

ORDINANCE No.

119239

COUNCIL BILL No.

112403

Law Department

The City

AN ORDINANCE relating to land use; adding Section 23.22.062; amending Sections 23.22.100, 23.24.040, 23.24.045, 23.44.006, 23.44.010, 23.44.014, 23.44.018, 23.44.022, 23.44.034, 23.44.080, 23.45.005, 23.45.008, 23.45.014, 23.45.016, 23.47.008, 23.47.010, 23.47.016, 23.47.023, 23.48.002, 23.48.014, 23.49.054, 23.49.074, 23.49.104, 23.49.132, 23.49.160, 23.53.015, 23.54.015, 23.54.020, 23.55.002, 23.55.034, 23.55.042, 23.71.028, 23.76.024, 23.76.028, 23.84.018, 23.84.024, 23.84.026, 23.84.032, 23.84.038, 23.84.048, 23.86.018; 25.09.260; and repealing 23.44.072 of the Seattle Municipal Code to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

Honorable President:

Committee on

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

11/3/98

11-30-98 Full Co

(Excuse)

COMPTROLLER FILE No.

Introduced: OCT 12 1998	By: DRAGO
Referred: OCT 12 1998	To: Business, Economic & Community Development Committee
Referred:	To:
Referred:	To:
Reported: 11-30-98	Second Reading:
Third Reading: 11-30-98	Signed: 11-30-98
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Passed over Veto:	Veto Sustained:

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*Law Department*

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

able President:

Committee on

h was referred the within Council Bill No.

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

"13/98 BEW No action 30

30-98 Fall Council: Passed 6-0

(Excused: Conlon, McIver, Fogelin)



Committee Chair



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ORDINANCE 119239

AN ORDINANCE relating to land use; adding Section 23.22.062; amending Sections 23.22.100, 23.24.040, 23.24.045, 23.44.006, 23.44.010, 23.44.014, 23.44.018, 23.44.022, 23.44.034, 23.44.080, 23.45.005, 23.45.008, 23.45.014, 23.45.016, 23.47.008, 23.47.010, 23.47.016, 23.47.023, 23.48.002, 23.48.014, 23.49.054, 23.49.074, 23.49.104, 23.49.132, 23.49.160, 23.53.015, 23.54.015, 23.54.020, 23.55.002, 23.55.034, 23.55.042, 23.71.028, 23.76.024, 23.76.028, 23.84.018, 23.84.024, 23.84.026, 23.84.032, 23.84.038, 23.84.048, 23.86.018; 25.09.260; and repealing 23.44.072 of the Seattle Municipal Code to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

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

Section 1. A new Section, 23.22.062, is hereby added to the Seattle Municipal Code (SMC) to read as follows:

**23.22.062 Unit lot subdivisions.**

A. The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, and clustered housing in Single Family, Residential Small Lot and Lowrise zones, and single family residences in Lowrise zones.

B. Sites developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.

C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.

E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that

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1 parking is formalized by an easement on the plat, as recorded with the Director of the  
2 King County Department of Records and Elections.

3 F. The fact that the unit lot is not a separate buildable lot and that additional  
4 development of the individual unit lots may be limited as a result of the application of  
5 development standards to the parent lot shall be noted on the plat, as recorded with the  
6 King County Department of Records and Elections.  
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8

9 **Section 2.** Subsection A of Section 23.22.100 of the SMC, which Section was last  
10 amended by Ordinance 118794, is amended as follows:  
11

12 **23.22.100 Design standards.**  
13

14 Except as provided in Section 23.22.106, design of all subdivisions shall conform to the  
15 standards set forth in this subsection:

16 A. Street and Alleys.

17 1. All subdivisions shall be served by one (1) or more streets providing  
18 adequate ingress and egress to and from the subdivision.

19 2. ~~((Major))~~ New streets within each subdivision shall conform with the  
20 City's thoroughfare and circulation plans and shall provide for the continuation of  
21 ~~((major))~~ streets which serve the property contiguous to the subdivision. ~~((Unless~~  
22 ~~warranted by special physical circumstances, s))~~ Streets serving lots on two (2) sides shall  
23 be at least sixty (60) feet wide unless a narrower street is warranted by special physical  
24 circumstances as determined by the Director, in consultation with the Director of Seattle  
25 Transportation, or as specified in Table 7 (for non-arterial streets) or Appendix A (for  
26 arterials) of the Street Improvement Manual.

27 3. Street intersections shall be as nearly at right angles as practicable and  
28 in no event shall the angle formed be less than thirty (30) degrees.

29 4. A cul-de-sac shall be designed according to the Street Design Manual to  
30 provide a circular turnaround at the closed end. A tee or other reasonable alternative may  
31 be authorized by the Hearing examiner in lieu of the turnaround. Cul-de-sac streets shall  
32 not exceed four hundred fifty (450) feet in length and the right-of-way shall be at least  
33 fifty (50) feet wide, except under special circumstances a lesser width will be permitted.

34 5. Street networks shall provide ready access for fire and other emergency  
35 vehicles and equipment, and routes of escape for inhabitants.

36 6. Alleys shall be at least sixteen (16) feet wide plus such additional width  
37 as shall be necessary for an adequate turning radius.  
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39 \* \* \*  
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41

42 **Section 3.** Subsection A of Section 23.24.040 of the SMC, which Section was last  
43 amended by Ordinance 118414, is further amended as follows:



**23.24.040 Criteria for approval.**

A. The Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. Conformance to the applicable Land Use Policies and Land Use Code provisions;
2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;
3. Adequacy of drainage, water supply and sanitary sewage disposal;
4. Whether the public use and interests are served by permitting the proposed division of land;
5. Conformance to the applicable provisions of SMC Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;
6. Conformance to the provisions of Section 23.24.045, ~~((Townhouses))~~ Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.

\* \* \*

**Section 4.** The section heading and subsection A of Section 23.24.045 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.24.045 Unit lot ~~((S))~~ subdivisions.**

A. The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, and clustered housing ((;)) in Single Family, Residential Small Lot and Lowrise zones, or single family residences in Lowrise zones.

\* \* \*

**Section 5.** Subsections A and J of Section 23.44.006 of the SMC, which Section was adopted by Ordinance 117263, is amended as follows:

**23.44.006 Principal uses permitted outright.**

The following principal uses shall be permitted outright in single-family zones:

A. Single-family Dwelling Unit. One (1) single-family dwelling unit shall be permitted on a lot, except when an accessory dwelling unit is approved pursuant to

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Section 23.44.041, and except as approved as part of an administrative conditional use permit under SMC 25.09.260;

\* \* \*

J. Adult Family Homes. Adult family homes, ~~((designed))~~ as defined and licensed by the state of Washington.

**Section 6.** Subsection B of Section 23.44.010 of the SMC, which Section was last amended by Ordinance 118414, is further amended as follows:

**23.44.010 Lot requirements.**

\* \* \*

B. Exceptions to Minimum Lot Area. The following exceptions to minimum lot area are subject to the limits of subsection B5. A lot which does not satisfy the minimum lot area requirements of its zone may be developed or redeveloped as a separate building site according to the following:

1. In order to recognize separate building sites established in the public record under previous codes, to allow the consolidation of very small lots into larger lots, to adjust lot lines to permit more orderly development patterns, and to create additional buildable sites out of oversized lots which are compatible with surrounding lots, the following exceptions are permitted if the Director determines that:

a. The lot was established as a separate building site in the public records of the county or City prior to July 24, 1957 by deed, contract of sale, mortgage, property tax segregation, platting or building permit and has an area of at least seventy-five percent (75%) of the minimum required lot area and at least eighty percent (80%) of the mean lot area of the lots on the same block face and within the same zone in which the lot is located (Exhibit 23.44.010 A); or

b. The lot is or was created by subdivision, short subdivision or lot boundary adjustment, and is at least seventy-five percent (75%) of the minimum required lot area and is at least eighty percent (80%) of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone (Exhibit 23.44.010 A); or

2. The lot area deficit is the result of a dedication or sale of a portion of the lot to the City or state for street or highway purposes and payment was received for only that portion of the lot, and the lot area remaining is at least fifty percent (50%) of the minimum required; or

3. The lot would qualify as a legal building site under this section but for a reduction in lot area due to court-ordered adverse possession, and the amount by which the lot was so reduced was less than ten percent (10%) of the former area of the lot,

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provided that this exception shall not apply to lots reduced to less than fifty percent (50%) of the minimum area required under subsection A of Section 23.44.010; or

4. The lot was established as a separate building site in the public records of the county or City prior to July 24, 1957 by deed, contract of sale, mortgage, property tax segregation, platting or building permit, and falls into one of the following categories, provided that lots on totally submerged lands shall not qualify for this exception:

a. The lot is not held in common ownership with any contiguous lot on or after the effective date of the ordinance from which this subsection derives; or

b. The lot is or has been held in common ownership with a contiguous lot on or after the effective date of the ordinance from which this subsection derives and is or has been developed with a principal structure which is wholly within the lot boundaries; provided that no portion of any contiguous lot is required to meet the least restrictive of lot area, lot coverage, setback or yard requirements which were in effect at the time of the original construction of the principal structure, at the time of its subsequent additions, or which are in effect at the time of redevelopment of the lot (Exhibit 23.44.010 B); or

c. The lot is or has been held in common ownership with a contiguous lot on or after the effective date of the ordinance from which this subsection derives and is not developed with all or part of a principal structure; provided, that no portion of the lot is required to meet the least restrictive of lot area, lot coverage, setback or yard requirements which were in effect for a principal structure on the contiguous lot at the time of the construction of the principal structure, at the time of its subsequent additions, or which are in effect at the time of the development of the lot (Exhibit 23.44.010 B); and provided further, that if any portion of the lot to be developed has been used to meet the parking requirement in effect for a principal structure on a contiguous lot, such parking requirement can and shall be legally met on the contiguous lot.

For purposes of this subsection B4, removal of all or any part of a principal structure or destruction by fire or act of nature on or after the effective date of the ordinance from which this subsection derives shall not qualify the lot for the minimum lot area exception (Exhibit 23.44.010 C) ((-)) ; or

5. Development may occur on a substandard lot containing a riparian corridor buffer, a wetland and wetland buffer, or a steep slope and steep slope buffer pursuant to the provisions of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, if the following conditions apply:

a. The substandard lot is not held in common ownership with an adjacent lot or lots at any time after the effective date of SMC Chapter 25.09, Regulations for Environmentally Critical Areas; or

b. The substandard lot is held in common ownership with an adjacent lot or lots, or has been held in common ownership at any time after the effective date of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, but proposed and future development will not intrude upon the environmentally critical area((-)) ; or



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1                   6. Lots contained in a clustered housing planned development (Section  
2 23.44.024), a planned residential development (Section 23.44.034), or a clustered  
3 development in an environmentally critical area.

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5                   \* \* \*

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8                   **Section 7.** Subsection D of Section 23.44.014 of the SMC, which Section was last  
9 amended by Ordinance 118794, is amended as follows:

10  
11 **23.44.014 Yards.**

12  
13                   \* \* \*

14  
15                   D. Exceptions from Standard Yard Requirements. No structure shall be placed in  
16 a required yard except pursuant to the following subsections:

17                   1. Certain Accessory Structures. Any accessory structure may be  
18 constructed in a side yard which abuts the rear or side yard of another lot, or in that  
19 portion of the rear yard of a reversed corner lot within five feet of the key lot and not  
20 abutting the front yard of the key lot, upon recording with the King County Department of  
21 Records and Elections an agreement to this effect between the owners of record of the  
22 abutting properties. Any accessory structure which is a private garage may be located in  
23 that portion of a side yard which is either within thirty-five (35) feet of the centerline of  
24 an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot line,  
25 without providing an agreement as provided in Section 23.44.016.

26                   2. A single-family structure may extend into one (1) side yard if an  
27 easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a  
28 ten (10) foot separation between that structure and any principal or accessory structures on  
29 the abutting lot. Features and projections such as porches, eaves, and chimneys shall be  
30 permitted in the ten (10) foot separation area as if the property line were five (5) feet from  
31 the wall of the house on the dominant lot, provided that no portion of either principal  
32 structure including eaves shall cross the actual property line. The easement shall be  
33 recorded with the King County Department of Records and Elections. The easement shall  
34 provide access for normal maintenance activities to the principal structure on the lot with  
35 less than the required side yard.

36                   3. Certain Additions. Certain additions may extend into a required yard  
37 when the existing single-family structure is already nonconforming with respect to that  
38 yard. The presently nonconforming portion must be at least sixty (60) percent of the total  
39 width of the respective facade of the structure prior to the addition. The line formed by  
40 the nonconforming wall of the structure shall be the limit to which any additions may be  
41 built, except as described below. They may extend up to the height limit and may include  
42 basement additions. New additions to the nonconforming wall or walls shall comply with  
43 the following requirements (Exhibit 23.44.014 A):

1 a. Side yard. When the addition is a side wall, the existing wall  
2 line may be continued by the addition except that in no case shall the addition be closer  
3 than three (3) feet to the side lot line;

4 b. Rear yard. When the addition is a rear wall, the existing wall  
5 line may be continued by the addition except that in no case shall the addition be closer  
6 than twenty (20) feet to the rear lot line or centerline of an alley abutting the rear lot line;

7 c. Front yard. When the addition is a front wall, the existing wall  
8 line may be continued by the addition except that in no case shall the addition be closer  
9 than fifteen (15) feet to the front lot line;

10 d. When the nonconforming wall of the single-family structure is  
11 not parallel or is otherwise irregular, relative to the lot line, then the Director shall  
12 determine the limit of the wall extension, except that the wall extension shall not be  
13 located closer than specified in subsections D3a -- c above.

14 4. Uncovered Porches. Uncovered, unenclosed porches or steps may  
15 project into any required yard, provided that they are no higher than four (4) feet on  
16 average above existing grade, no closer than three (3) feet to any side lot line, no wider  
17 than six (6) feet and project no more than six (6) feet into required front or rear yards.

18 5. Special Features of a Structure. Special features of a structure may  
19 extend into required yards subject to the following standards only, unless permitted  
20 elsewhere in this chapter:

21 a. External architectural details with no living area, such as  
22 chimneys, eaves, cornices and columns, may project no more than eighteen (18) inches  
23 into any required yard;

24 b. Bay windows shall be limited to eight (8) feet in width and may  
25 project no more than two (2) feet into a required front, rear, and street side yard; ((and))

26 c. Other projections which include interior space, such as garden  
27 windows, may extend no more than eighteen (18) inches into any required yard, starting a  
28 minimum of thirty (30) inches above finished floor, and with maximum dimensions of six  
29 (6) feet tall and eight (8) feet wide ((-)) ;

30 d. The combined area of features permitted in subsections D5b and  
31 c above may comprise no more than thirty (30) percent of the area of the facade.

32 6. Private Garages, Covered Unenclosed Decks or Roofs Over Patios in  
33 Rear Yards.

34 a. Any attached private garages or covered, unenclosed decks or  
35 roofs over patios are portions of principal structures. They may extend into the required  
36 rear yard, but shall not be within twelve (12) feet of the centerline of any alley, nor within  
37 twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5)  
38 feet to any accessory structure. The height of private garages shall meet the provisions of  
39 Section 23.44.016 D2 and the height of the roof over unenclosed decks and patios may not  
40 exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used  
41 as a deck. Any detached private garage meeting the requirements of Section 23.44.016,  
42 Parking location and access, or detached permitted accessory structure meeting the  
43 requirements of Section 23.44.040 General provisions, may be located in a rear yard. If a

1 private garage has its vehicular access facing the alley, the private garage shall not be  
2 within twelve (12) feet of the centerline of the alley.

3 b. Garages meeting the standards of Section 23.44.016 and other  
4 accessory structures meeting the standards of Section 23.44.040, shall be permitted in  
5 required rear yards, subject to a maximum combined coverage of forty (40) percent of the  
6 required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall  
7 be calculated from the centerline of the alley.

8 7. Private Garages in Front Yards of Through Lots. On through lots less  
9 than one hundred twenty-five (125) feet in depth, either an accessory garage structure or a  
10 portion of the principal structure containing a garage shall be permitted to locate in one  
11 (1) of the front yards. Private garages, either as accessory structures or as a portion of  
12 the principal structure, shall be limited as set forth in Section 23.44.016. The front yard  
13 in which the garage may be located shall be determined by the Director based on the  
14 location of other accessory garages on the block. If no pattern of garage location can be  
15 determined, the Director shall determine in which yard the accessory garage shall be  
16 located based on the prevailing character and setback patterns of the block.

17 8. Access Bridges. Uncovered, unenclosed pedestrian bridges of any  
18 height, necessary for access and five (5) feet or less in width, are permitted in required  
19 yards except that in side yards an access bridge must be at least three (3) feet from any  
20 side lot line.

21 9. Barrier-Free Access. Access facilities for the disabled and elderly  
22 meeting Washington State Building Code, Chapter 11 are permitted in any required yards.

23 10. Freestanding Structures and Bulkheads.

24 a. Fences, freestanding walls, signs and similar structures six (6)  
25 feet or less in height above existing or finished grade whichever is lower, may be erected  
26 in any required yard. The six (6) foot height may be averaged along sloping grade for  
27 each six (6) foot long segment of the fence, but in no case may any portion of the fence  
28 exceed eight (8) feet. Architectural features may be added to the top of the fence or  
29 freestanding wall above the six (6) foot height when the following provisions are met:  
30 horizontal architectural feature(s), no more than ten (10) inches high, and separated by a  
31 minimum of six (6) inches of open area, measured vertically from the top of the fence,  
32 may be permitted when the overall height of all parts of the structure, including post caps,  
33 are no more than eight (8) feet high; averaging the eight (8) foot height is not permitted.  
34 Structural supports for the horizontal architectural feature(s) may be spaced no closer than  
35 three (3) feet on center.

36 b. The Director may allow variation from the development  
37 standards listed in subsection D10a above, according to the following:

- 38 i. No part of the structure may exceed eight (8) feet; and  
39 ii. Any portion of the structure above six (6) feet shall be  
40 predominately open, such that there is free circulation of light and air.

41 c. Bulkheads and retaining walls used to raise grade may be placed  
42 in any required yard when limited to six (6) feet in height, measured above existing grade.  
43 A guardrail no higher than forty-two (42) inches may be placed on top of a bulkhead or



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1 retaining wall existing as of the date of the ordinance codified in this section. If a fence is  
2 placed on top of a new bulkhead or retaining wall, the maximum combined height is  
3 limited to nine and one-half (9-1/2) feet.

4 d. Bulkheads and retaining walls used to protect a cut into existing  
5 grade may not exceed the minimum height necessary to support the cut or six (6) feet  
6 whichever is greater. When the bulkhead is measured from the low side and it exceeds six  
7 (6) feet, an open guardrail of no more than forty-two (42) inches meeting Building Code  
8 requirements may be placed on top of the bulkhead or retaining wall. A fence must be set  
9 back a minimum of three (3) feet from such a bulkhead or retaining wall.

10 e. When located in the shoreline setbacks or in view corridors in  
11 the Shoreline District as regulated in Chapter 23.60, these structures shall not obscure  
12 views protected by Chapter 23.60 and the Director shall determine the permitted height.

13 11. Decks in Yards. Decks no greater than eighteen (18) inches above  
14 existing or finished grade, whichever is lower, may extend into required yards.

15 12. Heat Pumps. Heat pumps and similar mechanical equipment, not  
16 including incinerators, may be permitted in required yards if the requirements of the Noise  
17 Control Ordinance, Chapter 25.08, are not violated. Any heat pump or similar equipment  
18 shall not be located within three (3) feet of any lot line.

19 13. Solar Collectors. Solar collectors may be located in required yards,  
20 subject to the provisions of Section 23.44.046.

21 14. Front Yard Projections for Structures on Lots Thirty (30) Feet or Less  
22 in Width. For a structure on a lot which is thirty (30) feet or less in width, portions of the  
23 front facade which begin eight (8) feet or more above finished grade may project up to  
24 four (4) feet into the required front yard, provided that no portion of the facade, including  
25 eaves and gutters, shall be closer than five (5) feet to the front line (Exhibit 23.44.014 B).

26 15. Front and rear yards may be reduced by twenty-five (25) percent, but  
27 no more than five (5) feet, if the site contains a required environmentally critical area  
28 buffer or other area of the property which can not be disturbed pursuant to subsection A  
29 of Section 25.09.280 of SMC Chapter 25.09, Regulations for Environmentally Critical  
30 Areas.

31 16. Arbors. Arbors may be permitted in required yards under the  
32 following conditions:

33 a. In each required yard, an arbor may be erected with no more  
34 than a forty (40) square foot footprint, measured on a horizontal roof plane inclusive of  
35 eaves, to a maximum height of eight (8) feet. Both the sides and the roof of the arbor  
36 must be at least fifty (50) percent open, or, if latticework is used, there must be a  
37 minimum opening of two (2) inches between crosspieces.

38 b. In each required yard abutting a street, an arbor over a private  
39 pedestrian walkway with no more than a thirty (30) square foot footprint, measured on the  
40 horizontal roof plane and inclusive of eaves, may be erected to a maximum height of eight  
41 (8) feet. The sides of the arbor shall be at least fifty (50) percent open, or if latticework is  
42 used, there must be a minimum opening of two (2) inches between crosspieces.  
43

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Section 8. Subsection E of Section 23.44.018 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.44.018 General provisions.**

\* \* \*

E. ~~((Any authorized conditional use))~~ Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or recommencement is proposed. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or
2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

\* \* \*

Section 9. Subsection E of Section 23.44.022 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.44.022 Institutions.**

\* \* \*

E. Dispersion.

1. The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred (600) feet or more from any lot line of any other institution in a residential zone, with the following exceptions:

1 a. An institution may expand even though it is within six hundred  
2 (600) feet of a public school if the public school is constructed on a new site subsequent to  
3 December 12, 1985.

4 b. A proposed institution may be located less than six hundred  
5 (600) feet from a lot line of another institution if the Director determines that the intent of  
6 the dispersion criteria is achieved due to the presence of physical elements such as bodies  
7 of water, large open spaces or topographical breaks or other elements such as arterials,  
8 freeways or nonresidential uses, which provide substantial separation from other  
9 institutions.

