

22341  
ORDINANCE No. 114776

2LKA  
COUNCIL BILL No. 107647

Law 5

The City

AN ORDINANCE amending Section 23.45.0065 of the Seattle Municipal Code regarding City wide emergency interim controls in the Lowrise 3 (L3), Lowrise 2 (L2) and Lowrise 1 (L1) multi-family residential zones,

William

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Co report that we have considered the

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

Introduced: OCT 1 4 1989	By: NOLAND
Referred: OCT 1 4 1989	To: HHS RETIREMENT
Referred:	To:
Referred:	To:
Reported: OCT 2 3 1989	Second Reading: OCT 2 3 1989
Third Reading: OCT 2 3 1989	Signed: OCT 2 3 1989
Presented to Mayor: OCT 2 3 1989	Approved: OCT 2 3 1989
Returned to City Clerk: OCT 2 3 1989	Published:
Voted by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Vote

OK

*Law Department*

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

President:

Committee on \_\_\_\_\_

was referred to within Council Bill No. \_\_\_\_\_

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

Vote 4-0

\_\_\_\_\_  
Committee Chair

ORDINANCE 114776

1  
2  
3 AN ORDINANCE amending Section 23.45.0065 of the Seattle  
4 Municipal Code to extend the duration of City wide  
5 interim controls in the Lowrise 3 (L3), Lowrise 2 (L2)  
6 and Lowrise 1 (L1) multi-family residential zones, and  
7 declaring that emergency conditions exist in those zones  
8 throughout the City.

9 WHEREAS, drafting and enactment of permanent amendments to the  
10 Land Use Code to reflect new policies being considered by  
11 the Council will require several months time, within  
12 which development rights could vest which would undermine  
13 the intent of those policies; and

14 WHEREAS, it is therefore in the public interest to extend the  
15 duration of interim controls which help give effect to  
16 new multi-family policies, Now, Therefore,

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

18 Section 1. Section 23.45.0065, added by Ordinance  
19 113858, is amended to read as follows:

20 23.45.0065 Interim Zoning

21 ~~(Except for the areas of Ballard and Fremont as provided~~  
22 ~~in Section 23.45.0077)~~ The development standards for the  
23 Lowrise 1 (L1), Lowrise 2 (L2) and Lowrise 3 (L3) and  
24 corresponding RC zones throughout the City of Seattle are  
25 supplemented by the following interim controls ~~(for a~~  
26 ~~period of one year and three months from the effective~~  
27 ~~date of this ordinance)~~ until June 30, 1990, or until the  
28 City Council adopts permanent amendments to the multi-  
family code, whichever comes first.

A. Development in Lowrise 3 (L3) and Lowrise 3  
Residential-Commercial (L3/RC) zones shall be  
limited to ~~(the)~~ a height ~~(standards)~~ of ~~(the)~~  
thirty (30) feet ~~(existing Lowrise 2 (L2) zone)~~, to  
maximum lot coverage(s) of ~~(45)~~ 40 percent ~~(for~~  
~~single structure development and 50 percent for~~  
~~multiple structure development)~~, a maximum structure

gk

1 width of sixty feet (60') for apartments, terraced  
2 housing, and ground related structures except  
3 townhouses, and one hundred twenty feet (120') for  
4 townhouses, and to a maximum density of one dwelling  
5 unit for each (700) 800 square feet of lot area. gk  
6 Multi-family structures housing low-income elderly  
7 or low-income disabled residents or a combination of  
8 the two, operated by a public agency or a private  
9 non-profit corporation shall have a minimum lot area  
10 per dwelling unit of 1 dwelling unit per five  
11 hundred fifty (550) square feet of lot area. The  
12 dwelling units shall remain as low-income elderly or  
13 low-income disabled housing for the life of the  
14 structure. For purposes of this section, "low- gk  
15 income disabled housing" means a multi-family  
16 structure in which at least ninety percent of the  
17 dwelling units are occupied by one or more persons  
18 who qualify as disabled under the definitions of the  
19 Federal Fair Housing Amendment Act, the Washington  
20 State Department of Social and Health Services and  
21 the Seattle Special Needs Housing Siting Policies,  
22 and who have incomes not exceeding income limits for  
23 low-rent public housing for one and two person  
24 families as defined by Resolution 27471.

25 Fractions of lot area above required increments  
26 for each dwelling unit shall not allow development  
27 of an additional dwelling unit.

