

ORDINANCE No. 116744

CB 109710

NO SEARCHED

The City

ORDINANCE

AN ORDINANCE relating to land use and zoning, resulting from reorganization of City departments and reassignment of work, amending Sections 23.04.040, 23.45.015, 23.45.057, 23.45.073, 23.45.112, 23.47.006, 23.47.016 23.47.027, 23.49.036, 23.49.046, 23.49.056, 23.49.066, 23.49.076, 23.49.096, 23.49.106, 23.49.122, 23.49.134, 23.49.162, 23.49.180, 23.49.212, 23.49.214, 23.49.240, 23.49.332, 23.50.016, 23.50.034, 23.53.020, 23.60.196, 23.60.704, 23.66.020, 23.66.025, 23.66.030, 23.66.035, 23.66.110, 23.66.115, 23.66.122, 23.66.124, 23.66.130, 23.66.140, 23.66.150, 23.66.155, 23.66.160, 23.66.170, 23.66.180, 23.66.190, 23.66.310, 23.66.314, 23.66.316, 23.66.318, 23.66.326, 23.66.334, 23.66.336, 23.66.338, 23.66.342, 23.68.022, 23.69.023, 23.69.032, 23.69.034, 23.84.006, 23.84.008, 24.08.040, 24.24.010, 24.26.010, 24.66.050, 24.70.060, and 24.74.028

Honorable President:

Your Committee on _____

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

6/9/93 2-C

Full Council

COMPTROLLER FILE No. _____

Introduced: <u>JUN 1 1993</u>	By: <u>DONALDSON</u>
Referred: <u>JUN 1 1993</u>	To: <u>LAND USE COMMITTEE</u>
Referred:	To:
Referred:	To:
Reported: <u>JUN 14 93</u>	Second Reading: <u>JUN 14 93</u>
Third Reading: <u>JUN 14 93</u>	Signed: <u>JUN 14 93</u>
Presented to Mayor: <u>JUN 15 93</u>	Approved: <u>JUN 17 93</u>
Returned to City Clerk: <u>JUN 17 93</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

able President:

Committee on _____

was referred the within Council Bill No. _____

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

6/9/93 2-0 Do Pass

Full Council vote 9-0

Committee Chair

ORDINANCE 116744

AN ORDINANCE relating to land use and zoning, resulting from reorganization of City departments and reassignment of work; amending Sections 23.04.040, 23.45.015, 23.45.057, 23.45.073 23.45.112, 23.47.006, 23.47.016 23.47.027, 23.49.036, 23.49.046, 23.49.056, 23.49.066, 23.49.076, 23.49.096, 23.49.106, 23.49.122, 23.49.134, 23.49.162, 23.49.180, 23.49.212, 23.49.214, 23.49.240, 23.49.332, 23.50.016, 23.50.034, 23.53.020, 23.60.196, 23.60.704, 23.66.020, 23.66.025, 23.66.030, 23.66.035, 23.66.110, 23.66.115, 23.66.122, 23.66.124, 23.66.130, 23.66.140, 23.66.150, 23.66.155, 23.66.160, 23.66.170, 23.66.180, 23.66.190, 23.66.310, 23.66.314, 23.66.316, 23.66.318, 23.66.326, 23.66.334, 23.66.336, 23.66.338, 23.66.342, 23.68.022, 23.69.023, 23.69.032, 23.69.034, 23.84.006, 23.84.008, 24.08.040, 24.24.010, 24.26.010, 24.66.050, 24.70.060, and 24.74.028

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.04.040 of the Seattle Municipal Code, as adopted in Ordinance 115002, is hereby amended to read as follows:

23.04.040 Major Institution transition rule.

* * *

D. Master Plan Proceeding Under Code in Effect at Time of Filing.

When an application and applicable fees have been filed for a master plan prior to November 1, 1989, the master plan shall be subject either to the procedures and provisions in effect at the time of filing (i.e., recently repealed SMC Sections 23.81.040 and 23.81.050) or to the newly adopted procedures and provisions (i.e., SMC Sections 23.69.030 and 23.69.032), at the discretion of the applicant, provided that:

- 1. The applicant may elect only one (1) set of procedures and provisions which shall apply throughout the process; and

1 1. A minimum landscaped area which is equivalent
2 in square footage to three feet (3') times the total length
3 of all property lines shall be provided, except as specified
4 in subsection A5.

5 2. If screening and landscaping of parking from
6 direct street view is provided according to subsection
7 23.45.060 D, that amount of landscaped area may be counted
8 towards fulfilling the total amount of landscaped area
9 required by this Section.

10 3. Landscaped usable open space which is provided
11 for apartments or terraced housing according to Section
12 23.45.058 and located at ground level, may be counted towards
13 fulfilling the total amount of landscaped area required by
14 this Section.

15 4. Street trees shall be provided in the planting
16 strip according to the City of Seattle Engineering Department
17 ((Board-of-Public-Works)) Tree Planting Standards, unless it
18 is not possible to meet the standards. Existing street trees
19 may count toward meeting the street tree requirement.

20 5. Exceptions.

21 a. If full landscaping is not possible
22 because of the location of existing structures and/or
23 existing parking, the amount of required landscaped area may
24 be reduced by up to fifty percent (50%). The Director may
25 require landscaping which cannot be provided on the lot be
26 provided in the planting strip.

27 b. If landscaping would obscure the
28 visibility of retail uses or obstruct pedestrian access to
retail uses, and there is no other location on the lot for
the landscaping, the Director may reduce or waive the amount
of landscaping required in those locations. No reduction or

1 waiver shall apply to screening and landscaping of parking
2 required by subsection 23.45.060 D or open space required by
3 Section 23.45.058.

4
5 * * *

6 Section 4. Section 23.45.073 of the Seattle Municipal
7 Code, as adopted by Ordinance 114046, is hereby amended to
8 read as follows:

9 **23.45.073 Highrise-Screening and landscaping standards.**

10 A. Quantity.

11 1. A minimum landscaped area which is equivalent
12 in square footage to three feet (3') times the total length
13 of all property lines shall be provided, except as specified
14 in subsection A5.

15 2. If screening and landscaping of parking from
16 direct street view is provided according to subsection
17 23.45.076 D, that amount of landscaped area may be counted
18 towards fulfilling the total amount of landscaped area
19 required by this section.

20 3. Landscaped usable open space which is provided
21 for apartments or terraced housing according to Section
22 23.45.074 and located at ground level may be counted towards
23 fulfilling the total amount of landscaped area required by
24 this section.

25 4. Street trees shall be provided in the planting
26 strip according to the City of Seattle Engineering Department
27 ((Board-of-Public-Works)) Tree Planting Standards, unless it
28 is not possible to meet the standards. Existing street trees
may count toward meeting the street tree requirement.

5. Exceptions.

1 a. If full landscaping is not possible
2 because of the location of existing structures and/or
3 existing parking, the amount of required landscaped area may
4 be reduced by up to fifty percent (50%). The Director may
5 require landscaping which cannot be provided on the lot be
6 provided in the planting strip.

7 b. If landscaping would obscure the
8 visibility of retail uses or obstruct pedestrian access to
9 retail uses, and there is no other location on the lot for
10 the landscaping, the Director may reduce or waive the amount
11 of landscaping required in those locations. No reduction or
12 waiver shall apply to screening and landscaping of parking
13 required by subsection 23.45.076 D or open space required by
14 Section 23.45.072.

15 * * *

16 Section 5. Section 23.45.112 of the Seattle Municipal
17 Code, as last amended by Ordinance 114875, is hereby amended
18 to read as follows:

19 **23.45.112 Public schools.**

20 * * *

21 C. Structure Width.

22 1. When a new public school structure is
23 built on a new public school site or on an existing public
24 school site, the maximum width of a structure shall be sixty-
25 five feet (65') unless either the modulation option in
26 subsection C1a or the landscape option in subsection C1b of
27 this section is met.
28

1 a. Modulation Option. Front facades
2 and side and rear facades facing street lot lines shall be
3 modulated according to the following provisions:

4 (1) The minimum depth of modulation
5 shall be four feet (4').

6 (2) The minimum width of modulation
7 shall be twenty percent (20%) of the total structure width or
8 ten feet (10'), whichever is greater.

9 b. Landscape Option. Setbacks and
10 landscaping shall be provided as follows:

11 (1) One (1) tree and three (3)
12 shrubs are required for each three hundred (300) square feet
13 of required setback. When new trees are planted, at least
14 half must be deciduous.

15 (2) Trees and shrubs which already
16 exist in the required planting area or have their trunk or
17 center within ten feet (10') of the area may be substituted
18 for required plantings on a one (1) tree to one (1) tree or
19 one (1) shrub to one (1) shrub basis if the minimum standards
20 in Section 23.96.022, Measurements, are met, except that
21 shrub height need not exceed two feet (2') at any time. In
22 order to give credit for large existing trees, a tree may
23 count as one (1) required tree for every three hundred (300)
24 square feet of its canopy spread.

25 (3) The planting of street trees may be
26 substituted for required trees on a one-to-one (1:1) basis.
27 All street trees shall be planted according to City of
28 Seattle Engineering Department ((~~Board-of-Public-Works~~))
planting standards.

1 (4) Each setback required to be
2 landscaped shall be planted with shrubs, grass, and/or
3 evergreen ground cover.

4 (5) Landscape features such as
5 decorative paving are permitted to a maximum of twenty-five
6 percent (25%) of each required landscaped area.

7 (7) The School District shall maintain
8 all landscape material and replace any dead or dying plants.

9 2. There is no maximum width limit for additions
10 to existing public school structures on existing public
11 school sites. The Director may require landscaping to reduce
12 the appearance of bulk.

13 3. Development standard departure from the
14 modulation and landscaping standards may be granted or
15 required pursuant to the procedures and criteria set forth in
16 Chapter 23.79 to permit other techniques to reduce the
17 appearance of bulk. Modulation and landscaping standards may
18 be waived by the Director when waiver would contribute to
19 reduced demolition of residential structures.

20 * * *

21 Section 6. Section 23.47.006 of the Seattle Municipal
22 Code, as last amended by Ordinance 116616, is further amended
23 to read as follows:

24 **23.47.006 Conditional uses.**

25 * * *

26 C. The following uses, identified as Council
27 Conditional Uses on Chart A of Section 23.47.004 may be
28 permitted by the Council when the provisions of this
subsection and subsection A are met.

1 1. New bus bases for one hundred and fifty (150)
2 or fewer buses, or existing bus bases which are proposed to
3 be expanded to accommodate additional buses, in C1 or C2
4 zones.

5 a. Conditional Use Criteria.

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

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

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

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

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

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

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

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

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

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

7 d. Open areas and landing pads are hard
8 surfaced;

9 e. The helistop meets all federal
10 requirements, including those for safety, glide angles and
11 approach lanes.

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

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

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

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

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

26 4. Work-Release Centers in all Commercial Zones -
27 Conditional Use Criteria.

28 a. Maximum Number of Residents. No work-
release center shall house more than fifty (50) persons,
excluding resident staff.

1 b. If the work-release center is in a
2 single-purpose residential structure, the requirements of
3 Section 23.47.023 shall be followed. If the work-release
4 center is in a mixed-use structure, the requirements for
5 mixed use structures in Chapter 23.47 shall be followed.

6 c. Dispersion Criteria.

7 (1) The lot line of any new or expanding
8 work-release center shall be located six hundred feet (600')
9 or more from any residential zone, any lot line of any
10 special residence, and any lot line of any school.

11 (2) The lot line of any new or expanding
12 work-release center shall be located one mile or more from
13 any lot line of any other work-release center.

14 (3) The Director shall determined
15 whether a proposed facility meets the dispersion criteria
16 from maps which shall note the location of current work-
17 release centers and special residences. Any person who
18 disputes the accuracy of the maps may furnish the Director
19 with the new information and, if determined by the Director
20 to be accurate, this information shall be used in processing
21 the application.

22 d. The Council's decision shall be based on
23 the Commercial Areas Policies and the following criteria:

24 (1) The extent to which the applicant can
25 demonstrate the need for the new or expanding facility in the
26 City, including a statement describing the public interest in
27 establishing or expanding the facility;

28 (2) The extent to which the applicant has
demonstrated that the facility can be made secure. The
applicant shall submit a proposed security plan to the
Director, and the Director, in consultation with the Seattle

1 Police Department, shall consider and evaluate the plan. The
2 security plan shall address, but is not limited to, the
3 following:

4 i. Plans to monitor and control
5 the activities of residents, including methods to verify the
6 presence of residents at jobs or training programs, policies
7 on sign-outs for time periods consistent with the stated
8 purpose of the absence for unescorted trips by residents away
9 from the center, methods of checking the records of persons
10 sponsoring outings for work-release residents, and
11 on penalties for drug or alcohol use by residents, and

12 ii. Staff numbers, level of
13 responsibilities, and scheduling, and

14 iii. Compliance with the security
15 standards of the American Corrections Association;

16 (3) The extent to which proposed
17 lighting is located so as to minimize spillover light on
18 surrounding properties while maintaining appropriate
19 intensity and hours of use to ensure that security is
20 maintained;

21 (4) The extent to which the facility's
22 landscape plan meets the requirements of the zone while
23 allowing visual supervision of the residents of the facility;

24 (5) The extent to which appropriate
25 measures are taken to minimize noise impacts on surrounding
26 properties. Measures to be used for this purpose may
27 include: landscaping, sound barriers or fences, berms,
28 location of refuse storage areas, and limiting the hours of
use of certain areas;

(6) The extent to which the impacts of
traffic and parking are mitigated by increasing on-site

1 parking or loading spaces to reduce overflow vehicles or
2 changing the access to and location of off-street parking;

3 (7) The extent to which the facility is
4 well-served by public transportation or to which the facility
5 is committed to a program of encouraging the use of public or
6 private mass transportation;

7 (8) Verification from the Department of
8 Corrections (DOC), which shall be reviewed by (~~the-Human~~
~~Services-Strategic-Planning-Office-and~~) the Police
9 Department, that the proposed work-release center meets DOC
10 standards for such facilities and that the facility will meet
11 state laws and requirements.

