ORD# 112777

C.B. # 105404

Original Ordinance
Missing

Land Use Committe 8/23/89

March 31st

Vote 8-0

Intro- Mar 03, 1986

2nd Reading March 31

3rd Reading March 31

Approved 4/10/86

Presented to Mayor 04,01,86

3-5-91

112777

GFC:pm
3/24/86
ORD1.

ORDINANCE 112777

AN ORDINANCE relating to land use and zoning; amending new Chapters 23.46 and 23.47 to the Seattle Municipal Code and adding, amending or repealing various other sections thereof to provide use and development standards and off-street parking requirements for Commercial and Residential-Commercial zones; and adopting amendments to the Official Land Use Map to implement said zones.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 23.30.010 of the Seattle Municipal Code is amended to read as follows:

23.30.010 Classifications for the Purposes of this Subtitle

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

Zones	Abbreviated
Residential, Single Family 9600	SF 9600
Residential, Single Family 7200	SF 7200
Residential, Single Family 5000	SF 5000
Residential, Multi-Family, Lowrise 1	L1
Residential, Multi-Family, Lowrise 2	L2
Residential, Multi-Family, Lowrise 3	L3
Residential, Multi-Family, Midrise	MR
Residential, Multi-Family, Highrise	HR
Residential Commercial	RC
Institution 1	I-1
Institution 2	I-2
Institution 3	I-3
Institution 4	I-4
Institution 5	I-5
Institution 6	I-6
Institution Master Plan	I-MP
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Commercial 1	C1
Commercial 2	C2

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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
Pike Market Mixed	PMM

Section 2. That the Seattle Municipal Code is amended by adding new Sections 23.34.070, 23.34.072, 23.34.074, 23.34.076, 23.34.078, 23.34.080, 23.34.082, 23.34.084, 23.34.086 and 23.34.088 to read as follows:

23.34.070 Locational Criteria, Residential-Commercial (RC) Zones

In reviewing a proposal to rezone an area to Residential-Commercial, the following criteria shall be considered:

A. Function

A residential-commercial (RC) designation shall be combined only with a multi-family designation and may be appropriate in any of the following circumstances:

1. As a means to downzone strip commercial areas which have not been extensively developed with commercial uses.

2. As a means to downzone small commercial areas which have not been extensively developed with commercial uses and where commercial services are available nearby.

3. To provide opportunities for needed parking in areas where spillover parking is a major problem.

4. As a means of supporting an existing commercial node.

B. Character

1. Existing

a. Areas which are primarily residential in character (which may have either a residential or commercial

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zone designation), but where a pattern of mixed residential/commercial development is present, or

b. Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas.

2. Desired Characteristics

a. Physical appearance resembling the appearance of adjacent residential areas.

b. Mixed use with small commercial uses at street level.

C. Physical Factors Favoring RC Designation

1. Lack of edges or buffer between residential and commercial uses.

2. Lack of buffer between major arterial and residential uses.

3. Streets with adequate access and circulation.

4. Insufficient parking in adjacent Commercial zone results in parking spillover on residential streets.

23.34.072 Designation of Commercial Areas

A. Decisions to designate an area or specific site commercial as opposed to non-commercial shall be based on the criteria provided in Section 23.34.010, the general rezone criteria contained in Section 23.34.008, the Goals of Land Use Policies for Neighborhood Commercial Areas adopted by Resolution 27156 as amended and the criteria contained in Subsection 23.34.072B. Commercial areas shall be assigned

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one or more zone, height and/or overlay designations according to the criteria in Sections 23.34.074-23.34.088.

B. Criteria for commercial area designation

1. The encroachment of commercial development into residential areas shall be discouraged.

2. Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in the Single Family Policies.

3. Whenever possible, commercial zones shall be located where the impacts on other zones can be minimized by the use of transition zones or buffers. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses. The following elements shall be considered as buffers:

   a. Natural features such as topographic breaks, lakes, streams, ravines and shorelines;

   b. Freeways, expressways and other major traffic arterials;

   c. Street layout and block orientation;

   d. Open spaces and greenbelts.

4. Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas.

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5. The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.

6. The cumulative impact of development in the area shall not exceed the capacity of infrastructure such as streets, utilities and sewers.

7. Community objectives contained in neighborhood and business district development plans adopted by Council shall be given careful consideration.

8. Changes in commercial boundary, zone designation, height or special district overlay shall occur in an orderly and predictable fashion.

C. Changed circumstances since the adoption of the land use map need not be shown to justify a proposed rezone, particularly for an area which was not permitted to be considered for commercial designation during the legislative mapping process. Changed circumstance, however, is an important factor to be considered along with the factors listed in subsections A and B. Evidence of changed circumstance may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics, intensity and type of development (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability, environmental impacts and previous zoning changes in and around the area proposed for rezone.

23.34.074 Locational Criteria, Neighborhood Commercial 1 (NC1) Zones

In reviewing a proposal to rezone an area to Neighborhood Commercial 1, the following criteria shall also be considered:

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A. Function

A small area composed primarily of businesses providing convenience retail sales and services to the adjoining residential neighborhood.

B. Character

1. Existing

Small commercial area surrounded by low density residential areas.

2. Desired Characteristics

a. Variety of small neighborhood-serving businesses.

b. Continuous storefronts with commercial use, built to the front property line.

c. Atmosphere friendly to pedestrians.

d. Shoppers walk from store to store.

C. Physical Conditions Favoring Designation as NC1

1. Surrounded by low density residential areas.

2. No physical edges to buffer the residential area.

3. Lack of vacant land or land appropriate for additional commercial development within the commercial area.

4. Accessed through low density residential neighborhoods (i.e., commercial area will draw traffic through neighborhood).

5. Generally, limited street capacity.

6. Limited transit service.

7. Limited off-street parking capacity.

23.34.076 Locational Criteria - Neighborhood Commercial 2 (NC2) Zones

In reviewing a proposal to rezone an area to Neighborhood Commercial 2, the following criteria shall also be considered:

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A. Function

A pedestrian-oriented shopping area which provides a full range of household and personal goods and services, including convenience and specialty goods, to the surrounding neighborhoods.

B. Character

1. Existing

The NC2 zone may be appropriate for any of the following types of areas:

a. Medium-sized node generally surrounded by low to medium density residential areas, or

b. Small commercial area located at the edge of a larger business area, which provides a transition between intense commercial activity and surrounding areas, or

c. Area in the core of an established commercial district characterized by a concentration of small retail and service uses, or

d. Commercial area along major arterial where lots are generally small and shallow, and are surrounded by low density residential areas.

2. Desired Characteristics

a. Variety of small to medium-sized neighborhood-serving businesses.

b. Continuous storefronts with commercial use, built to the front property line.

c. Pedestrian-friendly atmosphere.

d. Shoppers can drive to the area, but walk from store to store.

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C. Physical Conditions Favoring Designation as NC2

1. Surrounded by low to medium density residential areas.
2. Lack of strong edges to buffer the residential area.
3. Lack of vacant land or land appropriate for additional commercial development within the commercial area.
4. Access through low and medium density residential areas.
5. Located on streets with good capacity (major traffic streets and minor arterials), but generally not on major transportation corridors.
6. Limited transit service (i.e., a few routes).
7. Limited off-street parking capacity - may include a parking area for supermarket or other larger use.

23.34.078 Locational Criteria - Neighborhood Commercial 3 (NC3) Zones

In reviewing a proposal to rezone an area to Neighborhood Commercial 3, the following criteria shall also be considered:

A. Function

A pedestrian-oriented shopping district serving the surrounding neighborhood and a larger community or city-wide clientele. The area provides for comparison shopping with a wide range of retail goods and services. The area also provides offices and business support services that are compatible with the retail character of the area and may also include residences.

B. Character

1. Existing

The NC3 zoning may be appropriate for either of the following types of areas:

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a. Major commercial nodes surrounded by medium-to-high density residential areas or other commercial areas, or

b. Commercial, retail-oriented strip along a major arterial with significant amounts of retail frontage and generally surrounded by medium density residential areas.

2. Desired Characteristics

a. Variety of retail businesses at street level.

b. Continuous storefronts built to the front property line.

c. Intense pedestrian activity.

d. Shoppers can drive to the area, but will walk around from store to store.

e. Cycling and transit are important means of access.

C. Physical Conditions Favoring Designations as NC3

1. Served by principal arterial.

2. Separated from low density residential areas by physical edges, less intense commercial areas or more intense residential areas.

3. Highly accessible for large numbers of people (considering present and anticipated congestion) so that intense activity of a major commercial node can be accommodated.

4. Circulation system accommodates commercial traffic without drawing traffic through residential areas.

5. Excellent transit service.

6. Presence of large, perhaps shared, off-street parking lots; land available for additional parking, or other means to accommodate parking demand.

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23.34.080 Locational Criteria - Commercial 1 (C1) Zones

In reviewing a proposal to rezone an area to Commercial 1, the following criteria shall also be considered:

A. Function

An auto-oriented commercial area, primarily retail/service in nature, which serves surrounding neighborhoods and the larger community or City-wide clientele. The area provides a wide range of commercial services, including retail, offices and business support services and may also provide for residential uses.

B. Existing Character

1. Shopping centers, or
2. Shopping areas along arterials where customers drive from one individual business to another.

C. Physical Conditions Favoring Designation as C1

1. Readily accessible from a principal arterial.
2. Presence of edges which buffer low density residential areas, such as more intense residential areas, less intense commercial, or changes in street layout or platting pattern which tend to define boundaries.
3. Predominance of large lots which can accommodate wide range of commercial activity.
4. Limited pedestrian access on the public right-of-way, curb cuts, auto movement or parking lots create an environment which is unfriendly to pedestrian activity.
5. Presence of large, perhaps shared, off-street parking lots; readily accessible from major transportation corridors or arterials.

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23.34.082 Locational Criteria - Commercial 2 (C2) Zones

In reviewing a proposal to rezone an area to Commercial 2, the following criteria shall also be considered:

A. Function

An auto-oriented, primarily non-retail commercial area which provides a wide range of commercial activities serving a City-wide function. These areas provide employment opportunities, business support services and locations for light manufacturing uses.

B. Existing Character

1. Major commercial nodes characterized by heavy commercial activity, often including a few major employers, or
2. A commercial strip located along a major arterial characterized by heavy commercial activity.

C. Existing Conditions Favoring Designation as C2

1. Readily accessible from a principal arterial.
2. Possibly adjacent to manufacturing/industrial zones.
3. Presence of edges which buffer low density residential areas, such as more intense residential areas, less intense commercial areas or changes in street layout or platting pattern which tend to define boundaries.
4. Predominance of large lots which can accommodate a wide range of heavy commercial and light manufacturing activity.
5. Limited pedestrian access.

23.34.084 Locational Criteria - Neighborhood Commercial Area Heights

In reviewing a proposal to rezone the height in a neighborhood commercial area, the Goals of the Land Use Policies for Neighborhood Commercial Areas adopted by Resolution 27156,

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particularly Goals A-1, A-4, A-7, A-8, B-2, B-3, B-4, B-5, B-9, B-10 and B-12, the general rezone criteria contained in Section 23.34.028, and the following criteria should be considered:

A. Function of the zone

The height limit shall provide development potential for commercial activity which directly serves or is compatible with the function of the zone. The demand for permitted goods and services ad the potential for displacement of preferred uses shall be considered.

B. Community recommendations

Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the Council subsequent to the adoption of the land use map.

C. Service Capacities

The development which can reasonably be anticipated based on the permitted development potential shall not exceed the service capacities which can reasonably be anticipated in the area including:

1. Street access to the area. Development shall be limited where arterial access capacity is insufficient.
2. Street capacity in the area.
3. Transit service.
4. Parking capacity.
5. Sewer capacity.

D. Topography of the area and its surroundings

The height limit shall reinforce the natural topography of the area and its surroundings and the likelihood of view blockage shall be considered.

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E. Height and Scale of the Area

1. The height limits established by current zoning in the area shall be given consideration.

2. In general, permitted height limits shall be compatible with the predominant height and scale of existing development particularly where existing development is a good measure of the area's overall development potential.

F. Height and scale of the surrounding area.

1. The height limits for an area shall be compatible with actual and zoned heights in surrounding areas, provided that buildings developed under Major Institutions height limits shall not be considered and height limits assigned to the underlying zone, rather than the Major Institutions designation, shall be considered.

2. A gradual transition in height and scale and level of activity between zones shall be provided unless major physical edges are present. These edges may be:

a. natural features such as topographic breaks, lakes, rivers and ravines;

b. freeways, expressways, and other major traffic arterials;

c. street layout and block orientation;

d. open spaces and greenbelts.

G. Environmental impacts such as air pollution, glare, noise, odor, shadows and pedestrian safety shall be considered.

H. Changes in circumstances since the adoption of the land use map amendments for commercial zones.

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Changed circumstances since the adoption of the land use map need not be shown to justify a proposed rezone. However, changed circumstances is an important factor to be considered along with the other factors listed in this section. Evidence of such changes may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability and environmental impacts.

23.34.086 Locational Criteria - Pedestrian District 1 (P1) Overlay

In reviewing a proposal to rezone an area to Pedestrian District 1 (P1) overlay, the following criteria shall be considered:

A. Function

To preserve and encourage an intensely retail and pedestrian-oriented shopping district where non-auto modes of transportation to and within the district are strongly favored.

B. Desired Characteristics

1. Intense pedestrian interest and activity at street level;
2. Wide variety of retail/service activities;
3. Large number of shops and services per block;
4. Buildings built to the front property line with a minimum of auto-oriented uses;
5. Minimal pedestrian-auto conflicts.

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C. Physical Conditions Favoring Designation as P1

1. Pedestrian district generally surrounded by medium to high density residential areas and/or major activity centers;
2. Excellent access for transit, bicycle and pedestrian;
3. Availability of on- and off-street parking which can accommodate those who drive to the area;
4. Commercial areas with sufficient depth to accommodate off-street parking away from the principal pedestrian street;
5. Alleys or side streets allow access to parking areas by means other than curb cuts on principal pedestrian street;
6. Strong existing pedestrian character substantially reduces impact of parking waiver on surrounding areas.

23.34.088 Locational Criteria - Pedestrian District 2 (P2) Overlay

In reviewing a proposal to rezone an area to Pedestrian District 2 (P2) overlay, the following criteria shall be considered:

A. Function

To preserve and encourage a pedestrian-oriented retail shopping area where non-auto modes of transportation within the district are strongly favored but where many of the conditions favoring designation as P1 are not present.

B. Desired Characteristics

1. A variety of retail/service activities and interest along the street front, with limited breaks for parking;
2. Primarily built to the front property line;
3. Minimal pedestrian-auto conflicts;

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4. Commercial frontage uninterrupted by housing, drive-in facilities, or large parking areas along the principal pedestrian street front.

C. Physical Conditions Favoring Designation as P2

1. The area is surrounded by low to medium density residential areas;

2. Pedestrian access from residential areas is good, and/or excellent transit service exists;

3. On- and off-street parking capacity is limited, and full parking waiver (as in Pedestrian 1) could create unacceptable spillover parking in surrounding residential areas;

4. The commercial area is shallow so that there is limited opportunity to provide accessory parking away from the principal pedestrian street front.

Section 4. That Section 23.40.010 of the Seattle Municipal Code is amended to read as follows:

23.40.010 Design Departure

A. Design departure may be permitted in multi-family <u>and Residential-Commercial</u> zones for design solutions which result in a better development than would be allowed under the development standards of the applicable zone. Design departure may be permitted for one (1) or more of the following reasons:

1. To improve solar access, energy conservation or use of passive energy systems;

2. To provide better amenities on the site for common use of residents such as well equipped open spaces (playground equipment, benches, picnic tables, play courts) or increased quality and quantity of landscaped open space;

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3. To provide amenities for public use;

4. To minimize view obstruction;

5. To use techniques other than modulation to reduce the appearance of bulk;

6. To preserve existing housing;

7. To preserve a desirable existing architectural and siting pattern in an area;

8. To preserve historically or architecturally significant structures;

9. To provide a parking solution uniquely suited to the location.

B. Design departure may be sought from the following development standards in multi-family <u>and</u> <u>Residential-Commercial</u> zones:

1. Maximum structure width;

2. Maximum structure depth;

3. Front, rear and side setbacks;

4. Modulation;

5. Design and location of parking;

6. Open space requirements;

C. Design departure shall not be permitted from development standards for:

1. Structure height;

2. Quantity of parking;

<u>3. Maximum size of commercial uses.</u>

D. Design departure shall not be authorized to:

1. Change definitions or measurement techniques;

2. Permit the establishment of a use which is otherwise not permitted in the zone in which it is proposed;

3. Alter the requirements of other applicable codes and regulations.

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E. If a design departure is sought, the entire project shall be considered when evaluating the departure. In exercising discretion granted under the design departure provisions, the Director shall only relax or modify requirements to the extent such modifications further the objectives identified in Section 23.40.010A.

Section 5. Subsection A of Section 23.44.016 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.016 Parking Location and Access

Parking shall be required as provided ((~~below~~)) in Chapter 23.54 and in accordance with the following:

((~~A.~~)) ((~~Number of Spaces Required~~))

((1.)) ((~~A minimum of one offstreet parking space is required for each single family structure and for each floating home. When an existing single family structure or floating home was legally constructed without off-street parking, no parking requirement shall be imposed when the structure is expanded or renovated.~~))

((~~2.~~)) ((~~The number of spaces required for uses authorized in existing or former public schools shall be as established for such uses in Section 23.44.22L.~~))

((~~3.~~)) ((~~The number of spaces required for administrative conditional uses is identified in Section 23.44.20, special residences, Section 23.44.22, institutions, Section 23.44.24, planned residential developments, Section 23.44.26, use of landmark structures, Section 23.44.28, structures unsuited to uses permitted outright, and Section 23.44.80H, non-conforming uses.~~))

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((~~4.~~)) ((~~No offstreet parking spaces are required for existing cemeteries, public playgrounds, public or private parks or existing railroad rights of way except as may be required for an accessory use located within a park or playground as provided in Subchapter III of this Chapter.~~))

((~~B.~~))A. Access

1. Vehicular access to parking from an improved street, alley or easement is required.

2. Access to parking is permitted through a required yard abutting a street only if the Director determines that one of the following conditions exists:

   a. There is no adjacent improved alley; or

   b. Existing topography does not permit alley access; or

   c. A portion of the alley abuts a nonresidential zones; or

   d. The alley is used for loading or unloading by an existing nonresidential use; or

   e. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard.

((~~C.~~))B. Parking on Lot of Principal Use

((~~D.~~))C. Location of Parking on Lot

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((~~E.~~))D. Private Garages Located on Required Yards

* * *

((~~F.~~))E. Screening

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Section 6. Subsection E of Section 23.44.017 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.017 Development Standards for Public Schools

* * *

E. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

((~~1.~~)) ((~~A minimum of one parking space per eighty square feet of auditorium or other place of assembly or one space per eight fixed seats in an auditorium or other place of assembly containing fixed seats is required for construction of a new public school on a new public school site or on an existing public school site.~~))

((2.)) ((~~When an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an addition to an existing public school on an existing public school site is proposed, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as set out in subsection E.1, for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.~~))

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((~~3.~~)) ((~~Development standard departure may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.~~))

* * *

Section 7. Subsection D of Section 23.44.020 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.020 Special Residences

* * *

D. Offstreet Parking ((~~Required~~))

1. Parking shall be required as provided in Chapter 23.54. For group homes and halfway houses, the Director may waive some or all of the parking requirements after finding that the residents will own or operate fewer vehicles than the general population and that the special residence will be occupied by the same or similar residents over a long term. ((~~For group homes and halfway houses one parking space for each two full time staff plus one for each five residents is required. In addition, one space for each vehicle generally associated with the residence or operated on a daily basis in connection with the residence shall be required.~~))

((~~2.~~)) ((~~For a nursing or convalescent home, one parking space for each two staff doctors plus one for each three employees plus one for each six beds is required.~~))

((~~3.~~))2. Access and parking shall be designed as provided in Chapter 23.54 of this Land Use Code.

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Section 8. Subsection L of Section 23.44.022 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.022 Institutions

* * *

L. Parking and Loading Berth Requirements

1. Quantity of Offstreet Parking

a. Use of transportation modes such as public transit, vanpools, carpools and bicycles to reduce the use of single occupancy vehicles shall be encouraged.

b. Parking shall be required as provided in Chapter 23.54. ((~~Minimum parking requirements for certain types of institutional uses shall be as follows:~~

~~Community center – One parking space for each eighty square feet of a main auditorium or other assembly room.~~

~~Day care center – One parking space per ten children or one space per teacher, whichever is greater, and one loading space for each twenty children.~~

~~Private schools – One parking space for each eighty square feet of main auditorium or other public assembly room. In the absence of an auditorium or assembly room, one space for each staff member.~~

~~Religious facility – One parking space for each eighty square feet of nave, main auditorium, or other public assembly room.~~

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~~Theater, auditorium or assembly hall accessory to an institution (excluding schools, community centers) — One space for each one hundred square feet of floor area. Stadium, indoor or outdoor sports facilities with sports spectator assembly areas — One space for each one hundred square feet of spectator assembly area.~~))

c. The Director may modify the parking ((~~standards imposed in this Section~~)) requirements of Section 23.54.15, Required Parking on a case-by-case basis using the information contained in the transportation plan prepared pursuant to subsection M. The modification shall be based on adopted City policies and shall:

-- provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and

-- not cause undue traffic through residential streets nor create a serious safety hazard.

2. Parking Design

Parking areas for parking shall be designed as provided in Design Standards for Access and Offstreet Parking, Chapter 23.54.

3. Loading Berths

The quantity and design of loading berths shall be as provided in Design Standards for Access and Offstreet Parking, Chapter 23.54.

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Section 9. Subsection H of Section 23.44.024 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.024 Planned Residential Developments (PRD's)

* * *

H. Parking Quantity ((~~Parking Quantity~~))

Parking shall be required as provided in Chapter 23.54.

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

((~~2.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for low-income housing for the elderly and disabled and the addition of residential units to existing structures according to Section 23.54.20, Parking Quantity Exceptions.~~))

((~~3.~~)) ((~~Exceptions to the quantity of required parking shall be permitted when residential units are added to nonconforming uses and structures, according to the provisions of Sections 23.44.80 and 23.44.82, Nonconforming Uses and Structures.~~))

Section 10. Section 23.44.026 of the Seattle Municipal Code is hereby amended to read as follows:

23.44.026 Use of Landmark Structures

A. The Director may authorize a use not otherwise permitted in the zone within a structure designated as a Landmark, pursuant to the Seattle Municipal Code, Chapter 25.32, Landmark Preservation Ordinance subject to the following development standards.

1. The use shall be compatible with the existing design and/or construction of the structure without significant alteration; and

2. The use shall be allowed only when it is demonstrated that uses permitted in the zone are impractical

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because of structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure in a reasonably good physical condition; and

3. The use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

B. The parking requirements for a use allowed in a Landmark are those listed in ((~~Part II of Subtitle IV of this Code or~~)) Chart A of Section ((~~24.64.120~~)) 23.54.15. These requirements may be waived pursuant to Section ((~~23.54.20B~~)) 23.54.20C.

Section 11. Subsection A of Section 23.45.018 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.018 Lowrise 1, Parking and Access ((~~Standards~~))

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

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

((~~2.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled and the addition of residential units to existing structures, according to Section 23.54.20, Parking Quantity Exceptions.~~))

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

CS 19.2

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Section 12. Subsection A of Section 23.45.032 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.032 Lowrise 2, Parking and Access ((~~Standards~~))

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

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

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

((~~Number of Units~~))	((~~Number of Bicycle Spaces Required~~))
((~~5-10~~))	((~~1~~))
((~~11-20~~))	((~~2~~))
((~~More than 20~~))	((~~One for every 10 units~~))

((~~3.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled and the addition of residential units to existing structures, according to Section 23.54.20, Parking Quantity Exceptions.~~))

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

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

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Section 13. Subsection A of Section 23.45.046 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.046 Lowrise 3, Parking and Access ((~~Requirements~~))

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

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

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

((~~Number of Units~~))	((~~Number of Bicycle Spaces Required~~))
((~~5-10~~))	((~~1~~))
((~~11-20~~))	((~~2~~))
((~~More than 20~~))	((~~One for every 10 units~~))

((~~3.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled and the addition of residential units to existing structures, according to Section 23.54.20, Parking Quantity Exceptions.~~))

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

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

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Section 14. Subsection A of Section 23.45.060 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.060 Midrise, Parking Access ((~~Requirements~~))

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

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

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

((~~Number of Units~~))	((~~Number of Bicycle Spaces Required~~))
((~~5-10~~))	((~~1~~))
((~~11-20~~))	((~~2~~))
((~~More than 20~~))	((~~One for every 10 units~~))

((~~3.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled and the addition of residential units to existing structures, according to Section 23.54.20, Parking Quantity Exceptions.~~))

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

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

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Section 15. Subsection A of Section 23.45.076 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.076 Highrise, Parking and Access ((~~Requirements~~))

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

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

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

((~~Number of Units~~))	((~~Number of Bicycle Spaces Required~~))
((~~5-10~~))	((~~1~~))
((~~11-20~~))	((~~2~~))
((~~More than 20~~))	((~~One for every 10 units~~))

((~~3.~~)) ((~~Reductions to the quantity of parking spaces provided may be made for: low-income housing for the elderly and disabled and the addition of residential units to existing structures, according to Section 23.54.20, Parking Quantity Exceptions.~~))

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

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

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Section 16. Section 23.45.080 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.080 Boarding Homes

A. Bulk and siting

Boarding homes shall be subject to the development standards of the multi-family zone in which they are located.

B. Parking quantity

Parking shall be required as provided in Chapter 23.54. ((~~One space for each three sleeping rooms or one space for every six beds, whichever is greater, shall be required.~~))

Section 16. Section 23.45.084 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.084 Group Homes

A. Bulk and siting

Group homes shall be subject to the development standards of the multi-family zone in which they are located.

B. Parking quantity

Parking shall be required as provided in Chapter 23.54. ((~~One parking space for each two full-time staff, plus one space for each five residents, plus one space for each vehicle operated in connection with the group home shall be required.~~))

Section 17. Subsection [illegible] of Section 23.45.086 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.086 Halfway Houses Meeting Development Standards

* * *

C. Parking quantity

1. Parking shall be required as provided in Chapter 23.54. ((~~One parking space for each two full-time staff members, plus one space for each vehicle~~

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~~operated in connection with the halfway house; plus one space for each five residents shall be required.~~))

2. If the applicant can demonstrate that less parking is needed than required by Section 23.54.15, due to unique features of the program, fewer spaces may be required. In such a case, the applicant shall enter into an agreement with the Director, specifying the parking required and linking the parking reduction to the features of the program which allow such reduction. Such parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements must be met.

* * *

Section 18. Subsection B of Section 23.45.088 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.088 Nursing Homes Meeting Development Standards

* * *

B. Development standards

Nursing homes shall be subject to the standards for halfway houses, Section 23.45.86, except that the required quantity of parking shall be ((~~as follows:~~)) in accordance with Chapter 23.54.

((~~one parking space for each two staff members, plus one space for each three employees; plus one space for each six beds.~~))

Section 19. Subsection A of Section 23.45.098 of the Seattle Municipal Code is hereby amended to read as follows:

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23.45.098 Institutions, Parking, Access and Transportation Plan Requirements

A. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

((~~1.~~)) ((~~Hospital – one space for each two staff doctors, and one additional space for each five employees, and one additional space for each six beds.~~))

((~~2.~~)) ((~~Medical or dental clinic or professional office accessory to a hospital – one space for each three hundred square feet of gross floor area.~~))

((~~3.~~)) ((~~Day care center – one space for each ten children or one space for each staff member, whichever is greater, and one space for passenger loading and unloading for every twenty children.~~))

((~~4.~~)) ~~Museums – one space for each two hundred fifty square feet of public floor area.~~))

((~~5.~~)) ((~~Schools, community and private clubs and community centers – one space for each eighty square feet of floor area of main auditorium or other assembly room not containing fixed seats, or one space for every eight seats for floor area containing fixed seats.~~))

((~~6.~~)) ((~~Religious facilities – one space for each eighty square feet of floor area in the nave, not containing fixed seats, or one space for each eight seats for floor area containing fixed seats.~~))

((~~7.~~)) ((~~Open air swim club – one space for each one hundred fifty square feet of pool area.~~))

((~~8.~~)) ((~~Theater, auditorium or assembly hall accessory to an institution (excluding schools, community clubs, and community centers) – one space for each ten~~

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~~permanent seats, or one space for each one hundred square feet of spectator assembly area not containing fixed seats.~~))

((~~B.~~))((~~An institution may make joint use of parking areas and facilities accessory to other uses if approved by the Director, according to the provisions of Section 23.54.20F, Joint Use Parking.~~))

((~~C.~~))((~~Bicycle parking spaces shall be provided by all institutions. The number of required bicycle parking spaces shall equal five percent of the number of required vehicle spaces. If an additional five percent bicycle parking spaces are provided for a total of ten percent, one required automobile parking space may be waived up to a maximum of ten percent of required parking.~~))

((~~All bicycle parking spaces shall be sheltered from the weather, visible to the users of the institution, and conveniently located.~~))

((~~D.~~))B. Location of parking

Parking areas and facilities may not be located in the required front setback or side street side setback. Otherwise, parking may be located in or under the structure, or in the front, side, or rear of the structure.

C. Screening of Parking

D. Landscaping of Parking

* * *

Section 20. That Section 23.45.110 of the Seattle Municipal Code is amended to read as follows:

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

23.45.110 Ground Floor ((~~business and~~)) Commercial Use In Midrise and Highrise Zones

((~~Business and~~)) Certain commercial uses shall be permitted outright on the ground floor of multi-family structures in Midrise and Highrise zones under the following conditions((~~:~~)). These provisions shall not apply to Midrise and Highrise zones which have been designated Residential-Commercial on the Official Land Use Map.

A. Location

1. In Midrise zones, the use may be located only within a one block radius of a ((~~business~~)) commercial zone.

2. In Highrise zones, the use may be located anywhere in the zone.

3. The ((~~business and~~)) commercial use may be located only on the ground floor of a multi-family structure. On sloping lots, the commercial use may be located at more than one level within the structure as long as the commercial area does not ((~~must have street level frontage, and the total~~)) ((~~commercial square footage~~)) ((~~shall~~)) not exceed the area ((~~square footage~~)) of the structure's footprint (Exhibit 45.110A).

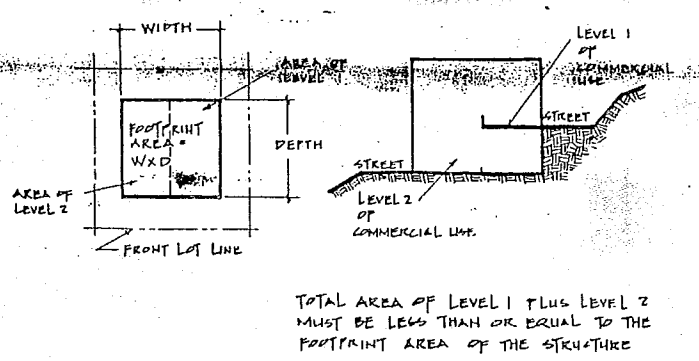

Exhibit 45.110A Commercial Uses on the Ground floor on Sloping Lots

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B. Permitted ((~~Business and~~)) Commercial uses

The following uses shall be permitted as ground-floor ((~~business and~~)) commercial uses in Midrise and Highrise zones:

((~~Retail businesses and services which could reasonably be expected to serve the residential population of the neighborhood, such as, but not limited to: grocery, delicatessen, meat market, drug store, antique shop, hardware store, gift shop, confectionary, bakery, shoe repair shop, barber shop, beauty shop, hand or coin-operated laundry, dry cleaning shop, business and professional offices, florist shop, variety or notions store, millinery store, or restaurant without live entertainment or dancing.~~))

Personal and household retail sales and services;

Medical services;

Restaurants without cocktail lounges;

Business support services;

Offices; and

Food processing and craftwork.

C. Ground floor ((~~business and~~)) commercial uses shall meet the following standards:

1. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed structure, except for off-street vehicles parking and off-street loading. All goods produced shall be sold at retail on the premises where produced.

2. The maximum gross floor area ((~~occupied by~~)) of any one business establishment shall be no greater than twenty-five hundred square feet in Midrise zones and

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seventy-five hundred square feet in Highrise zones. ((~~four thousand square feet, except that the maximum gross floor area of a multi-purpose convenience store shall be ten thousand square feet.~~))

((~~3. No more than three persons shall be engaged at any one time in fabricating, repairing, cleaning or other processing of goods in any establishment, except for food preparation in restaurants.~~

~~4. No more than eight horsepower shall be employed in the operation of all machines used for fabrication, repair or other processing of any goods in any establishment.~~))

((~~5.~~))3. Processes and equipment employed and goods processed or sold shall be limited to those which do not produce noticeable odors, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

((~~6.~~))4. Parking shall be required as provided in Chapter 23.54. ((~~No additional parking shall be required for ground-floor commercial uses over that required for the residential use in the same structure. Up to ten parking spaces per business or commercial establishment may be provided for each business establishment at the discretion of the applicant.~~))

((~~7.~~))5. No loading berths shall be required for ground-floor commercial uses. If provided, loading berths shall be located so that access to residential parking is not blocked.

((~~8.~~))6. Identifying signs shall be permitted according to ((~~Section 23.45.158~~)) Chapter 23.55, Signs.

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Section 21. Subsection D, Parking Quantity, of Section 23.45.112 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.112 Public Schools

* * *

D. Parking Quantity

Parking shall be required as provided in Chapter 23.54.

((~~1.~~)) ((~~A minimum of one parking space per eighty square feet of auditorium or other place of assembly or one space per eight fixed seats in an auditorium or other place of assembly containing fixed seats is required for construction of a new public school on a new public school site or on an existing public school site.~~))

((~~2.~~)) ((~~When an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as set out in subsection D.1 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.~~))

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((~~3.~~)) ((~~Development standard departure may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.~~))

* * *

Section 22. Subsection B of Section 23.45.124 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.124 Landmark Structures

* * *

B. The parking requirements for a use allowed in a Landmark are those listed in ((~~Part II of Subtitle IV of this Code, or in~~)) Chart A of Section ((~~24.64.120~~)) 23.54.15. These requirements may be waived pursuant to Section 23.54.20((~~B~~))C.

Section 23. Subsection D of Section 23.45.160 of the Seattle Municipal Code is hereby amended to read as follows:

23.45.160 Bed and Breakfasts

* * *

D. Parking shall be required as provided in Chapter 23.54. ((~~One parking space for the dwelling unit, plus one for each four sleeping rooms, plus one space if there are any non-resident employees, shall be required.~~))

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Section 24. That the Seattle Municipal Code is amended by adding a new Chapter 23.46, Residential Commercial, to read as follows:

CHAPTER 23.46
RESIDENTIAL - COMMERCIAL

23.46.002 Scope of Provisions

A. This Chapter details those authorized commercial uses which are or may be permitted in Residential-Commercial (RC) zones.

B. All RC zones are assigned a residential zone classification on the Official Land Use Map. The development standards of the designated residential zone shall apply to all uses in the RC zone except commercial uses. The development standards of the designated residential zone shall apply to all structures in the RC zone, except that parking quantity shall be required as provided in Chapter 23.54.

C. The development standards of the RC zone shall apply to all commercial uses.

D. Methods for measurements are provided in Chapter 23.86. Standards for parking quantity access and design are provided in Chapter 23.54. Sign standards are provided in Chapter 23.55.

PART 1 USE PROVISIONS

23.46.004 Uses

A. All uses, except commercial uses, which are permitted outright or by conditional use in the applicable residential zone shall be regulated by the residential zone provisions, including provisions relating to accessory uses.

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B. The following commercial uses shall be permitted outright:

Personal and household retail sales and services;
Medical services;
Restaurants without cocktail lounges;
Business support services;
Offices; and
Food processing and craft work.

C. Permitted commercial uses shall be allowed as either a principal use or as an accessory use.

D. Permitted commercial uses shall be allowed only in structures containing at least one dwelling unit according to the development standards of Section 23.46.012, Location of Commercial Uses.

E. Drive-in businesses shall be prohibited, either as principal or accessory uses.

F. Outdoor sales, outdoor display of rental equipment, and outdoor storage shall be prohibited, except for accessory recycling collection stations, and the accessory outdoor sales of fruits, vegetables and plants.

23.46.006 Conditional Uses

A. Conditional use provisions of the applicable residential zone shall apply to all noncommercial conditional uses.

B. All conditional uses not regulated by subsection A 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 impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other

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properties in the zone or vicinity and the public interest. The Director shall deny the conditional use if it is determined that adverse impacts cannot be satisfactorily mitigated.

C. Parking at or below grade accessory to nonresidential uses in adjacent commercial zones may be permitted as a conditional use.

1. The Director may authorize such parking if:

a. The proposed parking is necessary to meet parking requirements, or the proposed parking will be used as a shared parking facility;

b. The proposed parking is necessary to avoid increased parking congestion in the adjacent commercial area;

c. The proposed parking is necessary to avoid creation or worsening of excessive spillover parking in adjacent residential areas;

d. Other parking options such as shared parking have been considered and found to be unavailable in the adjacent commercial zone; and

e. The proposed parking does not encourage substantial traffic to pass through adjacent residential areas.

2. If the Director authorizes a surface parking area, the following standards shall be met:

a. A minimum of fifteen percent of the surface parking area shall be landscaped. Specific landscaped areas required in this subsection shall count toward the fifteen percent.

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b. A landscaped setback of at least ten feet shall be provided along the front property line. A landscaped setback of at least five feet in depth shall be provided along all other street property lines.

c. When abutting a property in a residential zone (including RC zones), six foot high screening and a five foot deep landscaped area inside the screening shall be provided.

d. When across the street from a residential zone (including RC zones), three foot high screening shall be provided between the parking area and the landscaped setback along all street property lines.

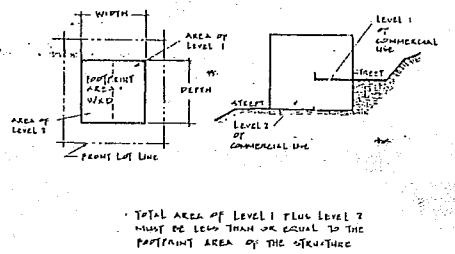
e. Whenever possible, access to parking shall be from the commercial area.

PART 2 DEVELOPMENT STANDARDS FOR COMMERCIAL USES

23.46.012 Location of Commercial Uses

A. Commercial uses shall be permitted only on or below the ground floor of a structure which contains at least one dwelling unit.

B. On sloping lots the commercial use may be located at more than one level within the structure where the total commercial area does not exceed the area of the structure's footprint, Exhibit 46.12A.



· TOTAL AREA OF LEVEL 1 PLUS LEVEL 2 MUST BE LESS THAN OR EQUAL TO THE FOOTPRINT AREA OF THE STRUCTURE

Exhibit 46.12A Commercial Uses on the Ground floor on Sloping Lots

CS 19.2

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23.46.014 Maximum Size of Commercial Uses

A. The maximum size limit for individual business establishments shall be four thousand square feet, except that in MR/RC and HR/RC zones, multi-purpose convenience stores shall be permitted up to a maximum size of ten thousand square feet.

B. Maximum size shall be calculated by taking the gross floor area of a structure(s) or portion of a structure(s) occupied by a single business establishment.

C. Any area used for permitted outdoor sales shall be limited to one thousand square feet, and shall be included in determining the maximum size of a business establishment.

D. Maximum size of combined uses within a business establishment

Business establishments which include more than one type of use shall be permitted provided each use is permitted, and:

1. The size of each use shall not exceed the size limit for the individual use; and

2. The total size of the business establishment does not exceed the maximum size allowed for the type of use with the largest size limit.

E. Split zoned lots

1. The total size of a business establishment occupying portions of a lot in more than one zone shall not exceed the maximum size allowed in the zone with the larger size limit.

2. The total size of that portion of a business establishment in each zone shall not exceed the maximum size allowed for that business establishment in that zone.

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F. Accessory exterior recycling collection stations maintained in good condition shall be permitted in surface parking areas up to a maximum size of five hundred square feet or five percent of the parking area, whichever is less.

