

ORDINANCE No. 119027

COUNCIL BILL No. 112161

Law D

The City

AN ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance 118794 related to the parking waiver process for accessory dwelling units.

(Handwritten mark)

Honorable President:

Your Committee on

Business

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

Hold until 9/2/98 BEC

6-8-98 Full Council

COMPTROLLER FILE No.

Introduced: <i>5-11-98</i>	By: <i>DRAGO</i>
Referred: <i>5-11-98</i>	To: <i>Business, Economic & Community Development Committee</i>
Referred:	To:
Referred:	To:
Reported:	Second Reading:
Third Reading:	Signed:
Presented to Mayor: <i>6-8-98</i>	Approved: <i>6-16-98</i>
Returned to City Clerk: <i>6-11-98</i>	Published: <i>FULL TEXT - Paged 2</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

(Handwritten mark)

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

Committee on

Business, Economic and Community Development

h was referred the within Council Bill No.

112161

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

until *9/2/98*

BBED

Do approve

as amended
3-0, 6/2/98

98 Full Council Action: 17-0 PASSED

(Excused: Choe, Steinbroeck)



Jan Dugg

Committee Chair

ORDINANCE 119027

AN ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance 118794 related to the parking waiver process for accessory dwelling units.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.44.041 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

23.44.041 Accessory dwelling units.

Accessory dwelling units may be permitted subject to the standards in subsection A of this section until two thousand five hundred (2,500) applications for new (not for legalization of existing) accessory dwelling units are filed. If, prior to the occurrence of the foregoing condition, applications are filed for accessory dwelling units which would cause the concentration of single-family structures with new accessory dwelling units to exceed twenty (20) percent of all single-family structures in single-family zones in any one (1) census tract or in an area formed by a circle with a radius of one thousand (1,000) feet from the point at which three (3) or more census tracts meet, no further applications may be accepted for accessory dwelling units in such census tract or area. The Master Use Permit process set forth in Chapter 23.76 shall be followed to authorize these uses.

A. The Director may authorize an accessory dwelling unit if the Director finds that the unit meets the following development and use standards:

1. A single-family dwelling may have no more than one (1) accessory dwelling unit, and only one (1) accessory dwelling unit shall be allowed per lot.
2. One (1) of the dwelling units in the structure shall be occupied by one (1) or more owners of the property as the owner's(s) permanent and principal residence; provided that the Director may waive this requirement for temporary absences of less than one (1) year, where the accessory unit has been a permitted use for at least two (2) years and the owner submits proof of absence from the Puget Sound region.
3. Any number of related persons may occupy each unit in a single-family residence with an accessory dwelling unit provided that if unrelated persons occupy either unit, the total number of persons occupying both units together may not exceed eight (8).
4. Accessory dwelling units may not be located in any structure detached from the single-family dwelling.
5. The floor area of the accessory dwelling unit may exceed one thousand (1,000) square feet only if a permit was filed to construct the portion of the structure in which the accessory dwelling unit is located before May 31, 1996, and if the entire accessory dwelling unit is located on one level.
6. Only one (1) entrance may be located on each front or street side of the residence except where two (2) entrances on the front or street side existed on January 1, 1993.
7. A minimum of two (2) off-street parking spaces shall be provided, which spaces may be in tandem. The Director may waive the requirement for one (1) or both of the spaces

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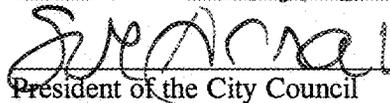
1 if the accessory dwelling unit is not located in a residential parking zone (RPZ) or in the University
2 District Parking Overlay Area or Alki Area, pursuant to Maps A and B, Section 23.54.015, and if
3 topography or location of existing principal or accessory structures makes provision of one (1) or
4 both of the parking spaces unduly burdensome (~~and if adequate parking capacity exists~~). The
5 applicant need not apply for a variance in order for the Director to waive this requirement. If the
6 accessory dwelling unit is located in an RPZ and if topography or location of existing structures
7 makes provision of one or both of the parking spaces unduly burdensome, the Director may waive
8 the parking requirement if a parking study is completed and if adequate parking capacity exists.
9 On-street parking shall be considered at capacity when the utilization rate is seventy-five (75)
10 percent or greater within a four hundred (400) foot walking distance of the subject property. (~~The~~
11 ~~Council shall reconsider the definition of on-street parking capacity within one (1) year of the~~
12 ~~effective date of the ordinance codified in this section.~~) The parking waiver process cannot be
13 used to eliminate existing parking spaces in order to create an accessory dwelling unit.