12 * * *

13
14 Section 7. Section 23.47.016 of the Seattle Municipal
15 Code, as last amended by Ordinance 115164, is hereby amended
16 to read as follows:

17 **23.47.016 Screening and landscaping standards.**

18 * * *

19 C. Street Trees.

20 1. Street trees shall be provided in the planting
21 strip. Existing street trees may count toward meeting the
22 street tree requirement.

23 2. Exceptions to Street Tree Requirements.

24 a. If a lot borders a platted but unopened
25 street, the Director may reduce or waive the street tree
26 requirement on the frontage if after consultation with the
27 Director of Engineering it is determined that the street is
28 unlikely to be developed.

1 b. Street tree requirements shall not apply
2 to single-family dwelling units in commercial zones.

3 c. Street trees shall not be required when a
4 change of use is the only permit requested.

5 d. Street trees shall not be required for
6 temporary use permits.

7 e. Street trees shall not be required when
8 expanding an existing structure unless an expansion equal to
9 or greater than one thousand (1,000) square feet of expansion
10 is proposed. Two (2) street trees shall be required for each
11 additional one thousand (1000) square feet of expansion.

12 Rounding, per Section 23.86.002B, shall not be permitted.

13 The maximum number of street trees shall be controlled by the
14 Department of Engineering ((Board-of-Public-Works)) standard.

15 f. Street trees shall not be required when
16 an existing surface parking area is expanded by less than ten
17 percent (10%) in area or in number of spaces.

18 g. If street trees would obscure the
19 visibility of retail uses or obstruct pedestrian access to
20 retail uses, and there is no other location on the lot for
21 the landscaping, the Director may reduce or waive the street
22 requirement after consultation with the City Arborist.

23 3. If it is not feasible to plant street trees
24 according to City standards, either a five-foot (5') deep
25 landscaped setback shall be required along the street
26 property line or landscaping other than trees may be located
27 in the planting strip according to Department of Engineering
28 ((Board-of-Public-Works)) rules. The street trees shall be
planted in the landscaped area at least two feet (2') from
the street lot line if they cannot be placed in the planting
strip. Where retail sales and service uses have customer

1 entrances located along the street frontage, street trees
2 shall not be required. The Director may reduce or waive this
3 setback and tree requirement where physically infeasible.

4 * * *

5
6 Section 8. Section 23.47.027 of the Seattle Municipal
7 Code, as adopted by Ordinance 113892, is hereby amended to
8 read as follows:

9 **23.47.027 Landmark Districts and designated landmark
10 structures**

11 * * *

12 B. The Director's decision to waive or modify
13 development standards shall be consistent with adopted
14 District design and development guidelines and shall be
15 consistent with the recommendations of the Landmarks
16 Preservation Board or the Director of Neighborhoods
17 ((Community-Development)) except when potential environmental
18 impacts clearly require lesser waivers or modifications.

19 Section 9. Section 23.49.036 of the Seattle Municipal
20 Code, as last amended by Ordinance 114725, is further amended
21 to read as follows:

22 **Section 23.49.036 Planned community developments (PCDs).**

23 * * *

24 E. Evaluation of PCDs. A proposed PCD shall be
25 evaluated on the basis of public benefits provided, possible
26 impacts of the project, and consistency with the City's Land
27 Use Policies.

28

1 1. Public Benefits. A proposed PCD shall provide
2 one (1) or more of the following elements: Housing, low-
3 income housing, services, employment, increased public
4 revenue, strengthening of neighborhood character,
5 improvements in pedestrian circulation or urban form, and/or
6 other elements which further an adopted City policy and
7 provide a demonstrable public benefit.

8 2. Potential Impacts. The potential impacts of a
9 proposed PCD shall be evaluated, including, but not
10 necessarily limited to, the impacts on housing, particularly
11 low-income housing, transportation systems, parking, energy,
12 and public services, as well as environmental factors such as
13 noise, air, light, glare, and water quality.

14 3. The proposed PCD shall be reviewed for
15 consistency with the Downtown Land Use Policies and the Land
16 Use Policies for other areas adjacent to Downtown which could
17 be affected by the PCD.

18 4. When the proposed PCD is located in the
19 Pioneer Square Preservation District or International
20 District Special Review District, the Board of the
21 District(s) in which the PCD is located shall review the
22 proposal and make a recommendation to the Department of
23 Neighborhoods (~~Community-Development~~) Director who shall
24 make a recommendation to the Director prior to the Director's
25 recommendation to the Council on the PCD.

26 * * *

27 Section 10. Section 23.49.046 of the Seattle Municipal
28 code, as last amended by Ordinance 116616, is further amended
to read as follows:

23.49.046 Downtown Office Core 1, conditional uses.

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* * *

G. Work-release centers may be permitted as Council conditional uses, based on the following criteria:

1. Maximum Number of Residents. No work-release center shall house more than fifty (50) persons, excluding resident staff.

2. Dispersion Criteria

a. The lot line of any new or expanding work-release center shall be located six hundred feet (600') or more from any residential zone, any lot line of any special residence, and any lot line of any school.

b. The lot line of any new or expanding work-release center shall be located one (1) mile or more from any lot line of any other work-release center.

c. The Director shall determine whether a proposed facility meets the dispersion criteria from maps which shall note the location of current work-release centers and special residences. Any person who disputes the accuracy of the maps may furnish the Director with the new information and, if determined by the Director to be accurate, this information shall be used in processing the application.

3. The Council's decision shall be based on the Land Use and Transportation Plan for Downtown and the following criteria:

a. The extent to which the applicant can demonstrate the need for the new or expanded facility in the City, including a statement describing the public interest in establishing or expanding the facility;

b. The extent to which the applicant has demonstrated that the facility can be made secure. The applicant shall submit a proposed security plan to the

1 Director, and the Director, in consultation with the Seattle
2 Police Department, shall consider and evaluate the plan. The
3 security plan shall address, but is not limited to, the
4 following:

5 i. Plans to monitor and control the
6 activities of residents, including methods to verify the
7 presence of residents at jobs or training programs, policies
8 on sign-outs for time periods consistent with the stated
9 purpose of the absence for unescorted trips by residents away
10 from the center, methods of checking the records of persons
11 sponsoring outings for work-release residents, and policies
12 on penalties for drug or alcohol use by residents, and

13 ii. Staff numbers, level of
14 responsibilities, and scheduling and

15 iii. Compliance with the security
16 standards of the American Corrections Association;

17 c. The extent to which proposed lighting is
18 located so as to minimize spillover light on surrounding
19 properties while maintaining appropriate intensity and hours
20 of use to ensure security is maintained;

21 d. The extent to which the facility's
22 landscape plan meets the requirements of the zone while
23 allowing visual supervision of the residents of the facility;

24 e. The extent to which appropriate measures
25 are taken to minimize noise impacts on surrounding
26 properties. Measures to be used for this purpose may
27 include: landscaping, sound barriers or fences, berms,
28 locations of refuse storage areas, and limiting the hours of
use of certain areas;

f. The extent to which the impacts of
traffic and parking are mitigated by increasing on-site

1 parking or loading spaces to reduce overflow vehicles or
2 changing the access to and location of off-street parking;

3 g. The extent to which the facility is well-
4 served by public transportation or to which the facility is
5 committed to a program of encouraging the use of public or
6 private mass transportation,

7 h. Verification from the Department of
8 Corrections (DOC), which shall be reviewed by (~~the-Human~~
9 ~~Services-Strategic-Planning-Office-and~~) the Police
10 Department, that the proposed work-release center meets DOC
11 standards for such facilities, and that the facility will
12 meet State laws and requirements.

13 * * *

14 Section 11. Section 23.49.056 of the Seattle Municipal
15 Code, as adopted by Ordinance 112303, is hereby amended to
16 read as follows:

17 **23.49.056 Downtown Office Core 1, street facade**
18 **requirements.**

19 * * *

20 F. Street Tree Requirements. Street trees shall
21 be required on all streets abutting a lot. When areaways are
22 located beneath the sidewalk, the street trees shall be
23 planted in below-grade containers with provisions for
24 watering the trees. Street trees shall be planted according
25 to The City of Seattle Engineering Department (~~Board-of~~
26 ~~Public-Works~~) Tree Planting Standards.

27 Section 12. Section 23.49.066 of the Seattle Municipal
28 Code, as last amended by Ordinance 116295, is further amended
to read as follows:

1 23.49.066 Downtown Office Core 2, conditional uses.

2 * * *

3
4 G. Work-release centers may be permitted as Council
5 conditional uses, based on the following criteria:

6 1. Maximum Number of Residents. No work-release
7 center shall house more than fifty (50) persons excluding
8 resident staff.

9 2. Dispersion Criteria.

10 a. The lot line of any new or expanding
11 work-release center shall be located six hundred feet (600')
12 or more from any residential zone, any lot line of any
13 special residence, and any lot line of any school.

14 b. The lot line of any new or expanding
15 work-release center shall be located one (1) mile or more
16 from any lot line of any other work-release center.

17 c. The Director shall determine whether a
18 proposed facility meets the dispersion criteria from maps
19 which shall note the location of current work-release centers
20 and special residences. Any person who disputes the accuracy
21 of the maps may furnish the Director with the new information
22 and, if determined by the Director to be accurate, this
23 information shall be used in processing the application.

24 3. The Council's decision shall be based on the
25 Land Use and Transportation Plan for Downtown and the
26 following criteria:

27 a. The extent to which the applicant can
28 demonstrate the need for the new or expanding facility in the
City, including a statement describing the public interest in
establishing or expanding the facility;

1 b. The extent to which the applicant has
2 demonstrated that the facility can be made secure. The
3 applicant shall submit a proposed security plan to the
4 Director, and Director, in consultation with the Seattle
5 Police Department, shall consider and evaluate the plan. The
6 security plan shall address, but is not limited to, the
7 following:

8 i. Plans to monitor and control the
9 activities of residents, including methods to verify the
10 presence of residents at jobs or training programs, policies
11 on sign-outs for time periods consistent with the stated
12 purpose of the absence for unescorted trips by residents away
13 from the center, methods of checking the records of persons
14 sponsoring outings for work-release residents, and policies
15 on penalties for drug or alcohol use by residents, and

16 ii. Staff numbers, level of
17 responsibilities, and scheduling, and

18 iii. Compliance with the security
19 standards of the American Corrections Association;

20 c. The extent to which proposed lighting is
21 located so as to minimize spillover light on surrounding
22 properties while maintaining appropriate intensity and hours
23 of use to ensure security is maintained;

24 d. The extent to which the facility's
25 landscape plan meets the requirements of the zone while
26 allowing visual supervision of the residents of the facility;

27 e. The extent to which appropriate measures
28 are taken to minimize noise impacts on surrounding
properties. Measures to be used for this purpose may
include: landscaping, sound barriers or fences, berms,

1 locations of refuse storage areas, and limiting the hours of
2 use of certain areas;

3 f. The extent to which the impacts of
4 traffic and parking are mitigated by increasing on-site
5 parking or loading spaces to reduce overflow vehicles or
6 changing the access to and location of off-street parking;

7 g. The extent to which the facility is well-
8 served by public transportation or to which the facility is
9 committed to a program of encouraging the use of public or
private mass transportation;

10 h. Verification from the Department of
11 Corrections (DOC), which shall be reviewed by the (~~Human~~
12 ~~Services-Strategic-Planning-Office-and-the~~) Police
13 Department, that the proposed work-release center meets DOC
14 standards for such facilities and that the facility will meet
15 State laws and requirements.

16 * * *

17 Section 13. Section 23.49.076 of the Seattle Municipal
18 Code, adopted by Ordinance 112303, is hereby amended to read
19 as follows:

20 **23.49.076 Downtown Office Core 2, street facade**
21 **requirements.**

22 * * *

23 F. Street Tree Requirements. Street trees shall be
24 required on all streets abutting a lot. When areaways are
25 located beneath the sidewalk the street trees shall be
26 planted in below-grade containers with provisions for
27 watering the trees. Street trees shall be planted according
28

1 to The City of Seattle Engineering Department ((Board-of
2 Public-Works)) Tree Planting Standards.

3 Section 14. Section 23.49.096 of the Seattle Municipal
4 Code, as last amended by Ordinance 116616 is further amended
5 to read as follows:

6 **23.49.096 Downtown Retail Core, conditional uses.**

7 * * *

8
9 H. Work-release centers may be permitted as Council
10 conditional uses, based on the following criteria:

11 1. Maximum Number of Residents. No work-release
12 center shall house more than fifty (50) persons, excluding
13 resident staff.

14 2. Dispersion Criteria.

15 a. The lot line of any new or expanding
16 work-release center shall be located six hundred feet (600)
17 or more from any residential zone, any lot line of any
18 special residence, and any lot line of any school.

19 b. The lot line of any new or expanding
20 work-release center shall be located one (1) mile or more
21 from any lot line of any other work-release center.

22 c. The Director shall determine whether a
23 proposed facility meets the dispersion criteria from maps
24 which shall note the location of current work-release centers
25 and special residences. Any person who disputes the accuracy
26 of the maps may furnish the Director with the new information
27 and, if determined by the Director to be accurate, this
28 information shall be used in processing the application.

