

ORDINANCE No. 113892

COUNCIL BILL No. 106638

AN ORDINANCE relating to land use and zoning; amending the Land Use Code to make single-purpose residential development a conditional use in certain commercial zones, establishing criteria and development standards for such conditional uses, establishing development standards for mixed-use structures, and declaring an emergency.

The City of Seattle--Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on Land Use and Community D

to which was referred the within Council Bill No. 106638 report that we have considered the same and respectfully recommend

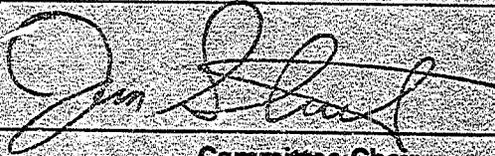
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COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>MAR 14 1988</u>	By: <u>STREET</u>
Referred: <u>MAR 14 1988</u>	To: <u>Land Use and Community Development</u>
Referred:	To:
Referred:	To:
Reported: <u>MAR 28 1988</u>	Second Reading: <u>MAR 28 1988</u>
Third Reading: <u>MAR 28 1988</u>	Signed: <u>MAR 28 1988</u>
Presented to Mayor: <u>MAR 29 1988</u>	Approved: <u>MAR 31 1988</u>
Returned to City Clerk: <u>MAR 31 1988</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

RECEIVED MAR 29 1988 - CMC

  
Committee Chair

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

Honorable President:

Your Committee on Land Use and Community Development

to which was referred the within Council Bill No. 106638  
report that we have considered the same and respectfully recommend that the same:

Do pass 2-0

Divided: 23.47.004 B.5.

Yes - Sibonga, Street

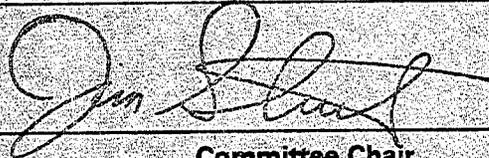
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Yes - Sibonga, Street

No - Galle

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Committee Chair

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AN ORDINANCE relating to land use and zoning; amending the Land Use Code to make single-purpose residential development a conditional use in certain commercial zones, establishing criteria and development standards for such conditional uses, establishing development standards for mixed-use structures, and declaring an emergency.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That chart A of Section 23.47.004 of the Seattle Municipal Code is amended to read as follows:

23.47.004 Permitted and Prohibited Uses

\* \* \*

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<sup>1</sup>

- 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

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		ZONES				
		NC1	NC2	NC3	C1	C2
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

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

<sup>1</sup>The keeping of animals for other than business purposes shall be regulated by Section 23.47.026

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
7.	Lodging					
	- Hotel	X	X	P	P	P
	- Motel	X	X	P	P	P
	- Bed and breakfast	p <sup>2</sup>	p <sup>2</sup>	P	P	P
8.	Mortuary Services	X	P	P	P	P
9.	Existing cemeteries	P	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

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ZONES  
NC1 NC2 NC3 C1 C2

P - Permitted  
X - Prohibited  
CU - Administrative Conditional Use

<sup>2</sup> In existing structures only

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
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G. Mini-Warehouse

	X	X	P	P	P
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H. Warehouse

	X	X	P	P	P
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I. Outdoor Storage

	X	X	X	P	P
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J. Transportation Facilities

1. Personal Transportation Services

	X	X	P	P	P
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2. Passenger Terminals

	X	X	P	P	P
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3. Cargo Terminals

	X	X	X	S	P
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4. Transit Vehicle Base

	X	X	X	CCU <sup>3</sup>	CCU <sup>3</sup>
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5. Helistops

	X	X	CCU <sup>4</sup>	CCU <sup>4</sup>	CCU <sup>4</sup>
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6. Heliports

	X	X	X	X	X
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7. Airport, Landbased

	X	X	X	X	X
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8. Airport, Waterbased

	X	X	X	X	S
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9. Railroad Switchyard

	X	X	X	X	X
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10. Railroad Switchyard with mechanized hump

	X	X	X	X	X
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K. Food Processing & Craft Work

1. Food Processing for Human Consumption

	P	P	P	P	P
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2. Custom & Craft Work

	P	P	P	P	P
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L. Research and Development Laboratories

	P	P	P	P	P
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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

<sup>3</sup> New transit vehicle bases accommodating 150 or fewer buses or existing transit vehicle bases seeking to expand

<sup>4</sup> Permitted only as an accessory use according to Section 23.47.006

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ZONES				
NC1	NC2	NC3	C1	C2

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
F. Solid Waste Incineration Facility	X	X	X	X	X
G. Solid Waste Landfill	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
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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
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

P - Permitted  
X - Prohibited  
CU - Administrative Conditional Use

ZONES

NC1	NC2	NC3	C1	C2
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VII. PUBLIC FACILITIES

A. Jails	X	X	X	X	X
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VIII. PARK & POOL/RIDE LOT

A. Park & Pool Lots	p5	P	P	P	P
B. Park & Ride Lots	X	X	CU	CU	CU

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	ZONES				
	NC1	NC2	NC3	C1	C2
IX. RESIDENTIAL <sup>6</sup>					
A. Single Family Dwelling Units	P/cu	P/cu	P/cu	P/cu	CU
B. Multi-Family Structures	P/cu	P/cu	P/cu	P/cu	CU
C. Special Residences	P/cu	P/cu	P/cu	P/cu	CU
D. Floating Homes	S	S	S	S	S
E. Mobile Home Park	X	X	X	P	CU
F. Boarding Homes	P/cu	P/cu	P/cu	P/cu	CU
G. Artist Studio/Dwelling	P/cu	P/cu	P/cu	P/cu	CU
H. Caretaker's Quarters	P/cu	P/cu	P/cu	P/cu	P
I. Home Occupations	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((6)) <sup>7</sup>	X((6)) <sup>7</sup>	X((6)) <sup>7</sup>	X((6)) <sup>7</sup>	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

<sup>5</sup> Permitted only on parking lots existing at least five years prior to the proposed establishment of the park and pool lot.