14 8. If the portion of the single-family dwelling in which the accessory dwelling
15 unit is located was in existence prior to October 17, 1979, the minimum ceiling height shall be six
16 (6) feet eight (8) inches measured per Sections 310.6.1 and 3403 of the Seattle Building Code. The
17 minimum ceiling height shall be six (6) feet four (4) inches if a hard-wired smoke detector is located
18 in the dwelling unit. If the portion of the single-family dwelling in which the accessory dwelling
19 unit is located was constructed on or subsequent to October 17, 1979, the minimum ceiling height
20 shall be seven (7) feet six (6) inches measured per Sections 310.6.1 and 3403 of the Seattle Building
21 Code.

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25 **Section 2.** This ordinance shall take effect and be in force thirty (30) days from and after
26 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
27 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

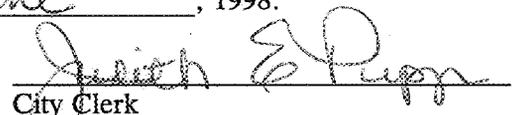
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29 Passed by the City Council the 8th day of June, 1998, and signed by me in
30 open session in authentication of its passage this 8th day of June, 1998.

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33 President of the City Council

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35 Approved by me this 16th day of June, 1998.

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38 Paul Schell, Mayor

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40 Filed by me this 17 day of June, 1998.

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42 
43 City Clerk

44 (SEAL)



City of Seattle

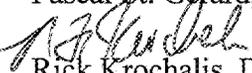
Paul Schell, Mayor

Department of Construction and Land Use

R. F. Krochalis, Director

MEMORANDUM

TO: Jan Drago, City Council President, via
Pascal St. Gerard, Budget Analyst, Executive Services Division

FROM: 
Rick Krochalis, Director

DATE: June 2, 1998

SUBJECT: Revised Memo: Amendment to the Accessory Dwelling Unit Provisions
of the Land Use Code to Correct a Clerical Error

Background: With this memorandum, the Department of Construction and Land Use (DCLU) is transmitting an ordinance amending Land Use Code Section 23.44.041 (related to accessory dwelling units) to correct a clerical error in the adoption of Ordinance 118472. One page of this approved ordinance is incorrect. It does not reflect City Council approval of the waiver process for off-street parking related to accessory dwelling units. The amendment in the proposed ordinance would correct this error.

SEPA: Since there are no substantive changes included in the proposed ordinance, the Declaration of Non-Significance (no environmental impact statement required) for the legislation in Ordinance 118472 applies to this clerical amendment.

Cost of Implementation: There are minimal costs associated with implementing the proposed ordinance, primarily related to codification of the amendment. One staff person will coordinate and provide training at regularly scheduled staff meetings. This is anticipated to take about one hour of staff time, and the associated cost is approximately \$110. The cost of copying the ordinance for DCLU staff would be approximately \$15. Printing new Land Use Code pages by the Book Publishing company would cost approximately \$18. Total implementation costs are approximately \$143.

If you have any questions about the recommended changes, please contact Ken Davis at 233-3884.

Attachments

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City of Seattle

Paul Schell, Mayor

Department of Construction and Land Use

R. F. Krochalis, Director

April 16, 1998

Dear Citizen:

Introduction

The Department of Construction and Land Use (DCLU) is proposing an amendment to Land Use Code Section 23.44.041 (related to accessory dwelling units) to correct a clerical error in the adoption of Ordinance 118794. One page of this approved ordinance is incorrect. It does not reflect City Council approval of the waiver process for off-street parking related to accessory dwelling units. A copy of the proposed ordinance to correct this error is attached.