3. The Council's decision shall be based on the
land Use and Transportation Plan for Downtown and the
following criteria:

1 a. The extent to which the applicant can
2 demonstrate the need for the new or expanding facility in the
3 City, including a statement describing the public interest in
4 establishing or expanding the facility;

5 b. The extent to which the applicant has
6 demonstrated that the facility can be made secure. The
7 applicant shall submit a proposed security plan to the
8 director, and the Director, in consultation with the Seattle
9 Police Department, shall consider and evaluate the plan. The
10 security plan shall address, but is not limited to, the
11 following:

12 i. Plans to monitor and control the
13 activities of residents, including methods to verify the
14 presence of residents at jobs or training programs, policies
15 on sign-outs for time periods consistent with the stated
16 purpose of the absence for unescorted trips by residents away
17 from the center, methods of checking the records of persons
18 sponsoring outings for work-release residents, and policies
19 on penalties for drug or alcohol use by residents, and

20 ii. Staff numbers, level of
21 responsibilities, and scheduling, and

22 iii. Compliance with the security
23 standards of the American Corrections Association;

24 c. The extent to which proposed lighting is
25 located so as to minimize spillover light on surrounding
26 properties while maintaining appropriate intensity and hours
27 of use to ensure security is maintained;

28 d. The extent to which the facility's
landscape plan meets the requirements of the zone while
allowing visual supervision of the residents of the facility;

1 e. The extent to which appropriate measures
2 are taken to minimize noise impacts on surrounding
3 properties. Measures to be used for this purpose may
4 include: landscaping, sound barriers or fences, berms,
5 location of refuse storage areas, and limiting the hours of
6 use of certain areas;

7 f. The extent to which the impacts of
8 traffic and parking are mitigated by increasing on-site
9 parking or loading spaces to reduce overflow vehicles or
10 changing the access to and location of off-street parking;

11 g. The extent to which the facility is well-
12 served by public transportation or to which the facility is
13 committed to a program of encouraging the use of public or
14 private mass transportation;

15 h. Verification from the Department of
16 Corrections (DOC), which shall be reviewed by (~~the-Human~~
17 ~~Services-Strategic-Planning-Office-and~~) the Police
18 Department, that the proposed work-release center meets DOC
19 standards for such facilities and that the facility will meet
20 State laws and requirements.

21 * * *

22 Section 15. Section 23.49.106 of the Seattle Municipal
23 Code, as last amended by Ordinance 112519, is hereby amended
24 to read as follows:

25 **23.49.106 Downtown Retail Core, street facade requirements.**

26 * * *

27 G. Street Tree Requirements. Street trees shall
28 be required on all streets abutting a lot. When areaways are
located beneath the sidewalk, the street trees shall be

1 planted in below-ground containers with provisions for
2 watering the trees. Street trees shall be planted according
3 to The City of Seattle Engineering Department ((Board-of
4 Public-Works)) Tree Planting Standards.

5 Section 16. Section 23.49.122 of the Seattle Municipal
6 Code, as last amended by Ordinance 116616, is further amended
7 to read as follows:

8 **23.49.122 Downtown Mixed Commercial, conditional uses.**

9 * * *

10 G. Work-release centers may be permitted as Council
11 conditional uses, based on the following criteria:

12 1. Maximum Number of Residents. No work-release
13 center shall house more than fifty (50) persons, excluding
14 resident staff.

15 2. Dispersion Criteria

16 a. The lot line of any new or expanding
17 work-release center shall be located six hundred feet (600')
18 or more from any residential zone, any lot line of any
19 special residence, and any lot line of any school.

20 b. The lot line of any new or expanding
21 work-release center shall be located one (1) mile or more
22 from any lot line of any other work-release center.

23 c. The Director shall determine whether a
24 proposed facility meets the dispersion criteria from maps
25 which shall note the location of current work-release centers
26 and special residences. Any person who disputes the accuracy
27 of the maps may furnish the Director with the new information
28 and, if determined by the Director to be accurate, this
information shall be used in processing the application.

1 3. The Council's decision shall be based on the
2 Land Use and Transportation Plan for Downtown and the
3 following criteria:

4 a. The extent to which the applicant can
5 demonstrate the need for the new or expanding facility in the
6 City, including a statement describing the public interest in
7 establishing or expanding the facility;

8 b. The extent to which the applicant has
9 demonstrated that the facility can be made secure. The
10 applicant shall submit a proposed security plan to the
11 Director, and the Director, in consultation with the Seattle
12 Police Department, shall consider and evaluate the plan. The
13 security plan shall address, but is not limited to, the
14 following:

15 i. Plans to monitor and control the
16 activities of residents, including methods to verify the
17 presence of residents at jobs or training programs, policies
18 on sign-outs for time periods consistent with the stated
19 purpose of the absence for unescorted trips by residents away
20 from the center, methods of checking the records of persons
21 sponsoring outings for work-release residents, and policies
22 on penalties for drug or alcohol use by residents, and

23 ii. Staff numbers, level of
24 responsibilities, and scheduling, and

25 iii. Compliance with the security
26 standards of the American Corrections Association;

27 c. The extent to which proposed lighting is
28 located so as to minimize spillover light on surrounding
properties while maintaining appropriate intensity and hours
of use to ensure security is maintained;

1 d. The extent to which the facility's
2 landscape plan meets the requirements of the zone while
3 allowing visual supervision of the residents of the facility;

4 e. The extent to which appropriate measures
5 are taken to minimize noise impacts on surrounding
6 properties. Measures to be used for this purpose may
7 include: landscaping, sound barriers or fences, berms,
8 location of refuse storage areas, and limiting the hours of
9 use of certain areas;

10 f. The extent to which the impacts of
11 traffic and parking are mitigated by increasing on-site
12 parking or loading spaces to reduce overflow vehicles or
13 changing the access to and location of off-street parking;

14 g. The extent to which the facility is well-
15 served by public transportation or to which the facility is
16 committed to a program of encouraging the use of public or
17 private mass transportation;

18 h. Verification from the Department of
19 Corrections (DOC), which shall be reviewed by the ((Human
20 Service-Strategie-Planning-Office-and-the)) Police
21 Department, that the proposed work-release center meets DOC
22 standards for such facilities and that the facility will meet
23 State laws and requirements.

24 * * *

25 Section 17. Section 23.49.134 of the Seattle Municipal
26 Code, as last amended by Ordinance 112519, is hereby amended
27 to read as follows:

28 **23.49.134 Downtown Mixed Commercial, street facade
requirements.**

 * * *

1
2 F. Street Tree Requirements. Street trees shall be
3 required on all streets abutting a lot. When areaways are
4 located beneath the sidewalk, the street trees shall be
5 planted in below-grade containers with provisions for
6 watering the trees. Street trees shall be planted according
7 to The City of Seattle Engineering Department ((~~Board-of~~
8 ~~Public-Works~~)) Tree Planting Standards.

9 Section 18. Section 23.49.162 of the Seattle Municipal
10 Code, as last amended by Ordinance 112519, is hereby amended
11 to read as follows:

12 **23.49.162 Downtown Mixed Residential, street facade**
13 **requirements.**

14 * * *

15 F. Street Tree Requirements.

16 1. Street trees shall be required on all
17 streets abutting a lot. When areaways are located beneath
18 the sidewalk, the street trees shall be planted in below-
19 grade containers with provisions for watering the trees.
20 Street trees shall be planted according to The City of
21 Seattle Engineering Department ((~~Board-of-Public-Works~~)) Tree
22 Planting Standards.

23 2. Landscaping in the Street Right-of-way.
24 All new development shall provide landscaping in the sidewalk
25 area of the street right-of-way. The square feet of
26 landscaped area provided shall be at least one and one-half
27 (1 1/2) times the length of the street property line. The
28 following standards shall apply to the required landscaped
area:

1 a. The landscaped area shall be at
2 least eighteen inches (18") wide and shall be located in the
3 public right-of-way along the entire length of the street
4 property line.

5 b. Exceptions shall be allowed for
6 building entrances, vehicular access or other connections
7 between the sidewalk and the lot, but in no case shall
8 exceptions exceed fifty percent (50%) of the total length of
9 the street property line(s).

10 c. As alternative to locating the
11 landscaping at the street property line, all or a portion of
12 the required landscaped area may be provided in the sidewalk
13 within five feet of the curbline.

14 d. Landscaping provided within five
15 feet (5') of the curbline shall be located and designed in
16 relation to the required street tree planting and take into
17 consideration use of the curb lane for parking and loading.

18 e. A minimum unobstructed sidewalk
19 width of five feet (5') on east/west streets and eight feet
20 (8') on avenues shall be provided.

21 f. All plant material shall be planted
22 directly in the ground. A minimum of fifty percent (50%) of
23 the plant material shall be perennial.

24 g. Where the required landscaping is on
25 a street park or street with urban design and/or landscaping
26 guidelines promulgated by the Engineering Department, the
27 planting shall be in conformance with those provisions.

28 3. Landscaping in Setbacks.

a. Twenty percent (20%) of areas on the
street property line that are not covered by a structure,
which have a depth of ten feet (10') or more from the street

1 property line and are larger than three hundred (300) square
2 feet, shall be landscaped. Any area under canopies or
3 marquees shall be considered uncovered. Any setback provided
4 to meet the minimum sidewalk widths established by section
5 23.49.022, shall be ((except)) exempt from the calculation of
6 the area to be landscaped.

7 b. All plant material shall be planted
8 directly in the ground or in permanently installed planters.
9 A minimum of fifty percent (50%) of the plant material shall
10 be perennial and shall include trees when the setback exceeds
11 six hundred (600) square feet.

12 Section 19. Section 23.49.180 of the Seattle Municipal
13 Code, as last amended by Ordinance 113279, is further amended
14 to read as follows:

15 **23.49.180 Pioneer Square Mixed, transfer of development
16 rights.**

17 * * *

18 B. Transfer of Development Rights Between Different
19 Downtown Blocks.

20 1. Development rights shall not be transferred to
21 receiving lots in PSM zones from lots on different downtown
22 blocks.

23 2. Development rights may be transferred from
24 sending lots in PSM zones to receiving lots in DOC1, DOC2 and
25 DMC zones located on a different block when the sending lot
26 contains low-income housing.

27 a. Each structure on the sending lot shall
28 have the greater of fifty percent (50%) of total gross floor
area or the gross floor area in use as low-income housing on
January 1, 1983, committed to low-income housing use.

1 b. Sending lots shall have gross floor area
2 equivalent to at least one (1) FAR in low-income housing use.

3 c. Principal use surface parking areas shall
4 not be included in the area of the sending lot for purposes
5 of calculating the amount of development rights which may be
6 transferred. Accessory surface parking areas shall be
7 included up to a maximum area of one-quarter (1/4) of the
8 footprint of the structure on the sending lot.

9 d. The low-income housing on the sending lot
10 shall be certified by the Director of Housing and Human
11 Services (~~Community-Development~~) as satisfying the Public
Benefit Features Rule.

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

17 a. Lots with structures subject to abatement
18 orders on or before January 1, 1984, and surface parking
19 areas, including lots with minor structures accessory to
20 parking operations, shall be considered vacant for the
purpose of this section.

21 b. The transfer of development rights may
22 not occur until a certificate of occupancy has been issued
23 for the project proposed on the vacant lot.

24 * * *

25 Section 20. Section 23.49.212 of the Seattle Municipal
26 Code, as last amended by Ordinance 113279, is further amended
27 to read as follows:

1 23.49.212 International District Mixed, transfer of
2 development rights.

3 * * *

4
5 B. Transfer of Development Rights Between Lots on
6 Different Blocks.

7 1. Development rights shall not be transferred to
8 receiving lots in IDM zones from lots on different downtown
9 blocks.

10 2. Development rights may be transferred from
11 sending lots in IDM zones to receiving lots in DOC1, DOC2,
12 and DMC zones when the sending lot contains low-income
13 housing.

14 a. Each structure on the sending lot shall
15 have the greater of fifty percent (50%) of the total gross
16 floor area, or the gross floor area in use as low-income
17 housing on January 1, 1983, committed to low-income housing
18 use.

19 b. Sending lots shall have gross floor area
20 equivalent to at least one (1) FAR in low-income housing use.

21 c. Principal use surface parking areas shall
22 not be included in the area of the sending lot for purposes
23 of calculating the amount of development rights which may be
24 transferred. Accessory surface parking areas shall be
25 included up to a maximum area of one-quarter (1/4) of the
26 footprint of the structure on the sending lot.

27 d. The low-income housing on the sending lot
28 must be certified by the Director of Housing and Human
Services ((Community-Development)) as satisfying the Public
Benefit Features Rule.

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Section 21. Section 23.49.214 of the Seattle Municipal Code, as last amended by Ordinance 112519, is further amended to read as follows:

23.49.214 Combined lot development.

* * *

D. The affordable housing shall be certified by the Director of Housing and Human Services ((Community Development)) as satisfying the Public Benefit Features Rule.

* * *

Section 22. Section 23.49.240 of the Seattle Municipal Code, as last amended by Ordinance 113279, is further amended to read as follows:

23.49.240 International District Residential, transfer of development rights.

* * *

B. Transfer of Development Rights Between Different Downtown Blocks.

1. Development rights shall not be transferred to receiving lots in IDR zones from lots on different downtown blocks.

2. Development rights may be transferred from sending lots in IDR zones to receiving lots in the DOC1, DOC2, and DMC zones, when the sending lot contains low-income housing.

a. Each structure on the sending lot shall have the greater of fifty percent (50%) of the total gross floor area, or the gross floor area in use as low-income

1 housing on January 1, 1983, committed to low-income housing
2 use.

3 b. Sending lots shall have gross floor area
4 equivalent to at least one (1) FAR in low-income housing use.

5 c. Principal use surface parking areas shall
6 not be included in the area of the sending lot for purposes
7 of calculating the amount of development rights which may be
8 transferred. Accessory surface parking areas shall be
9 included up to a maximum area of one-quarter (1/4) of the
10 footprint of the structure on the sending lot.

11 d. The low-income housing on the sending lot
12 must be certified by the Director of Housing and Human
13 Services ((Community-Development)) as meeting the guidelines
14 of the Public Benefit Features Rule.

15 * * *

16 Section 23. Section 23.49.332 of the Seattle
17 Municipal Code, as last amended by Ordinance 112519, is
18 hereby amended to read as follows:

19 **23.49.332 Downtown Harborfront 2, street facade**
20 **requirements.**

21 * * *

22 F. Street Tree Requirements. Street trees shall
23 be required on all streets abutting a lot. When areaways are
24 located beneath the sidewalk, the street trees shall be
25 planted in below-grade containers with provisions for
26 watering the trees. Street trees shall be planted according
27 to The City of Seattle Engineering Department ((Board-of
28 Public-Works)) Tree Planting Standards.