10 2. A proposed child-care center serving not more than twenty-five (25)  
11 children which does not meet the criteria of subsection ((D))E1 of this section may be  
12 permitted to locate less than six hundred (600) feet from a lot line of another institution if  
13 the Director determines that, together with the nearby institution(s), the proposed child  
14 care center would not:

- 15 a. Create physical scale and bulk incompatible with the surrounding  
16 neighborhood;  
17 b. Create traffic safety hazards;  
18 c. Create or significantly increase identified parking shortages; or  
19 d. Significantly increase noise levels to the detriment of surrounding  
20 residents.

21 \* \* \*

22  
23  
24  
25 **Section 10.** Subsection B of Section 23.44.034 of the SMC, which Section was  
26 last amended by Ordinance 116262, is amended as follows:

27  
28 **23.44.034 Planned residential development (PRD).**

29 \* \* \*

30  
31  
32 **B. Type of Dwelling Units Permitted.**

33 1. Only single-family dwelling units shall be permitted within one hundred  
34 (100) feet of a PRD's property line which abuts or is directly across the street from a  
35 single-family zoned lot, except as provided in subsection B2.

36 2. Either single-family dwelling units or ~~((ground-related housing is))~~  
37 townhouses are permitted when within one hundred (100) feet of a property line of a PRD  
38 which does not abut or is not across a street from a single-family zoned lot or is separated  
39 from the single-family zoned lot by physical barriers, such as bodies of water, ravines,  
40 greenbelts, freeways, expressways and other major traffic arterials or topographic breaks  
41 which provide substantial separation from the surrounding single-family neighborhood.



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1                   3. Either single family dwelling units or ~~((ground-related housing))~~  
2 townhouses ~~((is))~~ are permitted when more than one hundred (100) feet from a PRD's  
3 property line.

4                   4. ~~((Ground-related housing))~~ Townhouses shall meet the development  
5 standards for structures in Lowrise 1 zones, unless otherwise specified in this subchapter.  
6

7                   \* \* \*

8  
9                   **Section 11.** Section 23.44.072 of the SMC, which Section was last amended by  
10 Ordinance 117202, is hereby repealed.

11  
12 ~~((23.44.072 — Roomers, boarders, lodgers.~~

13 ~~The renting of rooms, with or without meals, by a household for lodging~~  
14 ~~purposes only, for the accommodation of not more than two (2) roomers,~~  
15 ~~boarders or lodgers, is permitted outright as an accessory use within a~~  
16 ~~dwelling unit as long as the total number of residents does not exceed~~  
17 ~~eight (8).))~~  
18

19  
20                   **Section 12.** Subsection D of Section 23.44.080, which Section was last amended  
21 by Ordinance 111590, is amended as follows:

22  
23 **23.44.080 Nonconforming uses.**  
24

25                   \* \* \*

26  
27                   D. A nonconforming ~~((multi-family))~~ residential use shall not be expanded or  
28 extended nor shall the number of dwelling units be increased. For a non-conforming  
29 residential use that was not a multifamily use, the number of residents may not be  
30 increased beyond the maximum number that was allowed by the standards of the zone at  
31 the time of approval or, if permitted by conditional use, the number shall not be allowed  
32 to increase above that number permitted by the conditional use approval. A structure  
33 occupied by a nonconforming ~~((multi-family))~~ residential use may be maintained, repaired,  
34 renovated or structurally altered but shall not be expanded or extended except as otherwise  
35 required by law, as necessary to improve access for the elderly and disabled, or as  
36 specifically permitted for nonconforming uses and nonconforming structures elsewhere in  
37 this Code. Structural features including, but not limited to, exterior decks and balconies,  
38 bay windows, dormers, eaves and solar collectors may be added to a principal structure,  
39 or a new or expanded accessory structure may be constructed, provided that the addition  
40 or new structure conforms to the development standards of the zone.  
41

42                   \* \* \*

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**Section 13.** Subsection A of Section 23.45.005 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.45.005 Development standards for single-family structures.**

A. Except for cottage housing developments, single family structures shall be subject to the development standards ~~((of the Lowrise Duplex/Triplex (LDT) zone))~~ for ground-related housing, except that open space shall be provided according to the provisions for single family structures in each zone, in ~~((s))~~Section 23.45.016 of this ~~((e))~~Chapter.

\* \* \*

**Section 14.** Subsection B of Section 23.45.008 of the SMC, which Section was last amended by Ordinance 117173, is amended as follows:

**23.45.008 Density -- Lowrise zones.**

\* \* \*

B. 1. In Lowrise 3 and Lowrise 4 zones, multifamily structures for low-income elderly or low-income disabled residents, or a ~~((combination of the two))~~ low-income elderly/low-income disabled multifamily structure, operated by a public agency or a private nonprofit corporation shall have a maximum density as follows:

Lowrise 3 -- One (1) dwelling unit per five hundred fifty (550) square feet of lot area.

Lowrise 4 -- One (1) dwelling unit per four hundred (400) square feet of lot area.

2. In order to qualify for the density provisions of this subsection, a majority of the dwelling units of the structure shall be designed for and dedicated to tenancies of at least three (3) months.

3. The dwelling units shall remain as low-income elderly/~~((or))~~ low-income disabled multifamily structure ~~((housing))~~ for the life of the structure.

\* \* \*

**Section 15.** Subsection F of Section 23.45.014 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.45.014 Setback requirements -- Lowrise zones.**

\* \* \*

F. Projections into Required Setbacks.

1. Special Features of a Structure.

a. External architectural details with no living space including cornices, eaves, sunshades, gutters, and vertical architectural features which are less than eight feet (8') in width, may project a maximum of eighteen inches (18") into any required setback.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two feet (2') into a front, rear, or street side setback. In no case shall bay windows be closer than five feet (5') to any lot line.

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen inches (18") into any required yard, starting a minimum of thirty inches (30") above finished floor, and with maximum dimensions of six feet (6') tall and eight feet (8') wide.

d. The combined area of features permitted in subsections F1b and c above may comprise no more than thirty percent (30%) of the area of the facade.

2. Unenclosed Decks and Balconies.

a. Unenclosed decks and balconies may project a maximum of four feet (4') into the required front setback provided they are a minimum of ten feet (10') from the front lot line in Lowrise Duplex/Triplex and Lowrise 1 zones and eight feet (8') from the front lot line in Lowrise 2, Lowrise 3 and Lowrise 4 zones.

b. Except as provided in subsection G5 of Section 23.45.014, unenclosed decks and balconies shall be permitted in side setbacks, provided they are a minimum of five feet (5') from a side lot line, and may project into the required rear setback a maximum of four feet (4') provided they are a minimum of five feet (5') from a rear lot line.

c. Unenclosed decks and balconies permitted in required setbacks shall be limited to a maximum width of twenty feet (20') and shall be separated by a distance equal to at least one-half (1/2) the width of the projection.

~~((3-))~~ d. All permitted projections into required front and rear setbacks shall begin a minimum of eight (8) feet above finished grade. ~~((except that an))~~

3. An unenclosed porch or steps may extend a maximum of six (6) feet into the required front setback at ground level, provided that it is set back the same distance from the front lot line as that required for unenclosed decks and balconies.

\* \* \*

**Section 16.** Subsection B of Section 23.45.016 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:



**23.45.016 Open space requirements -- Lowrise zones.**

\* \* \*

**B. Development Standards.**

**1. Lowrise Duplex/Triplex Zones and Ground-related Housing in Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones.**

**a. Lowrise Duplex/Triplex Zones -- Private Usable Open Space.**

(1) Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of four hundred (400) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Private usable open space shall be located a maximum of four (4) feet above or below a private entry to the unit it serves. The floor of the unit accessed by this entry shall have a minimum area of three hundred (300) square feet. This minimum area may include a private garage if habitable floor area of the same unit is located directly above.

**b. Lowrise Duplex/Triplex Zones -- Common Open Space.**

Required common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of six hundred (600) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of one hundred fifty (150) square feet. In cottage housing developments, each cottage shall abut the common open space. No horizontal dimension of the open space shall be less than ten (10) feet.

**c. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones -- Ground-related Housing.**

(1) In Lowrise 1 zones the required open space shall be provided in one (1) contiguous parcel, except that in cottage housing developments, the open space shall be allotted as described in subsections A2b above and B1c(5) below. In Lowrise 2, Lowrise 3 and Lowrise 4 zones, the required open space for each ground-related dwelling unit is not required to be in one (1) contiguous area, but no open space area shall be less than one hundred twenty (120) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Required open space may be located a maximum of ten (10) feet above or below the unit it serves, except as permitted in subsection B1c(4), provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

(3) At least fifty (50) percent of the required open space for a unit shall be level, provided that:

- i. The open space may be terraced; and
- ii. Minor adjustments in level shall be permitted as long as the difference in elevation between the highest and lowest point does not exceed two (2) feet.

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1 (4) For additional dwelling units proposed within a structure  
2 existing on August 11, 1982, the vertical distance between the unit and the private,  
3 landscaped open space may exceed ten (10) feet where the following criteria are met:

4 i. Where the structure was constructed with floor-to-  
5 floor heights in excess of ten (10) feet, the open space may be located a maximum of ten  
6 (10) feet plus the height between floors in excess of ten (10) feet, above or below the unit  
7 it serves; or

8 ii. Where the structure was constructed with the first  
9 floor in excess of two (2) feet above grade, the open space may be located a maximum of  
10 ten (10) feet plus the additional height of the first floor in excess of two (2) feet above  
11 grade, above or below the unit it serves.

12 (5) Lowrise 1 Zone -- Cottage Housing Developments.

13 i. At least fifty (50) percent of the required total  
14 open space per unit shall be provided as private usable open space in one (1) contiguous  
15 parcel. No horizontal dimension of the open space shall be less than ten (10) feet.

16 ii. Common open space shall be provided at ground  
17 level in one (1) contiguous parcel with a minimum area per unit of one hundred fifty (150)  
18 square feet. No horizontal dimension of the open space shall be less than ten (10) feet.  
19 Each cottage shall abut the common open space.

20 d. Required open space may be located in the front, sides or rear of  
21 the structure.

22 e. To ensure privacy of open space, openings such as windows and  
23 doors on the ground floor of walls of a dwelling unit or common area which directly face  
24 the open space of a different unit((,)) are prohibited, unless such openings are screened by  
25 view-obscuring fences, freestanding walls or wingwalls.

26 f. Parking areas, driveways and pedestrian access, ~~((other than))~~  
27 except for pedestrian access ((required by)) meeting the Washington State Building Code,  
28 Chapter 11, shall not be counted as open space.

29 g. Required private usable open space shall be landscaped  
30 according to standards promulgated by the Director for ground-related dwelling units.

31 2. Lowrise 2, Lowrise 3 and Lowrise 4 Zones -- Apartments.

32 a. No horizontal dimension for required ground-level open space  
33 shall be less than ten feet (10').

34 b. Required open space is permitted in the front, sides or rear of  
35 the structure.

36 c. Parking areas, driveways and pedestrian access, except for  
37 pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be  
38 counted as open space.

39 d. In order to qualify as above-ground level open space, balconies,  
40 decks, and in L3 and L4 zones, individual unit decks on roofs, shall all have a minimum  
41 horizontal dimension of six (6) feet, and a total area of at least sixty (60) square feet,  
42 while common roof gardens in L3 and L4 zones shall have a minimum area of two

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1 hundred fifty (250) square feet. Common roof garden open space shall be landscaped  
2 according to the rules promulgated by the Director.

3 e. For cluster development, at least twenty (20) percent of the  
4 required open space shall be provided in one (1) contiguous area.

5 f. Terraced Housing on a Slope of Twenty-five (25) Percent or  
6 More.

7 (1) No horizontal dimension for required ground-level open  
8 space shall be less than ten (10) feet.

9 (2) Required open space is permitted in the front, sides or  
10 rear of the structure.

11 (3) Parking areas, driveways and pedestrian access, except  
12 for pedestrian access meeting the Washington State Building Code, Chapter 11, shall not  
13 be counted as open space.

14 (4) In order to qualify as above-ground-level open space,  
15 rooftop areas shall have a minimum horizontal dimension of at least ten (10) feet and a  
16 total area of at least one hundred twenty (120) square feet.

17 g. Rooftop space within the following parameters shall not count  
18 toward meeting open space requirements((;)) : the area eight (8) feet from and in front of  
19 a directional antenna and at least two (2) feet from the back of a directional antenna, or,  
20 for an omnidirectional antenna, eight (8) feet away from the antenna in all directions. The  
21 Seattle-King County Public Health Department may require a greater distance for paging  
22 facilities after review of the Non-Ionizing Electromagnetic Radiation (NIER) report.

23 3. Open Space Exception. When all parking and access to parking is  
24 uncovered and is surfaced in permeable material, except gravel, the quantity of required  
25 ground-level open space shall be reduced by five (5) percent of the total lot area.  
26  
27

28 **Section 17.** Subsections C and G of Section 23.47.008 of the SMC, which Section  
29 was last amended by Ordinance 118414, is amended as follows:  
30

31 **23.47.008 Mixed use development.**  
32

33 \* \* \*

34  
35 **C. Height for Mixed Use Development.**

36 1. Mixed use development shall be subject to the height provisions of  
37 Section 23.47.012A.

38 2. Except in zones designated NC2/R and NC3/R, ((for)) mixed use  
39 development ((;all nonresidential use)) at street level shall have a minimum floor to floor  
40 height of thirteen (13) feet.

41 3. In zones with a thirty (30) foot or forty (40) foot height limit, the  
42 Director shall permit the height of the structure to exceed the height limit of the zone by

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1 up to four (4) feet, only if the residential and nonresidential uses are located in the same  
2 structure and subject to the following:

3 a. The additional height is necessary to meet code minimums for  
4 ceiling height (thirteen (13) feet floor to floor for nonresidential use at street level and  
5 seven (7) feet six (6) inches floor to ceiling for residential space); and

6 b. The additional height will not permit an additional story to be  
7 built beyond what could be built under the applicable height limit if a thirteen (13) foot  
8 ceiling height were not required at street level.

9 4. In zones with a thirty (30) foot or forty (40) foot height limit, the  
10 Director may permit the height of the structure to exceed the height limit of the zone by  
11 up to four (4) feet, only if the residential and nonresidential uses are located in the same  
12 structure and subject to the following:

13 a. The additional height will result in floor to floor heights of  
14 thirteen (13) feet or more for the nonresidential use at street level and at least nine (9) feet  
15 for each of the other levels of the structure; and

16 b. The additional height of the structure will not permit an  
17 additional story to be built beyond what could be built under the applicable height limit if  
18 a thirteen (13) foot ceiling height were not required at street level; and

19 c. If the additional height of the structure (up to four (4) feet)  
20 significantly blocks views from neighboring residential structures of the following: Mount  
21 Rainier, the Olympic and Cascade Mountains, the downtown skyline, Greenlake, Puget  
22 Sound, Lake Washington, Lake Union and the Ship Canal, the Director shall not permit  
23 the additional height except as necessary to meet Code minimums for ceiling height.

24 \* \* \*

25  
26  
27 **Section 18.** Chart B of Section 23.47.010 of the SMC, which Section was last  
28 amended by Ordinance 118794, is amended as follows:

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1

<b>CHART B</b> <b>For Section 23.47.010</b> <b>ZONE</b>					
<b>Nonresidential Uses Subject to Maximum Size Limit</b>	<b>NC1*</b>	<b>NC2*<sup>1</sup></b>	<b>NC3*<sup>1</sup></b>	<b>C1</b>	<b>C2</b>
Nonresidential uses	4,000	15,000	N.M.S.L	<u>N.M.S.L.</u>	<u>N.M.S.L.</u>
including institutions and public facilities unless otherwise speci- fied	sq. ft.	sq. ft.		35, 000 sq. ft. <sup>4</sup>	35, 000 sq. ft. <sup>4</sup>
Medical Services	10,000	15,000	N.M.S.L	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.			
Multi-purpose	10,000	50,000	N.M.S.L	N.M.S.L.	N.M.S.L.
convenience store	sq. ft.	sq. ft.			
Food processing and craft work	4,000	5,000	10,000	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.	sq. ft.		
Light manufacturing	X	5,000	10,000	N.M.S.L.	N.M.S.L.
		sq. ft.	sq. ft.		
Fast-food restaurant <sup>2</sup>	750 sq. ft.	750 sq. ft.	750 sq. ft.	750 sq. ft.	750 sq. ft.
	4,000	8,000	N.M.S.L	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.			
Fuel Sales					
Sales, service and rental of commercial equipment and construction materials	X	X	25,000 sq. ft.	N.M.S.L.	N.M.S.L.
Passenger terminals					

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Indoor participant sport and recreation	4,000 sq. ft.	15,000 sq. ft.	25,000 sq. ft. <sup>3</sup>	N.M.S.L.	N.M.S.L.
General manufacturing	X	X	X	15,000 sq. ft.	N.M.S.L.
Wholesale showroom ware-house	X	X	15,000 sq. ft.	25,000 sq. ft.	N.M.S.L.
Mini-warehouses	X	X	15,000 sq. ft.	40,000 sq. ft.	N.M.S.L.
Public schools	NMSL	NMSL	NMSL	NMSL	NMSL

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

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

X --- Does not apply, use not permitted in zone.

1 --- Maximum size for all nonresidential uses in NC2/R and NC3/R is described in Section 23.47.010 A2.

2 --- Fast-food restaurants larger than 750 square feet are conditional uses.

3 --- At the Seattle Center, maximum size limit does not apply.

4 --- No maximum size limitation for nonresidential uses except

((Θ))office uses in C1 and C2 zones shall be limited to the size of the lot area or thirty-five thousand (35,000) square feet, whichever is greater. Office uses in C1 and C2 zones may be exempt from this limit if the structures meets specified standards for NC zones as listed in Section 23.47.010 A3.

**Section 19.** Subsection D of Section 23.47.016 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.47.016 Screening and landscaping standards.**

\* \* \*

**D. Screening and Landscaping Requirements for Specific Uses.**

**1. Surface Parking Areas.**



1 a. When a surface parking area abuts a lot in a residential zone, six  
2 (6) foot high screening along the abutting lot line(s) shall be required. A five (5) foot  
3 deep landscaped area shall be required inside the screening (Exhibit 23.47.016 A).

4 b. When a surface parking area is across an alley from a lot in a  
5 residential zone, six (6) foot high screening along the alley shall be required. A five (5)  
6 foot deep landscaped area shall be required inside the screening. The Director may reduce  
7 or waive the screening and landscaping requirement for part or all of the lot abutting the  
8 alley, or may waive only the landscaping requirement, when required parking can only be  
9 provided at the rear lot line and the alley is necessary to provide aisle space. In making  
10 the determination to waive or reduce the landscaping and screening requirements, the  
11 Director shall consider the following criteria:

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

14 (2) Whether the character of use across the alley, such as  
15 multifamily parking structures, makes the screening and landscaping less necessary; and

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

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

21 c. Surface parking areas for nineteen (19) or fewer cars shall be  
22 screened by three (3) foot high screening along the street lot line.

23 d. Surface parking areas for more than nineteen (19) cars shall  
24 provide three (3) foot high view-obscuring landscaping along street lot lines, and  
25 landscaping according to subsection A4 of this section. The Director may reduce or  
26 waive this requirement for reasons of safety, to assure adequate maneuvering room for  
27 service vehicles, or to prevent the number of parking spaces from being reduced to less  
28 than the required amount.

29 2. Parking Within or Under Structures.

30 a. When parking occupies any portion of the street-level frontage of  
31 a structure between a height of five (5) feet and eight (8) feet above sidewalk grade, the  
32 portion of the structure containing the parking shall be required to have a (5) five-foot  
33 deep landscaped area along street lot lines. In addition, the parking shall be screened by:

34 (1) The facade of the structure; or

35 (2) Six (6) foot high screening between the structure and the  
36 landscaped area (Exhibit 23.47.016 B).

37 b. A five (5) foot setback shall be required along all property lines  
38 abutting a residential zone for any portion ~~((of the ground level))~~ of a structure which  
39 contains parking at ground level that is not screened from the residential zone by the  
40 facade of the structure. ~~((The portion of the structure containing the parking shall be~~  
41 ~~screened by the facade of the structure or the setback(s) shall be))~~ The setback shall be  
42 landscaped according to Section 23.47.016C3 and six (6) foot high screening along the  
43 abutting property line(s) shall be provided.

1 c. When access is through a street-facing facade, the facade shall  
2 contain one garage door, not to exceed the maximum width allowed for the curbcut.

3 d. The perimeter of each floor of parking which is eight (8) feet or  
4 more above sidewalk grade shall have an opaque screen at least three and one-half (3 1/2)  
5 feet high.

6 3. Drive-in Business.

7 a. Drive-in businesses, including gas stations, abutting or across an  
8 alley from a residentially zoned lot, shall provide six (6) foot high screening along the  
9 abutting or alley lot lines. A five (5) foot deep landscaped area inside the screening shall  
10 be required when the drive-in portion of the business or its queuing lanes abut a lot in a  
11 residential zone.

12 b. Drive-in businesses other than gas stations in which the drive-in  
13 portion of the business or its queuing lanes is across the street from a residentially zoned  
14 lot shall provide three (3) foot high screening for the drive-in portion.

15 c. Gas stations shall provide three (3) foot high screening along  
16 street lot lines in all NC1, NC2 and NC3 zones. In C1 and C2 zones, three (3) foot high  
17 screening shall only be required when a gas station is across the street from a residentially  
18 zoned lot.

19 4. Outdoor Sales and Outdoor Display of Rental Equipment.

20 a. When an outdoor sales area or outdoor display of rental  
21 equipment area is abutting or across an alley from a residentially zoned lot, six (6) foot  
22 high screening shall be provided along the abutting or alley lot lines.

23 b. When an outdoor sales area or outdoor display of rental  
24 equipment is across the street from a residentially zoned lot, three (3) foot high screening  
25 along the street lot line shall be provided.

26 5. Outdoor Storage.

27 a. C1 Zones. Outdoor storage shall be screened by a structure's  
28 facade or by six (6) foot high screening between the storage area and all property lines. A  
29 five (5) foot deep landscaped area shall be provided between all street lot lines and the six  
30 (6) foot high screening (Exhibit 23.47.016 C).

31 b. C2 Zones.

32 (1) When an outdoor storage area is across the street from a  
33 residentially zoned lot it shall be screened from the street by the facade of a structure, or  
34 by six (6) foot high screening along the street lot lines.

35 (2) When a lot containing outdoor storage abuts a  
36 residentially zoned lot, the outdoor storage area shall set back fifty (50) feet from abutting  
37 residentially zoned lot lines and be screened by a structure's facade or by six (6) foot high  
38 screening between the outdoor storage and all abutting property lines (Exhibit 23.47.016  
39 D).