Environmental Determination

Since there are no substantive changes included in the proposed ordinance, the Declaration of Non-Significance (no environmental impact statement required) for the accessory dwelling unit legislation in Ordinance 118794 applies to this clerical amendment.

How to Comment

Public Hearing:

A public hearing on the proposed legislation is scheduled before the Seattle City Council Business, Economic and Community Development (BECD) Committee at 9:30 a.m. on Tuesday, May 19, 1998, in the City Council Chamber, 11th Floor of the Municipal Building, 600 Fourth Avenue. For those who wish to testify, a sign-up sheet will be provided outside the Council Chamber one half hour before the public hearing. Questions concerning the public hearing may be directed to Dan McGrady, Councilmember Jan Drago's office, by calling 684-8801.

The City Council Chamber is accessible. Print and communications access is provided on prior request. Please contact Councilmember Jan Drago's office at 684-8801 as soon as possible to request accommodations for a disability.

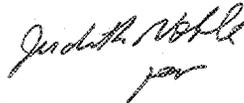
Written Comments:

For those unable to attend the public hearing, comments will be accepted through May 19, 1998 by Councilmember Jan Drago, Chair, BECD Committee. Written comments may be sent to:

City of Seattle
City Council Business, Economic and Community Development Committee
11th Floor, Municipal Building
600 Fourth Avenue
Seattle, Washington 98104
Attention: Dan McGrady

Questions concerning the proposed ordinance may be directed to Ken Davis, DCLU, at 233-3884.

Sincerely,



R.F. Krochalis
Director

Enclosure

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ORDINANCE _____

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3 AN ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle
4 Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance
5 118794 related to the parking waiver process for accessory dwelling units. NOW THEREFORE,
6

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
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9 Section 1. Subsection A of Section 23.44.041 of the Seattle Municipal Code, which
10 Section was last amended by Ordinance 118794, is amended as follows:
11

12 23.44.041 Accessory dwelling units.
13

14 Accessory dwelling units may be permitted subject to the standards in subsection A of this
15 section until two thousand five hundred (2,500) applications for new (not for legalization of
16 existing) accessory dwelling units are filed. If, prior to the occurrence of the foregoing condition,
17 applications are filed for accessory dwelling units which would cause the concentration of single-
18 family structures with new accessory dwelling units to exceed twenty (20) percent of all single-
19 family structures in single-family zones in any one (1) census tract or in an area formed by a circle
20 with a radius of one thousand (1,000) feet from the point at which three (3) or more census tracts
21 meet, no further applications may be accepted for accessory dwelling units in such census tract or
22 area. The Master Use Permit process set forth in Chapter 23.76 shall be followed to authorize these
23 uses.

24 A. The Director may authorize an accessory dwelling unit if the Director finds that the
25 unit meets the following development and use standards:

- 26 1. A single-family dwelling may have no more than one (1) accessory
27 dwelling unit, and only one (1) accessory dwelling unit shall be allowed per lot.
28 2. One (1) of the dwelling units in the structure shall be occupied by one (1) or
29 more owners of the property as the owner's(s') permanent and principal residence; provided that the
30 Director may waive this requirement for temporary absences of less than one (1) year, where the
31 accessory unit has been a permitted use for at least two (2) years and the owner submits proof of
32 absence from the Puget Sound region.
33 3. Any number of related persons may occupy each unit in a single-family
34 residence with an accessory dwelling unit provided that if unrelated persons occupy either unit, the
35 total number of persons occupying both units together may not exceed eight (8).
36 4. Accessory dwelling units may not be located in any structure detached from
37 the single-family dwelling.
38 5. The floor area of the accessory dwelling unit may exceed one thousand
39 (1,000) square feet only if a permit was filed to construct the portion of the structure in which the
40 accessory dwelling unit is located before May 31, 1996, and if the entire accessory dwelling unit is
41 located on one level.
42 6. Only one (1) entrance may be located on each front or street side of the
43 residence except where two (2) entrances on the front or street side existed on January 1, 1993.
44 7. A minimum of two (2) off-street parking spaces shall be provided, which
45 spaces may be in tandem. The Director may waive the requirement for one (1) or both of the spaces