1 Section 24. Section 23.50.016 of the Seattle Municipal
2 code, as last amended by Ordinance 115326, is hereby amended
3 to read as follows:

4 **23.50.016 Landscaping standards on designated streets.**

5 Uses located on streets which have been designated on the
6 Industrial Streets Landscaping Maps, Exhibits 23.50.016 A and
7 B, shall provide landscaping as outlined in subsections A and
8 B below. (See Exhibits 23.50.016 A and 23.50.016 B.)

9 A. Street Trees. Street trees shall be required along
10 designated street frontages. Street trees shall be provided
11 in the planting strip according to City of Seattle Department
12 of Engineering ((Board of Public Works)) Tree Planting
Standards.

13 B. Exceptions to Street Tree Requirements.

14 1. Street trees required by subsection A may be
15 located on the lot at least two feet (2') from the street lot
16 line instead of in the planting strip when:

17 a. Existing trees and/or landscaping on the
18 lot provide improvements substantially equivalent to those
required in this section;

19 b. It is not feasible to plant street trees
20 according to City standards. A five-foot (5') deep
21 landscaped setback area shall be required along the street
22 property lines and trees shall be planted there. If an on-
23 site landscaped area is already required, the trees shall be
planted there if they cannot be placed in the planting strip;

24 c. Continuity of landscaping on adjacent
25 properties along the street front is desirable.

26 2. Street trees shall not be required for an
27 expansion of less than two thousand five hundred (2,500)
28 square feet. Two (2) street trees shall be required for each

1 additional one thousand (1,000) square feet of expansion.
2 The maximum number of street trees shall be controlled by the
3 Engineering Department (~~Board-of-Public-Works~~) standard.
4 Rounding, per Section 23.86.002 B, shall not be permitted.

5 3. Street trees shall not be required when a
6 change of use is the only permit requested.

7 4. Street trees shall not be required for an
8 expansion of a surface parking area of less than twenty
9 percent (20%) of parking area or number of parking spaces.

10 * * *

11 Section 25. Section 23.50.034 of the Seattle Municipal
12 Code, as adopted by Ordinance 113658, is hereby amended as
13 follows:

14 **23.50.034 Screening and landscaping.**

15 * * *

16 D. Street Trees. When required by this Code,
17 street trees shall be provided in the planting strip
18 according to City of Seattle Engineering Department (~~Board~~
19 ~~of-Public-Works~~) Tree Planting Standards. If it is not
20 feasible to plant street trees in the planting strip
21 according to City Standards, they shall be planted in the
22 five-foot (5') deep landscaped setback area along the street
23 property line. Trees planted in this setback area shall be
24 at least two feet (2') from the street lot line.

25 * * *

26 Section 26. Section 23.53.020 of the Seattle Municipal
27 Code, as last amended by Ordinance 116262, is hereby amended
28 to read as follows:

1 (1) Street trees required by
2 subsection B3a may be located on the lot at least two feet
3 (2') from the street lot line instead of in the planting
4 strip when:

5 i. Existing trees and/or
6 landscaping on the lot provide improvements substantially
7 equivalent to those required in this section;

8 ii. It is not feasible to
9 plant street trees according to City standards. A five-foot
10 (5') foot deep landscaped setback area shall be required
11 along the street property lines and trees shall be planted
12 there. If an on-site landscaped area is already required,
13 the trees shall be planted there if they cannot be placed in
14 the planting strip.

15 * * *

16 Section 27. Section 23.60.196 of the Seattle Municipal
17 Code, as last amended by Ordinance 113764, is hereby amended
18 to read as follows:

19 **23.60.196 Floating homes.**

20 A. General Standards

21 1. Floating home moorages shall comply with
22 Chapter 58, Houseboats, of the Seattle Building Code
23 Supplement adopted by Chapter 22.100 of the Seattle Municipal
24 Code, and the requirements of this chapter.

25 2. Moorage Location.

26 a. Except as provided below, every floating
27 home moorage shall be located on privately owned or privately
28 controlled premises. No floating home shall be located in
any waterway or fairway or in the public waters of any street
or street end.

1 b. Floating homes and floating home moorages
2 which were located in the public waters or any street or
3 street end on January 1, 1974, or on property later dedicated
4 to the city for street purposes, and which have continuously
5 remained in such locations, comply with all other provisions
6 of this chapter and are authorized by a use and occupancy
7 permit approved by the City of Seattle Engineering Department
8 ~~((Board-of-Public-Works))~~ shall be permitted; provided that
9 when any such floating home so located and permitted to use
10 such public waters is moved from its existing site the public
waters shall not be reoccupied.

11 c. Floating homes and floating home moorages
12 located in Portage Bay in a submerged street segment lying
13 generally parallel to the shoreline that terminates on the
14 north and on the south in a submerged street area when the
15 same person owns or leases the property abutting on both
16 sides thereof shall be permitted.

17 d. Floating homes are permitted when located
18 at an existing floating home moorage and located partially on
19 private property and partially in submerged portions of
20 Fairview Avenue East lying generally parallel to the
21 shoreline, when the occupant of the floating home owns or
22 leases the private portion of the moorage site and has
23 obtained a long-term permit from City Council to occupy the
24 abutting street area.

25 3. Views. Floating homes shall not be located or
26 relocated in such a manner as to block the view corridor from
27 the end of a dock or walkway. In the location and the design
28 of remodeled floating homes, views of the water for moorage
tenants and the public shall be preserved.

1 4. Existing Floating Homes. An existing floating
2 home, for the purposes of this section, shall be one assigned
3 a King County Assessor's (KCA) number and established by that
4 number as existing at an established moorage in Lake Union or
5 Portage Bay as of the effective date of the ordinance
6 codified in this chapter.

7 5. Relocation. Two (2) floating homes may
8 exchange moorage sites, either within a moorage or between
9 moorages, if:

10 a. Both floating homes are the same height
11 or the relocation will not result in a floating home, which
12 is over eighteen feet (18') in height and higher than the
13 floating home being replaced, being located seaward of
14 floating homes which are eighteen feet (18') or less in
15 height, provided that no floating home greater than eighteen
16 feet (18') in height shall be relocated to a nonconforming
17 floating home moorage except to replace a floating home of
18 equal or greater height;

19 b. The minimum distance between adjacent
20 floating home walls and between any floating home wall and
21 any floating home site line will meet the requirements of the
22 applicable moorage standards in subsections B or C below
23 unless reduced for existing floating homes by the Director;
24 and

25 c. The requirements of Chapter 7.20 of the
26 Seattle municipal Code, Floating Home Moorages, have been
27 met.

28 6. Moorage Plan. Any proposal to replace,
remodel, rebuild, or relocate a floating home, or expand a
floating home moorage, shall be accompanied by an accurate,
fully dimensioned moorage site plan, at a scale of not less

1 than one inch equals twenty feet (1" = 20'), unless such plan
2 is already on file with the Department. When the proposal is
3 to expand a moorage, the plan shall designate individual
4 moorage sites for the entire moorage.

5 * * *

6 Section 28. Section 23.60.704 of the Seattle Municipal
7 Code, as adopted by Ordinance 113466, is further amended to
8 read as follows:

9 **23.60.704 Historic Character Area review criteria.**

10 * * *

11
12 B. Review Process. All applications for development
13 in the Historic Character Area shall be referred to the
14 Landmarks Preservation Board and to the Department of
15 Neighborhoods ((Community-Development)) for their review and
16 comment prior to issuance of a permit. In order to avoid
17 undue project delay, such review and comment shall be
18 completed within forty-five (45) days of receipt of an
19 application by the Landmarks Preservation Board and the
20 Department of Neighborhoods ((Community-Development)).

21 * * *

22 Section 29. Section 23.66.020 of the Seattle Municipal
23 Code, as adopted by Ordinance 112134, is further amended to
24 read as follows:

25 **23.66.020 Special review boards.**

26 A. The ordinance establishing a special review
27 district may create a special review board. Unless otherwise
28 specified, a special review board shall consist of seven (7)
members. Five (5) of the members shall be chosen at annual

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

21 B. Each special review board shall elect a chairperson
22 and adopt procedures as required to conduct its business.
23 Staff assistance to each special review board shall be
24 provided by the Department of Neighborhoods ((Community
25 Development)) Director. A majority of all members of the
26 special review board shall constitute a quorum for the
27 purpose of transacting business. All decisions shall be by
28 majority vote of those members present. In the event of a tie
vote, a motion shall be defeated. The special review board
shall keep minutes of all of its official meetings which
shall be maintained by the Department of Neighborhoods

1 ((Community-Development)) Director. The Department of
2 Neighborhoods ((Community-Development)) Director shall also
3 maintain a copy of the procedures of the special review
4 board.

5 * * *

6
7 D. The special review board shall review applications
8 for certificates of approval, and all petitions or
9 applications for amendments to the Official Land Use Map,
10 conditional uses, special exceptions, variances and planned
11 unit developments or planned community developments and shall
12 make a recommendation on any such application or petition to
13 the Department of Neighborhoods ((Community-Development))
14 Director.

15 * * *

16 Section 30. Section 23.66.025 of the Seattle Municipal
17 Code, as adopted Ordinance 112134, is amended to read as
18 follows:

19 **23.66.025 Use and development standards.**

20 A. The Council may include use and development
21 standards in the ordinance establishing a special review
22 district. If use and development standards are not included,
23 the special review board may, after at least one (1) public
24 hearing, recommend use and development standards for the
25 special review district to the Department of Neighborhoods
26 ((Community-Development)) Director who shall recommend use
27 and development standards to the Council. If the special
28 review board fails to recommend use and development standards
within ninety (90) days after its first meeting, the
Department of Neighborhoods ((Community-Development))

1 Director shall prepare use and development standards and
2 recommend such standards to the Council. The Council shall
3 consider proposed use and development standards in the same
4 manner as Land Use Code text amendments. Use and development
5 standards shall be adopted by ordinance and may thereafter be
6 amended in the same manner as Land Use Code text amendments
7 as provided in Chapter 23.94.

8 * * *

9 C. The Department of Neighborhoods ((Community
10 Development)) Director, following recommendation by the
11 board, may adopt rules consistent with the use and
12 development standards of the special review district, in
13 accordance with Chapter 3.02 of the Seattle Municipal Code.

14 Section 31. Section 23.66.030 of the Seattle Municipal
15 Code, as adopted by Ordinance 112134, is amended to read as
16 follows:

17 **23.66.030 Certificates of approval - Application, review and
18 appeals.**

19 A. Certificate of Approval Required. No person shall
20 alter, demolish, construct, reconstruct, restore, remodel,
21 make any visible change to the exterior appearance of any
22 structure, or to the public rights-of-way or other public
23 spaces in a special review district, and no one shall remove
24 or substantially alter any existing sign or erect or place
25 any new sign or change the principal use of any building, or
26 any portion of a building, structure or lot in a special
27 review district, and no permit for such activity shall be
28 issued unless a certificate of approval has been issued by
the Department of Neighborhoods ((Community-Development))
Director.

1 B. Fees. The fees for certificates of approval shall
2 be established in accordance with the requirements of the
3 Permit Fee Ordinance, Chapter 22.900 of the Seattle Municipal
4 Code.

5 C. Application.

6 1. An application for a certificate of
7 approval may be filed with the special review board staff in
8 the Department of Neighborhoods ((Community-Development)) or
9 with the Director or the Director of Engineering as part of a
10 permit application. When a permit application is filed with
11 the Director or with the Director of Engineering for work
12 requiring a certificate of approval, he or she shall refer
13 the application to the Department of Neighborhoods
14 ((Community-Development)) Director, and the application shall
15 be considered an application for a certificate of approval.

16 2. After the special review board has given
17 notice of the meeting at which an application for a
18 certificate of approval will be considered, no other
19 application for the same alteration or change of use may be
20 submitted until the Department of Neighborhoods ((Community
21 Development)) Director has approved or denied the existing
22 application and all appeals have been concluded.

23 D. Review.

24 1. Review When No Special Review Board is
25 Established.

26 a. When there is no special review board,
27 the Department of Neighborhoods ((Community-Development))
28 Director shall, within thirty (30) days of receipt of an
application for a certificate of approval, determine whether
the proposed action is consistent with the use and
development standards for the district and shall, within

1 fifteen (15) days, issue, issue with conditions or deny the
2 requested certificate of approval.

3 b. A copy of the Department of Neighborhoods
4 ((Community-Development)) Director's decision shall be sent
5 to the Director and mailed to the owner and the applicant at
6 the addresses provided in the application.

7 2. Review When Special Review Board is
8 Established.

9 a. When a special review board has been
10 established, the board shall hold a public meeting to receive
11 comments on certificate of approval applications.

12 b. Notice of the board's public meeting
13 shall be posted in two (2) prominent locations in the
14 district at least three (3) days prior to the meeting.

15 c. The board, after reviewing the
16 application and considering the information received at the
17 public meeting, shall make a written recommendation to the
18 Department of Neighborhoods ((Community-Development))
19 Director to grant, grant with conditions, or deny the
20 certificate of approval application based upon the
21 consistency of the proposed action with the requirements of
22 this chapter, the district use and development standards, and
23 the purposes for creating the district. The board shall make
24 its recommendation within thirty (30) days of the receipt of
25 a completed application by the board staff. The Department of
26 Neighborhoods ((Community-Development)) Director may extend
27 this thirty (30) day period for cause, and shall advise the
28 board and the applicant in writing of the length of time of
the extension.

d. The Department of Neighborhoods
((Community-Development)) Director shall, within fifteen (15)

1 days of receiving the board's recommendation, issue or deny a
2 certificate of approval or issue an approval with conditions.

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

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

11 E. Appeal to Hearing Examiner.

12 1. Any interested person may appeal the decision
13 of the Department of Neighborhoods ((Community-Development))
14 Director to the Hearing Examiner by filing a notice of appeal
15 within fourteen (14) days of the Department of Neighborhoods
16 ((Community-Development)) Director's decision. The Hearing
17 Examiner shall hear the appeal de novo in accordance with the
18 standards and procedures established for Hearing Examiner
19 appeals by Chapter 3.02 of the Seattle Municipal Code.
20 Appeals shall be limited to the issues cited in the notice of
21 appeal. The decision appealed may be reversed or modified
22 only if the Hearing Examiner finds that the Department of
23 Neighborhoods ((Community-Development)) Director's decision
24 was arbitrary and capricious.