<sup>6</sup> Residential uses in mixed use structures are permitted outright in NC1, NC2, NC3 and C1 zones. Single purpose residential structures are permitted in NC1, NC2, NC3, and C1 zones as an administrative conditional use according to the provisions of Section 23.47.024, except where the height limit is 85 feet or higher. All residential uses in C2 zones are subject to administrative conditional use approval.

((6)) <sup>7</sup> Permitted only as an accessory use.

Section 2. That subsection B of Section 23.47.006 of the Seattle Municipal Code is amended to read as follows:

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23.47.006 Conditional Uses

\* \* \*

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 are identified as heavy traffic generators and 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
- 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

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(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.

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

a. The size of the tavern or brewpub, 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.

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

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; or
  - (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

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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:

(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. In order to conserve the limited amount of commercially zoned land for commercial uses, single purpose residential structures shall generally not be allowed in commercial zones. Single purpose residential structures as provided for in Section 23.47.008 may be permitted in NC1, NC2, NC3, and C1 zones as an administrative conditional use only if the following circumstances exist:

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- a. The amount of residential development existing and proposed would not reduce the current viability or significantly impact the longer term potential of the commercial area; and
  
- b. Residential development would not displace existing commercial uses at street level or disrupt a continuous commercial street front particularly of retail and personal services uses or significantly detract from the area's overall commercial character; and
  
- c. There is an ample amount of vacant commercial land in the zone and/or, due to location, terrain, or parcel size the proposed site is not particularly suited to commercial development; and
  
- d. There is limited demand for commercial use in the commercial zone (as evidenced by a lack of commercial activity for a prolonged period of time (3-5 years), commercial structures in disrepair, and/or high vacancy rates) coupled with a variety of commercial services available in nearby commercially zoned areas, and/or ample land which is particularly suited for additional commercial development.

6((5)). Residential Uses in C2 Zones

- a. Residential uses in single purpose or mixed use structures may be permitted in C2 zones ((authorized)) as administrative conditional uses. ((in C2 zones may be permitted)) according to the following criteria:

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((a)) (1). 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)) (2). Relationship to transportation systems:  
Residential uses shall generally be discouraged in areas with  
direct access to major transportation systems such as  
freeways, state routes and freight rail lines.

((c)) (3). Compatibility with surrounding areas: Residential  
uses shall not be allowed in close proximity to industrial  
areas and/or in areas where non-residential uses may create a  
nuisance or adversely affect the desirability of the area for  
living purposes.

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

7. Residential Use in International Special Review District

Single purpose residential structures shall be permitted outright  
in those parts of the International Special Review District east  
of the Interstate 5 Freeway as provided in Section 23.66.330.

8. Low-income Housing Projects

Single-purpose residential structure for low income housing pro-  
jects shall be permitted outright in all commercial zones if:

a. Applications for a reservation of tax credits for 1988 and  
1989 under the low-income tax credit program administered by  
the Washington State Housing Finance Commission have been  
filed on or before March 15, 1988; or

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b. A non profit corporation has purchased sites, signed options or entered into real estate purchase agreements prior to March 15, 1988.

9((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.

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(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.

\* \* \*

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

1 Section 3. A new section 23.47.008 is hereby added to the Seattle  
2 Municipal Code as follows:

3 23.47.008 Mixed Use Structures

4 A. A mixed use structure is one which contains residential and  
5 non-residential use meeting the standards specified in this Section.

6 B. Mixed use structures sixty-five feet in height or lower shall have an  
7 area equal to at least ten percent of the gross floor area of the  
8 structure or fifty percent of the structure's footprint, whichever is  
9 greater, in non-residential use other than principal use parking, mini  
10 warehouses and warehouses.

11 C. Mixed use structures which exceed sixty-five feet in height shall have  
12 an area equal to at least fifty percent of the structure's footprint in  
13 non-residential use other than principal use parking, mini warehouses  
14 and warehouses.

15 D. Accessory parking for non-residential uses shall not be included in the  
16 minimum requirements of subsection B and C.

17 E. Non-residential use, excluding accessory parking, shall meet the  
18 following standards:

19 1. Non-residential use shall occupy a minimum of sixty percent of a  
20 mixed use structure's street front facade at street level; and

21 2. A minimum of fifty-one percent of a mixed use structure's street  
22 front facade containing non-residential use shall be at or above  
23 sidewalk grade.

24 3. In NC1, NC2 and NC3 zones, the entrance to required non-  
25 residential uses at street level shall be no more than three feet  
26 above or below sidewalk grade.

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4. When a mixed use structure fronts on more than one street and abuts a non-commercially zoned lot, the sixty percent requirement shall apply to the structure's facade along the street with the greatest lineal feet of commercially zoned frontage.

5. Where a lot fronts on two or more streets and only abuts other commercially zoned lots, the sixty percent requirement shall be calculated by totalling the mixed use structure's total combined street front facade.

6. For the purposes of this section, a mixed use structure's street front facade shall be measured by drawing the least rectangle that encloses the structure and measuring the length of the side of that rectangle most closely parallel to the front of streetside lot line(s), (Exhibit 47.008A).

F. A structure's footprint shall be that area bound within the exterior perimeter of a structure's walls at its widest dimension projected to the ground. However, to calculate the gross floor area of a structure for the purposes of determining non-residential use requirements, all gross floor area below grade or used for accessory parking or mechanical equipment shall be excluded.

G. Any detached structure which contains residential uses and does not meet the requirements for mixed use structures as provided in this Section shall be considered a single purpose residential structure.

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Section 4. That subsection E of Section 23.47.012 of the Seattle Municipal Code is deleted and subsequent subsections are renumbered to read as follows:

23.47.012 Structure Height and Floor Area Ratio

\* \* \*

~~E~~. 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.))

~~E~~((F)). 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 47.012A.

~~E~~((G)). 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

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1 not less than three to twelve, Exhibit 47.012B. No portion of a shed  
2 roof shall be permitted to extend beyond the height limit under this  
3 provision.