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1 if the accessory dwelling unit is not located in a residential parking zone (RPZ) or in the University
2 District Parking Overlay Area or Alki Area, pursuant to Maps A and B, Section 23.54.015, and if
3 topography or location of existing principal or accessory structures makes provision of one (1) or
4 both of the parking spaces unduly burdensome and if adequate parking capacity exists. The
5 applicant need not apply for a variance in order for the Director to waive this requirement. If the
6 accessory dwelling unit is located in an RPZ and if topography or location of existing structures
7 makes provision of one or both of the parking spaces unduly burdensome, the Director may waive
8 the parking requirement if a parking study is completed and if adequate parking capacity exists.
9 On-street parking shall be considered at capacity when the utilization rate is seventy-five (75)
10 percent or greater within a four hundred (400) foot walking distance of the subject property. ((The
11 Council shall reconsider the definition of on-street parking capacity within one (1) year of the
12 effective date of the ordinance codified in this section.)) The parking waiver process cannot be
13 used to eliminate existing parking spaces in order to create an accessory dwelling unit.

14 8. If the portion of the single-family dwelling in which the accessory dwelling
15 unit is located was in existence prior to October 17, 1979, the minimum ceiling height shall be six
16 (6) feet eight (8) inches measured per Sections 310.6.1 and 3403 of the Seattle Building Code. The
17 minimum ceiling height shall be six (6) feet four (4) inches if a hard-wired smoke detector is located
18 in the dwelling unit. If the portion of the single-family dwelling in which the accessory dwelling
19 unit is located was constructed on or subsequent to October 17, 1979, the minimum ceiling height
20 shall be seven (7) feet six (6) inches measured per Sections 310.6.1 and 3403 of the Seattle Building
21 Code.

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25 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after
26 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
27 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

28
29 Passed by the City Council the ____ day of _____, 1998, and signed by me in
30 open session in authentication of its passage this ____ day of _____, 1998.

31
32 _____
33 President of the City Council

34 Approved by me this ____ day of _____, 1998.

35
36 _____
37 Paul Schell, Mayor

38
39 Filed by me this ____ day of _____, 1998.

40
41 _____
42 City Clerk

43 (SEAL)





City of Seattle

Paul Schell, Mayor

Department of Construction and Land Use

R. F. Krochalis, Director

MEMORANDUM

TO: Jan Drago, City Council President, via
Pascal St. Gerard, Budget Analyst, Executive Services Division

FROM: Rick Krochalis, Director

DATE: April 20, 1998

SUBJECT: Amendment to the Accessory Dwelling Unit Provisions of the Land Use Code to Correct a Clerical Error

Background: With this memorandum, the Department of Construction and Land Use (DCLU) is transmitting an ordinance amending Land Use Code Section 23.44.041 (related to accessory dwelling units) to correct a clerical error in the adoption of Ordinance 118794. One page of this approved ordinance is incorrect. It does not reflect City Council approval of the waiver process for off-street parking related to accessory dwelling units. The amendment in the proposed ordinance would correct this error.

SEPA: Since there are no substantive changes included in the proposed ordinance, the Declaration of Non-Significance (no environmental impact statement required) for the legislation in Ordinance 118794 applies to this clerical amendment.

Cost of Implementation: There are minimal costs associated with implementing the proposed ordinance, primarily related to codification of the amendment. One staff person will coordinate and provide training at regularly scheduled staff meetings. This is anticipated to take about one hour of staff time, and the associated cost is approximately \$110. The cost of copying the ordinance for DCLU staff would be approximately \$15. Printing new Land Use Code pages by the Book Publishing company would cost approximately \$18. Total implementation costs are approximately \$143.

If you have any questions about the recommended changes, please contact Ken Davis at 233-3884.