40 c. Outdoor Dry Storage of Boats. Screening shall be required for  
41 the outdoor dry storage of boats in the Shoreline District according to the provisions for  
42 outdoor storage in C1 zones, subsection C5a, unless the dry storage of boats is located in

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1 a C2 zone, in which case screening shall be required according to the provisions for  
2 outdoor storage in C2 zones, subsection C5b.

3 6. Mobile Home Parks. Mobile home parks shall be screened by six (6)  
4 foot high screening along all nonstreet lot lines. A five (5) foot deep landscaped area shall  
5 be provided along all street lot lines of a mobile home park. A five (5) foot planting strip  
6 with street trees may be provided instead of the five (5) foot deep landscaped area.

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

11 8. When one (1) of the specific uses listed in this subsection is proposed  
12 for expansion, the applicable landscaping requirement shall be met. The Director may  
13 reduce or waive the landscaping requirements where physically infeasible due to the  
14 location of existing structures or required parking.

15 \* \* \*

16  
17  
18  
19 **Section 20.** Subsection C of Section 23.47.023 of the SMC, which Section was  
20 last amended by Ordinance 118414, is amended as follows:

21  
22 **Section 23.47.023 Standards for single-purpose residential structures.**

23 \* \* \*

24  
25  
26 C. Single purpose residential structures shall meet all other development standards  
27 applicable to mixed use development, except that the street level frontage ((uses)) may be  
28 occupied by residential uses other than parking.

29  
30  
31 **Section 21.** Subsection B of Section 23.48.002 of the Seattle Municipal Code,  
32 which Section was adopted by Ordinance 118302, is amended as follows:

33  
34 **23.48.002 Scope of provisions**

35 \* \* \*

36  
37 B. Other regulations, such as requirements for streets, alleys and easements  
38 (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54); signs  
39 (Chapter 23.55); ((and)) methods for measurements (Chapter 23.86) and requirements for  
40 communication utilities and accessory communication devices (Chapter 23.57) may  
41 ((pertain)) apply to development proposals.  
42  
43

**Section 22.** Subsection D of Section 23.48.014 of the Seattle Municipal Code, which Section was adopted by Ordinance 118302, is amended as follows:

\* \* \*

\* \* \*

24

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters;
5. Museums and libraries ~~((; and~~
6. Public atriums.

\* \* \*

**Section 25.** Subsection A of Section 23.49.104 of the SMC, which Section was adopted by Ordinance 112303, is amended as follows:

**23.49.104 Downtown Retail Core, street-level use requirements.**

Street-level uses listed in subsection A ~~((of this section))~~ shall be required on all streets. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following types of uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums and libraries.

\* \* \*

**Section 26.** Subsection A of Section 23.49.132 of the SMC, which Section was adopted by Ordinance 112303 is amended as follows:

**23.49.132 Downtown Mixed Commercial, street-level use requirements.**

Street-level uses listed in subsection A ~~((of this section))~~ shall be required on the streets designated on Map VA. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums and libraries.

\* \* \*





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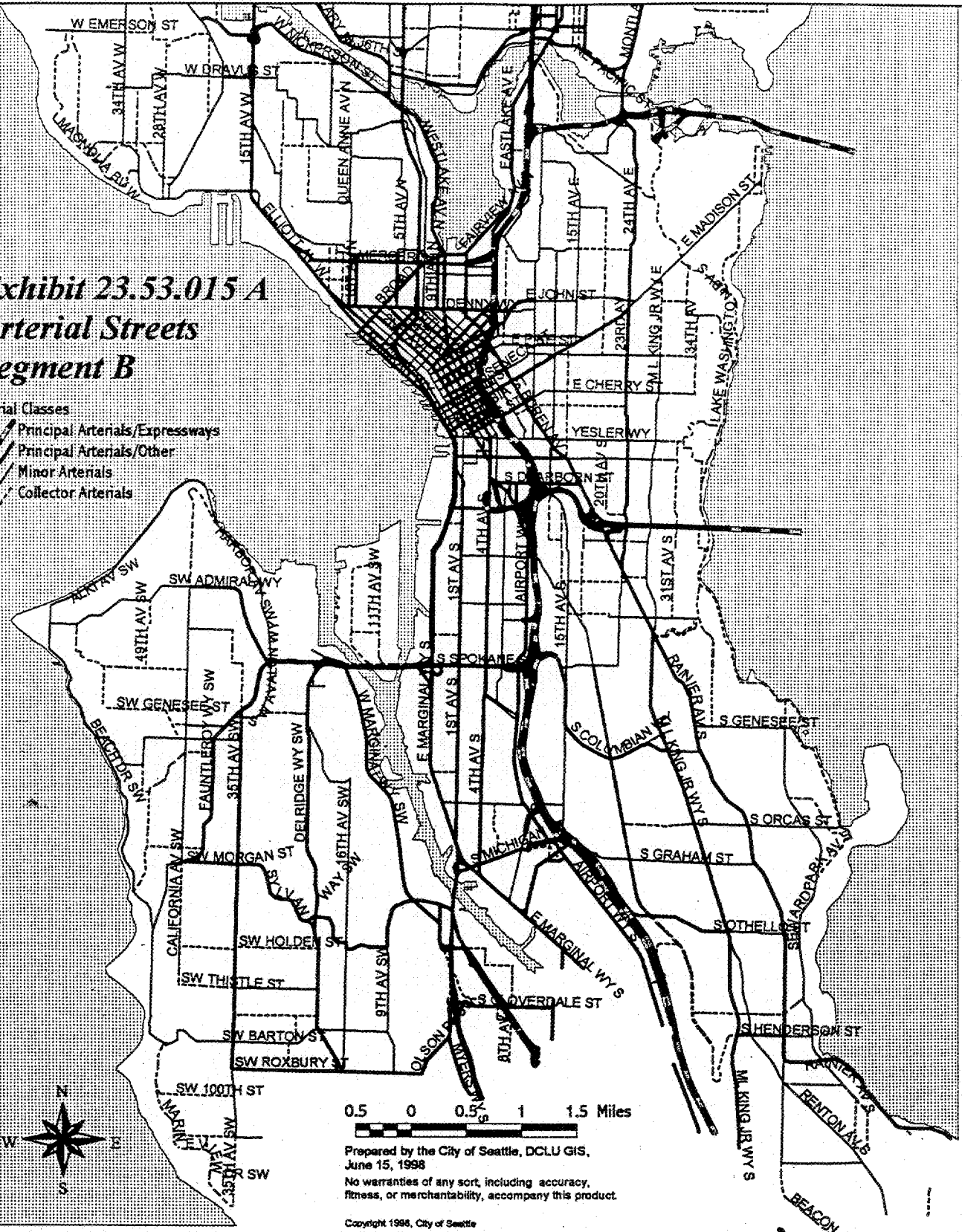
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# **Exhibit 23.53.015 A** **Arterial Streets** **Segment B**

## Arterial Classes

-  Principal Arterials/Expressways
-  Principal Arterials/Other
-  Minor Arterials
-  Collector Arterials



0.5 0 0.5 1 1.5 Miles

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June 15, 1998  
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3       **Section 29.** Subsection B and Chart A of Section 23.54.015 ("Parking") of the  
4 SMC, which Section was last amended by Ordinance 118624, is amended as follows:  
5

6       **23.54.015     Required parking.**  
7

8                               \* \* \*

9  
10       B. In the case of a use not specifically mentioned on Chart A, the requirements  
11 for off-street parking shall be determined by the Director. If there is/are comparable uses,  
12 ((F))the Director's determination shall be based on the requirements for the most  
13 comparable use(s). Where, in the judgment of the Director, none of the uses on Chart A  
14 are comparable, the Director may base his or her determination as to the amount of  
15 parking required for the proposed use on detailed information provided by the applicant.  
16 The information required may include, but not be limited to, a description of the physical  
17 structure(s), identification of potential users, and analysis of likely parking demand.  
18

19                               \* \* \*

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**Chart A for Section 23.54.015**

**PARKING**

Use	Parking Requirements
Adult care center <sup>1</sup>	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients).
Adult family home	1 for each dwelling unit.
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales	1 for each 350 square feet.
Ball courts	1 per court.
Bed and breakfast	1 for each dwelling, plus 1 for each 2 guest rooms or suites.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Business support services	1 for each 2,000 square feet
Business incubators	1 for each 1,000 square feet.
Car wash	1 for each 2,000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2,000 square feet.

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Chart A for Section 23.54.015 (Continued)

Use	Parking Requirements
Cemetery	None.
Child care center <sup>1</sup>	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Colleges <sup>1</sup>	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2,000 square feet.
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2,000 square feet.
Community centers <sup>1,2</sup> and community clubs <sup>1,2</sup>	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) <sup>1,2,3</sup>	1 for each 555 square feet.
Congregate residences	1 for each 4 residents.
Construction services	1 for each 2,000 square feet.
Custom and craft work	1 for each 1,000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Dry storage of boats	1 for each 2,000 square feet.
Family support centers located in community centers owned and operated by the Seattle DOPAR <sup>3</sup>	1 for each 100 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1,000 square feet.
Gas station	1 for each 2,000 square feet.
General retail sales and services	1 for each 350 square feet.
Ground-floor businesses in multi-family zones	None, maximum of 10.
Heavy commercial services	1 for each 2,000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High-impact uses	1 for each 1,500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospitals <sup>1</sup>	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study <sup>1</sup>	1 for each 1,000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms; or 1 for each 100 square feet of public assembly area not containing fixed seats.
Institutes for advanced study in single-family zones (existing)	3.5 for each 1,000 square feet of office space; plus 10 for each 1,000 square feet of additional building footprint to house and support conference center activities, or 37 for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater.
Kennel	1 for each 2,000 square feet.



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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2,000 square feet.
Manufacturing, general	1 for each 1,500 square feet.
Manufacturing, heavy	1 for each 1,500 square feet.
Manufacturing, light	1 for each 1,500 square feet.
Marine service station	1 for each 2,000 square feet.
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture studio	1 for each 1,500 square feet
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Multi-family structures <sup>4</sup> except those listed below	Lots containing 2-10 dwelling units: 1.1 for each dwelling unit. Lots containing 11-30 dwelling units: 1.15 for each dwelling unit. Lots containing 31-60 dwelling units: 1.2 for each dwelling unit. Lots containing more than 60 dwelling units: 1.25 for each dwelling unit

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
	<p>In addition, for all multi-family structures whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet, an additional .0002 spaces per square foot in excess of 500 shall be required up to a maximum additional .15 spaces per dwelling unit; and</p> <p>When at least 50 percent of the dwelling units in a multi-family structure have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and</p> <p>Any multi-family structure which contains a dwelling unit with 4 or more bedrooms shall be required to provide an additional .25 spaces per bedroom for each unit with 4 or more bedrooms.<sup>5</sup></p>
Multi-family structures containing dwelling units with 2 or more bedrooms, when within the area impacted by the University of Washington as shown on Map A following this section	1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above. <sup>5</sup>
Multi-family structures, when within the Alki area as shown on Map B following this section	1.5 spaces per unit.
Multi-family development, for those ground-related structures within the development with 10 units or fewer	1 for each dwelling unit.
Multi-family structures for low-income elderly	1 for each 6 dwelling units.
Multi-family structures for low-income disabled	1 for each 4 dwelling units.
<u>Multi-family structures: low-income elderly/low income disabled</u>	<u>1 for each 5 dwelling units</u>
Multi-purpose convenience store	1 for each 350 square feet

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Museum <sup>1</sup>	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2,000 square feet.
Nursing homes <sup>6</sup>	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1,000 square feet.
Office, customer service	1 for each 350 square feet.
Outdoor storage	1 for each 2,000 square feet.
Parks	None.
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2,000 square feet.
Playgrounds	None.
Power plants	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Private club <sup>1</sup>	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats of floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None.
Railroad switchyard	1 for each 2,000 square feet.
Railroad switchyard with mechanized hump	1 for each 2,000 square feet.
Recreational marinas	1 for each 75 lineal feet of moorage.
Recycling center	1 for each 2,000 square feet.
Recycling collection station	None.
Religious facility <sup>1</sup>	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 1,000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast-food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2,000 square feet.
Sale and rental of large boats	1 for each 2,000 square feet.
Sale and rental of motorized vehicles	1 for each 2,000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts or accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2,000 square feet.
Salvage yard	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
School, private elementary and secondary <sup>1,2</sup>	1 for each 80 square feet of all auditoria and public assembly room, or if no auditorium or assembly room, 1 for each staff member.
School, public elementary and secondary <sup>1,2,7</sup>	1 for each 80 square feet of all auditorium or public assembly rooms, or 1 for every 8 fixed seats in auditoriums or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.
Sewage treatment plant	1 for each 2,000 square feet.
Single-family dwelling units	1 for each dwelling unit
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2,000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Transit vehicle base	1 for each 2,000 square feet.
Universities <sup>8</sup>	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2,000 square feet.
Vehicle repair, major	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Vehicle repair, minor	1 for each 2,000 square feet.
Vessel repair, major	1 for each 2,000 square feet.
Vessel repair, minor	1 for each 2,000 square feet.
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 1,500 square feet.
Wholesale showroom	1 for each 1,500 square feet.
Work-release centers	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the work-release center.

<sup>1</sup> When permitted in single-family zones, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of Seattle Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

<sup>2</sup> Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of width of bleachers shall be counted as one (1) fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one (1) space for each 350 square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five square feet.



3 When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen percent (15%), pursuant to Section 23.54.020 I.

4 Parking spaces required for multi-family structures may be provided as tandem spaces according to subsection B of Section 23.54.020.

5 Bedroom--Any habitable room as defined by the Building Code which, in the determination of the Director, is capable of being used as a bedroom.

6 When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

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

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

\* \* \*

**Section 30.** Subsection of Section 23.54.020 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.54.020 Parking quantity exceptions.**

The parking quantity exceptions set forth in this section shall apply in all zones except downtown zones, which are regulated by Section 23.49.016, and Major Institution zones, which are regulated by Section 23.54.016.

**A. Adding Units to Existing Structures in Multifamily and ((Neighborhood)) Commercial Zones.**

1. For the purposes of this section, "existing structures" shall be those structures which were established under permit, or for which a permit has been granted and has not expired as of the effective date of the applicable chapter of this Land Use Code, as follows:

a. In multifamily zones, August 10, 1982;

b. In commercial zones, June 9, 1986.

2. If an existing residential structure in a multifamily or ((neighborhood)) commercial zone has parking which meets the development standards, and the lot area is not increased, one (1) unit may be added without additional parking. If two (2) units are added, one (1) space will be required; three (3) units will require two (2) spaces, etc. Additional parking must meet all development standards for the particular zone.

**3. In a Lowrise Duplex/Triplex zone:**

a. When an existing residential structure provides less than one (1) parking space per unit, one (1) parking space shall be required for each additional dwelling unit when dwelling units are added to the structure or the structure is altered to create additional dwelling units;

b. When an existing nonresidential structure is partially or completely converted to residential use, then no parking space shall be required for the first new dwelling unit, provided that the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical. Additional parking provided shall meet all development standards for the Lowrise Duplex/Triplex zone.

4. If an existing structure does not conform to the development standards for parking, or is occupied by a nonconforming use, when:

-- Dwelling units are added to the structure; or

-- The structure is altered to create additional dwelling units; or

-- The structure is completely converted to residential use, then

no parking space need be provided for the first new or added dwelling unit, provided that the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical. Additional parking provided shall meet all development standards for the particular zone. This exception shall not apply in Lowrise Duplex/Triplex zones.

\* \* \*

**Section 31.** Subsection C of Section 23.55.002 of the SMC, which Section was adopted by Ordinance 112830, is amended as follows:

**23.55.002      Scope of provisions.**

\* \* \*

C. Signs are also regulated by the provisions of Chapter 32 of the Building Code, Title 22 of the Seattle Municipal Code, including the permit requirements of that title.

\* \* \*

**Section 32.** Subsection D of Section 23.55.034 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.55.034      Signs in downtown zones.**

\* \* \*

**D. On-premises Signs.**

**1. Number and Type of Permitted Signs.**

a. Each use may have one (1) pole, ground, ~~((wall, marquee, under-marquee,))~~ projecting or combination sign for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection D1a, each use may have one (1) wall, awning, canopy, ~~((ground,))~~ marquee, or under-marquee ~~((or projecting))~~ sign(s) for each thirty (30) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. In addition to the signs permitted by subsections D1a and D1b, each multiple business center may have one (1) wall, marquee, under-marquee, projecting or combination sign for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

d. Among the number and type of permitted signs in subsections D1a, D1b and D1c, a maximum of four (4) of these signs identifying hotels or public buildings may be located sixty-five (65) feet or more above the elevation of the sidewalk.

e. Where the principal use or activity on the lot is outdoor retail sales, banner and strings of pennants maintained in good condition shall be allowed in addition to the signs permitted by subsections D1a, D1b and D1c.

**2.** There shall be no maximum area limits for on-premises signs, except for signs identifying hotels and public buildings sixty-five (65) feet or more above the

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elevation of the sidewalk, which shall not exceed eighteen (18) feet in length, height or any other direction.

\* \* \*

**Section 33.** Subsections B and E of Section 23.55.042 of the SMC are amended as shown, and Exhibit 23.55.042A of that Section is amended to remove the designation of State Highway 509 from the 1st Avenue Bridge to the southern City limits and the amended map is attached as the new Exhibit 23.55.042A:

**23.55.042 Off-premises and business signs adjacent to certain public highways.**

\* \* \*

**B. Off-premises and Business Signs Prohibited Near Certain Areas.** No off-premises sign or business sign shall be erected within six hundred sixty (660) feet outgoing from the nearest edge of the main traveled way of any landscaped and/or scenic view section of a freeway, expressway, parkway or scenic route designated by this subsection and shown on Exhibit 23.55.042 A (Type A sections), and no off-premises sign shall be erected within two hundred (200) feet in any direction from the main traveled way of the exit and entrance ramps thereto, if any part of the advertising matter or informative content of the sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp, except as provided in subsections C and D:

1. West Seattle Freeway from Harbor Avenue S.W. to 35th Avenue S.W.;
2. The west side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel. The east side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel;
3. Interstate Highway No. 5 from the north City limits to the south City limits;
4. Interstate Highway No. 90 from the east City limits to Interstate Highway No. 5.
5. State Route 520 (Evergreen Point Bridge) to Interstate Highway No. 5.

\* \* \*

**E. Off-premises Signs Prohibited Near Certain Areas.** No off-premises sign shall be erected within six hundred sixty (660) feet outgoing from the nearest edge of the main traveled way of any landscaped and/or scenic view section designated by this subsection (Type B section) and shown on Exhibit 23.55.042 A, and no off-premises signs shall be erected within two hundred (200) feet in any direction from the main traveled way of the exit or entrance ramps thereto, if any part of the advertising matter or informative content

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of the off-premises sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp.

1. The east side of Aurora Avenue North from the George Washington Memorial Bridge (Raye Street) to Prospect Street;

2. The east side of Dexter Avenue North from Westlake Avenue North to Aloha Street;

3. The east side of Westlake Avenue North from the Fremont Bridge to Valley Street;

4. The west side of Fairview Avenue North and Fairview Avenue East from Valley Street to the Lake Union Ship Canal;

5. The north side of Valley Street from Westlake Avenue North to Fairview Avenue North;

6. The south side of North 34th Street from the Fremont Bridge to North Pacific Street;

7. The south side of North Northlake Way and Northeast Northlake Way from the George Washington Memorial Bridge to Tenth Avenue Northeast;

8. The east side of Harbor Avenue Southwest from Southwest Florida Street to Duwamish Head;

9. The northwesterly side of Alki Avenue Southwest from Duwamish Head to Alki Point;

10. Lake Washington Boulevard and Lake Washington Boulevard South from Interstate 90 to Denny Blaine Park;

11. The perimeter streets of Green Lake, consisting of Aurora Avenue North from West Green Lake Way North to West Green Lake Drive North; West Green Lake Drive North; East Green Lake Way North; and West Green Lake Way North;

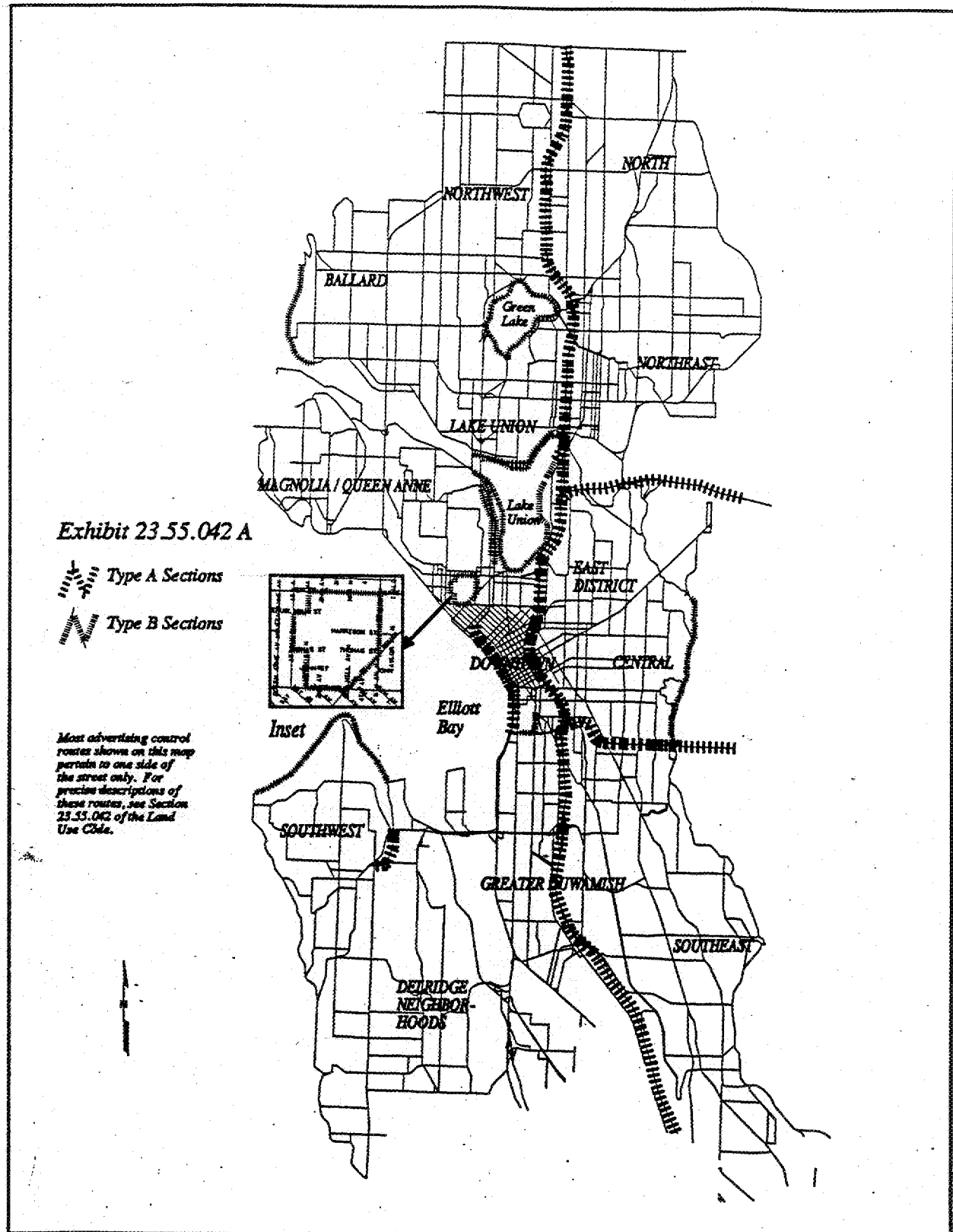
12. Northwest 54th Street and Seaview Avenue Northwest from the Hiram Chittenden Locks to Golden Gardens Park;

13. All streets forming the perimeter of Seattle Center, as follows:

Mercer Street from Warren Avenue North to Fifth Avenue North; Fifth Avenue North from Mercer Street to Broad Street; Broad Street from Fifth Avenue North to Denny Way; Denny Way from Broad Street to Second Avenue North; Second Avenue North from Denny Way to Thomas Street; Thomas Street from Second Avenue North to First Avenue North; First Avenue North from Thomas Street to Republican Street; Republican Street from First Avenue North to Warren Avenue; Warren Avenue from Republican Street to Mercer Street;

14. The south side of North Pacific Street and Northeast Pacific Street from 34th Street North to Latona Avenue Northeast;

15. Fourth Avenue South from Airport Way South (~~Dearborn Street~~) to South Royal Brougham and South Royal Brougham Way from Fourth Avenue South to ~~((South))~~ Occidental ~~((Street))~~ Avenue South.



