

Ordinance No. 120611

Council Bill No. 113941

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to land use and zoning, amending Section 15.16.030, Title 15, Street and Sidewalk Use, Sections 23.32.016, 23.41.004, 23.41.012, 23.43.040, 23.45.018, 23.47.028, 23.48.032, 23.49.018, 23.49.332, 23.50.002, 23.53.020, 23.55.036, 23.66.130, 23.66.170, 23.76.006, 23.84.016, 23.84.024, 23.84.036, and Chapter 23.49, Title 23, Land Use Code, and Section 25.05.675, Title 25, Environmental Policies, to correct typographical errors and inaccurate citations, add code provisions inadvertently omitted from previously approved legislation, and clarify regulations; and repealing Section 7.16.020, an obsolete Title 7, Consumer Protection provision.

MW

10-30-01 Pass

CF No. _____

Date Introduced:	OCT 29 2001	
Date 1st Referred:	OCT 29 2001	To: (committee) Landlord/Tenant & Land Use Committee
Date Re - Referred:		To: (committee)
Date Rn - Referred:		To: (committee)
Date of Final Passage:	11-5-01	Full Council Vote: 8-0
Date Presented to Mayor:	11-6-01	Date Approved: 11/13/01
Date Returned to City Clerk:	11/14/01	Date Published: 24 pp
Date Vetted by Mayor:		T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Passed Over Veto:		Date Veto Published:
		Veto Sustained:

This file is complete and ready

L.A. Department

Law Dept. Review

The City of Seattle - Legislative Department : NICASTRO

Council Bill/Ordinance sponsored by:

[Handwritten Signature]
Councilmember

10-30-01

Committee Action:

10-30-01 Pass *(initials)* Amended 4-0 (UN)

(Handwritten mark)

FILED
CITY OF SEATTLE
01 NOV 14 AM 09:11
CITY CLERK

This file is complete and ready for presentation to Full Council. Committee: _____

(initial/date)

Law Department

(Handwritten mark)
7/11/11 loaded

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

Kd
Omnibusord2001-c
11/1/01
V#5

ORDINANCE 120611

1
2
3
4 AN ORDINANCE relating to land use and zoning, amending Section 15.16.030, Title 15,
5 Street and Sidewalk Use, Sections 23.32.016, 23.41.004, 23.41.012, 23.43.040,
6 23.45.018, 23.47.028, 23.48.032, 23.49.018, 23.49.332, 23.50.002, 23.53.020,
7 23.55.036, 23.66.130, 23.66.170, 23.76.006, 23.84.016, 23.84.024, 23.84.036, and
8 Chapter 23.49, Title 23, Land Use Code, and Section 25.05.675, Title 25,
9 Environmental Policies, to correct typographical errors and inaccurate citations, add
10 code provisions inadvertently omitted from previously approved legislation, and
11 clarify regulations; and repealing Section 7.16.020, an obsolete Title 7, Consumer
12 Protection provision.
13

14
15 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
16

17
18 Section 1. Section 7.16.020 of the Seattle Municipal Code is repealed.
19

20
21 Section 2. Section 15.16.030 of the Seattle Municipal Code, which Section was last
22 amended by Ordinance 117569, is amended as follows:
23

24 15.16.030 Notification of surrounding tenants and owners.
25

26 The Director of the Department of Design, Construction and Land Use shall provide
27 notice of receipt of an application for a sidewalk cafe permit (~~and of his or her decision to~~
28 ~~grant, deny, or condition the permit~~) in accordance with the notice provisions of the Master
29 Use Permit Process, SMC Chapter 23.76.
30

31
32 Section 3. Section 23.32.016 of the Seattle Municipal Code, which Section was
33 adopted by Ordinance 110381, is amended as follows:
34

35 23.32.016 Official Land Use Map.
36

37 ~~((Exhibit "A" to the ordinance from which this section derives is by this reference~~
38 ~~made a part of this subtitle and constitutes t))~~The Official Land Use Map of The City of
39 Seattle, Exhibit A of Ordinance 110381, is by this reference made a part of this subtitle and
40 may hereafter be amended.
41
42



Section 4. Subsections A and B of Section 23.41.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 119972, is amended as follows:

23.41.004 Applicability.

A. Design Review Required.

1. Design review is required for any new multifamily or commercial structure that exceeds SEPA thresholds if the structure:

- a. Is located in one (1) of the following zones:
 - i. Lowrise (L3, L4),
 - ii. Midrise (MR),
 - iii. Highrise (HR),
 - iv. Neighborhood Commercial (NC1, 2, 3), or
 - v. Seattle Cascade Mixed (SCM); or
- b. Is located in a Commercial (C1 or C2) zone, and
 - i. The proposed structure is located within an urban village area identified in the Seattle Comprehensive Plan, or
 - ii. The site of the proposed structure abuts or is directly across a street or alley from any lot zoned single-family, or
 - iii. The proposed structure is located in the area bounded by NE 95th Street on the south, NE 145th Street on the north, 15th Ave NE on the west, and Lake Washington on the east.

2. Design review is required for all new Major Institution structures that exceed SEPA thresholds in the zones listed in subsection A1 of this section, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Downtown design review is required for all new multifamily and commercial structures greater than or equal to the following thresholds:

DOC 1 and DOC 2 Zones

Use	Threshold
Nonresidential	50,000 square feet of gross floor area
Residential	20 dwelling units

DRC, DMC, DMR, DH1, DH2

Use	Threshold
Nonresidential	20,000 square feet of gross floor area
Residential	20 dwelling units



1
2 4. Design review is required for all new structures exceeding one
3 hundred and twenty (120) feet in width on any single street frontage in the Stadium
4 Transition Area Overlay District as shown in Exhibit 23.41.006 A.

5 5. Administrative Design Review to Protect Trees. As provided in
6 Sections 25.11.070 and 25.11.080, administrative design review (Section 23.41.016) is
7 required for new multifamily and commercial structures in Lowrise, Midrise, and
8 commercial zones when an exceptional tree, as defined in Section 25.11.020, is located on
9 the site, if design review would not otherwise be required by this subsection A.

10 ((5))6. New multifamily or commercial structures in the zones listed in
11 subsection A1 of this section, that are subject to SEPA solely as a result of the provisions of
12 Section 25.05.908, Environmentally Critical Areas, are exempt from design review.

13 B. Design Review -- Optional.

14 1. Design review is optional to any applicant for new multifamily,
15 commercial or Major Institution structures not otherwise subject to this chapter, in the
16 Stadium Transition Area Overlay District and in all multifamily, commercial or downtown
17 zones.

18 2. An administrative design review process is an option to an applicant
19 for new multifamily, or commercial structures, if the structure would not exceed SEPA
20 thresholds or as provided in subsection B3 below, in the Stadium Transition Area Overlay
21 District and in multifamily, commercial or downtown zones, according to the process
22 described in Section 23.41.016.

23 3. Administrative Design Review to Protect Trees. As provided in
24 Sections 25.11.070 and 25.11.080, an administrative design review process (Section
25 23.41.016) is an option to an applicant for new multifamily and commercial structures in
26 Lowrise, Midrise, and commercial zones to protect a tree over two (2) feet in diameter
27 measured four and one-half (4 ½) feet above the ground, even when the project exceeds
28 SEPA thresholds but design review would not otherwise be required by Subsection A,
29 above.

30 * * *

31
32
33
34 **Section 5.** Subsection B of Section 23.41.012 of the Seattle Municipal Code, which
35 Section was last amended by Ordinance 120447, is amended as follows:

36
37 **23.41.012 Development standards departures.**

38 * * *

39
40
41 B. Departures may be granted from the following requirements:

- 42 1. Structure width and depth limits;
43 2. Setback requirements;



- 1
- 2
- 3 facade provisions;
- 4
- 5
- 6
- 7
- 8
- 9 use buildings;
- 10
- 11 3. Modulation requirements;
- 12 4. SCM zone facade requirements, including transparency and blank
- 13
- 14 5. Design, location on the lot and access to parking requirements;
- 15 6. Open space or common recreation area requirements;
- 16 7. Lot coverage limits;
- 17 8. Screening and landscaping requirements;
- 18 9. Standards for the location and design of nonresidential uses in mixed
- 19
- 20
- 21 10. Within Urban Centers, in L3 zones only, the pitched roof of a
- 22 structure, as provided in Section 23.45.009 C, may incorporate additional height of up to
- 23 twenty (20) percent of the maximum height permitted, as provided in Section 23.45.009 A,
- 24 subject to the following limitations:
- 25 a. A pitched roof may not incorporate the additional height if the
- 26 structure is on a lot abutting or across a street or alley from a single- family residential zone,
- 27 b. The proposed structure must be compatible with the general
- 28 development potential anticipated within the zone,
- 29 c. The additional height must not substantially interfere with
- 30 views from up-slope properties, and
- 31 d. No more than one (1) project on one (1) site within each
- 32 Urban Center may incorporate additional height in the pitched roofs of its structures
- 33 pursuant to this subsection unless development regulations enacted pursuant to a
- 34 neighborhood planning process allow other projects to incorporate such additional height;
- 35 11. Building height within the Roosevelt Commercial Core, up to an
- 36 additional three (3) feet, for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt
- 37 Commercial Core);
- 38 12. Building height within the Ballard Municipal Center master plan area,
- 39 for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan
- 40 Area). The additional height may not exceed nine (9) feet and may be granted only for
- 41 townhouses that front a mid-block pedestrian connection or a park identified in the Ballard
- 42 Municipal Center Master Plan;
13. Reduction in required parking for ground level retail uses that abut
- established mid-block pedestrian connections through private property as identified in the
- "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement
- must be no less than the required parking for Pedestrian 1 designated areas shown in Section
- 23.47.044, Chart E;
14. Downtown or Stadium Transition Overlay District street facade
- requirements;
15. Downtown upper-level development standards;
16. Downtown coverage and floor size limits;
17. Downtown maximum wall dimensions;
18. Downtown street level use requirements;