- 28 B. Development in lowrise 2 (L2) and Lowrise 2  
Residential-Commercial (L2/RC) zones shall be  
limited to maximum height of twenty-five (25) feet,  
maximum lot coverage(s) of (45) 40 percent (fer-

1                    ~~single-structure-development-and-50-percent-for~~  
2                    ~~multiple-structure-developments~~), a maximum  
3                    structure width of fifty feet (50') for apartments,  
4                    terraced housing, and ground related structures  
5                    ~~except townhouses~~ and ninety feet (90') for  
6                    townhouses, and to a maximum density of one dwelling  
7                    unit for each (900) 1,200 square feet of lot area.  
8                    Fractions of lot area above increments of (900)  
9                    1,200 square feet for each dwelling unit shall not  
10                   allow development of an additional dwelling unit.

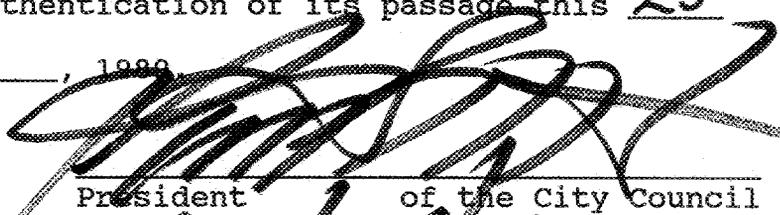
11                   C.    Development in Lowrise 1 (L1) and Lowrise 1  
12                   Residential-Commercial (L1/RC) zones shall be  
13                   limited to a maximum height limit of twenty-five  
14                   (25) feet, a maximum lot coverage of 40%, a maximum  
15                   structure width of sixty feet (60'), and a maximum  
16                   density of one dwelling unit for each (~~one-thousand~~  
17                   ~~four-hundred-square-feet-(1,400)~~) one thousand six  
18                   hundred (1,600) square feet of lot area. Fractions  
19                   of lot area above increments of 1,600 square feet  
20                   for each dwelling unit shall not allow development  
21                   of an additional dwelling unit.

22                   Section 2.    Declaration of Emergency.    The City Council  
23                   finds that since the adoption of the multi-family provisions  
24                   of the Land Use Code in August, 1982, multi-family development  
25                   activity has been intensive, evidenced by (1) the number of  
26                   development permits, (2) the achievement of greater densities  
27                   than were anticipated in the multi-family environmental impact  
28                   statement, (3) the achievement of densities in some areas  
                 which are significantly greater than permitted under previous  
                 zoning, and (4) the construction of multi-family housing which  
                 is out of scale with the character of those neighborhoods.  If

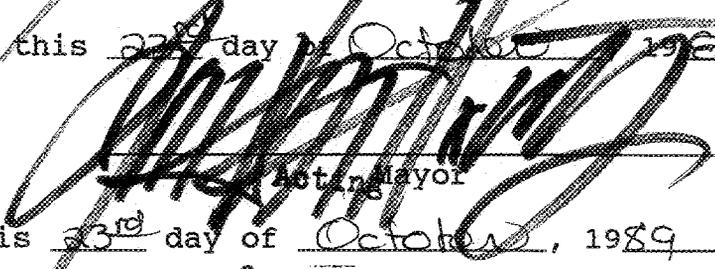
1 development continues to vest and occur until the Land Use  
2 Code is amended, the Council policies referenced herein will  
3 be frustrated. For these reasons, an emergency exists, and  
4 continues to exist, necessitating the continuation of amended  
5 interim zoning regulations for the Lowrise 1, Lowrise 2, and  
6 Lowrise 3 zones until the City Council can adopt permanent  
7 zoning provisions in said zones. In view of this emergency,  
8 this amendment shall become effective immediately upon its  
9 approval by the Mayor or passage over his veto, as provided in  
10 the City Charter.

11 Section 3. SEPA Emergency Exemption. Pursuant to SMC  
12 25.05.880, the City Council finds that an exemption under SEPA  
13 for this action is necessary to prevent an imminent threat to  
14 public health and safety and to prevent an imminent threat of  
15 serious environmental degradation through continued  
16 development under the previous regulations. SEPA review of  
17 any permanent regulations proposed for replacement of the  
18 existing zoning and the interim controls shall be conducted.

19 PASSED by three-fourths vote of all the members of the  
20 City Council the 23<sup>rd</sup> day of October, 1989, and signed by me  
21 in open session in authentication of its passage this 23<sup>rd</sup>  
22 day of October, 1989.