25 2. If evidence is presented to the Hearing
26 Examiner that was not presented to the board, or if the
27 Hearing Examiner determines that additional information is
28 required, then the Hearing Examiner shall remand the decision
to the Department of Neighborhoods ((Community-Development))
Director for consideration of the additional information or
evidence.

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

4 F. Revocation of Certificates of Approval. Building
5 construction, remodeling, restoration, renovation, removal,
6 demolition and use shall conform to the requirements of the
7 certificate of approval granted by the Department of
8 Neighborhoods ((Community-Development)) Director. Approval
9 may be revoked for failure to comply with this chapter, the
10 ordinance creating the district, or the conditions of the
11 certificate of approval.

12 G. Expiration of Certificates of Approval.
13 Certificates of approval shall expire one (1) year from the
14 date of issuance unless the Department of Neighborhoods
15 ((Community-Development)) Director determines that
16 extenuating circumstances justify extension of the expiration
17 date.

18 Section 32. Section 23.66.035 of the Seattle Municipal
19 Code, as adopted by Ordinance 112134, is amended to read as
20 follows:

23.66.035 Other land use decisions.

21 The Director and the Department of Neighborhoods
22 ((Community-Development)) Director shall deliver copies of
23 petitions for amendments to the Official Land Use Map, copies
24 of applications for planned unit developments and planned
25 community developments, and copies of applications for
26 conditional uses, special exceptions, and variances which
27 affect property within a special review district, to the
28 appropriate special review board for its recommendation. The
special review board shall submit any recommendations in

1 writing within thirty (30) days of receipt of copies of the
2 application.

3 Section 33. Section 23.66.110 of the Seattle Municipal
4 Code, as adopted by Ordinance 112134, is amended to read as
5 follows:

6 **23.66.110 Responsible agency.**

7 * * *

8
9 B. The Department of Neighborhoods ((Community
10 Deve~~lopment~~)) Director shall provide staff and clerical
11 support for the Preservation Board and shall assign a member
12 of the Department's staff to act as Preservation Board
13 Coordinator. The Coordinator shall be the custodian of the
14 Board's records, handle official correspondence, and organize
15 and supervise the Board's clerical and technical work. The
16 Coordinator shall also recommend to the Preservation Board
17 such actions, policies, rules and regulations as may be
18 necessary to carry out the purposes of this chapter.

19 C. The Department of Neighborhoods ((Community
20 Deve~~lopment~~)) Director, after receiving the Board's
21 recommendations, shall formulate detailed rules, to be
22 adopted after a public hearing pursuant to Chapter 3.02 of
23 this Code, which will clarify the use and development
24 standards for the District.

25 Section 34. Section 23.66.115 of the Seattle Municipal
26 Code, as adopted by Ordinance 112134, is amended to read as
27 follows:

28 **23.66.115 Demolition approval.**

A. Demolition or removal of buildings or other
structures in the District is prohibited unless approved by

1 the Department of Neighborhoods ((Community-Development))
2 Director. Except as provided in subsection B below, no
3 approval shall be given for building demolition or removal
4 unless the following prerequisites are met:

5 1. The Director of Neighborhoods ((Community
6 Development)), following a recommendation by the Preservation
7 Board, determines that the building or structure has no
8 architectural or historic significance; and

9 2. Use and design of the replacement structure
10 has been approved by the Department of Neighborhoods
11 ((Community-Development)) Director; and

12 3. Proof acceptable to the Department of
13 Neighborhoods ((Community-Development)) Director of a valid
14 commitment for interim and long-term financing for the
15 replacement structure has been secured. In addition to other
16 proof, the Department of Neighborhoods ((Community
17 Development)) Director may accept a bond, letter of credit or
18 cash deposit as a demonstration that the project has adequate
19 financial backing to ensure completion; and

20 4. Satisfactory arrangements have been made for
21 retention of any part of the structure's facade which the
22 Department of Neighborhoods ((Community-Development))
23 Director, following a recommendation by the Preservation
24 Board, determines to be significant; and

25 5. Satisfactory assurance is provided that new
26 construction will be completed within two (2) years of
27 demolition.

28 B. When demolition or removal of a building or other
structure in the District is essential to protect the public
health, safety and welfare or when the purposes of this
ordinance will be furthered by the demolition or removal,

1 then the Director of Neighborhoods ((Community-Development)),
2 following review and recommendation by the Board, may
3 authorize such demolition or removal whether the
4 prerequisites of this section are satisfied or not.

5 Section 35. Section 23.66.122 of the Seattle Municipal
6 Code, as last amended by Ordinance 114623, is further amended
7 to read as follows:

8 **23.66.122 Prohibited uses.**

9 * * *

10 C. Discouraged Street-level uses.

11 1. The following uses are discouraged at street
12 level in the area designated on Map D:

13 a. Any use occupying more than fifty percent
14 (50%) of any block frontage;

15 b. Retail sales and services over three
16 thousand (3,000) square feet and all other uses over ten
17 thousand (10,000) square feet;

18 c. Administrative offices and medical
19 services which comprise more than twenty percent (20%) of any
20 block frontage;

21 d. Parking garages which are not accessory
22 to preferred uses.

23 2. Discouraged uses may be approved by the
24 Department of Neighborhoods ((Community-Development))
25 Director after review and recommendation by the Preservation
26 Board if an applicant demonstrates that the proposed use is
27 compatible with uses preferred at street level.

28 * * *

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

8 Section 36. Section 23.66.124 of the Seattle Municipal
9 Code, as adopted by Ordinance 112134, is amended to read as
10 follows:

11 **23.66.124 Uses subject to special review.**

12 A. Principal-use parking garages for long-term parking
13 in areas designated on Map C, and principal use short-term
14 parking garages at any location, shall require approval of
15 the Department of Neighborhoods ((Community-Development))
16 Director after review and recommendation by the Preservation
17 Board.

18 * * *

19 Section 37. Section 23.66.130 of the Seattle Municipal
20 Code, as adopted by Ordinance 112134, is amended to read as
21 follows:

22 **23.66.130 Street-level uses.**

23 A. Uses at street level in the area designated on Map
24 D shall require the approval of the Department of
25 Neighborhoods ((Community-Development)) Director after review
26 and recommendation by the Preservation Board.

27 * * *

28 C. Discouraged Street-level Uses.

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C. Rooftop Features. The height limits established for the rooftop features described in this subsection may be increased by the average height of the existing street parapet or a historically substantiated reconstructed parapet on the building on which the rooftop feature is proposed. The setbacks required for rooftop features may be modified by the Department of Neighborhoods ((Community-Development)) Director, after a sight line review by the Preservation Board to ensure that the features are minimally visible from public streets and parks within three hundred feet (300') of the structure.

1. Radio and television receiving antennas ((aerials)) excluding dishes, religious symbols such as belfries or spires and that portion of the roof which supports them, smokestacks and flagpoles may extend up to fifty feet (50') above the roof of the structure or the maximum height limit, whichever is less, except as regulated in Chapter 23.64 of this Land Use Code, provided that they are a minimum of ten feet (10') from all lot lines.

2. Open railings, planters, clerestories, skylights, play equipment, parapets and firewalls may extend up to four feet (4') above the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop coverage.

3. Solar collectors, excluding greenhouses, may extend up to seven feet (7') above the roof of the structure or the maximum height limit, whichever is less, with unlimited rooftop coverage, provided they are a minimum of ten feet (10') from all lot lines.

1 4. The following rooftop features may extend up
2 to eight feet (8') above the roof or maximum height limit,
3 whichever is less, when they are set back a minimum of
4 fifteen feet (15') from the street and three feet from an
5 alley. They may extend up to twelve feet (12') above the roof
6 when set back a minimum of thirty feet (30') from the street.
7 A setback may not be required at common wall lines subject to
8 review by the Preservation Board and approval by the
9 Department of Neighborhoods ((Community-Development))
10 Director. The combined coverage of the following listed
11 features shall not exceed fifteen percent (15%) of the roof
12 area:

- 12 Solar collectors, excluding greenhouses;
- 13 Stair and elevator penthouses;
- 14 Mechanical equipment;
- 15 Dish antennas((e)).

16 5. Residential and Office Penthouses.

17 a. Residential penthouses may cover a
18 maximum of fifty percent (50%) of the total roof surface and
19 may extend up to eight feet (8') above the roof when set back
20 a minimum of fifteen feet (15') from the street property
21 line, or twelve feet (12') above the roof when set back a
22 minimum of thirty feet (30') from the street property line.

23 b. Office penthouses shall be permitted only
24 when the footprint of the existing structure is greater than
25 ten thousand (10,000) square feet and the structure is at
26 least sixty feet (60') in height. When permitted, office
27 penthouses shall be set back a minimum of fifteen feet (15')
28 from all property lines and may cover a maximum of fifty
percent (50%) of the total roof surface. Office penthouses
may extend up to twelve feet (12') above the roof of the

1 structure and shall be functionally integrated into the
2 existing structure.

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

7 D. New Structures. When new structures are
8 proposed in the District, the Preservation Board shall review
9 the proposed height of the structure and make recommendations
10 to the Department of Neighborhoods ((Community-Development))
11 Director who may require design changes to assure reasonable
12 protection of views from Kobe Terrace Park.

13 Section 39. Section 23.66.150 of the Seattle Municipal
14 Code, as adopted by Ordinance 112134, is amended to read as
15 follows:

16 **23.66.150 Maximum setbacks.**

17 Structures located in the area designated on Map E shall
18 cover the full width of the lot along street property lines
19 and shall abut upon street property lines, although interior
20 open spaces may be permitted by the Department of
21 Neighborhoods ((Community-Development)) Director following
22 review and recommendation by the Preservation Board.

23 Section 40. Section 23.66.155 of the Seattle Municipal
24 Code, as adopted by Ordinance 112134, is amended to read as
25 follows:

26 **23.66.155 Waiver of common recreation area requirements.**

27 The Director of Neighborhoods ((Community-Development)),
28 after review and recommendation by the Preservation Board,
may waive or reduce the common recreation area required by

1 the underlying zoning or modify the required standards for
2 common recreation area under the following conditions:

3 A. Allocation of all or a portion of the required
4 gross floor area would adversely affect the visual character
5 of the structure or the District; or

6 B. Common recreation area requirements would adversely
7 affect the economic feasibility of the project; or

8 C. It can be shown that the project is reasonably
9 served by existing public or private recreation facilities
10 located nearby.

11 Section 41. Section 23.66.160 of the Seattle Municipal
12 Code, as adopted by Ordinance 112134, is amended to read as
13 follows:

14 **23.66.160 Signs.**

15 * * *

16 B. All flags and banners shall be subject to
17 Preservation Board review, and approval of the Department of
18 Neighborhoods ((Community-Development)) Director.

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

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1. Signs Attached or Applied to Structures.

a. The relationship of the shape of the proposed sign to the architecture of the building and with the shape of other approved signs;

b. The relationship of the texture of the proposed sign to the building for which it is proposed, and with other approved signs;

c. The possibility of physical damage to the structure and the degree to which the method of attachment would conceal or disfigure desirable architectural features or details of the structure. The method of attachment shall be approved by the Director;

d. The relationship of the proposed colors and graphics with the colors of the building and with other approved signs;

e. The relationship of the proposed sign with existing lights and lighting standards, and with the architectural and design motifs of the building;

f. Whether the proposed sign lighting will detract from the character of the building; and

g. The compatibility of the colors and graphics of the proposed sign with the character of the District.

2. Wall signs painted on or affixed to a building shall not exceed ten percent (10%) of the total area of the facade or two hundred forty (240) square feet, whichever is less. Area of original building finish visible within the exterior dimensions of the sign (e.g., unpainted brick) shall not be considered when computing the sign's area.

1 3. Signs not attached to structures shall be
2 compatible with adjacent structures and with the District
3 generally.

4 4. When determining the appropriate size of a
5 sign the Board and the Department of Neighborhoods
6 ((Community-Development)) Director shall consider the purpose
7 of the sign and the character and scale of buildings in the
8 immediate vicinity, the character and scale of the building
9 for which the sign is proposed, the proposed location of the
10 sign on the building's exterior, and the total number and
11 size of signs proposed or existing on the building, as well
12 as the type of sign proposed (e.g., informational, theater
13 marquees, building identification, business identification,
14 address or hours-open signing).

15 5. Signing displayed on the valance of awnings,
16 canopies or marquees shall be limited to identification of
17 the name or address of the building or of an establishment
18 located in the building.

19 6. Projecting signs, neon signs, signs which
20 appear to be in motion, and signs with flashing, running or
21 chaser lights may be recommended only if the Preservation
22 Board determines that all other criteria for permitted signs
23 have been met and that historic precedent, locational or
24 visibility concerns of the business for which the signing is
25 proposed warrant such signing.

26 D. Temporary Signs.

27 1. The following signs may be permitted for six
28 (6) months or less if their design, location, shape, size,
color and graphics are approved by the Department of
Neighborhoods ((Community-Development)) Director after review
and recommendation by the Preservation Board:

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D. Standards for Location of Access to Parking.

1. Access to parking and loading from alleys, and from streets which generally run east/west, is preferred to access from Avenues. When a lot abuts more than one (1) right-of-way, the location of access shall be determined by the Department of Neighborhoods ((Community-Development)) Director in consultation with the Director of Engineering. This determination shall be made according to the traffic classification of the street, depicted on Map F. Access shall be from rights-of-way classified as follows, from the most to least preferred, except when the Department of Neighborhoods ((Community-Development)) Director, following review and recommendation by the Board, determines that access from the preferred right-of-way would create a hazardous condition:

Alleys;
Access streets;
Class II pedestrian streets-minor arterial;
Class II pedestrian streets-principal arterial;
Class I pedestrian streets-minor arterial;
Class I pedestrian streets-principal arterial;
Principal transit street;
Street parks.