1 19. Combined coverage of all rooftop features in downtown zones subject
2 to the limitations in Section 23.49.008 C2;

3 20. Certain conditions to allowance of additional height in DOC 1 and
4 DOC 2 zones pursuant to subsection 23.49.008A 2, as follows:

5 a. Limits on gross floor area of stories under subsection
6 23.49.008 A2a(2); and

7 b. Percentages of lot area that must be occupied by open space or
8 by structures no greater than thirty-five (35) feet in height, under subsection 23.49.008
9 A2b(1); ~~(and)~~

10 21. Building height in Lowrise zones, and parking standards of Section
11 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in
12 Chapter 25.11; and

13 22. Downtown view corridor and Downtown Green Street requirements
14 to allow open railings on upper level roof decks or rooftop open space to project into the
15 required view corridor or Green Street setback, provided such railings are determined to
16 have a minimal impact on views and meet the requirements of the Building Code.

17
18 * * *

19
20
21 **Section 6.** Subsection A of Section 23.43.040 of the Seattle Municipal Code, which
22 Section was adopted by Ordinance 117430, is amended as follows:

23
24 **23.43.040 Accessory uses and structures.**

25
26 A. Accessory structures shall be permitted in the RSL zone under the following
27 conditions:

28 1. New garages shall be subject to the following yard and setback
29 requirements:

30 a. ~~((e)f)~~ Section 23.43.008D when accessory to one (1) detached
31 structure per lot~~((s))~~;

32 b. ~~((e)f)~~ Section 23.43.010C when accessory to tandem
33 houses~~((s))~~; and

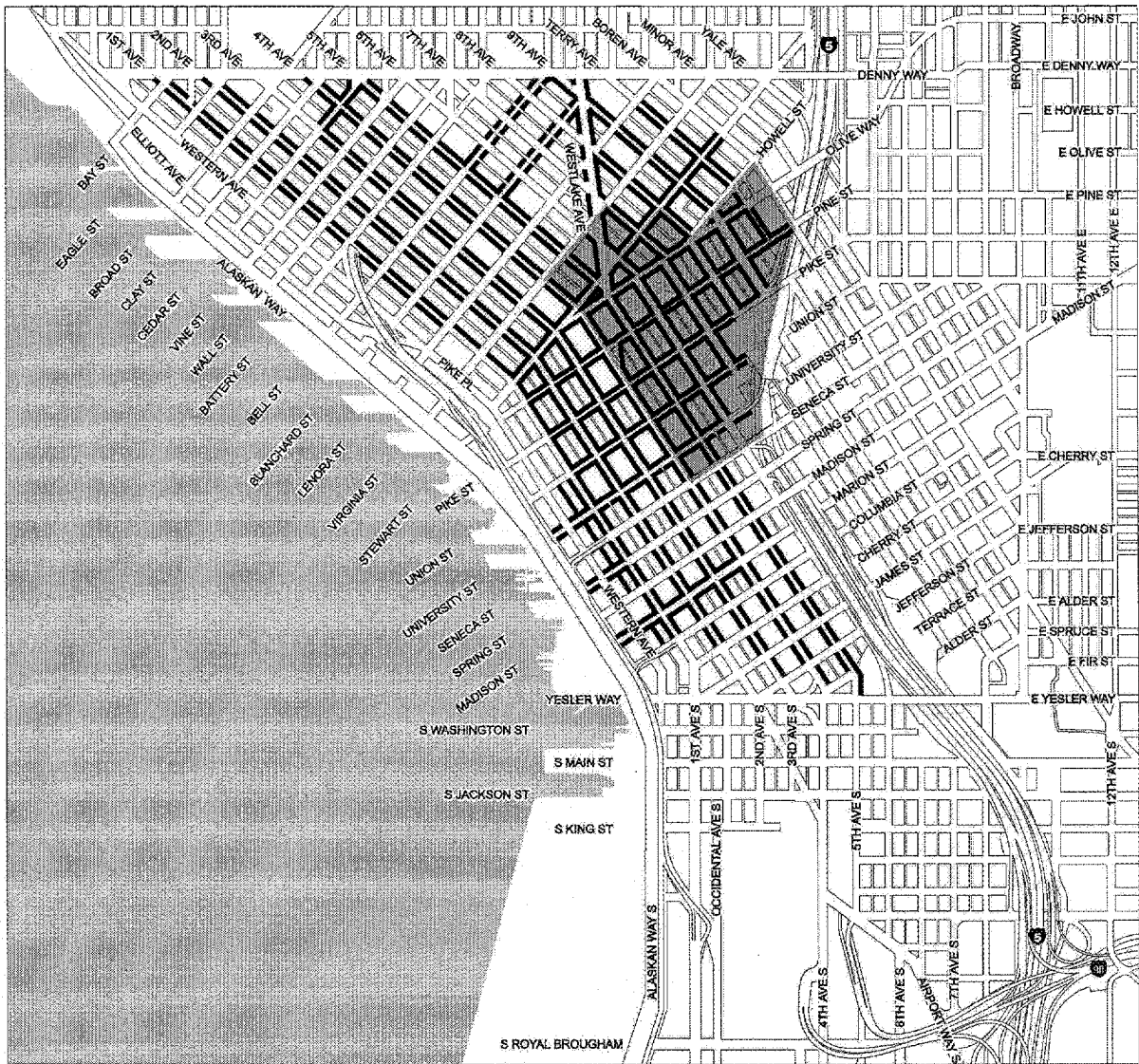
34 c. ~~((e)f)~~ Section 23.43.0~~((40))~~12E when accessory to cottage
35 housing.


36 2. When converted to principal use in tandem house developments,
37 garages shall be subject to the development standards for tandem house principal structures.


38 3. Garages shall be limited to a height of twelve feet (12') as measured
39 on the facade containing the entrance for the vehicle.

40 4. Accessory structures other than garages shall also be limited to twelve
41 feet (12') in height.

42
43 * * *



 Area where Short-term Parking is an eligible Public Benefit Feature

 Retail sales and service uses and entertainment uses are eligible Public Benefit Features



0 2 4 6 8 10
 SCALE IN 100 FEET

Map 1N
Downtown Zones

Retail and Short-term Parking Public Amenity Features

© 2008 City of Seattle

All rights reserved. No warranties of any sort, including accuracy, fitness or merchantability accompany this product.



1
2
3 **Section 11.** Subsection A of Section 23.49.018 of the Seattle Municipal Code,
4 which Section was last amended by Ordinance 118409, is amended as follows:
5

6 **23.49.018 Standards for location of parking.**
7

8 A. Curbcut Location.

9 1. When a lot abuts more than one (1) right-of-way, the location of
10 access shall be determined by the Director after consulting with the Director of
11 Transportation. Except as provided in subsection A3, the location of access shall be
12 determined by the classification of rights-of-way on Map IB¹ and the ranking of the
13 classification below, from most to least preferred:

14 a. Alley -- if of sufficient width to accommodate anticipated
15 uses;

16 b. Access street;

17 c. Class II pedestrian street -- Minor arterial;

18 d. Class II pedestrian street -- Principal arterial;

19 e. Class I pedestrian street -- Minor arterial;

20 f. Class I pedestrian street -- Principal arterial;

21 g. Principal transit street.

22 2. Curbcut controls on ((~~street parks~~)) Green Streets shall be evaluated
23 on a case-by-case basis, but generally access from ((~~street parks~~)) Green Streets shall not be
24 allowed.

