Downtown  
 Mixed  
 Residential



Scale (feet)

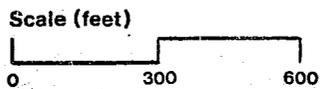


-  Class I
-  Class II
-  Street Park

### Map VI D

Downtown  
Mixed  
Residential

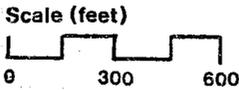
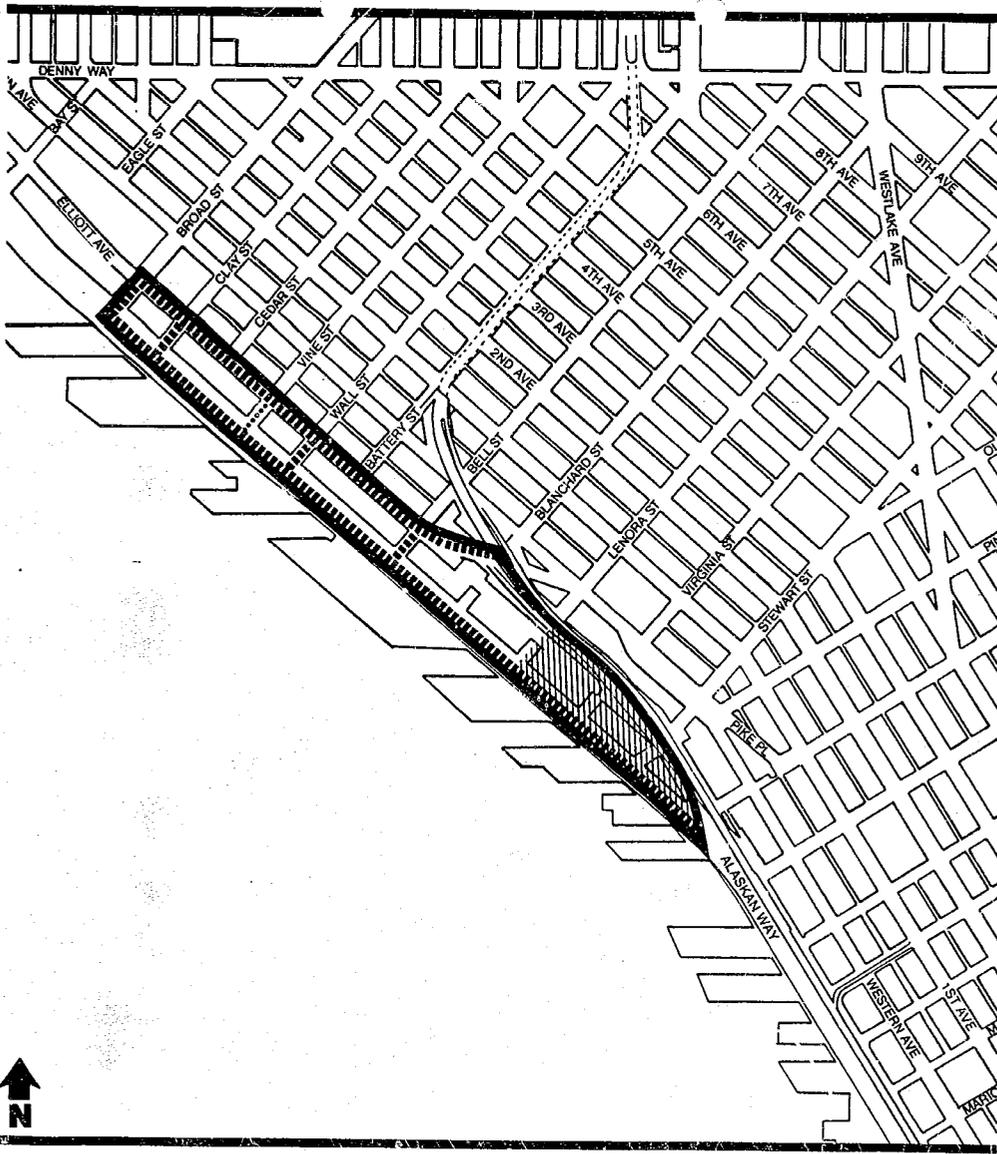
**Pedestrian Street Classifications**