23.46.016 Noise Standards

A. All fabricating uses, repairing, and refuse compacting activities shall be conducted wholly within an enclosed structure.

B. Major noise generators

1. Exterior heat exchangers and other similar devices shall be considered major noise generators.

2. 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 used 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.

23.46.018 Odor Standards

A. The venting of odors, fumes, vapors, smoke, cinders, dust, and gas shall be at least ten feet above finished sidewalk grade and directed away as much as [illegible] residential uses within [illegible]

cs 19.2

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B. Major odor sources

Uses which employ the following odor-emitting processes or activities shall be considered major odor sources except when the entire activity is provided on a retail or on-site customer-service basis:

Cooking of grains;

Smoking of food or food products;

Fish or fish meal processing;

Coffee or nut roasting;

Deep fat frying;

Dry cleaning; and

Other similar processes or activities.

C. 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 indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures which were required by the permit shall be maintained.

23.46.020 Light and Glare Standards

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.

C. Exterior lighting on poles shall be permitted up to a maximum height of thirty feet from finished grade. In MR/RC and HR/RC zones, exterior lighting on poles shall be

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permitted up to a height of forty feet from finished grade, provided that ratio of watts to area is at least twenty percent below the maximum exterior lighting level permitted by the Energy Code.

23.46.022 Parking Requirements

A. Parking quantity

Each permitted commercial use shall provide a minimum number of off-street parking spaces according to the requirements of Section 23.54.015, Required Parking.

B. Location of parking

Parking for commercial uses may be located:

1. On the same lot, according to the locational requirements of the designated residential zone; or

2. Within eight hundred feet of the lot on which the commercial use is located, when either:

   a. The parking is located in a commercial zone; or

   b. The parking is part of the joint use of existing parking in an RC zone.

3. When parking is provided on a lot other than the lot of the use to which it is accessory, the provisions of Section 23.54.025, Parking Covenants, shall apply.

Section 25. That the Seattle Municipal Code is amended by adding a new Chapter 23.47, Commercial, to read as follows:

CHAPTER 23.47
COMMERCIAL

23.47.002 Scope of Provisions

A. This Chapter describes the authorized uses and development standards for the five commercial zones: Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Neighborhood Commercial 3 (NC3), Commercial 1 (C1) and Commercial 2 (C2).

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B. Commercial zones which have a pedestrian designation on the official Land Use Map shall be subject to the use and development standards of Subchapter III of this Chapter in addition to the use and development standards of Subchapters I and II.

C. In addition to the regulations in this Chapter, certain commercial areas may be regulated by Special Review Districts, Chapter 23.66; Landmark Districts, Chapter 25.12; Sign Overlay Districts, Chapter 23.55; or the Seattle Shoreline District, Chapter 24.60.

D. Standards for parking quantity access and design are provided in Chapter 23.54. Signs shall be regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86.

E. For the purposes of this Chapter the terms "existing structures or uses" shall mean those structures or uses which were established under permit, or for which a permit has been granted and has not expired, or which are substantially underway in accordance with Section 23.04.010D, on the effective date of this Chapter.

Subchapter I: Uses in All Commercial Zones

23.47.004 Permitted & Prohibited Uses

A. All uses shall either be permitted outright, prohibited or permitted as a conditional use according to Chart A.

B. All permitted uses shall be allowed as either a principal use or as an accessory use, unless otherwise indicated in Chart A.

C. In pedestrian-designated zones, certain street level uses shall be required according to the provisions of Section 23.47.042.

D. The Director may authorize a use not otherwise permitted in the zone in a Landmark structure, subject to the following criteria:

CS 19.2

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1. The use shall not require significant alteration of the structure; and

2. The design of the structure makes uses permitted in the zone impractical in the structure, or the permitted uses do not provide sufficient financial return to make use of the structure feasible; and

3. The physical impacts of the use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

E. Public Facilities

1. Public facilities which are similar to those provided by the private sector such as offices, athletic facilities, or medical service uses shall be permitted or prohibited in all commercial zones according to the use regulations for the particular type of use. These public facilities shall meet the development standards for the use to which they are similar. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity, according to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

2. Public facilities which are not similar to those provided by the private sector, such as police and fire stations, shall be permitted unless specifically prohibited in Chart A. These public facilities shall meet the development standards of the zone in which they are located. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity, according to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

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USES: CHART A

	ZONES				
	NC1	NC2	NC3	C1	C2
I. COMMERCIAL USE					
A. Retail Sales & Services					
1. Personal & Household Retail Sales & Services					
- Multi-purpose convenience stores	P	P	P	P	P
- General retail sales and service	P	P	P	P	P
- Major durables sales, service and rental	P	P	P	P	P
- Specialty food stores	P	P	P	P	P
2. Medical Services	P	P	P	P	P
3. Animal Services[1]					
- Animal health services	P	P	P	P	P
- Kennels	X	X	X	X	P
- Animal shelters	X	X	X	X	X
4. Automotive Retail Sales & Services					
- Gas stations	P	P	P	P	P
- Sales and rental of motorized vehicles	X	P	P	P	P
- Vehicle, repair, minor	P	P	P	P	P
- Vehicle repair, major	X	P	P	P	P
- Car wash	X	P	P	P	P
- Towing services	X	X	X	P	P
- Automotive parts or accessory sales	P	P	P	P	P
5. Marine Retail Sales & Services					
- Sales and rental of large boats	X	P	P	P	P
- Vessel repair, minor	P	P	P	P	P
- Vessel repair, major	X	X	X	S	S
- Marine service station	P	P	P	P	P
- Dry storage of boats	X	P	P	P	P
- Recreational marinas	S	S	S	S	S
- Commercial moorage	S	S	S	S	S
- Sale of boat parts or accessories	P	P	P	P	P
6. Eating & Drinking Establishments					
- Restaurants without cocktail lounges	P	P	P	P	P
- Restaurants with cocktail lounges	X	P	P	P	P
- Fast food restaurant (750 square feet and under)	P	P	P	P	P
- Fast food restaurant (over 750 square feet)	CU	CU	CU	CU	CU
- Tavern	CU	CU	P	P	P
- Brewpub	CU	CU	P	P	P

P - Permitted
X - Prohibited
S - Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program
CU - Administrative Conditional Use

[1] The keeping of animals for other than business purposes shall be regulated by Section 23.47.026

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	ZONES				
	NC1	NC2	NC3	C1	C2
7. Lodging					
- Hotel	X	X	P	P	P
- Motel	X	X	P	P	P
- Bed and breakfast	P1	P1	P	P	P
8. Mortuary Services	X	P	P	P	P
B. Principal Use Parking	X	P	P	P	P
C. Non-Household Sales & Service					
1. Business Support Services	P	P	P	P	P
2. Business incubator	P	P	P	P	P
3. Sales, Service & Rental of Office Equipment	X	P	P	P	P
4. Sales, Service & Rental of Commercial Equipment & Construction Materials	X	X	P	P	P
5. Sale of Heating Fuel	X	X	P	P	P
6. Heavy Commercial Services	X	X	X	P	P
- Construction services	X	X	X	P	P
- Commercial laundries	X	X	X	P	P
D. Offices					
1. Customer Service Office	P	P	P	P	P
2. Administrative Office	P	P	P	P	P
E. Entertainment					
1. Places of Public Assembly					
- Performing arts theater	X	P	P	P	P
- Spectator sports facility	X	P	P	P	P
- Lecture & meeting halls	X	P	P	P	P
- Motion picture theater	X	P	P	P	P
- Adult motion picture theater	X	X	X	X	X
- Adult panorams	X	X	X	X	X
2. Participant Sports and Recreation					
- Indoor	P	P	P	P	P
- Outdoor	X	X	X	P	P
F. Wholesale Showroom	X	X	P	P	P
G. Mini-Warehouse	X	X	P	P	P
H. Warehouse	X	X	P	P	P
I. Outdoor Storage	X	X	X	P	P

P - Permitted
X - Prohibited

1) In existing structures only

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	ZONES				
	NC1	NC2	NC3	C1	C2
J. Transportation Facilities					
1. Personal Transportation Services	X	X	P	P	P
2. Passenger Terminals	X	X	P	P	P
3. Cargo Terminals	X	X	X	S	P
4. Bus Base	X	X	X	CCU[2]	CCU[2]
5. Helistops	X	X	CCU[3]	CCU[3]	CCU[3]
6. Heliports	X	X	X	X	X
7. Airport, Landbased	X	X	X	X	X
8. Airport, Waterbased	X	X	X	X	S
K. Food Processing & Craft Work					
1. Food Processing for Human Consumption	P	P	P	P	P
2. Custom & Craft Work	P	P	P	P	P
L. Research and Development Laboratories	P	P	P	P	P
II. SALVAGE AND RECYCLING					
A. Recycling Collection Station	P	P	P	P	P
B. Recycling Center	X	X	X	P	P
C. Salvage yard	X	X	X	X	X
III. UTILITIES					
A. Utility Service Uses	P	P	P	P	P
B. Communication Utility	CU	CU	CU	P	P
C. Solid Waste Transfer Station	X	X	X	X	X
D. Power Plants	X	X	X	X	X
E. Sewage Treatment Plants	X	X	X	X	X
IV. MANUFACTURING					
A. Light Manufacturing	X	P	P	P	P
B. General Manufacturing	X	X	X	P	P
C. Heavy Manufacturing	X	X	X	X	X
V. HIGH IMPACT USES	X	X	X	X	X
VI. INSTITUTIONS					
A. Institute for Advanced Study	P	P	P	P	P
B. Private Club	P	P	P	P	P
C. Day Care Center	P	P	P	P	P
D. Museum	P	P	P	P	P

P - Permitted
X - Prohibited
CU - Administrative Conditional Use
CCU - Council Conditional Use
S - Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program

[2] New bus bases accommodating 150 or fewer buses or existing bus bases seeking to expand

[3] Permitted only as an accessory use according to Section 23.47.006

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	ZONES				
	NC1	NC2	NC3	C1	C2
E. School, Elementary or Secondary	P	P	P	P	P
F. College	P	P	P	P	P
G. Community Center	P	P	P	P	P
H. Community Club	P	P	P	P	P
I. Vocational or Fine Arts School	P	P	P	P	P
J. Hospital	P	P	P	P	P
K. Religious Facility	P	P	P	P	P
L. University	P	P	P	P	P
VI. PUBLIC FACILITIES					
A. Jails	X	X	X	X	X
VII. PARK & POOL/RIDE LOT					
A. Park & Pool Lots	P[4]	P	P	P	P
B. Park & Ride Lots	X	X	CU	CU	CU
IX. RESIDENTIAL					
A. Single Family Dwelling Units	P	P	P	P	CU
B. Multi-Family Structures	P	P	P	P	CU
C. Special Residences	P	P	P	P	CU
D. Floating Homes	S	S	S	S	S
E. Mobile Home Park	X	X	X	P	CU
F. Boarding Homes	P	P	P	P	CU
G. Artist Studio/Dwelling	P	P	P	P	CU
H. Caretaker's Quarters	P	P	P	P	P
X. OPEN SPACE					
A. Parks	P	P	P	P	P
B. Playgrounds	P	P	P	P	P
XI. AGRICULTURAL USES					
A. Animal Husbandry	X[5]	X[5]	X[5]	X[5]	P
B. Horticultural Uses	P	P	P	P	P
C. Aquaculture	P	P	P	P	P

P - Permitted
X - Prohibited
CU - Administrative Conditional Use
S - Permitted only in the Shoreline District when permitted by the Seattle Shoreline Master Program

4 - Permitted only on parking lots existing at least five years prior to the proposed establishment of the park and pool lot.

5 - Permitted only as an accessory use.

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23.47.006 Conditional Uses

A. All conditional uses shall be subject to the procedures described in Chapter 23.76 and shall meet the following criteria:

1. The use shall not 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 impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.

B. The following uses identified as administrative conditional uses on Chart A of Section 23.47.004, may be permitted by the Director when the provisions of this subsection and subsection A are met.

1. Fast food restaurants which have a gross floor area greater than seven hundred fifty square feet and are identified as heavy traffic generators may be permitted as a conditional use according to the following criteria:

a. The design of the structure, including architectural treatment, signage, landscaping and lighting, is compatible with other structures in the vicinity; and

b. Appropriate litter control measures are provided; and

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c. The applicant, if required by the Director, prepares an analysis of traffic, circulation, and parking impacts and demonstrates that the use does not:

(1) Cause significant additional traffic to circulate through adjacent residential neighborhoods; or

(2) Disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts; or

(3) Create traffic or access problems which will require the expenditure of City funds to mitigate; or

(4) Interfere with peak hour transit operations, by causing auto traffic to cross a designated high occupancy vehicle lane adjacent to the lot; or

(5) Cause cars waiting to use the facility to queue across the sidewalk or onto the street; or

(6) Interrupt established retail or service frontage designed to serve pedestrians.

d. In addition to the criteria in subsections a, b and c, in pedestrian designated zones the use shall not:

(1) Include a drive-in facility; or

(2) Provide any accessory parking; or

(3) Attract a significant number of customers who drive to the pedestrian district for the primary purpose of patronizing the business.

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This shall be determined by a transportation analysis of travel modes and patterns of customers of similar businesses in the same or similar commercial areas which shall be prepared by a traffic consultant retained by the applicant. The Director shall review the application and the transportation analysis in conjunction with the Director of Engineering.

e. Fast food restaurants which are drive-in businesses shall also comply with the provisions of Section 23.47.028, Standards for Drive-In Businesses.

2. Taverns in NC1 and NC2 zones may be permitted as conditional uses. A tavern in an NC1 or NC2 zone shall be evaluated according to the following criteria:

a. The size of the tavern, design of the structure, signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.

b. The location, access, and design of parking shall be compatible with adjacent residential zones.

c. Special consideration shall be given to the location and design of the doors and windows of taverns to ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings on lots which abut residential zones.

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d. Taverns shall not generate traffic which creates or further aggravates spillover parking on residential streets or traffic congestion.

3. Communication utilities

a. Communication utilities in NC1, NC2 and NC3 zones may be permitted as conditional uses according to the following criteria:

(1) The proposed communication utility will satisfy a public necessity or will be an integral element in the communication network.

(2) The proposed communication utility will expand an existing facility and avoid the need to construct a new communication utility.

(3) The requirements of Chapter 23.64, Airport Height District, are met.

(4) Rooftop communications utilities shall be setback a minimum of ten feet from all lot lines.

b. The Director may permit departures from the development standards of subchapter II of this chapter for communications utilities permitted by this subsection 3, if the departure is required by technological necessity or the regulatory provisions of governmental agencies.

4. Park and ride lots in NC3, C1 and C2 zones may be permitted as conditional uses.

a. Conditional Use Criteria:

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(1) The park and ride lot shall have direct vehicular access to a designated arterial improved to City standards.

(2) If the proposed park and ride lot is located on a lot containing accessory parking for other uses, there shall be no substantial conflict in the principal operating hours of the park and ride lot and the other uses.

b. Mitigating measures

Landscaping and screening in addition to that required for surface parking areas, noise mitigation, vehicular access controls, signage restrictions, and other measures may be required to provide comfort and safety for pedestrians and bicyclists and to insure the compatibility of the park and ride lot with the surrounding area.

5. Residential uses authorized as conditional uses in C2 zones may be permitted according to the following criteria:

a. Availability of suitable land for C2 activities:

Residential uses shall generally be discouraged in areas which have limited vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development.

b. Relationship to transportation systems:

Residential uses shall generally be discouraged

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in areas with direct access to major transportation systems such as freeways, state routes and freight rail lines.

c. Compatibility with surrounding areas: Residential uses shall not be allowed in close proximity to industrial areas and/or in areas where nonresidential uses may create a nuisance or adversely affect the desirability of the area for living purposes.

d. Residential uses required to obtain a shoreline conditional use shall not be required to obtain an administrative conditional use.

6. Change of one nonconforming use to another

a. A nonconforming use may be converted by an administrative conditional use authorization to a use not otherwise permitted in the zone based on the following factors:

(1) New uses shall be limited to those first permitted in the next more intensive zone;

(2) The relative impacts of size, parking, traffic, light, glare, noise, odor and similar impacts of the two uses, and how these impacts could be mitigated.

b. The Director must find that the new nonconforming use is no more detrimental to property in the zone and vicinity than the existing nonconforming use.

C. The following uses, identified as Council Conditional Uses on Chart A may be permitted by the Council when the provisions of this subsection and subsection A are met.

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1. New bus bases for one hundred and fifty or fewer buses, or existing bus bases which are proposed to be expanded to accommodate additional buses, in C1 or C2 zones.

   a. Conditional use criteria

      (1) The bus base has vehicular access suitable for use by buses to a designated arterial improved to City standards; and

      (2) The lot is of sufficient size so that the bus base includes adequate buffer space from the surrounding area.

   b. Mitigating measures may include, but are not limited to

      (1) Noise mitigation measures, such as keeping maintenance building doors closed except when buses are entering or exiting; acoustic barriers; and noise-reducing operating procedures, shall be required when necessary.

      (2) An employee ridesharing program established and promoted to reduce the impact of employee vehicles on streets in the vicinity of the bus base.

      (3) Landscaping and screening, noise and odor mitigation, vehicular access controls, and other measures may be required to insure the compatibility of the bus base with the surrounding area and to mitigate any adverse impacts.

2. Helistops in NC3, C1 and C2 zones as accessory uses according to the following standards and criteria:

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1. New bus bases for one hundred and fifty or fewer buses, or existing bus bases which are proposed to be expanded to accommodate additional buses, in C1 or C2 zones.

   a. Conditional use criteria

      (1) The bus base has vehicular access suitable for use by buses to a designated arterial improved to City standards; and

      (2) The lot is of sufficient size so that the bus base includes adequate buffer space from the surrounding area.

   b. Mitigating measures may include, but are not limited to

      (1) Noise mitigation measures, such as keeping maintenance building doors closed except when buses are entering or exiting; acoustic barriers; and noise-reducing operating procedures, shall be required when necessary.

      (2) An employee ridesharing program established and promoted to reduce the impact of employee vehicles on streets in the vicinity of the bus base.

      (3) Landscaping and screening, noise and odor mitigation, vehicular access controls, and other measures may be required to insure the compatibility of the bus base with the surrounding area and to mitigate any adverse impacts.

2. Helistops in NC3, C1 and C2 zones as accessory uses according to the following standards and criteria:

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a. The helistop is located so as to minimize impacts on surrounding area.

b. The lot is of sufficient size that the operations of the helistop are buffered from the surrounding area.

c. The helistop is a necessary element of the service provided by the business establishment to which it is accessory.

d. Open areas and landing pads are hard surfaced.

e. The helistop meets all Federal requirements including those for safety, glide angles and approach lanes.

3. In all commercial zones, permitted public projects not meeting development standards may be permitted by the Council if the following criteria are satisfied:

a. The project provides unique services which are not provided to the community by the private sector, such as police and fire stations; and

b. The proposed location is required to meet specific public service delivery needs; and

c. The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and

d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping and screening of the facility.

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Subchapter II: Development Standards Applicable in All Commercial Zones

23.47.010 Maximum Size of Non-Residential Use

A. Maximum size regulations shall apply to uses and to individual business establishments according to Chart B.

B. The size limits for specific outdoor activities shall be as provided in Section 23.47.11, Outdoor Activities.

C. Maximum size shall be calculated by taking the gross floor area of a structure(s) or portion of a structure(s) occupied by a single use or business establishment.

D. In NC1 and NC2 zones, any area used for outdoor sales shall also be included in determining the maximum size of a business establishment. In NC1, NC2 and NC3 zones, any area used for the outdoor display of rental equipment shall also be included in determining the maximum size of a business establishment.

E. Maximum size of combined uses within a business establishment

Business establishments which include more than one type of use shall be permitted provided each use is permitted, and:

1. The size of each use does not exceed the size limit for the individual use.

2. The total size of the business establishment does not exceed the maximum size allowed for the type of use with the largest size limit. When one of the uses has no maximum size limit, the business establishment shall have no maximum size limit.

CS 19.2

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F. Split zoned lots

1. The total size of a business establishment and the total size of each use within a business establishment occupying portions of a lot in more than one zone shall not exceed the maximum size allowed in the zone with the larger size limit.

2. The total size of that portion of a business establishment or of a use in each zone shall not exceed the maximum size allowed for that business establishment or use in that zone.

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CHART B

Non-Residential Uses Subject to Maximum Size Limit	ZONE				
	NC1*	NC2*	NC3*	C1	C2
Nonresidential uses including institutions & public facilities unless otherwise specified	4000 square feet	15,000 square feet	N.M.S.L.	N.M.S.L.	N.M.S.L.
Medical services	10,000 square feet	15,000 square feet	N.M.S.L.	N.M.S.L.	N.M.S.L.
Multi-purpose convenience store	10,000 square feet	25,000 square feet	N.M.S.L.	N.M.S.L.	N.M.S.L.
Food processing & craft work	4000 sq. ft.	5000 sq. ft.	10,000 sq. ft.	N.M.S.L.	N.M.S.L.
Light manufacturing	X	5000 s.f.	10,000s.f.	N.M.S.L.	N.M.S.L.
Fast food restaurant[1]	750 s.f. 4000 s.f.	750s.f. 8,000s.f.	750s. N.M.S.L.	750s.f. N.M.S.L.	750s.f. N.M.S.L.
Fuel sales Sales, service & rental of commercial equipment & construction materials Passenger terminals	X	X	25,000 square feet	N.M.S.L.	N.M.S.L.
Indoor participant sports & recreation	4000 sq. ft.	15,000 sq. ft.	25,000 sq. ft.	N.M.S.L.	N.M.S.L.
General Manufacturing	X	X	X	15,000s.f.	N.M.S.L.
Wholesale showroom Warehouse	X	X	15,000 sq. ft.	25,000 sq. ft.	N.M.S.L.
Mini-warehouses	X	X	15,000s.f.	40,000s.f.	N.M.S.L.

N.M.S.L. - No Maximum Size Limitations

* - Increases in maximum size limits may be allowed for operating business establishments - according to provisions of subsection G.

X - Does not apply, use not permitted in zone

1 Fast food restaurants larger than 750 square feet are conditional uses

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G. Increases in maximum size limits

1. Increases in maximum size limits may be allowed for operating business establishments or uses as special exceptions according to the following:

   a. Operating business establishments or uses in NC1 zones may be expanded up to a maximum of ten thousand square feet.

   b. Operating business establishments or uses in NC2 zones which are limited to a maximum size of five thousand square feet may be expanded to a maximum size of ten thousand square feet and operating business establishments or uses which are limited to a maximum size of fifteen thousand square feet may be expanded to a maximum size of twenty-five thousand square feet.

   c. Operating business establishments or uses in NC3 zones which may not exceed twenty thousand square feet may be expanded to a maximum size of twenty thousand square feet.

2. The decision to permit, condition or deny an increase in size shall be based upon an assessment of the following factors:

   a. The impacts of the existing operating business establishment and the anticipated impacts if an increase in size were permitted.

   b. The availability of commercial space in the zone for uses which contribute to the function and desired characteristics of the zone, according to the Land Use Policies for Neighborhood Commercial Areas.

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c. The number of business establishments present in the zone that are similar to the business establishment for which expansion is proposed.

d. The compatibility of the operating business establishment with the character and scale of the business district and the surrounding neighborhood.

e. The length of time the business establishment has been operating.

23.47.011 Outdoor Activities

A. Outdoor activities may be permitted in all commercial zones according to the following standards.

B. Outdoor sales areas and outdoor display areas for rental equipment shall be included in determining the maximum size of business establishments or uses as provided in Section 23.47.10D Maximum Size of Non-Residential Use.

C. Outdoor sales areas in NC1 and NC2 zones shall be limited as follows:

1. NC1 Zones: Forty percent of lot area or one thousand five hundred square feet, whichever is less.

2. NC2 Zones: Forty percent of lot area or ten thousand square feet, whichever is less.

3. There shall be no limitation on the size of an outdoor sales area in NC3, C1 or C2 zones.

D. Outdoor display areas for rental equipment shall be limited as follows:

1. NC1 Zones: Ten percent of lot area or five hundred square feet, whichever is less.

2. NC2 and NC3 Zones: Fifteen percent of lot area or one thousand square feet, whichever is less.

CS 19.2

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3. There shall be no limitation on the size of outdoor display of rental equipment in C1 or C2 zones.

E. Outdoor Storage Area

1. Outdoor storage areas shall be prohibited in NC1, NC2, and NC3 zones.

2. Outdoor storage areas shall be permitted with no size limitation in C1 and C2 zones.

F. Outdoor Storage of Recyclable Materials

Outdoor storage of recyclable materials shall be limited to the following:

1. NC1 Zones: Ten percent of lot area or five hundred square feet, whichever is less.

2. NC2 and NC3 Zones: Ten percent of lot area or one thousand square feet, whichever is less.

3. C1 and C2 Zones: Ten percent of lot area or one thousand square feet, whichever is less, provided that larger storage areas may be allowed if they comply with the screening and landscaping standards for outdoor storage.

G. The following outdoor activities shall be located at least fifty feet from a residentially zoned lot, except when the elevation of the commercial property line is at least fifteen feet above the residential property at the lot line:

Outdoor sales and/or service of food or beverages;
Outdoor recycling collection stations;
Outdoor storage;
Outdoor sports and recreation;
Outdoor loading berths.

H. Outdoor activities shall be screened and landscaped according to the provisions of Section 23.47.16.

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23.47.012 Structure Height and Floor Area Ratio

A. Maximum Height

The maximum structure height for commercial zones shall be thirty feet, forty feet, sixty-five feet, eighty-five feet, one hundred twenty-five feet, or one hundred sixty feet, as designated on the Official Land Use Map, Chapter 23.32.

B. Floor Area Ratios

Floor area ratios (FARs) are hereby established for structures in zones with eighty-five foot, one hundred twenty-five foot and one hundred sixty foot maximum height limits. Structures sixty-five feet in height or less in these zones shall not be subject to floor area ratio provisions. For the purposes of this Section, a mixed use structure is a building containing a residential use, excluding caretaker's quarters, and at least one other type of use.

1. Zones with eighty-five foot height limits

   a. For structures greater than sixty-five feet in height which are not mixed use structures, the maximum FAR shall not exceed four and one-half.

   b. For mixed use structures greater than sixty-five feet in height, the maximum FAR shall not exceed six. The maximum FAR of any single type of use within the structure shall not exceed four and one-half.

2. Zones with one hundred and twenty-five foot height limits

   a. For structures greater than sixty-five feet in height which are not mixed use structures, the maximum FAR shall not exceed five.

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b. For mixed use structures greater than sixty-five feet in height, the maximum FAR shall not exceed six. The maximum FAR of any single type of use within the structure shall not exceed five.

3. Zones with one hundred sixty foot height limits

a. For structures greater than sixty-five feet in height which are not mixed use structures, the maximum FAR shall not exceed five.

b. For mixed use structures greater than sixty-five feet in height, the maximum FAR shall not exceed seven. The maximum FAR of any single type of use within the structure shall not exceed five.

4. Exemptions from FAR calculations

The following areas shall be exempted from FAR calculations:

a. All gross floor area below grade.

b. All gross floor area used for accessory parking.

C. Split Zones Lots

When a lot is subject to more than one height and FAR limit, the height and FAR limits for each zone shall apply to the portion of the lot located in that zone.

D. Mixed Use Requirement

Any residential structure which is proposed to exceed eighty-five feet in height in zones with one hundred twenty-five and one hundred sixty foot height limits shall have a minimum of forty percent of the gross floor area of the structure at street level in commercial use. Commercial uses shall have street level frontage.

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E. Sloped Lots

On sloped lots, additional height shall be permitted along the lower elevation of the structure footprint, at the rate of one foot for each six percent of slope, to a maximum additional height of five feet, Exhibit 47.12A.

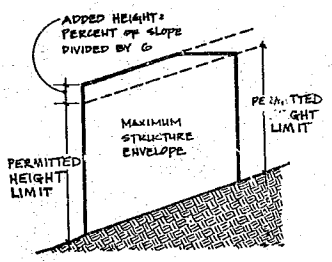

Exhibit 47.12A Height Limits on Sloped Lots

F. Pitched Roofs

The ridge of pitched roofs may extend up to five feet above the maximum height limit in zones with height limits of thirty or forty feet. All parts of the roof above the height limit shall be pitched at a rate of not less than three to twelve, Exhibit 47.12B. No portion of a shed roof shall be permitted to extend beyond the height limit under this provision.

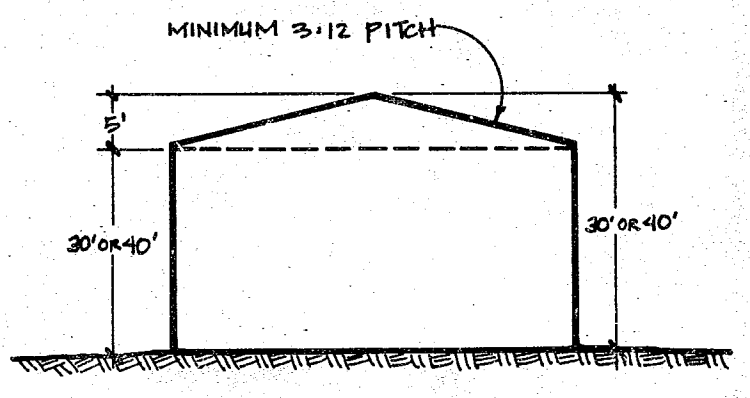

Exhibit 47.12B Pitched Roof Height Exception

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G. Rooftop Features

1. Radio and television receiving aerials excluding dish antennae; communication utilities, including transmission towers; ham radio towers; smokestacks; chimneys; flagpoles; and spires for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height District, provided they are a minimum of ten feet from any side or rear lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, dish antennae, parapets, and firewalls may extend four feet above the maximum height limit with unlimited rooftop coverage.

3. Solar collectors

   a. In zones with height limits of thirty or forty feet, solar collectors may extend up to four feet above the maximum height limit, with unlimited rooftop coverage.

   b. In zones with height limits of sixty-five feet or more, solar collectors may extend up to seven feet above the maximum height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen feet above the maximum height limit, so long as the combined total coverage of all features listed in this subsection does not exceed twenty percent of the roof area or twenty-five percent of the roof area if the total includes screened mechanical equipment:

   a. Solar collectors;

   b. Stair and elevator penthouses;

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c. Mechanical equipment;

d. Play equipment and open mesh fencing which encloses it, so long as the fencing is at least fifteen feet from the roof edge; and

e. Dish antennae.

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

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

H. Solar Retrofits

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on the effective date of this Land Use Code as a special exception pursuant to Chapter 23.76. Such a retrofit may be permitted even if it exceeds established height limits, if the following conditions are met:

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

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

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

I. Freestanding Antennae and Transmission Towers

1. Amateur radio devices

The maximum height of an amateur radio tower shall be no more than fifty feet above existing grade in zones where the maximum height limit does not exceed fifty feet. Cages and antennae may extend to a maximum additional fifteen feet. In zones with a maximum height limit which exceeds fifty feet the maximum height of the tower shall not exceed the maximum height allowed for all structures.

2. Dish antennae shall not exceed the height limit of the zone in which they are located.

3. Communication utilities shall be exempt from height controls, except for the requirements of Chapter 23.64, Airport Height District.

23.47.014 Setback Requirements

A. Setbacks for structures containing nonresidential uses

1. A setback shall be required on lots which abut the intersection of a side and front lot line of a residentially zoned lot. The required setback shall be a triangular area. Two sides of the triangle shall extend fifteen feet from the intersection of the street property line and the property line abutting the residentially zoned lot. The third side shall connect these two sides with a diagonal line across the lot, Exhibits 47.14A and B.

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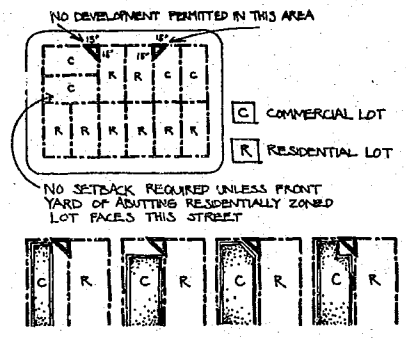

Exhibit 47.14A&B Setback Abutting a Side or Rear Lot Line of a Residentially Zoned Lot

2. A setback shall be required along any lot line which abuts a side or rear lot line of a residentially zoned lot, or which is across an alley from a residentially zoned lot, as follows:

   a. Zero feet for portions of structures twelve feet in height or lower; and

   b. Ten feet for portions of structures above twelve feet in height to a maximum of sixty-five feet; and

   c. For portions of structures above sixty-five feet in height, an additional one foot of setback shall be required for every ten feet in excess of sixty five feet, Exhibit 47.14C.

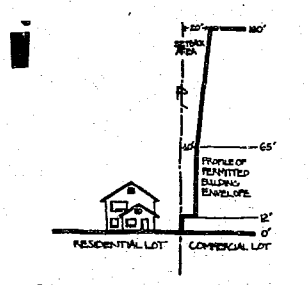

Exhibit 47.14C Setback Abutting a Side or Rear Lot Line of a Residentially Zoned Lot

3. Full alley width may be counted as part of the required setback.

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4. No entrance, window, or other opening shall be permitted closer than five feet to a residentially zoned lot.

5. A five foot setback shall be required from all street property lines where street trees are required and it is not feasible to plant them in accordance with City standards. The setback shall be landscaped according to Section 23.47.016, Screening and Landscaping Standards.

B. Setback requirements for structures containing only residential uses

1. Setbacks shall be required along side lot lines which abut lots in a residential zone, according to the following:

a. For residential structures up to forty feet in height, the required side setback shall be five feet. This side setback may be averaged along the entire structure depth, but shall at no point be less than three feet.

b. For residential structures forty to sixty-five feet in height, the required side setback shall be eight feet. This side setback may be averaged along the entire structure depth, but shall at no point be less than five feet.

c. Residential structures which exceed sixty-five feet in height shall be set back eight feet for that portion of the structure up to sixty-five feet, and shall be set back according to subsection A2c for that portion of the structure which exceeds sixty-five feet.

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2. Setbacks shall be required along rear lot lines which abut or are across an alley from a lot in a residential zone, according to the following:

   a. Zero feet for portions of structures twelve feet in height or lower; and

   b. Ten feet for portions of structures above twelve feet in height to a maximum of sixty-five feet; and

   c. For portions of structures above sixty-five feet in height, an additional one foot of setback shall be required for every ten feet in excess of sixty-five feet, Exhibit 47.14C.

3. A five foot setback shall be provided along all street lot lines of a mobile home park. The setback shall be landscaped according to the provisions of Section 23.47.016B6.

C. Structures in required setbacks

1. Decks and balconies may extend into the required setback, but shall not be permitted within five feet of a residentially zoned lot, except as provided in subsection C6.

2. Eaves, cornices, and gutters projecting no more than eighteen inches from the structure facade shall be permitted in required setbacks.

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

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

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5. Permitted fences, free-standing walls, bulkheads, and other similar structures, no greater than six feet in height, are permitted in required setbacks.

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

7. Underground structures are permitted in all setbacks.

8. Solar collectors are permitted in required setbacks, according to the following provisions:

   a. Detached solar collectors shall be permitted in required setbacks. Such collectors shall be no closer than five feet to any other principal or accessory structures, and no closer than three feet to any lot line which abuts a residentially zoned lot.

   b. Sunshades which provide shade for solar collectors which meet the minimum energy standards administered by the Director may project into southern front or rear setbacks. Those which begin at eight feet or more above existing grade may be no closer than three feet from the property line. Sunshades which are between existing grade and eight feet above existing grade shall be no closer than five feet to the property line.

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D. Setback requirements for specific uses or structures

1. Farm animals and structures housing them shall be located at least fifty feet from any residentially zoned lot.

2. Beehives shall not be located within twenty-five feet of any property line except when located eight feet or more above the grade immediately adjacent to the subject lot or when situated less than eight feet above the adjacent existing grade and behind a solid fence or hedge six feet high, parallel to any property line within twenty-five feet of a hive and extending at least twenty-five feet beyond the hive in both directions.

3. Parking occupying the street level frontage of a structure shall be set back at least five feet from all street lot lines and from all residentially zoned lots and landscaped according to the requirements of Section 23.47.016.

4. Where access to a loading berth is from an alley, and truck loading is parallel to the alley, a setback of twelve feet shall be required for the loading berth, measured from the centerline of the alley, Exhibit 47.14D. This setback shall be maintained up to a height of sixteen feet.

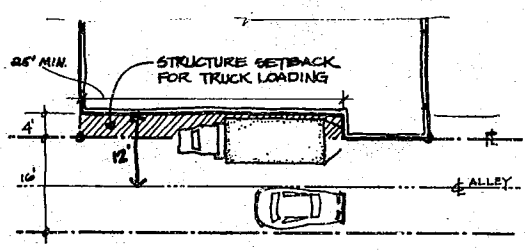

Exhibit 47.14D Structure Setback for Truck Loading

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5. Communication utilities shall be set back at least ten feet from side and rear lot lines.

E. View corridor setbacks on lots partially within the Shoreline District

On lots which are partially within the Shoreline District, a view corridor shall be required for the entire lot if the portion of the lot in the Shoreline District is required to provide a view corridor under the Seattle Shoreline Master Program. View corridors shall meet all requirements of the Seattle Shoreline Master Program.

23.47.016 Screening and Landscaping Standards

A. The following types of screening and landscaping may be required for specific uses according to the provisions of subsection B.

1. Three foot high screening on street property lines

Three foot high screening may be either:

a. A fence or wall at least three feet in height; or

b. A hedge or landscaped berm at least three feet in height.

2. Six foot high screening on property lines

Six foot high screening may be either:

a. A fence or wall six feet in height; or

b. A landscaped berm at least five feet in height or a hedge which would achieve a height of at least five feet within three years of planting.

3. Landscaped areas and berms

Each area or berm required to be landscaped shall be planted with trees, shrubs, and grass or evergreen ground cover, in a manner that the total required setback, excluding driveways, will be covered in

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three years from the date of issuance of the permit. Features such as walkways, decorative paving, sculptures, or fountains may cover a maximum of thirty percent of each required landscaped area or berm.

4. Street trees

When required by this Code, street trees shall be provided in the planting strip according to The City of Seattle Board of Public Works Tree Planting Standards. If it is not feasible to plant street trees according to City standards, a five foot deep landscaped area shall be required along the street property line. If a landscaped area is already required, the street trees shall be planted in the landscaped area at least two feet from the street lot line if they cannot be placed in the planting strip.

5. Interior landscaping

When interior landscaping of a surface parking area is required, the following standards shall be met:

a.

Total Number of Parking Spaces	Required Landscaped Area
20 to 50	18 square feet/parking space
51 to 99	25 square feet/parking space
100 or more	35 square feet/parking space.

b. The minimum size of a required landscaped area shall be one hundred square feet. Berms and other landscaped areas provided to meet screening standards may be counted as part of a landscaped area. No part of a landscaped area shall be less than four feet in dimension except those parts created by turning radii or angles of parking spaces.

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c. No stall shall be more than sixty feet from a required landscaped area.

d. One tree shall be required for every ten parking spaces.

e. Each tree shall be three feet away from any curb of a landscaped area or edge of the parking area. Permanent curbs or structural barriers shall enclose each landscaped area.

f. Hardy evergreen groundcover shall be planted to cover each landscaped area completely in three years. Trees shall be selected from the Seattle Engineering Department's recommended list for parking area planting.

6. Combinations of screening and landscaping requirements When there is more than one type of use which requires screening or landscaping, the requirement which results in the greater amount of screening and landscaping shall be followed.

B. Screening and landscaping requirements for specific uses

1. Surface parking areas

a. When a surface parking area abuts a lot in a residential zone, six foot high screening along the abutting lot line(s) shall be required. A five foot deep landscaped area shall be required inside the screening, Exhibit 47.16A.