4 G((H)). Rooftop Features

- 5 1. Radio and television receiving aerials excluding dish antennae;  
6 communication utilities, including transmission towers; ham radio  
7 towers; smokestacks; chimneys; flagpoles; and spires for religious  
8 institutions are exempt from height controls, except as regulated  
9 in Chapter 23.64, Airport Height District, provided they are a  
10 minimum of ten feet from any side or rear lot line.
- 11 2. Open railings, planters, skylights, clerestories, greenhouses,  
12 dish antennae, parapets, and firewalls may extend four feet above  
13 the maximum height limit with unlimited rooftop coverage.
- 14 3. Solar collectors
- 15 a. In zones with height limits of thirty or forty feet, solar  
16 collectors may extend up to four feet above the maximum  
17 height limit, with unlimited rooftop coverage.
- 18 b. In zones with height limits of sixty-five feet or more, solar  
19 collectors may extend up to seven feet above the maximum  
20 height limit, with unlimited rooftop coverage.
- 21 4. The following rooftop features may extend up to fifteen feet above  
22 the maximum height limit, so long as the combined total coverage  
23 of all features listed in this subsection does not exceed twenty  
24 percent of the roof area or twenty-five percent of the roof area  
25 if the total includes screened mechanical equipment:
- 26 a. Solar collectors;  
27 b. Stair and elevator penthouses;  
28 c. Mechanical equipment;

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- 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((I)). Solar Retrofits

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on June 9, 1986 as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. 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
3. Such collector(s) meet minimum energy standards administered by the Director.

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I((J)). Freestanding Antennae and Transmission Towers

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1. Amateur radio devices

The maximum height of an amateur radio tower for sending and/or receiving signals shall be no more than fifty feet 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. The maximum height of television receiving aerials shall be no more than fifty feet in zones where the maximum height limit does not exceed fifty feet. In zones with a maximum height limit which exceeds fifty feet the maximum height of the aerial shall not exceed the maximum height allowed for all structures.

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

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

Section 5. That a new Section 23.47.013 is added to the Seattle Municipal Code to read as follows:

23.47.013 Width and Depth for Mixed Use Structures

The residential portion of a mixed use structure shall be limited to a maximum width of eighty percent of the width of the lot and a maximum depth of eighty percent of the depth of the lot.

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Section 6. That subsections B through E of Section 23.47.014 of the Seattle Municipal Code are amended and a new subsection F is added to read as follows:

23.47.014 Setback Requirements

\* \* \*

B. Setbacks for mixed use structures and structures containing no (~~non-~~)residential 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 47.014A and B.
2. A setback shall be required along any side 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

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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 47.014C.

3. For structures containing no residential uses, a setback shall be required along any rear lot line which abuts a 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 47.014C.

4. For mixed use structures, a setback shall be required along any rear lot line which abuts a lot line of 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

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b. Fifteen feet for portions of structures above twelve feet in height to a maximum of forty feet; and

c. For portions of structures above forty feet in height, an additional two feet of setback shall be required for every ten feet in excess of forty feet, Exhibit 47.014D.

~~((3))~~5. One-half ((Full)) alley width may be counted as part of the required setback.

~~((4))~~6. No entrance, window, or other opening shall be permitted closer than five feet to a residentially zoned lot.

~~C.((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.

~~((C. Setback requirements for structures containing only residential uses))~~

~~((1. Setbacks shall be required along side lot lines which abut lots- 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~~

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according to subsection A2c for that portion of the structure which exceeds sixty-five feet.)

((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 47.0146.

D.((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.

E.((4)) Structures in required setbacks

1. Decks and balconies with open railings, 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 or finished grade, whichever is lower, 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 finished grade may be no closer than three feet from the property line. Sunshades which are between finished grade and eight feet above finished grade shall be no closer than five feet to the property line.

F.((E))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.

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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, Screening and Landscaping Standards.
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 47.014D. This setback shall be maintained up to a height of sixteen feet.
5. Communication utilities shall be set back at least ten feet from side and rear lot lines.

Section 6. A new section 23.47.023 is hereby added to the Seattle Municipal code to read as follows:

23.47.023 Standards for Single Purpose Residential Structures

- A. In NC1 zones single purpose residential structures shall meet the development standards for residential structures in L1 zones.
- B. In NC2, NC3, C1 and C2 zones with either thirty or forty-foot height limits single purpose residential structures shall meet the development standards for residential structures in L2 zones, except that no front setback shall be required

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

1 C. In NC2, NC3, C1 and C2 zones with sixty-five-foot height limits single  
2 purpose residential structures shall meet the development standards for  
3 residential structures in L3 zones, except that no front setback shall  
4 be required and the structure width exception of Section 23.45.038A3b  
5 which allows structures to achieve a width of one hundred fifty feet  
6 shall not apply.

7 D. In all commercial zones with a height limit of eighty-five feet or  
8 greater, single purpose residential structures are prohibited.

9 E. The development standards for L1, L2 and L3 zones referred to in sub-  
10 sections A through D shall be as supplemented by the interim controls  
11 adopted by Sections 23.45.0065 and 23.45.007.

12 Section 7. That Section 23.47.024 of the Seattle Municipal Code is  
13 amended to read as follows:

14 23.47.024 Open Space Standards for Mixed use Structures ~~((Residential~~  
15 ~~Uses))~~

16 ((A.))Usable open space shall be required for all residential uses in mixed  
17 use structures ~~((containing residential uses,))~~ according to ~~((Chart~~  
18 ~~Ø))~~ the following:

19 A. Usable open space shall be required for all residential uses in an  
20 amount equal to twenty percent of the structure's gross floor area in  
21 residential use. Calculation of a structure's gross floor area, for  
22 the purposes of this subsection, shall exclude area used for mechanical  
23 equipment, accessory parking and unenclosed decks, balconies or porches.

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((CHART D: USABLE OPEN SPACE REQUIREMENTS))

((Structure Type	Height of Structure		
	40' or less	41' to 85'	86' to 160'
Single purpose residential structures	25% of lot area	35% of lot area	Single purpose residential not allowed
At least 40% to 70% 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. For the purposes of this Section, structures containing less than forty percent of gross floor area at street level in commercial use shall be considered single purpose residential structures.