1  
2       **Section 34.** Subsection B of Section 23.71.028 of the SMC, which Section was  
3 adopted by Ordinance 116795, is amended as follows:  
4

5       **23.71.028     General Development Plan process.**  
6

7                               \* \* \*

8  
9       B. An Advisory Committee to the Director shall be established by the Director for  
10 each General Development Plan required. The composition of the committee shall be a  
11 balanced group representing all interests including the applicant, neighborhoods, the  
12 business community, and property owners ((-)), except that the applicant's representative  
13 shall not participate in a vote on the recommendation to the Director, as described in B2  
14 below. The Advisory Committee shall perform the following functions:  
15

16               1. ~~((The Advisory Committee shall r))~~ Review the contents of a Draft  
17 General Development Plan; and

18               2. Within a time period established by the Director, recommend to the  
19 Director any suggested changes or additions to the Draft General Development Plan.  
20

21       **Section 35.** Subsection A of Section 23.76.024 of the SMC, which Section was  
22 last amended by Ordinance 118409, is amended as follows:  
23

24       **23.76.024     Hearing Examiner open record hearing and decision for**  
25 **subdivisions.**  
26

27       A. Consolidation with Environmental Appeal. The Hearing Examiner shall  
28 conduct a public hearing, which shall constitute a hearing by the Council on the  
29 application for preliminary approval of the subdivision. At the same hearing the Hearing  
30 Examiner shall also hear any appeals of the Director's procedural environmental  
31 determination (determination of nonsignificance or determination of adequacy of a final  
32 environmental impact statement) and other Type II decisions.  
33

34                               \* \* \*

35  
36  
37       **Section 36.** Subsection A of Section 23.76.028, which Section was last amended  
38 by Ordinance 118012, is amended as follows:  
39

40       **23.76.028     Type I and II Master Use Permit issuance.**  
41

42       A. When a Type I or II Master Use Permit is approved for issuance, the applicant  
shall be so notified.

1. Type I Master Use Permits. Type I Master Use Permits shall be approved for issuance at the time of the Director's decision that the application conforms to all applicable laws (Section 23.76.020).

2. Type II Master Use Permits. Except for Type II permits containing a shoreline component as defined in SMC 23.76.006C2h, ((A)) a Type II Master Use Permit may be approved for issuance on the day following expiration of the applicable City of Seattle administrative appeal period or, if appealed, on the fourth day following a final City of Seattle administrative appeal decision to grant or conditionally grant the permit. Type II Master Use Permits containing a shoreline component may be issued pursuant to SMC 23.60.072. Master Use Permits shall not be issued to the applicant until all outstanding fees are paid.

\* \* \*

**Section 37.** Section 23.84.018 of the SMC, which Section was last amended by Ordinance 118624, is amended as follows:

23.84.018 "I."

\* \* \*

"Institution" means structure(s) and related grounds used by organizations providing educational, medical, social and recreational services to the community, such as hospitals; vocational or fine arts schools; adult care centers and child care centers, whether operated for nonprofit or profit-making purposes; and nonprofit organizations such as colleges and universities, elementary and secondary schools, community centers and clubs, private clubs, religious facilities, museums, and institutes for advanced study.

1. "Adult care center" means an institution which regularly provides care to a group of adults for less than twenty-four (24) hours a day, whether for compensation or not.

2. "College" means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor and/or graduate degrees.

3. "Community center" means an institution used for civic or recreational purposes, operated by a nonprofit organization providing direct services to people on the premises rather than carrying out only administrative functions, and open to the general public on an equal basis. Activities in a community center may include classes and events sponsored by nonprofit organizations, community programs for the elderly, and other similar uses.

4. "Community club" means an institution used for athletic, social, civic or recreational purposes operated by a nonprofit organization, membership to which is open to the general public on an equal basis.





"Library." See Institution."

\* \* \*

"Lot, parent" means the initial lot from which unit lots are subdivided for the exclusive use of townhouses, cottage housing, and clustered housing in Single Family, Residential Small Lot and Lowrise zones, single family residences in Lowrise zones, or any combination of the above types of residential development.

\* \* \*

"Lot, unit" means one (1) of the individual lots created from the subdivision of a parent lot for the exclusive use of townhouses, cottage housing, clustered housing in Single Family, Residential Small Lot and Lowrise zones, single family residences in Lowrise zones, or any combination of the above types of residential development.

\* \* \*

"Low-income disabled multifamily structure ((housing))" means a ((multifamily)) structure in which at least ninety (90) percent of the dwelling units are occupied by one (1) or more persons who qualify as disabled under the definition of handicapped pursuant to the Federal Fair Housing Amendment Act and who ((have income not exceeding income limits for low rent public housing as defined by Resolution 27472-)) constitute a low-income or low-moderate income household.

"Low-income elderly multifamily structure" means a ((multifamily)) structure in which at least ninety (90) percent of the dwelling units are occupied by one or more persons sixty-two (62) or more years of age who ((have incomes not exceeding income limits for low rent public housing for one and two person families as established by the Seattle Housing Authority-)) constitute a low-income or low-moderate income household.

"Low-income elderly/low-income disabled multifamily structure" means a structure in which each of at least ninety (90) percent of the dwelling units (not including vacant units) are occupied by a low-income or low-moderate income household that includes a person who qualifies as disabled under the definition of handicapped pursuant to the Federal Fair Housing Amendment Act or a person sixty-two (62) or older, so long as the housing qualifies for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.

\* \* \*

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**Section 39.** Section 23.84.026 of the SMC, which Section was last amended by Ordinance 117202, is amended as follows:

23.84.026 "N."

\* \* \*

"Nursing home" (~~means a residence, licensed by the state, which provides full time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence. This definition excludes hospitals or sanitariums.))~~ See "Residential use."

**Section 40.** Section 23.84.032 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.84.032 "R."

\* \* \*

"Residential use" means any one (1) of the following uses:

1. "Adult family home" means a residential use as defined and licensed by the State of Washington in a dwelling unit.

2. "Artist's studio/dwelling" means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one (1) household.

3. "Caretaker's quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred (800) square feet of living area and occupied by a caretaker or watchperson.

4. "Congregate residence" means a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.

5. "Domestic violence shelter" means a dwelling unit managed by a nonprofit organization which provides housing at a confidential location and support services for victims of family violence.

6. "Floating home" means a dwelling unit constructed on a float, which is moored, anchored or otherwise secured in the water.

7. "Mobile home park" means a residential use in which a tract of land is rented for the use of more than one (1) mobile home occupied as a dwelling unit.

8. "Multifamily structure" means a structure or portion of a structure containing two (2) or more dwelling units.

9. “Nursing home” means a residence, licensed by the state, that provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence. This definition excludes hospitals or sanitariums.

((9))10. "Single-family dwelling unit" means a detached structure containing one (1) dwelling unit and having a permanent foundation. The structure may also contain an accessory dwelling unit.

\* \* \*

**Section 41.** Section 23.84.038 of the SMC, which Section was last amended by Ordinance 117430, is amended as follows:

23.84.038 "T."

\* \* \*

"Transportation facilities" means one (1) of the following commercial uses:

1. "Airport, land-based" means a transportation facility used for the takeoff and landing of airplanes.

2. "Airport, water-based" means a transportation facility used exclusively by aircraft which take off and land directly on the water.

3. "Cargo terminal" means a transportation facility in which quantities of goods or container cargo are, without undergoing any manufacturing processes, transferred to other carriers or stored outdoors in order to transfer them to other locations. Cargo terminals may include accessory warehouses, railroad yards, storage yards, and offices.

4. "Heliport" means a transportation facility in which an area on a roof or on the ground is used for the takeoff and landing of helicopters or other steep-gradient aircraft, and one (1) or more of the following services are provided: Cargo facilities, maintenance and overhaul, fueling service, tie-down space, hangers and other accessory buildings and open spaces.

5. "Helistop" means a transportation facility in which an area on a roof or on the ground is used for the takeoff and landing of helicopters or other steep-gradient aircraft, but not including fueling service, hangars, maintenance, overhaul or tie-down space for more than one (1) aircraft.

6. "Passenger terminal" means a transportation facility located on a sea or land transportation line, where people transfer from one (1) mode of vehicular transportation to another or between carriers within the same mode. Such carriers shall have regularly scheduled routes, and may include vans, trains, ships, tour buses or boats, or other types of transportation. Passenger terminals may include ticket counters, waiting areas,

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management offices, baggage handling facilities, and shops and restaurants. Metro street bus stops are not included in this definition.

7. "Personal transportation services" means a transportation facility in which either emergency transportation to hospitals, or general transportation by car, van, or limousine for a fee is provided. Such uses generally include dispatching offices and facilities for vehicle storage and maintenance.

8. "Railroad switchyard" means a transportation facility in which:

a. Rail cars and engines are serviced and repaired; and

b. Rail cars and engines are transferred between tracks and coupled to provide a new train configuration.

9. "Railroad switchyard with a mechanized hump" means a railroad switchyard which includes a mechanized classification system operating over an incline.

10. "Transit vehicle base" means a transportation facility in which a fleet of buses or light-rail cars is stored, maintained, and ~~((or))~~ repaired.

(See also "Fleet vehicles.")

\* \* \*

**Section 42.** Section 23.84.048 of the SMC, which Section was last amended by Ordinance 117430, is amended as follows:

**23.84.048 "Z"**

\* \* \*

"Zone, commercial" means the following zones regulated by Title 23: NC1, NC2, NC3, C1 ~~((and))~~, C2 and SCM.

\* \* \*

**Section 43.** Subsection G of Section 23.86.018 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.86.018 Open space.**

Certain zones require a minimum amount of open space to be provided on the lot. For those cases where open space is required, the following provisions shall apply:

\* \* \*

1 G. In order for a ground area, roof area, deck or balcony to be considered  
2 as open space, it shall have a minimum area and provide a minimum horizontal dimension  
3 as established in each zone. In cases where the shape or configuration of the open space  
4 is irregular or unusual, the Director shall determine whether open space requirements  
5 have been met, notwithstanding the following provisions, based on whether the proposed  
6 configuration would result in open space that is truly usable for normal residential open  
7 space purposes. For the purpose of measuring the horizontal dimensions of open space,  
8 the following provisions shall apply:

9 1. For rectangular or square areas, each exterior dimension of the area  
10 shall meet the minimum dimension (Exhibit 23.86.018 A).

11 2. For irregularly shaped areas where all lines intersect at or  
12 approximately at ninety (90) degree angles, an area which is not less than sixty (60)  
13 percent of the minimum dimension in width and does not extend further than sixty (60)  
14 percent of the minimum dimension from a contiguous rectangular or square area of which  
15 all sides meet or exceed the minimum dimension, may be included as required open space  
16 (Exhibit 23.86.018 B).

17 3. For triangular areas, all exterior dimensions of the area shall meet or  
18 exceed the minimum dimensions (Exhibit 23.86.018 C).

19 4. For circular areas, the diameter of the circle shall meet the minimum  
20 dimension; for semicircular areas, the radius of the area shall meet the minimum  
21 dimension (Exhibit 23.86.018 D).

22 ~~((5. In cases where the shape of the open space is so unusual that the above~~  
23 ~~provisions cannot be applied, for example, a curvilinear shape, the Director shall~~  
24 ~~determine when open space requirements have been met.))~~

25  
26 \* \* \*

27  
28  
29 **Section 44.** Subsection F of Section 25.09.260 of the SMC, which Section was  
30 last amended by Ordinance 116976, is amended as follows:

31  
32 **25.09.260 Administrative conditional use permit to recover development credit**  
33 **and permit clustered development on-site in single family zones.**  
34

35 \* \* \*

36  
37 **F. Clustering of Additional Dwelling Units.**

38 The Director may approve more than one dwelling unit per lot and may approve smaller  
39 than required lot sizes and yards to accommodate recovery of development credit, and to  
40 encourage larger buffers, reduce impermeable surfaces, and decrease size of affected  
41 areas. Where dwelling units are attached, they shall not exceed the height, bulk and  
42 ((building height)) other applicable development standards of the Lowrise 1 (L1) zone.

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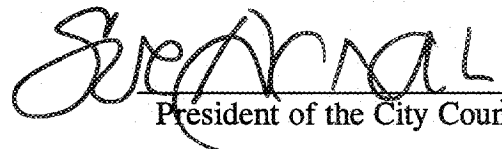
Full development credit on-site shall not be increased beyond that permitted by the underlying single family zone.

\* \* \*

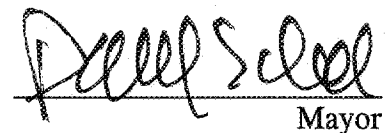
**Section 45.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

**Section 46.** 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.

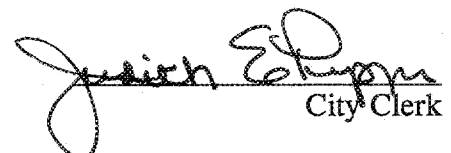
Passed by the City Council the 30<sup>th</sup> day of November, 1998, and signed by me in open session in authentication of its passage this 30<sup>th</sup> day of November 1998

  
President of the City Council

Approved by me this 2nd day of December, 1998.

  
Mayor

Filed by me this 2nd day of December, 1998.

  
City Clerk

(SEAL)



# City of Seattle


Paul Schell, Mayor

## Department of Construction and Land Use

R. F. Krochalis, Director

### MEMORANDUM

TO: Councilmember Sue Donaldson, President  
Via: Mark Sidran, City Attorney

FROM:   
Rick Krochalis, Director

DATE: October 2, 1998

SUBJECT: 1998 Omnibus Legislation

I am pleased to submit to you the two attached ordinances which represent part of our on-going commitment to maintenance of Title 23. Omnibus legislation addresses multiple issues which range from incorrect section references and other maintenance of the Land Use Code, to areas of somewhat more substance but of limited impact. This legislation contains amendments on subjects ranging from easements, conditional use, libraries, parking, and signs to handrails on floating homes. The second ordinance amends the shoreline chapter, which is separated from the other amendments because the State has different processing requirements for the Shoreline Master Program. All the issues of substance are briefly described in the attached report. Requests for these proposals came from citizens, other departments and DCLU staff.

The Department issued a Declaration of Non-Significance on August 20, 1998; the appeal period ended (no appeal) on September 10. The public hearing is scheduled for October 20, 1998. Implementation costs will be minor, and accommodated within existing resources. If you have questions, please call Diane Althaus at 233-3894 or John Skelton at 233-3883.



## **Director's Report and Recommendation on the 1998 Omnibus Amendments**

October 1998

In addition to processing complex, substantive amendments to the Land Use Code, the Department of Construction and Land Use is also responsible for maintenance of this ±800 page code. The attached amendments are called maintenance or omnibus amendments due to their relatively small scale and scope of impact. Such amendments range from typos and incorrect section references, which will not be described further, to correcting inconsistencies between maps and text, for example, which have more substance but do not warrant a separate ordinance on their own. Following is a section-by-section description of the proposed amendments:

### **Section 23.22.062 and 23.24.045**

Section 23.22.062 is new, and a duplicate of the already-adopted text in 23.24.045, so that unit subdivision regulations apply to both short plats and to full subdivisions. The provisions for unit subdivisions require that a clustering of housing meet development standards for the entire cluster (also called the "parent lot"), but allow subdivision of individual unit lots which are not required to meet development standards on a lot-by-lot basis. The amendments would apply the unit lot subdivision provisions to single family and residential small lot (RSL) zones where clustering is now permitted (planned residential developments and clustered housing planned developments).

### **23.22.100**

Resolves an apparent inconsistency between the Land Use Code and the Street Improvement Manual and improves the cross-references.

### **23.44.006**

For clustered housing in environmentally critical areas in single family zones, allows more than one dwelling unit on a lot (subdivision is not required). Also clarifies that the State of Washington defines, as well as licenses, adult family homes.

### **23.44.010**

Clarifies that unit subdivision for planned residential developments and clustered housing planned developments may result in lots with less than the minimum lot size otherwise permitted in the zone.

### **23.44.014**

Allows side yard-to-rear yard easements, in addition to side yard-to-side yard. Also clarifies that side yard agreements can be used to allow structures near the rear lot line of a reversed corner lot, as is suggested in other code sections but not clearly stated.

**23.44.018**

Clarifies that when a conditional use permit has been obtained and is still required, but the use has been discontinued, that a new conditional use permit is required.

**23.44.034**

Since townhouses are the only type of ground-related housing permitted in PRDs, changing "ground-related" to "townhouse" makes it more straightforward.

**23.44.072**

This section was to be deleted in the last omnibus, and it went through public review but the amendment was inadvertently omitted later in the process. The total number of unrelated residents per dwelling unit is limited to eight, and the Code no longer differentiates between who is a roomer and who is part of a household of unrelated people.

**23.44.080**

There is currently no provision for dealing with a nonconforming use in single family zones which had been previously authorized by conditional use then allowed to lapse, but which is no longer permitted, and which is residential but not multifamily. Addresses nonconforming group homes and similar uses which want to expand.

**23.45.005**

Corrects an error in referencing standards for single family housing in multifamily zones.

**23.45.008**

Creates a new category of use for structures which have a combination of low income elderly and low income disabled residents, and requires the more restrictive parking ratio of the two existing uses (see parking chart amendment also in 23.54.015).

**23.45.014**

Amends the multifamily section on projections into setbacks to make it consistent with the parallel section in single family zones. The proposal would delete the requirement that such projections must begin at least eight feet above grade.

**23.45.016**

Makes language consistent in the open space section and measurement section with regard to when access may be counted as meeting open space requirements.

**23.47.008 and 23.47.023**

Single purpose residential development is generally required to meet development standards for mixed use development. This amendment clarifies that the 13' first floor height requirement applies to single purpose projects as well as to mixed use projects.

**23.47.010**

Clarifies maximum size of use for non-residential uses in commercial zones.

**23.47.016**

Clarifies landscaped setbacks for parking structures.

**23.48.002**

Adds reference to the telecommunications chapter to the Seattle Cascade Mixed zone chapter.

**23.48.014**

Corrects an error which inadvertently required a setback from alleys.

**23.49 (seven sections)**

Adds libraries as a permitted street level use in downtown zones.

**23.53.015**

Improves the map's readability and legend

**23.54.015**

Allows DCLU to determine unique uses' parking requirements, where there is no comparable or reasonably applicable parking requirement. Also amends the parking chart to combine low-income elderly and low income disabled (see 23.45.008 above) use categories and require the more restrictive parking ratio.

**23.54.020**

Allows "add-a-unit" in Commercial zones (already permitted in multifamily and neighborhood commercial zones), which would accommodate such units as caretaker's quarters without requiring a parking space, under certain circumstances.

**23.55.034**

Eliminates overlap between two categories of on-premise signs

**23.55.042**

Makes map and text consistent

**23.71.028**

Clarifies that while a representative of the applicant is to be on the General Development Plan Advisory Committee, this representative shall not vote on the recommendation to the Director.

**23.76.028**

Clarifies shoreline MUP issuance and appeal period

**23.84.018**

Classifies a library as an institution in the definition chapter, which is consistent with the classification in single family zones.

**23.84.024**

In coordination with the changes to unit lot subdivision noted in the first amendment in this ordinance, the definitions of "unit lot" and "parent lot" would allow subdivision of clustered housing where already permitted in Single Family and Residential Small Lot zones.

**23.84.026 and 23.84.032**

Adds nursing homes to the list of residential uses; this is consistent with its definition.

**23.84.032**

Removes unnecessary phrase in congregate care definition.

**23.84.038**

Eliminates overlap between transit vehicle base and outdoor storage of vehicles

**23.84.048**

Adds Seattle Cascade Mixed (SCM) zone to the list of commercial zones.

**23.86.018**

Eliminates situation in definition/measurement of triangular open space which had been creating space which met the measurement section regulations but was not useable.

**23.60.070 through 23.60.076**

Conforms to state law (the State Department of Ecology issued a rule which contradicted the Revised Code of Washington (RCW) with regard to whether shoreline permits are to be sent to the State Attorney General; this proposal is consistent with the RCW).

**23.60.196**

Allows floating home rooftop open railings meeting Building Code safety regulations to exceed the height limit. Also incorporates a Director's Rule which similarly allowed chimneys and mechanical vents to exceed the height limit for floating homes.