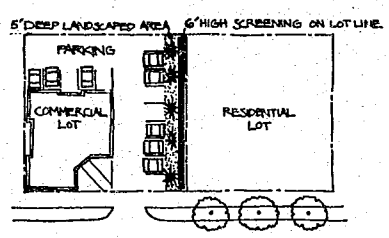

Exhibit 47.16A Screening of Surface Parking Areas Abutting a Residentially Zoned Lot

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b. When a surface parking area is across an alley from a lot in a residential zone, six foot high screening along the alley shall be required. A five foot deep landscaped area shall be required inside the screening. The Director may reduce or waive the screening and landscaping requirement for part or all of the lot abutting the alley, or may waive only the landscaping requirement, when required parking can only be provided at the rear lot line and the alley is necessary to provide aisle space. In making the determination to waive or reduce the landscaping and screening requirements, the Director shall consider the following criteria:

(1) Whether the lot width and depth permits a workable plan for the building and parking which would preserve the screening and landscaping; and

(2) Whether the character of use across the alley, such as multi-family parking structures, make the screening and landscaping less necessary; and

(3) Whether the property is located in a pedestrian-designated zone and therefore access to parking from the street is not feasible or is undesirable; and

(4) Whether a topographic break between the alley and the residential zone makes screening less necessary.

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c. Surface parking areas for ten or fewer cars shall be screened by three foot high screening along the street lot line, and, when across a street from a residentially zoned lot, street trees shall be provided.

d. Surface parking areas for more than ten cars shall be screened by three foot high screening and street trees along the street lot line.

e. Surface parking areas for twenty cars or more which serve single purpose residential developments, and all surface parking areas for more than fifty cars, shall provide three foot high screening and street trees along street lot lines, as well as interior landscaping.

2. Parking within or under structures

a. When parking occupies any portion of the street level frontage of a structure up to a height of eight feet above sidewalk grade, the portion of the structure containing the parking shall be required to have a five-foot deep landscaped area along street lot lines and all lot lines abutting a residential zone. In addition, the parking shall be screened by:

(1) the facade of the structure; or

(2) six-foot high screening between the structure and the landscaped area, and street trees, Exhibit 47.16B.

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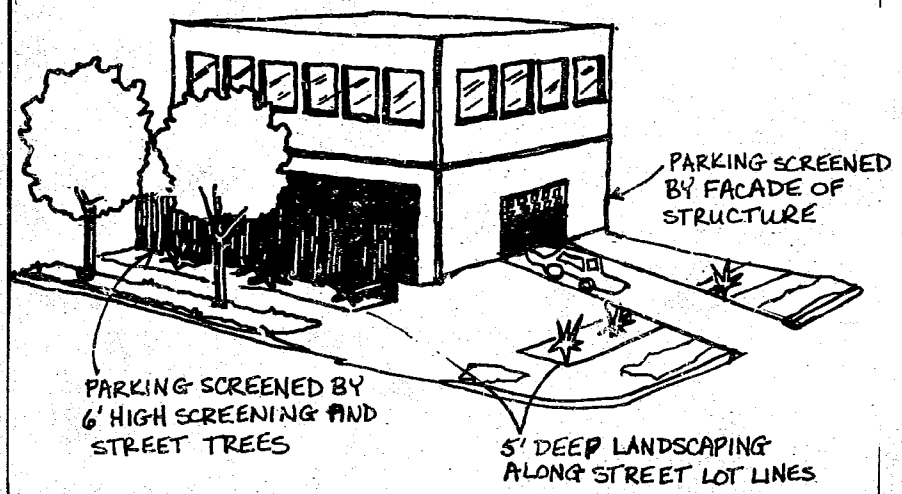

Exhibit 47.16B Screening of Parking Within or Under a Structure

b. For each permitted curbcut, the facade may contain one garage door, not to exceed the maximum width allowed for the curbcut.

c. The perimeter of each floor of parking which is eight feet or more above sidewalk grade shall have an opaque screen at least three and one-half feet high.

3. Drive-in businesses

a. Drive-in businesses, including gas stations, abutting or across an alley from a residentially zoned lot shall provide six foot high screening along the abutting or alley lot lines. A five foot deep landscaped area inside the screening shall be required when the drive-in portion of the business or its access area abuts a lot in a residential zone.

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b. Drive-in businesses other than gas stations in which the drive-in portion of the business is across the street from a residentially zoned lot shall provide three foot high screening for the drive-in portion and street trees.

c. Gas stations shall provide three foot high screening along street lot lines and street trees in all NC1, NC2, and NC3 zones. In C1 and C2 zones, three foot high screening and street trees shall only be required when a gas station is across the street from a residentially zoned lot.

4. Outdoor sales and outdoor display of rental equipment

a. When an outdoor sales area or outdoor display of rental equipment area is abutting or across an alley from a residentially zoned lot, six foot high screening shall be provided along the abutting or alley lot lines.

b. When an outdoor sales area or outdoor display of rental equipment is across the street from a residentially zoned lot, street trees and three foot high screening along the street lot line shall be provided.

5. Outdoor storage

a. C1 zones

Outdoor storage shall be screened by a structure's facade or by six foot high screening between the storage area and all property lines. A five foot deep landscaped area shall be provided between all street lot lines and the six foot high screening. When an open storage

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area is across the street from a residentially zoned lot, street trees shall also be required between the open storage area and the residentially zoned lot, Exhibit 47.16C.

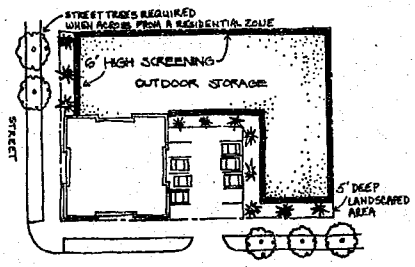

Exhibit 47.16C Screening of Open Storage Areas in C1 Zones

b. C2 zones

(1) When an outdoor storage area is across the street from a residentially zoned lot it shall be screened from the street by the facade of a structure, or by six foot high screening along the street lot lines, and street trees.

(2) When a lot containing outdoor storage abuts a residentially zoned lot, the outdoor storage area shall be screened by a structure's facade or by six foot high screening between the outdoor storage and all abutting property lines, Exhibit 47.16D.

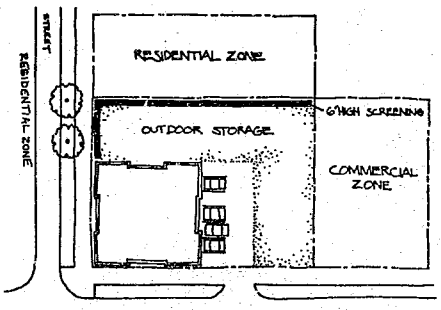

Exhibit 47.16D Screening of Open Storage Areas in C2 Zones

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c. Outdoor dry storage of boats

Screening shall be required for the outdoor dry storage of boats in the Shoreline District according to the provisions for outdoor storage in C1 zones, subsection B5a unless the dry storage of boats is located in a C2 zone, in which case screening shall be required according to the provisions for outdoor storage in C2 zones, subsection B5b.

6. Mobile home parks

Mobile home parks shall be screened by six foot high screening along all non-street lot lines. A five foot deep landscaped area shall be provided along all street lot lines of a mobile home park. A five foot planting strip with street trees may be provided instead of the five foot deep landscaped area.

7. Lots within the Shoreline District

On lots within the Shoreline District where view corridors are required, the height of screening may be reduced and the location and type of required landscaping may be modified so that view corridors are not obstructed.

C. Blank facades

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

2. Any portion of a facade which is not transparent shall be considered to be a blank facade. Clear or lightly tinted glass in windows, doors, and display

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windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

3. Any blank facade segments of the facade of a structure shall be separated by transparent areas of at least two feet in width.

4. Street trees shall be required along blank facades greater than fifty feet in width which are across the street from a lot in a residential zone.

5. If it is not feasible to plant street trees, a five foot deep landscaped area shall be provided along street property lines.

D. Access through required screening and landscaping

Breaks in required screening shall be permitted to provide pedestrian access; vehicular access through required screening shall also be permitted. Breaks in required screening for vehicular access shall not exceed the width of permitted curb cuts.

23.47.018 Noise Standards

A. All permitted manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure in an NC1, NC2 or NC3 zone. In a C1 or C2 zone, location within an enclosed structure shall be required only when located within fifty feet of a residential zone, except when required as a condition for permitting a major noise generator according to subsection B.

B. Major noise generators

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

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Light and general manufacturing
Major vessel repair
Aircraft repair shops
Major vehicle repair
Exterior heat exchangers, and other similar devices (e.g., ventilation, air-conditioning, refrigeration)
Cargo terminals
Other similar uses.

2. When a major noise generator is proposed, and when an existing major noise generator is proposed to be expanded, 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 used 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.

23.47.020 Odor Standards

A. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten feet above finished sidewalk grade, and directed away as much as possible 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

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Handling of heated tars and asphalts
Incinerating (commercial)
Tire buffing
Metal plating
Vapor degreasing
Wire reclamation
Use of boilers (greater than 10^6 British Thermal Units per hour, 10,000 lbs. steam per hour, or 30 boiler horsepower)
Animal food processing
Other similar processes or activities.

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 processes or activities.

C. 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 indicated on plans submitted to the Director and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures which were required by the permit shall be maintained.

23.47.022 Light and Glare Standards

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.

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C. Exterior lighting on poles shall be permitted up to a maximum height of thirty feet from finished grade. In zones with a forty foot or greater height limit, exterior lighting on poles shall be permitted up to a height of forty feet from finished grade, provided that the ratio of watts to area is at least twenty percent below the maximum exterior lighting level permitted by the Energy Code.

D. Glare diagrams which clearly identify potential adverse glare impacts on residential zones and on arterials shall be required when:

1. Any structure proposed to have facades of reflective coated glass or other highly reflective material, and/or new structures or expansion of existing structures sixty-five feet or greater in height which have more than thirty percent of the facades comprised of clear or tinted glass, and

2. The facade(s) surfaced or comprised of such materials either:

   a. Are oriented towards and are less than two hundred feet from any residential zone, and/or

   b. Are oriented towards and are less than four hundred feet from a major arterial with more than fifteen thousand vehicle trips per day, according to Engineering Department data.

3. When glare diagrams are required, the Director may require modification of the plans to mitigate adverse impacts, using methods including but not limited to the following:

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a. Minimizing the percentage of exterior facade that is composed of glass;

b. Using exterior glass of low reflectance;

c. Tilting glass areas to prevent glare which could affect arterials, pedestrians or surrounding structures;

d. Alternating glass and non-glass materials on the exterior facade; and

e. Changing the orientation of the structure.

23.47.024 Open Space Standards for Residential Uses

A. Usable open space shall be required for all structures containing residential units, according to Chart C:

CHART C: USABLE OPEN SPACE REQUIREMENTS

Structure Type	Height of Structure 40' or less	41' to 85'	86' to 160'
Single purpose residential use	25% of lot area	35% of lot area	Single purpose residential not allowed
At least 40% to 79% of structure's gross floor area at street level in commercial use	20% of lot area	30% of lot area	40% of lot area
80% or more of structure's gross floor area at street level in commercial use	15% of lot area	20% of lot area	30% of lot area

B. Except as provided in subsection C, required usable open space may be at ground level, or may be provided above ground in the form of balconies, decks, solaria, greenhouses, or roof gardens.

C. In NC1 and NC2 zones, single purpose residential developments shall provide at least sixty percent of the required usable open space at ground level.

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D. Balconies and decks provided above ground as open space shall have a minimum area of sixty square feet and no horizontal dimension shall be less than six feet.

E. Usable open space at ground level, and roof gardens, solaria, and greenhouses provided above ground as open space shall have a minimum area of two hundred fifty square feet. No horizontal dimension shall be less than ten feet.

F. Required usable open space is permitted at the front, sides, or rear of the structure.

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

23.47.026 Standards for the Keeping of Animals

Animals which are not being kept in connection with animal husbandry or animal service uses may be kept as an accessory use on any lot in a commercial zone according to the following standards:

A. Domestic fowl

Up to three domestic fowl may be kept on any lot. For each one thousand square feet of lot area in excess of five thousand square feet, one additional domestic fowl may be kept.

B. Farm animals

Cows, horses, and other similar farm animals are permitted only on lots at least twenty thousand square feet in size. One farm animal for every ten thousand square feet of lot area is permitted.

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C. Beekeeping

Beekeeping is permitted when it is registered with the State Department of Agriculture. No more than four hives shall be kept on lots of ten thousand square feet or less. For each two thousand five hundred square feet of lot area in excess of ten thousand square feet, one additional hive may be kept. Each hive shall have only one swarm.

D. Small animals

Up to three small animals per business establishment or dwelling unit may be kept in Commercial zones.

23.47.028 Standards for Drive-in Businesses

A. Number of drive-in lanes permitted

1. NC1 zones

Gas stations shall be limited to a maximum of four drive-in lanes. Other drive-in businesses are prohibited.

2. NC2 zones

All drive-in businesses in NC2 zones shall be limited to a maximum of two drive-in lanes, except gas stations which shall be allowed a maximum of four drive-in lanes.

3. NC3 zones

All drive-in businesses in NC3 zones shall be limited to a maximum of four drive-in lanes, except gas stations which shall have no restrictions on the number of drive-in lanes.

4. C1 and C2 zones

There shall be no restriction on the number of drive-in lanes in C1 and C2 zones.

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B. Drive-in businesses shall provide queuing spaces according to the following:

1. Banks with drive-in facilities shall provide a minimum of five queuing spaces per lane when the number of lanes does not exceed two.
2. Banks with three or more drive-in lanes shall provide a minimum of three queuing spaces per lane.
3. Car washes shall provide a minimum of ten queuing spaces.

B. If the drive-in bank or car wash is located along either a principal arterial, a minor arterial, or along a street with only one lane for moving traffic in each direction, the Seattle Engineering Department shall determine whether additional queuing spaces are necessary or whether access should be restricted. Based on the Engineering Department's determination, the Director may for the purpose of environmental mitigation restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

1. Banks with one or two drive-in lanes: eight spaces per lane
2. Banks with three or more drive-lanes: six spaces per lane
3. Car washes: twenty spaces per lane

C. The Director shall establish the minimum number of queuing spaces needed for similar uses which are not listed above, using the quantities of subsection B as a guide.

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23.47.030 Required Parking

A. Each use shall provide a minimum number of off-street parking spaces according to the requirements of Section 23.54.015, Required Parking.

B. In pedestrian-designated zones, parking shall also be provided according to the requirements of Section 23.54.015, unless otherwise provided in Section 23.47.044, Required Parking in Pedestrian-Designated Zones.

C. Loading berth requirements

1. Loading berths shall be required for certain commercial uses according to the requirements of Section 23.54.030.

2. Existing deficits in the number of required loading berths shall be allowed to continue if a change of use occurs, except when the change is to a food processing or manufacturing use, warehouse, or cargo terminal.

23.47.032 Parking Location and Access

A. Parking shall be located on the lot or built into or under the structure or within eight hundred feet of the lot on which the use is located, except that parking for residential uses shall be located on the same lot. When parking is provided on a lot other than the lot of the use to which it is accessory, the provisions of Section 23.54.025, Parking Covenants, shall apply.

B. Location of parking in NC1, NC2 and NC3 Zones

1. Parking which is located outside a structure shall maintain the following relationships to lot lines and structures. In all cases parking located outside a structure shall be screened as provided in Section 23.47.016B.

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a. Front lot lines

(1) Parking may be located between the front lot line and a portion of a structure where the parking is also located between a side lot line, other than a street side lot line, and a portion of the same structure which is equal to at least thir[illegible] [illegible]cent of the total width of the structure, Exhibit 47.32A.

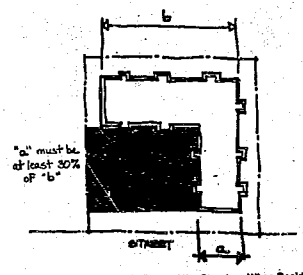

Exhibit 47.32A Parking in Front of the Structure When Beside a Portion of the Structure

(2) The Director may permit parking in front of structures in NC2 zones as a special exception if the Director finds that while most of the characteristics of an NC2 area are present, the development of a pedestrian oriented shopping area is very unlikely and the placement of parking on the side or in back of commercial structures is infeasible or undesirable. Such a conclusion would be appropriate only where all or most of the following circumstances are present.

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-- There are extensive curbcuts, a lack of sidewalks, intense auto traffic and/or a pattern of parking in front of businesses which creates an unfriendly environment for pedestrians, increasing the likelihood that customers will drive from one business establishment to another;

-- The lots are narrow and alley access is infeasible, so that a disproportionate amount of the lot would have to be devoted to a driveway if parking is not located in front;

-- The zone in which the lot is located lacks strong edges to buffer adjacent low density residential areas from parking areas.

b. Side and rear lot lines

Parking may be located to the rear of a structure or between a structure and a side lot line, Exhibit 47.32B.

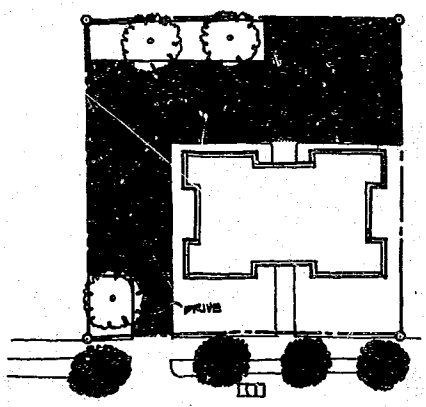

Exhibit 47.32B Parking Permitted Between the Structure and Rear and Side Lot Lines

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c. Parking may be located between any structures on the same lot.

2. For through lots, parking may be located between the structure and the front lot line on the block front with the fewest lineal feet of commercial frontage located within ten feet of the street property line.

3. On waterfront lots in the Shoreline District, parking may be located between the structure and the front lot line if necessary to prevent blockage of view corridors or to keep parking away from the edge of the water as required by the Shoreline Master Program.

C. Location of parking in C1 and C2 zones

1. There shall be no restrictions on the location of parking on lots in C1 and C2 zones.

D. Access to offstreet parking in all commercial zones

1. Access to offstreet parking may be from a street or from an alley when the lot abuts a platted alley improved to the standards of Section 23.54.010C.

2. Access to offstreet parking shall be from a street when, due to the relationship of an alley to the street system, use of the alley for parking access would create a significant safety hazard as determined by the Director.

3. Direct access to a loading berth from a street shall be permitted only when no alley improved to the standards of Section 23.54.010C is available for access.

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4. Access to off-street parking in Pedestrian designated zones shall be provided according to Section 23.47.048, Parking, Access and Curbcuts in Pedestrian-designated Zones.

23.47.034 Sidewalk Requirements

When new development is proposed, the Director may require that sidewalks be provided if no sidewalks exist. The sidewalk shall be developed in accordance with rules promulgated by the Director.

Subchapter III: Standards for Nonconforming Uses and Structures

23.47.036 Standards for Nonconforming Uses

A. Continuation of nonconforming uses

1. Any legally established nonconforming use existing on the effective date of this Section 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 Section 23.47.006B6. 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

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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 permitted in the zone pursuant to Section 23.47.006B6, 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 reestablished during the six months following the denial.

B. Extensions, expansions, and structural alterations of nonconforming uses

1. A nonconforming use shall not be expanded or extended, nor shall a structure or portion of a structure containing a nonconforming use be expanded or extended except as otherwise required by law or as necessary to improve access for the elderly and disabled, or as provided in subsection B4.

2. A nonconforming use which is destroyed by fire, act of nature, or other causes beyond the control of the owners may be resumed. The structure containing the nonconforming use may be rebuilt to the same or smaller configurations existing immediately prior to the time the structure was destroyed.

3. A structure containing a nonconforming use may be structurally altered.

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4. A business establishment in an NC1, NC2 or NC3 zone with nonconforming outdoor storage area may be extended, structurally altered or expanded if the outdoor storage area is not expanded and is screened and landscaped according to the standards of Section 23.47.016B5a.

5. A nonconforming use with a nonconforming outdoor storage area may be structurally altered if the outdoor storage area is not expanded and is screened and landscaped according to the standards of Section 23.47.10B5a.

6. Surface parking areas which are nonconforming uses may be restriped according to the standards of Section 23.54.030, Parking Space Standards.

C. Changes to and from nonconforming uses

1. A structure occupied by a nonconforming use may be converted to a conforming use even if in a nonconforming structure.

2. A nonconforming use may be converted by an administrative conditional use authorization to a use not otherwise permitted in the zone, according to the provisions of Section 23.47.006, Conditional Uses.

23.47.038 Standards for Nonconforming Structures

A. Nonconforming structures existing as of the effective date of this Section may be expanded, extended or structurally altered in any manner which does not increase the extent of nonconformity or create additional nonconformity except that expansions, extensions, or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled shall be permitted.

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B. A nonconforming structure which is destroyed by fire, act of nature, or other causes beyond the control of the owner may be rebuilt to the same or smaller configuration existing immediately prior to the time the structure was destroyed.

C. When nonconforming exterior lighting is replaced, new lighting shall conform to the requirements of Section 23.47.022, Light and Glare Standards.

D. Structures originally constructed in Manufacturing Zones, under Title 24, which exceed the permitted height in zones with height limits of thirty feet, forty feet, or sixty-five feet shall be limited to an FAR of two and one-half. Structures which exceed the permitted height in zones allowing heights greater than sixty-five feet shall be limited to the FAR permitted in the respective zone.

E. Outdoor storage areas which do not conform to development standards shall be required to be screened and landscaped according to the provisions of Section 23.47.016 at the time of any structural alteration or expansion of the outdoor storage and/or of the structure with which it is associated.

F. Nonconforming parking areas and nonconforming parking within structures may be re-striped according to the standards of Section 23.54.030, Parking Space Standards.

Subchapter IV: Pedestrian-Designated Zones

23.47.040 General Provisions for Pedestrian-Designated Zones

A. There shall be two pedestrian-designated zones: Pedestrian 1 (P1) and Pedestrian 2 (P2), as designated on the Official Land Use Map, Chapter 23.32.

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B. The development standards of the underlying commercial zone shall apply to all uses within pedestrian-designated zones unless otherwise provided by this subchapter.

C. For purposes of this subchapter, the following streets are principal pedestrian streets when located within a pedestrian-designated zone:

Lake City Way Northeast
Roosevelt Way Northeast
Greenwood Avenue North
North 85th Street
East Greenlake Drive North
Woodlawn Avenue Northeast
University Way Northeast
Northeast Forty-Fifth Street
Northwest Market Street
Fremont Avenue North
Fremont Place North
Queen Anne Avenue North
Mercer Street
Roy Street
First Avenue North
15th Avenue East
Broadway Avenue East
East Olive Way
East Madison Street
Madison Street
Alki Avenue Southwest
California Avenue Southwest
Southwest Alaska Street.

23.47.042 Uses in Pedestrian-Designated Zones

A. Uses shall be regulated by the underlying zone except as provided in this Section.

B. Fast food restaurants up to twenty five hundred square feet in size which provide indoor dining areas and do not provide offstreet parking shall be permitted outright. All other heavy traffic generators may be permitted as a conditional use, subject to the provisions of Section 23.47.006.

C. Drive-in businesses, including gas stations, are prohibited in pedestrian-designated zones.

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D. Street level uses required

1. Street level uses shall be required along the principal pedestrian street front and shall be limited to the following retail sales and service and office uses if permitted in the underlying commercial zone:

Personal and household retail sales and service uses
Eating and drinking establishments
Customer service offices
Entertainment uses.

2. Where street level uses are required, pedestrian access to office or residential uses above or behind street level shall be permitted, provided that the access does not exceed a maximum of twenty percent of the width of the structure's front facade, Exhibit 47.42A.

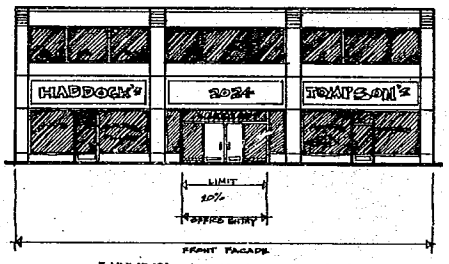

Exhibit 47.42A Pedestrian Access at Street Level

3. Required street level uses shall be set back no more than ten feet from the street property line and shall occupy at least the first ten feet above sidewalk grade.

23.47.044 Required Parking in Pedestrian-Designated Zones

A. Minimum parking requirements shall be according to the provisions of Section 23.54.015, Required Parking, except as modified by this Section.

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B. Reductions to required parking

1. Reductions to required parking shall be permitted in pedestrian-designated zones according to the provisions of Section 23.54.020, Parking Quantity Exceptions, except as modified by this Section and Chart E.

2. Once the amount of required parking has been calculated according to the provisions of Section 23.54.020, further reductions may be permitted for the types of uses listed in Chart E.

3. The parking waivers permitted by Chart E shall apply to each business establishment in a structure.

CHART E: REDUCTION TO REQUIRED PARKING IN P1 AND P2 DESIGNATED ZONES

	P1[1]	P2[1]
Personal and household retail sales & service uses, except eating & drinking establishments; customer service offices; & entertainment uses, except motion picture theaters.	NC1 - Parking waived for first 4,000 square feet NC2 - Parking waived for first 15,000 square feet NC3 - Parking waived for first 25,000 square feet	NC1 - Parking waived for first 4,000 square feet NC2 - Parking waived for first 5,000 square feet NC3 - Parking waived for first 5,000 square feet
Motion picture theaters	Parking waived for first 150 seats	Parking waived for first 150 seats
Eating & drinking establishments	NC1, NC2 & NC3 - Parking waived for first 2,500 square feet	NC1, NC2 & NC3 - Parking waived for first 2,500 square feet

1 Additional parking waiver for business establishments may be permitted as a special exception according to criteria of subsection C

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C. Additional parking waivers may be permitted by the Director as a special exception according to the following provisions:

1. In P1 designated zones, additional parking waivers may be permitted up to the maximum size of use permitted outright or permitted by special exception for the following uses:

   a. Personal and household retail sales and service uses

   b. Eating and drinking establishments

   c. Customer service offices

   d. Entertainment uses.

2. In P2 designated zones additional parking waivers may be permitted as special exception for the following uses:

   a. Eating and drinking establishments, up to a maximum waiver of five thousand square feet.

   b. Motion picture theaters, up to a maximum waiver of three hundred seats.

3. The following factors shall be considered by the Director in determining whether to permit additional parking waivers:

   a. Anticipated parking demand for the proposed use;

   b. The extent to which an additional parking waiver is likely to create or add significantly to spillover parking in adjacent residential areas;

   c. The availability of shared parking opportunities within eight hundred feet of the business;

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d. Whether land is available for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial.

4. Transportation study

a. In order to determine whether to permit, condition, or deny additional parking waivers, the Director may require that a transportation study be submitted for review by the Seattle Engineering Department and the Department of Construction and Land Use.

b. The Director shall determine the level of detail to be disclosed in the transportation study based on the following factors:

(1) The size and type of the proposed use; and

(2) The size of the requested parking waiver; and

(3) Any anticipated impacts of an additional parking waiver.

D. The transit reduction permitted in Section 23.54.020F2 shall not apply to uses in pedestrian-designated zones.

E. Parking requirements for residential uses shall be waived for lots in P1-designated zones which abut only a principal pedestrian street, and which do not abut an alley.

23.47.046 Parking Location in Pedestrian-Designated Zones

A. In P1 and P2 designated zones parking may be located at the rear of a structure, or may be built into or under a structure, or be located within eight hundred feet of the lot to which it is accessory, according to the provisions of Section 23.54.25, Parking Covenants.

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B. In P1 designated zones, parking shall not be allowed on the lot along the principal pedestrian street front.

C. In P2 designated zones parking may be located to the side of a structure if parking to the rear or within eight hundred feet is unavailable without the demolition of commercial structures. Parking to the side of a structure shall not exceed a maximum of sixty feet along the principal pedestrian street front, Exhibit 47.46A.

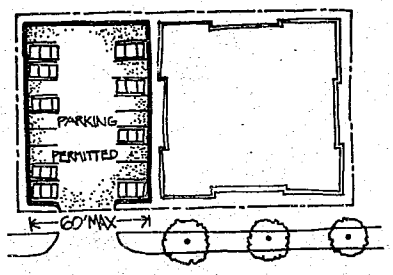

Exhibit 47.46A Parking to the side of a structure in P2 Designated Zones

23.47.048 Parking Access and Curbcuts in P1 and P2 Designated Zones

A. Access to parking shall be from the alley when the lot abuts an alley improved to the standards of Section 23.54.010C; provided, that when the lot fronts on more than one street access may be from the street which is not the principal pedestrian street.

B. When the lot does not abut an alley, and the lot fronts on more than one street, access to parking shall be from the street which is not the principal pedestrian street.

C. If the lot does not abut an improved alley, and only abuts a principal street or streets, access may be permitted from a principal pedestrian street and such access shall be limited to one two-way curbcut.

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23.47.050 Blank Facades in Pedestrian-Designated Zones

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. 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.

C. Blank facades shall not exceed thirty feet in width in pedestrian-designated zones.

D. Any blank facade segments of the facade of a structure shall be separated by transparent areas of at least two feet in width.

E. The total of all blank facade segments shall not exceed forty percent of the facade of the structure along the principal pedestrian street.

Section 26. Section 23.49.044 of the Seattle Municipal Code is hereby amended to read as follows:

23.49.044 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 <u>and</u> <u>heavy</u> manufacturing uses;

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

E. All ((~~industrial~~)) <u>high</u> <u>impact</u> uses.

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Section 27. Section 23.49.062 of the Seattle Municipal Code is hereby amended to read as follows:

23.49.062 Downtown Office Core 2, 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 and heavy manufacturing uses;

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

E. All ((~~industrial~~)) high impact uses.

Section 28. Section 23.49.092 of the Seattle Municipal Code is hereby amended to read as follows:

23.49.092 Downtown Retail 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 and heavy manufacturing uses;

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

E. All ((~~industrial~~)) high impact uses.

Section 29. Section 23.49.118 of the Seattle Municipal Code is hereby amended to read as follows:

23.49.118 Downtown Mixed Commercial, Prohibited Uses

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. Adult motion picture theaters and adult panorams;

D. All general and heavy manufacturing uses;

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

F. All ((~~industrial~~)) high impact uses.

Section 30. Section 23.49.144 of the Seattle Municipal Code is hereby amended to read as follows:

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 and heavy manufacturing uses;

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

G. All ((~~industrial~~)) high impact uses.

Section 31. Section 23.49.320 of the Seattle Municipal Code is hereby amended to read as follows:

23.49.320 Downtown Harborfront 2, 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;

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B. Outdoor storage, except when accessory to water-dependent or water-related uses located in Downtown Harborfront 1 or Downtown Harborfront 2;

C. Adult motion pictures theaters and adult panorams;

D. All general and heavy manufacturing uses;

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

f. All ((~~industrial~~)) high impact uses.

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Section 31A. **Land Use Policies.** That the Seattle Municipal Code is amended by adding a new Section 23.16.20, Neighborhood Commercial Land Use Policies, to read as follows:

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Section 31B. That Sections 23.44.062, 23.44.064 and 23.44.066 of the Seattle Municipal Code are hereby repealed.

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Section 32. That the Seattle Municipal Code is amended by repealing Chapter 23.54, Quantity and Design Standards for Access and Off-Street Parking, and adding a new Chapter 23.54, to read as as follows:

CHAPTER 23.54

QUANTITY AND DESIGN STANDARDS FOR ACCESS AND OFFSTREET PARKING

23.54.10 Access Standards

A. Streets

1. Street abutment required

a. For residential uses, at least ten feet of a lot line shall abut on a street meeting the standards of subsection A3 or on a permanent access easement to a street meeting the standards of subsection B; or the provisions of subsection B7 shall be met.

b. For nonresidential uses which do not provide any parking spaces, at least five feet of a lot line shall abut on a street meeting the standards of subsection A3 or on a permanent access easement to a street meeting the standards of subsection B.

c. For nonresidential uses which provide parking spaces, an amount of lot line sufficient to provide the required driveway width shall abut on a street meeting the standards of subsection A3 or on a permanent access easement to a street meeting the standards of subsection B.

2. Access to new lots

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

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a. Where access by easement would compromise the goals of the Land Use Code to provide for adequate light, air and usable open space between structures.

b. If the improvement of a dedicated street is necessary or desirable to facilitate adequate water supply for domestic water purposes or for fire protection, or to facilitate adequate storm drainage.

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

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

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

f. Where a potential exists for extending the street system.

3. Street improvement standard

a. Streets providing access to and within development shall meet the following standards, except as provided in subsection A3b:

(1) Grading to both right-of-way lines;

(2) Standard pavement width and depth;

(3) Curbs on both sides of the street;

(4) Sidewalks on both sides of the street;

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(5) Provision of landscaped planting strips and/or street trees on both sides of the street; and

(6) Drainage and grading according to the provisions of the Seattle Municipal Code.

b. The Director may authorize exceptions to the standards listed in subsection A3a under the following conditions:

(1) Proposed development contains less than ten units;

(2) Proposed development is low income housing;

(3) Full street improvement would not be practical due to topography and/or location in an environmentally sensitive area;

(4) Street improvement would remove natural features such as trees or disrupt existing drainage patterns;

(5) Full street improvement would adversely affect abutting property; or

(6) The street would provide access to a single development, and would not carry through traffic; or

(7) The street is not improved to standard, but is adequate for anticipated current and future needs.

B. Easements

Where access by easement has been approved by the Director in accordance with subsection A the easement shall meet the following standards:

1. Vehicle access easements serving one single family dwelling unit

a. Easement width shall be a minimum of ten feet;

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b. No maximum easement length shall be set. If easement length is more than one hundred and fifty feet, a vehicle turnaround shall be provided;

c. Curb cut width from the easement to the street shall be the minimum necessary for safety and access;

d. Where the easement crosses a multi-family zoned lot, portions of multi-family structures may be built over an easement provided that a minimum vertical clearance of sixteen and one-half feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with Section 23.54.030C, is maintained, Exhibit 54.10A.

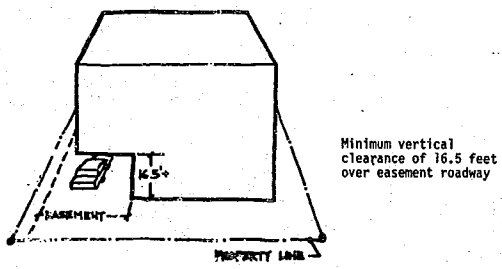

EXHIBIT 54.10A Multi-family Structures Permitted to be Constructed Over Vehicle Access Easement

2. Vehicle access easements serving at least two but fewer than five single family dwelling units

a. Easement width shall be a minimum of twenty feet;

b. The easement shall provide a surfaced roadway at least sixteen feet wide;

c. No maximum easement length shall be set. If the easement is over six hundred feet long, a fire hydrant may be required by the Director;

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d. A turnaround shall be provided unless the easement extends from street to street;

e. Curb cut width from the easement to the street shall be the minimum necessary for safety and access;

f. Where the easement crosses a multi-family zoned lot, portions of multi-family structures may be built over an easement provided that a minimum vertical clearance of sixteen and one-half feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with Section 23.54.030C, is maintained, Exhibit 54.10A.

3. Vehicle access easements serving at least five but fewer than ten single family dwelling units, or fewer than ten multi-family units

a. Easement width, surfaced width, length, turnaround, and curb cut width shall be as required in subsection B2;

b. No single family structure shall be closer than five feet to the easement;

c. Where the easement crosses a multi-family zoned lot, portions of multi-family structures may be built over an easement provided that a minimum vertical clearance of sixteen and one-half feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with Section 23.54.030C, is maintained, Exhibit 54.10A.

4. Vehicle access easements serving ten or more residential units

a. Easement width shall be a minimum of thirty-two feet;

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b. The easement shall provide a surfaced roadway at least twenty-four feet wide;

c. No maximum length shall be set. If the easement is over six hundred feet long, a fire hydrant may be required by the Director;

d. A turnaround shall be provided unless the easement extends from street to street;

e. Curb cut width from the easement to the street shall be the minimum necessary for safety and access;

f. No single family structure shall be located closer than ten feet to an easement;

g. One sidewalk shall be provided, extending the length of the easement;

h. Where the easement crosses a multi-family zoned lot, portions of multi-family structures may be built over an easement provided that a minimum vertical clearance of sixteen and one-half feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with Section 23.54.030C, is maintained, Exhibit 54.10A.

5. Vehicle access easements serving nonresidential uses, except major institutions

a. For nonresidential uses providing fewer than ten parking spaces, the easement shall meet the requirements of subsection B3.

b. For nonresidential uses providing ten or more parking spaces, the easement shall meet the requirements of subsection B4.

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6. Vehicle access easements serving major institutions

a. Easement width, surfaced width, length, turnaround, and curb cut width shall be as required in subsection B4;

b. No single family structure shall be located closer than ten feet to an easement, and no multi-family structure shall be located closer than five feet to an easement;

c. Major institutional uses shall be set back from the easement according to the setback standards for the major institution zone in which they are located. For the purpose of measuring setbacks, the easement shall be considered to be an alley.

7. Pedestrian access easements

Where a lot proposed for residential use abuts an alley but does not abut a street and the provisions of the zone require access by vehicles from the alley or where alley access is an exercised option, an easement providing pedestrian access to a street from the lot shall be provided meeting the following standards:

a. Easement width shall be a minimum of ten feet;

b. Easements serving one or two dwelling units shall provide a paved sidewalk at least three feet wide;

c. Easements serving three or more dwelling units shall provide a paved sidewalk at least five feet wide;

d. Easements over one hundred feet in length shall provide lighting at intervals not to exceed fifty feet. Lighting placement shall not exceed fifteen feet in height;

e. Easements shall not exceed two hundred feet in length.

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C. Alleys

Alley access to parking may be required according to the provisions of each zone. An alley shall be considered improved when it meets the following standards:

1. Grading to both right-of-way lines;

2. Standard pavement width and depth in accordance with rules as promulgated by the Director;

3. Drainage and grading according to the provisions of the Seattle Municipal Code.

23.54.015 Required Parking

A. The minimum number of off-street parking spaces required for specific uses shall be set forth in Chart A, except for uses located in downtown zones, which are regulated by Section 23.49.016, and in major institution zones, which are regulated by Section 23.48.018.

B. In the case of a use not specifically mentioned on Chart A, the requirements for off-street parking shall be determined by the Director. The Director's determination shall be based on the requirements for the most comparable uses.

C. Existing parking deficits of legally established uses shall be allowed to continue even if a change of use occurs. This provision shall not apply to a change of use to one defined as a heavy traffic generator.

D. In all zones except major institution and downtown zones, no parking shall be required for the first twenty-five hundred square feet of gross floor area of a structure containing nonresidential uses. This waiver shall not apply to structures or portions of structures occupied by fast food restaurants, motion picture theaters, administrative offices, or institutional uses. When two or more uses with different

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parking ratios occupy a structure, the twenty-five hundred square foot waiver shall be prorated based on the area occupied by the nonresidential uses for which the parking waiver is permitted.

E. Exceptions to the parking requirements set forth in this Section are provided in Section 23.54.020, Parking Quantity Exceptions, unless otherwise specified in Chart A.

CHART A

Use	Parking Requirement
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales.	1 for each 350 square feet.
Ball courts	1 per court.
Bed & breakfast	1 for each dwelling, plus 1 for each sleeping room or suite.
Boarding house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Bus base	1 for each 2000 square feet.
Business support services	1 for each 2000 square feet.
Business incubators	1 for each 1000 square feet.
Carwash	1 for each 2000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2000 square feet.
Cemetery	None

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Use	Parking Requirement
Colleges[1]	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2000 square feet.
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2000 square feet.
Community centers[2] and community clubs[2]	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Construction services	1 for each 2000 square feet.
Custom and craft work	1 for each 1000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Day care center[2]	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Dry storage of boats	1 for each 2000 square feet.
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1000 square feet.
Gas station	1 for each 2000 square feet.
General retail sales and services	1 for each 350 square feet.
Ground floor businesses in multi-family zones	None, maximum of ten.

[1] When permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122.

[2] When permitted in single family zones, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122.

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Use	Parking Requirement
Group homes[3]	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the group home.
Halfway houses[4]	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the halfway house.
Heavy commercial services	1 for each 2000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High impact uses	1 for each 1500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospital[5]	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study[5]	1 for each 1000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms, or 1 for each 100 square feet of public assembly area not containing fixed seats.
Kennel	1 for each 2000 square feet.
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2000 square feet.
Manufacturing, general	1 for each 1000 square feet.
Manufacturing, heavy	1 for each 1000 square feet.
Manufacturing, light	1 for each 1000 square feet.
Marine service station	1 for each 2000 square feet.