2. Curbcut width and the number of curbcuts permitted per street frontage shall be governed by Section 23.54.030 of this Land Use Code.

3. The street-level location of entrances and exits of all parking garages, where permitted, shall be permitted only if approved by the Department of Neighborhoods ((Community-Development)) Director after review and recommendation by the Preservation Board. View-obscuring

1 screening may be required as needed to reduce adverse visual
2 impacts on the immediate area.

3
4 Section 43. Section 23.66.180 of the Seattle Municipal
5 Code, as adopted by Ordinance 112134, is amended to read as
6 follows:

7 **23.66.180 Exterior building design.**

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

12 A. Materials. Unless an alternative material is
13 approved by the Department of Neighborhoods ((Community
14 Development)) Director following Board review and
15 recommendation, exterior building facades shall be brick,
16 concrete tinted a subdued or earthen color, sandstone or
17 similar stone facing material commonly used in the District.
18 Aluminum, painted metal, wood and other materials may be used
19 for signs, window and door sashes and trim, and for similar
20 purposes when approved by the Department of Neighborhoods
21 ((Community-Development)) Director as compatible with
22 adjacent or original uses, following Board review and
23 recommendation.

24 * * *

25 Section 44. Section 23.66.190 of the Seattle Municipal
26 Code, as adopted by Ordinance 112134, is amended to read as
27 follows:

28 **23.66.190 Streets and sidewalks.**

* * *

1 Department's staff to act as Board Coordinator. The
2 Coordinator shall be the custodian of the Board's records,
3 handle official correspondence, and organize and supervise
4 the clerical and technical work of the Board. The Coordinator
5 shall also recommend such actions, policies, rules and
6 regulations for adoption by the board as may be necessary to
7 accomplish the objectives of this chapter.

8 Section 47. Section 23.66.316 of the Seattle Municipal
9 Code, as adopted by Ordinance 112134, is amended to read as
10 follows:

11 **23.66.316 Special Review Board recommendation on**
12 **certificate of approval.**

13 The Board shall review all applications for use or
14 development within the International District which require a
15 certificate of approval. The Board shall make recommendations
16 based upon the extent to which proposals are consistent with
17 the goals and objectives of the International Special Review
18 District and the use and development standards of this
19 chapter. The Department of Neighborhoods ((Community
20 Bevelopment)) Director shall, within fifteen (15) days of
21 receiving the Board's recommendation, issue or deny a
22 certificate of approval or issue a certificate of approval
with conditions.

23 Section 48. Section 23.66.318 of the Seattle Municipal
24 Code, as adopted by Ordinance 112134, is amended to read as
25 follows:

26 **23.66.318 Demolition approval.**

27 A. To discourage the unnecessary demolition of useful
28 existing structures which contribute to the District's
cultural and social character, an assessment of the structure

1 to be demolished shall be prepared and circulated to the
2 Board prior to its consideration of a certificate of
3 approval. Among other factors, the economic, social and
4 physical consequences and benefits of the requested
5 demolition and any alternatives to demolition shall be
6 assessed. Except as provided in subsection B below, a
7 certificate of approval may be granted only when the
8 requested demolition will not adversely affect the District
and no reasonable alternatives to demolition exist, and when:

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

13 2. Use and design of a replacement structure have
14 been approved by the Department of Neighborhoods ((Community
15 Development)) Director; and

16 3. Proof acceptable to the Department of
17 Neighborhoods ((Community-Development)) Director of a valid
18 commitment for interim and long-term financing for the
19 replacement structure has been secured. In addition to other
20 proof, the Department of Neighborhoods ((Community
21 Development)) Director may accept a bond, letter of credit,
22 or cash deposit as a demonstration that the project has
adequate financial backing to ensure completion; and

23 4. Satisfactory arrangements have been made for
24 retention of any part of the structure's facade which the
25 Department of Neighborhoods ((Community-Development))
26 Director and Special Review Board determine to be
27 significant; and
28

1 Vocational or fine arts schools

2 Warehouses or wholesale showrooms, especially when
3 including storage of jewelry, optical or photographic goods,
4 pharmaceuticals, cosmetics, and other similar high-value,
5 low-bulk articles.

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

8 * * *

9 Section 50. Section 23.66.334 of the Seattle Municipal
10 Code, as adopted by Ordinance 112134, is amended to read as
11 follows:

12 **23.66.334 Streets and sidewalks.**

13 Review by the Special Review District Board and approval
14 by the Department of Neighborhoods ((Community-Development))
15 Director shall be required before any changes may be made to
16 sidewalk prism lights, sidewalk furniture, sidewalk widths,
17 or street paving and curbs.

18 Section 51. Section 23.66.336 of the Seattle Municipal
19 Code, as adopted by Ordinance 112134, is amended to read as
20 follows:

21 **23.66.336 Exterior building finishes.**

22 * * *

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

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

9 2. Colors. Building facade colors must be
10 reviewed by the Special Review Board and approved by the
11 Department of Neighborhoods ((Community-Development))
12 Director. Colors shall be compatible with those of adjacent
13 buildings.

14 3. Surfaces. Textured concrete, brick and wood
15 surfaces are preferred over nontextured surfaces. Recesses
16 and voids which break up monotonous surface areas and create
17 visual relief are encouraged. The design and location of
18 mechanical equipment visible from the street must be reviewed
19 by the Board and approved by the Department of Neighborhoods
((Community-Development)) Director.

20 4. Transparency Requirement. Street-level uses
21 shall have highly visible linkages with the street.
22 Transparent surfaces shall be provided for at least fifty
23 percent (50%) of the exposed street facade measured between
24 sidewalk level and a height of ten feet (10') or the height
25 of the second floor level, whichever is less. The average
26 height of window sills shall be no greater than three feet
27 (3') above the sidewalk. A decrease in the percentage of
required transparency may be permitted by the Board when:

28

1 a. There is a design constraint, such as
2 permanent wainscoting, and removal or alteration would
3 detract from the structural or architectural integrity of the
4 building; or

5 b. The existing layout of the building or
6 other physical constraints such as the placement of load
7 bearing walls or columns creates a hardship. Whenever
8 transparency requirements are reduced, wall murals,
9 landscaping, colored awnings, display cases, or other means
10 appropriate to the setting shall be provided to create visual
interest.

11 5. Awnings. Awnings shall be functional, serving
12 as weather protection for pedestrians at street level.
13 Awnings over sidewalks shall overhang the sidewalk a minimum
14 of five feet (5'). All awnings shall be of a design
15 compatible with the architecture of the area.

16 * * *

17 Section 52. Section 23.66.338 of the Seattle Municipal
18 Code, as last amended by Ordinance 112519, is further amended
19 to read as follows:

20 **23.66.338 Business identification signs.**

21 * * *

22 B. Permitted Signs. Permitted signs include projecting
23 and nonprojecting signs integrated into the building facade,
24 marquee, awning and window signs that are approved by the
25 Department of Neighborhoods ((Community-Development))
26 Director following a recommendation by the Board. Banners and
27 flags bearing emblems, symbols or messages shall be permitted
28 on an interim basis only and shall be subject to periodic

1 review and approval to ensure that their appearance is
2 maintained and that they comply with the requirements of this
3 Code.

4 * * *

5
6 D. Permitted Sign Area.

7 1. Asian Character Signs. Asian character signs are
8 Asian bilingual or multilingual business identification signs
9 at street level in which at least forty percent (40%) of the
10 message area is in a non-English medium, or signs that have
11 recognizable Asian symbols or designs that have been reviewed
12 by the Board and approved by the Department of Neighborhoods
13 ((Community-Development)) Director. The total message area of
14 all such signs for an individual use shall not exceed the
15 area indicated on Table 338 D. For street frontages not
16 listed on Table 338 D, the Maximum Sign Area column shall be
17 interpolated proportionally.

18 2. Non-Asian Character Signs. The total message
19 area of non-Asian character signs for each street-level use
20 shall not exceed seventy percent (70') of the area authorized
21 in subsection D1 and indicated on Table 338 D.

22 **TABLE 338D SIGN AREA PERMITTED**

23 Street 24 Frontage	25 Maximum Sign 26 Area Permitted
27 15	28 59
29 16	30 61
31 17	32 62
33 18	34 64
35 19	36 65
37 20	38 66
39 21	40 68
41 22	42 69
43 23	44 70
45 24	46 71
47 25	48 72
49 26	50 74
51 27	52 75
53 28	54 76

TABLE 338D SIGN AREA PERMITTED cont'd.

	Street Frontage	Maximum Sign Area Permitted
1		
2		
3	29	77
	30	78
4	35	83
	40	87
	45	92
5	50	96
	55	99
6	60	103
	65	106
7	70	109
	75	112
8	80	115
	85	118
	90	121
9	95	124
	100	126
10	110	131
	120	136
11	130	140
	140	144
12	150	148
	160	152
13	170	156
	180	160
	190	163
14	200	167
	220	173
15	240	179
	260	185
16	280	190
	300	196
17	320	201
	340	206
	360	211
18	380	215
	400	220
19	420	224
	440	228
20	460	232
	480	236
21	500	240

3. The total number of signs permitted per use is not limited; provided, that the total area of all signs for an individual use shall not exceed the area authorized in subsections D1 and D2. The maximum size for any single sign face for Asian and non-Asian character signs at street level shall be seventy-five (75) square feet for a single-faced sign and one hundred and fifty (150) square feet for a double-faced sign, unless the Department of Neighborhoods

1 ((Community-Development)) Director, after review and
2 recommendation by the Board, approves a greater sign area
3 because of hardships resulting from location, topography or
4 similar conditions.

5 4. Businesses located on or above the second
6 floor may have business identification signs with a total
7 sign area that does not exceed one-half (1/2) of the area
8 authorized in subsection D1 and indicated on Table 338 D. The
9 maximum size for any single sign face above the second floor
10 shall be forty (40) square feet for a single-faced sign and
11 eighty (80) square feet for a double-faced sign unless the
12 Department of Neighborhoods ((Community-Development))

13 Director, after review and recommendation by the Board,
14 approves a greater sign area because of hardships resulting
15 from location, topography or similar conditions.

16 5. The total illuminated area of theater marquees
17 shall not exceed eighty (80) square feet in addition to the
18 sign area authorized in subsections D1 and D2.

19 6. Parking Lot Signage. The total signage area
20 permitted for each accessory parking lot shall not exceed one
21 (1) square foot for each parking space up to a maximum of
22 twenty-four (24) square feet. Existing principal use parking
23 lots shall have a maximum total sign area of one-half (1/2)
24 square foot per parking space in the lot, to a maximum of
25 eighteen (18) square feet.

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

28 (1) For customer parking lots: "Customer Parking
for (Principal User or Users) Only. Other cars will be
impounded (location)." The sign may also contain the name

1 and address of the principal user or users and mention
2 validation of parking if applicable.

3 (2) For long-term reserved parking lots: "Reserved
4 Parking Under Contract. Other cars will be impounded
5 (location)." The sign may also contain the name and telephone
6 number of the owner.

7 b. Small directional signs, such as those
8 designating the entrance to or exit from accessory parking
9 areas, that are three (3) or fewer square feet in area and
10 are located at a height four (4) or fewer feet above grade at
11 points of egress or ingress are permitted. Such signs shall
12 not be counted against the total permitted sign area.

13 7. Sign size shall be calculated according to the
14 provisions of Section 23.86.004 of this Land Use Code.

15 E. Illumination. Neon-lit signs are encouraged to
16 create an exciting and enhanced visual image in the retail
17 core.

18 1. No sign or light shall move, flash or make
19 noise. Exceptions may be granted by the Department of
20 Neighborhoods ((Community-Development)) Director for
21 indicators of time or temperature, after review and
22 recommendation by the Board.

23 2. Illuminated signs shall be designed and sited
24 in a manner to minimize glare on floors above grade in nearby
25 residences.

26 F. Exceptions for Miscellaneous Signs.

27 1. Signs that are handpainted, goldleafed or
28 decaled onto the glass area of a building facade shall be
permitted without the approval of the Department of
Neighborhoods ((Community-Development)) Director or review by
the Board when the area of such signs does not exceed four

1 (4) square feet per business. Signs in excess of four (4)
2 square feet shall be subject to review by the Board and
3 approval by the Department of Neighborhoods ((Community
4 Development)) Director for visual interest and compatibility
5 with the surrounding area, and shall be calculated against
6 the total permitted signable area. Nonilluminated symbolic
7 signs painted on wood or other exterior surfaces that are
8 four (4) square feet or less shall be permitted outright.

9 2. Graphics and paintings are permitted on
10 building walls that do not abut a street lot line only if
11 such graphics and paintings are not primarily used to
12 advertise or identify businesses or products and comply with
13 the building facade provisions of Section 23.66.336 of this
14 chapter. All graphics and paintings on building walls shall
15 be subject to review by the Board and approval by the
16 Department of Neighborhoods ((Community-Development))
17 Director.

18 3. Temporary Signs.

19 a. The design, location and size of signs
20 for special events, shows and political campaigns shall be
21 subject to review by the Board and approval by the Department
22 of Neighborhoods ((Community-Development)) Director. Such
23 signs may be permitted for periods not exceeding six (6)
24 months.

25 b. Temporary, nonilluminated signs
26 advertising real estate "For Sale or Lease" or announcing
27 contemplated improvements of the real estate on the premises
28 shall be subject to Board review and approval by the
Department of Neighborhoods ((Community-Development))
Director.

1 c. Temporary signs erected in connection
2 with new construction work and displayed on the property
3 during the actual period of construction shall be subject to
4 Board review and approval by the Department of Neighborhoods
5 (Community-Development) Director.

6 d. Temporary signs required by law shall be
7 permitted without review or approval.