C. Except as provided in subsection D, 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.

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

E. 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.

F. 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.

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

H. 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.)

B. Open Space Standards

1. When permitted, required usable open space may be provided at ground level or may be provided above ground in the form of balconies, decks, solaria, greenhouses, or roof gardens.
2. 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.
3. 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.
4. Required usable open space is permitted at the front, sides, or rear of the structure.
5. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted as open space.
6. Required open space shall be landscaped according to standards promulgated by the Director.

Section 8. That a new Section 23.47.027 is added to the Seattle Municipal Code 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.

23.47.027 Landmark Districts and Designated Landmark Structures

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2 A. The Director may waive or modify standards for open space, setbacks,  
3 width and depth limits and screening and landscaping for designated  
4 landmark structures or within a landmark District pursuant to Seattle  
5 Municipal Code, Chapter 25.12 or within a Special Review District pur-  
6 suant to Seattle Municipal Code, Chapter 23.66.

7 B. The Director's decision to waive or modify development standards shall  
8 be consistent with adopted District design and development guidelines  
9 and shall be consistent with the recommendations of the Landmarks  
10 Preservation Board or the Director of Community Development except when  
11 potential environmental impacts clearly require lesser waivers or modi-  
12 fications.

13 Section 9. That subsection A of Section 23.86.007 of the Seattle  
14 Municipal Code is amended to read as follows:

15 23.86.007 Gross Floor Area and Floor Area Ratio

16 A. Certain items may be exempted from calculation of gross floor area  
17 ~~((for purposes of determining the floor area ratio (FAR)))~~ of a  
18 structure. When gross floor area below grade is exempted, the amount  
19 of below grade floor area shall be measured as follows:

- 20 1. The existing grade of the lot shall be established by the  
21 elevations of the perimeter lot lines of the lot.
- 22 2. To determine the amount of gross floor area which is below grade,  
23 find the point where the ceiling of each floor intersects the  
24 existing grade elevation. Draw a line perpendicular to the point  
25 of intersection. All gross floor area behind this line shall be  
26 considered below grade, Exhibit 86.007A.

27 B. Public rights-of-way shall not be considered part of a lot when  
28 calculating floor area ratio.

\* \* \*

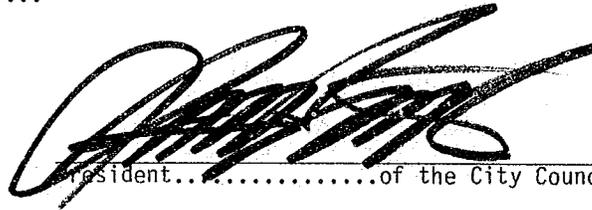
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Section 10. The City Council finds that since the adoption of the commercial provisions of the Land Use Code in March 1986, new single-purpose residential development has occurred in the NC and C zones in number and scale which were not anticipated by the City Council, usurping limited commercial land needed for commercial services in close proximity to residential neighborhoods. Such development can be expected to continue unless prompt action is taken. By reason of such facts, an emergency exists necessitating the immediate adoption of regulations to require discretionary administrative approval for such development.

Section 11. In view of the emergency in section 10, this ordinance shall become effective immediately upon approval by the Mayor or passage over his veto as provided in the City Charter.

Passed by three-fourths (3/4ths) vote of all the members of the City Council the ~~28<sup>th</sup>~~ day of ~~March~~....., 19~~88~~, and signed by me in open session in authentication of its passage this ~~28<sup>th</sup>~~ day of ....~~March~~....., 19~~88~~..

  
\_\_\_\_\_  
Mayor of the City Council

Approved by me this ~~28<sup>th</sup>~~<sup>31<sup>st</sup></sup> day of ~~March~~....., 19~~88~~..

  
\_\_\_\_\_  
Mayor

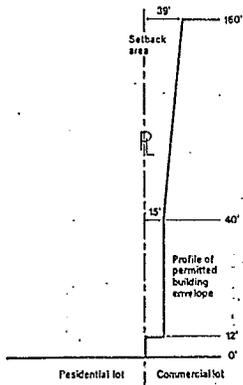
Filed by me this ~~28<sup>th</sup>~~<sup>31<sup>st</sup></sup> day of ~~March~~....., 19~~88~~..

Attest:   
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City Comptroller and City Clerk

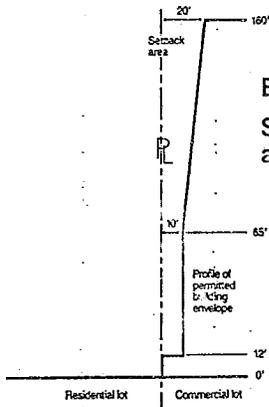
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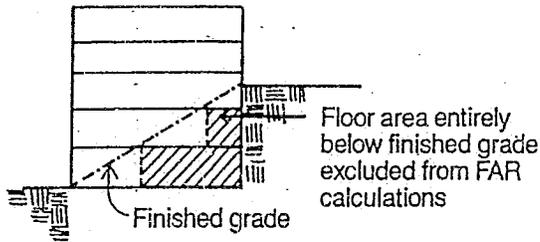
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**Exhibit 47.014D**  
**Setback for mixed use structures along rear lot line abutting residentially zoned lot.**



**Exhibit 47.014C**  
**Setback abutting a side or rear lot line of a residentially zoned lot**



**Exhibit 86.007A** Floor area below grade

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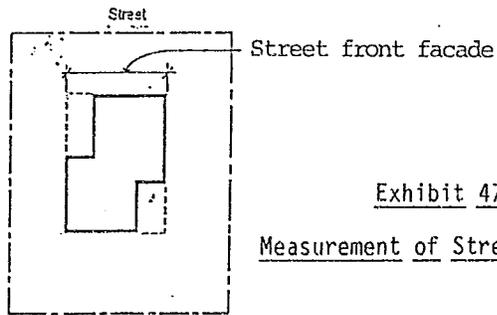