Street Park

Street Parks

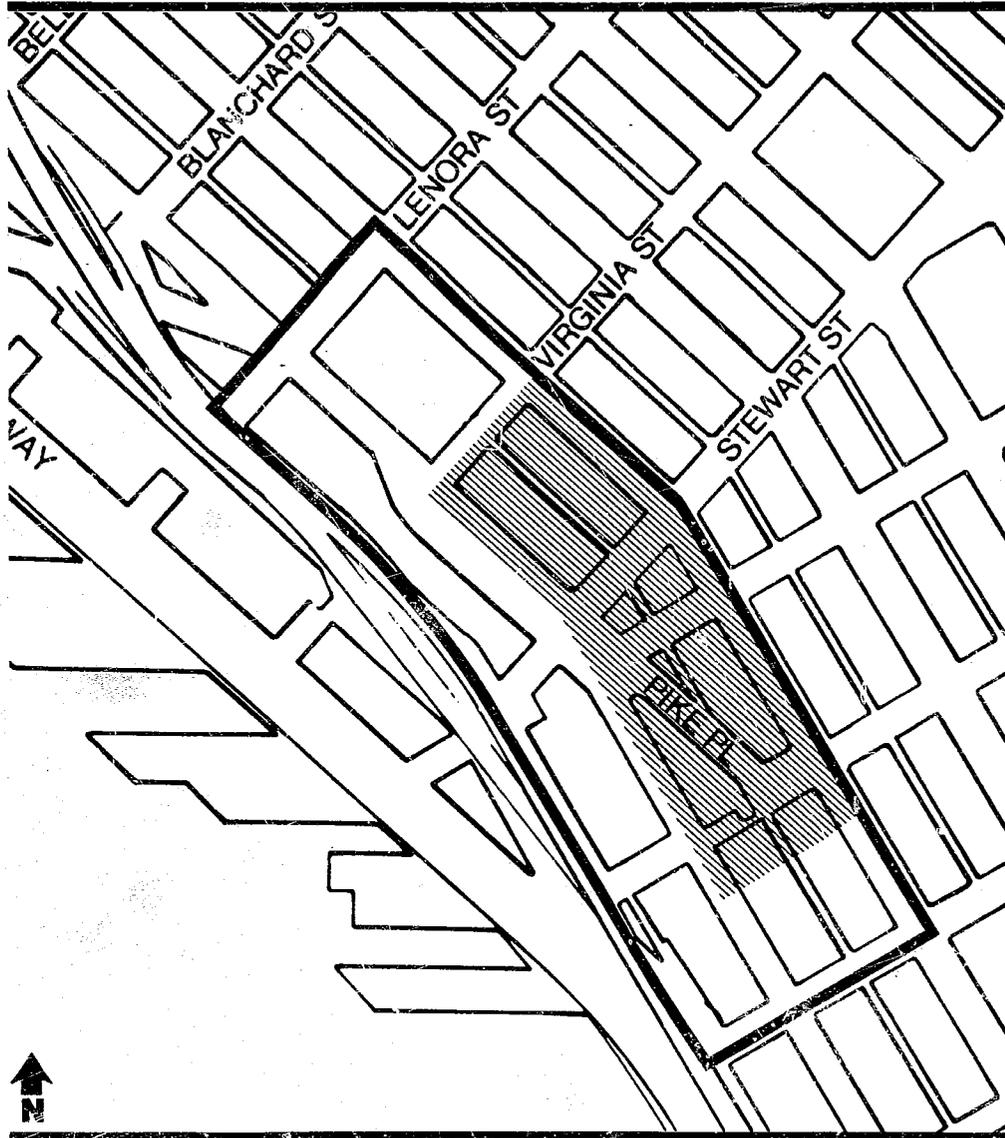
**Map IXA**  
International District Residential



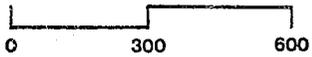
**Parking Location Restrictions and Pedestrian Street Classifications**

-  **Class II**
-  **Street Park**
-  **Principal Use Long Term Parking Garages Permitted as Conditional Uses, Principal Use and Accessory Surface Parking Areas Permitted according to Section 23.49.322**

**Map XIA**  
**Downtown Harborfront-2**



Scale (feet)



 Pike Market Historic District

**MapXIIA**

Pike  
Market  
Mixed