Attachments

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ORDINANCE _____

AN ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance 118794 related to the parking waiver process for accessory dwelling units.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.44.041 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

23.44.041 Accessory dwelling units.

Accessory dwelling units may be permitted subject to the standards in subsection A of this section until two thousand five hundred (2,500) applications for new (not for legalization of existing) accessory dwelling units are filed. If, prior to the occurrence of the foregoing condition, applications are filed for accessory dwelling units which would cause the concentration of single-family structures with new accessory dwelling units to exceed twenty (20) percent of all single-family structures in single-family zones in any one (1) census tract or in an area formed by a circle with a radius of one thousand (1,000) feet from the point at which three (3) or more census tracts meet, no further applications may be accepted for accessory dwelling units in such census tract or area. The Master Use Permit process set forth in Chapter 23.76 shall be followed to authorize these uses.

A. The Director may authorize an accessory dwelling unit if the Director finds that the unit meets the following development and use standards:

1. A single-family dwelling may have no more than one (1) accessory dwelling unit, and only one (1) accessory dwelling unit shall be allowed per lot.
2. One (1) of the dwelling units in the structure shall be occupied by one (1) or more owners of the property as the owner's(s)' permanent and principal residence; provided that the Director may waive this requirement for temporary absences of less than one (1) year, where the accessory unit has been a permitted use for at least two (2) years and the owner submits proof of absence from the Puget Sound region.
3. Any number of related persons may occupy each unit in a single-family residence with an accessory dwelling unit provided that if unrelated persons occupy either unit, the total number of persons occupying both units together may not exceed eight (8).
4. Accessory dwelling units may not be located in any structure detached from the single-family dwelling.
5. The floor area of the accessory dwelling unit may exceed one thousand (1,000) square feet only if a permit was filed to construct the portion of the structure in which the accessory dwelling unit is located before May 31, 1996, and if the entire accessory dwelling unit is located on one level.
6. Only one (1) entrance may be located on each front or street side of the residence except where two (2) entrances on the front or street side existed on January 1, 1993.
7. A minimum of two (2) off-street parking spaces shall be provided, which spaces may be in tandem. The Director may waive the requirement for one (1) or both of the spaces

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if the accessory dwelling unit is not located in a residential parking zone (RPZ) or in the University District Parking Overlay Area or Alki Area, pursuant to Maps A and B, Section 23.54.015, and if topography or location of existing principal or accessory structures makes provision of one (1) or both of the parking spaces unduly burdensome and if adequate parking capacity exists. The applicant need not apply for a variance in order for the Director to waive this requirement. If the accessory dwelling unit is located in an RPZ and if topography or location of existing structures makes provision of one or both of the parking spaces unduly burdensome, the Director may waive the parking requirement if a parking study is completed and if adequate parking capacity exists. On-street parking shall be considered at capacity when the utilization rate is seventy-five (75) percent or greater within a four hundred (400) foot walking distance of the subject property. ~~((The Council shall reconsider the definition of on-street parking capacity within one (1) year of the effective date of the ordinance codified in this section.1))~~ The parking waiver process cannot be used to eliminate existing parking spaces in order to create an accessory dwelling unit.

8. If the portion of the single-family dwelling in which the accessory dwelling unit is located was in existence prior to October 17, 1979, the minimum ceiling height shall be six (6) feet eight (8) inches measured per Sections 310.6.1 and 3403 of the Seattle Building Code. The minimum ceiling height shall be six (6) feet four (4) inches if a hard-wired smoke detector is located in the dwelling unit. If the portion of the single-family dwelling in which the accessory dwelling unit is located was constructed on or subsequent to October 17, 1979, the minimum ceiling height shall be seven (7) feet six (6) inches measured per Sections 310.6.1 and 3403 of the Seattle Building Code.

* * *

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 1998, and signed by me in open session in authentication of its passage this _____ day of _____, 1998.

President of the City Council

Approved by me this _____ day of _____, 1998.

Paul Schell, Mayor

Filed by me this _____ day of _____, 1998.