8 * * *

9 Section 53. Section 23.66.342 of the Seattle Municipal
10 Code, as last amended by Ordinance 113279, is further
11 amended to read as follows:

12 **23.66.342 Parking and access.**

13 A. Principal-use Parking Garages. Principal-use
14 parking garages are subject to special review by the Board
15 pursuant to Section 23.66.324 of this Land Use Code. Parking
16 garages shall be designed so that the street-level portion of
17 the garage is committed to pedestrian-oriented uses permitted
18 in the District. When abutting street slopes exceed eight
19 percent (8%) this requirement may be waived by the Department
20 of Neighborhoods (Community-Development) Director,
21 following review and recommendation by the Board. View-
22 obscuring screening may be required by the Department of
23 Neighborhoods (Community-Development) Director as needed to
24 reduce adverse visual impacts on the area.

25 B. Accessory Parking and Loading.

26 1. Parking Quantity. The number of parking spaces
27 required for any use shall be the number required by the
28 underlying zoning, except that restaurants shall be required
to provide one space per five hundred (500) square feet for
all gross floor area in excess of two thousand five hundred

1 (2,500) square feet; motion picture theaters shall be
2 required to provide one (1) space per fifteen (15) seats for
3 all seats in excess of one hundred fifty (150); and other
4 entertainment uses and places of public assembly shall be
5 required to provide one (1) space per four hundred (400)
6 square feet for all gross floor area in excess of two
7 thousand five hundred (2,500) square feet.

8 2. Exceptions to Parking Quantity. To mitigate
9 the potential impacts of required accessory parking and
10 loading on the District, the Department of Neighborhoods
11 ((Community-Development)) Director, after review and
12 recommendation by the Special Review Board, may waive or
13 reduce required parking and loading under the following
14 conditions:

15 a. After incorporating high-occupancy-
16 vehicle alternatives such as carpools and vanpools, required
17 parking spaces exceed the net usable space in all below grade
18 floors; or

19 b. Strict application of the parking or
20 loading standards would adversely affect desirable
21 characteristics of the District; or

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

- 26 (1) Valet parking service,
27 (2) Validation system,
28 (3) Lease of parking from parking management
company,
(4) Provision of employee parking.

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D. Access to Parking.

1. Access to parking shall be reviewed by the Board on a case-by-case basis, according to the following criteria:

- a. Alley access shall be preferred.
- b. Conflicts with pedestrian traffic, with efforts to provide continuous street facades, and with transit access shall be minimized.

2. The number and width of curbcuts shall be as required in Section 23.54.030 of this Land Use Code.

3. The Board may recommend, and the Department of Neighborhoods (~~((community-development))~~) ((d)) Director may require, changes to proposed access to parking in order to meet the criteria of this Section.

* * *

Section 54. Section 23.68.022 of the Seattle Municipal Code, as adopted by Ordinance 113658, is hereby amended to read as follows:

23.68.022 Manufacturing Center Overlay--Screening and landscaping provisions.

A minimum of fifteen percent (15%) of the area included within the boundaries of the Manufacturing Center Overlay shall be landscaped according to a landscaping plan approved by the Council as part of the General Development Plan. The landscaped area may be reduced to a minimum of ten percent (10%) of the area for large sites exceeding eighty thousand (80,000) square feet if the project also provides additional recreational open space for employees. The Council shall use the following guidelines in reviewing the General Development Plan to establish sufficient landscaping conditions:

1 A. Landscaping shall be used to establish a special
2 character for the project and reinforce the cohesiveness of
3 development, and shall follow guidelines A1 through A3:

4 1. Landscaping along street rights-of-way should
5 emphasize cohesiveness and establish a special identity for
6 the project area. Generally, planting strips shall be
7 provided, except when the Director determines that unusual
8 circumstances make providing them infeasible. The planting
9 strips shall be landscaped and planted with street trees
10 according to The City of Seattle Engineering Department
11 ((Board-of-Public-Works)) Tree Planting Standards. If it is
12 not feasible to plant trees within the planting strip, they
13 should be planted on private property at least two feet (2')
14 from, but within five feet (5') of, the street property line.

15 2. Landscaping shall be provided to mitigate
16 impacts associated with additional height and density allowed
17 for projects. Such mitigation may include buffering to
18 protect less-intensive uses in abutting areas, view corridors
19 to preserve views through the site, landscaped setbacks to
20 reduce the presence of bulkier structures, and/or
21 recreational open space to compensate for the greater working
22 population associated with the increased densities allowed.
23 Wherever possible, required landscaping and open space shall
24 be integrated with adjacent landscaped areas to create the
25 impression of large open spaces.

26 3. Open spaces included in the project should
27 provide sufficient landscaping to assure the opportunity for
28 passive and/or active recreational activity. Recreational
open space may be landscaped or occupied by sculpture,
fountains or pools, benches or other recreational facilities
such as game courts.

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* * *

Section 55. Section 23.69.023 of the Seattle Municipal Code, as adopted by Ordinance 115165, is amended to read as follows:

23.69.023 Major Institution acquisition, merger or consolidation.

* * *

E. The Director, in consultation with (~~the Human Services Strategic Planning Office and~~) other government agencies, shall review the statement. The Director or other City department or office may schedule one (1) or more public hearings to receive public comment on the new/surviving major institution's proposal to address the City's health policies and human services goals in the future. The Director may direct the institution to meet with representatives of City departments, including the Health Department, the Department of Housing and Human Services and the Department of Neighborhoods (~~(Human Resources, the Department of Community Development, and/or the Human Services Strategic Planning Office)~~), to develop steps to improve the new/surviving major institution's proposal to address the City's health policies and human services goals.

Section 56. Section 23.69.032 of the Seattle Municipal Code, as last amended by Ordinance 115906, is further amended to read as follows:

23.69.032 Master plan process.

* * *

D. Development of Master Plan.

1 1. The advisory committee shall participate
2 directly in the formulation of the master plan from the time
3 of its preliminary concept so that the concerns of the
4 community and the institution are considered. The advisory
5 committee comments shall consider the physical development
6 and environmental impacts of the institution based upon the
7 objectives listed in the Major Institutions Policies and
8 Chapter 23.05, SEPA.

9 2. The advisory committee shall hold open
10 meetings with the institution and City staff to discuss the
11 master plan and resolve differences. The institution shall
12 provide adequate and timely information to the advisory
13 committee for its consideration of the content and level of
14 detail of each of the specific elements of the master plan.

15 3. The threshold determination of need for
16 preparation of an Environmental Impact Statement (EIS) shall
17 be made as required by Chapter 25.05, SEPA Policies and
18 Procedures.

19 4. If an EIS is required and an institution is
20 the lead agency, it shall initiate a predraft EIS
21 consultation with the Director. The advisory committee shall
22 meet to discuss the scope of the document. The advisory
23 committee shall submit its comments on the scope of the draft
24 EIS to the lead agency and the Director before the end of the
25 scoping comment period.

26 5. The institution shall prepare a preliminary
27 draft master plan.

28 6. The institution or DCLU, whichever is lead
agency, shall be responsible for the preparation of a
preliminary draft EIS.

1 7. The advisory committee, the Engineering
2 Department, (~~(the-Human-Services-Strategic-Planning-Office7)~~)
3 the Director, and the institution shall submit comments on
4 the preliminary draft master plan and the preliminary draft
5 EIS.

6 8. The institution shall review the comments and
7 revise the preliminary draft master plan, if necessary,
8 discussing and evaluating the comments of all parties. The
9 lead agency shall review the comments and be responsible for
10 the revision of the preliminary draft EIS, if necessary. The
11 Director shall review the revised drafts and may require
12 further documentation or analysis on the part of the
13 institution.

14 9. The Director shall publish the draft master
15 plan, and shall publish the draft EIS as required by Section
16 25.05.510 of the Seattle Municipal Code.

17 10. The Director shall hold a public hearing on
18 the draft master plan and draft EIS.

19 11. The advisory committee shall prepare a report
20 on the draft master plan and shall submit comments on the
21 draft EIS.

22 12. The institution shall prepare a preliminary
23 final master plan and the lead agency shall be responsible
24 for the preparation of a preliminary final EIS following the
25 public hearing.

26 13. The advisory committee, the Engineering
27 Department, (~~(the-Human-Services-Strategic-Planning-Office7)~~)
28 the Director, and the institution shall submit comments on
the preliminary final master plan and the preliminary EIS.

 14. The institution shall review the comments and
revise the preliminary final master plan, if necessary. The

1 lead agency shall review the comments and be responsible for
2 the revision of the preliminary final EIS, if necessary. The
3 Director shall review the revised final documents and may
4 require further documentation or analysis on the part of the
5 institution.

6 15. The Director shall publish the final EIS and
7 the final master plan.

8 * * *

9 Section 57. Section 23.69.034 of the Seattle Municipal
10 Code, as adopted by Ordinance 115165, is amended to read as
11 follows:

12 **23.69.034 Effect of master plan adoption.**

13 * * *

14 I. The Director shall review the annual status report
15 and, in consultation with (~~the Human Services Strategic~~
16 ~~Planning Office and~~) other government agencies, shall
17 evaluate the institution's progress toward achieving the
18 goals and objectives established in the master plan for
19 addressing the City's health policies and human services
20 goals. The Director shall notify the Council that DCLU is
21 conducting the review, and the Council may schedule one (1)
22 or more public hearing(s) to receive public comment, or may
23 request that the Director or some other City department or
24 office conduct such public hearing(s).

25 2. If substantial progress is not being made in
26 addressing the City's health policies and human services
27 goals, the Council and/or the Director may direct the
28 institution to meet with representatives of City departments,
including the Health Department, the Department of Housing
and Human Services and the Department of Neighborhoods

1 ((Human-Resources,-the-Department-of-Community-Development,
2 and/or-the-Human-Services-Strategic-Planning-Office)), to
3 develop additional steps to improve the institution's
4 performance in addressing the City's policies and goals.

5 Section 58. Section 23.84.006 of the Seattle Municipal
6 Code, as last amended by Ordinance 115326, is further amended
7 by deleting the following definition from this Section:

8 23.84.006 "C."

9 * * *

10 ((~~"Community-Development-Director"-means-the-Director~~
11 ~~of-the-Department-of-Community-Development-~~))

12 * * *

13 Section 59. Section 23.84.008 of the Seattle Municipal
14 Code, as last amended by Ordinance 115326, is further amended
15 by deleting the following definition from this Section:

16 23.84.008 "D."

17 ((~~"DCD"-means-the-Department-of-Community-Development-~~))

18 * * *

19 Section 60. Section 24.08.040 of the Seattle Municipal
20 Code, as last amended by Ordinance 109126, is further amended
21 by deleting the following definition:

22 24.08.040 "C."

23 * * *

24 ((~~13-~~"Community-Development-Director"-means-the
25 ~~Director-of-the-Department-of-Community-Development-~~)).

26 13. ((~~14-~~)) "Conditional use." See "Use or
27 structure, conditional."
28

1 community programs for the elderly, community cultural
2 enrichment activities and other similar accessory uses;

3 2. Public playgrounds and public community
4 centers; public parks, including community centers; public
5 parks, including customary buildings and activities, provided
6 that garages and service or storage areas accessory to parks
7 shall be located one hundred (100') or more from any other
8 lot in a SF or an R Zone and shall be completely obscured
9 from view from such lots;

10 3. Publicly owned boat moorages, operated under
11 public jurisdiction for private pleasure craft;

12 4. Nonschool principal uses within existing or
13 former public school buildings when authorized as a special
14 exception by the Department of Neighborhoods ((Community
15 Development)), or Hearing Examiner on appeal, in accordance
16 with Chapter 23.78.

17 * * *

18 Section 62. Section 24.26.010 of the Seattle Municipal
19 Code, as last amended by Ordinance 109737, is further amended
20 to read as follows:

21 **24.26.010 Principal uses permitted outright.**

22 * * *

23 C. Townhouse structures, subject to the following
24 conditions:

25 1. A townhouse structure shall contain at least
26 two (2) and not more than ten (10) townhouse dwellings,

27 2. The minimum lot area shall be at least sixteen
28 hundred (1,600) square feet per townhouse dwelling and
Section 24.62.050 shall not apply,

1 3. Each townhouse dwelling shall have a rear and
2 front yard totaling forty-five feet (45'), provided that the
3 average of such front and rear yards for one (1) townhouse
4 structure shall be no less than twenty feet (20') and twenty-
5 five feet (25') respectively and the minimum front or rear
6 yard of any townhouse dwelling shall not be less than ten
7 feet (10'). If townhouse dwellings make up an entire block
8 front, the front yard may be reduced to five feet (5'),
9 provided, however, that the townhouse dwelling abutting a
10 less intensive zone or development shall provide front and
11 rear yards as otherwise required in the zone,

12 4. The minimum side yard for an end townhouse
13 dwelling of a townhouse structure shall be five feet (5'),
14 except as modified in Sections 24.62.070 through 24.62.160,

15 5. Townhouse dwellings shall not occupy more than
16 fifty-five percent (55%) of the lot and Sections 24.62.170
17 and 24.62.180 shall not apply,

18 6. No townhouse dwelling shall exceed a height of
19 thirty-five feet (35') and Sections 24.62.030 and 24.62.040
20 shall not apply,

21 7. At least ten feet (10') of open space shall be
22 provided between townhouse structures except when the overlap
23 is ten feet (10') or less and then the open space may be
24 reduced to five feet (5'),

25 8. A minimum of fifteen percent (15%) of the lot
26 must be private usable open space,

27 9. In townhouse dwelling developments consisting
28 of five (5) or more townhouse dwellings, the required lot
area may be reduced up to fifteen percent (15%) by providing
an equivalent amount of continuous open space not including
the required parking area,

1 10. Required parking with connecting permanent
2 pedestrian access shall be located within two hundred feet
3 (200') of the townhouse dwelling that it serves,

4 11. Each proposal for townhouse dwellings shall be
5 reviewed in its preliminary form and approved in writing as
6 to design by the ((Community-Development)) Director prior to
7 issuance of a building or master use permit. The proposal
8 will be judged as to design on the following criteria:

9 a. Efficient and harmonious grouping of
10 structures and space encouraging individuality of separate
11 townhouse dwellings within a unifying design concept,

12 b. Efficient parking for occupants and
13 guests with adequate space for maneuvering,

14 c. Provision for short-term parking of
15 service and delivery vehicles,

16 d. Provision for common open space,

17 e. Space for children's play space with
18 allowance for visual supervision,

19 f. Access points from all townhouse
20 dwellings to common space separated from moving vehicles,

21 g. Separation of pedestrians, common open
22 spaces, and children's play spaces from moving vehicles,

23 h. Clear definition between the private
24 domain of the townhouse dwelling,

25 i. Screening of private spaces, as
26 appropriate; and the ((Community-Development)) Director may
27 authorize fences exceeding the height limits established in
28 Section 24.62.090 C where necessary to achieve privacy,

 j. Adequate light and air,

 k. Provision for emergency access of escape,
fire, ambulance and service,

1 during construction at the developer's cost and expense, and
2 shall conform to standards established therefor by the
3 Director of Engineering. (~~and-approved-by-the-Board-of~~
4 ~~Public-Works~~)

5 H. The following utility improvements shall be
6 installed at the developer's cost and expense in accordance
7 with plans and approved (~~specifications-prepared~~) by the
8 Director of Engineering (~~and-approved-by-the-Board-of-Public~~
9 ~~Works~~), and title thereto shall be conveyed to the City
prior to construction of any structure in this development:

10 1. Water mains and hydrants;

11 2. Sanitary sewers, unless the Director of Public
12 Health determines that the new structures may be adequately
13 served by private septic tanks;

14 3. Storm drains.