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[3] When specified in single family zones, Section 23.44.020, and multi-family zones, Section 23.45.118, the Director may waive some or all of the parking requirement.

[4] When specified in single family zones, Section 23.44.020, and multi-family zones, Sections 23.45.086 and 23.45.118, the Director may waive some or all of the parking requirement.

[5] When permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122.

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Use	Parking Requirement
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Multi-family structures except those listed below	1 for each dwelling unit.
Multi-family structures for low-income elderly	1 for each 6 dwelling units.
Multi-family structures for low-income disabled	1 for each 4 dwelling units.
Multi-purpose convenience store	1 for each 350 square feet.
Museum[6]	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2000 square feet.
Nursing homes[7]	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1000 square feet.
Office, customer service	1 for each 350 square feet.
Outdoor storage	1 for each 2000 square feet.
Parks	None
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2000 square feet.
Playgrounds	None
Power plants	1 for each 2000 square feet.

[6] When permitted in multi-family zones as a conditional use, the Director may modify the parking requirement pursuant to Section 23.45.122.

[7] When specified in single family zones, Section 23.44.20, and multi-family zones, Section 23.45.120, the Director may waive some or all of the parking requirements.

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Use	Parking Requirement
Private club[8]	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None
Recreational marinas	1 for each 75 lineal feet of moorage.
Recycling center	1 for each 2000 square feet.
Recycling collection station	None
Religious facility[9]	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 2000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2000 square feet.
Sale and rental of large boats	1 for each 2000 square feet.
Sale and rental of motorized vehicles	1 for each 2000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts or accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2000 square feet.
Salvage yard	1 for each 2000 square feet.
School, private elementary and secondary[9]	1 for each 80 square feet of all auditoria and public assembly rooms; or if no auditorium or assembly room, 1 for each staff member.

[8] When permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122.

[9] When specified in single family zones, Section 23.44.022, and multi-family zones, Section 23.45.122, the Director may waive some or all of the parking requirement.

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Use	Parking Requirement
School, public elementary and secondary[10,11]	1 for each 80 square feet of all auditorium and public assembly rooms, or 1 for every 8 fixed seats in auditorims or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.
Sewage treatment plant	1 for each 2000 square feet.
Single family dwelling units	1 for each dwelling unit.
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Universities[12]	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2000 square feet.
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 2000 square feet.

[10] For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirement shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Chart A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent or less than that for the existing auditorium or other place of assembly, the no additional parking shall be required.

[11] Development standard departure may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.

[12] When permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122.

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F. Except in downtown and major institution zones, off-street parking for fleet vehicles shall be provided separately, in addition to the minimum parking requirements.

G. For non-school uses permitted to locate in a former or existing public school by a School Use Advisory Committee (SUAC), parking requirements shall be determined by the school use criteria, according to Chapter 23.78, Establishment of Criteria for Joint Use and Reuse of Schools.

H. Bicycle parking

1. In L2, L3, MR, and HR zones, for apartments and terraced housing, spaces for bicycles shall be provided in a safe and convenient location, according to the following chart:

Number of Units	Number of Bicycle Spaces Required
5-10	1
11-20	2
More than 20	1 for every 10 units.

2. Bicycle parking spaces shall be provided by all institutions in multi-family zones. The number of required bicycle parking spaces shall be five percent of the number of required vehicle spaces. All bicycle spaces should be sheltered from the weather, visible from the institution, and conveniently located.

3. Bicycle parking facilities, either off-street or in the street right-of-way, shall be provided in NC1, NC2, NC3 and C1 zones for any new structure, and for any structures remodeled after the effective date of this Chapter, which requires twenty or more automobile parking spaces according to Chart A. Automobile service stations, and other drive-in businesses except fast food restaurants, shall be exempted from this requirement. All bicycle parking facilities in the street right-of-way shall conform to Engineering Department standards.

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a. The requirement for bicycle parking may be waived for remodeling work when the parking is not allowed in the street right-of-way and no alternative location exists on the lot.

b. The number of required bicycle parking spaces shall be ten percent of the number of required off-street auto parking spaces.

c. Bicycle parking facilities shall be located on the lot or within eight hundred feet of the lot. Bicycle parking facilities shared by more than one use are encouraged. When located off-street, bicycle and automobile parking areas shall be separated by a barrier or painted lines.

d. When any covered automobile parking is provided, all bicycle parking shall be covered.

I. Number of loading berths required

1. Every retail sales and service use, wholesale showroom, cargo terminal or railroad yard, hospital, manufacturing use, warehouse, mini-warehouse, or any similar use, which has an aggregate gross floor area of ten thousand square feet or more, not including the floor area used for parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment, shall provide truck loading or unloading berths in accordance with the following table:

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Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 to 16,000	1
16,001 to 40,000	2
40,001 to 64,000	3
64,001 to 96,000	4
96,001 to 128,000	5
128,001 to 160,000	6
160,001 to 196,000	7
For each additional 36,000	1 additional berth.

2. Every auditorium, convention hall, exhibition hall, sports arena, hotel, office, restaurant, or any similar use, which has an aggregate gross floor area of forty thousand square feet or more, not including the floor area used for parking or stories used exclusively for mechanical equipment such as heating, ventilating, or air-conditioning equipment, shall provide off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 to 60,000	1
60,001 to 160,000	2
160,001 to 264,000	3
264,001 to 388,000	4
388,001 to 520,000	5
520,001 to 652,000	6
652,001 to 784,000	7
784,001 to 920,000	8
For each additional 140,000	1 additional berth.

23.54.020 Parking Quantity Exceptions

The parking quantity exceptions set forth in this Section shall apply in all zones except downtown zones, which are regulated by Section 23.49.016, and major institution zones, which are regulated by Section 23.48.018.

A. Adding units to existing structures in multi-family and neighborhood commercial zones

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1. For the purposes of this Section, existing structures shall be those structures which were established under permit, or for which a permit has been granted and has not expired, or are substantially underway in accordance with Section 23.04.010D, as of the effective date of the applicable chapter of this Land Use Code, as follows:

   a. In multi-family zones, August 10, 1982;

   b. In commercial zones, the effective date of the NC chapter of the Code.

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

3. If an existing structure does not conform to the development standards for parking or is occupied by a nonconforming use, when:

   - dwelling units are added to the structure, or
   - the structure is altered to create additional dwelling units, or
   - the structure is completely converted to residential use,

   then no parking space need be provided for the first new or added dwelling unit provided that the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical. Additional parking provided shall meet all development standards for the particular zone.

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B. For apartment structures of more than twenty units, after a special review of the parking conditions in the surrounding area and consideration of environmental impacts and the cost of housing, the Director may for the purpose of environmental mitigation, require parking in excess of the one-to-one parking ratio, up to a maximum of one and one-quarter spaces per unit.

1. If a proposed project meets all four of the following criteria, it shall be reviewed and may be conditioned by the Director for adequacy of parking:

   a. The proposed housing will not be ground-related.

   b. The development will have more than twenty units.

   c. Forty percent or more of the units will have more than one thousand two hundred square feet of living area.

   d. The development is proposed to provide less than one and one-quarter spaces per unit.

2. In these cases, the Director shall be responsible for studying parking congestion in the area, and may require that a parking study be performed. The methodology and study product shall be approved by the Director. The purpose of the study shall be to determine the level of parking congestion in the area. The Director shall examine indications of parking congestion, including whether eighty-five percent of the existing curbside spaces within the area are occupied during the eight hour period of maximum residential use, and shall consider all other factors deemed necessary.

3. Following the survey, the Director shall determine whether parking in excess of the one-to-one ratio, up to a maximum of one and one-quarter spaces per unit, shall be required. In making this

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determination, the Director shall take into account the following factors, in addition to the determination of parking congestion:

a. The effect of requiring additional parking on the economic feasibility of the project and the cost of housing to the consumers.

b. The effect of requiring additional parking on the appearance and livability of the housing units, from the perspective of the provision of usable open space, access to the housing, preservation of a pedestrian-oriented streetscape, etc.

c. City and regional goals to increase the use of public transit and decrease dependence on the private automobile.

d. Opportunities for shared-use parking, which comply with other related policies.

4. If the Director determines that more than one space per unit, up to a maximum of one and one-quarter spaces per unit, is necessary, the Director may, in addition to requiring the additional spaces, also require that the additional spaces be provided as guest parking, accessible outside of the secured parking area.

C. Parking exception for Landmark structures

The Director may reduce or waive the minimum accessory off-street parking requirements for a use permitted in a Landmark structure, or when a Landmark structure is completely converted to residential use according to Sections 23.45.006 or 23.45.184 as a special exception, Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions or for a use in a Landmark district which is located in a commercial zone.

1. In making any such reduction or waiver, the Director shall assess

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area parking needs. The Director may require a survey of on- and offstreet parking availability. The Director may take into account the level of transit service in the immediate area; the probable relative importance of walk-in traffic; proposals by the applicant to encourage carpooling or transit use by employees; hours of operation; and any other factor or factors considered relevant in determining parking impact.

2. The Director may also consider the types and scale of uses proposed or practical in the Landmark structure, and the controls imposed by the Landmark designation.

3. For conversion of structures to residential use the Director shall also determine that there is no feasible way to meet parking requirements on the lot and that the proposal meets the objectives of the Multi-Family Land Use Policies.

D. Expansion of existing nonresidential uses in commercial zones

In commercial zones, additional parking spaces for nonresidential uses shall not be required for the expansion of existing structures if the minimum parking requirement would not be increased by more than ten percent. If the minimum parking requirement would be increased by more than ten percent, the parking spaces required for the entire expansion shall be provided. This provision may be used only once for any individual structure.

E. Reductions to required parking in pedestrian-designated commercial zones shall be permitted according to the provisions of Section 23.47.044.

F. Reductions to minimum parking requirements for nonresidential uses

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1. Reductions to minimum parking requirements permitted by this subsection shall be calculated from the minimum parking requirements in Section 23.54.015. Total reductions to required parking as provided in this subsection shall not exceed forty percent.

2. Transit reduction

In commercial zones, except pedestrian-designated zones, the minimum parking requirement for nonresidential uses, except institutions, may be reduced by twenty percent when the use is located within eight hundred feet of a street with midday transit service headways of fifteen minutes or less in each direction. This distance shall be the walking distance measured from the nearest bus stop to the property line of the lot containing the use.

3. Substitution of alternative transportation

For new or expanding administrative offices or manufacturing uses which require forty or more parking spaces, the minimum parking requirement may be reduced up to a maximum of forty percent by the substitution of alternative transportation programs, according to the following provisions:

a. For every certified carpool space accompanied by a cash fee, performance bond or alternative guarantee acceptable to the Director, the total parking requirement shall be reduced by one and nine-tenths spaces, up to a maximum of forty percent of the parking requirement. The Director shall consult with the Seattle Rideshare Office in certifying carpool spaces.

b. For every certified vanpool purchased by the applicant for employee use, or equivalent cash fee for purchase of a van by the public ridesharing agency, the total parking requirement shall be reduced by six spaces, up to a maximum of twenty percent of the parking requirement.

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c. If transit or transportation passes are provided without cost to all employees in a proposed structure for the duration of the business establishment(s) within it, or five years, whichever is less, the parking requirement shall be reduced by ten percent.

d. For every four covered bicycle parking spaces provided, the total parking requirement shall be reduced by one space, up to a maximum of ten percent of the parking requirement.

4. For institutions in multi-family zones, if an additional five percent of bicycle parking spaces are provided for a total of ten percent, then one required automobile parking space may be waived up to a maximum of ten percent of required parking.

G. Shared parking

1. Shared parking, general provisions

a. Shared parking shall be allowed between two or more uses to satisfy all or a portion of the minimum off-street parking requirement of those uses as provided in subsections G2 and G3.

b. Shared parking shall be allowed between different categories of uses or between uses with different hours of operation, but not both.

c. A use for which an application is being made for shared parking shall be located within eight hundred feet of the parking.

d. No reduction to the parking requirement shall be made if the proposed uses have already received a reduction through the provisions for cooperative parking, subsection H.

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e. The reductions to parking permitted through shared use of parking shall be determined as a percentage of the minimum parking requirement as modified by the reductions permitted in subsections A through F.

f. An agreement providing for the shared use of parking, executed by the parties involved, shall be filed with the Director. Shared parking privileges shall continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking shall be provided as otherwise required by this Chapter.

2. Shared parking for different categories of uses

a. A business establishment may share parking according to only one of the following subsections, G2b, G2c, or G2d.

b. If an office use and a retail sales and service use share parking, the parking requirement for the retail sales and service use may be reduced by twenty percent, provided that the reduction shall not exceed the minimum parking requirement for the office use.

c. If a residential use shares parking with a retail sales and service use other than lodging uses, eating and drinking establishments or entertainment uses, the parking requirement for the residential use may be reduced by thirty percent, provided that the reduction does not exceed the minimum parking requirement for the retail sales and service use.

d. If an office and a residential use share off-street parking, the parking requirement for the residential use may be reduced by fifty percent, provided that the reduction shall not exceed the minimum parking requirement for the office use.

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3. Shared parking for uses with different hours of operation

a. For the purposes of this Section, the following uses shall be considered daytime uses:

Customer service and administrative offices;
Retail sales and services, except eating and drinking establishments, lodging uses, and entertainment uses; Wholesale, storage and distribution uses; Manufacturing uses; and other similar primarily daytime uses when authorized by the Director.

b. For the purposes of this Section, the following uses shall be considered nighttime or Sunday uses:

Auditoriums accessory to public or private schools;
Religious facilities;
Entertainment uses, such as theaters, bowling alleys, and dance halls;
Eating and drinking establishments; and
Other similar primarily nighttime or Sunday uses when authorized by the Director.

c. Up to ninety percent of the parking required for a daytime use may be supplied by the off-street parking provided by a nighttime or Sunday use and vice versa when authorized by the Director, except that this may be increased to one hundred percent when the nighttime or Sunday use is a religious facility.

d. The applicant shall show that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

e. The establishment of park and pool lots shall be permitted provided that the park and pool lot shall not use spaces required by another use if there is a substantial conflict in the principal operating hours of the park and pool lot and the use.

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H. Cooperative parking

Up to a twenty percent reduction in the total number of required parking spaces for four or more separate commercial uses, fifteen percent reduction for three commercial uses, and ten percent reduction for two commercial uses may be authorized by the Director under the following conditions:

1. No reductions to the parking requirement shall be made if the proposed uses have already received a reduction through the provisions for shared parking, subsection G.

2. The commercial uses for which the application is being made for cooperative parking shall be located within eight hundred feet of the parking, and the parking shall be located in a commercial or residential-commercial zone.

3. The reductions to parking permitted through cooperative parking shall be determined as a percentage of the minimum parking requirement as modified by the reductions permitted in subsections A through F.

4. An agreement providing for the cooperative use of parking shall be filed with the Director when the facility or area is established as cooperative parking. Cooperative parking privileges shall continue in effect only as long as the agreement to use the cooperative parking remains in force. If the agreement is no longer in force, then parking shall be provided as otherwise required by this Chapter. New uses seeking to meet parking requirements by becoming part of an existing cooperative arrangement shall provide the Director with an amendment to the agreement stating their inclusion in the cooperative parking facility or area.

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23.54.025 Parking Covenants

When parking is provided on a lot other than the lot of the use to which it is accessory, the following conditions shall apply:

A. The owner of the parking spaces shall be responsible for notifying the Director should the use of the lot for covenant parking cease. In this event, the principal use must be discontinued, other parking meeting the requirements of this Code must be provided within thirty days, or a variance must be applied for within fourteen days and subsequently granted.

B. A covenant between the owner or operator of the principal use, the owner of the parking spaces and The City of Seattle stating the responsibilities of the parties shall be executed. This covenant and accompanying legal descriptions of the principal use lot and the lot upon which the spaces are to be located shall be recorded with the King County Department of Records and Elections and a copy with recording number and parking layouts shall be submitted as part of any permit application for development requiring parking.

23.54.030 Parking Space Standards

On lots subject to this Code, all parking spaces provided shall meet the following standards whether or not the spaces are required by this Code:

A. Parking space dimensions

1. "Large vehicle" means the minimum size of a large vehicle parking space shall be eight and one-half feet in width and nineteen feet in length.

2. "Medium vehicle" means the minimum size of a medium vehicle parking space shall be eight feet in width and sixteen feet in length.

3. "Small vehicle" means the minimum size of a small vehicle parking space shall be seven and one-half feet in width and fifteen feet in length.

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4. "Barrier-free parking" means barrier-free parking spaces shall be provided as required by the Washington State Rules and Regulations for Barrier-Free Design.

5. Columns or other structural elements may encroach into the parking space a maximum of six inches on a side, except in the area for car door opening, five feet from the longitudinal centerline or four feet from transverse centerline of a parking space, Exhibit 54.30A. No wall, post, guardrail, or other obstruction shall be permitted within the area for car door opening.

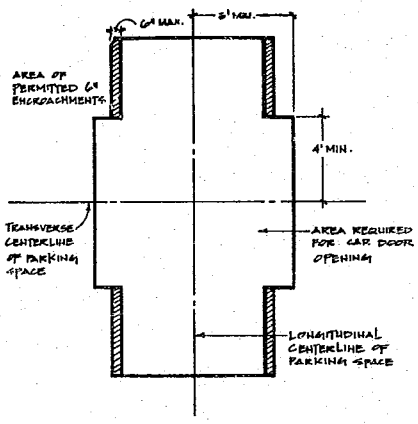

Exhibit 54.30A Encroachments into Required Parking Space

B. Parking space requirements

The required size of parking spaces shall be determined by whether the parking is for a residential or nonresidential use. In structures containing both residential and nonresidential uses, parking which is clearly set aside and reserved for residential use shall meet the standards

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of subsection B1; otherwise, all parking for the structure shall meet the standards of subsection B2.

1. Residential uses

a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium car, as described in subsection A2 of this Section.

b. When more than five parking spaces are provided, a minimum of sixty percent of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent of the parking spaces may be striped for any size, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

2. Nonresidential uses

a. When ten or fewer parking spaces are provided, a maximum of twenty-five percent of the parking spaces may be striped for small vehicles. A minimum of seventy-five percent of the spaces shall be striped for large vehicles.

b. When between eleven and nineteen parking spaces are provided, a minimum of twenty-five percent of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of sixty-five percent of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent of the spaces shall be striped for large vehicles.

c. When twenty or more parking spaces are provided, a minimum of thirty-five percent of the parking spaces shall be striped for

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small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of sixty-five percent of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least six feet nine inches on at least one floor; and there shall be at least one direct entrance for all parking garages accessory to nonresidential uses and all principal use parking garages which is at least six feet nine inches in height.

C. Backing distances and moving other vehicles

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

2. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than fifty feet.

D. Driveways

Driveway requirements for residential and nonresidential uses are described below. When a driveway is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection D2.

1. Residential uses

a. Driveways shall be at least ten feet wide. Driveways with a turning radius of more than thirty-five degrees shall conform to the minimum turning path radius shown in Exhibit 54.30B.

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

(1) The street is not an arterial as defined in Section 11.18.010 of the Seattle Municipal Code; and

(2) The slope of the driveway does not exceed ten percent in the first twenty feet from the property line.

c. Driveways less than one hundred feet in length, which serve thirty or fewer parking spaces, shall be a minimum of ten feet in width for one- or two-way traffic.

d. Except for driveways serving one single family dwelling, driveways more than one hundred feet in length which serve thirty or fewer parking spaces shall either:

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

(2) Provide a passing area at least twenty feet wide and twenty feet long. The passing area shall begin twenty feet from the property line, with an appropriate taper to meet the ten-foot opening at the property line. If a taper is provided at the other end of the passing area, it shall have a minimum length of twenty feet.

e. Driveways serving more than thirty parking spaces shall provide a minimum ten-foot-wide driveway for one-way traffic or a minimum twenty-foot-wide driveway for two-way traffic.

2. Nonresidential uses

a. Driveway widths

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(1) The minimum width of driveways for one-way traffic shall be twelve feet and the maximum width shall be fifteen feet.

(2) The minimum width of driveways for two-way traffic shall be twenty-two feet and the maximum width shall be twenty-five feet.

b. Driveways shall conform to the minimum turning path radius shown in Exhibit 54.30B.

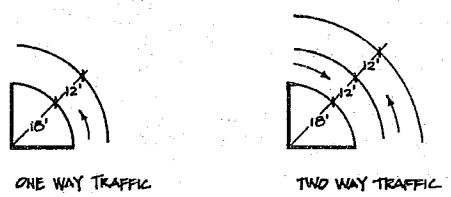

Exhibit 54.30B Turning Path Radius

3. Maximum grade curvature for all driveways shall not exceed the curvature shown in Exhibit 54.30C.

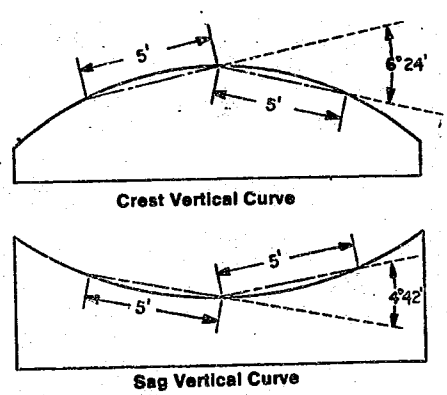

Exhibit 54.30C
Maximum Grade Curvatures

CS 19.2

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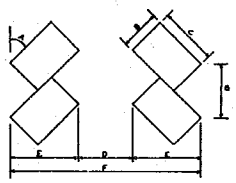
4. Parking aisles

a. Parking aisles shall be provided according to the requirements of Exhibit 54.30D.

A	B	C	D	E	F	G
PARKING ANGLE	STALL WIDTH	STALL LENGTH	*AISLE WIDTH	CURB DEPTH PER CAR	UNIT WIDTH	CURB LENGTH PER CAR
0°	7.5	18.0	10.0	7.5	25.0	18.0
	8.0	20.0	10.0	8.0	26.0	20.0
	8.5	24.0	12.0	8.5	29.0	24.0
45°	7.5	15.0	11.0	15.91	42.82	10.61
	8.0	16.0	13.0	16.97	46.90	11.3
	8.5	19.0	13.0	19.44	51.88	12.02
60°	7.5	13.0	13.0	16.74	46.48	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
	8.5	19.0	17.5	20.70	58.90	9.82
75°	7.5	15.0	16.5	16.43	49.36	7.76
	8.0	16.0	18.5	17.52	53.54	8.25
	8.5	19.0	20.0	20.55	61.10	8.80
90°	7.5	15.0	20.0	15.0	50.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0
	8.5	19.0	24.0	19.0	62.0	8.5

*REQUIRED AISLE WIDTH IS FOR ONE WAY TRAFFIC ONLY. IF TWO WAY TRAFFIC IS PROPOSED, THEN THE MINIMUM AISLE WIDTH SHALL BE 20.00' OR GREATER.



THE FOLLOWING EQUATIONS MAY BE USED TO COMPUTE DIMENSIONS FOR PARKING ANGLES OTHER THAN THOSE PROVIDED IN THE CHART ABOVE:

$E = C \sin A + B \cos A$

$G = B / \sin A$

NOTE: AISLE WIDTHS SHALL BE PROVIDED AS REQUIRED FOR THE NEXT GREATER PARKING ANGLE SHOWN IN THE CHART ABOVE.

Exhibit 54.30D Parking Aisle Dimensions

b. Minimum aisle widths shall be provided for the largest vehicles served by the aisle.

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

E. Curb cuts

Curb cut requirements shall be determined by whether the parking served by

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the curb cut is for residential or nonresidential use, and by the zone in which the use is located. When a curb cut is used for more than one use, the requirements for the use with the largest curb cut requirements shall apply.

1. Residential uses in single family and multi-family zones

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:

Street or Easement Frontage of the Lot	Number of Curb Cuts Permitted
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.

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.

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Street Frontage of the Lot	Number of Curb Cuts Permitted
0 - 160 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 23.54.030D1, the combined frontage of the two lots shall be considered one in determining the maximum number of permitted curb cuts.

2. Nonresidential uses in single family and multi-family zones, and all uses in all other zones

a. Number of curb cuts

(1) In RC, NC1, NC2, NC3, and Major Institution zones, a maximum of two curb cuts for one-way traffic or one curb cut for two-way traffic shall be permitted on lots with street frontage of eighty feet or less. On lots with street frontage of more than eighty feet, up to two two-way curb cuts shall be permitted for each two hundred forty feet of street frontage.

(2) In C1 and C2 zones, the Director of Engineering shall review

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and make a recommendation on the number and location of curb cuts.

(3) In 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 23.49.018. 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.

(4) For public schools, the minimum number of curb cuts determined necessary by the Director shall be permitted.

b. Curb cut widths

(1) For one-way traffic the minimum width of curb cuts shall be twelve feet, and the maximum width shall be fifteen feet.

(2) For two-way traffic the minimum width of curb cuts 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.

(3) For public schools, the maximum width of curb cuts shall be twenty-five feet. Development standard departure may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79.

(4) When one of the following conditions apply, the Director, in consultation with the Seattle Engineering Department, may

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require a curb cut of up to thirty feet in width, if it is found that a wider curb cut is necessary for safe access:

iii. The proposed development is located on an arterial with an average daily traffic volume of over seven thousand vehicles; or

iv. Off-street loading space is required according to subsection 23.54.015H.

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.

F. Sight triangle

1. The area on both sides of driveways and easements shall be kept clear of any obstruction for a distance of ten feet from the intersection of the driveway or easement with a driveway, easement, sidewalk, or curb intersection if there is no sidewalk, as depicted in Exhibit 54.30E.

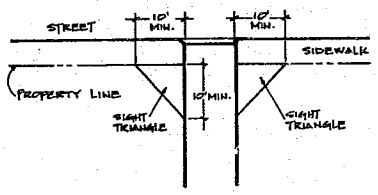

Exhibit 54.30E Sight Triangle

2. When the driveway or easement is less than ten feet from the property line, the sight triangle may be provided as follows:

a. An easement may be provided sufficient to maintain the sight triangle. The easement shall be recorded with the King County

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Department of Records and Elections; or

b. The driveway may be shared with a driveway on the neighboring property; or

c. The driveway or easement may begin five feet from the property line, as depicted in Exhibit 54.30F.

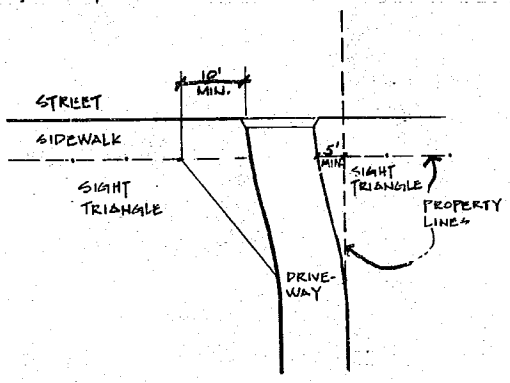

Exhibit 54.30F Sight Triangle Exception

3. An exception to the required size of the sight triangle shall be made for driveways serving lots containing only residential structures and fewer than three parking spaces.

4. In all downtown zones, the sight triangle at a garage entrance may be provided by mirrors and/or other approved safety measures.

G. Off-street bus parking

Bus parking spaces, when required, shall be thirteen feet in width and forty feet in length. Buses parked en masse shall not be required to have adequate ingress and egress from each parking space.

H. Off-street loading berths

Each loading berth shall be not less than ten feet in width and twenty-five feet in length.

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Section 33. Subsections A, B and E of Section 23.66.122 of the Seattle Municipal Code is hereby 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~~)) Animal services

Automotive retail sales and service, except gas stations located in parking garages

Marine retail sales and service

Fuel sales

((~~Construction and building maintenance services~~))

Heavy commercial services

Sales, service and rental of commercial equipment and construction materials

((~~Commercial laundry~~))

Adult motion picture theaters

Adult panorams

((~~Kennels~~))

Bowling alleys

Skating rinks

Communication utilities

((~~Billboards~~)) Advertising signs and off-premise directional signs

Transportation facilities, except passenger terminals

Outdoor storage.

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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 s' ⁻ns accessory to parking garages

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

Motels.

B. All general <u>and</u> <u>heavy</u> manufacturing uses, salvage and recycling uses except recycling collection stations, and all ((~~industrial~~)) <u>high</u> <u>impact</u> uses are prohibited both as principal and as accessory uses.

* * *

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

((~~Wholesaling, storage and distribution uses~~))

<u>Wholesale</u> <u>showrooms</u>

Vocational and fine arts schools

Radio and television studios

Taxidermy shops

Appliance repair shops

Upholstery establishments

<u>Miniwarehouses</u>

<u>Warehouses</u>

Other similar uses.

Section 34. Subsection A of Section 23.66.322 of the Seattle Municipal Code is hereby amended to read as follows:

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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 and heavy manufacturing uses

All ((~~industrial~~)) high impact uses

All salvage and recycling uses, except recycling collection stations

Automotive retail sales and service

Bowling lanes

Communication utilities

((~~Construction equipment and materials sales and service~~))

Sales, service and rental of commercial equipment and construction materials

Drive-in businesses

Frozen food lockers

Heavy commercial services ((~~such as commercial laundries, baby diaper services, kennels, and contractor's storage yards~~))

Marine retail sales and services

Medical testing laboratories

Mortuar((~~ies~~))y services

Motels

((~~Open~~)) Outdoor storage

Plant nurseries

Retail ice dispensaries

Shooting galleries

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Skating rinks

((~~Trailer~~)) Mobile home parks

Transportation facilities except passenger terminals

((~~Veterinary clinics~~)) Animal services.

* * *

Section 35. Section 23.66.328 of the Seattle Municipal Code is hereby amended to read as follows:

23.66.328 Use Above Street Level

A. To encourage and facilitate the rehabilitation and renovation of existing structures for housing or other uses above street level on streets designated on Map B, Retail Core, shall meet the standards of this Section.

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

Community clubs and centers

Expansion of existing retail sales and service uses at street level

Medical services, such as officers for doctors or dentists

Offices

Vocational or Fine Arts Schools

Wholesale ((~~uses~~)) Showrooms.

Section 36. Section 23.84.002 "A" of the Seattle Municipal Code is hereby amended as follows:

* * *

((~~"Administrative offices" means 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~~

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~~customer's home or place of business. Examples of such services include but are not limited to insurance, general contracting, janitorial services, legal, architectural, and data processing; and personnel agencies, administrative offices of businesses, unions or charitable organizations, and wholesalers and manufacturer's representatives. Administrative offices may include accessory storage, but not the storage of building materials, contractor's or building maintenance equipment, or items, other than samples, for wholesale sale.~~))

"Administrative office." See "Office."

* * *

"Agricultural use" means a business establishment in which crops are raised or animals are reared or kept, but not including kennels. Agricultural uses include animal husbandry uses such as poultry farms and rabbitries, and horticultural uses such as nurseries and orchards.

1. "Animal Husbandry" means an Agricultural Use in which animals are reared or kept in order to sell the products they produce, such as meat, fur, or eggs. Raising animals to sell as pets shall be considered an animal service use rather than animal husbandry.
2. "Aquaculture" means an Agricultural Use in which food fish, shellfish or other marine foods, aquatic plants, or animals are cultured or grown in fresh or salt water.
3. "Horticultural Use" means an Agricultural Use in which plants are raised outdoors or in greenhouses for sale either as food or for use in landscaping.

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Examples include but are not limited to nurseries, flower raising, orchards, vineyards, and truck farms.

* * *

"Airport." See "Transportation facilities."

* * *

"Animal control shelter." See "Animal Service." ((~~means a structure maintained and operated primarily for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals.~~))

"Animal husbandry." See "Agricultural use."

"Animal service" means a Retail Sales and Service Use in which health care, pet grooming, or boarding services for animals are provided, or animals are raised for sale to others as pets.

1. "Animal health services" means an Animal Service Use in which health care or pet grooming for animals on an in or out patient basis is provided indoors.
2. "Kennel" means an Animal Service Use in which four or more small animals are boarded, or are bred for sale as pets.
3. "Animal control shelter" means an Animal Service Use maintained and operated primarily for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals.

* * *

"Aquaculture." See "Agricultural Use."

* * *

"Artist studio/dwelling." See "Residential use."

* * *

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((~~"Automobile repair, major" means an automotive retail sales or service use involving one (1) or more of the following activities:~~

~~1. Reconditioning of any type of motorized vehicle, including any repairs made to vehicles over ten thousand (10,000) pounds gross vehicle weight;~~

~~2. Collision services, including body, frame or fender straightening or repair;~~

~~3. Painting of vehicles or painting of vehicles in a paint shop;~~

~~4. Motorized vehicle wrecking in an enclosed structure.~~))

"Automotive parts and accessory sales." See "Automotive retail sales and service."

"Automotive retail sales and service" means a Retail Sales and Service Use which includes one or more of the following uses:

1. "Automotive parts and accessories sales" means an Automotive Retail Sales and Service Use in which goods are rented or sold primarily for use in motorized vehicles but excluding gas stations.
2. "Car wash" means an Automotive Retail Sales and Service Use in which facilities are provided for washing motorized vehicles.
3. "Gas station" means an Automotive Retail Sales and Service Use in which fuel for motorized vehicles is sold, and in which accessory uses including but not limited to towing by no more than two tow trucks, minor automobile repair, or rental of vehicles under

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10,000 pounds gross vehicle weight may also be provided. Facilities for washing no more than one car at a time shall also be considered accessory to a gas station.

4. "Sales and rental of motorized vehicles" means an Automotive Retail Sales and Service Use in which motorized vehicles, such as cars, trucks, buses, recreational vehicles or motorcycles, or related non-motorized vehicles, such as trailers, are rented or sold.

5. "Towing service" means an Automotive Retail Sales and Service Use in which more than two tow trucks are employed in the hauling of motorized vehicles, and where vehicles may be impounded, stored, or sold, but not disassembled or junked.

6. "Vehicle repair, major" means an Automotive Retail Sales and Service Use in which one or more of the following activities is carried out:

   a. Reconditioning of any type of motorized vehicle, including any repairs made to vehicles over 10,000 pounds gross vehicle weight;

   b. Collision services, including body, frame or fender straightening or repair;

   c. Overall painting of vehicles or painting of vehicles in a paint shop;

   d. Dismantling of motorized vehicles in an enclosed structure.

7. "Vehicle repair, minor" means an Automotive Retail Sales and Service Use in which general motor repair work is done as well as the replacement of new or

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reconditioned parts in motorized vehicles of 10,000 pounds or less gross vehicle weight; but not including any operation included in the definition of "major vehicle repair."

"Automobile wrecking yard" means a ((~~junkyard~~)) salvage and recycling business establishment in which vehicles are dismantled or junked, or where one or more vehicles not in operable condition or used parts or motor vehicles are stored in an area outside an enclosed structure.

* * *

Section 37. Section 23.84.004 "B" of the Seattle Municipal Code is hereby amended as follows:

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"Bed and breakfast." ((~~means a lodging use, in which rooms within a single dwelling unit are rented to transient people.~~)) See "Lodging."

* * *

"Boarding house." ((~~means a structure consisting of a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons, but not including group homes.~~)) See "Residential use."

"Brewpub." See "Eating and drinking establishment."

* * *

((~~"Bulk" means the size, mass or volume of a structure as determined by a combination of its height, width and depth. Bulk regulations control the size and shape of structures in relation to the lot.~~))

"Bus base." See "Transportation facility."

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"Business establishment" means ((~~an individual or group of individuals engaged in any business activity at a single~~ location.)) an economic or institutional unit organized for the purposes of conducting business and/or providing a service. In order to be considered a separate business establishment, a business shall be physically separated from other businesses. Businesses which share common facilities, such as reception areas, checkout stands, and similar features (except shared building lobbies and bathrooms) shall be considered one business establishment, except when they are located in a business incubator. A business establishment may be located in more than one structure provided that the uses in the structures are functionally related. The structures may be located on a single lot or on adjacent lots. A business establishment may be a commercial, manufacturing, institutional, or any other type of nonresidential use.

"Business incubator" means a ((~~facility~~)) non-household Sales and Service Use operated in one or more structures offering space, logistical support and business planning and operational support to a number of start-up retail, service or manufacturing businesses each of which will be located in the incubator setting for a period of less than five years.

"Business support service" means a non-household Sales and Service Use in which services are provided primarily for businesses, institutions, and/or government agencies, rather than for households, in a setting other than an office. Examples include but are not limited to ((~~commercial photography studios,~~)) blueprint companies;

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((~~commercial and~~)) medical ((~~testing~~)) laboratories; assaying services; and microfilming and copying services.

Section 38. Section 23.84.006 "C" of the Seattle Municipal Code is hereby amended as follows:

"Caretaker's quarters." See "Residential use."

"Cargo terminals." ((~~means a transportation facility in which quantities of goods or container cargo are transferred to other carriers or stored outdoors in order to transfer them to other locations. Cargo terminals may include accessory warehouses, storage yards, and offices.~~)) See "Transportation facility."

* * *

"Carwash." See "Automotive retail sales and service."

* * *

"Cinema." ((~~means a facility intended and expressly designed for the presentation of motion pictures. A "cinema" does include any use defined as an adult motion picture theater.~~)) See "Motion picture theater."

* * *

((~~"Clinic" means an establishment which provides facilities and services for out patient care, observation, and diagnosis of two or more individuals, not related by blood or marriage to the operator, who are suffering from illness, injury, deformity or abnormality or from any condition requiring obstetrical, medical or surgical services, or alcohol or drug detoxification.~~))

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"College." ((~~means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor and/or graduate degrees.~~)) See "Institutions."

"Commercial laundry." ((~~means a nonhousehold sale, and service use in which items such as clothes and linens are cleaned. This definition includes cleaning for hospitals, restaurants, hotels, and diaper cleaning services, as well as rug and dry cleaning plants where on-premises retail services to individual households are incidental to the operation of the plant.~~)) See "Heavy commercial services."

"Commercial moorage." See "Marine retail sales and service."

"Commercial use" means one of the following categories of uses, carried out in a business establishment:

Retail sales and services

Offices

Entertainment

(~~Wholesaling, storage,~~)) Warehouses

((~~Utilities~~))

((~~Off-premises signs~~))

Transportation facilities

((~~Food processing for human consumption~~))

((~~Custom and craft work~~))

Food processing and craft work

Mini-warehouse

Non-household sales and service

Outdoor storage

Parking principal use

Research and development laboratory

Wholesale showroom

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((~~"Common community space, interior" means an indoor area of such location, size and shape as to provide space for the common recreational pursuits of those residing within the residential development of which it is a part.~~))

"Communication utility." ((~~means a utility which provides the means for transfer of information by electronic or microwave signals, such as radio or television transmission towers, or phone cable vaults. Communication utility uses do not include communication equipment accessory to residential uses, nor do they include the offices of broadcasting companies, such as radio or television stations.~~)) See "Utility."

"Community center." ((~~means an institution used for nonprofit social, civic or recreational purposes operated by a private nonprofit organization or public agency directly serving people from the community rather than carrying out only administrative functions, and open to the general public on an equal basis. Activities in a community center may include classes and events sponsored by nonprofit organizations, community programs for the elderly, and other similar uses.~~)) See "Institution."

"Community club." ((~~means an institution used for athletic, social, civic or recreational purposes operated by a nonprofit organization, membership to which is open to the general public on an equal basis.~~)) See "Institution."

* * *

"Construction ((~~and building maintenance~~)) services." ((~~means a non-household sales and service use in which constructing services, such as the processing of building materials such as concrete or asphalt, are provided; or in which~~

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~~construction or building maintenance equipment or materials are stored, either in conjunction with an office, or as a separate use.~~)) See "Heavy Commercial Services."

* * *

"Custom and craft work." ((~~means a processing and draft work use in which nonfood, finished, personal or household items, which are either made to order or which involve considerable handword, are produced. Except for materials used by artists, only preprocessed materials are used. Examples include but are not limited to pottery and candlemaking, production of orthopedic devices, printing, creation of sculpture and other art work, tailoring, and glassblowing. The use of products or processes defined as heavy industrial shall not be considered custom and craft work.~~)) See "Food processing and craft work."