Exhibit 47.008a

Measurement of Street Front Facade

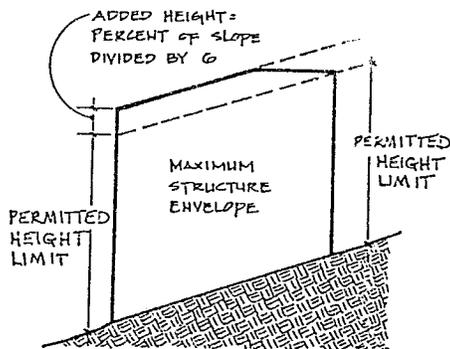


Exhibit 47.12A Height Limits on Sloped Lots

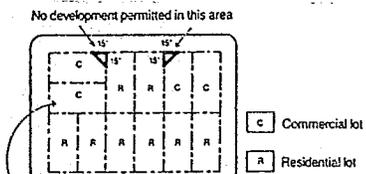
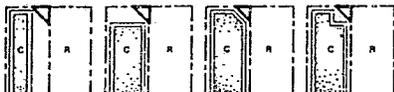


Exhibit 47.014A & B

Setback abutting a side or rear lot line of a residentially zoned lot

No setback required unless front yard of abutting residentially zoned lot faces this street



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((a)) (1). 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)) (2). Relationship to transportation systems:  
Residential uses shall generally be discouraged in areas with  
direct access to major transportation systems such as  
freeways, state routes and freight rail lines.

((c)) (3). Compatibility with surrounding areas: Residential  
uses shall not be allowed in close proximity to industrial  
areas and/or in areas where non-residential uses may create a  
nuisance or adversely affect the desirability of the area for  
living purposes.

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

7. Residential Use in the International Special Review District

Single purpose residential structures shall be permitted outright  
in those parts of the International Special Review District east  
of the Interstate 5 Freeway as provided in Section 23.66.330.

8((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;

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March 28, 1988

Memo:

To: Councilmembers

From: Frank Kirk *FK*

Subject: Divided report for sections of CB 106638

1. 23.47.006 B.5.

This section provides that all purpose residential development in all commercial zones would only be permitted as an administrative conditional use. The code currently permits single purpose residential development outright in all the commercial zones except C2, where it is a conditional use.

Majority:

The majority (Sibonga, Street) take the position that the conditional use requirement, with the very tough criteria which must be met before the Director can approve the permit, will prevent single purpose residential projects from being built in situations where they would damage the viability of a commercial zone or significantly change its character. This protection would be especially effective in NC1 zones, which are small and shallow and could be changed or damaged by even one or two single purpose residential projects. While the conditional use requirement would greatly reduce the incentives for locating single purpose residential projects in commercial zones, it also allows some flexibility to DCLU to permit such projects in areas where there has been no interest in commercial development for several years.

Minority:

Galle's position is that single purpose residential structures should not be permitted at all in NC1 zones. Single purpose residential development is not justified on the limited amount of land which has been zoned NC1. The NC1 zones are small, often only four corners and one or two lots deep, and single purpose residential development would inevitably damage the commercial viability and character of the zones. DCLU may interpret the conditional use criteria liberally and allow single purpose residential in NC1 zones where it is not appropriate.

Preserving commercially zoned land for future business needs, "land banking" if you will, can assure the availability of neighborhood serving businesses throughout the City. This is what residential neighborhoods have expressed a preference for.

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2. 23.47.013 A.

This section is designed to control the bulk of the residential portion of mixed use structures, usually the upper stories above the ground floor. It requires that width and depth dimensions of the residential floors not exceed 80 percent of the width and depth of the lot on which the building is being built. This means in terms of lot coverage that the residential portion of the building would be limited to 64 percent of the lot area.

Majority: Street and Sibonga take the position that the 80 percent requirement is sufficient to reduce the appearance of bulk and to provide developers and BCLU some flexibility in setting back the upper stories from nearby residential zones.

Minority:

Galle's position is that even less bulk should be permitted on the upper floors of mixed use buildings to preserve views and to be more harmonious with the scale of the surrounding residential areas. Community organization representatives prefer a maximum width and depth of 75 percent of the lot width and depth, which permits a maximum lot coverage of 56 percent. Galle supports their proposal.

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ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; amending the Land Use Code to make single-purpose residential development a conditional use in certain commercial zones, establishing criteria and development standards for such conditional uses, establishing development standards for mixed-use structures, and declaring an emergency.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That chart A of Section 23.47.004 of the Seattle Municipal Code is amended to read as follows:

23.47.004 Permitted and Prohibited Uses

\* \* \*

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<sup>1</sup>

- 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

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ZONES  
 NC1 NC2 NC3 C1 C2

5.	Marine Retail Sales & Services				
	- Sales and rental of large boats	X	P	P	P
	- Vessel repair, minor	P	P	P	P
	- Vessel repair, major	X	X	X	S
	- Marine service station	P	P	P	P
	- Dry storage of boats	X	P	P	P
	- Recreational marinas	S	S	S	S
	- Commercial moorage	S	S	S	S
	- Sale of boat parts or accessories	P	P	P	P

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

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

6.	Eating & Drinking Establishments				
	- Restaurants without cocktail lounges	P	P	P	P
	- Restaurants with cocktail lounges	X	P	P	P
	- Fast food restaurant (750 square feet and under)	P	P	P	P
	- Fast food restaurant (over 750 square feet)	CU	CU	CU	CU
	- Tavern	CU	CU	P	P
	- Brewpub	CU	CU	P	P

7.	Lodging				
	- Hotel	X	X	P	P
	- Motel	X	X	P	P
	- Bed and breakfast	P2	P2	P	P

8.	Mortuary Services	X	P	P	P
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9.	Existing cemeteries	P	P	P	P
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B.	Principal Use Parking	X	P	P	P
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C.	Non-Household Sales & Service				
1.	Business Support Services	P	P	P	P
2.	Business Incubator	P	P	P	P
3.	Sales, Service & Rental of Office Equipment	X	P	P	P
4.	Sales, Service & Rental of Commercial Equipment & Construction Materials	X	X	P	P
5.	Sale of Heating Fuel	X	X	P	P
6.	Heavy Commercial Services	X	X	X	P
	- Construction services	X	X	X	P
	- Commercial laundries	X	X	X	P

D.	Offices				
1.	Customer Service Office	P	P	P	P
2.	Administrative Office	P	P	P	P

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(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.

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

a. The size of the tavern or brewpub, 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.