**25.09.260**

Allows more than one dwelling unit on a lot in environmentally critical areas (ECA) clustered housing, i.e., clarifies that subdivision is not required.



Seattle City Council

PUBLIC HEARING SIGN-UP SHEET

Omnibus Land Use Code Amendments

INFORMATION ON THIS SIGN-UP SHEET IS PUBLIC RECORD

#	(PLEASE PRINT) NAME	ORGANIZATION	(OPTIONAL) ADDRESS	ZIP	(OPTIONAL) PHONE/FAX
	MICHELLE LE Sourd	CIEL CONOUSING	511 N. 62nd ST.	98103	706-5869
	KARA BLACK	"	525 N. 62nd ST.	98103	789-3574
	SOU NOOLAND	Kauri Investments	1100 Virginia Street	98122	441-0303 K-14
	• owner 43 unit bldg in Regrade w/ no parking	Kauri	Planning Production • meeting		
	• co-chair of pte- Pine				
	• Real Change Ad				
	• Town Town Cafe Rd				
			off-site parking for residential • require deed restrictions		
			off-site parking for commercial allowed w/ 800 sq ft		

24.006A

ORDINANCE \_\_\_\_\_

**AN ORDINANCE** relating to land use; adding Section 23.22.062; amending Sections 23.22.100, 23.24.040, 23.24.045, 23.44.006, 23.44.010, 23.44.014, 23.44.018, 23.44.022, 23.44.034, 23.44.080, 23.45.005, 23.45.008, 23.45.014, 23.45.016, 23.47.008, 23.47.010, 23.47.016, 23.47.023, 23.48.002, 23.48.014, 23.49.054, 23.49.074, 23.49.104, 23.49.132, 23.49.160, 23.53.015, 23.54.015, 23.54.020, 23.55.002, 23.55.034, 23.55.042, 23.71.028, 23.76.024, 23.76.028, 23.84.018, 23.84.024, 23.84.026, 23.84.032, 23.84.038, 23.84.048, 23.86.018; 25.09.260; and repealing 23.44.072 of the Seattle Municipal Code to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

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

**Section 1.** A new Section, 23.22.062, is hereby added to the Seattle Municipal Code (SMC) to read as follows:

**23.22.062 Unit lot subdivisions.**

A. The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, and clustered housing in Single Family, Residential Small Lot and Lowrise zones, and single family residences in Lowrise zones.

B. Sites developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.

C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.

E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that



1 parking is formalized by an easement on the plat, as recorded with the Director of the  
2 King County Department of Records and Elections.

3 F. The fact that the unit lot is not a separate buildable lot and that additional  
4 development of the individual unit lots may be limited as a result of the application of  
5 development standards to the parent lot shall be noted on the plat, as recorded with the  
6 King County Department of Records and Elections.  
7  
8

9 **Section 2.** Subsection A of Section 23.22.100 of the SMC, which Section was last  
10 amended by Ordinance 118794, is amended as follows:  
11

12 **23.22.100 Design standards.**  
13

14 Except as provided in Section 23.22.106, design of all subdivisions shall conform to the  
15 standards set forth in this subsection:

16 A. Street and Alleys.

17 1. All subdivisions shall be served by one (1) or more streets providing  
18 adequate ingress and egress to and from the subdivision.

19 2. ~~((Major))~~ New streets within each subdivision shall conform with the  
20 City's thoroughfare and circulation plans and shall provide for the continuation of  
21 ~~((major))~~ streets which serve the property contiguous to the subdivision. ~~((Unless~~  
22 ~~warranted by special physical circumstances, s))~~ Streets serving lots on two (2) sides shall  
23 be at least sixty (60) feet wide unless a narrower street is warranted by special physical  
24 circumstances as determined by the Director, in consultation with the Director of Seattle  
25 Transportation, or as specified in Table 7 (for non-arterial streets) or Appendix A (for  
26 arterials) of the Street Improvement Manual.

27 3. Street intersections shall be as nearly at right angles as practicable and  
28 in no event shall the angle formed be less than thirty (30) degrees.

29 4. A cul-de-sac shall be designed according to the Street Design Manual to  
30 provide a circular turnaround at the closed end. A tee or other reasonable alternative may  
31 be authorized by the Hearing examiner in lieu of the turnaround. Cul-de-sac streets shall  
32 not exceed four hundred fifty (450) feet in length and the right-of-way shall be at least  
33 fifty (50) feet wide, except under special circumstances a lesser width will be permitted.

34 5. Street networks shall provide ready access for fire and other emergency  
35 vehicles and equipment, and routes of escape for inhabitants.

36 6. Alleys shall be at least sixteen (16) feet wide plus such additional width  
37 as shall be necessary for an adequate turning radius.  
38

39 \* \* \*  
40  
41

42 **Section 3.** Subsection A of Section 23.24.040 of the SMC, which Section was last  
43 amended by Ordinance 118414, is further amended as follows:

**23.24.040 Criteria for approval.**

A. The Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. Conformance to the applicable Land Use Policies and Land Use Code provisions;
2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;
3. Adequacy of drainage, water supply and sanitary sewage disposal;
4. Whether the public use and interests are served by permitting the proposed division of land;
5. Conformance to the applicable provisions of SMC Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;
6. Conformance to the provisions of Section 23.24.045, ~~((Townhouses))~~ Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.

\* \* \*

**Section 4.** The section heading and subsection A of Section 23.24.045 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.24.045 Unit lot ~~((S))~~ subdivisions.**

A. The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, and clustered housing ~~((;))~~ in Single Family, Residential Small Lot and Lowrise zones, or single family residences in Lowrise zones.

\* \* \*

**Section 5.** Subsections A and J of Section 23.44.006 of the SMC, which Section was adopted by Ordinance 117263, is amended as follows:

**23.44.006 Principal uses permitted outright.**

The following principal uses shall be permitted outright in single-family zones:

- A. Single-family Dwelling Unit. One (1) single-family dwelling unit shall be permitted on a lot, except when an accessory dwelling unit is approved pursuant to



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Section 23.44.041, and except as approved as part of an administrative conditional use permit under SMC 25.09.260;

\* \* \*

J. Adult Family Homes. Adult family homes, ((designed)) as defined and licensed by the state of Washington.

**Section 6.** Subsection B of Section 23.44.010 of the SMC, which Section was last amended by Ordinance 118414, is further amended as follows:

**23.44.010 Lot requirements.**

\* \* \*

B. Exceptions to Minimum Lot Area. The following exceptions to minimum lot area are subject to the limits of subsection B5. A lot which does not satisfy the minimum lot area requirements of its zone may be developed or redeveloped as a separate building site according to the following:

1. In order to recognize separate building sites established in the public record under previous codes, to allow the consolidation of very small lots into larger lots, to adjust lot lines to permit more orderly development patterns, and to create additional buildable sites out of oversized lots which are compatible with surrounding lots, the following exceptions are permitted if the Director determines that:

a. The lot was established as a separate building site in the public records of the county or City prior to July 24, 1957 by deed, contract of sale, mortgage, property tax segregation, platting or building permit and has an area of at least seventy-five percent (75%) of the minimum required lot area and at least eighty percent (80%) of the mean lot area of the lots on the same block face and within the same zone in which the lot is located (Exhibit 23.44.010 A); or

b. The lot is or was created by subdivision, short subdivision or lot boundary adjustment, and is at least seventy-five percent (75%) of the minimum required lot area and is at least eighty percent (80%) of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone (Exhibit 23.44.010 A); or

2. The lot area deficit is the result of a dedication or sale of a portion of the lot to the City or state for street or highway purposes and payment was received for only that portion of the lot, and the lot area remaining is at least fifty percent (50%) of the minimum required; or

3. The lot would qualify as a legal building site under this section but for a reduction in lot area due to court-ordered adverse possession, and the amount by which the lot was so reduced was less than ten percent (10%) of the former area of the lot,

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provided that this exception shall not apply to lots reduced to less than fifty percent (50%) of the minimum area required under subsection A of Section 23.44.010; or

4. The lot was established as a separate building site in the public records of the county or City prior to July 24, 1957 by deed, contract of sale, mortgage, property tax segregation, platting or building permit, and falls into one of the following categories, provided that lots on totally submerged lands shall not qualify for this exception:

a. The lot is not held in common ownership with any contiguous lot on or after the effective date of the ordinance from which this subsection derives; or

b. The lot is or has been held in common ownership with a contiguous lot on or after the effective date of the ordinance from which this subsection derives and is or has been developed with a principal structure which is wholly within the lot boundaries; provided that no portion of any contiguous lot is required to meet the least restrictive of lot area, lot coverage, setback or yard requirements which were in effect at the time of the original construction of the principal structure, at the time of its subsequent additions, or which are in effect at the time of redevelopment of the lot (Exhibit 23.44.010 B); or

c. The lot is or has been held in common ownership with a contiguous lot on or after the effective date of the ordinance from which this subsection derives and is not developed with all or part of a principal structure; provided, that no portion of the lot is required to meet the least restrictive of lot area, lot coverage, setback or yard requirements which were in effect for a principal structure on the contiguous lot at the time of the construction of the principal structure, at the time of its subsequent additions, or which are in effect at the time of the development of the lot (Exhibit 23.44.010 B); and provided further, that if any portion of the lot to be developed has been used to meet the parking requirement in effect for a principal structure on a contiguous lot, such parking requirement can and shall be legally met on the contiguous lot.

For purposes of this subsection B4, removal of all or any part of a principal structure or destruction by fire or act of nature on or after the effective date of the ordinance from which this subsection derives shall not qualify the lot for the minimum lot area exception (Exhibit 23.44.010 C) ((-)) : or

5. Development may occur on a substandard lot containing a riparian corridor buffer, a wetland and wetland buffer, or a steep slope and steep slope buffer pursuant to the provisions of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, if the following conditions apply:

a. The substandard lot is not held in common ownership with an adjacent lot or lots at any time after the effective date of SMC Chapter 25.09, Regulations for Environmentally Critical Areas; or

b. The substandard lot is held in common ownership with an adjacent lot or lots, or has been held in common ownership at any time after the effective date of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, but proposed and future development will not intrude upon the environmentally critical area((-)) : or

6. Lots contained in a clustered housing planned development (Section 23.44.024), a planned residential development (Section 23.44.034), or a clustered development in an environmentally critical area.

\* \* \*

**Section 7.** Subsection D of Section 23.44.014 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.44.014 Yards.**

\* \* \*

D. Exceptions from Standard Yard Requirements. No structure shall be placed in a required yard except pursuant to the following subsections:

1. Certain Accessory Structures. Any accessory structure may be constructed in a side yard which abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed corner lot within five feet of the key lot and not abutting the front yard of the key lot, upon recording with the King County Department of Records and Elections an agreement to this effect between the owners of record of the abutting properties. Any accessory structure which is a private garage may be located in that portion of a side yard which is either within thirty-five (35) feet of the centerline of an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot line, without providing an agreement as provided in Section 23.44.016.

2. A single-family structure may extend into one (1) side yard if an easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a ten (10) foot separation between that structure and any principal or accessory structures on the abutting lot. Features and projections such as porches, eaves, and chimneys shall be permitted in the ten (10) foot separation area as if the property line were five (5) feet from the wall of the house on the dominant lot, provided that no portion of either principal structure including eaves shall cross the actual property line. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access for normal maintenance activities to the principal structure on the lot with less than the required side yard.

3. Certain Additions. Certain additions may extend into a required yard when the existing single-family structure is already nonconforming with respect to that yard. The presently nonconforming portion must be at least sixty (60) percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, except as described below. They may extend up to the height limit and may include basement additions. New additions to the nonconforming wall or walls shall comply with the following requirements (Exhibit 23.44.014 A):

1 a. Side yard. When the addition is a side wall, the existing wall  
2 line may be continued by the addition except that in no case shall the addition be closer  
3 than three (3) feet to the side lot line;

4 b. Rear yard. When the addition is a rear wall, the existing wall  
5 line may be continued by the addition except that in no case shall the addition be closer  
6 than twenty (20) feet to the rear lot line or centerline of an alley abutting the rear lot line;

7 c. Front yard. When the addition is a front wall, the existing wall  
8 line may be continued by the addition except that in no case shall the addition be closer  
9 than fifteen (15) feet to the front lot line;

10 d. When the nonconforming wall of the single-family structure is  
11 not parallel or is otherwise irregular, relative to the lot line, then the Director shall  
12 determine the limit of the wall extension, except that the wall extension shall not be  
13 located closer than specified in subsections D3a -- c above.

14 4. Uncovered Porches. Uncovered, unenclosed porches or steps may  
15 project into any required yard, provided that they are no higher than four (4) feet on  
16 average above existing grade, no closer than three (3) feet to any side lot line, no wider  
17 than six (6) feet and project no more than six (6) feet into required front or rear yards.

18 5. Special Features of a Structure. Special features of a structure may  
19 extend into required yards subject to the following standards only, unless permitted  
20 elsewhere in this chapter:

21 a. External architectural details with no living area, such as  
22 chimneys, eaves, cornices and columns, may project no more than eighteen (18) inches  
23 into any required yard;

24 b. Bay windows shall be limited to eight (8) feet in width and may  
25 project no more than two (2) feet into a required front, rear, and street side yard; ((and))

26 c. Other projections which include interior space, such as garden  
27 windows, may extend no more than eighteen (18) inches into any required yard, starting a  
28 minimum of thirty (30) inches above finished floor, and with maximum dimensions of six  
29 (6) feet tall and eight (8) feet wide ((-)) ;

30 d. The combined area of features permitted in subsections D5b and  
31 c above may comprise no more than thirty (30) percent of the area of the facade.

32 6. Private Garages, Covered Unenclosed Decks or Roofs Over Patios in  
33 Rear Yards.

34 a. Any attached private garages or covered, unenclosed decks or  
35 roofs over patios are portions of principal structures. They may extend into the required  
36 rear yard, but shall not be within twelve (12) feet of the centerline of any alley, nor within  
37 twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5)  
38 feet to any accessory structure. The height of private garages shall meet the provisions of  
39 Section 23.44.016 D2 and the height of the roof over unenclosed decks and patios may not  
40 exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used  
41 as a deck. Any detached private garage meeting the requirements of Section 23.44.016,  
42 Parking location and access, or detached permitted accessory structure meeting the  
43 requirements of Section 23.44.040 General provisions, may be located in a rear yard. If a

private garage has its vehicular access facing the alley, the private garage shall not be within twelve (12) feet of the centerline of the alley.

b. Garages meeting the standards of Section 23.44.016 and other accessory structures meeting the standards of Section 23.44.040, shall be permitted in required rear yards, subject to a maximum combined coverage of forty (40) percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of the alley.

7. Private Garages in Front Yards of Through Lots. On through lots less than one hundred twenty-five (125) feet in depth, either an accessory garage structure or a portion of the principal structure containing a garage shall be permitted to locate in one (1) of the front yards. Private garages, either as accessory structures or as a portion of the principal structure, shall be limited as set forth in Section 23.44.016. The front yard in which the garage may be located shall be determined by the Director based on the location of other accessory garages on the block. If no pattern of garage location can be determined, the Director shall determine in which yard the accessory garage shall be located based on the prevailing character and setback patterns of the block.

8. Access Bridges. Uncovered, unenclosed pedestrian bridges of any height, necessary for access and five (5) feet or less in width, are permitted in required yards except that in side yards an access bridge must be at least three (3) feet from any side lot line.

9. Barrier-Free Access. Access facilities for the disabled and elderly meeting Washington State Building Code, Chapter 11 are permitted in any required yards.

10. Freestanding Structures and Bulkheads.

a. Fences, freestanding walls, signs and similar structures six (6) feet or less in height above existing or finished grade whichever is lower, may be erected in any required yard. The six (6) foot height may be averaged along sloping grade for each six (6) foot long segment of the fence, but in no case may any portion of the fence exceed eight (8) feet. Architectural features may be added to the top of the fence or freestanding wall above the six (6) foot height when the following provisions are met: horizontal architectural feature(s), no more than ten (10) inches high, and separated by a minimum of six (6) inches of open area, measured vertically from the top of the fence, may be permitted when the overall height of all parts of the structure, including post caps, are no more than eight (8) feet high; averaging the eight (8) foot height is not permitted. Structural supports for the horizontal architectural feature(s) may be spaced no closer than three (3) feet on center.

b. The Director may allow variation from the development standards listed in subsection D10a above, according to the following:

- i. No part of the structure may exceed eight (8) feet; and
- ii. Any portion of the structure above six (6) feet shall be predominately open, such that there is free circulation of light and air.

c. Bulkheads and retaining walls used to raise grade may be placed in any required yard when limited to six (6) feet in height, measured above existing grade. A guardrail no higher than forty-two (42) inches may be placed on top of a bulkhead or

1 retaining wall existing as of the date of the ordinance codified in this section. If a fence is  
2 placed on top of a new bulkhead or retaining wall, the maximum combined height is  
3 limited to nine and one-half (9-1/2) feet.

4 d. Bulkheads and retaining walls used to protect a cut into existing  
5 grade may not exceed the minimum height necessary to support the cut or six (6) feet  
6 whichever is greater. When the bulkhead is measured from the low side and it exceeds six  
7 (6) feet, an open guardrail of no more than forty-two (42) inches meeting Building Code  
8 requirements may be placed on top of the bulkhead or retaining wall. A fence must be set  
9 back a minimum of three (3) feet from such a bulkhead or retaining wall.

10 e. When located in the shoreline setbacks or in view corridors in  
11 the Shoreline District as regulated in Chapter 23.60, these structures shall not obscure  
12 views protected by Chapter 23.60 and the Director shall determine the permitted height.

13 11. Decks in Yards. Decks no greater than eighteen (18) inches above  
14 existing or finished grade, whichever is lower, may extend into required yards.

15 12. Heat Pumps. Heat pumps and similar mechanical equipment, not  
16 including incinerators, may be permitted in required yards if the requirements of the Noise  
17 Control Ordinance, Chapter 25.08, are not violated. Any heat pump or similar equipment  
18 shall not be located within three (3) feet of any lot line.

19 13. Solar Collectors. Solar collectors may be located in required yards,  
20 subject to the provisions of Section 23.44.046.

21 14. Front Yard Projections for Structures on Lots Thirty (30) Feet or Less  
22 in Width. For a structure on a lot which is thirty (30) feet or less in width, portions of the  
23 front facade which begin eight (8) feet or more above finished grade may project up to  
24 four (4) feet into the required front yard, provided that no portion of the facade, including  
25 eaves and gutters, shall be closer than five (5) feet to the front line (Exhibit 23.44.014 B).

26 15. Front and rear yards may be reduced by twenty-five (25) percent, but  
27 no more than five (5) feet, if the site contains a required environmentally critical area  
28 buffer or other area of the property which can not be disturbed pursuant to subsection A  
29 of Section 25.09.280 of SMC Chapter 25.09, Regulations for Environmentally Critical  
30 Areas.

31 16. Arbors. Arbors may be permitted in required yards under the  
32 following conditions:

33 a. In each required yard, an arbor may be erected with no more  
34 than a forty (40) square foot footprint, measured on a horizontal roof plane inclusive of  
35 eaves, to a maximum height of eight (8) feet. Both the sides and the roof of the arbor  
36 must be at least fifty (50) percent open, or, if latticework is used, there must be a  
37 minimum opening of two (2) inches between crosspieces.

38 b. In each required yard abutting a street, an arbor over a private  
39 pedestrian walkway with no more than a thirty (30) square foot footprint, measured on the  
40 horizontal roof plane and inclusive of eaves, may be erected to a maximum height of eight  
41 (8) feet. The sides of the arbor shall be at least fifty (50) percent open, or if latticework is  
42 used, there must be a minimum opening of two (2) inches between crosspieces.

Section 8. Subsection E of Section 23.44.018 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.44.018 General provisions.**

\* \* \*

E. ~~((Any authorized conditional use))~~ Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or recommencement is proposed. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or
2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

\* \* \*

Section 9. Subsection E of Section 23.44.022 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.44.022 Institutions.**

\* \* \*

E. Dispersion.

1. The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred (600) feet or more from any lot line of any other institution in a residential zone, with the following exceptions:



1 a. An institution may expand even though it is within six hundred  
2 (600) feet of a public school if the public school is constructed on a new site subsequent to  
3 December 12, 1985.

4 b. A proposed institution may be located less than six hundred  
5 (600) feet from a lot line of another institution if the Director determines that the intent of  
6 the dispersion criteria is achieved due to the presence of physical elements such as bodies  
7 of water, large open spaces or topographical breaks or other elements such as arterials,  
8 freeways or nonresidential uses, which provide substantial separation from other  
9 institutions.

10 2. A proposed child-care center serving not more than twenty-five (25)  
11 children which does not meet the criteria of subsection ((D))E1 of this section may be  
12 permitted to locate less than six hundred (600) feet from a lot line of another institution if  
13 the Director determines that, together with the nearby institution(s), the proposed child  
14 care center would not:

- 15 a. Create physical scale and bulk incompatible with the surrounding  
16 neighborhood;  
17 b. Create traffic safety hazards;  
18 c. Create or significantly increase identified parking shortages; or  
19 d. Significantly increase noise levels to the detriment of surrounding  
20 residents.

21 \* \* \*

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25 **Section 10.** Subsection B of Section 23.44.034 of the SMC, which Section was  
26 last amended by Ordinance 116262, is amended as follows:

27  
28 **23.44.034 Planned residential development (PRD).**

29 \* \* \*

30  
31  
32 **B. Type of Dwelling Units Permitted.**

33 1. Only single-family dwelling units shall be permitted within one hundred  
34 (100) feet of a PRD's property line which abuts or is directly across the street from a  
35 single-family zoned lot, except as provided in subsection B2.

36 2. Either single-family dwelling units or ~~((ground-related housing is))~~  
37 townhouses are permitted when within one hundred (100) feet of a property line of a PRD  
38 which does not abut or is not across a street from a single-family zoned lot or is separated  
39 from the single-family zoned lot by physical barriers, such as bodies of water, ravines,  
40 greenbelts, freeways, expressways and other major traffic arterials or topographic breaks  
41 which provide substantial separation from the surrounding single-family neighborhood.



3. Either single family dwelling units or ~~((ground-related housing))~~  
townhouses ((is)) are permitted when more than one hundred (100) feet from a PRD's  
property line.

4. ~~((Ground-related housing))~~ Townhouses shall meet the development  
standards for structures in Lowrise 1 zones, unless otherwise specified in this subchapter.