"Customer service office." ((~~means office uses which provide on-site customer services in a manner which encourages walk-in clientele, such as branch banks, travel agencies, and real estate offices.~~)) See "Office."

Section 39. Section 23.84.008 "D" of the Seattle Municipal Code is hereby amended as follows:

"Day care center." ((~~means an institution which regularly provides care to a group of children in other than a family setting for less than twenty-four (24) hours a day, whether for compensation or not. Preschools shall be considered day care centers. (See also "Family day care home.")~~)) See "Institution."

"Display of rental equipment, outdoor." See "Outdoor display of rental equipment."

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* * *

"Drive-in lane" means an aisle which gives vehicle access to a drive-in window or other drive-in facility such as a gasoline pump or carwash bay.

"Dry storage of boats." See "Marine retail sales and service."

* * *

Section 40. Section 23.84.010 "E" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Eating and drinking establishment" means a Retail Sales and Service Use in which food and/or beverages are prepared and sold at retail for immediate consumption.

1. "Brewpub" means an Eating and Drinking Establishment which produces on the premises a maximum of two thousand barrels per year of beer, ale or other malt beverage, as determined by the brewpub's filings of barrelage tax reports to the Washington State Liquor Control Board, for sale only on the premises.

2. "Fast food restaurant" means an Eating and Drinking Establishment, in which the manner of preparation, packaging, and service of the product enables and/or encourages its consumption outside the restaurant, and which has most of the following characteristics: quick food service is offered and sales transactions are completed within a very short time period; food is already prepared and held for service, or able to be prepared quickly; the menu is limited, but usually includes a main course and beverages; food is generally served in disposable wrappings or containers, with disposable utensils; and/or orders are not generally taken at a customer's table.

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3. "Restaurant" means an Eating and Drinking Establishment which has most of the following characteristics: products sold are generally consumed within an enclosed structure at tables and/or at a counter; taking food and drink from the restaurant is purely incidental, except for limited take out service which uses the same kitchen as the main restaurant and has a similar menu; food is served using nondisposable containers and utensils; and consumption of food in vehicles on the premises is discouraged by the nature of the service. A restaurant may or may not have a separate area, or cocktail lounge, where alcoholic beverages are served without full food service.

4. "Tavern" means an Eating and Drinking Establishment in which the serving of food is incidental to the serving of beer and/or wine.

* * *

"Entertainment use" means a Commercial Use in which recreational, athletic, and/or cultural opportunities are provided for the general public, either as participants or spectators. Examples include but are not limited to theaters, live music, dancing, lecture halls, and indoor or outdoor sports and games. Entertainment uses accessory to institutions or to public parks or playgrounds shall not be considered commercial uses.

* * *

Section 41. Section 23.84.012 "F" of the Seattle Municipal Code is hereby amended as follows:

* * *

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"Fast food restaurant." See "Eating and drinking establishment."

* * *

"Fleet Vehicles" means more than three vehicles having a gross vehicle weight (gvw) not exceeding ten thousand pounds, or more than one vehicle having a gvw exceeding ten thousand pounds permanently located at a business establishment or operated on a daily basis in connection with business activities. This definition shall not include vehicles which are available for rent to the public.

"Floating homes." ((~~means a single dwelling unit constructed on a float, which is moored, anchored or otherwise secured in waters.~~)) See "Residential use."

* * *

"Food processing and craft work" means one of the following Commercial Uses:

1. "Custom and craft work" means a Food Processing and Craft Work Use in which non-food, finished, personal or household items, which are either made to order or which involve considerable handwork, are produced. Examples include but are not limited to pottery and candlemaking, production of orthopedic devices, printing, creation of sculpture and other are work, and glassblowing. The use of products or processes defined as high impact uses shall not be considered custom and craft work.

2. "Food processing for human consumption" means a Food Processing and Craft Work ((~~any~~)) Use in which food for human consumption in its final form, such as candy, baked goods, seafood, sausage, tofu, pasta,

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etc., is produced, when the food is distributed ((~~for distribution~~)) to retailers or wholesalers for resale off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is not included in this definition, but shall be considered to be light manufacturing.

* * *

Section 42. Section 23.84.014 "G" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Gas station." ((~~means an~~)) See "Automotive retail sales and service." ((~~use in which fuel for motorized vehicles is sold, and in which accessory uses including but not limited to towing, carwash, minor repair services, or rental of vehicles under ten thousand (10,000) pounds gross vehicle weight may also be provided.~~))

* * *

"Group home" means a ((~~group~~)) special residence operated for the purpose of providing family-like domiciliary care for a group of nine or more nontransient persons who are unable to care for themselves, but do not receive medical, nursing, psychiatric or psychological treatment in the facility. Group homes do not include transitional facilities or facilities intended to provide rehabilitation or social adjustment.

Section 43. Section 23.84.016 "H" of the Seattle Municipal Code is hereby amended as follows:

"Halfway house" means a ((~~group~~)) special residence operated with full-time supervision for housing resident persons who, by reason of their mental or physical disability,

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addition to drugs or alcohol or family and social adjustment problems, require a transitional non-medical treatment program for rehabilitation and social readjustment. For the purposes of this Land Use Code, a non-medical treatment program consists of counseling, vocational guidance, training, group therapy and other similar rehabilitative services for residents of the halfway house, but does not include drug and/or alcohol detoxification. Monitoring the taking of prescription medication shall be permitted. Facilities for programs providing alternatives to imprisonment, including pre-release, work-release and probationary programs which are under the supervision of a court, state or local agency are included in this definition.

* * *

"Heavy commercial services" means a Non-Household Sales and Service Use which is not a business support service, and which does not sell or rent office or other commercial equipment, heating fuel or construction materials. Examples include commercial laundries and construction and building maintenance services.

1. "Commercial laundry" means a Heavy Commercial Service in which items such as clothing and linens are cleaned. This definition includes cleaning for hospitals, restaurants, hotels and diaper cleaning services, as well as rug and dry cleaning plants where on premises retail services to individual households are incidental to the operation of the plant.

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2. "Construction services" means a Heavy Commercial Service in which contracting services, including the final processing of building materials such as the mixing of concrete or the heating of asphalt, are provided; or in which construction equipment is stored, either in conjunction with an office or as a separate use.

"Heavy traffic generators" means any use which generates more than seventy-five trips per hour per one thousand square feet of gross floor area at peak hour, according to the Institute of Transportation Engineers' (ITE) Trip Generation Manual.

"Heliport." ((~~means a~~)) See "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 gradient 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." ((~~means a~~)) See "Transportation facility." ((~~in which an area on a roof or on the ground is used for the take-off and landing of helicopter or steep gradient aircraft, but not including fueling services, hangars, maintenance, overhaul or tie-down space for more than one aircraft.~~))

"High impact use" means a business establishment that is considered to be dangerous and/or noxious due to the probability and/or magnitude of its effects on the environment. High impact uses shall include but are not limited to:

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Battery manufacture, reprocessing;

Crude petroleum refinery and storage;

Creosote manufacture or treatment;

Distillation of wood, coal, or bones or manufacture of by-products; animal black or bone black manufacturing;

Gas (illuminating or heating) manufacture or storage;

Incineration or reduction of garbage, offal, dead animals, or refuse;

Manufacture of Class A poisons as defined by the Fire Code, pesticides and herbicides;

Manufacture of Class 1A or 1B flammable liquids as defined by the Fire Code, storage of same in aboveground tanks;

Manufacturing or substantial use of ammonia, chlorine, asbestos, oxygen, hydrogen acids (hydrochloric, nitric, picric, sulfurous, sulfuric);

Rendering of fat, tallow, lard; extraction of animal or fish fats and oils;

Smelting of ore;

Stockyards, hog farms, slaughterhouses except poultry, including packing and freezing;

Storage of Class A or B explosives, as defined by the Fire Code;

Tanneries; and

Wood pulp manufacture

* * *

"Horticultural use." See "Agricultural use."

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"Hospital." ((means an institution which provides accommodations, facilities and services over a continuous period of twenty-four (24) hours or more, for observation, diagnosis and care of individuals, who are suffering from illness, injury, deformity or abnormality or from any condition requiring obstetrical, medical or surgical services, or alcohol or drug detoxification.)) See "Institution."

"Hotel." ((means a lodging use, located in a structure in which access to individual units is predominantly by means of common interior hallways.)) See "Lodging."

* * *

(("Housing Assistance Plan" means a document adopted by the Council providing a general overview of Seattle's housing needs and the assistance the City will provide to address those needs.))

* * *

Section 44. Section 23.84.018 "I" of the Seattle Municipal Code is hereby amended as follows:

(("Industrial use" means a business establishment in which goods are generally mass produced from raw materials on a large scale through the use of an assembly line, usually for sale to wholesalers or other industrial or manufacturing uses. Except for production of animal food, the rendering of fact, and the slaughtering of animals, production of food shall not be considered an industrial use.))

(("Industrial use, general" means an industrial use in which the following and similar types of processes are used, but not including any activities defined as a heavy industrial use:

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~~1. Processing of and/or refining of raw materials, such as but not limited to ore, sand and gravel, chemicals, rubber and wood or wood pulp, into other products;~~

~~2. Rendering animal fats, producing animal food, slaughtering animals, and tanning animal hides;~~

~~3. Forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrious metals;~~

~~4. Production of large durable goods such as but not limited to cars, manufactured homes, or ships.~~))

((~~"Industrial use, heavy" means an industrial use in which explosives are manufactured, radioactive materials are compounded, petroleum is refined, or other dangerous or extremely hazardous substances are processed or refined.~~))

* * *

"Institute for advanced study." ((~~means an institution operated by a nonprofit organization for the advancement of knowledge through research, including presentation of seminars and courses, and technological and/or scientific laboratory research, but excluding heavy laboratory physical research.~~)) See "Institution."

"Institution" means structure(s) and related grounds used by organizations providing educational, medical, social and recreational services to the community, such as hospitals, vocational or fine arts schools, ((~~and~~)) day care centers, whether operated for nonprofit or profit-making purposes, and nonprofit organizations such as colleges and universities, elementary and secondary schools, community centers and clubs, private clubs, religious facilities, museums, and institutes for advanced study.

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1. "College" means a post-secondary educational Institution, operated by a nonprofit organization, granting associate, bachelor and/or graduate degrees.

2. "Community Center" means an Institution used for civic or recreational purposes, operated by a nonprofit organization providing direct services to people on the premises rather than carrying out only administrative functions, and open to the general public on an equal basis. Activities in a community center may include classes and events sponsored by nonprofit organizations, community programs for the elderly, and other similar uses.

3. "Community Club" means an Institution used for athletic, social, civic or recreational purposes operated by a nonprofit organization, membership to which is open to the general public on an equal basis.

4. Day Care Center" means an Institution which regularly provides care to a group of children in other than a family setting for less than twenty-four hours a day, whether for compensation or not. Preschools shall be considered day care centers. (See also family day care home.)

5. "Hospital" means an Institution which provides accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis and care of individuals who are suffering from illness, injury, deformity or abnormality or from any condition requiring obstetrical, medical or surgical services, or alcohol or drug detoxification.

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6. Institute for Advanced Study means an Institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

7. "Museum" means an Institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

8. "Private Club" means an Institution used for athletic, social or recreational purposes and operated by a private nonprofit organization, membership to which is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is primarily restricted to members and their guests.

9. "Religious Facility" means an Institution, such as a church, temple, mosque, synagogue or other structure, together with its accessory structures, used primarily for religious worship.

10. "School, Elementary or Secondary" means an Institution operated by a nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

11. "Vocational or Fine Arts School" means an Institution which teaches trades, business courses, hairdressing, and similar skills on a post-secondary level, or which teaches fine arts such as music, dance or

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painting to any age group, whether operated for nonprofit or profit-making purposes.

12. "University." See "College."

Section 45. Section 23.84.020 "J" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Junkyard." ((~~means a salvage or recycling use in which junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment. A junkyard shall not be construed to include such uses when conducted entirely within an enclosed building, nor pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition, or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.~~)) See "Salvage and Recycling."

Section 46. Section 23.84.022 "K" of the Seattle Municipal Code is hereby amended as follows:

"Kennel." See "Animal service."

* * *

Section 47. Section 23.84.024 "L" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Lodging" means a Retail Sales and Service Use in which the primary activity is the ((~~rental~~)) provision of rooms to

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((~~the general public on a transient basis~~)) transients. Lodging uses include bed and breakfasts, hotels and motels.

1. Bed and breakfast" means a Lodging Use, where rooms within a single family dwelling unit are provided to transients for a fee on a daily or short-term basis.
2. "Hotel" means 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.
3. "Motel" means a Lodging Use, located in a structure in which access to individuals units is predominantly by means of common exterior corridors, and in which a majority of the rooms are provided to transients on a daily or short-term basis, and in which off-street parking is provided on the lot.

* * *

"Low-income elderly multi-family structure" means a multi-family structure in which at least ninety percent of the dwelling units are occupied by one or more persons sixty-two or more years of age who have incomes not exceeding income limits for low-rent public housing for one- and two-person families as established by the Seattle Housing Authority.

* * *

Section 48. Section 23.84.025 "M" of the Seattle Municipal Code is hereby amended as follows:

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"Major durables sales and service." See "Personal and household retail sales and service."

"Manufacturing, general" means a Manufacturing Use typically having moderate impacts on the environment, which is neither light manufacturing or heavy manufacturing ((~~in which items are produced, assembled, finished and/or packaged, but excluding those processes and materials defined as industrial~~)). General manufacturing ((~~Examples~~)) includes but is ((~~are~~)) not limited to ((~~the manufacturing~~)) production of paint, oils, pharmaceuticals, cosmetics, solvents((~~, and other chemical products~~)); production of items made from stone, metal, or concrete; and use of a machine shop or foundry for nonferrous metals.

For the purpose of this definition, general manufacturing shall include custom boat building which shall be defined as the production of recreational or commercial vessels of less than one hundred and twenty feet in length to individual customer specifications.

"Manufacturing, heavy" means a Manufacturing Use typically having substantial impacts on the environment in which articles are usually mass produced from raw materials. Heavy manufacturing includes but is not limited to:

1. Airplane, ship or boat building in which commercial or recreational vessels of any size are mass produced;
2. Extraction of raw materials, such as sand or gravel mining;
3. Forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals;

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4. Milling of grain or refining of sugar, except when accessory to a use defined as food processing for human consumption or as retail sales and service; poultry slaughterhouse including packing and freezing;

5. Processing of and/or refining of raw materials, such as but not limited to sand and gravel, minerals, rubber, wood or wood pulp, into other products; and

6. Production of chemicals except those defined as a High Impact Use and the use of chemicals that have a potential for substantial impacts, but do not pose a sufficient level of danger or noxiousness to warrant being defined as a High Impact Use, such as disinfectant and bleaching powder manufacturer.

For the purpose of this definition, heavy manufacturing shall include the production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, airplanes or vessels one hundred and twenty feet in length or more constructed to individual specifications.

"Manufacturing, light" means a Manufacturing Use, typically having low impacts on the environment, in which articles ((~~goods~~)) are either produced, ((~~without using a machine shop and without chemically processing materials.~~)) assembled, finished and/or packaged from prepared materials made at another location, or raw materials, such as premilled wood, paper, wool, cork or semiprecious or precious metals or stones. Light manufacturing ((~~activities~~)) includes but is ((~~are~~)) not limited to the assembly of clocks, electrical appliances, medical equipment or clothing. ((~~following activities:~~

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~~1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to the assembly of clocks, electrical appliances, or medical equipment.~~

~~2. Production of items made from materials derived from plants or animals, including but not limited to leather, premilled wood, paper, wool or cork; or from textiles, semi-precious or precious metals or stones, or plastics.~~

~~3. Production or bottling of beverages for human consumption, including but not limited to beer, wine and soft drinks.~~))

For the purpose of this definition, light manufacturing shall include canning or bottling of food or beverages for human or animal consumption using a mechanized assembly line; and printing plants.

"Manufacturing use" means a business establishment in which articles ((~~only nonfood items, except for beverages for human consumption,~~)) are produced by hand or machinery, from raw or prepared materials, by giving to those materials new forms, qualities, properties, or combinations, often resulting in a distinctive name, and in a process frequently characterized by specifications.

Manufacturing uses are either light, general or heavy manufacturing. For the purpose of this definition, Food Processing and Craft Work or High Impact Uses are not considered manufacturing. ((~~Generally, a large number of items are made to identical specifications by machine in a~~

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~~repetitive manner. Activities defined as industrial uses shall not be considered manufacturing uses. Manufacturing uses include light and general manufacturing.~~))

"Marine retail sales and service" means a Retail Sales and Service Use which includes ((~~is engaged in~~)) one or more of the following uses ((~~activities~~)):

((~~Sale or rental of large boats~~

~~Sale of fuel for boats~~

~~Major or minor vessel repair~~

~~Sale of boat parts or accessories~~

~~Storage of boats in a marina~~

~~Dry storage of boats.~~))

1. "Commercial moorage" means a Marine Retail Sales and Service Use in which a system of piers, buoys, or floats is used to provide moorage, primarily for commercial vessels except barges, for sale or rent, usually on a monthly or yearly basis. Minor vessel repair, haulout, dry boat storage, tugboat dispatch offices, and other services are also often provided.

2. "Dry storage of boats" means a Marine Retail Sales and Service Use, in which space on a lot on dry land, or inside a building over water or on dry land, is rented or sold to the public or to members of a yacht or boating club for the purpose of storing boats. Sometimes referred to as dry storage.

3. "Major vessel repair" means a Marine Retail Sales and Service Use in which ferrous hulls are repaired; or in which boats and ships sixty-five feet or more in length are converted, rebuilt, painted, repaired, or dismantled. Associated activities may include welding and sandblasting.

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4. "Minor vessel repair" means a Marine Retail Sales and Service Use in which one or more of the following activities takes place:

a. General boat engine and equipment repair;

b. The replacement of new or reconditioned parts;

c. Repair of nonferrous boat hulls under sixty-five feet in length;

d. Painting and detailing; and

e. Rigging and outfitting;

but not including any operation included in the definition of "vessel repair, major."

5. "Marine service station" means a Marine Retail Sales and Service Use in which fuel for boats is sold, and where accessory uses including but not limited to towing or minor vessel repair may also be provided.

6. "Recreational marina" means a Marine Retail Sales and Service Use, in which a system of piers, buoys or floats is used to provide moorage, primarily for pleasure craft, for sale or rent usually on a monthly or yearly basis. Minor vessel repair, haulout, dry boat storage, and other services are also often provided.

7. "Sale of boat parts or accessories" means a Marine Retail Sales and Service Use in which goods are rented or sold primarily for use on boats and ships but excluding uses in which fuel for boats and ships is the primary item sold. Examples of goods sold include navigational instruments, marine hardware and paints, nautical publications, nautical clothing such as foulweather gear, marine engines, and boats less than sixteen feet in length.

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8. "Sale or rental of large boats" means a Marine Retail Sales and Service Use in which boats sixteen feet or more in length are rented or sold. The sale or rental of smaller boats is a major durables sales and service use.

* * *

"Medical service" means a Retail Sales and Service Use in which health care for humans is provided on an outpatient basis, including but not limited to offices for doctors, dentists, chiropractors, and other health care practitioners.

"Mini-warehouse" means a Commercial Use in which enclosed storage space divided into separate compartments no larger than five hundred square feet in area is provided for use by individuals to store personal items or by businesses to store material for operation of a business establishment at another location.

"Mobile home park." See "Residential use."

* * *

"Mortuary service" means a Retail Sales and Service Use which provides services including but not limited to the preparation of the dead for burial or cremation, viewing of the body, and funerals.

"Motel." ((~~means 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.~~)) See "Lodging."

"Motion picture theater." See "Places of public assembly."

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"Motion picture theater, adult." ((~~means an entertainment use in which, in an enclosed building, motion picture films are presented which are distinguished or characterized by an emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas," as defined in this subsection, for observation by patrons therein:~~

~~1. "Specified sexual activities":~~

~~a. Human genitals in a state of sexual stimulation or arousal;~~

~~b. Acts of human masturbation, sexual intercourse or sodomy;~~

~~c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.~~

~~2. "Specified anatomical areas":~~

~~a. Less than completely and opaquely covered;~~

~~i. Human genitals, pubic region,~~

~~ii. Buttock, or~~

~~iii. Female breast below a point immediately above the top of the areola; or~~

b. ~~Human male genitals in a discernibly turgid state, even if completely and opaquely covered.~~)) See "Places of public assembly."

"Multi-family structure." ((~~means a structure or portion of a structure containing two (2) or more dwelling units.~~)) See "Residential use."

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((~~"Multi-family structure for low-income elderly" means a multi-family dwelling in which at least ninety percent (90%) of the dwelling units are occupied by one (1) or more persons sixty-two (62) or more years of age who have incomes not exceeding income limits for low-rent public housing for one (1) person and two (2) person families as established by the Seattle Housing Authority.~~))

"Multi-purpose convenience store." See "Personal and household retail sales and service."

"Museum." ((~~means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural or literary objects of interest or works of art, where the collection of such items is systematically managed for the purpose of exhibiting them to the public.~~)) See "Institution."

Section 49. Section 23.84.026 "N" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Non-household sales and services" means one of the following commercial uses:

Business incubators

Business support services

Heavy commercial uses

Sales, service and rental of commercial equipment and construction materials

Sales, service and rental of office equipment

Sale of heating fuel.

((~~Construction and building maintenance services~~

~~Commercial laundries~~

~~Fuel sales, except fuel for boats or automobiles.~~))

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"Nursing home" means a special ((~~group~~)) residence, licensed by the State, which provides full-time convalescent and/or chronic care for individuals who, by reason or chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence. This definition excludes hospitals or sanitariums.

Section 50. Section 23.84.028 "O" of the Seattle Municipal Code is hereby amended as follows:

"Office((~~s~~))" means a Commercial Use((~~s~~)) which provides administrative, contractors, professional or customer services to individuals, businesses, ((~~establishments~~)) institutions, and/or government agencies in an office setting.

1. "Administrative office" means an Office Use in which services are provided to customers primarily by phone or mail, by going to the customer's home or place of business, or on the premises by appointment; or in which customers are limited to holders of business licenses. Examples of services provided include general contracting, janitorial and housecleaning services; legal, architectural, and data processing; broadcasting companies, administrative offices of businesses, unions or charitable organizations; and wholesalers and manufacturer's representatives' offices. Administrative offices may include accessory storage, but not the storage of building materials, contractor's equipment or items, other than samples, for wholesale sale.

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2. "Customer service office" means an Office Use in which on-site customer services are provided in a manner which encourages walk-in clientele and in which generally an appointment is not needed to conduct business. Examples include branch banks, travel agencies, airline ticket offices, brokerage firms, real estate offices, and government agencies which provide direct services to clients.

* * *

"Outdoor display of rental equipment" means an outdoor area where merchandise available for rent is displayed, and which is freely accessible to the public. Outdoor display of rental equipment may be the principal use of a lot or may be accessory to a commercial use where the rental transactions occur within a structure.

"Outdoor sales" means an outdoor area where merchandise is sold or is displayed for sale, and which is freely accessible to the public, except that automotive retail sales areas shall be considered outdoor sales whether freely accessible or not. Outdoor sales may be the principal use of a lot or may be accessory to a commercial use where the sales transactions occur within a structure.

"Outdoor storage" means a commercial ((~~wholesaling, storage and distribution~~)) use, in which an outdoor ((~~unenclosed~~)) area is used for the long term (more than seventy-two hours) retention of materials and/or equipment, whether such materials or equipment are to be bought, sold, repaired, stored, incinerated, recycled, or discarded. ((~~The public does not have a free access to outdoor storage areas as they would to an outdoor sales area or an outdoor~~

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~~display of rental equipment.~~)) Outdoor storage areas are not accessible to the public unless an agent of the business is present. Outdoor parking areas for two or more fleet vehicles of more than ten thousand pounds gross vehicle weight shall also be considered outdoor storage. Temporary outdoor storage of construction equipment and materials associated with an active permit to demolish or erect a structure and automotive retail sales areas where motorized vehicles are stored for the purpose of direct sale to the ultimate consumer shall not be considered outdoor storage.

* * *

Section 51. Section 23.84.030 "P" of the Seattle Municipal Code is hereby amended as follows:

"Panoram, adult." ((~~means a mechanical device which exhibits or displays a picture or view on film for observation by a patron which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined in Section 23.84.025.~~)) See "Places of public assembly."

* * *

"Park and Pool lot" means areas within ((~~existing, under utilized parking lots~~)) surface parking areas, operated or approved by a public ridesharing agency, where commuters park ((~~their cars free of charge~~)) private vehicles and join together in carpools or vanpools for the ride to work and back, or board public transit at a stop located outside of the park and pool lot.

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"Park and Ride lot" means areas within existing or newly developed surface parking areas where commuters park private vehicles and either join together in carpools or vanpools, or board public transit at a stop located in the park and ride lot.

* * *

"Participant sports and recreation." See "Places of public assembly."

* * *

"Passenger terminal." ((~~means a~~)) See "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.~~))

* * *

"Performing arts theater." ((~~means an entertainment use intended and expressly designed for the presentation of live performances of drama, dance and music.~~)) See "Places of public assembly."

* * *

"Personal and household retail sales and service" means a Retail Sales and Service Use in which goods are rented or sold or services are provided primarily for household and personal use rather than for business establishments, institutions, or government agencies, but excluding uses in which primarily building materials and/or heating fuel are sold. Examples of personal and household retail sales

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are bookstores, furniture stores, and grocery stores. Examples of personal and household services are shoe repair, hair cutting salons, and dry cleaning.

1. "General personal and household retail sales and service means a Personal and Household Retail Sales and Service Use which is not a multi-purpose convenience store, major durables sales and service, or a specialty food store.

2. "Major durables, sales, service and rental" means a Personal and Household Retail Sales and Service Use in which large household items, such as but not limited to furniture or appliances, are rented or sold.

3. "Multi-purpose convenience store" means a Personal and Household Retail Sales and Service Use in which a wide range of items frequently purchased for household use are rented or sold. Examples of multi-purpose convenience stores include but are not limited to grocery, hardware, drug, and variety stores.

4. "Specialty food store" means a Personal and Household Retail Sales and Service Use in which food such as salads, deli meats, desserts, baked goods, whole pizzas, and other ready to eat foods are prepared and sold, generally for consumption on other premises. Specialty packaged foods, and/or bulk items such as cheese, may also be sold, and the square footage of any area used for seating for the immediate consumption of food shall be no more than three hundred square feet. If more than three hundred

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square feet are devoted to seating space, the entire use shall be considered an eating and drinking establishment rather than a specialty food store.

"Personal transportation services." See "Transportation facilities."

* * *

"Places of public assembly" means an Entertainment Use in which cultural, entertainment, athletic, or other events are provided for spectators either in or out of doors. Examples include but are not limited to motion picture and performing arts theaters, spectator sports facilities, and lecture and meeting halls. Places of public assembly accessory to institutions or to public parks or playgrounds shall not be considered commercial uses.

1. "Motion picture theater" means a Place of Public Assembly intended and expressly designed for the presentation of motion pictures, other than an adult motion picture theater.

2. "Motion picture theater, adult" means a Place of Public Assembly in which, in an enclosed building, motion picture films are presented which are distinguished or characterized by an emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas," as defined in this subsection, for observation by patrons therein:

   a. "Specific sexual activities":

      (1). Human genitals in a state of sexual stimulation or arousal;

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(2) Acts of human masturbation, sexual intercourse or sodomy;

(3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

b. "Specific anatomical areas":

(1) Less than completely and opaquely covered:

(a) human genitals, public region;

(b) buttock, or

(c) female breast below a point immediately above the top of the areola; or

(2.) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

3. "Panoram, adult" means a device which exhibits or displays for observation by a patron a picture or view from film or videotape or similar means which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas", as defined in subsection 2.

4. "Participant sports and recreation" means an Entertainment Use in which facilities for engaging in sports and recreation are provided. Any spectators are incidental and are not charged admission. There are two types of participant sports and recreation uses - indoor and outdoor. Participant sports and recreation uses accessory to institutions or to public parks or playgrounds shall not be considered commercial uses.

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a. "Participant sports and recreation, indoor" means a Participant Sports and Recreation Use in which the sport or recreation is conducted within an enclosed structure. Examples include but are not limited to bowling alleys, roller and ice skating rinks, dance halls, racquetball courts, physical fitness centers and gyms, and videogame parlors.

b. "Participant sports and recreation, outdoor" means a Participant Sports and Recreation Use in which the sport or recreation is conducted outside of an enclosed structure. Examples include tennis courts, water slides, and driving ranges.

5. "Performing arts theater" means a Place of Public Assembly intended and expressly designed for the presentation of live performances of drama, dance and music.

6. "Spectator sports facility" means a Place of Public Assembly intended and expressly designed for the presentation of sports events, such as a stadium or arena.

* * *

"Power plant." See "Utility."

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"Private club." ((~~means an institution used for athletic, social or recreational purposes and operated by a private nonprofit organization, membership to which is by invitation and election according to qualifications in the~~

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~~club's charter or bylaws and the use of which is primarily restricted to members and their guests.~~)) See "Institution."

* * *

((~~"Professional office" means the office of a person engaged in any occupation, vocation or calling, not purely commercial, in which a professed knowledge or skill in some discipline of science or learning is used to advise or guide others in serving their interest and welfare.~~)

* * *

"Public facility" means a public project or City facility.

* * *

((~~"Public utility service use" means uses such as, or similar to, telephone exchange stations, communication transmission stations and static transformers and booster stations.~~))

Section 52. Section 23.84.032 "R" of the Seattle Municipal Code is hereby amended as follows:

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"Recreational marina." See "Marine retail sales and services."

* * *

"Recycling center." ((~~means a salvage and recycling use in which recyclable materials are collected, stored and/or processed, including but not limited to crushing, breaking, sorting and packaging operations, but not including any use which is defined as a junkyard.~~)) See "Salvage and recycling."

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"Recycling collection station." ((~~means a salvage and recycling use in which containers are provided for the collection of secondhand goods and recyclable materials for processing at another location.~~)) See "Salvage and recycling."

((~~"Refuse transfer station" means a salvage and recycling use in which discarded material is collected for transfer to another location for disposal.~~))

"Religious facility." ((~~means an institution, such as a church, temple, mosque, synagogue or other structure together with its accessory structures, used primarily for religious worship.~~)) See "Institution."

"Research and development laboratory" means a commercial use in which research and experiments leading to the development of new products are conducted.

"Residential use" means any one of the following uses:

((~~Boarding homes~~

~~Hotels or motels containing a preponderance of rooms rented for periods of one month or longer~~

~~Mobile home parks~~

~~Multi-family structures~~

~~Single family dwelling~~

~~Special residences.~~))

1. "Artist's Studio/Dwelling" means a combination working studio and dwelling unit for artists consisting of a room or suite of rooms occupied by not more than one family.

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2. "Boarding House" means a structure consisting of a dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons, but not including group homes.

3. "Caretaker's Quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred square feet of living area and occupied by a caretaker or watchperson.

4. "Floating Home" means a single family dwelling unit constructed on a float, which is moored, anchored or otherwise secured in the water.

5. "Mobile Home Park" means a Residential Use in which a tract of land is rented for the use of more than one mobile home occupied as a dwelling unit.

6. "Multi-Family Structure" means a structure or portion of a structure containing two or more dwelling units.

7. "Single Family Dwelling Unit" means a detached structure containing one dwelling unit and having a permanent foundation.

8. "Special Residence" means a group home, nursing home or halfway house.

"Restaurant." See "Eating and drinking establishments."

"Retail sales and service((~~s~~))" means a Commercial Use in which ((~~services are provided or~~)) goods are rented or sold at retail to the general public for direct consumption and not for resale, or in which services are provided to individuals and/or households. Merchandise may be bought

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as well as sold and may be processed as long as the items processed are sold only on the premises, and production is incidental or subordinate to the selling, rental, or repair of goods.

* * *

Section 53. Section 23.84.036 "S" of the Seattle Municipal Code is hereby amended as follows:

"Sale and rental of large boats." See "Marine retail sales and service."

"Sale and rental of motorized vehicles." See "Automotive retail sales and service."

"Sale and rental of office equipment" means a Non-household Sales and Service Use in which office equipment or furniture, such as file cabinets, desks, or word processors, is rented or sold; and/or in which office supplies, such as business forms, are sold. Sales may either be retail or wholesale, and are generally made to businesses rather than individual households.

"Sale of boat parts and accessories." See "Marine retail sales and service."

"Sale of heating fuel" means a Non-household Sales and Service Use in which heating fuel, such as wood, oil, or coal is sold.

"Salvage and recycling" means a business establishment ((~~used~~)) in which discarded or salvaged materials are collected, stored, transferred, sold, or reused.

1. "Recycling Collection Station" means a Salvage and Recycling Use in which containers are provided for the collection of secondhand goods and recyclable materials for processing at another location.

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2. "Recycling Center" means a Salvage and Recycling Use in which recyclable materials are collected, stored, and/or processed, including but not limited to crushing, breaking, sorting and packaging operations, but not including any use which is defined as a salvage yard.

3. "Salvage Yard" means a Salvage and Recycling Use in which junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards, house wrecking yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment. A "salvage yard" shall not be construed to include such activity when conducted entirely within an enclosed building, nor pawnshops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

* * *

"School, elementary or secondary." ((~~means an institution operated by a nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.~~)) See "Institution."

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"Sewage treatment plant." See "Utility."

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((~~"Sign" means any medium, including instructural and component parts, which is used or intended to be used to attract attention to the subject matter for advertising, identification or informative purposes.~~))

* * *

((~~"Sign, business" means an on-premises sign directing attention to a business, profession, commodity, service or entertainment conducted, sold or offered on the lot where the sign is located. This definition shall not include signs located within a business establishment except those signs oriented so as to be visible through a window.~~))

((~~"Sign, changing image" means a sign which has a changing message or background.~~))

((~~"Sign, combination" means any sign incorporating any combination of the features of freestanding, projecting and roof signs. The individual requirements of roof, projecting and pole signs shall be applied for combination signs incorporating any or all of the requirements specified in this Code.~~))

((~~"Sign, electric" means any sign containing electrical wiring, but not including signs illuminated by an exterior light source.~~))

((~~"Sign, externally illuminated" means a sign illuminated by an exterior light source.~~))

((~~"Sign, flashing" means a sign which contains an intermittent or flashing light source, or an externally mounted, intermittent light source.~~))

((~~"Sign, ground" means a sign that is six feet (6') or less in height above ground level and is supported by one (1) or more poles, columns, or supports anchored in the ground.~~))

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((~~"Sign, marquee" means a sign placed on, constructed in or attache. to a marquee.~~))

((~~"Sign, off-premises" means a commercial use consisting of a sign relating, through its message and content, to a business activity, use, product or service not available on the premises upon which the sign is erected.~~))

((~~"Sign, off-premises directional" means an off-premises sign used to direct pedestrian or vehicular traffic to a facility, service or business located on other premises within one thousand five hundred feet (1,500') of the sign. The message of such sign shall not include any reference to brand names of products or services, whether or not available on such other premises; provided, that the name of the facility, service or business may be used.~~))

((~~"Sign, on-premises directional" means an on-premises incidental sign designated to direct pedestrian or vehicular traffic.~~))

((~~"Sign, pole" means a sign wholly supported by a structure in the ground.~~))

((~~"Sign, portable" means a sign which is not permanently affixed and is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or which are permanently affixed to motor vehicles.~~))

((~~"Sign, projecting" means a sign other than a wall sign, which projects from and is supported by a wall of a building or structure.~~))

((~~"Sign, roof" means a sign erected upon or above a roof or parapet of a building or structure.~~))

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((~~"Sign, rotating" means any sign that revolves on a fixed axis.~~))

((~~"Sign, under-marquee" means a lighted or unlighted sign attached to the underside of a marquee.~~))

((~~"Sign, wall" means any sign attached to and supported by a wall of a building or structure, with the exposed face of the sign on a plane parallel to the plane of the wall.~~))

"Single-family dwelling unit." ((~~means a detached structure containing one (1) dwelling unit and having a permanent foundation.~~)) See "Residential use."

* * *

"Solid waste transfer station." ((~~means the area and facilities owned, leased, or controlled by the City for the collection and temporary storage of garbage, rubbish, and other waste material.~~)) See "Utility."

* * *

"Special residence." ((~~means a group home, nursing home or halfway house.~~)) See "Residential use."

"Specialty food store." See "Personal and household retail sales and service."

"Spectator sports facility." See "Places of public assembly."

* * *

Section 54. Section 23.84.038 "T" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Tavern." See "Eating and drinking establishment."

* * *

"Towing service." See "Automotive retail sales and service."

* * *

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"Transportation facilities" means one of the following Commercial Uses:

((~~Airport~~

~~Bus base~~

~~Cargo terminal~~

~~Heliport~~

~~Helistop~~

~~Passenger terminal~~

~~Taxi and ambulance service.~~))

1. "Airport, land-based" means a Transportation Facility used for the take-off and landing of airplanes.

2. "Airport, water-based" means a Transportation Facility used exclusively by aircraft which take off and land directly on the water.

3. "Bus base" means a Transportation Facility in which a fleet of buses is stored, maintained, and/or repaired. (See also Fleet Vehicles.)

4. "Cargo terminal" means a Transportation Facility in which quantities of goods or container cargo are, without undergoing any manufacturing processes, transferred to other carriers or stored outdoors in order to transfer them to other locations. Cargo terminals may include accessory warehouses, railroad yards, storage yards, and offices.

5. "Heliport" means 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 gradient aircraft, and one or more of the following services are provided: cargo facilities, maintenance

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and overhaul, fueling service, tie-down space, hangars and other accessory buildings and open spaces.

6. "Helistop" means 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 gradient aircraft, but not including fueling service, hangars, maintenance, overhaul or tie-down space for more than one aircraft.

7. "Passenger terminal" means 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. Such carriers shall have regularly scheduled routes, and may include vans, trains, ships, tour buses or boats, or other types of transportation. Passenger 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.

8. "Personal transportation services" means a Transportation Facility in which either emergency transportation to hospitals, or general transportation by car, van, or limousine for a fee is provided. Such uses generally include dispatching offices and facilities for vehicle storage and maintenance.

Section 55. Section 23.84.040 "U" of the Seattle Municipal Code is hereby amended as follows:

* * *

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"University." See "Institution ((~~College~~))."

* * *

"Utility" means a business establishment ((~~commercial use~~)) in which power, water, communication signals, and other similar items are provided or transmitted; or sewage or solid waste is stored or treated. Underground pipes and cables and High Impact Uses shall not be considered utilities.

1. "Communication Utility" means a Utility Use in which the means for transfer of information, such as radio or television transmission towers or phone cable vaults, are provided. Communication utility uses do not include communication equipment accessory to residential uses; nor do they include the studios of broadcasting companies, such as radio or television stations, which shall be considered administrative offices.
2. "Power Plant" means a Utility Use in which power in the form of steam or electricity is produced by combustion of materials such as coal, oil, gas, or garbage; and/or steam is produced by combustion or electricity. The concurrent production of electricity and useful heating or mechanical energy, or cogeneration, as well as the recovery of waste heat, shall not be considered a power plant.
3. "Sewage Treatment Plant means a Utility Use in which sewage is received, treated, and discharged.
4. "Solid Waste Transfer Station" means a Utility Use in which discarded materials are collected for transfer to another location for disposal.

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5. "Utility Service Use means a Utility Use which provides the system for transferring or delivering power, water, sewage, storm water runoff, or other similar substances. Equipment for transmitting information, such as television transmission towers, shall be considered communication utilities rather than utility service uses. Examples include electrical substations, pumping stations, and trolley transformers.

Section 56. Section 23.84.042 "V" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Vehicle repair." See "Automotive retail sales and service."

"Vessel repair." See "Marine retail sales and service."

"Vocational or fine arts school." ((~~means an institution which teaches trades, business courses, hairdressing and similar skills on a post-secondary level, or which teaches fine arts such as music, dance or painting to any age group, whether operated for nonprofit or profit-making purposes.~~)) See "Institution."