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ZONES  

NC1	NC2	NC3	C1	C2
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P - Permitted  
X - Prohibited  
CU - Administrative Conditional Use

<sup>2</sup> In existing structures only

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
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G. Mini-Warehouse

	X	X	P	P	P
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H. Warehouse

	X	X	P	P	P
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I. Outdoor Storage

	X	X	X	P	P
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J. Transportation Facilities

1. Personal Transportation Services

	X	X	P	P	P
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2. Passenger Terminals

	X	X	P	P	P
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3. Cargo Terminals

	X	X	X	S	P
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4. Transit Vehicle Base

	X	X	X	CCU <sup>3</sup>	CCU <sup>3</sup>
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5. Helistops

	X	X	CCU <sup>4</sup>	CCU <sup>4</sup>	CCU <sup>4</sup>
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6. Heliports

	X	X	X	X	X
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7. Airport, Landbased

	X	X	X	X	X
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8. Airport, Waterbased

	X	X	X	X	S
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9. Railroad Switchyard

	X	X	X	X	X
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10. Railroad Switchyard with mechanized hump

	X	X	X	X	X
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K. Food Processing & Craft Work

1. Food Processing for Human Consumption

	P	P	P	P	P
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2. Custom & Craft Work

	P	P	P	P	P
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L. Research and Development Laboratories

	P	P	P	P	P
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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

<sup>3</sup> New transit vehicle bases accommodating 150 or fewer buses or existing transit vehicle bases seeking to expand

<sup>4</sup> Permitted only as an accessory use according to Section 23.47.006

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ZONES  
NC1 NC2 NC3 C1 C2

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
F. Solid Waste Incineration Facility	X	X	X	X	X
G. Solid Waste Landfill	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
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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
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

P - Permitted  
X - Prohibited  
CU - Administrative Conditional Use

ZONES  
NC1 NC2 NC3 C1 C2

VII. PUBLIC FACILITIES

A. Jails	X	X	X	X	X
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VIII. PARK & POOL/RIDE LOT

A. Park & Pool Lots	p5	P	P	P	P
B. Park & Ride Lots	X	X	CU	CU	CU

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ZONES					
NC1	NC2	NC3	C1	C2	

IX. RESIDENTIAL<sup>6</sup>

A. Single Family Dwelling Units	P/cu	P/cu	P/cu	P/cu	CU
B. Multi-Family Structures	P/cu	P/cu	P/cu	P/cu	CU
C. Special Residences	P/cu	P/cu	P/cu	P/cu	CU
D. Floating Homes	S	S	S	S	S
E. Mobile Home Park	X	X	X	P	CU
F. Boarding Homes	P/cu	P/cu	P/cu	P/cu	CU
G. Artist Studio/Dwelling	P/cu	P/cu	P/cu	P/cu	CU
H. Caretaker's Quarters	P/cu	P/cu	P/cu	P/cu	P
I. Home Occupations	P <sup>7</sup>				

X. OPEN SPACE

A. Parks	P	P	P	P	P
B. Playgrounds	P	P	P	P	P

XI. AGRICULTURAL USES

A. Animal Husbandry	X((6)) <sup>7</sup>	X((6)) <sup>7</sup>	X((6)) <sup>7</sup>	X((6)) <sup>7</sup>	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

<sup>5</sup> Permitted only on parking lots existing at least five years prior to the proposed establishment of the park and pool lot.

<sup>6</sup> Residential uses in mixed use structures are permitted outright in NC1, NC2, NC3 and C1 zones. Single purpose residential structures are permitted in NC1, NC2, NC3, and C1 zones as an administrative conditional use according to the provisions of Section 23.47.024. All residential uses in C2 zones are subject to administrative conditional use approval.

((6)) <sup>7</sup> Permitted only as an accessory use.

Section 2. That subsection B of Section 23.47.006 of the Seattle Municipal Code is amended to read as follows:

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23.47.006 Conditional Uses

\* \* \*

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 are identified as heavy traffic generators and 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
  - 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

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- 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 and brewpubs 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.
  - d. Taverns and brewpubs shall not generate traffic which creates traffic congestion or further aggravates spillover parking on residential streets.
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; or
    - (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

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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:

(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. In order to conserve the limited amount of commercially zoned land for commercial uses, residential uses, when proposed in single purpose residential structures as provided for in Section 23.47.008 may be permitted in NC1, NC2, NC3, and C1 zones only as an administrative conditional use. The Director shall determine whether or not to permit a single purpose residential structure based on the following criteria:

a. Single purpose residential structures shall not be permitted when:

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- 1. The amount of residential development existing and proposed would significantly reduce the viability of the commercial area; or
- 2. Residential development will displace existing commercial space at street level or disrupt a continuous commercial street front particularly of retail and personal services uses; or
- 3. There is a limited amount of vacant land and/or due to terrain, parcel size, and proximity to major transportation systems, the land is particularly suited to commercial development.

b. To permit a single purpose residential structure, the following conditions shall be present:

- 1. There is limited demand in the commercial zone and/or surrounding area as evidenced by a lack of commercial activity for a prolonged period of time (3-5 years), commercial structures in disrepair, high vacancy rates, or a large amount of vacant land zoned for commercial use and there are other commercial areas nearby with a variety of commercial services available; or
- 2. There is an ample supply of available commercially zoned land nearby which is particularly suited for commercial rather than residential development.

6((5)). Residential Uses in C2 Zones

a. Residential uses in single purpose or mixed use structures may be permitted in C2 zones ((authorized)) as administrative conditional uses. ((in C2 zones may be permitted)) according to the following criteria:

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((a)) (1). 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)) (2). Relationship to transportation systems:  
Residential uses shall generally be discouraged in areas with  
direct access to major transportation systems such as  
freeways, state routes and freight rail lines.

((c)) (3). Compatibility with surrounding areas: Residential  
uses shall not be allowed in close proximity to industrial  
areas and/or in areas where non-residential uses may create a  
nuisance or adversely affect the desirability of the area for  
living purposes.

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

7((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.

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2 Section 3. A new section 23.47.008 is hereby added to the Seattle  
3 Municipal Code as follows:

4 23.47.008 Mixed Use

5 A. A mixed use structure is one which contains residential and non-  
6 residential use and meets the standards specified in this Section.  
7 For the purposes of this Section principal use parking shall not be  
8 counted as a non-residential use.