23   
24 \_\_\_\_\_  
25 President of the City Council

26 Approved by me this 23<sup>rd</sup> day of October, 1989.

27   
28 \_\_\_\_\_  
Acting Mayor

29 Filed by me this 23<sup>rd</sup> day of October, 1989.

30 TEST

31 Norward J. Brooks  
32 \_\_\_\_\_  
33 City Comptroller and City Clerk

34 By Theresa Dunbar  
35 \_\_\_\_\_  
36 Deputy

37 (SEAL)

38 Published \_\_\_\_\_

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10/23/89

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BY THE DIVISION OF  
RECORDS & ELECTIONS  
KING COUNTY

ORDINANCE 114776

1  
2  
3 AN ORDINANCE amending Section 23.45.0065 of the Seattle  
4 Municipal Code to extend the duration of City wide  
5 interim controls in the Lowrise 3 (L3), Lowrise 2 (L2)  
6 and Lowrise 1 (L1) multi-family residential zones, and  
7 declaring that emergency conditions exist in those zones  
8 throughout the City.

9 WHEREAS, drafting and enactment of permanent amendments to the  
10 Land Use Code to reflect new policies being considered by  
11 the Council will require several months time, within  
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19 113858, is amended to read as follows:

20 23.45.0065 Interim Zoning

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24 corresponding RC zones throughout the City of Seattle are  
25 supplemented by the following interim controls ~~(for a~~  
26 ~~period of one year and three months from the effective~~  
27 ~~date of this ordinance)~~ until June 30, 1990, or until the  
28 City Council adopts permanent amendments to the multi-  
family code, whichever comes first.

A. Development in Lowrise 3 (L3) and Lowrise 3  
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~~single structure development and 50 percent for~~  
~~multiple structure development)~~, a maximum structure

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JK  
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2 housing, and ground related structures except  
3 townhouses, and one hundred twenty feet (120') for  
4 townhouses, and to a maximum density of one dwelling  
5 unit for each (700) 800 square feet of lot area. JK  
6 Multi-family structures housing low-income elderly  
7 or low-income disabled residents or a combination of  
8 the two, operated by a public agency or a private  
9 non-profit corporation shall have a minimum lot area  
10 per dwelling unit of 1 dwelling unit per five  
11 hundred fifty (550) square feet of lot area. The  
12 dwelling units shall remain as low-income elderly or  
13 low-income disabled housing for the life of the  
14 structure. For purposes of this section, "low- JK  
15 income disabled housing" means a multi-family  
16 structure in which at least ninety percent of the  
17 dwelling units are occupied by one or more persons  
18 who qualify as disabled under the definitions of the  
19 Federal Fair Housing Amendment Act, the Washington  
20 State Department of Social and Health Services and  
21 the Seattle Special Needs Housing Siting Policies,  
22 and who have incomes not exceeding income limits for  
23 low-rent public housing for one and two person  
24 families as defined by Resolution 27471.

Fractions of lot area above required increments  
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of an additional dwelling unit.

25 B. Development in lowrise 2 (L2) and Lowrise 2  
26 Residential-Commercial (L2/RC) zones shall be  
27 limited to maximum height of twenty-five (25) feet,  
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5 except townhouses, and ninety feet (90') for  
6 townhouses, and to a maximum density of one dwelling  
7 unit for each (900) 1,200 square feet of lot area.  
8 Fractions of lot area above increments of (900)  
9 1,200 square feet for each dwelling unit shall not  
allow development of an additional dwelling unit.

10 C. Development in Lowrise 1 (L1) and Lowrise 1  
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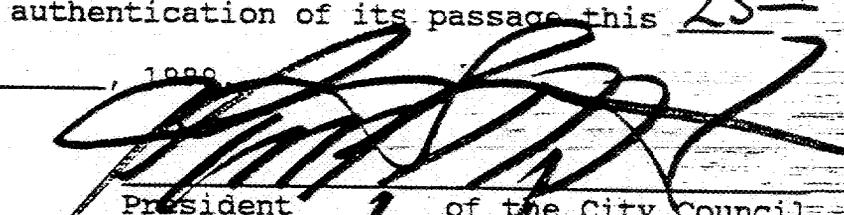
20 Section 2. Declaration of Emergency. The City Council  
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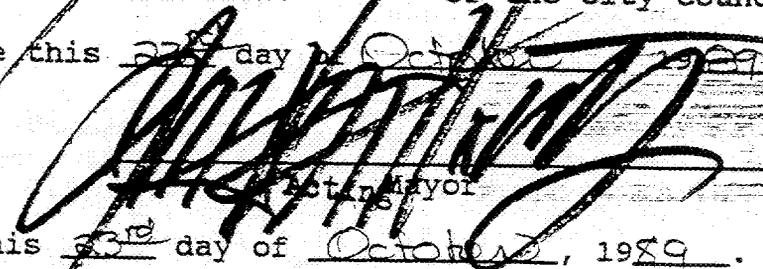
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President of the City Council