25 3. The Director, after consulting with the Director of Transportation,
26 shall also determine whether the location of the access will expedite the movement of
27 vehicles, facilitate a smooth flow of traffic, avoid the on- street queuing of vehicles, enhance
28 vehicular safety and pedestrian comfort, and will not create a hazard.
29

30 * * *

31
32
33 **Section 12.** Subsections A, C and E of Section 23.49.332 of the Seattle Municipal
34 Code, which Section was last amended by Ordinance 118409, is amended as follows:
35

36 **23.49.332 Downtown Harborfront 2, street façade requirements.**
37

38 A. Minimum Facade Height.

39 1. Minimum facade height shall be as described in the chart below, and
40 as shown in Exhibit 23.49.332 A, but the minimum facade heights shall not apply when all
41 portions of the structure are lower than the elevation of the required minimum facade height
42 listed below.
43



((Street Parks)) Green Streets

Class II Pedestrian Streets

Minimum Façade* Height

Minimum Façade* Height

25 feet

15 feet

* Except as modified by view corridor requirements.

2. On designated view corridors described in Section 23.49.024, the minimum facade height shall be the required elevation of the setback when it is less than the minimum facade height required in subsection A1.

C. Facade Transparency Requirements.

1. Facade transparency requirements shall apply to the area of the facade between two (2) feet and eight (8) feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Facade transparency requirements shall not apply to portions of structures in residential use.

3. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code,² this subsection shall apply.

4. Transparency requirements shall be as follows:

a. Class II pedestrian streets and ((street parks)) Green Streets: A minimum of thirty (30) percent of the street-level facade shall be transparent.

b. When the slope of the street frontage of the façade exceeds seven and one-half (7 ½) percent, the required amount of transparency shall be reduced to twenty-two (22) percent.

E. Screening of Parking.

1. Parking located at or above street level in a garage shall be screened according to the following requirements:

a. On Class II pedestrian streets, parking shall be permitted at street level when at least thirty (30) percent of the street frontage of the parking area, excluding that portion of the frontage occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsections C and D of this section. The



1 remaining parking shall be screened from view at street level and the street facade shall be
2 enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

3 b. On ~~((street parks))~~ Green Streets, parking shall not be
4 permitted at street level unless separated from the street by other uses, provided that garage
5 doors need not be separated.

6 c. The perimeter of each floor of parking garages above street
7 level shall have an opaque screen at least three and one-half (3 ½) feet high.

8 2. Surface parking areas shall be screened and landscaped pursuant to
9 Section 23.49.020, Screening and landscaping of surface parking areas.

10 * * *

11
12
13
14 **Section 13.** Section 23.50.002 of the Seattle Municipal Code, which Section was
15 last amended by Ordinance 116295, is amended as follows:

16
17 **23.50.002 Scope of provisions.**

18
19 A. There shall be four (4) industrial classifications: General Industrial 1 (IG1),
20 General Industrial 2 (IG2), Industrial Buffer (IB), and Industrial Commercial (IC). This
21 chapter describes the authorized uses and development standards for the Industrial zones.

22 B. ~~((Industrial zones which have a Manufacturing Center Overlay on the
23 Official Land Use Map shall be subject to the use and development standards of Chapter
24 23.68 in addition to the use and development standards of this chapter.))~~

25 ~~E.))~~ In addition to the regulations in this chapter, certain industrial areas may be
26 regulated by other chapters or titles of the Seattle Municipal Code, including but not limited
27 to: Special Review Districts, Chapter 23.66; Landmark Districts, Chapter 25.12; or the
28 Seattle Shoreline District, Chapter 23.60.

29 ~~((D))~~ C. Communication utilities and accessory communication devices are regulated
30 by Chapter 23.57. Requirements for streets, alleys and easements are provided in Chapter
31 23.53. Standards for parking access and design are provided in Chapter 23.54. Signs are
32 regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86.
33 Definitions are in Chapter 23.84.

34 ~~((E))~~ D. For the purposes of this chapter, the terms "existing structures or uses" mean
35 those structures or uses which were established under permit, or for which a permit has been
36 granted and has not expired, or are substantially underway in accordance with Section
37 23.04.010D, on the effective date of the ordinance codified in this chapter¹.

38
39
40 **Section 14.** Subsection E of Section 23.53.020 of the Seattle Municipal Code, which
41 Section was last amended by Ordinance 120117, is amended as follows:
42



23.53.020 Improvement requirements for existing streets in industrial zones.

* * *

E. Exceptions.

1. Streets With Existing Curbs.

a. Streets With Right-of-way Greater Than or Equal to the Minimum Right-of-way Width. When a street with existing curbs abuts a lot, and improvements would be required by subsections B or D of this section, and the existing right-of-way is greater than or equal to the minimum width established in subsection A of this section, but the roadway width is less than the minimum established in the Street Improvement Manual, the following requirements shall be met:

- (1) All structures on the lot shall be designed to accommodate the grade of the future street improvements.
- (2) A no-protest agreement to future street improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the title to the property with the King County Department of Records and Elections.
- (3) If there is no sidewalk, a sidewalk shall be constructed, except when the following projects are proposed:
 - i. Remodeling and use changes within existing structures;
 - ii. Additions to existing structures which are exempt from environmental review.

b. Streets With Less Than the Minimum Right-of-way Width. When a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum width established in subsection A6 of this section, the following requirements shall be met:

- (1) Setback Requirement. A setback equal to half the difference between the current right-of-way width and the minimum right-of-way width established in subsection A6 of this section shall be required; provided, however, that if a setback has been provided under this provision, other lots on the block shall provide the same setback. The area of the setback may be used to meet any development standard, except that required parking may not be located in the setback. Underground structures which would not prevent the future widening and improvements of the right-of-way may be permitted in the required setback by the Director after consulting with the Director of Transportation.
- (2) Grading Requirement. When a setback is required, all structures on the lot shall be designed to accommodate the grade of the future street, according to the Street Improvement Manual.
- (3) A no-protest agreement to future street improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the title to the property with the King County Department of Records and Elections.



1 2. Projects With Reduced Improvement Requirements. The following
2 types of projects are exempt from all dedication and improvement requirements of
3 subsections B, C and D of this section, but shall meet the setback, grading and no-protest
4 requirements of subsection E1b if the street right-of-way abutting the lot has less than the
5 minimum right-of-way width established in subsection A of this section or does not meet the
6 grade of future street improvements.

- 7 a. Structures with fewer than ten (10) artist's studio dwellings;
8 b. The following uses when they are smaller than seven hundred
9 fifty (750) square feet of gross floor area: fast-food restaurants; major and minor vehicle
10 repair uses; and multipurpose convenience stores;
11 c. Nonresidential structures which have less than four thousand
12 (4,000) square feet of gross floor area and which do not contain uses listed in subsection E2b
13 of this section which are larger than seven hundred fifty (750) square feet;
14 d. Structures containing a mix of artist's studio dwellings and
15 nonresidential uses, if there are fewer than ten (10) artist's studio dwellings, and the square
16 footage of nonresidential use is less than specified in subsections E2b and E2c of this
17 section;
18 e. Remodeling and use changes within existing structures;
19 f. Additions to existing structures which are exempt from
20 environmental review; and
21 g. Expansions of a surface parking area or open storage area of
22 less than twenty (20) percent of parking area or storage area or number of parking spaces.

23 3. Exceptions From Required Street Improvement Requirements. The
24 Director may waive or modify the requirements for paving, dedication, setbacks, grading,
25 no-protest agreements, landscaping and sidewalk and pedestrian walkway installation when
26 it is determined that one (1) or more of the following conditions are met:

- 27 a. Location in an environmentally critical area, disruption of
28 existing drainage patterns, or removal of natural features such as significant trees makes
29 widening and/or improving the right-of-way impractical or undesirable.
30 b. The existence of a bridge, viaduct or structure such as a
31 substantial retaining wall makes widening the right-of-way impractical or undesirable.
32 c. Widening the right-of-way and/or improving the street would
33 adversely affect the character of the street, as it is defined in an adopted neighborhood plan
34 or adopted City plan for ((street parks)) Green Streets, boulevards, or other special right-of-
35 way, or would otherwise conflict with the stated goals of such a plan.
36 d. Widening and/or improving the right-of-way would make
37 building on a lot infeasible by reducing it to dimensions where development standards
38 cannot reasonably be met.
39 e. Widening and/or improving the right-of-way would eliminate
40 street access to an existing lot.
41 f. One (1) or more substantial principal structures on the same
42 side of the block as the proposed project are located in the area needed for future expansion



1 of the right-of-way and the structure(s)' condition and size make future widening of the
2 remainder of the right-of-way unlikely.

3 g. Widening and/or improving the right-of-way is impractical
4 because topography would preclude the use of the street for vehicular access to the lot, for
5 example due to an inability to meet the required twenty (20) percent maximum driveway
6 slope.

7 h. Widening and/or improving the right-of-way is not necessary
8 because it is adequate for current and potential pedestrian and vehicular traffic, for example,
9 due to the limited number of lots served by the development or because the development on
10 the street is at zoned capacity.