Necessary utility easements approved by the Superintendent of
15 Water shall be conveyed to the City and shall be of
16 sufficient width to assure installation and maintenance of
17 the utility facilities located therein.

18 * * *

19
20 Section 64. Section 24.70.060 of the Seattle Municipal
21 Code, as last amended by Ordinance 109737, is further amended
to read as follows:

22 **24.70.060 Land use and zoning rules.**

23 The Hearing Examiner, with the advice of the Director,
24 shall from time to time present to the City Council written
25 rules and procedures (herein called the "Rules") governing
26 land use and zoning proceedings which shall govern all such
27 proceedings by the Council and Hearing Examiner. Rules shall
28 be adopted and thereafter amended, revised or abolished by

1 the Hearing Examiner pursuant to Ordinance 102228 after first
2 obtaining the written approval of the Department of
3 Construction and Land Use, Department of Neighborhoods
4 (~~Community-Development~~) and City Council as to those Rules
5 applicable to each such agency. After adoption said Rules
6 shall be printed and bound and, along with the Comprehensive
7 Plan of Seattle and this subtitle, shall be made available
8 for public distribution in the offices of the Department of
9 Construction and Land Use, the Hearing Examiner, the City
10 Council, all public libraries in the City and at other
11 convenient places. Said Rules shall include but need not be
12 limited to, provision for the following matters:

12 A. The form and content of applications for text
13 amendments, map amendments, planned unit developments,
14 conditional uses, special exceptions, variances, and
15 applications relating to sign control, and the requirements
16 for maps and exhibits to be filed by the applicant;

17 B. The form and content of the Director's reports,
18 which reports shall include a study indicating the impact of
19 the application or petition on the surrounding community and
20 whether or not the proposal is consistent with this chapter
21 and the Comprehensive Plan of Seattle. Reports of the
22 Director shall be mailed to the applicant and filed with the
23 appropriate body;

24 C. Provisions for determining the circumstances under
25 which community and other groups shall receive notice of
26 proceedings, and for developing and maintaining current lists
27 of such groups;

28 D. Provisions for posting copies of applications,
staff reports and other relevant materials in the Seattle
Municipal Building and other places, as defined by the Rules;

1 E. The form and content of findings, conclusions,
2 recommendations and decisions of the Director, Hearing
3 Examiner and Council;

4 F. The content of the record prepared in each matter,
5 including in each case the application, the Director's
6 report, all exhibits and other materials filed at any hearing
7 on the application, findings and conclusions, and recordings
8 made on electronic recording equipment of all hearings on the
application;

9 G. The format for hearings, the frequency of hearings,
10 and the rules of evidence and procedure applicable to
11 hearings; provisions for interested persons to testify, and
12 for parties, when appropriate, to conduct reasonable cross-
13 examination at public hearings;

14 H. Provisions governing ex parte contacts or
15 discussions by or with any member of the Council or the
16 Hearing Examiner and persons interested in pending matters;

17 I. Requirements for recording all hearings on land use
18 and zoning;

19 J. Provisions for an attorney employed by the City to
20 be available upon request for hearings before the Council,
21 Hearing Examiner or Director to advise on matters of law and
22 procedure.

23 Section 65. Section 24.74.028 of the Seattle Municipal
24 Code, as last amended by Ordinance 109737, is further amended
25 to read as follows:

26 **24.74.028 Special exceptions - Nonschool uses of school
27 building.**

28 In specific cases and subject to the considerations in
Section 24.74.010 and the School Use Advisory Committee's
recommendations the Neighborhoods ((Community-Development))

1 Director, or the Hearing Examiner on appeal, may authorize a
2 use not otherwise permitted in a zone within an existing or
3 former public school building by promulgating school use
4 criteria. Such criteria shall be developed pursuant to rules
5 promulgated by the Department of Neighborhoods (~~Community~~
6 ~~Development~~), and shall be used by the Director of
7 Construction and Land Use to grant or deny use permits as
8 provided in Chapter 24.10 or other permits that may be
9 necessary. School use criteria may differentiate between
10 shared uses (in an operating public school) and reuses (in a
11 closed public school building). However, if the school
12 building has been demolished, use of the site shall be as
13 otherwise provided in that zone. School use criteria shall be
14 developed to enhance and facilitate the following purposes:

14 A. To increase the economic feasibility of continued
15 operation of the public school;

16 B. In a specific school building, to establish
17 conditions for nonschool use which are designed to minimize
18 and mitigate any adverse impacts, including changes in
19 parking demand, of such use on the health and safety of the
20 neighborhood;

21 C. To maintain buildings and school properties in such
22 condition that they may revert to school use; and

23 D. To increase the range of community and social
24 services, and educational, cultural, social and housing
25 opportunities.
26
27
28

1 Section 66. Except for Sections 27 and 28, this ordinance
2 shall take effect and be in force thirty days (30) from and
3 after its passage and approval by the Mayor; otherwise it
4 shall take effect at the time it shall become a law under the
5 provisions of the City Charter. Sections 27 and 28 shall
6 take effect and be in force on the later of the effective
7 date of approval and adoption by the Washington State
8 Department of Ecology, or thirty (30) days from and after its
9 approval, if approved by the Mayor; or, if not approved by
10 the Mayor, at the time it shall become law under the
11 provisions of the City Charter.

11 PASSED by the City Council the 14 day of
12 June, 1993 and signed by me in open session
13 in authentication of its passage this 14 day of
14 June 1993.

15 Geo. G. Peterson
16 President of the City Council

17 Approved by me this 17th day of June,
18 1993.

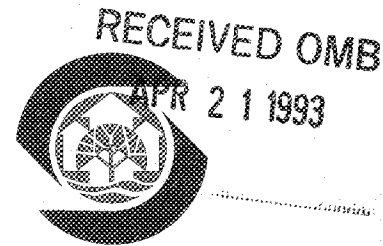
19 Norman B. Rice
20 Mayor

21 Filed by me this 17th day of June,
22 1993.

23 BY Margaret Carter
24 Deputy Clerk

25 (SEAL)
26 Published _____

Seattle
Department of Construction and Land Use



R. F. Krochalis, Director
Norman B. Rice, Mayor

M E M O R A N D U M

TO: George Benson, President, City Council
VIA: Diana Gale, Director, OMB

FROM: Rick F. Krochalis, Director *RK*

DATE: April 22, 1993

RE: Ordinance to Update Land Use Code

As a result of City reorganization, there are many references to departments and agencies in the Land Use Code which are no longer accurate. The attached ordinance changes references according to the following: Ordinance 115949 eliminated the Human Services and Strategic Planning Office (HSSPO); Ordinance 115958 eliminated the Department of Community Development (DCD); and Ordinance 116007 eliminated the Board of Public Works (BPW). Functions of DCD which were specified in the Land Use Code have been transferred to the Department of Neighborhoods (landmark, historic and major institution issues), and to the Department of Housing and Human Services (e.g., certification of low-income housing). Board of Public Works responsibilities continue to reside with the Engineering Department.

Since the purpose of the attached amendments is to have the Land Use Code comply with decisions already made by City Council, standard procedural requirements such as environmental review have been superceded. All proposed corrections are within the scope and intent of adopted City policies. Cost of the ordinance processing (copying, codification, revisions to procedures, etc.) will amount to approximately \$4343.

If you have any questions, please contact Diane Althaus at 233-3894.

City of Seattle

Executive Department—Office of Management and Budget

Diana Gale, Director
Norman B. Rice, Mayor



May 20, 1993

The Honorable Mark Sidran
City Attorney
City of Seattle

5/19/93
MK

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT Construction and Land Use

SUBJECT: AN ORDINANCE relating to land use and zoning, resulting from reorganization of City departments and reassignment of work; amending Sections 23.04.040, 23.45.015, 23.45.057, 23.45.073, 23.45.112, 23.47.006, 23.47.016, 23.47.027, 23.49.036, 23.49.046, 23.49.056, 23.49.066, 23.49.076, 23.49.096, 23.49.106, 23.49.122, 23.49.134, 23.49.162, 23.49.180, 23.49.212, 23.49.214, 23.49.240, 23.49.332, 23.50.016, 23.50.034, 23.53.020, 23.60.196, 23.60.704, 23.66.020, 23.66.025, 23.66.030, 23.66.035, 23.66.110, 23.66.115, 23.66.122, 23.66.124, 23.66.130, 23.66.140, 23.66.150, 23.66.155, 23.66.160, 23.66.170, 23.66.180, 23.66.190, 23.66.310, 23.66.314, 23.66.316, 23.66.318, 23.66.326, 23.66.334, 23.66.336, 23.66.338, 23.66.342, 23.68.022, 23.69.023, 23.69.032, 23.69.034, 23.84.006, 23.84.008, 24.08.040, 24.24.010, 24.26.010, 24.66.050, 24.70.060, and 24.74.028.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Daniel Becker at 4-8073.

Sincerely,

Norman B. Rice
Mayor

by

DIANA GALE
Budget Director

DG/db/rsy

Enclosure

cc: Director, DCLU

STATE OF WASHINGTON - KING COUNTY

32226
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:116744

was published on
07/12/93

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

[Handwritten signature]

Subscribed and sworn to before me on

07/12/93

[Handwritten signature]

Notary Public for the State of Washington,
residing in Seattle

City of Seattle Ordinances

1. The Director shall review the annual status report and, in consultation with ~~((the Human Services Strategic Planning Office and))~~ other government agencies, shall evaluate the institution's progress toward achieving the goals and objectives established in the master plan for addressing the City's health policies and human services goals. The Director shall notify the Council that DCIU is conducting the review, and the Council may schedule one (1) or more public hearing(s) to receive public comment, or may request that the Director or some other City department or office conduct such public hearing(s).

2. If substantial progress is not being made in addressing the City's health policies and human services goals, the Council and/or the Director may direct the institution to meet with representatives of City departments, including the Health Department, The Department of Housing and Human Services and the Department of Neighborhoods ~~((Human Resources, the Department of Community Development, and/or the Human Services Strategic Planning Office))~~, to develop additional steps to improve the institution's performance in addressing the City's policies and goals.

Section 58. Section 23.84.006 of the Seattle Municipal Code, as last amended by Ordinance 115326, is further amended by deleting the following definition from this Section:
23.84.006 "c."

* * *

~~(("Community Development Director" means the Director of the Department of Community Development.))~~

* * *

Section 59. Section 23.84.008 of the Seattle Municipal Code, as last amended by Ordinance 115326, is further amended by deleting the following definition from this Section:
23.84.008 "d."

~~(("DCIU" means the Department of Community Development.))~~

* * *

Section 60. Section 24.08.040 of the Seattle Municipal Code, as last amended by Ordinance 109126, is further amended by deleting the following definition:
24.08.040 "c."

* * *

~~(("DCIU" means the Department of Community Development.))~~

1. A townhouse structure shall contain at least two (2) and not more than ten (10) townhouse dwellings.

2. The minimum lot area shall be at least sixteen hundred (1,600) square feet per townhouse dwelling and Section 24.62.050 shall not apply.

3. Each townhouse dwelling shall have a rear and front yard totaling forty-five feet (45'), provided that the average of such front and rear yards for one (1) townhouse structure shall be no less than twenty feet (20') and twenty-five feet (25') respectively and the minimum front or rear yard of any townhouse dwelling shall not be less than ten feet (10'). If townhouse dwellings make up an entire block front, the front yard may be reduced to five feet (5'), provided, however, that the townhouse dwelling abutting a less intensive zone of development shall provide front and rear yards as otherwise required in the zone.

4. The minimum side yard for an and townhouse dwelling of a townhouse structure shall be five feet (5'), except as modified in Sections 24.62.070 through 24.62.160.

5. Townhouse dwellings shall not occupy more than fifty-five percent (55%) of the lot and Sections 24.62.170 and 24.62.180 shall not apply.

6. No townhouse dwelling shall exceed a height of thirty-five feet (35') and Sections 24.62.030 and 24.62.040 shall not apply.

7. At least ten feet (10') of open space shall be provided between townhouse structures except when the overlap is ten feet (10') or less and then the open space may be reduced to five feet (5').

8. A minimum of fifteen percent (15%) of the lot must be private usable open space.

9. In townhouse dwelling developments consisting of five (5) or more townhouse dwellings, the required lot area may be reduced up to fifteen percent (15%) by providing an equivalent amount of continuous open space not including the required parking area.

10. Required parking with connecting permanent pedestrian access shall be located within two hundred feet (200') of the townhouse dwelling that it serves.

11. Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design by the ~~((Community Development))~~ Director prior to issuance of a building or master use permit. The proposal will be judged as to design on the following criteria:

a. Efficient and harmonious grouping of