9 B. Mixed use structures sixty-five feet in height or lower shall have at  
10 least ten percent of the gross floor area of the structure or fifty  
11 percent of the structure's footprint, whichever is greater, in  
12 non-residential use.

13 C. Mixed use structures which exceed sixty-five feet in height shall have  
14 a minimum of fifty percent of the gross floor area at street level in  
15 commercial use.

16 D. Non-residential use, excluding accessory parking, shall occupy a  
17 minimum of sixty percent of a mixed use structure's street front  
18 facade and shall occupy the first ten feet of the structure's street  
19 front facade above sidewalk grade.

20 1. When a mixed use structure fronts on more than one street and  
21 abuts a non-commercially zoned lot, the sixty percent requirement  
22 shall apply to the structure's facade along the street with the  
23 greatest lineal feet of commercially zoned frontage.

24 2. Where a lot fronts on two or more streets and only abuts other  
25 commercially zoned lots, the sixty percent requirement shall apply  
26 to the mixed use structure's total combined street front facade.  
27

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3. For the purposes of this section, a mixed use structure's street front facade shall be measured by drawing the least rectangle that encloses the structure and measuring the length of the side of that rectangle most closely parallel to the front of streetside lot line(s), (Exhibit 47.008A).

Exhibit 47.008a

Measurement of Street Front Facade

- E. All gross floor area below grade or used for accessory parking or mechanical equipment shall be excluded from the calculation of the gross floor area of a structure for the purposes of meeting mixed use requirements.
- F. Any structure which contains residential uses and does not meet the requirements for mixed use as provided in this Section shall be considered a single purpose residential structure.

Section 4. That subsection E of Section 23.47.012 of the Seattle Municipal Code is deleted and subsequent subsections are renumbered to read as follows:

23.47.012 Structure Height and Floor Area Ratio

\* \* \*

((E. 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

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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.)

E((F)). 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 47.012A.

F((G)). 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 47.012B. No portion of a shed roof shall be permitted to extend beyond the height limit under this provision.

G((H)). 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

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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;
  - 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

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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((I)). Solar Retrofits

The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on June 9, 1986 as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. 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
3. Such collector(s) meet minimum energy standards administered by the Director.

H((J)). Freestanding Antennae and Transmission Towers

1. Amateur radio devices

The maximum height of an amateur radio tower for sending and/or receiving signals shall be no more than fifty feet 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.

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2. The maximum height of television receiving aerials shall be no more than fifty feet in zones where the maximum height limit does not exceed fifty feet. In zones with a maximum height limit which exceeds fifty feet the maximum height of the aerial shall not exceed the maximum height allowed for all structures.
3. Dish antennae shall not exceed the height limit of the zone in which they are located.
4. Communication utilities shall be exempt from height controls, except for the requirements of Chapter 23.64, Airport Height District.

Section 5. That subsections D through F of Section 23.47.014 of the Seattle Municipal Code are amended to read as follows:

23.47.014 Setback Requirements

\* \* \*

B. Setbacks for mixed use structures and structures containing no ((non-))residential 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 47.014A and B.

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2. A setback shall be required along any side 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 47.014C.
3. For structures containing no residential uses, a setback shall be required along any rear lot line which abuts a lot line of 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 47.014D.

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- 4. For mixed use structures, a setback shall be required along any rear lot line which abuts a lot line of 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. Fifteen feet for portions of structures above twelve feet in height to a maximum of forty feet; and
  - c. For portions of structures above forty feet in height, an additional two feet of setback shall be required for every ten feet in excess of forty feet, Exhibit 47.014D.

- ~~((3))5. One-half ((Foot)) alley width may be counted as part of the required setback.~~
- ~~((4))6. No entrance, window, or other opening shall be permitted closer than five feet to a residentially zoned lot.~~
- ~~c.((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.~~
- ~~((6. Setback requirements for structures containing only residential uses))~~
- ~~((1. Setbacks shall be required along side lot lines which abut lots- 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.))~~

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~~((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.))~~

~~((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 47.014C.~~

D.~~((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.

E.~~((4.))~~ Structures in required setbacks

1. Decks and balconies with open railings, 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.

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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.
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 or finished grade, whichever is lower, 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

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project into southern front or rear setbacks. Those which begin at eight feet or more above finished grade may be no closer than three feet from the property line. Sunshades which are between finished grade and eight feet above finished grade shall be no closer than five feet to the property line.

F.((E))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, Screening and Landscaping Standards.
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 47.014D. This setback shall be maintained up to a height of sixteen feet.
5. Communication utilities shall be set back at least ten feet from side and rear lot lines.

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6. Required ground level open space shall be landscaped according to standards promulgated by the Director.

Section 8. That subsection A of Section 23.86.007 of the Seattle Municipal Code is amended to read as follows:

23.86.007 Gross Floor Area and Floor Area Ratio

A. Certain items may be exempted from calculation of gross floor area ((for purposes of determining the floor area ratio (FAR))) of a structure. When gross floor area below grade is exempted, the amount of below grade floor area shall be measured as follows:

1. The existing grade of the lot shall be established by the elevations of the perimeter lot lines of the lot.
2. To determine the amount of gross floor area which is below grade, find the point where the ceiling of each floor intersects the existing grade elevation. Draw a line perpendicular to the point of intersection. All gross floor area behind this line shall be considered below grade, Exhibit 86.007A.

B. Public rights-of-way shall not be considered part of a lot when calculating floor area ratio.

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- E. 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.
- F. 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.
- G. Required usable open space is permitted at the front, sides, or rear of the structure.
- H. 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.))

B. Open Space Standards

1. When permitted, required usable open space not provided at ground level may be provided above ground in the form of balconies, decks, solaria, greenhouses, or roof gardens.
2. 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.
3. 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.
4. Required usable open space is permitted at the front, sides, or rear of the structure.
5. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, shall not be counted as open space.