11
12
13 **Section 15.** Subsection D of Section 23.55.036 of the Seattle Municipal Code,
14 which Section was last amended by Ordinance 120388, is amended as follows:

15
16 **Section 23.55.036 Signs in IB, IC, IG1 and IG2 zones.**

17
18 * * *

19
20 **D. On-premises Signs.**

21 1. The following signs shall be permitted in addition to the signs
22 permitted by subsections D2, D3 and D4:

23 a. Electric, externally illuminated or nonilluminated signs
24 bearing the name of the occupant of a dwelling unit, not exceeding sixty-four (64) square
25 inches in area;

26 b. Memorial signs or tablets, and the names of buildings and
27 dates of building erection when cut into a masonry surface or constructed of bronze
28 noncombustible materials;

29 c. Signs for public facilities indicating danger and/or providing
30 service or safety information;

31 d. Property displayed national, state and institutional flags;

32 e. One (1) under-marquee sign which does not exceed ten (10)
33 square feet in area;

34 f. One (1) electric, externally illuminated or nonilluminated sign
35 bearing the name of a home occupation, not exceeding sixty-four (64) square inches in area.

36 2. Number and Type of Permitted Signs for Business Establishments.

37 a. Except as further restricted in subsection D5, each business
38 establishment may have one (1) ground, roof, projecting or combination sign (Type A sign)
39 for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-
40 way, except alleys.

41 b. In addition to the signs permitted by subsection D2a, each
42 business establishment may have one (1) wall, awning, canopy, marquee, or under-marquee



1 sign (Type B sign) for each thirty (30) lineal feet, or portion thereof, of frontage on public
2 rights-of-way, except alleys.

3 c. In addition to the signs permitted by subsections D2a and D2b,
4 each multiple business center and drive-in business may have one (1) pole sign for each
5 three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way,
6 except alleys. Such pole signs may be for a drive- in business or for an individual business
7 establishment located in a multiple business center, or may identify a multiple business
8 center.

9 d. Individual businesses which are not drive-in businesses and
10 which are not located in multiple business centers may have one (1) pole sign in lieu of
11 another Type A sign permitted by subsection D2a for each three hundred (300) lineal feet, or
12 portion thereof, of frontage on public rights-of-way, except alleys.

13 e. Where principal use or activity on the lot is outdoor retail
14 sales, banners and strings of pennants maintained in good condition shall be permitted in
15 addition to the signs permitted by subsections D2a, D2b and D2c.

16 3. Maximum Area. Except as provided in sub- section D5, there shall be
17 no maximum area limits for on-premises signs for business establishments.

18 4. Identification Signs for Multifamily Structures.

19 a. One (1) identification sign shall be permitted on each street or
20 alley frontage of a multifamily structure.

21 b. Identification signs may be wall, ground, awning, canopy,
22 marquee, under-marquee, or projecting signs.

23 c. The maximum area of each sign shall be seventy-two (72)
24 square feet.

25 5. Sign Height.

26 a. The maximum height for any portion of a projecting or
27 combination sign shall be sixty-five (65) feet above existing grade, or the maximum height
28 limit of the zone, whichever is less.

29 b. The maximum height limit for any portion of a pole sign shall
30 be thirty (30) feet; except for pole signs for multiple business centers and for business
31 establishments located within one hundred (100) feet of a state route right-of-way which is
32 not designated in Section 23.55.042 as a landscaped or scenic view section, which shall have
33 a maximum height of forty (40) feet.

34 c. The maximum height for any portion of a wall, marquee,
35 under-marquee, or canopy sign shall be twenty (20) feet or the height of the cornice of the
36 structure to which the sign is attached, whichever is greater.

37 d. No portion of a roof sign shall:

38 (1) Extend beyond the height limit of the zone for office
39 uses, except that spectator sports facilities with a seating capacity of forty thousand (40,000)
40 or greater and more than one (1) roof level may have up to two (2) identification signs, with
41 the vertical dimension of lettering or characters limited to twelve (12) feet and a maximum
42 total area for both signs limited to three thousand (3,000) square feet; provided, the sign
43 height does not exceed the highest roof level. One (1) additional identification sign may be



1 applied to ((the)) each surface of the highest roof level provided it does not exceed the
2 height of that roof level.

3 (2) Exceed a height above the roof in excess of the height
4 of the structure on which the sign is located; or

5 (3) Exceed a height of thirty (30) feet above the roof
6 measured from a point on the roof line directly below the sign or from the nearest adjacent
7 parapet.

8
9 * * *

10
11
12 **Section 16.** Subsection A of Section 23.66.130 of the Seattle Municipal Code,
13 which Section was last amended by Ordinance 119484, is amended as follows:

14
15 **23.66.130 Street level uses.**

16
17 A. Uses at street level in the area designated on Map ((D)) B¹ shall require the
18 approval of the Department of Neighborhoods Director after review and recommendation by
19 the Preservation Board.

20
21 * * *

22
23
24 **Section 17.** Subsection D of Section 23.66.170 of the Seattle Municipal Code,
25 which Section was last amended by Ordinance 119484, is amended as follows:

26
27 **23.66.170 Parking and access.**

28
29 * * *

30
31 **D. Standards for Location of Access to Parking.**

32 1. Access to parking and loading from alleys, and from streets which
33 generally run east/west, is preferred to access from avenues. When a lot abuts more than one
34 (1) right-of-way, the location of access shall be determined by the Department of
35 Neighborhoods Director in consultation with the Director of Transportation. This
36 determination shall be made according to the traffic classification of the street, depicted on
37 Map D.(Note 1) Access shall be from rights-of-way classified as follows, from the most to
38 least preferred, except when the Department of Neighborhoods Director, following review
39 and recommendation by the Board, determines that access from the preferred right-of-way
40 would create a hazardous condition: Alleys; Access streets; Class II pedestrian streets --
41 minor arterial; Class II pedestrian streets -- principal arterial; Class I pedestrian streets --



1 minor arterial; Class I pedestrian streets -- principal arterial; Principal transit street; ((Street
2 parks)) Green Streets.

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

5 3. The street-level location of entrances and exits of all parking garages,
6 where permitted, shall be permitted only if approved by the Department of Neighborhoods
7 Director after review and recommendation by the Preservation Board. View-obscuring
8 screening may be required as needed to reduce adverse visual impacts on the immediate
9 area.

10
11
12 **Section 18.** Subsection B of Section 23.76.006, which Section was last amended by
13 Ordinance 119974 and Council Bill 113818 (if Council Bill 113818 is approved by Council
14 and signed by the Mayor), are amended as follows:

15
16 **23.76.006 Master Use Permits required.**

17
18 * * *

19
20 B. The following decisions are Type I:

21 1. Determination that a proposal complies with development standards;
22 2. Establishment or change of use for uses permitted outright, temporary
23 uses for four (4) weeks or less not otherwise permitted in the zone, and temporary relocation
24 of police and fire stations for twelve (12) months or less;

25 3. The following street use approvals associated with a development
26 proposal:

27 a. Curb cut for access to parking,
28 b. Concept approval of street improvements, such as additional
29 on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and
30 paving,

31 c. Sidewalk cafes((;)) provided that Type II notice of application
32 procedures shall be followed ((for sidewalk cafe approvals)),

33 d. Structural building overhangs,

34 e. Areaways;

35 4. Lot boundary adjustments;

36 5. Modification of the following features bonused under Title 24:

37 a. Plazas,

38 b. Shopping plazas,

39 c. Arcades,

40 d. Shopping arcades,

41 e. Voluntary building setbacks;

42 6. Determinations of Significance (determination that an environmental
43 impact statement is required) for Master Use Permits and for building, demolition, grading



1 and other construction permits (supplemental procedures for environmental review are
2 established in Chapter 25.05, Environmental Policies and Procedures), except for
3 Determinations of Significance based solely on historic and cultural preservation;

4 7. Discretionary exceptions for certain business signs authorized by
5 Section 23.55.042 D;

6 8. Waiver or modification of required right-of-way improvements;

7 9. Special accommodation pursuant to Section 23.44.015;

8 10. Reasonable accommodation; and

9 11. Minor amendment to Major Phased Development Permit.

10
11
12 **Section 19.** Section 23.84.016 of the Seattle Municipal Code, which Section was
13 last amended by Ordinance 120117, is amended as follows:

14
15 **23.84.016 "H"**

16
17 * * *

18
19 "Hazardous materials" means substances that are capable of posing ((severe)) risk to
20 health, safety or property as defined in the Seattle Fire Code. ((("Hazardous materials" are
21 categorized into three (3) groups based on the degree of danger posed by their use, as
22 follows:

23 "Group A hazardous materials" means substances that generally pose
24 physical hazards such as explosion or which are highly toxic. "Group A hazardous
25 materials" shall include but not be limited to the following:

26 —Explosives and blasting agents (except Class C explosives as
27 defined by the Fire Code);(Note 1)

28 —Reactive materials (includes alkali metals, metallic carbides,
29 metallic hydrides, organometallic compounds, and other similar substances). Those
30 materials that are rated with a reactivity (instability) rating of three (3) or four (4) when
31 rated in accordance with Uniform Fire Code Standard 79-3 are considered reactive
32 materials. Combinations of materials listed in NFPA Standard 491M—Manual of
33 Hazardous Chemical Reactions, are considered reactive materials.