\* \* \*

**Section 11.** Section 23.44.072 of the SMC, which Section was last amended by  
Ordinance 117202, is hereby repealed.

~~((23.44.072 Roomers, boarders, lodgers.~~

~~The renting of rooms, with or without meals, by a household for lodging  
purposes only, for the accommodation of not more than two (2) roomers,  
boarders or lodgers, is permitted outright as an accessory use within a  
dwelling unit as long as the total number of residents does not exceed  
eight (8).))~~

**Section 12.** Subsection D of Section 23.44.080, which Section was last amended  
by Ordinance 111590, is amended as follows:

**23.44.080 Nonconforming uses.**

\* \* \*

D. A nonconforming ~~((multi-family))~~ residential use shall not be expanded or  
extended nor shall the number of dwelling units be increased. For a non-conforming  
residential use that was not a multifamily use, the number of residents may not be  
increased beyond the maximum number that was allowed by the standards of the zone at  
the time of approval or, if permitted by conditional use, the number shall not be allowed  
to increase above that number permitted by the conditional use approval. A structure  
occupied by a nonconforming ~~((multi-family))~~ residential use may be maintained, repaired,  
renovated or structurally altered but shall not be expanded or extended except as otherwise  
required by law, as necessary to improve access for the elderly and disabled, or as  
specifically permitted for nonconforming uses and nonconforming structures elsewhere in  
this Code. Structural features including, but not limited to, exterior decks and balconies,  
bay windows, dormers, eaves and solar collectors may be added to a principal structure,  
or a new or expanded accessory structure may be constructed, provided that the addition  
or new structure conforms to the development standards of the zone.

\* \* \*

Section 13. Subsection A of Section 23.45.005 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.45.005 Development standards for single-family structures.**

A. Except for cottage housing developments, single family structures shall be subject to the development standards ~~((of the Lowrise Duplex/Triplex (LDT) zone))~~ for ground-related housing, except that open space shall be provided according to the provisions for single family structures in each zone, in ~~((s))~~Section 23.45.016 of this ~~((e))~~Chapter.

\* \* \*

Section 14. Subsection B of Section 23.45.008 of the SMC, which Section was last amended by Ordinance 117173, is amended as follows:

**23.45.008 Density -- Lowrise zones.**

\* \* \*

B. 1. In Lowrise 3 and Lowrise 4 zones, multifamily structures for low-income elderly or low-income disabled residents, or a ~~((combination of the two))~~ low-income elderly/low-income disabled multifamily structure, operated by a public agency or a private nonprofit corporation shall have a maximum density as follows:

Lowrise 3 -- One (1) dwelling unit per five hundred fifty (550) square feet of lot area.

Lowrise 4 -- One (1) dwelling unit per four hundred (400) square feet of lot area.

2. In order to qualify for the density provisions of this subsection, a majority of the dwelling units of the structure shall be designed for and dedicated to tenancies of at least three (3) months.

3. The dwelling units shall remain as low-income elderly/~~((or))~~ low-income disabled multifamily structure ~~((housing))~~ for the life of the structure.

\* \* \*

Section 15. Subsection F of Section 23.45.014 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.45.014 Setback requirements -- Lowrise zones.**

\* \* \*

F. Projections into Required Setbacks.

1. Special Features of a Structure.

a. External architectural details with no living space including cornices, eaves, sunshades, gutters, and vertical architectural features which are less than eight feet (8') in width, may project a maximum of eighteen inches (18") into any required setback.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two feet (2') into a front, rear, or street side setback. In no case shall bay windows be closer than five feet (5') to any lot line.

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen inches (18") into any required yard, starting a minimum of thirty inches (30") above finished floor, and with maximum dimensions of six feet (6') tall and eight feet (8') wide.

d. The combined area of features permitted in subsections F1b and c above may comprise no more than thirty percent (30%) of the area of the facade.

2. Unenclosed Decks and Balconies.

a. Unenclosed decks and balconies may project a maximum of four feet (4') into the required front setback provided they are a minimum of ten feet (10') from the front lot line in Lowrise Duplex/Triplex and Lowrise 1 zones and eight feet (8') from the front lot line in Lowrise 2, Lowrise 3 and Lowrise 4 zones.

b. Except as provided in subsection G5 of Section 23.45.014, unenclosed decks and balconies shall be permitted in side setbacks, provided they are a minimum of five feet (5') from a side lot line, and may project into the required rear setback a maximum of four feet (4') provided they are a minimum of five feet (5') from a rear lot line.

c. Unenclosed decks and balconies permitted in required setbacks shall be limited to a maximum width of twenty feet (20') and shall be separated by a distance equal to at least one-half (1/2) the width of the projection.

3. ~~((All permitted projections into required front and rear setbacks shall begin a minimum of eight (8) feet above finished grade except that a))~~ An unenclosed porch or steps may extend a maximum of six (6) feet into the required front setback at ground level, provided that it is set back the same distance from the front lot line as that required for unenclosed decks and balconies.

\* \* \*

**Section 16.** Subsection B of Section 23.45.016 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.45.016 Open space requirements -- Lowrise zones.**

\*\*\*

B. Development Standards.

1. Lowrise Duplex/Triplex Zones and Ground-related Housing in Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Lowrise Duplex/Triplex Zones -- Private Usable Open Space.

(1) Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of four hundred (400) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Private usable open space shall be located a maximum of four (4) feet above or below a private entry to the unit it serves. The floor of the unit accessed by this entry shall have a minimum area of three hundred (300) square feet. This minimum area may include a private garage if habitable floor area of the same unit is located directly above.

b. Lowrise Duplex/Triplex Zones -- Common Open Space.

Required common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of six hundred (600) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of one hundred fifty (150) square feet. In cottage housing developments, each cottage shall abut the common open space. No horizontal dimension of the open space shall be less than ten (10) feet.

c. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones -- Ground-related Housing.

(1) In Lowrise 1 zones the required open space shall be provided in one (1) contiguous parcel, except that in cottage housing developments, the open space shall be allotted as described in subsections A2b above and B1c(5) below. In Lowrise 2, Lowrise 3 and Lowrise 4 zones, the required open space for each ground-related dwelling unit is not required to be in one (1) contiguous area, but no open space area shall be less than one hundred twenty (120) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Required open space may be located a maximum of ten (10) feet above or below the unit it serves, except as permitted in subsection B1c(4), provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

(3) At least fifty (50) percent of the required open space for a unit shall be level, provided that:

- i. The open space may be terraced; and
- ii. Minor adjustments in level shall be permitted as long as the difference in elevation between the highest and lowest point does not exceed two (2) feet.

(4) For additional dwelling units proposed within a structure existing on August 11, 1982, the vertical distance between the unit and the private, landscaped open space may exceed ten (10) feet where the following criteria are met:

i. Where the structure was constructed with floor-to-floor heights in excess of ten (10) feet, the open space may be located a maximum of ten (10) feet plus the height between floors in excess of ten (10) feet, above or below the unit it serves; or

ii. Where the structure was constructed with the first floor in excess of two (2) feet above grade, the open space may be located a maximum of ten (10) feet plus the additional height of the first floor in excess of two (2) feet above grade, above or below the unit it serves.

(5) Lowrise 1 Zone -- Cottage Housing Developments.

i. At least fifty (50) percent of the required total open space per unit shall be provided as private usable open space in one (1) contiguous parcel. No horizontal dimension of the open space shall be less than ten (10) feet.

ii. Common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area per unit of one hundred fifty (150) square feet. No horizontal dimension of the open space shall be less than ten (10) feet. Each cottage shall abut the common open space.

d. Required open space may be located in the front, sides or rear of the structure.

e. To ensure privacy of open space, openings such as windows and doors on the ground floor of walls of a dwelling unit or common area which directly face the open space of a different unit((,)) are prohibited, unless such openings are screened by view-obscuring fences, freestanding walls or wingwalls.

f. Parking areas, driveways and pedestrian access, ~~((other than))~~ except for pedestrian access ~~((required by))~~ meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

g. Required private usable open space shall be landscaped according to standards promulgated by the Director for ground-related dwelling units.

2. Lowrise 2, Lowrise 3 and Lowrise 4 Zones -- Apartments.

a. No horizontal dimension for required ground-level open space shall be less than ten feet (10').

b. Required open space is permitted in the front, sides or rear of the structure.

c. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

d. In order to qualify as above-ground level open space, balconies, decks, and in L3 and L4 zones, individual unit decks on roofs, shall all have a minimum horizontal dimension of six (6) feet, and a total area of at least sixty (60) square feet, while common roof gardens in L3 and L4 zones shall have a minimum area of two

1 hundred fifty (250) square feet. Common roof garden open space shall be landscaped  
2 according to the rules promulgated by the Director.

3 e. For cluster development, at least twenty (20) percent of the  
4 required open space shall be provided in one (1) contiguous area.

5 f. Terraced Housing on a Slope of Twenty-five (25) Percent or  
6 More.

7 (1) No horizontal dimension for required ground-level open  
8 space shall be less than ten (10) feet.

9 (2) Required open space is permitted in the front, sides or  
10 rear of the structure.

11 (3) Parking areas, driveways and pedestrian access, except  
12 for pedestrian access meeting the Washington State Building Code, Chapter 11, shall not  
13 be counted as open space.

14 (4) In order to qualify as above-ground-level open space,  
15 rooftop areas shall have a minimum horizontal dimension of at least ten (10) feet and a  
16 total area of at least one hundred twenty (120) square feet.

17 g. Rooftop space within the following parameters shall not count  
18 toward meeting open space requirements((;)) the area eight (8) feet from and in front of  
19 a directional antenna and at least two (2) feet from the back of a directional antenna, or,  
20 for an omnidirectional antenna, eight (8) feet away from the antenna in all directions. The  
21 Seattle-King County Public Health Department may require a greater distance for paging  
22 facilities after review of the Non-Ionizing Electromagnetic Radiation (NIER) report.

23 3. Open Space Exception. When all parking and access to parking is  
24 uncovered and is surfaced in permeable material, except gravel, the quantity of required  
25 ground-level open space shall be reduced by five (5) percent of the total lot area.  
26  
27

28 **Section 17.** Subsections C and G of Section 23.47.008 of the SMC, which Section  
29 was last amended by Ordinance 118414, is amended as follows:  
30

31 **23.47.008 Mixed use development.**  
32

33 \* \* \*

34  
35 **C. Height for Mixed Use Development.**

36 1. Mixed use development shall be subject to the height provisions of  
37 Section 23.47.012A.

38 2. Except in zones designated NC2/R and NC3/R, ((for)) mixed use  
39 development ((, all nonresidential use)) at street level shall have a minimum floor to floor  
40 height of thirteen (13) feet.

41 3. In zones with a thirty (30) foot or forty (40) foot height limit, the  
42 Director shall permit the height of the structure to exceed the height limit of the zone by

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1 up to four (4) feet, only if the residential and nonresidential uses are located in the same  
2 structure and subject to the following:

3 a. The additional height is necessary to meet code minimums for  
4 ceiling height (thirteen (13) feet floor to floor for nonresidential use at street level and  
5 seven (7) feet six (6) inches floor to ceiling for residential space); and

6 b. The additional height will not permit an additional story to be  
7 built beyond what could be built under the applicable height limit if a thirteen (13) foot  
8 ceiling height were not required at street level.

9 4. In zones with a thirty (30) foot or forty (40) foot height limit, the  
10 Director may permit the height of the structure to exceed the height limit of the zone by  
11 up to four (4) feet, only if the residential and nonresidential uses are located in the same  
12 structure and subject to the following:

13 a. The additional height will result in floor to floor heights of  
14 thirteen (13) feet or more for the nonresidential use at street level and at least nine (9) feet  
15 for each of the other levels of the structure; and

16 b. The additional height of the structure will not permit an  
17 additional story to be built beyond what could be built under the applicable height limit if  
18 a thirteen (13) foot ceiling height were not required at street level; and

19 c. If the additional height of the structure (up to four (4) feet)  
20 significantly blocks views from neighboring residential structures of the following: Mount  
21 Rainier, the Olympic and Cascade Mountains, the downtown skyline, Greenlake, Puget  
22 Sound, Lake Washington, Lake Union and the Ship Canal, the Director shall not permit  
23 the additional height except as necessary to meet Code minimums for ceiling height.

24 \* \* \*

25  
26  
27 Section 18. Chart B of Section 23.47.010 of the SMC, which Section was last  
28 amended by Ordinance 118794, is amended as follows:

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<b>CHART B</b> <b>For Section 23.47.010</b> <b>ZONE</b>					
<b>Nonresidential Uses Subject to Maximum Size Limit</b>	<b>NC1*</b>	<b>NC2*<sup>1</sup></b>	<b>NC3*<sup>1</sup></b>	<b>C1</b>	<b>C2</b>
Nonresidential uses	4,000	15,000	N.M.S.L	<u>N.M.S.L.</u>	<u>N.M.S.L.</u>
including institutions and public facilities unless otherwise speci- fied	sq. ft.	sq. ft.		35, 000 sq. ft. <sup>4</sup>	35, 000 sq. ft. <sup>4</sup>
Medical Services	10,000	15,000	N.M.S.L	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.			
Multi-purpose	10,000	50,000	N.M.S.L	N.M.S.L.	N.M.S.L.
convenience store	sq. ft.	sq. ft.			
Food processing and craft work	4,000	5,000	10,000	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.	sq. ft.		
Light manufacturing	X	5,000	10,000	N.M.S.L.	N.M.S.L.
		sq. ft.	sq. ft.		
Fast-food restaurant <sup>2</sup>	750 sq. ft.	750 sq. ft.	750 sq. ft.	750 sq. ft.	750 sq. ft.
	4,000	8,000	N.M.S.L	N.M.S.L.	N.M.S.L.
	sq. ft.	sq. ft.			
Fuel Sales					
Sales, service and rental of commercial equipment and construction materials	X	X	25,000	N.M.S.L.	N.M.S.L.
Passenger terminals			sq. ft.		



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Indoor participant sport and recreation	4,000 sq. ft.	15,000 sq. ft.	25,000 sq. ft. <sup>3</sup>	N.M.S.L.	N.M.S.L.
General manufacturing	X	X	X	15,000 sq. ft.	N.M.S.L.
Wholesale showroom ware-house	X	X	15,000 sq. ft.	25,000 sq. ft.	N.M.S.L.
Mini-warehouses	X	X	15,000 sq. ft.	40,000 sq. ft.	N.M.S.L.
Public schools	NMSL	NMSL	NMSL	NMSL	NMSL

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

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

X --- Does not apply, use not permitted in zone.

1 --- Maximum size for all nonresidential uses in NC2/R and NC3/R is described in Section 23.47.010 A2.

2 --- Fast-food restaurants larger than 750 square feet are conditional uses.

3 --- At the Seattle Center, maximum size limit does not apply.

4 --- No maximum size limitation for nonresidential uses except

((Θ))office uses in C1 and C2 zones shall be limited to the size of the lot area or thirty-five thousand (35,000) square feet, whichever is greater. Office uses in C1 and C2 zones may be exempt from this limit if the structures meets specified standards for NC zones as listed in Section 23.47.010 A3.

**Section 19.** Subsection D of Section 23.47.016 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.47.016 Screening and landscaping standards.**

\* \* \*

**D. Screening and Landscaping Requirements for Specific Uses.**

**1. Surface Parking Areas.**

1 a. When a surface parking area abuts a lot in a residential zone, six  
2 (6) foot high screening along the abutting lot line(s) shall be required. A five (5) foot  
3 deep landscaped area shall be required inside the screening (Exhibit 23.47.016 A).

4 b. When a surface parking area is across an alley from a lot in a  
5 residential zone, six (6) foot high screening along the alley shall be required. A five (5)  
6 foot deep landscaped area shall be required inside the screening. The Director may reduce  
7 or waive the screening and landscaping requirement for part or all of the lot abutting the  
8 alley, or may waive only the landscaping requirement, when required parking can only be  
9 provided at the rear lot line and the alley is necessary to provide aisle space. In making  
10 the determination to waive or reduce the landscaping and screening requirements, the  
11 Director shall consider the following criteria:

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

14 (2) Whether the character of use across the alley, such as  
15 multifamily parking structures, makes the screening and landscaping less necessary; and

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

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

21 c. Surface parking areas for nineteen (19) or fewer cars shall be  
22 screened by three (3) foot high screening along the street lot line.

23 d. Surface parking areas for more than nineteen (19) cars shall  
24 provide three (3) foot high view-obscuring landscaping along street lot lines, and  
25 landscaping according to subsection A4 of this section. The Director may reduce or  
26 waive this requirement for reasons of safety, to assure adequate maneuvering room for  
27 service vehicles, or to prevent the number of parking spaces from being reduced to less  
28 than the required amount.

29 2. Parking Within or Under Structures.

30 a. When parking occupies any portion of the street-level frontage of  
31 a structure between a height of five (5) feet and eight (8) feet above sidewalk grade, the  
32 portion of the structure containing the parking shall be required to have a (5) five-foot  
33 deep landscaped area along street lot lines. In addition, the parking shall be screened by:

34 (1) The facade of the structure; or

35 (2) Six (6) foot high screening between the structure and the  
36 landscaped area (Exhibit 23.47.016 B).

37 b. A five (5) foot setback shall be required along all property lines  
38 abutting a residential zone for any portion ((of the ground level)) of a structure which  
39 contains parking at ground level that is not screened from the residential zone by the  
40 facade of the structure. ((The portion of the structure containing the parking shall be  
41 screened by the facade of the structure or the setback(s) shall be)) The setback shall be  
42 landscaped according to Section 23.47.016C3 and six (6) foot high screening along the  
43 abutting property line(s) shall be provided.

1 c. When access is through a street-facing facade, the facade shall  
2 contain one garage door, not to exceed the maximum width allowed for the curbcut.

3 d. The perimeter of each floor of parking which is eight (8) feet or  
4 more above sidewalk grade shall have an opaque screen at least three and one-half (3 1/2)  
5 feet high.

6 3. Drive-in Business.

7 a. Drive-in businesses, including gas stations, abutting or across an  
8 alley from a residentially zoned lot, shall provide six (6) foot high screening along the  
9 abutting or alley lot lines. A five (5) foot deep landscaped area inside the screening shall  
10 be required when the drive-in portion of the business or its queuing lanes abut a lot in a  
11 residential zone.

12 b. Drive-in businesses other than gas stations in which the drive-in  
13 portion of the business or its queuing lanes is across the street from a residentially zoned  
14 lot shall provide three (3) foot high screening for the drive-in portion.

15 c. Gas stations shall provide three (3) foot high screening along  
16 street lot lines in all NC1, NC2 and NC3 zones. In C1 and C2 zones, three (3) foot high  
17 screening shall only be required when a gas station is across the street from a residentially  
18 zoned lot.

19 4. Outdoor Sales and Outdoor Display of Rental Equipment.

20 a. When an outdoor sales area or outdoor display of rental  
21 equipment area is abutting or across an alley from a residentially zoned lot, six (6) foot  
22 high screening shall be provided along the abutting or alley lot lines.

23 b. When an outdoor sales area or outdoor display of rental  
24 equipment is across the street from a residentially zoned lot, three (3) foot high screening  
25 along the street lot line shall be provided.

26 5. Outdoor Storage.

27 a. C1 Zones. Outdoor storage shall be screened by a structure's  
28 facade or by six (6) foot high screening between the storage area and all property lines. A  
29 five (5) foot deep landscaped area shall be provided between all street lot lines and the six  
30 (6) foot high screening (Exhibit 23.47.016 C).

31 b. C2 Zones.

32 (1) When an outdoor storage area is across the street from a  
33 residentially zoned lot it shall be screened from the street by the facade of a structure, or  
34 by six (6) foot high screening along the street lot lines.

35 (2) When a lot containing outdoor storage abuts a  
36 residentially zoned lot, the outdoor storage area shall set back fifty (50) feet from abutting  
37 residentially zoned lot lines and be screened by a structure's facade or by six (6) foot high  
38 screening between the outdoor storage and all abutting property lines (Exhibit 23.47.016  
39 D).

40 c. Outdoor Dry Storage of Boats. Screening shall be required for  
41 the outdoor dry storage of boats in the Shoreline District according to the provisions for  
42 outdoor storage in C1 zones, subsection C5a, unless the dry storage of boats is located in

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a C2 zone, in which case screening shall be required according to the provisions for outdoor storage in C2 zones, subsection C5b.

6. Mobile Home Parks. Mobile home parks shall be screened by six (6) foot high screening along all nonstreet lot lines. A five (5) foot deep landscaped area shall be provided along all street lot lines of a mobile home park. A five (5) foot planting strip with street trees may be provided instead of the five (5) foot deep landscaped area.

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

8. When one (1) of the specific uses listed in this subsection is proposed for expansion, the applicable landscaping requirement shall be met. The Director may reduce or waive the landscaping requirements where physically infeasible due to the location of existing structures or required parking.

\* \* \*

**Section 20.** Subsection C of Section 23.47.023 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**Section 23.47.023 Standards for single-purpose residential structures.**

\* \* \*

C. Single purpose residential structures shall meet all other development standards applicable to mixed use development, except that the street level frontage ((uses)) may be occupied by residential uses other than parking.

**Section 21.** Subsection B of Section 23.48.002 of the Seattle Municipal Code, which Section was adopted by Ordinance 118302, is amended as follows:

**23.48.002 Scope of provisions**

\* \* \*

B. Other regulations, such as requirements for streets, alleys and easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54); signs (Chapter 23.55); ((and)) methods for measurements (Chapter 23.86) and requirements for communication utilities and accessory communication devices (Chapter 23.57) may ((pertain)) apply to development proposals.

Section 22. Subsection D of Section 23.48.014 of the Seattle Municipal Code, which Section was adopted by Ordinance 118302, is amended as follows:

**23.48.014 General facade requirements.**

\* \* \*

D. Street-level Setback. On Class II Pedestrian Streets ((-)) and designated Green Streets ((and-alleys)), structures may be set back up to twelve feet (12') from the property line subject to the following (Exhibit 23.48.014 B):

1. The setback area shall be landscaped according to the provisions of Section 23.48.026.

2. Additional setbacks shall be permitted for up to thirty percent (30%) of the length of the set-back street wall, provided that the additional setback is located a distance of twenty feet (20') or greater from any street corner.

Section 23. Subsection A of Section 23.49.054 of the SMC, which Section was adopted by Ordinance 112303, is amended as follows:

**23.49.054 Downtown Office Core 1, street-level use requirements.**

Street-level uses listed in subsection A shall be required on the streets designated on Map IIA. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ((day)) child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters;
5. Museums and libraries ((-)); and
6. Public atriums.