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1 Section 6. A new section 23.47.023 is hereby added to the Seattle  
2 Municipal code to read as follows:

3 23.47.023 Standards for Single Purpose Residential Structures

- 4  
5 A. In NC1 zones single purpose residential structures shall meet the  
6 development standards for residential structures in L1 zones.
- 7 B. In NC2, NC3, C1 and C2 zones with either thirty or forty-foot height  
8 limits single purpose residential structures shall meet the development  
9 standards for residential structures in L2 zones, except that no front  
10 setback shall be required
- 11 C. In NC2, NC3, C1 and C2 zones with sixty-five-foot height limits single  
12 purpose residential structures shall meet the development standards for  
13 residential structures in L3 zones, except that no front setback shall  
14 be required and the structure width exception of Section 23.45.038A3b  
15 which allows structures to achieve a width of one hundred fifty feet  
16 shall not apply.
- 17 D. In all commercial zones with a height limit of eighty-five feet or  
18 greater, single purpose residential structures are prohibited.

19 Section 7. That Section 23.47.024 of the Seattle Municipal Code is  
20 amended to read as follows:

21 23.47.024 Open Space Standards for Mixed use Structures ((Residential  
22 Uses))

23 ((A.))Usable open space shall be required for all residential uses in mixed  
24 use structures ((containing residential uses,)) according to ((Chart  
25 Ø)) the following:

- 26 A. Usable space shall be required for all residential uses in an  
27 amount equal to twenty-five percent of the structure's gross floor  
28 area in residential use.

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1. For mixed use structures, where fifty percent of required open space is provided at ground level, the total open space requirements shall be reduced to twenty percent. If eighty percent of required open space is provided at ground level, the total open space requirement shall be further reduced to fifteen percent.

2. For mixed use structures, all required open space may be provided above ground, no more than forty percent of which may be provided on the roof.

((CHART D: USABLE OPEN SPACE REQUIREMENTS))

((Structure Type	Height of Structure		
	40' or less	41' to 85'	86' to 160'
Single purpose residential structures	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. For the purposes of this Section, structures containing less than forty percent of gross floor area at street level in commercial use shall be considered single purpose residential structures.

C. Except as provided in subsection D, 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.

D. 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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Section 8. The City Council finds that since the adoption of the commercial provisions of the Land Use Code in March 1986, new single-purpose residential development has occurred in the NC and C zones in number and scale which were not anticipated by the City Council, usurping limited commercial land needed for commercial services in close proximity to residential neighborhoods. Such development can be expected to continue unless prompt action is taken. By reason of such facts, an emergency exists necessitating the immediate adoption of regulations. To require discretionary administrative approval for such development.

Passed by three-fourths (3/4ths) vote of all the members of the City Council the ..... day of ....., 19... , and signed by me in open session in authentication of its passage this ..... day of ....., 19.....

\_\_\_\_\_  
President.....of the City Council

Approved by me this..... day of ....., 19.....

\_\_\_\_\_  
Mayor

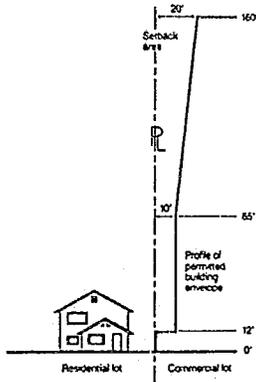
Filed by me this... day of ....., 19.....

Attest: \_\_\_\_\_  
City Comptroller and City Clerk

(SEAL)

Published \_\_\_\_\_ By \_\_\_\_\_ Deputy Clerk

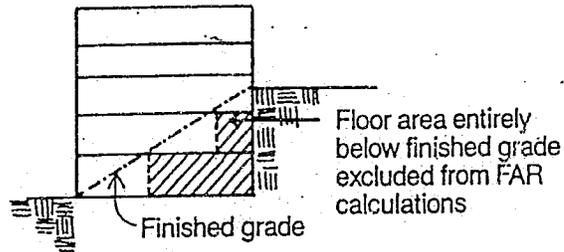
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**Exhibit 47.014C**

**Setback abutting a side or rear lot line of a residentially zoned lot**

- 14 -



**Exhibit 86.007A Floor area below grade**

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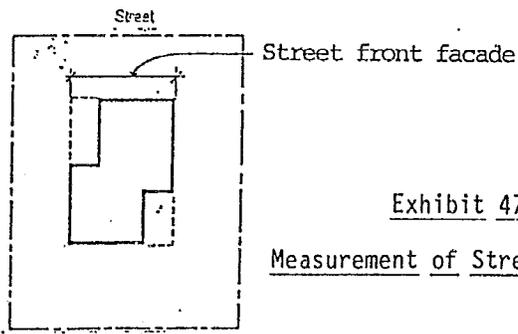


Exhibit 47.008a

Measurement of Street Front Facade

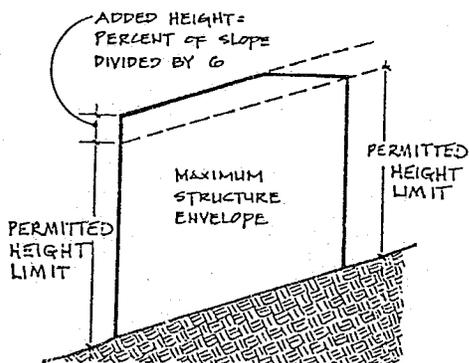


Exhibit 47.12A Height Limits on Sloped Lots

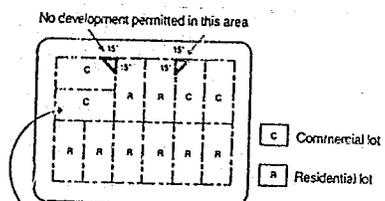
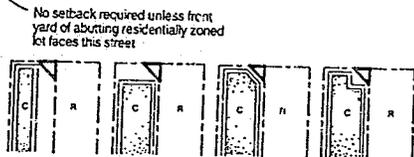


Exhibit 47.014A & B

Setback abutting a side or rear lot line of a residentially zoned lot



C-408-X

# Affidavit of Publication

## STATE OF WASHINGTON KING COUNTY—SS.

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

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a .....  
Ordinance No. 113892  
.....

was published on April 21, 1988  
.....  
.....

*H. Sprague*  
.....  
Subscribed and sworn to before me on  
April 21, 1988  
.....

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

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