Section 57. Section 23.84.044 "W" of the Seattle Municipal Code is hereby amended as follows:

* * *

"Warehouse" means a Commercial Use in which space is provided in an enclosed structure for the storage of goods for distribution or transfer to another location.

"Wholesale showroom" means a Commercial Use in which merchandise is displayed and sold at wholesale to business representatives for resale, rather than to the general public for direct consumption and which includes storage

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of goods for sale. Wholesalers which do not have auxiliary storage as a part of the use shall be considered administrative offices.

* * *

Section 58. The Seattle Municipal Code is hereby amended to add a new Section 23.86.034 to read as follows:

23.86.034 Distance to Required Parking

When a maximum distance to required parking is specified it shall be the walking distance measured from the nearest point of the parking area or garage to the nearest point of the lot containing the use the parking is required to serve.

Section 59. Amendment to Official Land Use Map

That those certain maps marked "Attachment A, Neighborhood Commercial Zoning Maps, Amendment to Official Land Use Map, March _____, 1986" and attached to this ordinance by this reference are hereby adopted as amendments to the Official Land Use Map adopted by Section 23.32.16 of the Seattle Municipal Code.

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(To be used for all Ordinances except Emergency.)

Section 60. This ordinance shall take effect and be in force ~~thirty~~ sixty 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 31st day of March, 1986, and signed by me in open session in authentication of its passage this 31st day of March, 1986.

President of the City Council.

Approved by me this 10th day of April, 1986

Mayor.

Filed by me this 10th day of April, 1986

Attest: Norward J. Brooks
City Comptroller and City Clerk.

(SEAL)

Published

By Michael J. Saunders
Deputy Clerk.

☒ PUBLISH ☐ DO NOT PUBLISH

CITY ATTORNEY Andrew F. Grandall

CS 9.1.6

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23.16.20 **NEIGHBORHOOD COMMERCIAL AREA LAND USE POLICIES**

I. GOALS

The purpose of these Neighborhood Commercial Area Policies is to further the vision of our City contained in the report of the Seattle 2000 Commission. Central to that vision is Seattle's commitment to the preservation of its neighborhoods. Strong, healthy neighborhoods enhance the liveability of Seattle and give the City's residents a sense of place and belonging. Strong, healthy business districts which are compatible with their neighborhoods reinforce that sense of belonging while providing essential goods, services and livelihoods for the residents of the City.

A. Among the goals of the Seattle 2000 report which are incorporated into these policies are the following (the goals are not listed in order of priority):

1. Maintain business districts which conform in size and scale to the communities they serve;

2. Encourage the careful location of residences, institutions and businesses in order to maintain the integrity of neighborhoods;

3. Ensure the stability of the local economy and encourage stable economic growth.

4. Establish a healthy business climate for the creation, retention and expansion of businesses;

5. Locate intense, traffic generating businesses where access to adequate transportation corridors is maximized;

6. Encourage entrepreneurship and small business and service activity by individuals; generate jobs and help small firms to expand.

7. Preserve and improve existing commercial areas in preference to creating new business districts;

8. Encourage residential development in combination with new business structures in existing business districts;

9. Encourage a diversity of employment and economy and provide employment for the widest possible range of skills.

10. Encourage reducing the impact of the automobile and increasing alternative forms of transportation;

11. Promote the pedestrian character of neighborhood commercial areas;

12. Preserve employment within the City for Seattle residents.

13. Accord to citizens the continuing right and opportunity to participate in planning and control of City growth and change as it affects the use of land.

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B. In addition to the above, these policies emphasize the following goals (the goals are not listed in order of priority):

1. Reinforce the objectives of the adopted Single Family Policies and Multi-Family Policies.

2. Preserve the neighborhood-serving character of small neighborhood-oriented business districts while permitting the flexibility of business activity in business districts with regional markets;

3. Encourage compact, concentrated commercial areas in preference to diffuse commercial sprawl;

4. Avoid zoning which exceeds the overall economic potential of an area.

5. Encourage an efficient use of commercially zoned land.

6. Expand employment within the City for Seattle residents.

7. Encourage landscaping and quality design in the development of commercial areas in order to create a "pedestrian-friendly" streetscape;

8. Discourage encroachment of commercial development into residential areas;

9. Provide for a transition in scale and use between residential and commercial areas, buffering residential areas from the impacts of heavier commercial uses, wherever possible.

10. Coordinate land use development with transportation by discouraging development whose transportation impacts cannot be accommodated by practical, cost effective improvements in the City's transportation system.

11. Protect residential and retail commercial areas from the public safety hazards associated with hazardous and toxic materials and dangerous industrial processes.

12. Preserve the distinctive character of different neighborhoods and their business districts;

13. Create public processes which permit response to the cumulative impacts of development and which accommodate the changing needs of neighborhoods and their business districts over time;

14. Reflect community objectives as contained in the neighborhood and business district development plans;

15. Emphasize enforceability of requirements and standards;

16. Emphasize predictability, clarity, simplicity and practicality

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II. GENERAL COMMERCIAL AREA DESIGNATION POLICIES

A. Summary of Designation Policies

Areas of the City shall be designated commercial as opposed to non-commercial, based on the criteria in Part IIB below. All commercially zoned land shall be assigned a commercial zone designation according to the locational criteria in Part V and a height designation according to the locational criteria in Part VI. Larger commercial areas may be assigned several zone designations and several height designations. In addition, a commercial area may be assigned one or more special district overlays according to the criteria in Part VII.

B. Designation of Commercial Areas

Sections 1 and 2 below apply during the legislative mapping process. Sections 1 and 3 will apply after completion of mapping and code approval for individual rezone applications.

1. General Criteria for Legislative Mapping and Rezones

The determination as to whether an area should be given a commercial as opposed to a non-commercial designation shall be made according to the Goals of these Policies (Part I). The following objectives shall be given particular consideration:

a. The encroachment of commercial development into residential areas shall be discouraged.

b. Preferred configuration of commercial zones will not conflict with the preferred configuration and edge protection of residential zones as established in the Single Family Policies.

c. Whenever possible, commercial zones shall be located where the impacts on other zones can be minimized by the use of transition zones and/or the presence of buffers. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when the presence of physical buffers can provide a more effective separation between uses. The following elements shall be considered as buffers:

-- Natural features such as topographic breaks, lakes, streams, ravines and shorelines

-- Freeways, expressways and other major traffic arterials

-- Street layout and block orientation

-- Open spaces and greenbelts

d. Compact, concentrated commercial areas, or nodes, shall be preferred over diffuse commercial sprawl.

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e. The preservation and improvement of existing commercial areas shall be preferred over the creation of new business districts.

f. The cumulative impact of development in the area should not exceed the capacity of infrastructure such as streets, utilities and sewers.

g. Community objectives as contained in City Council adopted neighborhood and business district development plans shall be given careful consideration.

h. Changes in commercial boundary, zone designation, height or special District overlay shall occur in an orderly, equitable and predictable fashion.

2. Areas with the following characteristics may be considered for commercial designation <u>during the legislative mapping process</u>:

a. The area does not meet the test for single-family residential classifications; and

b. The area is currently zoned Commercial and is predominantly developed in commercial use or shows a trend toward predominant commercial development; or

c. The area is designated "Commercial" in a Neighborhood Improvement Plan adopted by the City Council; or

d. The area is on the edge of a Commercial zone and consists primarily of lots with structures in commercial use, vacant land and/or parking areas, and a continued Residential designation is not needed to buffer impacts on the adjacent residential area; or

e. The area is zoned residential but was set aside by the City Council during the residential land use process to be considered for possible commercial or mixed-use designation during the commercial areas policy process; or

f. The area is a closed public school which has been declared surplus by the Seattle School District and which is within or immediately adjacent to a business commercial area, to the extent that such designation would not result in the intrusion of commercial use into a residential neighborhood; or

g. The area is zoned residential and is separated from commercial areas but consists of at least three adjacent lots in commercial use at street level and functions as a small commercial node; or

h. The area is zoned Manufacturing or Industrial but shows a strong trend toward predominantly commercial use, particularly where Commercial zoning would help to buffer residential zones from more intense manufacturing and industrial zones.

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3. Rezone Evaluation (subsequent to the completion of the legislative mapping process)

a. In addition to general criteria in Section B-1 above, the following shall be evaluated for all rezone applications considered subsequent to the completion of the legislative mapping process.

i) Potential of the area to contribute to the function identified in the locational criteria for the proposed zone or overlay;

ii) Potential of the area to contribute to the desired character identified in the locational criteria for the proposed zone or overlay and for adjacent zones;

iii) Consistency of the physical characteristics of the area with the characteristics identified in the locational criteria for the proposed zone or overlay;

iv) The effects on transportation, parking, housing and public services in the area and surrounding areas;

v) General impacts on the environment including but not limited to noise, air and water quality, safety and energy conservation;

vi) Recommendations of City Council adopted neighborhood improvement plans or business district plans which apply to the area proposed for rezone.

b. In addition, the following principles shall be followed:

i) If the area is zoned single-family residential, it shall not be zoned commercial if it meets the test for single-family residential classifications;

ii) Changed circumstances since the adoption of the zoning map need not be shown to justify a proposed rezone, particularly for an area which was not permitted to be considered for commercial designation during the legislative mapping process. However, changed circumstance is an important factor to be considered along with the factors listed in sections B1 and B3a above. Evidence of changed circumstance may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics, intensity and type of development (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability and environmental impacts. Also included are previous zoning changes in and around the area proposed for rezone.

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III. GENERAL COMMERCIAL AREA USE POLICIES

A. Policy Intent

Whether a use is permitted outright, allowed as a conditional use, or prohibited in a zone shall depend on the function of the commercial zone and the impacts the uses can be expected to have on the zone and on surrounding residential neighborhoods. It is the intent of these policies to encourage business creation and expansion by permitting flexibility of business activity which is compatible with the neighborhood-serving character of business districts and with the residential character of surrounding residential neighborhoods.

B. Permitted Uses

1. Uses which contribute directly to the function of the commercial zone as indicated in the zone's Locational Criteria are Preferred Uses and will generally be permitted outright subject to development standards.

2. Other uses which are compatible with the Preferred Uses and with the character of the surrounding neighborhood are Acceptable Uses and will also be permitted subject to development standards.

C. Conditional Uses

1. Uses are made conditional uses in these policies if the severity of their impacts is especially dependent on the individual character of surrounding business and residential areas, or if the cumulative impacts of more than one of the particular uses in an area may be unacceptable.

2. Specific criteria are established for each type of conditional use listed in Section C(3) below. Further, the following criteria shall apply to all conditional use decisions:

   a. 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.

   b. In authorizing a conditional use, adverse negative impact 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 shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.

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3. The conditional use process is required in the following circumstances.

a. Increases in size: Maximum size-of-use restrictions in NC1, NC2 and NC3 zone may be exceeded. See Part IV.A. Size of Use Policy for maximum size in each zone.

b. Housing: Housing in C2 is a conditional use. See Part IV.D. Housing Policy.

c. Public facilities: Public facilities that do not meet all development standards in a zone are conditional uses. See Part IV.E. Public Facilities Policy.

d. Heavy traffic generators: Special analysis and review is required for heavy traffic generators. See Part IV.F. Heavy Traffic Generators Policy.

e. Bus bases: Bus bases with size restrictions shall be Council conditional uses in C1 and C2. See Appendix A and Part III.C.4.

f. Helistops: Helistops as accessory uses shall be Council conditional uses in NC3, C1, and C2 zones. See Part III.C.4.

g. Parking waivers: In Pedestrian 1 and Pedestrian 2 zones, additional parking waivers for certain uses may be granted as conditional uses. (See Part VII A and B, Pedestrian Districts 1 and 2.)

h. Taverns and Brew Pubs: Taverns and brew pubs are conditional uses in NC1 and NC2. See Part III.C.4.

4. a. In C1 or C2 zones, new bus bases for one hundred and fifty or fewer buses, or existing bus bases for one hundred and fifty or fewer buses which are proposed to be expanded may be permitted as Council conditional uses, according to the following criteria.

i) The bus base has vehicular access suitable for use by buses to a designated arterial improved to City standards.

ii) The lot is of sufficient size so that the bus base includes adequate buffer space from the surrounding area.

Mitigating measures include the following:

i) Noise mitigation measures, such as keeping maintenance building doors closed except when buses are entering or exiting; acoustic barriers; and noise-reducing operating procedures, shall be required when necessary.

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ii) An employee ridesharing program shall be established and promoted to reduce the impact of employee vehicles on streets in the vicinity of the bus base.

iii) Landscaping and screening, noise mitigation, vehicular access controls, and other measures may be required to insure the compatibility of the bus base with the surrounding area and to mitigate any adverse impacts.

b. Helistops in NC3, C1 and C2 zones may be permitted by the Council as accessory uses according to the following standards and criteria:

i) The helistop is located so as to minimize impacts, such as noise and dust impacts, on lots in the surrounding area.

ii) The lot is of sufficient size that the operations of the helistop are buffered from the surrounding area.

iii) The helistop is an integral element of the service provided by the business establishment to which it is accessory.

iv) Open areas and landing pads shall be hard surfaced.

v) The helistop shall meet all Federal requirements including those for safety, glide angles and approach lanes.

c. Taverns and brew pubs in NC1 and NC2 zones shall be evaluated according to the following criteria:

i) Size, design of the structure, and signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a district and definite pattern of style has been established.

ii) The location, access, and design of parking shall be compatible with any adjacent residential zones.

iii) Special consideration shall be given to the location and design of the doors and windows, in order to ensure that noise standards would not be exceeded. The Director may require additional setbacks and/or restrict openings on lots which abut residential zones.

iv) The establishment of the tavern or brew pub will not generate an adverse amount of traffic which would create or further aggravate spillover parking on residential streets or traffic congestion.

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d. Park and ride lots in NC3, C1 and C2 zones may per permitted as a conditional use, according to the following criteria:

i) The park and ride lot has direct vehicular access to a designated arterial improved to City Standards.

ii) If the proposed park and ride lot is located on a lot containing accessory parking for other uses, there shall be no substantial conflict in the principal operating hours of the park and ride lot and the other uses.

iii) Landscaping and screening in addition to that required for surface parking areas, noise mitigation, vehicular access controls, signage restrictions, and other measures may be required to provide comfort and safety for pedestrians and bicyclists and to insure the compatibliity of the park and ride lot with the surrounding area.

5.(~~4.~~) Termination of conditional use

Should a conditional use lapse for a period of more than a year, or if a conditional use permit is granted but not acted upon for two years or more, a new conditional use authorization shall be required before the use can be re-established.

D. Prohibited Uses

Uses which cannot reasonably be made compatible with the Preferred Uses in a zone or with the surrounding neighborhood through development standards, size restrictions or conditional use mechanisms are prohibited.

E. Accessory Uses

A use which is clearly incidental to a principal use shall be considered an accessory use and shall be permitted. The following uses shall not be permitted as accessory uses in any commercial zone: adult motion picture theaters, industrial uses, junkyards and auto wrecking yards, outdoor kennels, and jails.

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F. Nonconforming Uses

1. Nonconforming uses shall be allowed to continue, but shall not be expanded. A structure or portion of a structure containing a nonconforming use may be maintained or structurally altered, but shall not be expanded to increase the size of the nonconforming use. (~~Nonconforming uses which are discontinued for more than twelve consecutive months shall not be re-established.~~)

2. A nonconforming use may be replaced by a similar or less detrimental nonconforming use of the same or smaller size as determined by administrative review. If a nonconforming use is discontinued for more than a year and no permit application has been filed or construction for a replacement use begun within the year, the use shall be replaced only by conforming uses.

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IV. COMMERCIAL AREA DEVELOPMENT STANDARDS

A. Size of Use Policy

POLICY INTENT

Size limits shall be established in NC1 and NC2 areas for all nonresidential uses allowed in these areas and for specific uses in NC3 and C1 areas. The intent of this policy is to ensure that the scale of uses is compatible with the character and function of the commercial area, encourage uses to locate where traffic impacts can best be handled, promote compatible land use and transportation patterns, and foster healthy commercial development

1. Maximum Size of Use

Size limits, as specified below, apply to individual business establishments, rather than structures (see Appendix A for a detailed listing of permitted uses and maximum size limits). Accessory uses or areas permanently devoted to outdoor sales, or outdoor display of rental equipment, shall be included in determining the size of a business (see Part IV.B. Outdoor Activities Policy). Accessory parking shall not be included in determining the size of a business.

a. Classification NC1:

i. Maximum size: 4,000 square feet, except as follows:

- Multi-purpose convenience stores (this does not include combinations of convenience stores and gas stations or car washes), medical clinics: 10,000 square feet maximum.

ii. Existing uses may expand up to 10,000 square feet through conditional use

iii. Fast food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review.

iv. Recycling collection station: 500 square feet maximum

b. Classification NC2

i. Maximum size: 15,000 square feet, except as follows:

- Multi-purpose convenience stores (this does not include combinations of convenience stores and gas stations or car washes): 25,000 square feet maximum

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- Custom and craft work, food processing and light manufacturing: 5,000 square feet maximum

ii. Existing uses may expand through conditional use:

- to 10,000 square feet if the threshold limit is 5,000 square feet;

- to 25,000 square feet if the threshold limit is 15,000 square feet

iii. Fast food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See IV-F.

iv. Recycling collection station: 1,000 square feet maximum

c. Classification NC3

i. Maximum size: No maximum size, except as follows:

- Building materials, fuel sales, construction, farm and industrial equipment, indoor participant sports and recreation, passenger terminals: 25,000 square feet maximum

- Warehouse, mini-warehouse, wholesale showroom: 15,000 square feet maximum

- Custom and craft work, food processing and light manufacturing: 10,000 square feet maximum

ii. Existing uses with threshold size limits less than 20,000 square feet may expand through conditional use to 20,000 square feet

iii. Fast food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See IV-F.

iv. Recycling collection station: 1,000 square feet maximum

d. Classification C1

i. Maximum size: No maximum size, except as follows:

- Mini-warehouses: 40,000 square feet maximum

- Warehouse and wholesale showroom 25,000 square feet maximum

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- General Manufacturing: 15,000 square feet maximum

ii. Fast food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See IV-F.

e. Classification C2

No maximum size limit

Fast food restaurants permitted outright up to 750 square feet. Larger sizes require administrative review. See IV-F.

2. Size of Combined

Businesses which include more than one principal use activity shall be allowed provided each use is permitted and the total size of the business does not exceed the maximum size allowed for the use with the largest size limit. The size of each use shall not exceed the size limit for the individual use.

3. Increase in Size

In order to allow limited growth of permitted uses which is compatible with the function of the zone and compatible with surrounding areas, increases in the size limits for existing businesses shall be allowed as indicated in 1(a-e) above subject to administrative (~~(Council)~~) conditional use approval. In deciding whether to permit, condition or deny an increase in size, the following factors shall be taken into account:

a. Traffic and parking impacts

b. Availability of commercial space in the zone for Preferred Uses

c. Variety of uses present in the zone.

d. Compatibility with the character and scale of the business district and its surrounding neighborhood

e. Impact on the Desired Characteristics for the zone

f. Length of time in operation as a basis for evaluation of impacts.

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B. Outdoor Activities Policy

POLICY INTENT

Outdoor uses and activities shall be prohibited, or shall be limited in location and size in specified commercial areas according to the function of the area and proximity to residentially zoned lots. The intent is to maintain and improve the continuity of the commercial street front, to reduce the visual and noise impacts which may result from such outdoor activities, and to maintain compatibility with adjacent residential areas.

1. Permitted Outdoor Activities

The following activities, whether a principal or an accessory use, shall be permitted as specified below:

a. Outdoor Sales

In order to provide flexibility for the display of retail merchandise, outdoor sales shall be permitted in all classifications. The outdoor sales area shall be included in determining the size of business and shall be limited as follows:

i) Classification NC1: 40 percent of the lot area or 1,500 square feet, whichever is less.

ii) Classification NC2: 40 percent of the lot area or 10,000 square feet, whichever is less.

iii) Classification NC3, C1 and C2: No size restrictions.

b. Outdoor Display of Rental Equipment

Rental equipment may be permanently stored outdoors in all classifications. Maximum size shall be more restrictive than for outdoor sales, since the rental of an item is less dependent on the range of items available or customer accessibility than is the sale of an item. The outdoor display area shall be included in determining the size of business, and shall be limited as follows:

i) Classification NC1: 10 percent of the lot area or 500 square feet, whichever is less.

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ii) Classifications NC2 and NC3: 15 percent of the lot area or 1,000 square feet, whichever is less

iii) Classifications C1 and C2: No size restrictions

c. Outdoor Storage, including the Off-Street Parking of Two or More Fleet Vehicles in Excess of 10,000 Pounds Gross Vehicle Weight (GVW)

Outdoor storage areas are a necessary part of the operation of certain businesses and shall be permitted in C1 and C2 areas with no maximum size limit. Outdoor storage areas are not allowed in NC1, NC2 and NC3 areas. This is because breaks caused by outdoor storage would be detrimental to the function and established character of the commercial area, and land could be used more efficiently for sales and service activities which might better contribute to the success of the commercial area.

d. Outdoor Storage of Recyclable Materials

In order to encourage conservation of natural resources by providing convenient locations for accessory recycling collection stations, such outdoor activities shall be permitted in all classifications. Recyclable materials shall be kept in sturdy, weather-resistant containers maintained in good condition.

i) Classification NC1: Limited to 10 percent of the lot or 500 square feet, whichever is less.

ii) Classifications NC2 and NC3: Limited to 10 percent of the lot or 1,000 square feet, whichever is less.

iii) Classifications C1 and C2: Limited to 10 percent of the lot or 1,000 square feet, whichever is less. Larger storage areas shall be allowed if they comply with the screening and landscaping standards for outdoor storage.

2. Relationship to Surrounding Residential Zones

Where permitted, the following outdoor activities shall be located at least 50 feet from a lot in a residential zone, except when the topography is such that the residential property is at least 15 feet above or below the commercial property at the property line:

-- Outdoor sales/service of food and beverages

-- Outdoor storage, including the off-street parking of two or more fleet vehicles in excess of 10,000 pounds Gross Vehicle Weight

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-- Outdoor storage of recyclable materials

-- Outdoor sports and recreation

-- Outdoor loading berths

3. Screening and Landscaping

Specific screening and landscaping standards for outdoor activities are included in Part IV.P. Screening and Landscaping Policy.

4. Nonconformity

Nonconforming uses as to outdoor activities shall be allowed to continue but shall not be expanded. A structure or portion of a structure containing a nonconforming use may be maintained or structurally altered but shall not be expanded to increase the size of the nonconforming use. Businesses with nonconforming outdoor storage areas shall be allowed to maintain, structurally alter, and expand their building, but shall be required, at the time of the expansion, to screen and landscape all nonconforming outdoor storage areas.

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C. Drive-In Business Policy

POLICY INTENT

Development standards for drive-in businesses and accessory drive-in facilities are established in order to minimize traffic impacts and pedestrian-vehicle conflicts, avoid disruption of an area's business frontage, and improve the appearance of the commercial area. These standards vary according to the function of the area.

1. Permitted Drive-in Facilities

   Drive-in facilities and the maximum number of lanes allowed shall be limited in specified commercial areas. An exception shall be made for auto service stations. This exception recognizes that auto service stations are needed by the general public on a regular basis and their functions cannot be fulfilled in any other manner than by having the individual auto driven to the business.

   a. Classification NC1: Drive-in businesses shall be prohibited, except for auto service stations which shall be limited to a maximum of four lanes.

   b. Classification NC2: Drive-in businesses shall be permitted with up to two lanes; auto service stations shall be limited to a maximum of four lanes.

   c. Classification NC3: Drive-in businesses shall be permitted with up to four lanes; auto service stations shall be permitted without restriction in number of lanes.

   d. Classifications C1 and C2: Drive-in businesses shall be permitted without restriction in number of lanes.

2. Screening and Landscaping

   Drive-in businesses shall be screened and landscaped according to the provisions in Part IV.P, Screening and Landscaping.

3. Queuing Provisions

   Due to the traffic peaking characteristics of certain drive-in businesses, and the potential demand for queuing space for customers awaiting service while remaining in their cars, queuing spaces shall be required for specified drive-in businesses. The number of spaces required for a fast food restaurant may be determined during the conditional use review process (see Part IV.F. Heavy Traffic Generators Policy).

   a. Banks with drive-in facilities and car washes shall be required to provide queuing space according to the following provisions:

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i) Banks with one or two drive-in lanes: a minimum of five spaces per lane

ii) Banks with three or more drive-in lanes: a minimum of three spaces per lane

iii) Car washes: a minimum of ten spaces

b. If the drive-in bank or car wash is located along either a major arterial, a heavily traveled minor arterial (average daily traffic > 7000) or along a street with only one lane for moving traffic in each direction (with or without parking), the Seattle Engineering Department shall determine whether additional queuing spaces are necessary or whether access should be restricted. Based on the Engineering Department's determination, the Director of the Department of Construction and Land Use may restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

i) Banks with one or two drive-in lanes: eight spaces per lane

ii) Banks with three or more drive-in lanes: six spaces per lane

iii) Car washes: 20 spaces

c. The Director of the Department of Construction and Land Use may determine at some future time that a minimum number of queuing spaces are needed for activities which are not listed above. Such an activity may be added to the list.

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D. Housing Policy

POLICY INTENT

Housing in neighborhood commercial areas shall meet the zone's development standards for height, setbacks and location of parking. Additional development standards for open space, and acoustical separation for residential use within mixed-use buildings are established in commercial areas in order to encourage housing that is compatible with commercial development, and ensure open space amenities for residents.

1. Housing in NC1, NC2, NC3 and C1 Areas

   Single-purpose housing in NC1, NC2, NC3 and C1 areas is permitted outright.

2. Housing in C2 Areas

   Housing in C2 areas shall require conditional use approval. The intent is to preserve land especially suited for heavy commercial activity, and to reduce the possibility of conflict between uses. In determining whether housing should be permitted, the following factors shall be considered:

   a. Availability of suitable land for C2 activities: Housing shall generally be discouraged in areas which have limited amounts of vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development;

   b. Relationship to transportation systems: Housing shall generally be discouraged in areas with direct access to major transportation systems such as freeways, state routes and rail lines.

   c. Compatibility with surrounding areas: Housing shall not be allowed in areas where allowed nonresidential uses may create a nuisance or adversely affect the desirability of the area for living purposes.

3. Housing in Structures Over 85 Feet in Height

   In order to ensure that commercial activity is maintained and to encourage commercial development at street level, single purpose residential buildings over 85 feet in height shall be prohibited. In order to be considered a mixed use building, a minimum of 40 percent of the building footprint shall be devoted to commercial

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use at the street level. Commercial area in excess of 40 percent of the building footprint may be provided above and/or below the street level.

4. Open Space

Residential development in neighborhood commercial areas shall be required to provide open space for the use of the residents. The open space shall be landscaped, usable to the residents, and can be provided at ground level or above in the form of gardens, patios, balconies or desks. However, in NC1 and NC2 zones, single purpose residential development shall provide at least 60 percent of the required open space at ground level.

Figure IV.D.1.: Open Space Requirement

Building Type	Height of Building: Up to 40'	41' to 85'	86' to 160'
Single purpose residential use	25% of lot area	35% of lot area	Single purpose residential not allowed
Mixed Use			
40% of building footprint in commercial use	20% of lot area	30% of lot area	40% of lot area
80% of building footprint in commercial use	15% of lot area	20% of lot area	30% of lot area

5. Landscaping Standards: The required open space shall be landscaped with trees, shrubs, and ground cover or grass. A minimum of one tree per 250 sq. ft. of open space shall be provided.

6. (~~5~~) For screening and landscaping of parking areas for single purpose residential development see Part IV.P.3.

7. (~~6~~) Acoustical Separation between Uses

The Department of Construction and Land Use shall determine the appropriate requirements for acoustical separation between residential and commercial uses in mixed-use buildings and recommend amendments to the Building Code accordingly. The standards shall provide reasonable protection for residential uses in mixed use buildings against noise generated by commercial uses.

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E. Public Facilities Policy

Public facilities provide a valuable service to the community and shall be allowed in all commercial areas, according to the following:

1. Permitted Public Facilities

a. Public facilities which are similar to those provided by the private sector such as offices, athletic facilities, or medical service uses shall be permitted or prohibited in all commercial zones according to the (~~(development standards)~~) use regulations for the particular type of use. These public facilities shall meet the development standards for the use to which they are similar. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity.

b. (~~(Those public facilities having unique service requirements, which are not provided to the community by the private sector, such as police stations and fire stations, shall be permitted in commercial areas. If the proposed public facility does not meet the development standards of the zone, it may be permitted as a Council Conditional Use. The Council may waive or change development standards for reasons of public necessity.)~~) Public facilities which are not similar to those provided by the private sector, such as police and fire stations, shall be permitted unless specifically prohibited in Appendix A. These public facilities shall meet the development standards of the zone in which they are located. If the development standards cannot be met, the City Council may waive or change the standards for reasons of public necessity.

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F. Heavy Traffic Generators Policy

POLICY INTENT

An administrative review shall be required for the establishment or expansion of uses which are identified as heavy traffic generators, in order to control traffic impacts associated with such uses and ensure that the use is compatible with the character of the commercial area and its surroundings. A heavy traffic generator is a type of use (not an individual business establishment) which typically relies on high business volume and rapid turnover of customers. Such uses generate a high ratio of trips per square feet of space compared with the uses which are likely to occur in a commercial area. Fast food restaurants are identified as heavy traffic generators. In the future, any other use which is identified as a heavy traffic generator shall be subject to the provisions established in this policy.

1. Administrative Review Provisions

In deciding whether to permit, condition or deny a heavy traffic generator, the following factors shall be taken into account.

a. Compatibility of development: The design of the structure, including architectural treatment, signing, landscaping, illumination and site integration shall be compatible with other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.

b. Traffic, circulation and parking analysis: The Director of the Department of Construction and Land Use may require that a study, at the expense of the applicant, be performed which may include an analysis of traffic, circulation, and parking impacts, to be reviewed by Seattle Engineering Department.

c. The applicant must demonstrate that the use will not:

i) disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts;

ii) interrupt established retail or service frontages designed to serve pedestrians;

iii) cause a significant amount of additional traffic to circulate through adjacent residential neighborhoods;

iv) create traffic or access problems which will require the expenditure of City funds to mitigate such impacts;

v) cause cars waiting to use the facility to queue across the sidewalk or onto the street; and

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vi) interfere with peak hour transit operations by causing its auto traffic to cross a designated high occupancy vehicle lane adjacent to the site or by causing its auto traffic to queue into a nearby bus stop.

d. In designated pedestrian districts, the applicant must also demonstrate in addition to the consideration in c. above, that the use will not provide accessory parking which will attract a significant amount of customers driving to the pedestrian district for the primary purpose of stopping at the business. This shall be demonstrated by a report from a traffic consultant which is based on a transportation analysis of travel modes and patterns of customers of a similar type of business in the same or a similar commercial area.

e. Control of litter: Appropriate measures to control litter shall be provided.

2. Exemption from Administrative Review

a. Uses which have a gross floor area of less than 750 square feet shall be exempt from the administrative review provision and, therefore, shall be permitted outright.

b. In pedestrian districts, fast food restaurants up to 2500 square feet in size which provide indoor dining area and do not provide off-street parking shall be permitted outright according to the applicable development standards of the zone. (See VII-A, VII-B.)

3. Determination of Heavy Traffic Generators

In determining whether or not a particular use should be added to the list of heavy traffic generators, evidence of traffic generation from local or national transportation studies of similar uses should be considered.

4. Drive-In Businesses

Heavy traffic generators which are drive-in businesses shall also be required to comply with the drive-in business policy.

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G. Required Off-street Parking Policy

POLICY INTENT

Minimum parking requirements for uses allowed in commercial areas are established in order to ensure customer and employee parking nearby, reduce congestion on adjacent streets, and minimize spillover parking into adjacent residential areas. The requirements are set to discourage underused parking facilities, which may mean tolerating occasional spillover parking.

1. Minimum Off-street Parking Requirements in Commercial Zones

   Each use shall provide a minimum number of accessory off-street auto parking spaces as outlined in Figure IV.G.1. Parking may be provided either on-site or within 800 feet of the use in a commercial zone.

2. Waivers and Reductions

   In order to encourage pedestrian activity and a variety of services in commercial areas through the maintenance and development of small commercial uses, minimum accessory parking requirements may be waived according to the following (for Pedestrian Districts see Part VII. Special District Overlays):

   a. No parking shall be required for the first 2500 square feet (gross floor area) of commercial use per structure. This waiver shall not apply to fast food restaurants, motion picture theaters, and offices. When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver shall be prorated based on area among the commercial uses for which the waiver is permitted.

   b. The minimum parking requirement may be reduced up to 20 percent when a proposed use is located within 800 feet of a street with midday transit service headways of 15 minutes or less in each direction.

   c. Existing parking deficits of legally established uses shall be allowed to continue even if a change of use occurs, unless the use is changed to one defined as a "Heavy Traffic Generator" pursuant to IV.F.

   d. Additional parking spaces shall not be required for the expansion of existing uses if their minimum parking requirement does not increase by more than ten percent. If the expansion is greater than 10 percent, parking spaces required for the full expansion shall be provided.

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FIGURE IV.G.1

MINIMUM PARKING REQUIREMENTS

ONE SPACE PER					
100 sq. ft.*	200 sq.ft.*	350 sq.ft.*	1000 sq.ft.*	2000 sq.ft.*	OTHES**
Fast Food Restaurants Passenger Terminals/ Waiting Area Dance Halls/ dance floor and table area Skating Rinks/ rink area Swimming Pools/water area Places of Public Assembly(unless otherwise specified)/auditorium floor area or 1 space/10 fixed seats	Restaurants (excluding fast food restaurants)	Personal & Household goods retail sales and service (except Major Durables) Medical Services Branch Banks Video Game Parlors Pool and Billiard Halls Private Physical Fitness Club (excluding ball courts)	Offices Research and Development Processing and Craftwork Manufacturing	Automotive Retail Sales Major Durables sales and service Heavy Retail Goods sales and service Warehouses Wholesale Showrooms Heavy Commercial Services Cargo Terminals	Hotel - 1 space/4 Units Motel - 1 space/Unit Bed and Breakfast - 1 space for the dwelling, plus 1 space/ Unit Motion Picture Theatre - 1 space/ 8 fixed seats Bowling Alley - 1 space/5 Alleys Sport Range - 1 space/ 2 stations Miniature Golf - 1 space/2 Holes Ball Courts - 1 space/court Vocational or Fine Arts School - 1 space for each 2 faculty members & fulltime employees, plus 1 space/5 students(based on the maximum number attending at any one time).

* Based on total floor area unless otherwise specified.

** Housing and Institutions shall be required to provide parking in accordance with the parking requirements for these uses in residential zones.

3. Shared Parking

To avoid unneeded parking facilities, and to maintain land for principal uses, shared parking by two or more uses shall be allowed to satisfy all or a portion of the City's off-street minimum parking requirements. Either a. or b. below may apply, but not both.

a. Shared Parking for Different Categories of Uses

Due to the different periods of peak parking demand for different categories of uses, the following reductions in the total parking requirement may be allowed. Maximum permissible reductions in the parking requirements for shared use are as follows:

i) Twenty percent of the retail sales/service parking requirement when shared with office parking, not to exceed the number of spaces required for office use.

ii) Thirty percent of the residential parking requirement when shared with daytime retail sales and service uses, not to exceed the number of spaces required for the retail sales and service use.

iii) Fifty percent of the residential parking requirement for shared residential and office parking not to exceed the number of spaces required for the office use.

b. Shared Parking for Businesses with Different Hours of Operation

In order to use parking facilities more efficiently, parking spaces may be shared by businesses having different hours of operation.

Up to 90 percent of the parking required for a nighttime or weekend use may be supplied by off-street parking facilities provided by daytime or weekday uses, if there is no substantial conflict in the principal operating hours of the uses for which shared parking is proposed. When authorized by the Director of the Department of Construction and Land Use, daytime uses may include uses such as banks, business offices, retail stores, personal service shops, and manufacturing and wholesale buidings; nighttime uses may include uses such as bowling alleys, dance halls, theaters, taverns, and restaurants.

c. The conditions required for shared parking shall include:

i) The shared parking facility shall be located within 800 feet of the use and adequate pedestrian access shall be provided.

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ii) An agreement providing for shared use of such parking facilities shall be filed with the Director of DCLU. Shared use parking shall continue only so long as such agreement, binding on all parties, remains in force. If such agreement becomes legally ineffective, then parking shall be provided as otherwise required.

4. Cooperative Parking Facilities

Due to the greater efficiency of parking which results when several businesses are located in close proximity so that customers may park once and walk to numerous businesses, the Director of the Department of Construction and Land Use may authorize the following parking reductions subject to a written agreement among cooperating parties: 10 percent reduction in the number of required parking spaces for two uses, 15 percent for three uses, and up to 20 percent for four or more separate uses. The parking facility shall be located within 800 feet of the cooperating uses.

5. Substitution of Alternative Transportation for a Portion of the Minimum Parking Requirement

For new or expanding office or manufacturing uses which require 40 or more spaces, the required number of parking spaces may be reduced by the substitution of alternative transportation programs which reduce off-street parking demand. These shall include provision of carpool parking, vanpools, transit passes or extra bicycle parking for employees, guaranteed in a form and for a time suitable to the Director of DCLU. In no case shall the reductions allowed exceed 40 percent of adjusted parking requirements.

6. Relationship to the Seattle Comprehensive Transportation Plan

Based on the findings of the Seattle Comprehensive Transportation Plan, the City may review or establish parking management provisions in selected commercial areas. The provisions may include locally sensitive measures such as cooperative parking, shared parking, restricted access, or special measures to meet the parking requirements established in these policies, such as car pools, van pools, parking incentives or transit pass subsidies.

7. Fleet Vehicles

In order to avoid spillover parking and to maintain adequate on- and off-street customer parking, businesses which have four or more small fleet vehicles or two or more large fleet vehicles used in conjunction with business operation shall provide separate off-street storage for these vehicles, in addition to the minimum accessory parking requirements.

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8. Bicycle Parking

In order to encourage energy conservation by promoting alternatives to the private auto, bicycle parking facilities shall be required in NC1, NC2, NC3 and C1 areas as follows: uses with required parking greater than 20 spaces shall be required to provide one bicycle space for every 10 automobile spaces. Automobile service stations, automotive services, and other drive-in uses except fast food restaurants shall have no bicycle parking requirement.

In C2 areas, bicycle parking is not required.

9. Determination of Required Parking for Large Residential Developments

In specific circumstances, which are spelled out in adopted Multi-Family Land Use Policies (23.16.02.51 of the Seattle Municipal Code), the Director of the Department of Construction and Land Use, after a special review of the parking conditions in the surrounding area and consideration of environmental impacts and the cost of housing, may require parking in excess of the parking ratio up to a maximum of 1.25 spaces per unit.

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H. Location and Design of Parking Policy

POLICY INTENT

The location of and access to off-street parking in commercial zones shall be regulated in order to maintain and improve the continuity of business frontage, to facilitate pedestrian and vehicular traffic circulation and to minimize adverse impacts on adjacent residential areas. The number and size of curb cuts shall be restricted or regulated in order to preserve on-street parking spaces, to reduce pedestrian/auto conflicts, and to protect the commercial character of an area. (See Part VII.A. and B. for parking location and access in Pedestrian Districts.)

1. Location of Parking

The location of off-street parking facilities on a lot shall be regulated according to the functions and characteristics of the commercial zone.

a. Classifications NC1, NC2, and NC3: Parking facilities shall be located to the rear or side of the building, below grade, or built into the building if screened from the street front (see IV P, Screening and Landscaping Policy); provided that the Director may permit parking in front of structures in NC2 zones as a Special Exception if the Director finds that while most of the characteristics of an NC2 area are present, the development of a pedestrian oriented shopping area is very unlikely and the placement of parking on the side or in back of commercial structures is infeasible or undesirable. Such a conclusion would be appropriate only where all or most of the following circumstances are present.

i) There are extensive curb cuts, a lack of sidewalks, intense auto traffic and/or a pattern of parking in front of businesses which creates an unfriendly environment for pedestrians, increasing the likelihood that customers will drive from one business establishment to another;

ii) The lots are narrow and alley access is infeasible, so that a disproportionate amount of the lot would have to be devoted to a driveway if parking is not located in front;

iii) The zone in which the lot is located lacks strong edges to buffer adjacent low density residential areas from parking areas.

b. Classifications C1 and C2: The location of parking facilities shall not be restricted.