34 —Unstable materials (materials with a reactivity rating of three (3) or
35 four (4) in accordance with Uniform Fire Code Standard 79-3); materials that vigorously
36 decompose; materials that vigorously polymerize; and peroxide-forming chemicals.

37 —Radioactive materials (common radiation source materials), except
38 those used in medical and industrial test and measuring situations.

39 —Oxidizers—Class Three (3) or Four (4) from NFPA Standard No.
40 43A as follows:

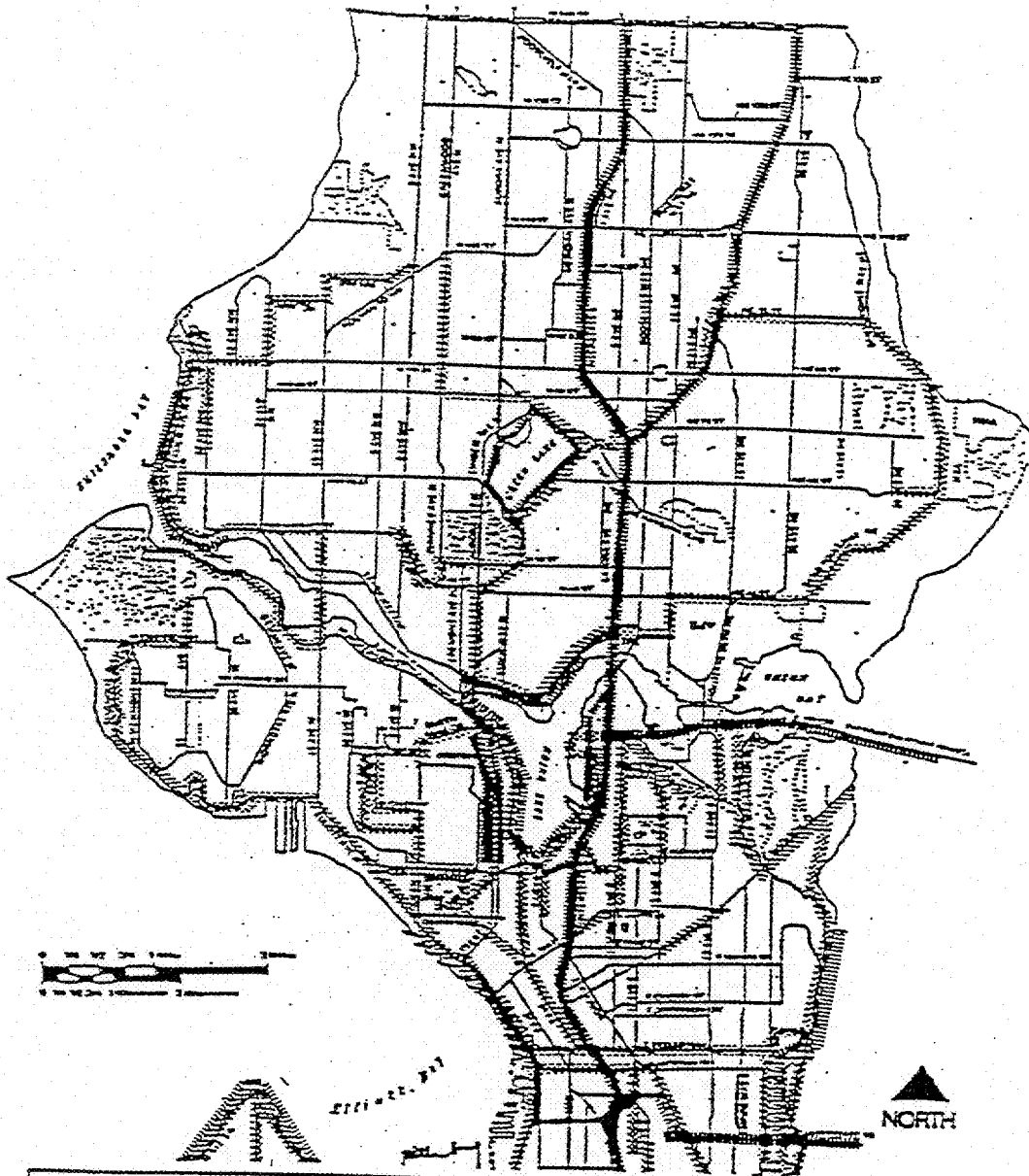
41 —Class Three (3)—an oxidizing material that will cause a severe
42 increase in the burning rate of combustible material with which it comes in contact;




1 —Class Four (4)—an oxidizing material that can undergo an
2 explosive reaction when catalyzed or exposed to heat, shock or friction;
3 —Highly toxic materials including Class A poisons, as defined by the
4 Fire Code(Note 1)—etiologic and biological agents that cause disease or abnormal
5 conditions, carcinogens, mutagens and teratogens.
6 —Corrosive, highly toxic or poisonous, and unstable gases.
7 "Group B hazardous materials" means substances that generally are either
8 flammable or corrosive. "Group B hazardous material" shall include, but not be limited to,
9 the following:
10 —Class C explosives as defined by the Fire Code;(Note 1)
11 —Class B poisons as defined by the Fire Code(Note 1);
12 —Class I A and I B flammable liquids as defined by the Fire
13 Code:(Note 1)
14 —Class I A shall include those having flashpoints below seventy-
15 three (73) degrees Fahrenheit and having a boiling point below one hundred (100) degrees
16 Fahrenheit;
17 —Class I B shall include those having flashpoints below seventy-
18 three (73) degrees Fahrenheit and having a boiling point at or above one hundred (100)
19 degrees Fahrenheit.
20 —Flammable Solids—organic and inorganic solids, and combustible
21 metals.
22 —Oxidizing Materials—Class One (1) and Two (2) as listed in NFPA
23 Standard No. 43A, as follows:
24 —Class One (1)—An oxidizing material whose primary hazard is that
25 it may increase the burning rate of combustible material with which it comes in contact;
26 —Class Two (2)—An oxidizing material that will moderately
27 increase the burning rate or which may cause spontaneous ignition of combustible material
28 with which it comes in contact.
29 —Flammable and oxidizing gases.
30 —Corrosives—acids, bases, and other corrosives.
31 "Group C hazardous materials" means the following listed materials and
32 other similar substances which may present severe risk to health, safety or property but
33 which are generally more common and present less severe hazards than Group A and B
34 materials:
35 —Class I C flammable liquids as defined in the Fire Code(Note 1)
36 (flashpoints below one hundred (100) degrees Fahrenheit;
37 —Combustible liquids—Class II and III as defined in the Fire
38 Code(Note 1) as follows:
39 —Class II liquids include those having flashpoints at or about one
40 hundred (100) degrees Fahrenheit and below one hundred forty (140) degrees Fahrenheit;
41 —Class III A liquids include those having flashpoints at or above one
42 hundred forty (140) degrees Fahrenheit and below two hundred (200) degrees Fahrenheit.
43 —Inert or chemically unreactive, and liquified gases.



Kd
Omnibusord2001-c
11/1/01
V#5



LEGEND

 Scenic routes described by Seattle Engineering Department Traffic Division map and designated by Ordinance (1977-1) 97025.