24 Approved by me this 23<sup>rd</sup> day of October, 1989

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Acting Mayor

26 Filed by me this 23<sup>rd</sup> day of October, 1989.

27 W. J. Brooks  
City Comptroller and City Clerk

28 BY Theresa Dunbar  
Deputy

(SEAL)

Published \_\_\_\_\_



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- B. Development in lowrise 2 (L2) and Lowrise 2  
Residential-Commercial (L2/RC) zones shall be  
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9 ~~1,200 square feet for each dwelling unit shall not~~  
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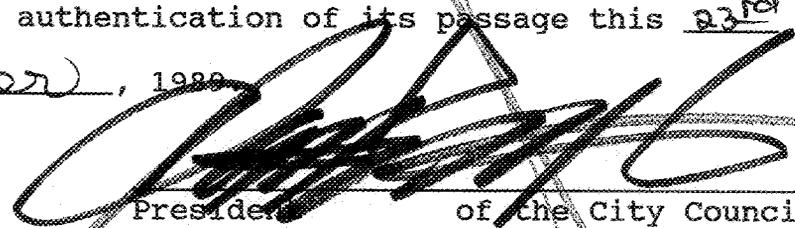
10 C. Development in Lowrise 1 (L1) and Lowrise 1  
11 Residential-Commercial (L1/RC) zones shall be  
12 limited to a maximum height limit of twenty-five  
13 (25) feet, a maximum lot coverage of 40%, a maximum  
14 structure width of sixty feet (60'), and a maximum  
15 density of one dwelling unit for each (one-thousand  
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18 of lot area above increments of 1,600 square feet  
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21 finds that since the adoption of the multi-family provisions  
22 of the Land Use Code in August, 1982, multi-family development  
23 activity has been intensive, evidenced by (1) the number of  
24 development permits, (2) the achievement of greater densities  
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26 statement, (3) the achievement of densities in some areas  
27 which are significantly greater than permitted under previous  
28 zoning, and (4) the construction of multi-family housing which  
is out of scale with the character of those neighborhoods. If

1 development continues to vest and occur until the Land Use  
2 Code is amended, the Council policies referenced herein will  
3 be frustrated. For these reasons, an emergency exists, and  
4 continues to exist, necessitating the continuation of amended  
5 interim zoning regulations for the Lowrise 1, Lowrise 2, and  
6 Lowrise 3 zones until the City Council can adopt permanent  
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8 this amendment shall become effective immediately upon its  
9 approval by the Mayor or passage over his veto, as provided in  
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11 25.05.880, the City Council finds that an exemption under SEPA  
12 for this action is necessary to prevent an imminent threat to  
13 public health and safety and to prevent an imminent threat of  
14 serious environmental degradation through continued  
15 development under the previous regulations. SEPA review of  
16 any permanent regulations proposed for replacement of the  
existing zoning and the interim controls shall be conducted.

17 PASSED by three-fourths vote of all the members of the  
18 City Council the 23<sup>rd</sup> day of October, 1989, and signed by me  
19 in open session in authentication of its passage this 23<sup>rd</sup>  
20 day of October, 1989.

21   
22 \_\_\_\_\_  
President of the City Council

23 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

24 \_\_\_\_\_  
Mayor

25 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

26 ATTEST \_\_\_\_\_  
27 City Comptroller and City Clerk

28 By \_\_\_\_\_  
Deputy

(SEAL)

Published \_\_\_\_\_

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ORDINANCE \_\_\_\_\_

AN ORDINANCE amending Section 23.45.0065 of the Seattle Municipal Code regarding City wide emergency interim controls in the Lowrise 3 (L3), Lowrise 2 (L2) and Lowrise 1 (L1) multi-family residential zones, and declaring that emergency conditions exist in those zones throughout the City.