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2. Access to Parking

Location of access to off-street parking should consider impacts on traffic and pedestrian circulation and compatibility with surrounding uses. Where a site is bounded by more than one street, access to parking shall be encouraged from the street with the least amount of commercial frontage. The Director of DCLU may specifically limit parking access from the alley if the alley is used for loading purposes as specified by the Seattle Engineering Department.

3. Curb Cuts

In order to preserve on-street parking capacity, reduce pedestrian/auto conflicts and minimize excessive curb cuts which both reduce the number of on-street parking spaces and detract from the commercial character of an area, the width and number of curb cuts shall generally be limited.

a. Classifications NC1, NC2, and NC3: One two-way traffic curb cut not exceeding 25 feet in width or two one-way traffic curb cuts not exceeding 15 feet in width shall be allowed on lots with street frontage of 80 feet or less. On lots with street frontage greater than 80 feet, up to two 25 foot curb cuts for every 240 feet of street front shall be allowed.

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b. Classifications C1 and C2: The Director of Engineering shall review and approve the location, number and size of traffic curb cuts. The maximum width of curb cuts shall generally be 25 feet.

c. In parking areas where the following conditions all apply, the Director of the Department of Construction and Land Use may require up to 30-foot wide curb cuts provided the Seattle Engineering Department determines that such curb cut dimensions are necessary for operational safety of access and egress.

i) The abutting street has a single lane, on that side of the centerline,

ii) The curb lane is less than 11 feet,

iii) It is off a major arterial, and

iv) Off-street loading is required.

4. Surface Treatment

In order to control the noise and dust which result from unsurfaced areas, off-street parking areas shall be surfaced and maintained with a durable and dustless surface and shall be graded and drained as necessary to dispose of all surface water in accordance with the Seattle Drainage Control Ordinance.

5. Screening and Landscaping

Parking facilities or structures shall be screened and landscaped according to the provisions in Part IV.P., Screening and Landscaping Policy.

6. Compact Car Spaces

In recognition of the trend toward ownership of smaller, more energy efficient automobiles and to minimize the amount of land consumed by parking, a portion of the required parking spaces shall be striped for compact cars. In addition, developers may increase the percentage according to the following provisions:

a. At least 35 percent of the stalls shall be striped and designated for compact cars for new projects requiring 20 or more parking spaces. For lots requiring 11-19 spaces, a minimum of 25 percent of the stalls shall be striped for compact cars. All spaces designated and constructed for compact car use shall be clearly identified.

b. To permit flexibility in parking lot layout and design, up to 65 percent of the required stalls may be designated for compact car parking, at the discretion of the applicant.

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Parking areas for existing uses may be restriped in conformance with this policy. New spaces thus created may be used to meet additional parking needed for expansion, or leased to meet all or a portion of the parking requirements of new uses locating within 800 feet of the restriped lot. Existing lots which do not meet minimum requirements must first correct parking deficiencies before any surplus spaces created by restriping can be leased.

7. Bicycle Parking

   a. Bicycle parking facilities either off-street or in the street right-of-way shall be provided for new buildings which meet the conditions of G. 8 above. All bicycle parking facilities in the street right-of-way shall conform to guidelines developed by the Seattle Engineering Department.

   b. Bicycle parking facilities shall be located within 800 feet of the commercial use. Bicycle parking facilities shared by more than one commercial use are encouraged. When located off-street, bicycle and auto parking areas shall be separated by a barrier or painted lines to minimize the possibility of a car hitting a cycle

   c. Where covered automobile parking is provided, bicycle parking shall also be covered.

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I. Loading Facilities Policy

POLICY INTENT

Off-street loading space shall be required in order to accommodate delivery needs. All off-street loading spaces provided shall be located and designed to minimize adverse impacts on surrounding uses.

1. Required Off-street Loading Space

In order to accommodate commercial delivery needs without disrupting traffic and surrounding commercial or other activity, off-street loading space shall be required for commercial, institutional and manufacturing uses when over a certain size. Two sets of requirements shall be established, one for uses with a relatively high demand for loading space, and the other for uses with low demand.

a. High Demand for Loading Space

Retail sales and services, warehouses, cargo terminals, manufacturing uses, and hospitals shall be required to provide truck loading and unloading berths as follows:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 to 16,000	1
16,001 to 40,000	2
40,001 to 64,000	3
64,001 to 96,000	4
96,001 to 128,000	5
128,001 to 160,000	6
160,001 to 196,000	7
for each additional 36,000	1 additional

b. Low Demand for Loading Space

Lodging, entertainment activities, offices, and sports and recreation shall be required to provide truck loading and unloading berths as follows:

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Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 to 60,000	1
60,001 to 160,000	2
160,001 to 264,000	3
264,001 to 388,000	4
388,001 to 520,000	5
520,001 to 652,000	6
652,001 to 784,000	7
784,001 to 920,000	8
for each additional 140,000	1 additional

2. Location of and Access to Loading Berths

Each off-street loading or unloading berth, whether required or not, shall be subject to the following minimum standards:

a. Each berth shall be not less than ten feet in width and 25 feet in length.

b. No berth shall be located closer than 50 feet to an abutting lot in any residential zone unless wholly within an enclosed building.

c. No berth accessory to a manufacturing use or to a warehouse or cargo terminal shall be located across a street or alley from a residential zone unless wholly within an enclosed building.

d. No berth shall be located in a required front setback.

e. Direct access to a loading berth from a street shall be permitted only when no usable alley is available.

f. Where access to an off-street loading berth is from an alley, and truck loading occurs parallel to the alley, the berth shall be set back a minimum distance of 12 feet from the center of the alley in order to provide enough room for vehicular circulation while loading is taking place.

g. Landscaping of off-street loading space shall conform with the landscaping standards for off-street parking.

3. Surface Treatment

In order to control the noise and dust which result from unsurfaced areas, off-street loading areas shall be surfaced and maintained with a durable and dustless surface and shall be graded and

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drained as necessary to dispose of all surface water in accordance with the Seattle Drainage Control Ordinance.

4. Nonconformity

Existing deficits in the number of required loading berths shall be allowed to continue if a change of use occurs, except when the change is to a food processing or manufacturing use, warehouse, or cargo terminal.

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J. Sidewalk Policy

In order to improve the appearance of the commercial area and to encourage pedestrian activity, sidewalks shall be required for all new developments unless unusual circumstances prevent such construction in certain individual cases.

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K. Signs Policy

POLICY INTENT

Sign provisions are established in order to facilitate adequate identification of businesses, as well as to reduce visual clutter and enhance the appearance and safety of commercial areas. Sign provisions shall correspond to the character and scale of the commercial area. Thus, standards governing the size, number, and location of signs are established for the smaller and/or pedestrian-oriented neighborhood commercial areas, while standards governing the number of signs and height for freestanding signs shall be included in more intense and/or auto-oriented commercial areas. In addition, a local option shall be provided whereby a local community may request that individualized sign provisions be established in their area (see Park VII.D. Local Option Sign District). In the event that these policies are in conflict with the regulations for Advertising and Business Signs Adjacent to Certain Public Highways, the latter shall control.

1. Sign Standards for all Commercial Zones

   a. Each individual business fronting upon a street, court or other public right-of-way shall be allowed one sign for each 300 feet of individual business frontage or portion thereof. The sign may be a pole, ground, roof, (~~wall, marquee, under marquee~~) projecting or combination sign, referred to hereafter as Type A signs.

   b. Each individual business shall be permitted one additional sign for each 30 lineal feet of property frontage, or portion thereof which the business occupies. The sign may be a wall, (~~ground~~) marquee, under marquee, or canopy sign, referred to hereafter as Type B signs.

   c. Each shopping center, multiple business center or drive-in business establishment may have one pole sign for each three hundred feet, or portion thereof, of frontage on a street, court or other public right-of-way. (~~Pole signs shall not be allowed for individual businesses in shopping centers.~~)

   d. In addition to the signs permitted in a., b., and c., each business shall be allowed an under marquee sign not to exceed 10 square feet in size.

   e. Special consideration shall be given by the Director to applications for signs which use a comprehensive design plan to encourage the integration of signage into the design of the building or site where it is located. This may be done on an existing building or new building, or for freestanding sign. The Director's review may, in some cases, result in allowances of height or total area in excess of those limitations specified for particular zones. The purpose is to create visual harmony between the sign, the building and the site where it is located through the use of a consistent design theme. The Director's decision shall be appealable to the Hearing Examiner.

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(~~d.~~) f. All standards relating to size, type, and number of signs, definitions, exceptions, and special provisions, which are currently included in the Building Code shall be included in the Land Use Code and deleted from the Building Code.

2. Standards for On-Premise Signs

a. In NC1 and NC2 classifications, the following standards shall apply:

1) Type of sign: Permitted signs shall be limited to stationary, and permanent signs. Rotating, chasing and flashing signs shall be prohibited; (~~except digital reader boards giving time, date and temperatures~~) changing message signs shall be permitted.

ii) Maximum Sign Dimensions

-- Individual sign size: (~~85 square feet~~) Type A - 72 square feet; Type B -185 square feet

-- Total sign per business: (~~170~~) 185 square feet

iii) Height of sign above ground level: Type A - 25 feet; Type B - 20 feet or height of cornice, whichever is higher.

b. In NC3, C1 and C2 classifications, the following standards shall apply:

i) Type of sign: All types of signs shall be permitted, except flashing signs (~~other than digital reader boards giving time, date and temperature~~) and signs rotating faster than seven revolutions per minute. (~~shall be prohibited~~)

ii) Maximum sign dimensions: Maximum sign dimensions for Type A signs in the NC3 classification shall be (~~established in the land use code~~) 72 square feet plus 2 square feet for each foot of street frontage over 36 feet up to a maximum size of 300 square feet. There shall be no size limit on Type B signs. There shall be no limit on sign dimensions in C1 and C2 classifications.

iii) Height of sign above ground level: The highest point of Type A signs shall not exceed the height limit of the zone or 65 feet, whichever is less, (~~However~~) except that freestanding signs for individual businesses shall have a maximum height of 30 feet above ground level, (~~except for businesses located within 100 feet of a freeway or state route right of way~~) and free standing signs for shopping centers, and multiple business centers shall have a maximum height of 40 feet above ground level. Type B signs shall not be higher than 20 feet or the height of the cornice, whichever is higher.

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3. Billboards and Off-Premise Signs

a. Present Building Code provisions concerning billboards, and other off-premise signs shall be continued and included in the Land Use Code. This shall include the present policy of limiting the issuance of permits for new billboards in commercial areas to the replacement of existing billboards. Off-premise roof signs shall be prohibited.

b. Billboards and off-premise signs are prohibited in NC1 and NC2 areas, and pedestrian districts. They shall be permitted in NC3, C1 and C2 areas according to the following standards:

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i) Billboard and other off-premise (non-directional) sign standards

-- Maximum sign dimensions

Size: 672 square feet

Height: 25 feet

Length: 50 feet

-- Maximum number of signs within 660 feet: Four

-- Minimum distance between signs: 100 feet

-- Distance from residentially zoned lot: 50 feet

-- Distance from public school grounds and parks: 100 feet

ii) New off-premise directional sign standards

-- Maximum sign dimensions:

Individual sign size - 100 square feet

Maximum vertical dimension - 10 feet

Maximum length - 20 feet

iii) Height of sign above ground level: The highest point of a sign shall not exceed the height of the zone or 65 feet, whichever is less. No sign shall be located on the roof of a structure.

c. Each business district shall be permitted up to two identification signs which may list businesses located in the district, as long as the sign is located on commercially zoned land and the total size is within the limits allowed for off-premise signs.

4. Signs Facing Residential Zones

When located within fifty feet of an abutting lot in a residential zone, an electric sign face shall be directed away from the adjoining residentially zoned lot.

5. Shoreline Master Program

In shoreline areas, provisions of the Shoreline Master Program (SMP) shall apply. In addition, provisions concerning size and number of permitted signs as established by the underlying zoning classification shall also apply.

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6. Nonconforming Signs

Signs, including billboards, which become nonconforming by this policy shall be allowed to continue and be maintained, but they shall not be expanded. Nonconforming signs shall be brought into conformity when a sign permit is required; sign permits are required for structural alterations, but not when only the message is changed.

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L. Noise Control Policy

POLICY INTENT

Uses in commercial areas shall be required to comply with maximum permitted noise levels in order to reduce health hazards and nuisance factors associated with noise generated by some commercial uses.

1. Maximum Permitted Noise Levels

The maximum permitted noise level for any use in a commercial area shall be the standards established by the Seattle-King County Noise Ordinance (Municipal Code Chapter 25.08). Permitted noise levels shall be set according to the zone of the receiving property, measured at the property line.

Noise standards shall be most stringent when the receiving property is located in a residential or NC1 zone; stringent when the receiving property is located in any other commercial zone -- NC2, NC3, C1 or C2; and less stringent when the receiving property is located in an industrial zone. The maximum acceptable levels shall be reduced at night and on weekends for uses which are adjacent to property within a residential or NC1 commercial zone.

When a major institution zone is the receiving property, maximum permitted noise levels shall be set according to the non-institutional classification of its dual zoning.

2. Enclosure Standards

In order to reduce the impacts of noise, all processing activities, which shall include manufacturing, fabricating, repairing, refuse compacting, and recycling, shall be conducted wholly within an enclosed structure in an NC1, NC2 or NC3 zone. In a C1 or C2 zone, total enclosure shall only be required when a lot is located within 50 feet of a residential zone.

3. Major Noise Generators

In order to ensure the maintenance of permitted noise levels in commercial areas, uses which have been identified as major noise generators shall be required to take additional measures to reduce noise to a level which meets the standards prior to issuance of a use permit. These have been identified as major noise generators due to the type of equipment used or to the nature of the business.

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a. Identification of Major Noise Generators

Major noise generators shall include:

i) External heat exchangers or other similar devices (e.g. ventilation, air conditioning, refrigeration); the installation of energy-efficient heat pumps in existing structures shall only be conditioned under this policy to the extent that the conditions are economically feasible.

ii) Machine shops, and light and general manufacturing

iii) Auto body, boat and aircraft repair shops

iv) Similar major noise generators as determined by the Director of the Department of Construction and Land Use on the basis of complaints received and citations issued under the Seattle/King County Noise Ordinance.

b. Review of Major Noise Generators

A report from an acoustical consultant shall be required to indicate the measures to be taken by the applicant in order to meet noise standards for the area. Such measures may include the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setback, use of specified construction techniques/building materials, etc. Measures to be used shall be indicated on the development plans which are submitted to DCLU for a use permit. Once the structure has been completed, the applicant/occupant shall be responsible for maintaining the measures which are necessary to keep the establishment within the acceptable noise levels.

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

4. Nonconformity

Existing uses which are nonconforming as to noise come under the provisions of the Noise Ordinance and shall be dealt with on a complaint basis. Uses which are found to be in violation shall be required to take corrective action within a specified time.

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M. Airborne Emissions and Odors Policy

POLICY INTENT

In order to maintain and encourage successful commercial activities while protecting employees, clients, nearby residents and the general public from the impacts which may occur from odors and airborne pollutants, certain uses and activities shall be regulated in all commercial zones. To this end, the City shall cooperate with the Puget Sound Air Pollution Control Agency to identify and review potential sources of odors or other airborne emissions to lessen their potential impacts.

1. General Conditions

No use may employ processes or store goods which cause detriment to the health, safety or welfare of any persons, or cause damage to property of any business by reason of the emission of an air contaminant, water vapor, odor, dust, smoke, cinders, gas, or fumes. Al uses shall be required to comply with the Seattle Building and Fire Codes for fire and life safety and the handling of all hazardous substances.

2. Major Odor Sources

a. Review of Major Odor Sources

Recognizing that some uses allowed in commercial areas may emit odors, a review by the Department of Construction and Land Use in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA) shall be established. From this review the Director shall determine appropriate measures to be taken by the applicant in order to reduce the potential impacts of odors.

b. Identification of Major Odor Sources

i) Uses which employ the following odor-emitting processes or activities shall be considered major odor sources:

(~~(pet)~~) animal food processing
lithographic, rotogravure or flexographic printing
film burning
fiberglassing
sale of gasoline and/or storage of gasoline in tanks larger than 260 gallons
handling of heated tars and asphalts
incinerating (commercial)
tire buffing

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metal plating
vapor degreasing
wire reclamation
use of boilers greater than 10^6 British Thermal Units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower

ii) The following uses shall be considered major odor sources except when the entire activity is provided on a retail or on-site customer service basis:

cooking of grains
smoking of food or food products
fish or fishmeal processing
coffee or nut roasting
deep fat frying
dry cleaning

iii) The Director of the Department of Construction and Land Use, in consultation with the Puget Sound Air Pollution Control Officer, may determine at some future time that other processes used in commercial areas create a nuisance or health hazard due to odor or air pollutant emissions. Such a process may be added to this list.

3. Venting of Vapor, Fumes and Odors

The venting of odors, fumes, and vapors shall be at least 10 feet above the ground and away from residential uses in order to ensure a safe and pleasant pedestrian environment at street level.

4. Compliance

All existing uses which are determined to be major odor sources will be permitted to continue to operate until a complaint is filed with the City. If the use is found to be in violation of this policy, measures to significantly reduce the potential for odor and airborne pollutant emissions shall be taken as determined according to the procedure in 2.c. above. The use shall be brought into compliance within a maximum of two years from the determination of a violation, with length of time to be determined by the Director of DCLU depending upon the complexity of the measures to be taken.

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N. Light and Glare Control Policy

POLICY INTENT

The direction and maximum height of exterior lighting or interior lighting of a parking structure, and the glare from reflective materials used on the exterior of structures located in commercial areas shall be controlled in order to reduce light and glare on surrounding uses, enhance the commercial environment, and encourage energy conservation. The intent of this policy is to facilitate adequate illumination of structures, parking areas, outdoor storage areas, and lighting directed toward signs and/or outdoor advertising, while ensuring that reflective surfaces and lighting do not create excessive glare.

1. Lighting

   a. Exterior lighting and interior lighting of parking structures shall be shielded from adjacent uses through directed lighting and use of hidden light sources (bulbs shall be totally within the light casing).

   b. Exterior lighting on poles shall be permitted up to a height of 30 feet from existing grade. In areas with a 40-foot height limit or greater, exterior lighting on poles shall be permitted up to a height of 40 feet from existing grade, provided that watts per square feet are at least 20 percent below the maximum exterior lighting level allowed under the Energy Code.

2. Glare Diagram Requirement

   In order to reduce the adverse impacts of light and glare on surrounding residential areas and major arterials, new development and expansion of existing structures greater than 65 feet tall shall be evaluated in terms of glare impacts. Structures may be required to use glare-reducing techniques such as altering the amount of reflective materials, the type of materials, or the angle of reflective surfaces. Glare diagrams, which clearly identify potential adverse glare impacts on residentially zoned areas and on major arterials, shall be required when:

   a. A structure is proposed to be surfaced with highly reflective materials, or

   b. A structure is proposed to have more than 30% glass surface.

3. Nonconformity

   Existing uses which are nonconforming as to the requirements of this policy shall be allowed to continue operating with the nonconformity. Because of costs involved, existing uses shall not be

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required to conform to the provisions of this policy. When remodelling or building expansion occurs, only the new portion of the development shall be required to conform to these provisions. However, if the lighting is to be replaced, all new lighting shall be shielded and shall conform to the maximum height limit.

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O. Setbacks Policy

POLICY INTENT

Setbacks shall not be required in commercial areas except for lots adjacent to a residential zone. The intent is to allow flexibility in siting, permit full use of a site for development permitted in commercial zones, and maintain and encourage contiguous building facades that provide an attractive commercial environment at street level. Setbacks shall be required for lots abutting or across an alley from a residential zone in order to provide light, air, and solar access and privacy standards shall be applied (~~uniformly~~) to all development in commercial areas, except for side setback requirements for structures containing only residential uses (~~including residential structures~~).

1. Commercial Lots Abutting or Across an Alley from Non-residentially Zoned Lots.

   No setbacks shall be required for structures in commercial areas abutting or across an alley from non-residentially zoned lots.

2. Commercial Lots Abutting or Across an Alley from Residentially Zoned Lots.

   a. Adjacent to the side and/or rear property line of a residentially zoned lot:

      i) For commercial or mixed use structures, setbacks shall be provided for structures on lot abutting or across an alley from the side or rear lot line of a residentially zoned lot. The setback required shall vary according to the building height as follows (see Figure O-1).

         -- No setback shall be required for that portion of a structure under 12 feet in height.

         -- A 10-foot setback shall be required for any portion of a structure between 12 and 65 feet in height. An additional one-foot setback shall be required for each additional 10 feet in height for portions of a structure over 65 feet in height.

      ii) For structures containing only residential uses, a setback shall be provided on lots abutting the side property line of a residentially zoned lot. The setback shall be 5 feet for structures up to 40 feet in height and 8 feet for structures 40 feet or more in height. An additional one-foot setback shall be provided for each additional 10 feet in height for portions of a structure over 65 feet in height. Setbacks shall also be provided on lots abutting or across an alley from the rear lot line of a residentially zoned lot according to subsection 2.a.i) above.

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iii)(~~ii)~~) In order to protect the privacy of abutting residential properties, no opening or window shall be permitted within 5 feet of the property line of a residentially zoned lot. Also, although decks and balconies shall be allowed to extend into required setback areas, no such open space area shall be permitted within 5 feet of the property line of a residentially zoned lot.

iv)(~~iii)~~) On lots across an alley from a residentially zoned lot, the width of the alley shall count as part of the required setback area since the alley provides separation between commercial and residential areas.

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b. Adjacent to the front setback of a residentially zoned lot

In order to provide a smooth transition between residential and commercial areas, and preserve a sense of openness and visual access to the street from a residential lot, the following setback shall be required: no development shall be allowed within a triangular area located in the front of a commercially zoned lot abutting the front setback of a residentially zoned lot. Two sides of this triangular area shall extend a minimum of 15 feet along the street and side lot lines of the commercially zoned lot. (Examples in Figure 0.2).

3. Expansion of Existing Structures into Required Setbacks

Expansion or extension of an existing structure to provide access for the elderly or disabled shall be permitted even when the expansion would extend into a required setback.

4. City Light Setback Requirements

State of Washington electrical safety requirements stipulate that a 10-foot distance be maintained in every direction between overhead electrical conductors and buildings over 25 feet in height. If the 10-foot setback is not maintained, the wiring must be placed underground. This requirement shall be enforced either through the establishment of a setback greater than would otherwise be required by the setback development standards contained in this policy or by payment of a fee by the developer to cover the cost of undergrounding the electrical wiring.

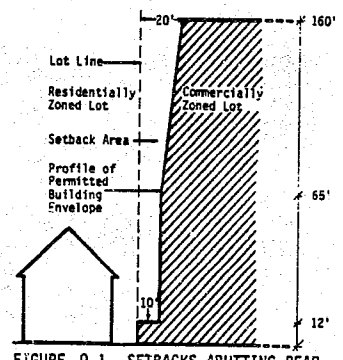

FIGURE 0-1 SETBACKS ABUTTING REAR OR SIDE YARD OF RESIDENTIALLY ZONED LOT

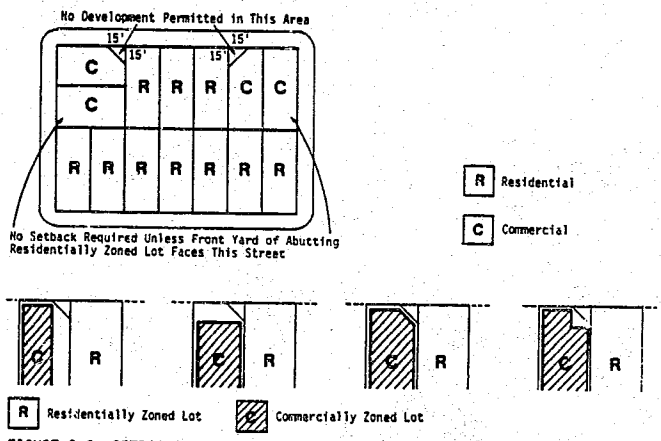

FIGURE 0-2 SETBACKS ABUTTING RESIDENTIALLY ZONED LOTS

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P. Screening and Landscaping Policy

POLICY INTENT

Screening, landscaping and street trees shall be required in commercial areas. The intent of this policy is to enhance the business environment and maintain compatibility with surrounding residential areas. Thus, development standards are established to improve the street environment of commercial areas, to reduce light and glare, and to maintain compatibility with the landscaped character of adjacent residential areas.

1. General Screening and Landscaping Standards

The following general screening and landscaping standards are established. The application of these standards is described in paragraphs 2 through 8 below.

a. Three-Foot High Screening: A three-foot high fence, wall or hedge shall be provided along the street property line(s). The purpose of this screening is to soften the appearance of outdoor activities, and to maintain continuity along the street front, yet still allow visibility into and out of the area.

b. Six-Foot High Screening: A six-foot high fence, wall or hedge shall be provided along the property line(s). The purpose of this screening is to obscure the view of outdoor activities, particularly when abutting or across from property in a residential zone.

c. Five-Foot Deep Landscaped Area: A five-foot deep landscaped area, consisting of a combination of trees, shrubs, and groundcover, shall be provided along specified property lines. The purpose of such a landscaped setback is to improve the appearance of a fence, wall or outdoor activity, to provide greenery in commercial areas and to separate specified activities from abutting residentially zoned lots.

d. Street Trees: Street trees shall be provided in the planting strip along the street front, in order to provide partial screening and visual relief, particularly when outdoor activities are located across from a residential zone. Street trees shall be planted in accordance with the street tree planting standards which supplement the Street Use Ordinance 90047, Section 35. These standards cover such items as types of trees recommended, and spacing requirements and restrictions. If these standards cannot be met or if the City's landscape architect determines that such plantings are not appropriate for a given area, a five-foot deep landscaped setback shall be required along the street property line(s).

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In a landscaped area is already required, the trees shall be planted in such an area if they cannot be locate din the planting strip.

e. Interior Landscaping of Parking Areas: One canopy tree per ten parking spaces shall be provided within large parking areas in such a manner that the expanse of pavement and cars is visually broken and softened.

2. Screening and Landscaping Provisions for Parking Lots, Parking Structures, and Off-street Loading Spaces.

a. Open parking aras, including access to parking and loading spaces:

When abutting or across an alley from a property in a residential zone, six-foot high screening and a five-foot deep landscaped area inside the fence shall be provided, except that the Director may reduce or waive part or all of the screening and/or landscaping requirements when required parking can only be provided at the rear lot line and the alley is necessary to provide aisle space. In making the determination to waive or reduce the landscaping and screening requirements, the Director shall consider the following criteria:

Criteria:

i) Whether or not the lot width and depth permits a viable plan for the building and parking which would preserve the screening and landscaping; and

ii) The character of use across the alley, such as facing windows of apartments or homes, on the other hand, or multi-family parking structures on the other;

iii) Whether the property is located in a Pedestrian zone and therefore access to parking from the street is not feasible or is undesirable;

iv) Whether a topographic break between the alley and the residential zone makes screening less necessary.

b. Open parking areas for 10 or fewer vehicles: Three-foot high screening shall be provided along the street front in all commercial areas. When across the street from a property in a residential zone, street trees shall also be provided.

c. Open parking areas for more than 10 vehicles: Three-foot high screening and street trees shall be provided along the street front in all commercial areas.

d. Open parking areas for more than 50 vehicles: Three-foot high screening and street trees shall be provided, as well as interior landscaping in all commercial areas.

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e. Parking within structures: Parking shall be screened either by the building facade or a six-foot high screen. In addition, a five-foot deep landscaped area along the street property line(s) and all property lines abutting a residential zone shall be provided. This shall apply to both parking structures and parking at ground level of buildings. Windows shall not be required in the building facades. (~~A five-foot deep landscaped area along the street property line(s) and all property lines abutting a residential zone shall be provided. This shall apply to both parking structures and parking at ground level of a commercial building.~~)

(~~3. Screening and Landscaping Provisions for Parking Areas or Structures for Single-Purpose Residential Developments~~

~~a. Parking at or below ground level within a structure: Along the street property line, parking shall be screened either by the building facade or by a 5-foot deep landscaped area, a 6-foot high screen, and street trees.~~

~~b. Open parking areas along any street: Open parking areas along any street shall require street trees, a 3-foot high screen, and interior landscaping.~~)

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4. Screening and Landscaping Provisions for Outdoor Sales and Service Activities, Including the Outdoor Display of Rental Equipment

   a. When abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided.

   b. When across the street from a property in a residential zone, three-foot high screening and street trees shall be provided along the street front.

5. Screening and Landscaping Provisions for Drive-In Businesses

   a. Drive-in Businesses:

      i) When abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided. A five-foot deep landscaped area inside the fence shall also be provided when the drive-in facility or its access area is along the side which abuts the residential zone.

      ii) When the drive-in facility is across the street from a property in a residential zone, three-foot high screening and street trees shall be provided along the street front.

   b. Auto Service Stations:

      i) In NC1, NC2 and NC3 areas, and in C1 and C2 areas when across the street from a residentially zoned lot, three-foot high screening along the street property line(s) and street trees shall be required.

      ii) In all classifications, when abutting or across an alley from a property in a residential zone, six-foot high screening shall be provided along the property line(s) abutting or across the alley from the residential zone.

6. Screening and Landscaping Provisions for Outdoor Storage Areas

   a. In C1 areas, outdoor storage shall be located behind a building or shall include six-foot high screening between the storage area and all property lines. A five-foot deep landscaped area shall be provided on the street side of the screening along the property line(s). When across the street from a residentially zoned lot, street trees shall also be provided.

   b. In C2 areas when across the street from a residentially zoned lot, outdoor storage shall be located behind a building or shall include six-foot high screening along the street property line(s) and street trees shall be provided. (See Figure P-1).

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7. Landscaping Provisions for Blank Facades

In NC1, NC2 and NC3 areas, and C1 and C2 areas which are across the street from a residentially zoned lot, street trees shall be provided along the street front of blank building facades. (See Figure P-2).

8. Screening and Landscaping Provisions for Mobile Home Parks

A landscaped setback of 5 feet shall be provided along the street front to protect the privacy of the mobile home park residents; where conditions permit, a 5-foot planting strip with street trees may be substituted for the landscaped setback. Six-foot high screening shall be provided along all other property lines.

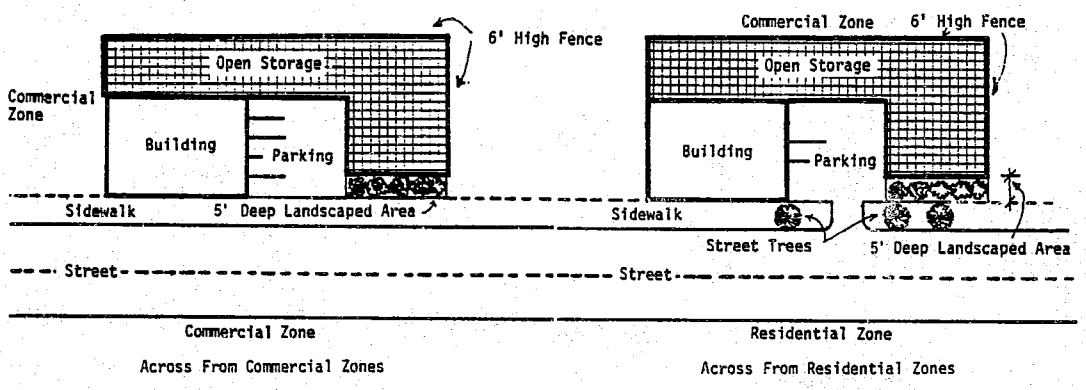

FIGURE P-1 OPEN STORAGE LOCATION AND SCREENING IN C1 AREAS

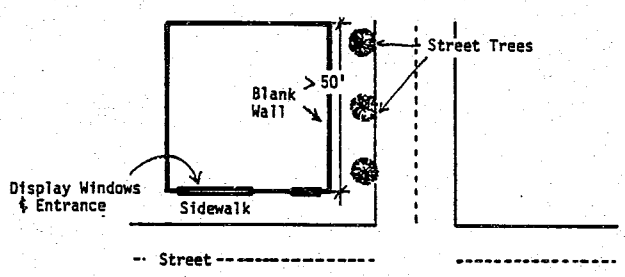

FIGURE P-2 STREET TREES ALONG BLANK FACADES

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Q. Hazardous Materials Policy

All permitted uses which use materials defined as hazardous by the Seattle Building or Fire Codes must meet appropriate standards of those Codes for fire and life safety. However, storage or manufacturing of substances classified as hazardous under Group H occupancy in the Seattle building code shall be prohibited in all commercial zones in order to protect the health and safety of those living and working in the area.

R. Nonconforming Structures Policy

Unless otherwise specified in these policies, existing nonconforming structures shall be allowed to continue, be maintained, and structurally altered or expanded, as long as the nonconformity is not increased. An exception shall be allowed for expansions, extensions, or structural alterations otherwise required by law or necessary to improve access for the elderly and disabled, even if such alterations increase the structure's nonconformity.

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V. COMMERCIAL AND RESIDENTIAL/COMMERCIAL ZONES

A. Overview

1. Commercial land shall be assigned one of five commercial zone classifications (NC1, NC2, NC3, C1 or C2) according to locational criteria which include the area's commercial function, its existing and desired character and the physical conditions of the area and its surroundings. In determining the appropriate zone designation, each of the locational criteria must be considered.

2. Regulation of uses and development standards are specified in this part for each zone; general use policies and development standards which apply to all the commercial zones are found in Parts III and IV respectively.

B. Neighborhood Commercial 1 (NC1)

1. Locational Criteria

a. Function

A small area composed primarily of businesses providing convenience retail sales and services to the adjoining residential neighborhood.

b. Character

(i) Existing

Small commercial area surrounded by low density residential areas.

(ii) Desired Characteristics

- Variety of small neighborhood-serving businesses
- Continuous storefronts with commercial use, built to the front property line
- Pedestrian-friendly atmosphere
- Shoppers can drive to the area, but walk from store to store

c. Physical Conditions Favoring Designation as NC1

(i) Surrounded by low density residential areas

(ii) No physical edges to buffer the residential area

(iii) Lack of vacant land or land appropriate for additional commercial development within the commercial area.

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(iv) Accessed through low density residential neighborhoods (i.e., commercial area will draw traffic through neighborhood)

(v) Generally, limited street capacity

(vi) Limited transit service

(vii) Limited off-street parking capacity

2. Uses

See Part III for General Commercial Areas Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3. Development Standards Summary for NC1 Zones

See Part IV for the specific statements on development standards for all zones.

a. Maximum size of use:
- 4,000 square feet
- Exception: multi-purpose convenience store, medical clinics = 10,000 square feet
- Existing uses may expand up to 10,000 square feet through Council conditional use

b. Outdoor Activities:

- Outdoor Sales - Permitted; limited to 40% of the lot or 1,500 square feet, whichever is less

- Rental Equipment - Permitted; limited to 10% of the lot or 500 square feet, whichever is less

- Outdoor Storage - Prohibited

- Recyclable Materials: - Permitted; limited to 10% of the lot or 500 square feet, whichever is less

c. Drive-in Businesses: - Prohibited; except gas stations up to four lanes

d. Parking Location: - Rear and/or side of building

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e. Curb Cuts: - One 2-way up to 25' or two 1-way up to 15' each

f. Bicycle Parking Spaces: - When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces

g. Signs: - Limited number, size, and type of signs; billboards prohibited

h. Enclosure to Reduce Noise: - All processing activities conducted within enclosed structure

i. Screening/Landscaping: - Citywide standards, plus screening/landscaping required for parking areas, gas stations, blank facades

C. Neighborhood Commercial 2 (NC2)

1. Locational Criteria

a. Function

A pedestrian-oriented shopping area which provides a full range of household and personal goods and services, including convenience and specialty goods, to the surrounding neighborhoods.

b. Character

(i) Existing

The NC2 zone may be appropriate for any of the following types of areas:

-- Medium-sized node generally surrounded by low to medium density residential areas, or

-- Small commercial area located at the edge of a larger business area, which provides a transition between intense commercial activity and surrounding areas, or

-- Area in the core of an established commercial district characterized by a concentration of small retail and service uses, or

-- Commercial area along major arterial where lots are generally small and shallow, and are surrounded by low density residential areas.

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(ii) Desired Characteristics

-- Variety of small to medium-sized neighborhood-serving businesses.

-- Continuous storefronts with commercial use, built to the front property line.

-- Pedestrian-friendly atmosphere.

-- Shoppers can drive to the area, but walk from store to store.

c. Physical Conditions Favoring Designation as NC2

(i) Surrounded by low to medium density residential areas

(ii) Lack of strong edges to buffer the residential area

(iii) Lack of vacant land or land appropriate for additional commercial development within the commercial area

(iv) Access through low and medium density residential areas

(v) Located on streets with good capacity (major traffic streets and minor arterials), but generally not on major transportation corridors.

(vi) Limited transit service (i.e., a few routes)

(vii) Limited off-street parking capacity - may include a parking area for supermarket or other larger use

2. Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3. Development Standards Summary for NC2 Zones

See Part IV for the specific statements on development standards for all zones.

a. Maximum size of use:
- 15,000 square feet
- Exceptions: multi-purpose convenience stores = 25,000 square feet
- Exception: custom/craft work, food processing, light manufacturing = 5,000 square feet
- Existing uses may expand through Council conditional use up to 25,000 square feet if threshold limit is 15,000 square feet, and to 10,000 square feet if threshold limit is 5,000 square feet.

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b. Outdoor Activities:

- Outdoor Sales:	- Permitted; limited to 40% of the lot or 10,000 square feet, whichever is less
- Rental Equipment:	- Permitted; limited to 15% of the lot or 1,000 square feet, whichever is less
- Outdoor Storage:	- Prohibited
- Recyclable Materials:	- Permitted; limited to 10% of the lot or 1,000 square feet, whichever is less

c.	Drive-in Businesses:	- Permitted up to two lanes; gas stations up to four lanes
d.	Parking Location:	- Rear and/or side of building
e.	Curb Cuts:	- One 2-way up to 25' or two 1-way up to 15' each
f.	Bicycle Parking Spaces:	- When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces
g.	Signs:	- Limited number, size, and type of signs; billboards prohibited
h.	Enclosure to Reduce Noise:	- All processing activities conducted within enclosed structure
i.	Screening/Landscaping:	- Citywide standards, plus screening/landscaping required for gas stations, blank facades

D. Neighborhood Commercial 3 (NC3)

1. Locational Criteria

a. Function

A pedestrian-oriented shopping district serving the surrounding neighborhood and a larger community or city-wide clientele. The area provides for comparison shopping with a wide range of retail goods and services. The area also provides offices

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and business support services that are compatible with the retail character of the area and may also include residences.

b. Character

(i) Existing

The NC3 zoning may be appropriate for either of the following types of areas:

-- Major commercial nodes surrounded by medium-to-high density residential areas or other commercial areas, or

-- Commercial, retail-oriented strip along a major arterial with significant amounts of retail frontage and generally surrounded by medium density residential areas

(ii) Desired Characteristics

-- Variety of retail businesses at street level

-- Continuous storefronts built to the front property line

-- Intense pedestrian activity

-- Shoppers can drive to the area, but will walk around from store to store

-- Cycling and transit are important means of access

c. Physical Conditions Favoring Designations as NC3

(i) Served by principal arterial

(ii) Separated from low density residential areas by physical edges, less intense commercial areas or more intense residential areas

(iii) Highly accessible for large numbers of people (considering present and anticipated congestion) so that intense activity of a major commercial node can be accommodated

(iv) Circulation system accommodates commercial traffic without drawing traffic through residential areas

(v) Excellent transit service

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(vi) Presence of large, perhaps shared, off-street parking lots; land available for additional parking, or other means to accommodate parking demand

2. Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3. Development Standards Summary for NC3 Zones

See Part IV for the specific statements on development standards for all zones.

a. Maximum Size of Use:
- No maximum size
- Exceptions: building materials, fuel sales, construction, farm and industrial equipment, indoor participant sports and recreation, passenger terminals = 25,000 square feet
- Exception: warehouse, mini-warehouse, wholesale showroom = 15,000 square feet
- Exception: custom/craft work, food processing, light manufacturing = 10,000 square feet
- Existing uses with threshold size limits less than 20,000 square feet may expand through Council conditional use to 20,000 square feet

b. Outdoor Activities:

- Outdoor Sales:	- Permitted without size limit
- Rental Equipment:	- Permitted; limited to 15% of the lot or 1,000 square feet, whichever is less
- Outdoor Storage	- Prohibited
- Recyclable Materials:	- Permitted; limited to 10% of the lot or 1,000 square feet, whichever is less

c. Drive-in Businesses: - Permitted up to four lanes; gas stations unlimited lanes

d. Parking Location: - Rear and/or side of building

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e. Curb Cuts: - One 2-way up to 25' or two 1-way up to 15' each

f. Bicycle parking spaces: - When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces

g. Signs: - Limited number and size of signs; billboards permitted

h. Enclosure to Reduce Noise: - All processing activities conducted within enclosed struture

i. Screening/Landscaping: - Citywide standards, plus screening/landscaping required for gas stations, blank facades

E. Commercial 1 (C1)

1. Locational Criteria

a. Function

An auto-oriented commercial area, primarily retail/service in nature, which serves surrounding neighborhoods and the larger community or city-wide clientele. The area provides a wide range of commercial services, including retail, offices and business support services and may also provide for residential uses.

b. Existing Character

-- Shopping centers, or

-- Shopping areas along arterials where customers drive from one individual business to another

c. Physical Conditions Favoring Designation as C1

(i) Readily accessible from a principal arterial

(ii) Presence of edges which buffer low density residential areas, such as more intense residential areas, less intense commercial, or changes in street layout or platting pattern which tend to define boundaries.