\* \* \*

Section 24. Subsection A of Section 23.49.074 of the SMC, which Section was last amended by Ordinance 117263, is amended as follows:

**23.49.074 Downtown Office Core 2, street-level use requirements.**

Street-level uses listed in subsection A shall be required on the streets designated on Map IIIA. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters;
5. Museums and libraries ~~((:))~~ ; and
6. Public atriums.

\* \* \*

**Section 25.** Subsection A of Section 23.49.104 of the SMC, which Section was adopted by Ordinance 112303, is amended as follows:

**23.49.104 Downtown Retail Core, street-level use requirements.**

Street-level uses listed in subsection A ~~((of this section))~~ shall be required on all streets. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following types of uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums and libraries.

\* \* \*

**Section 26.** Subsection A of Section 23.49.132 of the SMC, which Section was adopted by Ordinance 112303 is amended as follows:

**23.49.132 Downtown Mixed Commercial, street-level use requirements.**

Street-level uses listed in subsection A ~~((of this section))~~ shall be required on the streets designated on Map VA. Required street-level uses shall meet the standards of this section.

A. Type of Uses. The following uses shall qualify as required street-level uses:

1. Retail sales and services, except lodging;
2. Human service uses and ~~((day))~~ child care centers;
3. Customer service offices;
4. Entertainment uses, including cinemas and theaters; and
5. Museums and libraries.

\* \* \*

1  
2       **Section 27.** Subsection A of Section 23.49.160 of the SMC, which Section was  
3 last amended by Ordinance 117263, is amended as follows:

4  
5       **23.49.160     Downtown Mixed residential, street-level requirements.**

6  
7 Street-level uses listed in subsection A (~~of this section~~) shall be required on the streets  
8 designated on Map VIB. Required street-level uses shall meet the standards of this  
9 section.

10       A. Type of Uses. The following uses shall qualify as required street-level uses:

- 11           1. Retail sales and services, except lodging;  
12           2. Human service uses and (~~day~~) child care centers;  
13           3. Customer service offices;  
14           4. Entertainment uses, including cinemas and theaters; and  
15           5. Museums and libraries.

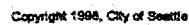
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17                               \* \* \*

18  
19  
20       **Section 28.** Exhibit 23.53.015A, Arterial Streets, Segments A and B, of the SMC  
21 is amended to provide an improved legend and more readable map as follows:

22  
23       **23.53.015     Improvement requirements for existing streets in residential and**  
24       **commercial zones**

25                               \* \* \*

### Collector Arterials





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Chart A for Section 23.54.015

**PARKING**

Use	Parking Requirements
Adult care center <sup>1</sup>	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients).
Adult family home	1 for each dwelling unit.
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales	1 for each 350 square feet.
Ball courts	1 per court.
Bed and breakfast	1 for each dwelling, plus 1 for each 2 guest rooms or suites.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Business support services	1 for each 2,000 square feet
Business incubators	1 for each 1,000 square feet.
Car wash	1 for each 2,000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2,000 square feet.

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Chart A for Section 23.54.015 (Continued)

Use	Parking Requirements
Cemetery	None.
Child care center <sup>1</sup>	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Colleges <sup>1</sup>	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2,000 square feet.
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2,000 square feet.
Community centers <sup>1,2</sup> and community clubs <sup>1,2</sup>	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) <sup>1,2,3</sup>	1 for each 555 square feet.
Congregate residences	1 for each 4 residents.
Construction services	1 for each 2,000 square feet.
Custom and craft work	1 for each 1,000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Dry storage of boats	1 for each 2,000 square feet.
Family support centers located in community centers owned and operated by the Seattle DOPAR <sup>3</sup>	1 for each 100 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1,000 square feet.
Gas station	1 for each 2,000 square feet.
General retail sales and services	1 for each 350 square feet.
Ground-floor businesses in multi-family zones	None, maximum of 10.
Heavy commercial services	1 for each 2,000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High-impact uses	1 for each 1,500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospitals <sup>1</sup>	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study <sup>1</sup>	1 for each 1,000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms; or 1 for each 100 square feet of public assembly area not containing fixed seats.
Institutes for advanced study in single-family zones (existing)	3.5 for each 1,000 square feet of office space; plus 10 for each 1,000 square feet of additional building footprint to house and support conference center activities, or 37 for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater.
Kennel	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2,000 square feet.
Manufacturing, general	1 for each 1,500 square feet.
Manufacturing, heavy	1 for each 1,500 square feet.
Manufacturing, light	1 for each 1,500 square feet.
Marine service station	1 for each 2,000 square feet.
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture studio	1 for each 1,500 square feet
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Multi-family structures <sup>4</sup> except those listed below	Lots containing 2-10 dwelling units: 1.1 for each dwelling unit. Lots containing 11-30 dwelling units: 1.15 for each dwelling unit. Lots containing 31-60 dwelling units: 1.2 for each dwelling unit. Lots containing more than 60 dwelling units: 1.25 for each dwelling unit

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Chart A  
for Section 23.54.015 (Continued)

Use	Parking Requirements
	In addition, for all multi-family structures whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet, an additional .0002 spaces per square foot in excess of 500 shall be required up to a maximum additional .15 spaces per dwelling unit; and
	When at least 50 percent of the dwelling units in a multi-family structure have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and
	Any multi-family structure which contains a dwelling unit with 4 or more bedrooms shall be required to provide an additional .25 spaces per bedroom for each unit with 4 or more bedrooms. <sup>5</sup>
Multi-family structures containing dwelling units with 2 or more bedrooms, when within the area impacted by the University of Washington as shown on Map A following this section	1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above. <sup>5</sup>
Multi-family structures, when within the Alki area as shown on Map B following this section	1.5 spaces per unit.
Multi-family development, for those ground-related structures within the development with 10 units or fewer	1 for each dwelling unit.
Multi-family structures for low-income elderly	1 for each 6 dwelling units.
Multi-family structures for low-income disabled	1 for each 4 dwelling units.
<u>Multi-family structures: low-income elderly/low income disabled</u>	<u>1 for each 5 dwelling units</u>
Multi-purpose convenience store	1 for each 350 square feet

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
Museum <sup>1</sup>	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2,000 square feet.
Nursing homes <sup>6</sup>	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1,000 square feet.
Office, customer service	1 for each 350 square feet.
Outdoor storage	1 for each 2,000 square feet.
Parks	None.
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2,000 square feet.
Playgrounds	None.
Power plants	1 for each 2,000 square feet.



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Chart A  
for Section 23.54.015 (Continued)

Use	Parking Requirements
Private club <sup>1</sup>	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats of floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None.
Railroad switchyard	1 for each 2,000 square feet.
Railroad switchyard with mechanized hump	1 for each 2,000 square feet.
Recreational marinas	1 for each 75 lineal feet of moorage.
Recycling center	1 for each 2,000 square feet.
Recycling collection station	None.
Religious facility <sup>1</sup>	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 1,000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast-food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2,000 square feet.
Sale and rental of large boats	1 for each 2,000 square feet.
Sale and rental of motorized vehicles	1 for each 2,000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts or accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2,000 square feet.
Salvage yard	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Use	Parking Requirements
School, private elementary and secondary <sup>1,2</sup>	1 for each 80 square feet of all auditoria and public assembly room, or if no auditorium or assembly room, 1 for each staff member.
School, public elementary and secondary <sup>1,2,7</sup>	1 for each 80 square feet of all auditorium or public assembly rooms, or 1 for every 8 fixed seats in auditoriums or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.
Sewage treatment plant	1 for each 2,000 square feet.
Single-family dwelling units	1 for each dwelling unit
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2,000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Transit vehicle base	1 for each 2,000 square feet.
Universities <sup>8</sup>	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2,000 square feet.
Vehicle repair, major	1 for each 2,000 square feet.

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**Chart A**  
**for Section 23.54.015 (Continued)**

Vehicle repair, minor	1 for each 2,000 square feet.
Vessel repair, major	1 for each 2,000 square feet.
Vessel repair, minor	1 for each 2,000 square feet.
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 1,500 square feet.
Wholesale showroom	1 for each 1,500 square feet.
Work-release centers	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the work-release center.

<sup>1</sup> When permitted in single-family zones, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of Seattle Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

<sup>2</sup> Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of width of bleachers shall be counted as one (1) fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one (1) space for each 350 square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five square feet.

3 When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen percent (15%), pursuant to Section 23.54.020 I.

4 Parking spaces required for multi-family structures may be provided as tandem spaces according to subsection B of Section 23.54.020.

5 Bedroom--Any habitable room as defined by the Building Code which, in the determination of the Director, is capable of being used as a bedroom.

6 When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

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

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

\* \* \*

**Section 30.** Subsection of Section 23.54.020 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

**23.54.020 Parking quantity exceptions.**

The parking quantity exceptions set forth in this section shall apply in all zones except downtown zones, which are regulated by Section 23.49.016, and Major Institution zones, which are regulated by Section 23.54.016.

**A. Adding Units to Existing Structures in Multifamily and ((Neighborhood)) Commercial Zones.**

1. For the purposes of this section, "existing structures" shall be those structures which were established under permit, or for which a permit has been granted and has not expired as of the effective date of the applicable chapter of this Land Use Code, as follows:

- a. In multifamily zones, August 10, 1982;
- b. In commercial zones, June 9, 1986.

2. If an existing residential structure in a multifamily or ((neighborhood)) commercial zone has parking which meets the development standards, and the lot area is not increased, one (1) unit may be added without additional parking. If two (2) units are added, one (1) space will be required; three (3) units will require two (2) spaces, etc. Additional parking must meet all development standards for the particular zone.

**3. In a Lowrise Duplex/Triplex zone:**

- a. When an existing residential structure provides less than one (1) parking space per unit, one (1) parking space shall be required for each additional dwelling unit when dwelling units are added to the structure or the structure is altered to create additional dwelling units;
- b. When an existing nonresidential structure is partially or completely converted to residential use, then no parking space shall be required for the first new dwelling unit, provided that the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical. Additional parking provided shall meet all development standards for the Lowrise Duplex/Triplex zone.

4. If an existing structure does not conform to the development standards for parking, or is occupied by a nonconforming use, when:

- Dwelling units are added to the structure; or
- The structure is altered to create additional dwelling units; or
- The structure is completely converted to residential use, then

no parking space need be provided for the first new or added dwelling unit, provided that the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical. Additional parking provided shall meet all development standards for the particular zone. This exception shall not apply in Lowrise Duplex/Triplex zones.

\* \* \*

**Section 31.** Subsection C of Section 23.55.002 of the SMC, which Section was adopted by Ordinance 112830, is amended as follows:

**23.55.002 Scope of provisions.**

\* \* \*

C. Signs are also regulated by the provisions of Chapter 32 of the Building Code, Title 22 of the Seattle Municipal Code, including the permit requirements of that title.

\* \* \*

**Section 32.** Subsection D of Section 23.55.034 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.55.034 Signs in downtown zones.**

\* \* \*

**D. On-premises Signs.**

**1. Number and Type of Permitted Signs.**

a. Each use may have one (1) pole, ground, (~~wall, marquee, under-marquee,~~) projecting or combination sign for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection D1a, each use may have one (1) wall, awning, canopy, (~~ground,~~) marquee, or under-marquee (~~or projecting~~) sign(s) for each thirty (30) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. In addition to the signs permitted by subsections D1a and D1b, each multiple business center may have one (1) wall, marquee, under-marquee, projecting or combination sign for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

d. Among the number and type of permitted signs in subsections D1a, D1b and D1c, a maximum of four (4) of these signs identifying hotels or public buildings may be located sixty-five (65) feet or more above the elevation of the sidewalk.

e. Where the principal use or activity on the lot is outdoor retail sales, banner and strings of pennants maintained in good condition shall be allowed in addition to the signs permitted by subsections D1a, D1b and D1c.

**2.** There shall be no maximum area limits for on-premises signs, except for signs identifying hotels and public buildings sixty-five (65) feet or more above the

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elevation of the sidewalk, which shall not exceed eighteen (18) feet in length, height or any other direction.

\* \* \*

**Section 33.** Subsections B and E of Section 23.55.042 of the SMC are amended as shown, and Exhibit 23.55.042A of that Section is amended to remove the designation of State Highway 509 from the 1st Avenue Bridge to the southern City limits and the amended map is attached as the new Exhibit 23.55.042A:

**23.55.042 Off-premises and business signs adjacent to certain public highways.**

\* \* \*

B. Off-premises and Business Signs Prohibited Near Certain Areas. No off-premises sign or business sign shall be erected within six hundred sixty (660) feet outgoing from the nearest edge of the main traveled way of any landscaped and/or scenic view section of a freeway, expressway, parkway or scenic route designated by this subsection and shown on Exhibit 23.55.042 A (Type A sections), and no off-premises sign shall be erected within two hundred (200) feet in any direction from the main traveled way of the exit and entrance ramps thereto, if any part of the advertising matter or informative content of the sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp, except as provided in subsections C and D:

1. West Seattle Freeway from Harbor Avenue S.W. to 35th Avenue S.W.;
2. The west side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel. The east side of the Alaskan Freeway from South Connecticut Street to the west portal of the Battery Street Tunnel;
3. Interstate Highway No. 5 from the north City limits to the south City limits;
4. Interstate Highway No. 90 from the east City limits to Interstate Highway No. 5.
5. State Route 520 (Evergreen Point Bridge) to Interstate Highway No. 5.

\* \* \*

E. Off-premises Signs Prohibited Near Certain Areas. No off-premises sign shall be erected within six hundred sixty (660) feet outgoing from the nearest edge of the main traveled way of any landscaped and/or scenic view section designated by this subsection (Type B section) and shown on Exhibit 23.55.042 A, and no off-premises signs shall be erected within two hundred (200) feet in any direction from the main traveled way of the exit or entrance ramps thereto, if any part of the advertising matter or informative content



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of the off-premises sign is visible from any place on the traveled way of the landscaped and/or scenic view section or ramp.

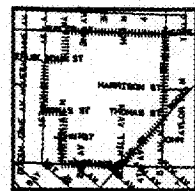
1. The east side of Aurora Avenue North from the George Washington Memorial Bridge (Raye Street) to Prospect Street;
2. The east side of Dexter Avenue North from Westlake Avenue North to Aloha Street;
3. The east side of Westlake Avenue North from the Fremont Bridge to Valley Street;
4. The west side of Fairview Avenue North and Fairview Avenue East from Valley Street to the Lake Union Ship Canal;
5. The north side of Valley Street from Westlake Avenue North to Fairview Avenue North;
6. The south side of North 34th Street from the Fremont Bridge to North Pacific Street;
7. The south side of North Northlake Way and Northeast Northlake Way from the George Washington Memorial Bridge to Tenth Avenue Northeast;
8. The east side of Harbor Avenue Southwest from Southwest Florida Street to Duwamish Head;
9. The northwesterly side of Alki Avenue Southwest from Duwamish Head to Alki Point;
10. Lake Washington Boulevard and Lake Washington Boulevard South from Interstate 90 to Denny Blaine Park;
11. The perimeter streets of Green Lake, consisting of Aurora Avenue North from West Green Lake Way North to West Green Lake Drive North; West Green Lake Drive North; East Green Lake Way North; and West Green Lake Way North;
12. Northwest 54th Street and Seaview Avenue Northwest from the Hiram Chittenden Locks to Golden Gardens Park;
13. All streets forming the perimeter of Seattle Center, as follows:  
Mercer Street from Warren Avenue North to Fifth Avenue North; Fifth Avenue North from Mercer Street to Broad Street; Broad Street from Fifth Avenue North to Denny Way; Denny Way from Broad Street to Second Avenue North; Second Avenue North from Denny Way to Thomas Street; Thomas Street from Second Avenue North to First Avenue North; First Avenue North from Thomas Street to Republican Street; Republican Street from First Avenue North to Warren Avenue; Warren Avenue from Republican Street to Mercer Street;
14. The south side of North Pacific Street and Northeast Pacific Street from 34th Street North to Latona Avenue Northeast;
15. Fourth Avenue South from Airport Way South (~~Dearborn Street~~) to South Royal Brougham and South Royal Brougham Way from Fourth Avenue South to ((South)) Occidental ((Street)) Avenue South.



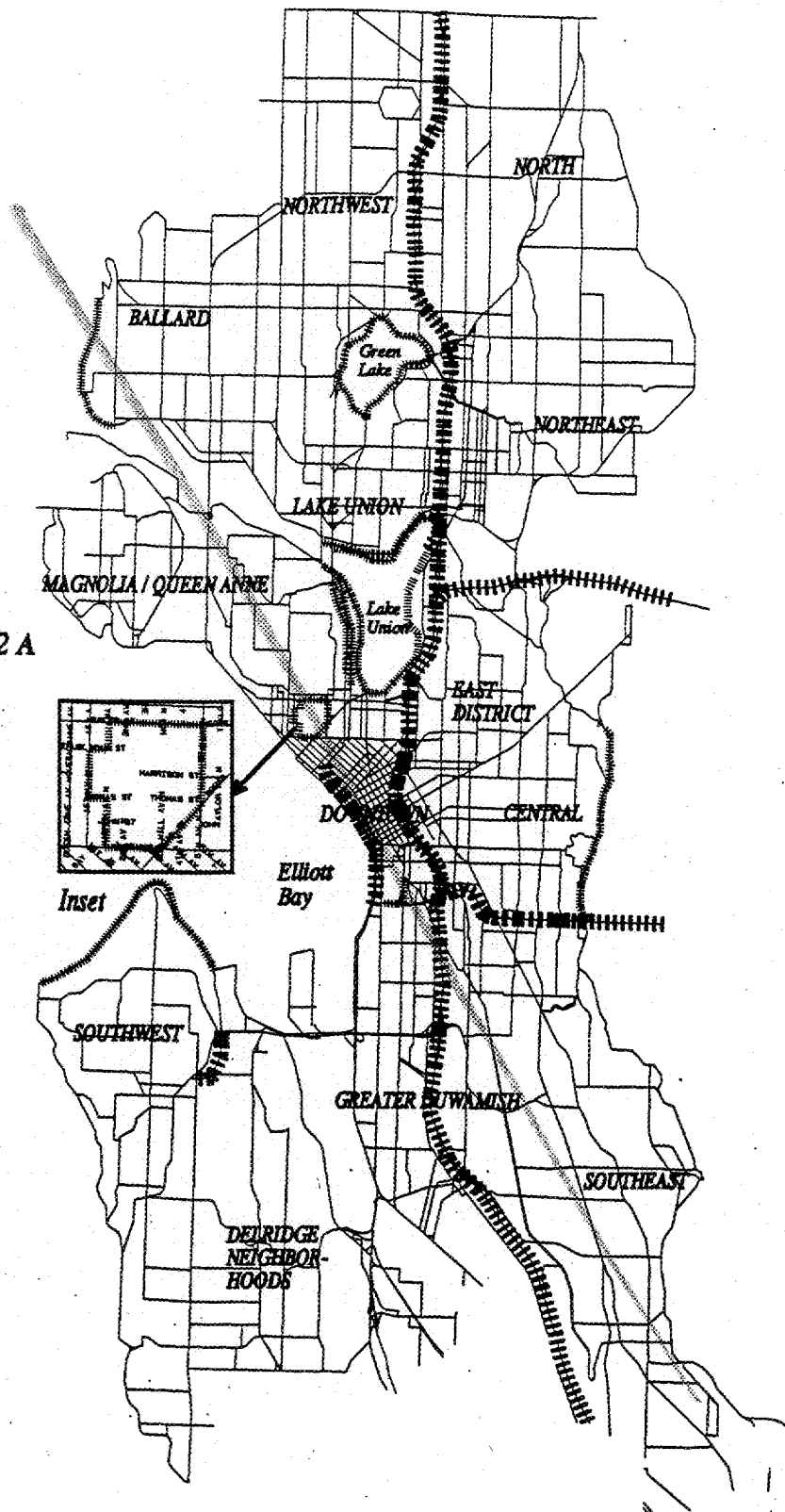
**Exhibit 23.55.042 A**

-  Type A Sections  
 Type B Sections

*Most advertising control routes shown on this map pertain to one side of the street only. For precise descriptions of these routes, see Section 23.55.042 of the Land Use Code.*



*Inset*



Section 34. Subsection B of Section 23.71.028 of the SMC, which Section was adopted by Ordinance 116795, is amended as follows:

**23.71.028 General Development Plan process.**

\* \* \*

B. An Advisory Committee to the Director shall be established by the Director for each General Development Plan required. The composition of the committee shall be a balanced group representing all interests including the applicant, neighborhoods, the business community, and property owners ((-)), except that the applicant's representative shall not participate in a vote on the recommendation to the Director, as described in B2 below. The Advisory Committee shall perform the following functions:

1. ~~((The Advisory Committee shall r))~~ Review the contents of a Draft General Development Plan; and
2. Within a time period established by the Director, recommend to the Director any suggested changes or additions to the Draft General Development Plan.

Section 35. Subsection A of Section 23.76.024 of the SMC, which Section was last amended by Ordinance 118409, is amended as follows:

**23.76.024 Hearing Examiner open record hearing and decision for subdivisions.**

A. Consolidation with Environmental Appeal. The Hearing Examiner shall conduct a public hearing, which shall constitute a hearing by the Council on the application for preliminary approval of the subdivision. At the same hearing the Hearing Examiner shall also hear any appeals of the Director's procedural environmental determination (determination of nonsignificance or determination of adequacy of a final environmental impact statement) and other Type II decisions.

\* \* \*

Section 36. Subsection A of Section 23.76.028, which Section was last amended by Ordinance 118012, is amended as follows:

**23.76.028 Type I and II Master Use Permit issuance.**

A. When a Type I or II Master Use Permit is approved for issuance, the applicant shall be so notified.



5. "Child care center" means an institution which regularly provides care to a group of children for less than twenty-four (24) hours a day, whether for compensation or not. Preschools shall be considered to be child care centers.

6. "Family support center" means an institution that offers support services and instruction to families, such as parenting classes and family counseling, and is co-located with a Department of Parks and Recreation community center.

7. "Hospital" means an institution which provides accommodations, facilities and services over a continuous period of twenty-four (24) hours or more, for observation, diagnosis and care of individuals who are suffering from illness, injury, deformity or abnormality or from any condition requiring obstetrical, medical or surgical services, or alcohol or drug detoxification. This definition excludes nursing homes.