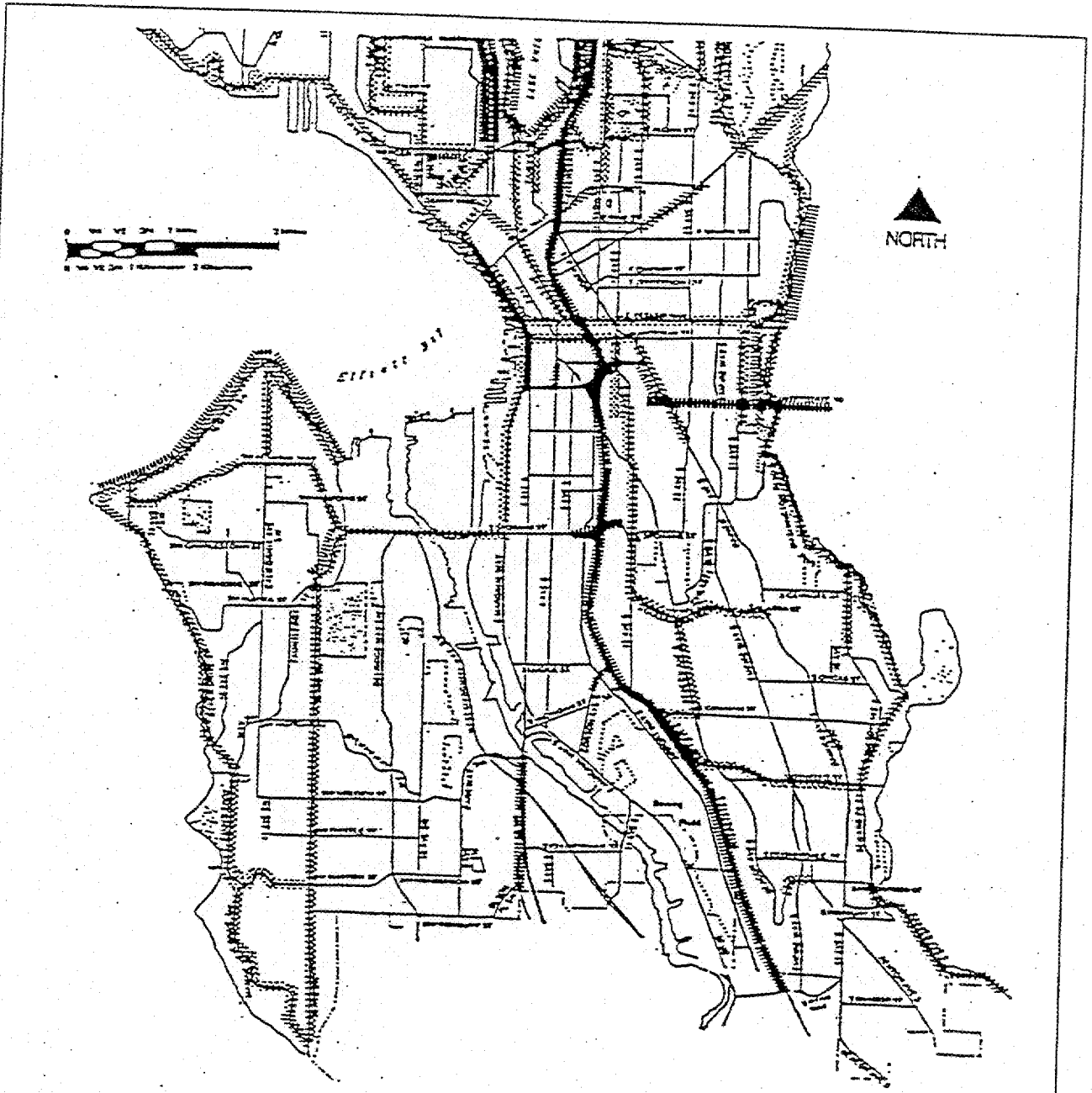
 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation.


EXHIBIT 1—SEPA SCENIC ROUTES MAP
NORTH SEATTLE



Kd
Omnibusord2001-c
11/1/01
V#5



LEGEND

 Scenic routes described by Seattle Engineering Department, Traffic Division map and designated by Ordinance (97027) 97025.


 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation.

EXHIBIT 1—SEPA SCENIC ROUTES MAP
SOUTH SEATTLE



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Section 23. 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 24. 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 5th day of November, 2001, and signed by me in open session in authentication of its passage this 5th day of November, 2001.

Margaret Rogers
President of the City Council

Approved by me this 13th day of NOVEMBER, 2001.

Paul Schell
Paul Schell, Mayor

Filed by me this 14th day of November, 2001.

Judith E. Appin
City Clerk

(SEAL)





City of Seattle

Paul Schell, Mayor

Department of Design, Construction and Land Use
R. F. Krochalis, Director

MEMORANDUM

TO: Margaret Pageler, City Council President, via
Margaret Klockars, Law Department

FROM: Rick Krochalis, Director *RK*

DATE: October 11, 2001 *MS*

SUBJECT: Proposed Omnibus Code Amendments

Transmittal

With this memorandum we are transmitting for City Council consideration proposed Omnibus code amendments to Seattle Municipal Code Title 7, Consumer Protection, Title 15, Street and Sidewalk Use, Title 23, Land Use Code, Chapter 23.60, Seattle Shoreline Master Program (under the authority of RCW 90.58), and Chapter 25.05, SEPA (State Environmental Policy Act) Ordinance, as part of the department's commitment to regulatory reform through its omnibus code amendment cycle.

Background

This process is consistent with Council Resolution #29316 adopted on March 18, 1996, in which the City Council directed DCLU to establish an on-going process for code maintenance and consideration of further regulatory reform measures.

Generally, amendments in this proposed omnibus code amendment package fall into two categories. First, there are those "clean-up" amendments which correct inadvertent clerical or typographical errors, incorrect cross-references, clarify existing code provisions and the like. The second type of amendments are intended to address substantive regulatory reform issues but their nature and/or breadth of application does not warrant an individual amendment process. The need for the proposed amendments has been identified by citizens, elected officials and City staff.



SEPA Environmental Review Determination

DCLU has completed environmental review and issued a Determination of Non-Significance (no environmental impact statement required) on September 27, 2001. The appeal period runs through October 18, 2001; no appeals have been received as of the date of this memorandum.

Public Hearing Scheduled

A public hearing on the proposed legislation is scheduled before the Seattle City Council Landlord/Tenant and Land Use Committee on Tuesday, October 30, 2001, at 9:30 a.m.

Non-Financial Legislation

The proposed legislation has no financial implications.

If you have any questions about the proposed legislation, please contact Ken Davis of my staff by email at ken.davis@ci.seattle.wa.us or by phone at (206) 233-3884.

Attachments: Director's Report
Ordinance Correcting Typographical Errors and Clarifying Regulations
Ordinance Making Minor Amendments
Ordinance Amending the Shoreline Master Program

kd
omnibus2001-tm
10/11/01



ORDINANCE _____

1
2
3
4 AN **ORDINANCE** relating to land use and zoning, amending Section 15.16.030, Title 15,
5 Street and Sidewalk Use, Sections 23.32.016, 23.41.004, 23.41.012, 23.43.040,
6 23.45.018, 23.47.028, 23.48.032, 23.49.018, 23.49.332, 23.50.002, 23.53.020,
7 23.55.036, 23.66.130, 23.66.170, 23.76.006, 23.84.016, 23.84.024, 23.84.036, and
8 Chapter 23.49, Title 23, Land Use Code, and Section 25.05.675, Title 25,
9 Environmental Policies, to correct typographical errors and inaccurate citations, add
10 code provisions inadvertently omitted from previously approved legislation, and
11 clarify regulations; and repealing Section 7.16.020, an obsolete Title 7, Consumer
12 Protection provision.

13
14
15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

16
17
18 **Section 1.** Section 7.16.020 of the Seattle Municipal Code is repealed.

19
20
21 **Section 2.** Section 15.16.030 of the Seattle Municipal Code, which Section was last
22 amended by Ordinance 117569, is amended as follows:

23
24 **15.16.030 Notification of surrounding tenants and owners.**

25
26 The Director of the Department of Design, Construction and Land Use shall provide
27 notice of receipt of an application for a sidewalk cafe permit ~~((and of his or her decision to~~
28 ~~grant, deny, or condition the permit))~~ in accordance with the notice provisions of the Master
29 Use Permit Process, SMC Chapter 23.76.

30
31
32 **Section 3.** Section 23.32.016 of the Seattle Municipal Code, which Section was
33 adopted by Ordinance 110381, is amended as follows:

34
35 **23.32.016 Official Land Use Map.**

36
37 ~~((Exhibit "A" to the ordinance from which this section derives is by this reference~~
38 ~~made a part of this subtitle and constitutes t))~~ The Official Land Use Map of The City of
39 Seattle, Exhibit A of Ordinance 110381, is by this reference made a part of this subtitle and
40 may hereafter be amended.
41
42



Section 4. Subsections A and B of Section 23.41.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 119972, is amended as follows:

23.41.004 Applicability.

A. Design Review Required.

1. Design review is required for any new multifamily or commercial structure that exceeds SEPA thresholds if the structure:

a. Is located in one (1) of the following zones:

- i. Lowrise (L3, L4),
- ii. Midrise (MR),
- iii. Highrise (HR),
- iv. Neighborhood Commercial (NC1, 2, 3), or
- v. Seattle Cascade Mixed (SCM); or

b. Is located in a Commercial (C1 or C2) zone, and

- i. The proposed structure is located within an urban village area identified in the Seattle Comprehensive Plan, or
- ii. The site of the proposed structure abuts or is directly across a street or alley from any lot zoned single-family, or
- iii. The proposed structure is located in the area bounded by NE 95th Street on the south, NE 145th Street on the north, 15th Ave NE on the west, and Lake Washington on the east.