(iii) Predominance of large lots which can accommodate wide range of commercial activity

(iv) Limited pedestrian access on the public right-of-way, curb cuts, auto movement or parking lots create an environment which is unfriendly to pedestrian activity.

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(v) Presence of large, perhaps shared, off-street parking lots; readily accessible from major transportation corridors or arterials

2. Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3. Development Standards Summary for C1 Zones

See Part IV for the specific statements on development standards for all zones.

a.	Maximum Size of Use:	- No maximum size - Exception: mini-warehouses = 40,000 square feet - Exception: warehouse, wholesale showroom = 25,000 square feet - Exception: general manufacturing = 15,000 square feet
b.	Outdoor Activities	
	- Outdoor Sales:	- Permitted without size restriction
	- Rental Equipment:	- Permitted without size restriction
	- Outdoor Storage:	- Permitted without size restriction
	- Recyclable Materials:	- Permitted; limited to 10% of the lot or 1,000 square feet; if larger, must comply with outdoor storage standards
c.	Drive-in Businesses:	- Permitted without restriction in number of lanes
d.	Residential:	- Permitted outright
e.	Parking Location:	- No restriction on location
f.	Curb Cuts:	- Engineering Department review; maximum width generally 25'
g.	Bicycle Parking Spaces:	- When more than 20 parking spaces required, provide 1 bicycle parking space for every 10 auto spaces
h.	Signs:	- Limited number; limited height; no limit on size; and type of signs; billboards permitted

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i. Enclosure to Reduce Noise: - All processing activities conducted within enclosed structure if within 50 feet of residential zone

j. Screening/Landscaping: - Citywide standards, plus screening/landscaping required for outdoor storage; required when gas station, blank facade abut/across street from residentially zoned lot

F. Commercial 2 (C2)

1. Locational Criteria

a. Function

An auto-oriented, primarily non-retail commercial area which provides a wide range of commercial activities serving a city-wide function. These areas provide employment opportunities, business support services and locations for light manufacturing uses.

b. Existing Character

(i) Major commercial nodes characterized by heavy commercial activity, often including a few major employers, or

(ii) A commercial strip located along a major arterial characterized by heavy commercial activity

c. Existing Conditions Favoring Designation as C2

(i) Readily accessible from a principal arterial

(i) Possibly adjacent to manufacturing/industrial zones

(ii) Presence of edges which buffer low density residential areas, such as more intense residential areas, less intense commercial areas or changes in street layout or platting pattern which tend to define boundaries

(iii) Predominance of large lots which can accommodate a wide range of heavy commercial and light manufacturing activity.

(iv) Limited pedestrian access

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2. Uses

See Part III for General Commercial Area Use Policies and Commercial Policies Appendix A for specific use categories regulation by zone.

3. Development Standards Summary for C2 Zones

See Part IV for the specific statements on development standards for all zones.

a.	Maximum Size of Use:	- No maximum size
b.	Outdoor Activities:	
	- Outdoor Sales:	- Permitted without size restriction
	- Rental Equipment:	- Permitted without size restriction
	- Outdoor Storage:	- Permitted; screening/landscaping required when across residentially zoned lot
	- Recyclable Materials:	- Permitted; limited to 10% of the lot or 1,000 square feet; if larger, must comply with outdoor storage standards
c.	Drive-in Businesses:	- Permitted without restriction in number of lanes
d.	Residential:	- All residential development = conditional use
e.	Parking Location:	- No restriction on location
f.	Curb Cuts:	- Engineering Department review; maximum width generally 25'
g.	Bicycle Parking Spaces:	- No requirement
h.	Signs:	- Limited number; limited height; no limit on size; and type of signs; billboards permitted
i.	Enclosure to Reduce	- All processing activities conducted within enclosed structure if within 50 feet of residential zone

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j. Screening/Landscaping: - Citywide standards, plus screening/landscaping required for outdoor storage, gas stations, blank facades abutting or across street from residentially zoned lot

G. Residential-Commercial (RC)

1. Locational Criteria

a. Function

A residential-commercial (RC) designation may be appropriate in any of the following circumstances:

i) As a means to downzone strip commercial areas which have not been extensively developed in commercial use

ii) As a means to downzone small commercial areas which have not been extensively developed in commercial use and where commercial services are available nearby

iii) To provide opportunities for needed parking in areas where spillover parking is a major problem

iv) As a means to support an existing commercial node

b. Character

i) Existing

-- Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but where a pattern of mixed residential/commercial development is present, or

-- Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas.

ii) Desired Characteristics

-- Physical appearance of adjacent residential areas

-- Mixed use with small commercial uses at street level

c. Physical Factors Favoring Designation as RC

i) Lack of edges or buffer between residential and commercial uses

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ii) Lack of buffer between major arterial and residential uses

iii) Streets with adequate access and circulation

iv) Insufficient parking in adjacent Commercial zone results in parking spillover on residential streets

2. Uses

a. All uses permitted in the multi-family residential classification of the RC zone shall be permitted according to the residential zone standards for such uses. In addition, all uses permitted in NC1 shall be permitted at ground level or below, except for the following which shall be prohibited, due to possible impacts (noise, traffic and incompatible hours of operation) which may detract from the residential character of the area:

i) Gas stations

ii) Fast food restaurants

iii) Taverns

iv) Entertainment

b. Parking at grade or below, which is accessory to uses in adjacent commercial zones shall be

i) permitted as a conditional use in all multi-family/RC zones.

c. Single-purpose parking structures shall be prohibited.

d. Conditional Use Criteria

In order to approve conditional use requests for parking lots, the Director must find that:

i) the proposed parking area is necessary to meet parking requirements, or the proposed parking area will be used as a shared parking facility,

ii) the proposed parking area is necessary to avoid the worsening of congestion of the commercial area,

iii) the proposed parking is necessary to avoid creation or worsening of excessive spillover parking in the adjacent residential areas.

iv) other parking options such as shared parking have been considered and found to be unavailable in the adjacent commercial zone, and

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v) the proposed parking area does not encourage traffic to pass through adjacent residential areas.

3. Development Standards for RC

The RC designation shall be combined with a multi-family designation, i.e., L1/RC, L2/RC, L3/RC, MR/RC or HR/RC. The following development standards shall apply.

a. The development standards for height, setbacks (including required landscaping), open space, bulk, location and appearance of off-street parking, and curb cuts shall be the same as development standards for the multi-family residential classification of the RC zone, unless specified below.

b. Maximum Size of Commercial Use

Maximum size of an individual business establishment shall be 4,000 square feet, except in MR/RC and HR/RC zones, multi-purpose convenience stores shall be permitted up to 10,000 square feet.

c. Location of Principal Commercial Use

Ground level or below; no new single-purpose commercial buildings shall be allowed.

d. Outdoor Activities

Outdoor activities shall generally be prohibited; an exception shall be for the following accessory uses:

i) The sale of fruits, vegetables, flowers and plants. The outdoor sales area shall be limited to 1,000 square feet, and shall be included in determining the maximum size of business.

ii) Recyclable material collection centers located in parking areas according to the development standards for the multi-family residential classification of the RC zone.

e. Drive-in Businesses

All drive-in business shall be prohibited, including gas stations.

f. Parking Location, Access and Appearance

i) Mixed Residential/Commercial Development: Same as the development standards for the location and appearance of parking for the multi-family residential classification of the RC zone.

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ii) Parking Facility Accessory to Uses in Adjacent Commercial Zone: The following minimum standards shall be met. Additional screening and landscaping may be required in order to ensure compatibility with surrounding scale and streetscape:

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-- Screening and Landscaping: A minimum of 15 percent of the lot shall be landscaped. The following specific landscaped areas shall be required, and may count toward the 15 percent requirement:

A minimum ten-foot deep landscaped setback shall be provided along the front property line (consistent with the front setbacks of adjacent residential or residential/commercial development). A minimum five-foot deep landscaped setback shall be provided along all other street property lines.

When abutting a property in a residential zone, six-foot high screening and a five-foot deep landscaped area inside the screening shall be provided.

When across the street from a residential zone, three-foot high screening shall be provided between the parking area and the landscaped setback along all street property lines.

-- Access: Whenever possible, access to parking shall be from the commercial area.

-- Curb Cuts: Curb cuts shall be limited to one two-way curb cut with a maximum width of 25 feet, or two one-way curb cuts with a maximum width of 15 feet each.

g. Signs

i) Maximum Dimensions: Individual sign size - 85 square feet; total sign area per business - 170 square feet; height of individual sign - 15 feet.

ii) Type: Wall signs only, located on the commercial portion of the structure.

iii) Signs for Parking Facilities Accessory to Uses in Adjacent Commercial Zone: No signs of any kind other than to designate entrances, exits or conditions of use, shall be allowed. Such signs shall not exceed eight square feet in area nor shall there be more than one such sign for entrance or exit.

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VI. COMMERCIAL HEIGHT

A. Overview

The following height limits shall be established for commercial areas: 30 feet; 40 feet; 65 feet; 85 feet; 125 feet; and 160 feet. Height limits shall be assigned to all commercial areas independently of the commercial zone designation. Different areas within a zone may be assigned different height limits. The appropriate height limit for an area shall be determined according to the locational criteria in Section B below. The height limit shall apply to every structure in the area regardless of use.

Areas with height limits of 85 feet or higher shall be subject to maximum floor area ratio (FAR) provisions. Changing the height limit in a commercial area shall require a rezone. The only exceptions to the height limits shall be for sloping sites, pitched roofs and for special roof top features.

B. Locational Criteria

The height limit for a commercial area shall be assigned, taking into account the Goals of these Policies (Part I, particularly Goals (~~A, G, E, I, L, M, N, O, P, R, S and T~~ A-1, A-4, A-7, A-8, B-2, B-3, B-4, B-5, B-9, B-10, and B-12) and the following factors:

1. Function of the zone

   The height limit shall provide development potential for commercial activity which directly serves or is compatible with the function of the zone. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.

2. Community recommendations

   Particular attention shall be given to business and community recommendations as contained in existing or future Neighborhood Plans adopted by the Council.

3. Service Capacities

   The development which can reasonably be anticipated based on the permitted development potential shall not exceed the service capacities which can reasonably be anticipated for in the area including:

   -- Street access to the area. Development shall be limited where arterial access capacity is insufficient

   -- Street capacity in the area

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-- Transit service

-- Parking capacity

-- Sewer capacity

4. Topography of the area and its surroundings

The height limit shall reinforce the natural topography of the area and its surroundings and the likelihood of view blockage shall be considered.

5. Height and Scale of the Area

a. The height limits established by current zoning in the area shall be given consideration.

b. In general, permitted height limits shall be compatible with the predominant height and scale of existing development particularly where existing development is a good measure of the area's overall development potential.

6. Height and scale of the surrounding area

a. The height limits for an area shall be compatible with actual and zoned heights in surrounding areas, provided that buildings developed under Major Institutions height limits shall not be considered and height limits assigned to the underlying zone, rather than the Major Institutions designation, shall be considered.

b. A gradual transition in height and scale and level of activity between zones shall be provided unless major physical edges are present. These edges may be:

-- natural features such as topographic breaks, lakes, rivers and ravines;

-- freeways, expressways, and other major traffic arterials;

-- street layout and block orientation;

-- open spaces and greenbelts.

7. Environmental impacts such as air pollution, glare, noise, odor, shadows and pedestrian safety shall be considered.

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C. Height Rezone Evaluation Criteria: (subsequent to completion of the legislative mapping process) Changes in height shall be based on:

(~~1. Conditions necessary for rezone~~)

(~~Once the zoning map is adopted implementing the new land use policies for Commercial Areas, changes in height must be based on one of the two following reasons:~~)

1. (~~a.~~) Consideration of the locational criteria for commercial heights listed in VI.B. above, provided that existing structures with non-conforming heights shall not be considered; and

2. (~~b.~~) Zoning history including previous zoning changes both in and around the area proposed for rezone.

3. (~~a.~~) Changes in circumstances (~~have changed~~) since the adoption of the zoning. Changed circumstances since the adoption of the zoning map need not be shown to justify a proposed rezone. However, changed circumstances is an important factor to be considered along with the factors listed in sections C1 and C2 above. Evidence of such changes may include but need not be limited to changes in or near the area in economic or market conditions, availability of land, technology, population characteristics (but not including changes permitted in adjacent major institutions), transportation patterns and capacities, parking availability and environmental impacts.

4. (~~b.~~) Changes in height limit(s) (~~are~~) recommended in a Neighborhood Plan or Business District Plan adopted by the Council subsequent to adoption of the zoning map.

(~~2. Evaluation Criteria:~~)

(~~In addition to the above,~~)

D. Measurement of Height

1. Height measurement techniques are intended to ensure predictable maximum heights under varying topographic conditions, so that the extent to which views will be preserved can be determined and so that scale which is compatible with adjacent buildings can be maintained.

2. The height of buildings shall be measured to reflect the natural contours of the land and to maintain a consistent maximum height throughout the building envelope. The building envelope shall follow the existing grade of a site; measurements from artificially created grades to gain height advantages shall be prohibited. The maximum building envelope shall reflect the ground surrounding the envelope. This envelope shall have a maximum height throughout, equal to the height limit for the area, except on sloping sites where an additional one foot in height on the downhill wall shall be allowed for every 6 percent of slope up to a maximum of five feet. (See Figure D-1.)

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E. Floor Area Ratio

Maximum floor area ratios (FAR's) shall be established for structures built at 85 feet or higher in commercial areas in order to control the density of development. The intent is to ensure compatible scale of development and control such impacts as shadows, bulk and traffic associated with highrise development.

1. 85-foot height limit areas

The maximum floor area ratio allowed in 85-foot height limit areas shall not exceed 4.5 times the area of the lot for developments of single purpose commercial uses; and 6 times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use -- commercial or residential -- in a mixed use development shall not exceed 4.5 FAR.

2. 125-foot height limit areas

The maximum floor area ratio allowed in 125-foot height limit areas shall not exceed 5 times the area of the lot for developments of single purpose commercial uses, and 6 times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use -- commercial or residential -- in a mixed use development shall not exceed 5.0 FAR.

3. 160-foot height limit areas

The maximum floor area ratio allowed in 160-foot height limit areas shall not exceed 5 times the area of the lot for developments of single purpose commercial uses, and 7 times the area of the lot for developments of mixed commercial and residential uses. Total floor area devoted to a single use -- commercial or residential -- in a mixed use development shall not exceed 5 FAR.

F. Height Limits in Shoreline Areas

The development standards of the commercial areas policies shall apply in shoreline areas; however, building heights shall not exceed the height maximums established in the Shoreline Master Program. Height in shoreline areas shall be measured according to the State requirements, as described in the Shoreline Master Program regulations.

G. Exceptions to Height Limits

1. Objects categorically exempt from height control shall be limited to aerials excluding dishes, transmission towers, smokestacks, spires for religious institutions, and flagpoles provided that they are a minimum distance from adjoining lots. These objects are necessary for the normal operation of the use, and cannot be expected to meet the height limit.

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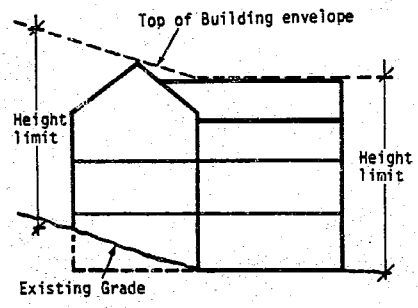
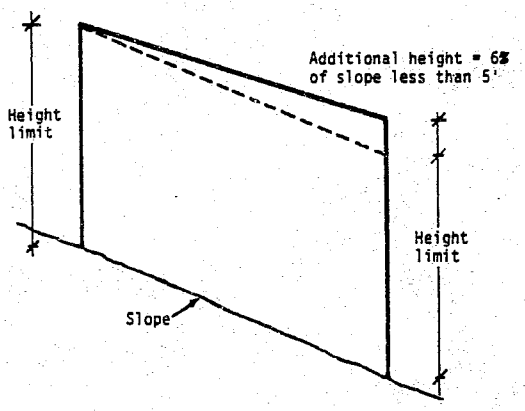


FIGURE D-1 HEIGHT MEASUREMENT



ADDITIONAL HEIGHT FOR SLOPING SITES

2. Pitched Roof Provision

In order to encourage pitched rather than flat roofs in commercial areas with 30- and 40-foot height limits, the ridge of pitched roofs, with a minimum of three in twelve pitch shall be allowed to extend up to 5 feet above the maximum building envelope allowed. Pitched roofs are more consistent with Seattle's residential character and reinforce the City's land form.

While pitched roofs may be combined with rooftop features allowed in item 3. below, the additional 5 feet allowed in this provision may not be added to any additional height allowed under Item 3.

3. Control of Rooftop Features

Exceptions for rooftop features shall be provided to allow normal functions and operation of the building and the development of solar energy. The height, placement, coverage, and to a limited extent, design of rooftop features shall be regulated in order to maintain predictable heights, and control elements which block or detract from views.

Features included are:

a. parapet walls

b. stair and elevator penthouses

c. mechanical equipment

d. recreation facilities and open mesh fencing which encloses it

e. solar collectors

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VII. SPECIAL DISTRICT OVERLAYS

A. Pedestrian District 1 (P1)

1. Locational Criteria

   a. Function

      To preserve and encourage an intensely retail and pedestrian-oriented shopping district where non-auto modes of transportation to and within the district are strongly favored.

   b. Desired Characteristics

      i) Intense pedestrian interest and activity at street level

      ii) Wide variety of retail/service activities

      iii) Large number of shops and services per block

      iv) Built to the front property line with a minimum of auto-oriented uses

      v) Minimal pedestrian-auto conflicts

   c. Physical Conditions Favoring Designation as P1

      i) Pedestrian district generally surrounded by medium to high density residential areas and/or major activity centers

      ii) Excellent access for transit, bicycle and pedestrian

      iii) Availability of on- and off-street parking which can accommodate those who drive to the area

      iv) Commercial areas with sufficient depth to accommodate off-street parking away from the principal pedestrian street

      v) Alleys or side streets allow access to parking areas by means other than curb cuts on principal pedestrian street

      vi) Strong existing pedestrian character substantially reduces impact of parking waiver on surrounding areas

2. Uses

   Uses shall be the same as the underlying classifications with the following exceptions:

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a. Permitted Uses

Fast food restaurants up to 2,500 square feet, which provide indoor dining areas and do not provide off-street parking, shall be permitted outright. Not requiring conditional use approval recognizes first that such restaurants do not have the trip generation impacts of other fast food restaurants, and second that in pedestrian zones, such restaurants will serve primarily pedestrian traffic and therefore will not generate significant parking impacts.

b. Conditional Uses

(See minimum parking requirements 3.6. below.)

c. Prohibited Uses

Drive-in businesses including auto service stations.

3. Development Standards

a. Permitted Street Front Retail and Service Uses

In order to maintain pedestrian activity and interest, only the retail and service uses listed below are permitted along the principal pedestrian street front. An exception shall be made for limited pedestrian access to other uses located behind or above the street front uses. Permitted street front uses shall be limited to those uses permitted in the underlying classification which are within the following use categories (see Appendix A):

-- personal and household retail sales and services

-- eating and drinking establishments

-- customer service offices

-- entertainment

b. Minimum Parking Requirement

i) Permitted street front retail and service uses (See 3(a) above):

-- Restaurants, taverns: Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet; additional waiver may be granted through a conditional use procedure.

-- Motion picture theaters: Parking waived for first 150 seats. Parking required to extent that use exceeds 150 seats; additional waiver may be granted through a conditional use procedure.

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-- Other permitted street front retail and service uses: Parking waived for first 4,000 square feet in NC1, 15,000 square feet in NC2 and 25,000 square feet in NC3. Parking required to extent that use exceeds 4,000 square feet in NC1, 15,000 square feet in NC2, and 25,000 square feet in NC3; additional waiver may be granted through a conditional use procedure.

ii) Other non-residental uses (excluding b(i) above): Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet.

iii) Residential: Full parking required.

iv) No additional parking reduction shall be allowed for uses located within 800 feet of a street with excellent transit service. (See IV.G.2.b., Minimum off-street parking policy.)

c. Blank Facades

No use shall have a blank facade which is greater than 30 feet in width along the principal pedestrian street front.

d. Parking Location

Parking must be located to the rear of the building, within the building, or within 800 feet of the use; no parking shall be permitted along the principal pedestrian street front.

e. Auto Access and Curb Cuts

Auto access and curb cuts shall be prohibited along the principal pedestrian street front; access to parking shall be from the alley, or from the side street when on a corner lot.

<u>If there is no alley and the site is not a corner lot, access for residential parking may be from the principal pedestrian street and shall be limited to one two-way curb cut, or the residential parking may be provided off-site within 800 feet of the property</u>.

f. Signs

Sign regulations shall be the same as the underlying classification, except: in NC3, billboards and other off-premise signs shall be prohibited, except for business district identification signs (see Part IV.K.3.c. Signs Policy).

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g. Criteria for Conditional Use Waiver of Parking Requirements

i) In order to determine whether to permit, condition or deny additional parking waivers as described in 3.b.i. above, the Director of the Department of Construction and Land Use (DCLU) may require that a transportation study be submitted by the applicant for review by the Seattle Engineering Department and DCLU. The decision

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on whether or not such a study is needed shall depend on the magnitude of the proposal, the magnitude of the requested parking waiver, and the anticipated impacts which might result from the proposal.

ii) Conditional use approval shall be based on:

a) anticipated parking demand,

b) the extent to which an additional parking waiver is likely to create or add significantly to spillover parking in adjacent residential areas,

c) the availability of shared parking opportunities within 800 feet of the business,

d) the availability of land for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial.

B. Pedestrian District 2 (P2)

1. Locational Criteria

a. Function

To preserve and encourage a pedestrian-oriented retail shopping area where non-auto modes of transportation within the district are strongly favored but where many of the conditions favoring designation as P1 are not present.

b. Desired Characteristics

i) A variety of retail/service activities and interest along the street front, with limited breaks for parking

ii) Primarily built to the front property line

iii) Minimal pedestrian-auto conflicts

iv) Commercial frontage uninterrupted by housing, drive-in facilities, or large parking areas along the principal pedestrian street front

c. Physical Conditions Favoring Designation as P2

i) The area is surrounded by low to medium density residential areas

ii) Pedestrian access from residential areas is good, and/or excellent transit service exists

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iii) On- and off-street parking capacity is limited, and full parking waiver (as in Pedestrian 1) could create unacceptable spillover parking in surrounding residential areas

iv) The commercial area is shallow so that there is limited opportunity to provide accessory parking away from the principal pedestrian street front

2. Uses

Uses shall be the same as the underlying classification with the following exceptions:

a. Permitted Uses

Fast food restaurants up to 2,500 square feet, which provide indoor dining areas and do not provide off-street parking, shall be permitted outright. Not requiring conditional use approval recognizes first that such restaurants do not have the trip generation impacts of other fast food restaurants, and second that in pedestrian zones, such restaurants will serve primarily pedestrian traffic and therefore will not generate significant parking impacts.

b. Conditional Use

(See minimum parking requirement 3.b. below.)

c. Prohibited Uses

Drive-in businesses including auto service stations

3. Development Standards

a. Permitted Street Front Retail and Service Uses

In order to maintain pedestrian activity and interest, retail and service uses are required along the principal pedestrian street front. An exception shall be made for limited pedestrian access to other uses located behind or above the street front uses. Permitted street front uses shall be limited to those uses permitted in the underlying classification which are within the following use categories (see Appendix A):

-- personal and household retail sales and services

-- eating and drinking establishments

-- customer service offices

-- entertainment

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b. Minimum Parking Requirement

i) Permitted street front retail and service uses (see 3(a) above)

-- Restaurants, taverns: Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet; additional waiver up to a max. of 5,000 sq. ft. may be granted through a conditional use procedure.

-- Motion picture theaters: Parking waived for first 150 seats. Parking required to extent that use exceeds 150 seats; additional waiver may be granted through a conditional use procedure up to a max. of 300 seats.

-- Other permitted street front retail and service uses: Parking waived for first 5,000 square feet. Parking required to extent that use exceeds 5,000 square feet.

ii) Other non-residential uses (excluding b.i above): Parking waived for first 2,500 square feet. Parking required to extent that use exceeds 2,500 square feet

iii) Residential: Full parking required

iv) No additional parking reduction shall be allowed for uses located within 800 feet of a street with excellent transit service. (See IV.G.2.b., minimum off-street parking policy.)

c. Blank Facade

No use shall have a blank facade which is greater than 30 feet in width along the principal pedestrian street front

d. Parking Location

Parking shall be located to the rear of the building, within the building, or within 800 feet of the use if possible without the demolition of an existing commercial facility or the displacement of a commercial use. Otherwise, parking may be located to the side of the building, but shall be limited to a maximum of 60 feet along the principal pedestrian street front.

e. Auto Access and Curb Cuts

Auto access and curb cuts shall be in the following order of preference:

i) If located on a corner lot (with or without an alley), access shall be from the side street.

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ii) If an alley is present, access shall be from the alley.

iii) If no alley and not on a corner lot, access may be from the principal pedestrian street front and shall be limited to one two-way curb cut.

f. Signs

Sign regulations shall be the same as the underlying classification, except: in NC3, billboards and other off-premise signs shall be prohibited, except for business district identification signs (see Part IV.K.3.c.).

g. Criteria for Conditional Use Waiver of Parking Requirements

i) In order to determine whether to permit, condition or deny additional parking waivers as described in 3.b.i) above, the Director of the Department of Construction and Land Use (DCLU) may require that a transportation study be submitted by the applicant for review by the Seattle Engineering Department and DCLU. The decision on whether or not such a study is needed shall depend on the magnitude of the proposal, the magnitude of the requested parking waiver, and the anticipated impacts which might result from the proposal.

ii) Conditional use approval shall be based on:

a) anticipated parking demand,

b) the extent to which an additional parking waiver is likely to create or add significantly to spillover parking in adjacent residential areas,

c) the availability of shared parking opportunities within 800 feet of the business,

d) the availability of land for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial.

C. Landmark District

1. Locational Criteria

A commercial area may be designated as a landmark district in order to protect, enhance and perpetuate the individual historical or achitectural identity of the area. Landmark designations help protect significant buildings and qualities that distinguish these areas, and encourage stability, restoration and planned development. The intent is to provide the flexibility necessary to retain historically and architecturally significant structures, and to maintain and enhance the character of the district.

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2. Uses

The use regulations of the underlying zone shall apply unless otherwise specified in the adopted guidelines for a specific landmark district.

3. Development Standards

Development standards and design review may be adopted specifically for a designated landmark district. These guidelines may specify design-related features which will be allowed, encouraged, limited or excluded from the distict. Adopted guidelines may modify, exempt or supersede the standards of the underlying commercial zone. However, for elements which are not included in the landmark district guidelines, the standards of the existing commercial designation shall continue to apply.

4. Procedure

The Seattle Landmarks Preservation Ordinance, adopted in 1977, creates a Landmarks Preservation Board and establishes a procedure for the designation and preservation of objects, sites, improvements and elements having historical, cultural, architectural, engineering or geographic importance. This procedure may be revised as part of the Procedural Reform Project being undertaken by the Department of Construction and Land Use.

D. Local Option Sign District

1. Locational Criteria

At the request of local area representatives, specific regulations creating special sign characteristics may be established where it is desired to maintain or create a unified, and perhaps unique, commercial area.

2. Development Standards

The local option sign standards may be more or less restrictive than the underlying sign regulations. In some cases, the local option may establish a complete set of standards; in others, it might only waive some existing sign regulations. Standards established for a particular area might relate to format and sign material, in addition to the usual regulations governing size, type and number of signs; however, qualitative design standards requiring discretionary review by City sign inspectors shall not be included. Local option sign regulations shall not be applied to billboards and other off-premise signs.

3. Procedure

In order to help ensure that individualized sign regulations reflect a consensus of the property owners, business operators,

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3. Procedure

In order to help ensure that individualized sign regulations reflect a consensus of the property owners, business operators,

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and residents in the area, the standard rezone procedure shall be followed for establishing a Local Option Sign District. Once adopted, the regulations developed for a specific commercial area will become part of the Land Use Code.

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VIII. TRANSITION TO THE LAND USE CODE

A. Discretionary Decisions

The Land Use Policies for Commercial Areas shall be considered immediately upon their adoption in making certain discretionary decisions in commercial zones regulated by Title 24, until the sections of Title 23 implementing these policies are enacted. In particular, when a special approval process such as a conditional use or variance is required under existing zoning, and under these policies the use would be permitted outright in all zones, the intent of these policies shall be given great weight in considering the special approval. These policies may also be considered by agencies other than the City in considering whether Seattle's Land Use Policies and Code permit a given activity or use. The discretionary decisions to which these policies apply are as follows:

--Variances
--Conditional Uses
--Temporary Subdivisions
--Short Subdivisions
--Special Exceptions
--Appealable Street Use Decisions
--Council Conditional Uses
--Rezones
--Subdivisions
--Planned Unit Developments

B. Environmental Review under SEPA

With the exception stated below these policies shall apply for SEPA purposes to projects in commercial zones whose DNS or DEIS is published subsequent to the enactment of the sections of the Land Use Code, Title 23, which implement these policies.

Exception: The Commercial Heights Policy shall apply immediately upon adoption to any project whose height is proposed to exceed 60 feet pursuant to the provisions of Title 24, Sections 24.52.140 and 24.62.040(C).

C. Other Decisions

These Policies shall also be used by the Director immediately upon their adoption in the promulgation of rules, interpretations of the Zoning Code, and the determination of what constitutes a similar use.

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COMMERCIAL LAND USE POLICIES

Appendix A

I. COMMERCIAL USE	NC1	NC2	NC3	C1	C2
A. Retail Sales and Service					
1. Personal and Household Sales and Service					
- Multi-purpose convenience store	A10,000	A25,000	A	A	A
- Major Durables - sales and service	A 4,000	A15,000	A	A	A
- General sales and service	A 4,000	A15,000	A	A	A
- Specialty food stores	A 4,000	A15,000	A	A	A
2. Medical Services	A10,000	A15,000	A	A	A
3. Animal Services					
(~~3. Veterinary Services~~)					
- Animal Health Services	A 4,000	A15,000	A	A	A
- Kennels	P	P	P	P	P
- Animal Shelters	P	P	P	P	P
4. Automotive Retail Sales & Service					
- Gas Station	A 4,000	A15,000	A	A	A
- Sales and Rental	P	A15,000	A	A	A
- Repair, minor	A 4,000	A15,000	A	A	A
- Repair, major	P	A15,000	A	A	S
- Car Wash	P	A15,000	A	A	A
- Towing	P	P	P	A	A
- Parts Sales	A 4,000	A15,000	A	A	A
5. Principal Use Parking	P	A15,000	A	A	A
6. Marine Retail Sales and Service					
- Sales and Rental	P	A15,000	A	A	A
- Repair, minor	A 4,000	A15,000	A	A	A
(- ~~Repair, major~~	~~P~~	~~A15,000~~	~~A~~	~~A~~	~~A~~)
- Repair, major	P	P	P	S	S
- Sale of Fuel	A 4,000	A15,000	A	A	A
- Dry Storage	P	A15,000*	A	A	A
- Marinas	S	S	S	S	S
- Parts Sales	A 4,000	A15,000	A	A	A

A - Permitted
A 4,000 - Permitted with 4,000 sq. ft. maximum
P - Prohibited
CU - Conditional Use
CCU - Council Conditional use
* - In existing structures
S - As regulated by Shorelines

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	NC1	NC2	NC3	C1	C2
7. Eating and Drinking Establishments					
- Restaurants w/o cocktail lounge	A 4,000	A15,000	A	A	A
- Restaurants w/cocktail lounge	P	A15,000	A	A	A
- Fast food restaur. (under 750)	A 750	A 750	A 750	A 750	A 75
- Fast food restaur. (over 750)	CU4,000	CU8,000	CU	CU	CU
- Tavern	CU4,000	CU15,000	A	A	A
- Brewpub	CU4,000	CU15,000	A	A	A
8. Non-Household Retail Sales & Serv.					
- Business Support Services	A 4,000	A15,000	A	A	S
- Office Equipment	P	A15,000	A	A	A
- Fuel Sales	P	P	A25,000	A	A
- Constr. Equipment & Materials	P	P	A25,000	A	A
- Farm and Industrial Equipment	P	P	A25,000	A	A
- Heavy Commercial Services	P	P	P	A	A
9. Lodging					
- Hotel	P	P	A	A	A
- Motel	P	P	A	A	A
- Bed and Breakfast	A*	A*	A	A	A
B. Offices	A 4,000	A15,000	A	A	A
C. Entertainment					
1. Places of Public Assembly					
- Motion Picture Theaters	P	A15,000	A	A	A
- Performing Arts Theater	P	A15,000	A	A	A
- Lecture Hall	P	A15,000	A	A	A
- Adult Motion Picture Theater and Adult Panorams	P	P	P	P	P
- Spectator Sports Facilities	P	A15,000	A	A	A
2. Participants Sports and Recreation					
- Indoor	A 4,000	A15,000	A25,000	A	A
- Outdoor	P	P	P	A	A

A - Permitted
A 4,000 - Permitted with 4,000 sq. ft. maximum
P - Prohibited
CU - Conditional Use
CCU - Council Conditional Use
S - As requested by Shorelines

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	NC1	NC2	NC3	C1	C2
D. Wholesaling, Storage & Distribution					
Wholesale Showroom	P	P	A15,000	A25,000	A
Mini-Warehouse	P	P	A15,000	A40,000	A
Warehouse	P	P	A15,000	A25,000	A
Outdoor Storage	P	P	P	C1	C2
E. Utilities					
1. Communication Utilities	(~~P~~) CU	(~~P~~) CU	(~~A~~) CU	A	A
2. (~~General~~) Utility Service(~~s~~) Uses	A 4,000	A15,000	A	A	A
3. Solid Waste Tranfer Station	P	P	P	P	P
4. Power Plants	P	P	P	P	P
5. Sewage Treatment Plants	P	P	P	P	P
F. Off-Premise Signs					
1. Directional Signs	A	A	A	A	A
2. Billboards	P	P	A	A	A
G. Transportation Facilities					
1. Taxi Services	P	P	A	A	A
2. Ambulance Services	P	P	A	A	A
3. Passenger Terminals	P	P	A25,000	A	A
4. Cargo Terminals	P	P	P	PS	A
5. Bus Bases	P	P	P	CCU*	CCU*
6. Park and Ride Lots	P	P	CU	CU	CU
7. Park and Pool Lots	A	A	A	A	A
8 (~~7~~). Helistops as accessory use	P	P	CCU	CCU	CCU
9 (~~8~~). Heliports	P	P	P	P	P
10 (~~9~~). Airports	P	P	P	P	P
H. Food Processing and Craft Work					
1. Food Processing for Human Consumption	A 4,000	A 5,000	A10,000	A	A
2. Custom and Craft Work	A 4,000	A 5,000	A10,000	A	A

A - Permitted
A 4,000 - Permitted with 4,000 sq. ft. maximum
P - Prohibited
CU - Conditional Use
CCU - Council Conditional Use

PS - Prohibited except in shoreline areas
* - Bus bases used by 150 or fewer buses are permitted as Council conditional uses. Existing bus bases may be expanded for use by more than 150 buses by Council conditional use.

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	NC1	NC2	NC3	C1	C2
(~~II. RESEARCH AND DEVELOPMENT~~	~~P~~	~~A15,000*~~	~~A*~~	~~A~~	~~A~~)
II. (~~III.~~) MANUFACTURING					
A. Light Manufacturing	P	A 5,000	A10,000	A	A
B. eneral Manufacturing	P	P	P	A15,000	A
C. Heavy Manufacturing	P	P	P	P	P
D. High Impact Uses	P	P	P	P	P
III. (~~IV.~~) SALVAGE AND RECYCLING					
A. Recycling Collection Station	A 500	A 1,000	A 1,000	A	A
B. Recycling Center	P	P	P	A	A
C. Solid Waste Transfer Station	P	P	P	P	P
D. Junkyard	P	P	P	P	P
E. Auto Wrecking Yard	P	P	P	P	P
IV. (~~V.~~) INDUSTRIAL					
A. General Industrial	P	P	P	P	P
B. Heavy Industrial	P	P	P	P	P
V. (~~VI.~~) INSTITUTIONS	A 4,000	A15,000	A	A	A
VI. (~~VII.~~) PUBLIC FACILITIES**	(~~A4,000~~	~~A15,000~~	~~A~~	~~A~~	~~A~~)
A. City Facilities	A 4,000	A15,000	A	A	A
B. Other Public Projects	A 4,000	A15,000	A	A	A
C. Jails	P	P	P	P	P
VII. (~~VIII.~~) RESIDENTIAL					
A. Single Family	A	A	A	A	CU
B. Multi-Family	A	A	A	A	CU
C. Special Residences	A	A	A	A	CU
D. Houseboats	A	A	A	A	CU
E. Mobile Home Park	P	P	P	P	CU
F. Boarding Home	A	A	A	A	CU

A - Permitted
A 4,000 - Permitted with 4,000 sq. ft. maximum
P - Prohibited
CU - Conditional Use
CCU - Council Conditional Use
* - Light manufacturing portion limited to 5,000 sq.ft. in NC2 and 10,000 sq.ft. in NC3.
ACU - Residential uses and uses accessory to residential not permitted on ground floor without conditional use permit.
AU - Permitted only as an accessory use.
** - (~~Permitted as CCU if they do not meet zone development standards.~~)
Public facilities which are similar to those provided by the private sector are regulated according to the use regulations for the particular type of use.

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	NC1	NC2	NC3	C1	C2
VIII. (~~IX.~~) OPEN SPACE					
A. Parks	A	A	A	A	A
B. Playgrounds	A	A	A	A	A
IX. AGRICULTURAL USES					
A. Animal Husbandry	AU	AU	AU	AU	A
B. Horticultural Uses	A 4,000	A15,000	A	A	A
C. Aquaculture	A 4,000	A15,000	A	A	A

A - Permitted
A 4,000 - Permitted with 4,000 sq. ft. maximum
P - Prohibited
CU - Conditional Use
CCU - Council Conditional Use
* - Light manufacturing portion limited to 5,000 sq.ft. in NC2 and 10,000 sq.ft. in NC3.
ACU - Residential uses and uses accessory to residential not permitted on ground floor without conditional use permit.
AU - Permitted only as an accessory use.
(~~** - Permitted as CCU if they do not meet zone development standards.~~)

10-9R.20/JS:gm

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