8. "Institute for advanced study" means an institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

9. "Library" means an institution where literary, musical, artistic or reference materials are kept for use but not generally for sale.

~~((9))~~10. "Museum" means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

~~((10))~~11. "Private club" means an institution used for athletic, social or recreational purposes and operated by a private nonprofit organization, membership to which is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is generally restricted to members and their guests.

~~((11))~~12. "Religious facility" means an institution, such as a church, temple, mosque, synagogue or other structure, together with its accessory structures, used primarily for religious worship.

~~((12))~~13. "School, elementary or secondary" means an institution operated by a nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

~~((13))~~14. "Vocational or fine arts school" means an institution which teaches trades, business courses, hairdressing and similar skills on a post-secondary level, or which teaches fine arts such as music, dance or painting to any age group, whether operated for nonprofit or profit-making purposes.

~~((14))~~15. "University." See "College."

**Section 38.** Section 23.84.024 of the SMC, which Section was last amended by Ordinance 118794, is further amended as follows:

**23.84.024 "L."**

\* \* \*

1           "Library." See Institution."

2  
3                                 \* \* \*

4  
5           "Lot, parent" means the initial lot from which unit lots are subdivided for the  
6 exclusive use of townhouses, cottage housing, and clustered housing in Single Family,  
7 Residential Small Lot and Lowrise zones, single family residences in Lowrise zones, or  
8 any combination of the above types of residential development.

9  
10                               \* \* \*

11  
12           "Lot, unit" means one (1) of the individual lots created from the subdivision of a  
13 parent lot for the exclusive use of townhouses, cottage housing, clustered housing in  
14 Single Family, Residential Small Lot and Lowrise zones, single family residences in  
15 Lowrise zones, or any combination of the above types of residential development.

16  
17                               \* \* \*

18  
19           "Low-income disabled multifamily structure ((housing))" means a ((multifamily))  
20 structure in which at least ninety (90) percent of the dwelling units are occupied by one  
21 (1) or more persons who qualify as disabled under the definition of handicapped pursuant  
22 to the Federal Fair Housing Amendment Act and who ((have income not exceeding  
23 income limits for low rent public housing as defined by Resolution 27472-)) constitute a  
24 low-income or low-moderate income household.

25  
26           "Low-income elderly multifamily structure" means a ((multifamily)) structure in  
27 which at least ninety (90) percent of the dwelling units are occupied by one or more  
28 persons sixty-two (62) or more years of age who ((have incomes not exceeding income  
29 limits for low rent public housing for one and two person families as established by the  
30 Seattle Housing Authority-)) constitute a low-income or low-moderate income household.

31  
32           "Low-income elderly/low-income disabled multifamily structure" means a  
33 structure in which each of at least ninety (90) percent of the dwelling units (not including  
34 vacant units) are occupied by a low-income or low-moderate income household that  
35 includes a person who qualifies as disabled under the definition of handicapped pursuant  
36 to the Federal Fair Housing Amendment Act or a person sixty-two (62) or older, so long  
37 as the housing qualifies for exemptions from prohibitions against discrimination against  
38 families with children and against age discrimination under all applicable fair housing laws  
39 and ordinances.

40  
41                               \* \* \*

**Section 39.** Section 23.84.026 of the SMC, which Section was last amended by Ordinance 117202, is amended as follows:

23.84.026 "N."

\* \* \*

~~"Nursing home" ((means a residence, licensed by the state, which provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence. This definition excludes hospitals or sanitariums.)) See "Residential use."~~

**Section 40.** Section 23.84.032 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.84.032 "R."

\* \* \*

"Residential use" means any one (1) of the following uses:

1. "Adult family home" means a residential use as defined and licensed by the State of Washington in a dwelling unit.

2. "Artist's studio/dwelling" means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one (1) household.

3. "Caretaker's quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred (800) square feet of living area and occupied by a caretaker or watchperson.

4. "Congregate residence" means a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons (~~not constituting a single household~~), excluding single-family residences for which special or reasonable accommodation has been granted.

5. "Domestic violence shelter" means a dwelling unit managed by a nonprofit organization which provides housing at a confidential location and support services for victims of family violence.

6. "Floating home" means a dwelling unit constructed on a float, which is moored, anchored or otherwise secured in the water.

7. "Mobile home park" means a residential use in which a tract of land is rented for the use of more than one (1) mobile home occupied as a dwelling unit.

8. "Multifamily structure" means a structure or portion of a structure containing two (2) or more dwelling units.

\* \* \*

\* \* \*

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management offices, baggage handling facilities, and shops and restaurants. Metro street bus stops are not included in this definition.

7. "Personal transportation services" means a transportation facility in which either emergency transportation to hospitals, or general transportation by car, van, or limousine for a fee is provided. Such uses generally include dispatching offices and facilities for vehicle storage and maintenance.

8. "Railroad switchyard" means a transportation facility in which:

a. Rail cars and engines are serviced and repaired; and

b. Rail cars and engines are transferred between tracks and coupled to provide a new train configuration.

9. "Railroad switchyard with a mechanized hump" means a railroad switchyard which includes a mechanized classification system operating over an incline.

10. "Transit vehicle base" means a transportation facility in which a fleet of buses or light-rail cars is stored, maintained, and ~~((/or))~~ repaired.

(See also "Fleet vehicles.")

\* \* \*

**Section 42.** Section 23.84.048 of the SMC, which Section was last amended by Ordinance 117430, is amended as follows:

**23.84.048 "Z"**

\* \* \*

"Zone, commercial" means the following zones regulated by Title 23: NC1, NC2, NC3, C1 ~~((and))~~, C2 and SCM.

\* \* \*

**Section 43.** Subsection G of Section 23.86.018 of the SMC, which Section was last amended by Ordinance 118414, is amended as follows:

**23.86.018 Open space.**

Certain zones require a minimum amount of open space to be provided on the lot. For those cases where open space is required, the following provisions shall apply:

\* \* \*



1 G. In order for a ground area, roof area, deck or balcony to be considered  
2 as open space, it shall have a minimum area and provide a minimum horizontal dimension  
3 as established in each zone. In cases where the shape or configuration of the open space  
4 is irregular or unusual, the Director shall determine whether open space requirements  
5 have been met, notwithstanding the following provisions, based on whether the proposed  
6 configuration would result in open space that is truly usable for normal residential open  
7 space purposes. For the purpose of measuring the horizontal dimensions of open space,  
8 the following provisions shall apply:

9 1. For rectangular or square areas, each exterior dimension of the area  
10 shall meet the minimum dimension (Exhibit 23.86.018 A).

11 2. For irregularly shaped areas where all lines intersect at or  
12 approximately at ninety (90) degree angles, an area which is not less than sixty (60)  
13 percent of the minimum dimension in width and does not extend further than sixty (60)  
14 percent of the minimum dimension from a contiguous rectangular or square area of which  
15 all sides meet or exceed the minimum dimension, may be included as required open space  
16 (Exhibit 23.86.018 B).

17 3. For triangular areas, all exterior dimensions of the area shall meet or  
18 exceed the minimum dimensions (Exhibit 23.86.018 C).

19 4. For circular areas, the diameter of the circle shall meet the minimum  
20 dimension; for semicircular areas, the radius of the area shall meet the minimum  
21 dimension (Exhibit 23.86.018 D).

22 ~~((5. In cases where the shape of the open space is so unusual that the above~~  
23 ~~provisions cannot be applied, for example, a curvilinear shape, the Director shall~~  
24 ~~determine when open space requirements have been met.))~~

25 \* \* \*

26  
27  
28  
29 **Section 44.** Subsection F of Section 25.09.260 of the SMC, which Section was  
30 last amended by Ordinance 116976, is amended as follows:

31  
32 **25.09.260** Administrative conditional use permit to recover development credit  
33 and permit clustered development on-site in single family zones.

34 \* \* \*

35  
36  
37 **F. Clustering of Additional Dwelling Units.**

38 The Director may approve more than one dwelling unit per lot and may approve smaller  
39 than required lot sizes and yards to accommodate recovery of development credit, and to  
40 encourage larger buffers, reduce impermeable surfaces, and decrease size of affected  
41 areas. Where dwelling units are attached, they shall not exceed the height, bulk and  
42 ((building height)) other applicable development standards of the Lowrise 1 (L1) zone.

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Full development credit on-site shall not be increased beyond that permitted by the underlying single family zone.

\* \* \*

**Section 45.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

**Section 46.** 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.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
City Clerk

(SEAL)

TIME AND DATE STAMP

**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:

*Lee P. Pappas*

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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_

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PRESIDENT'S SIGNATURE

# STATE OF WASHINGTON - KING COUNTY

100155

City of Seattle, City Clerk

—ss.

No. FULL ORDINAN

## 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 119239

was published on

12/17/98

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

12/17/98

Notary Public for the State of Washington  
residing in Seattle

city and equipment, and routes of escape for inhabitants.

6. Alleys shall be at least sixteen (16) feet wide plus such additional width as shall be necessary for an adequate turning radius.

SECTION 3. Subsection A of Section 23.24.040 of the SMC, which Section was last amended by Ordinance 118414, is further amended as follows:

23.24.040 CRITERIA FOR APPROVAL.

A. The Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. Conformance to the applicable Land Use Policies and Land Use Code provisions.
2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.24.030.
3. Adequacy of drainage, water supply and sanitary sewage disposal.

4. Whether the public use and interests are served by permitting the proposed division of land.

5. Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in environmentally critical areas.

6. Conformance to the provisions of Section 23.24.045, (Townhouses) Unit Lots for the purpose of creating separate lots for the construction and transfer of title of townhouses, cottage housing, clustered housing, or single family housing.

COMPLAINT

Any person who believes that a violation of the provisions of this chapter has occurred may file a complaint with the Department of Construction.

SECTION 4. The section heading and subsection A of Section 23.24.045 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.24.045 UNIT LOT (S) SUBDIVISIONS.

A. The provisions of this subdivision apply exclusively to the unit subdivision of townhouses, cottage housing, and clustered housing (C) in Single Family Residential Small Lot and Lowrise zones, or single family residences in Lowrise zones.

SECTION 5. Subsections A and J of Section 23.44.006 of the SMC, which Section was adopted by Ordinance 177263, is amended as follows:

23.44.006 PRINCIPAL USES PERMITTED OUTRIGHT.

The following principal uses shall be permitted outright in single-family zones:

A. Single-family Dwelling Unit. One (1) single-family dwelling unit shall be permitted on a lot, except when an accessory unit is approved pursuant to Section 23.44.041, and except as approved as part of an administrative conditional use permit under SMC 25.09.250.

J. Adult Family Homes. Adult family homes, (designed) as defined and licensed by the State of Washington.

SECTION 6. Subsection B of Section 23.44.010 of the SMC, which Section was last amended by Ordinance 118414, is further amended as follows:

23.44.010 LOT REQUIREMENTS.

B. Exceptions to Minimum Lot Area. The following exceptions to minimum lot area requirements are subject to the minimum lot area requirements of its zone may be developed or redeveloped as follows:

1. In order to recognize separate buildings established in the public record under previous codes, to allow the consolidation of very small lots into larger lots, to adjust lot patterns, and to create additional buildable areas out of oversized lots which are compatible with surrounding lots, the following exceptions are permitted if the Director determines that:

- a. The lot was established as a separate building site in the public records of the county or City prior to July 24, 1957, by deed, contract of sale, mortgage, property tax segregation, platting or building permit and has an area of at least seventy-five percent (75%) of the minimum required lot area and at least eighty percent (80%) of the mean lot area of the lots in the same block face and within the same zone in which the lot is located (Exhibit 23.44.010 A); or
- b. The lot is or was created by subdivision, short subdivision or lot boundary adjustment, and is at least seventy-five percent (75%) of the minimum required lot area and is at least eighty percent (80%) of the mean lot area of the lots in the same block face and within the same zone (Exhibit 23.44.010 A); or
- c. The lot area deficit is the result of a

feet of the key lot and not abutting the front yard of the key lot, upon recording with the King County Department of Records and Elections an agreement to this effect between the owners of record of the abutting properties. Any accessory structure which is a private garage may be located in that portion of a side yard which is within thirty-five (35) feet of the either end of an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot line, without providing an agreement as provided in Section 23.44.016.

2. A single-family structure may extend into one (1) side yard if an easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a ten (10) foot separation between that structure and any principal or accessory structures on any principal or accessory structures on the abutting lot. Easements and projections such as porches, eaves, and chimneys shall be permitted in the ten (10) foot separation be permitted in the ten (10) foot separation area as if the property line were five (5) feet from the wall of the house on the dominant lot, provided that no portion of either principal structure including eaves shall cross the actual property line. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access to the normal maintenance activities to the principal structure on the lot with less than the required side yard.

3. Certain Additions. Certain additions may extend into a required yard when the existing single-family structure is already nonconforming with respect to that yard. The presently nonconforming portion must be at least sixty (60) percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, except as described below. They may extend up to the height limit and may include basement additions. New additions to the nonconforming wall or walls shall comply with the following requirements (Exhibit 23.44.014 A):

a. Side yard. When the addition is a side wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than three (3) feet to the side lot line.

b. Rear yard. When the addition is a rear wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than ten (10) feet to the rear lot line or centerline of an alley abutting the rear lot line.

c. Front yard. When the addition is a front wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than fifteen (15) feet to the front lot line.

d. When the nonconforming wall of the single-family structure is not parallel or is otherwise irregular, relative to the lot line, then the Director shall determine the limit of the wall extension, except that the wall extension shall not be located closer than specified in subsections D2a-c above.

4. Uncovered Porches. Uncovered, enclosed porches or steps may project into any required yard, provided that they are no higher than four (4) feet, on average, above existing grade, no wider than three (3) feet to any side lot line, no wider than six (6) feet and project no more than six (6) feet into required front or rear yards.

5. Special Features of a Structure. Special features of a structure may extend into required yards subject to the following standards only, unless permitted elsewhere in this chapter:

a. External architectural details with no living area, such as chimneys, eaves, porches and columns, may project no more than eighteen (18) inches into any required yard.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two (2) feet into a required front, rear, and street side yard, (and)

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen (18) inches into any required yard, starting a minimum of thirty (30) inches above finished floor, and with maximum dimensions of six (6) feet tall and eight (8) feet wide (C);

d. The combined area of features permitted in subsections D5) and c above may comprise no more than thirty (30) percent of the area of the facade.

6. Private Garages, Covered Unenclosed Decks or Roofs Over Patios in Rear Yards.

a. Any attached private garages or covered unenclosed decks or roofs over patios are portions of principal structures. They may extend into the required rear yard but shall not be within twelve (12) feet of the centerline of any alley, nor within twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5) feet to any accessory structure. The height of private garages shall meet the provisions of Section 23.44.015 D2 and the height of the roof over unenclosed decks and patios may not exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used as a deck. Any decks shall not be used as a deck. Any decks shall not be used as a deck.

12. Heat Pumps. Heat pumps and similar mechanical equipment, not including incinerators, may be permitted in required yards if the requirements of the Noise Control Ordinance, Chapter 25.08, are not violated. Any heat pump or similar equipment shall not be located within three (3) feet of any lot line.

13. Solar Collectors. Solar collectors may be located in required yards, subject to the provisions of Section 23.44.046.

14. Front Yard Projections for Structures on Lots Thirty (30) Feet or Less in Width. For a structure on a lot which is thirty (30) feet or less in width, portions of the front facade which begin eight (8) feet or more above finished grade may project up to four (4) feet into the required front yard, provided that no portion of the facade, including eaves and gutters, shall be closer than five (5) feet to the front line (Exhibit 23.44.014 B).

15. Front and rear yards may be reduced by twenty-five (25) percent, but no more than five (5) feet, if the site contains a required environmentally critical area buffer or other area of the property which can not be disturbed pursuant to subsection A of Section 25.09.230 of SMC Chapter 25.09, Regulations for Environmentally Critical Areas.

16. Arbors. Arbors may be permitted in required yards under the following conditions:

a. In each required yard, an arbor may be erected with no more than a forty (40) square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of eight (8) feet. Both the sides and the roof of the arbor must be at least fifty (50) percent open, or, if lattice-work is used, there must be a minimum opening of two (2) inches between cross-pieces.

b. In each required yard abutting a street, an arbor over a private pedestrian walkway with no more than a thirty (30) square foot footprint, measured on the horizontal roof plane and inclusive of eaves, may be erected to a maximum height of eight (8) feet. The sides of the arbor shall be at least fifty (50) percent open, or if lattice-work is used, there must be a minimum opening of two (2) inches between cross-pieces.

SECTION 8. Subsection E of Section 23.44.018 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.44.018 GENERAL PROVISIONS.

E. (Any authorized conditional use) Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or recommencement is proposed. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or
2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

SECTION 9. Subsection E of Section 23.44.022 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.44.022 INSTITUTIONS.

E. Dispersion.

1. The lot line of any proposed new or existing institution, other than child care centers located in legally established institutions, shall be located six hundred (600) feet or more from any lot line of any other institution in a residential zone, with the following exceptions:

- a. An institution may expand even though it is within six hundred (600) feet of a public school if the public school is constructed on a new site subsequent to December 12, 1990.
- b. A proposed institution may be located less than six hundred (600) feet from a lot line of another institution if the Director determines that the intent of the present criteria is achieved due to the presence of physical elements such as bodies of water, large open spaces or topographical features or other elements such as arterials.

23.45.005 DEVELOPMENT STANDARDS FOR SINGLE-FAMILY STRUCTURES.

A. Except for cottage housing developments, single family structures are subject to the development standards of the Lowrise Duplex/Triplex zone for ground-related housing that open space shall be provided in accordance with the provisions for single family structures in each zone, in (c) Section 23.45.010 of this (c) Chapter.

SECTION 14. Subsection B of 23.45.008 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.45.008 DENSITY — LOWRISE ZONES.

B. 1. Lowrise 3 and Lowrise multifamily structures for elderly or low-income disabled residents (a combination of the two) in a low-income disabled multifamily structure, operated by a public or private nonprofit corporation shall have a maximum density as follows:

Lowsrise 3 — One (1) dwelling unit per five hundred fifty (550) square feet of area.

Lowsrise 4 — One (1) dwelling unit per four hundred (400) square feet of area.

2. In order to qualify for the provisions of this subsection, a multifamily dwelling unit of the structure shall be dedicated to ten (10) or less than three (3) months.

3. The dwelling units shall be low-income elderly (or) low-income disabled multifamily structure (in the B) of the structure.

SECTION 15. Subsection E of 23.45.014 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.45.014 SETBACK REQUIREMENTS — LOWRISE ZONES.

F. Projections into Required Yards.

1. Special Features of a Structure.

a. External architectural details with no living space including chimneys, eaves, gutters, and vertical features which are located within three (3) feet in width, may project no more than eighteen (18) inches into any required setback.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two (2) feet into a required front, rear, and street side setback. In no case shall the addition be closer than five (5) feet to the side lot line.

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen (18) inches into any required yard, starting a minimum of thirty (30) inches above finished floor, and with maximum dimensions of six (6) feet tall and eight (8) feet wide (C);

d. The combined area of features permitted in subsections F1b) and c) above may comprise no more than thirty (30) percent of the area of the facade.

2. Unenclosed Decks and Roofs Over Patios in Rear Yards.

a. Any attached private garages or covered unenclosed decks or roofs over patios are portions of principal structures. They may extend into the required rear yard but shall not be within twelve (12) feet of the centerline of any alley, nor within twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5) feet to any accessory structure. The height of private garages shall meet the provisions of Section 23.44.015 D2 and the height of the roof over unenclosed decks and patios may not exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used as a deck. Any decks shall not be used as a deck.

b. Except as provided in subsection B of Section 23.45.014, unenclosed decks shall be permitted to a maximum width of eight (8) feet and shall be set back a minimum of four feet (4) from the front lot line and a minimum of five feet (5) from the rear lot line.

c. Unenclosed decks shall be permitted to a maximum width of eight (8) feet and shall be set back a minimum of four feet (4) from the front lot line and a minimum of five feet (5) from the rear lot line.

d. All permitted unenclosed decks shall be set back a minimum of four feet (4) from the front lot line and a minimum of five feet (5) from the rear lot line.

SECTION 16. Subsection E of 23.45.018 of the SMC, which Section was last amended by Ordinance 118794, is amended as follows:

23.45.018 INSTITUTIONS.

E. Dispersion.

1. The lot line of any proposed new or existing institution, other than child care centers located in legally established institutions, shall be located six hundred (600) feet or more from any lot line of any other institution in a residential zone, with the following exceptions:

- a. An institution may expand even though it is within six hundred (600) feet of a public school if the public school is constructed on a new site subsequent to December 12, 1990.
- b. A proposed institution may be located less than six hundred (600) feet from a lot line of another institution if the Director determines that the intent of the present criteria is achieved due to the presence of physical elements such as bodies of water, large open spaces or topographical features or other elements such as arterials.

City of Seattle  
ORDINANCE NO. 119230  
AN ORDINANCE relating to land use, adding Section 23.22.062, amending Sections 23.22.100, 23.24.040, 23.24.045, 23.44.006, 23.44.010, 23.44.014, 23.44.018, 23.44.022, 23.44.024, 23.44.026, 23.44.028, 23.44.030, 23.44.032, 23.44.034, 23.44.036, 23.44.038, 23.44.040, 23.44.042, 23.44.044, 23.44.046, 23.44.048, 23.44.050, 23.44.052, 23.44.054, 23.44.056, 23.44.058, 23.44.060, 23.44.062, 23.44.064, 23.44.066, 23.44.068, 23.44.070, 23.44.072, 23.44.074, 23.44.076, 23.44.078, 23.44.080, 23.44.082, 23.44.084, 23.44.086, 23.44.088, 23.44.090, 23.44.092, 23.44.094, 23.44.096, 23.44.098, 23.44.100, 23.44.102, 23.44.104, 23.44.106, 23.44.108, 23.44.110, 23.44.112, 23.44.114, 23.44.116, 23.44.118, 23.44.120, 23.44.122, 23.44.124, 23.44.126, 23.44.128, 23.44.130, 23.44.132, 23.44.134, 23.44.136, 23.44.138, 23.44.140, 23.44.142, 23.44.144, 23.44.146, 23.44.148, 23.44.150, 23.44.152, 23.44.154, 23.44.156, 23.44.158, 23.44.160, 23.44.162, 23.44.164, 23.44.166, 23.44.168, 23.44.170, 23.44.172, 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