City Clerk

(SEAL)



City of Seattle
Executive Services Department
City Budget Office

Anne Fiske Zuniga, Budget Director
Dwight Dively, Director, Executive Services
Paul Schell, Mayor

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98 APR 20 PM 12:06
SEATTLE CITY ATTORNEY



April 17, 1998

The Honorable Mark Sidran
City Attorney
City of Seattle

OK MK
4/28/98

Dear Mr. Sidran:

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

REQUESTING
DEPARTMENT: Department of Construction and Land Use

SUBJECT A ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance 118794 related to the parking waiver process for accessory dwelling units. **NOW THEREFORE.**

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to S.P.O. Any specific questions regarding the legislation can be directed to Pascal St. Gerard at 684-8085.

Sincerely,

Paul Schell
Mayor

by

ANNE FISKE-ZUNIGA
Director

P. St. Gerard for

h:\legis\lawltr\gerard5

Enclosure

TIME AND DATE STAMP

112161

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

[Handwritten Signature] *[Handwritten Signature]*

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

94792
City of Seattle, City Clerk

—ss.

No. ORDINANCE IN

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

CT:ORD 119027

was published on

06/26/98

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

Subscribed and sworn to before me on

06/26/98

Notary Public for the State of Washington
residing in Seattle

City of Seattle

ORDINANCE NO. 118027

AN ORDINANCE relating to land use and zoning amending Section 23.44.041 of the Seattle Municipal Code (Title 23, Land Use Code) to correct a clerical error in the adoption of Ordinance 118794 related to the parking waiver process for accessory dwelling units.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Subsection A of Section 23.44.041 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is amended as follows:

23.44.041 ACCESSORY DWELLING UNITS.

Accessory dwelling units may be permitted subject to the standards in subsection A of this section until two thousand five hundred (2,500) applications for new (not for legalization of existing) accessory dwelling units are filed. If, prior to the occurrence of the foregoing condition, applications are filed for accessory dwelling units which would cause the concentration of single-family structures with new accessory dwelling units to exceed twenty (20) percent of all single-family structures in single-family zones in any one (1) census tract or in an area formed by a circle with a radius of one thousand (1,000) feet from the point at which three (3) or more census tracts meet, no further applications may be accepted for accessory dwelling units in such census tract or area. The Master Use Permit process set forth in Chapter 23.76 shall be followed to authorize these uses.

A. The Director may authorize an accessory dwelling unit if the Director finds that the unit meets the following development and use standards:

1. A single-family dwelling may have no more than one (1) accessory dwelling unit, and only one (1) accessory dwelling unit shall be allowed per lot.

2. One (1) of the dwelling units in the structure shall be occupied by one (1) or more owners of the property as the owner's(s) permanent and principal residence, provided that the Director may waive this requirement for temporary absences of less than one (1) year, where the accessory unit has been a permitted use for at least two (2) years and the owner submits proof of absence from the Puget Sound region.

3. Any number of related persons may occupy each unit in a single-family residence with an accessory dwelling unit provided that if unrelated persons occupy either unit, the total number of persons occupying both units together may not exceed eight (8).

4. Accessory dwelling units may not be located in any structure detached from the single-family dwelling.

5. The floor area of the accessory dwelling unit may exceed one thousand (1,000) square feet only if a permit was filed to construct the portion of the structure in which the accessory dwelling unit is located before May 31, 1996, and if the entire accessory dwelling unit is located on one level.

6. Only one (1) entrance may be located on each front or street side of the residence except where two (2) entrances on the front or street side existed on January 1, 1993.

7. A minimum of two (2) off-street parking spaces shall be provided, which spaces may be in tandem. The Director may waive the requirement for one (1) or both of the spaces if the accessory dwelling unit is not located in a residential parking zone (RPZ) or in the University District Parking Overlay Area or Alki Area, pursuant to Maps A and B, Section 23.54.015, and if topography or location of existing principal or accessory structures makes provision of one (1) or both of the parking spaces unduly burdensome (and if adequate parking capacity exists). The applicant need not apply for a variance in order for the Director to waive this requirement if the accessory dwelling unit is located in an RPZ and if topography or location of existing structures makes provision of one or both of the parking spaces unduly burdensome. The Director may waive the parking requirement if a parking study is completed and if adequate parking capacity exists. On-street parking shall be considered as accessory