WHEREAS, drafting and enactment of permanent amendments to the Land Use Code to reflect new policies being considered by the Council will require several months time, within which development rights could vest which would undermine the intent of those policies; and

WHEREAS, it is therefore in the public interest to approve temporary interim controls which help give effect to new multi-family policies, Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.45.0065, added by Ordinance 113858, is amended to read as follows:

23.45.0065 Interim Zoning

~~(Except for the areas of Ballard and Fremont as provided in Section 23.45.0077)~~ The development standards for the Lowrise 1 (L1), Lowrise 2 (L2) and Lowrise 3 (L3) and corresponding RC zones throughout the City of Seattle are supplemented by the following interim controls ~~(for a period of one year and three months from the effective date of this ordinance)~~ until June 30, 1990, or until the City Council adopts permanent amendments to the multi-family code, whichever comes first.

A. Development in Lowrise 3 (L3) and Lowrise 3 Residential-Commercial (L3/RC) zones shall be limited to ~~(the)~~ a height (standards) of ~~(the)~~ thirty (30) feet (existing Lowrise 2 (L2) zone), to maximum lot coverage(s) of ~~(45)~~ 40 percent ~~(for single-structure development and 50 percent for multiple-structure development)~~, and to a maximum

1 density of one dwelling unit for each (700) 800  
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16 additional dwelling unit.

17 C. Development in Lowrise 1 (L1) and Lowrise 1  
18 Residential-Commercial (L1/RC) zones shall be  
19 limited to a maximum height limit of twenty-five  
20 (25) feet, a maximum lot coverage of 40%, and a  
21 maximum density of one dwelling unit for each 1,600  
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PASSED by three-fourths vote of all the members of the City Council the \_\_\_\_ day of \_\_\_\_\_, 1989, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 1989.

\_\_\_\_\_  
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

By \_\_\_\_\_  
Deputy

(SEAL)

Published \_\_\_\_\_

STATE OF WASHINGTON - KING COUNTY

20601  
City of Seattle

—ss.

No.

Affidavit of Publication

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

ORD 114776

was published on

10/25/89

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

Bethany Morris

Subscribed and sworn to before me on

OCT 25 1989

Clair Boy

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 114776

AN ORDINANCE amending Section 23.45.0065 of the Seattle Municipal Code to extend the duration of City wide interim controls in the Lowrise 3 (L3), Lowrise 2 (L2) and Lowrise 1 (L1) multi-family residential zones, and declaring that emergency conditions exist in those zones throughout the City.

WHEREAS, drafting and enactment of permanent amendments to the Land Use Code to reflect new policies being considered by the Council will require several months time, within which development rights could vest which would undermine the intent of those policies; and

WHEREAS, it is therefore in the public interest to extend the duration of interim controls which help give effect to new multi-family policies, Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.45.0065, added by Ordinance 113858, is amended to read as follows:

### 23.45.0065 Interim Zoning

~~(Except for the areas of Ballard and Fremont as provided in Section 23.45.0070.)~~ The development standards for the Lowrise 1 (L1), Lowrise 2 (L2) and Lowrise 3 (L3) and corresponding RC zones throughout the City of Seattle are supplemented by the following interim controls ~~(for a period of one year and three months from the effective date of this ordinance)~~ until June 30, 1990 or until the City Council adopts permanent amendments to the multi-family code, whichever comes first.

- A. Development in Lowrise 3 (L3) and Lowrise 3 Residential-Commercial (L3/RC) zones shall be limited to ~~(the)~~ height ~~(standards)~~ of ~~(the)~~ thirty (30) feet (existing Lowrise 3 (L3) zone), to maximum lot coverage(s) of ~~(45)~~ 40 percent ~~(for single-structure development and 50 percent for multiple-structure development)~~, a maximum structure width of sixty feet (60') for apartments, terraced housing, and ground related structures ~~except townhouses, and one hundred twenty feet (120') for townhouses~~, and to a maximum density of one dwelling unit for each ~~(700)~~ 400 square feet of lot area. ~~Multi-family structures housing low-income elderly or low-income disabled residents or a combination of the two, operated by a public agency or a private non-profit corporation shall have a minimum lot area per dwelling unit of 1 dwelling unit per five hundred fifty (550) square feet of lot area. The dwelling units shall remain as low-income elderly or low-income disabled housing for the life of the structure. For purposes of this section, "low-income disabled housing" means a multi-family structure in which at least ninety percent of the dwelling units are occupied by one or more persons who qualify as disabled under the definitions of the Federal Fair Housing Amendment Act, the Washington State Department of Social and Health Services and the Seattle Special Needs Housing Siting Policies.~~

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