2. Design review is required for all new Major Institution structures that exceed SEPA thresholds in the zones listed in subsection A1 of this section, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Downtown design review is required for all new multifamily and commercial structures greater than or equal to the following thresholds:

DOC 1 and DOC 2 Zones

Use	Threshold
Nonresidential	50,000 square feet of gross floor area
Residential	20 dwelling units

DRC, DMC, DMR, DH1, DH2

Use	Threshold
Nonresidential	20,000 square feet of gross floor area
Residential	20 dwelling units



1
2 4. Design review is required for all new structures exceeding one
3 hundred and twenty (120) feet in width on any single street frontage in the Stadium
4 Transition Area Overlay District as shown in Exhibit 23.41.006 A.

5 5. Administrative Design Review to Protect Trees. As provided in
6 Sections 25.11.070 and 25.11.080, administrative design review (Section 23.41.016) is
7 required for new multifamily and commercial structures in Lowrise, Midrise, and
8 commercial zones when an exceptional tree, as defined in Section 25.11.020, is located on
9 the site, if design review would not otherwise be required by this subsection A.

10 ((5))6. New multifamily or commercial structures in the zones listed in
11 subsection A1 of this section, that are subject to SEPA solely as a result of the provisions of
12 Section 25.05.908, Environmentally Critical Areas, are exempt from design review.

13 B. Design Review -- Optional.

14 1. Design review is optional to any applicant for new multifamily,
15 commercial or Major Institution structures not otherwise subject to this chapter, in the
16 Stadium Transition Area Overlay District and in all multifamily, commercial or downtown
17 zones.

18 2. An administrative design review process is an option to an applicant
19 for new multifamily, or commercial structures, if the structure would not exceed SEPA
20 thresholds or as provided in subsection B3 below, in the Stadium Transition Area Overlay
21 District and in multifamily, commercial or downtown zones, according to the process
22 described in Section 23.41.016.

23 3. Administrative Design Review to Protect Trees. As provided in
24 Sections 25.11.070 and 25.11.080, an administrative design review process (Section
25 23.41.016) is an option to an applicant for new multifamily and commercial structures in
26 Lowrise, Midrise, and commercial zones to protect a tree over two (2) feet in diameter
27 measured four and one-half (4 ½) feet above the ground, even when the project exceeds
28 SEPA thresholds but design review would not otherwise be required by Subsection A,
29 above.

30
31 * * *

32
33
34 **Section 5.** Subsection B of Section 23.41.012 of the Seattle Municipal Code, which
35 Section was last amended by Ordinance 120447, is amended as follows:

36
37 **23.41.012 Development standards departures.**

38 * * *

39 B. Departures may be granted from the following requirements:

- 40
41
42 1. Structure width and depth limits;
43 2. Setback requirements;



- 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
 - 8
 - 9
 - 10
 - 11
 - 12
 - 13
 - 14
 - 15
 - 16
 - 17
 - 18
 - 19
 - 20
 - 21
 - 22
 - 23
 - 24
 - 25
 - 26
 - 27
 - 28
 - 29
 - 30
 - 31
 - 32
 - 33
 - 34
 - 35
 - 36
 - 37
 - 38
 - 39
 - 40
 - 41
 - 42
3. Modulation requirements;
 4. SCM zone facade requirements, including transparency and blank facade provisions;
 5. Design, location on the lot and access to parking requirements;
 6. Open space or common recreation area requirements;
 7. Lot coverage limits;
 8. Screening and landscaping requirements;
 9. Standards for the location and design of nonresidential uses in mixed use buildings;
 10. Within Urban Centers, in L3 zones only, the pitched roof of a structure, as provided in Section 23.45.009 C, may incorporate additional height of up to twenty (20) percent of the maximum height permitted, as provided in Section 23.45.009 A, subject to the following limitations:
 - a. A pitched roof may not incorporate the additional height if the structure is on a lot abutting or across a street or alley from a single-family residential zone,
 - b. The proposed structure must be compatible with the general development potential anticipated within the zone,
 - c. The additional height must not substantially interfere with views from up-slope properties, and
 - d. No more than one (1) project on one (1) site within each Urban Center may incorporate additional height in the pitched roofs of its structures pursuant to this subsection unless development regulations enacted pursuant to a neighborhood planning process allow other projects to incorporate such additional height;
 11. Building height within the Roosevelt Commercial Core, up to an additional three (3) feet, for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt Commercial Core);
 12. Building height within the Ballard Municipal Center master plan area, for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan Area). The additional height may not exceed nine (9) feet and may be granted only for townhouses that front a mid-block pedestrian connection or a park identified in the Ballard Municipal Center Master Plan;
 13. Reduction in required parking for ground level retail uses that abut established mid-block pedestrian connections through private property as identified in the "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement must be no less than the required parking for Pedestrian 1 designated areas shown in Section 23.47.044, Chart E;
 14. Downtown or Stadium Transition Overlay District street facade requirements;
 15. Downtown upper-level development standards;
 16. Downtown coverage and floor size limits;
 17. Downtown maximum wall dimensions;
 18. Downtown street level use requirements;



1 19. Combined coverage of all rooftop features in downtown zones subject
2 to the limitations in Section 23.49.008 C2;

3 20. Certain conditions to allowance of additional height in DOC 1 and
4 DOC 2 zones pursuant to subsection 23.49.008A 2, as follows:

5 a. Limits on gross floor area of stories under subsection
6 23.49.008 A2a(2); and

7 b. Percentages of lot area that must be occupied by open space or
8 by structures no greater than thirty-five (35) feet in height, under subsection 23.49.008
9 A2b(1); ~~((and))~~

10 21. Building height in Lowrise zones, and parking standards of Section
11 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in
12 Chapter 25.11; and

13 22. Downtown view corridor and Downtown Green Street requirements
14 to allow open railings on upper level roof decks or rooftop open space to project into the
15 required view corridor or Green Street setback, provided such railings are determined to
16 have a minimal impact on views and meet the requirements of the Building Code.

17 * * *

18
19
20
21 **Section 6.** Subsection A of Section 23.43.040 of the Seattle Municipal Code, which
22 Section was adopted by Ordinance 117430, is amended as follows:

23
24 **23.43.040 Accessory uses and structures.**

25
26 A. Accessory structures shall be permitted in the RSL zone under the following
27 conditions:

28 1. New garages shall be subject to the following yard and setback
29 requirements;

30 a. ~~((ef))~~ Section 23.43.008D when accessory to one (1) detached
31 structure per lot~~((:));~~

32 b. ~~((ef))~~ Section 23.43.010C when accessory to tandem
33 houses~~((:));~~ and

34 c. ~~((ef))~~ Section 23.43.0~~((40))~~12E when accessory to cottage
35 housing.

36 2. When converted to principal use in tandem house developments,
37 garages shall be subject to the development standards for tandem house principal structures.

38 3. Garages shall be limited to a height of twelve feet (12') as measured
39 on the facade containing the entrance for the vehicle.

40 4. Accessory structures other than garages shall also be limited to twelve
41 feet (12') in height.

42 * * *



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

23.47.028 Standards for drive-in businesses.

* * *

C. If the drive-in bank or car wash is located along either a principal arterial, a minor arterial, or along a street with only one (1) lane for moving traffic in each direction, the Director shall determine, after consulting with ~~((the Seattle Engineering Department))~~ Seattle Transportation whether additional queuing spaces are necessary or whether access should be restricted. The Director may for the purpose of environmental mitigation restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

1. Banks with one (1) or two (2) drive-in lanes, eight (8) spaces per lane;
2. Banks with three (3) or more drive-in lanes, six (6) spaces per lane;
3. Car washes, twenty (20) spaces per lane.

* * *

Section 9. Subsection B of Section 23.48.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 119715, is amended as follows:

23.48.032 Required parking and loading.

* * *

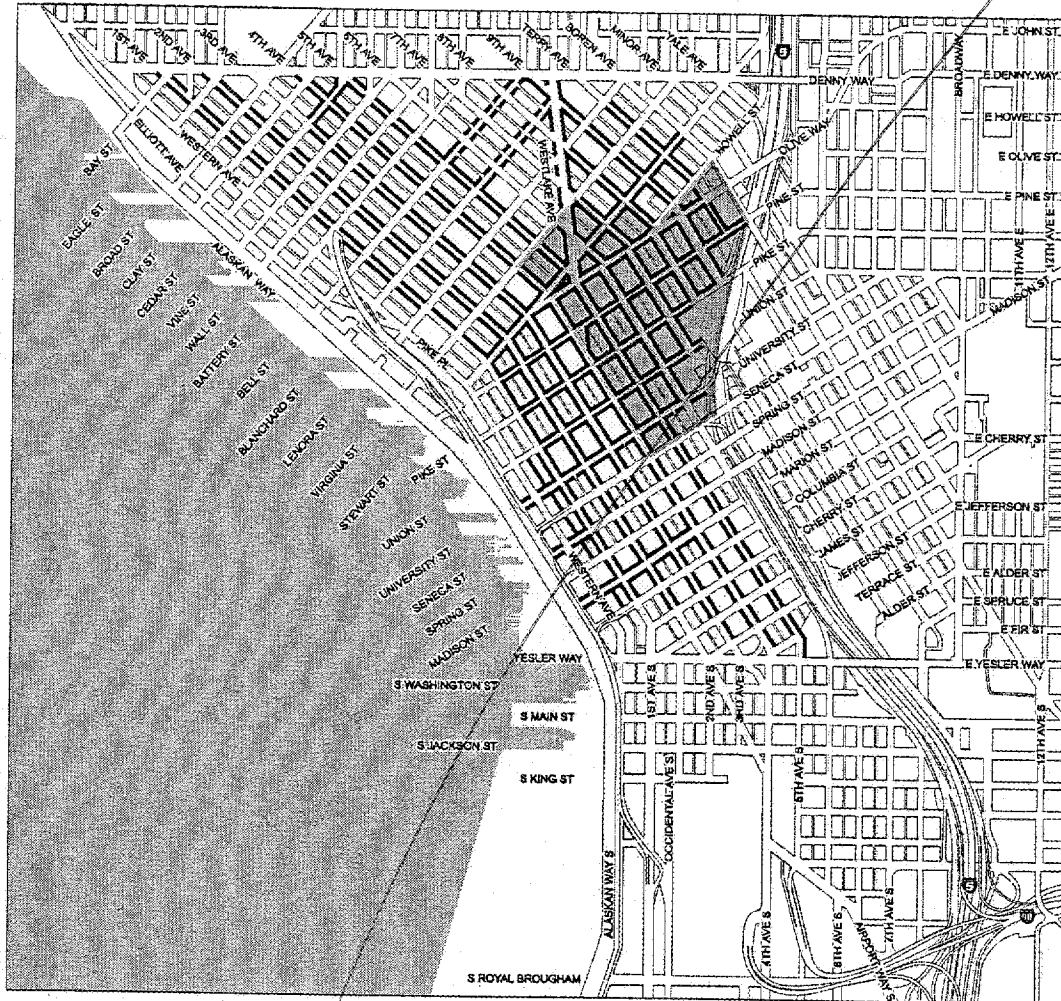
B. Residential uses shall be required to provide one (1) off-street parking space per unit, except for low-income elderly/low-income disabled multifamily structures where the number of off-street parking spaces will be determined according to the requirements of Section 23.54.015, Required parking.



* * *

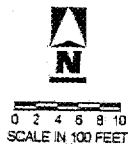
Section 10. Map 1N, Retail and Short-term Parking Amenity Features, of Chapter 23.49, adopted by Ordinance 120443, is repealed and replaced with the following revised Map 1N:



1



-  Area where Short-term Parking is an eligible Public Benefit Feature
-  Retail sales and service uses and entertainment uses are eligible Public Benefit Features



Retail and Short-term Parking
 Public Amenity Features

© 2000 City of Seattle
 All rights reserved. No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map 1N
 Downtown
 Zones

2
 3
 4



1
2
3 **Section 11.** Subsection A of Section 23.49.018 of the Seattle Municipal Code,
4 which Section was last amended by Ordinance 118409, is amended as follows:
5

6 **23.49.018 Standards for location of parking.**
7

8 A. Curbcut Location.

9 1. When a lot abuts more than one (1) right-of-way, the location of
10 access shall be determined by the Director after consulting with the Director of
11 Transportation. Except as provided in subsection A3, the location of access shall be
12 determined by the classification of rights-of-way on Map IB¹ and the ranking of the
13 classification below, from most to least preferred:

14 a. Alley -- if of sufficient width to accommodate anticipated
15 uses;

16 b. Access street;

17 c. Class II pedestrian street -- Minor arterial;

18 d. Class II pedestrian street -- Principal arterial;

19 e. Class I pedestrian street -- Minor arterial;

20 f. Class I pedestrian street -- Principal arterial;

21 g. Principal transit street.

22 2. Curbcut controls on ~~((street parks))~~ Green Streets shall be evaluated
23 on a case-by-case basis, but generally access from ~~((street parks))~~ Green Streets shall not be
24 allowed.

25 3. The Director, after consulting with the Director of Transportation,
26 shall also determine whether the location of the access will expedite the movement of
27 vehicles, facilitate a smooth flow of traffic, avoid the on-street queuing of vehicles, enhance
28 vehicular safety and pedestrian comfort, and will not create a hazard.
29

30 * * *

31
32
33 **Section 12.** Subsections A, C and E of Section 23.49.332 of the Seattle Municipal
34 Code, which Section was last amended by Ordinance 118409, is amended as follows:
35

36 **23.49.332 Downtown Harborfront 2, street façade requirements.**
37

38 A. Minimum Facade Height.

39 1. Minimum facade height shall be as described in the chart below, and
40 as shown in Exhibit 23.49.332 A, but the minimum facade heights shall not apply when all
41 portions of the structure are lower than the elevation of the required minimum facade height
42 listed below.
43



((Street Parks)) Green Streets

Minimum Façade* Height

25 feet

Class II Pedestrian Streets

Minimum Façade* Height

15 feet

* Except as modified by view corridor requirements.

2. On designated view corridors described in Section 23.49.024, the minimum facade height shall be the required elevation of the setback when it is less than the minimum facade height required in subsection A1.

C. Facade Transparency Requirements.

1. Facade transparency requirements shall apply to the area of the facade between two (2) feet and eight (8) feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Facade transparency requirements shall not apply to portions of structures in residential use.

3. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code,² this subsection shall apply.

4. Transparency requirements shall be as follows:

a. Class II pedestrian streets and ~~((street parks))~~ Green Streets: A minimum of thirty (30) percent of the street-level facade shall be transparent.

b. When the slope of the street frontage of the facade exceeds seven and one-half (7 ½) percent, the required amount of transparency shall be reduced to twenty-two (22) percent.

E. Screening of Parking.

1. Parking located at or above street level in a garage shall be screened according to the following requirements:

a. On Class II pedestrian streets, parking shall be permitted at street level when at least thirty (30) percent of the street frontage of the parking area, excluding that portion of the frontage occupied by garage doors, is separated from the street by other uses. The facade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsections C and D of this section. The



1 2. Projects With Reduced Improvement Requirements. The following
2 types of projects are exempt from all dedication and improvement requirements of
3 subsections B, C and D of this section, but shall meet the setback, grading and no-protest
4 requirements of subsection E1b if the street right-of-way abutting the lot has less than the
5 minimum right-of-way width established in subsection A of this section or does not meet the
6 grade of future street improvements.

- 7 a. Structures with fewer than ten (10) artist's studio dwellings;
8 b. The following uses when they are smaller than seven hundred
9 fifty (750) square feet of gross floor area: fast-food restaurants; major and minor vehicle
10 repair uses; and multipurpose convenience stores;
11 c. Nonresidential structures which have less than four thousand
12 (4,000) square feet of gross floor area and which do not contain uses listed in subsection E2b
13 of this section which are larger than seven hundred fifty (750) square feet;
14 d. Structures containing a mix of artist's studio dwellings and
15 nonresidential uses, if there are fewer than ten (10) artist's studio dwellings, and the square
16 footage of nonresidential use is less than specified in subsections E2b and E2c of this
17 section;
18 e. Remodeling and use changes within existing structures;
19 f. Additions to existing structures which are exempt from
20 environmental review; and
21 g. Expansions of a surface parking area or open storage area of
22 less than twenty (20) percent of parking area or storage area or number of parking spaces.

23 3. Exceptions From Required Street Improvement Requirements. The
24 Director may waive or modify the requirements for paving, dedication, setbacks, grading,
25 no-protest agreements, landscaping and sidewalk and pedestrian walkway installation when
26 it is determined that one (1) or more of the following conditions are met:

- 27 a. Location in an environmentally critical area, disruption of
28 existing drainage patterns, or removal of natural features such as significant trees makes
29 widening and/or improving the right-of-way impractical or undesirable.
30 b. The existence of a bridge, viaduct or structure such as a
31 substantial retaining wall makes widening the right-of-way impractical or undesirable.
32 c. Widening the right-of-way and/or improving the street would
33 adversely affect the character of the street, as it is defined in an adopted neighborhood plan
34 or adopted City plan for ~~((street parks))~~ Green Streets, boulevards, or other special right-of-
35 way, or would otherwise conflict with the stated goals of such a plan.
36 d. Widening and/or improving the right-of-way would make
37 building on a lot infeasible by reducing it to dimensions where development standards
38 cannot reasonably be met.
39 e. Widening and/or improving the right-of-way would eliminate
40 street access to an existing lot.
41 f. One (1) or more substantial principal structures on the same
42 side of the block as the proposed project are located in the area needed for future expansion



1 of the right-of-way and the structure(s)' condition and size make future widening of the
2 remainder of the right-of-way unlikely.

3 g. Widening and/or improving the right-of-way is impractical
4 because topography would preclude the use of the street for vehicular access to the lot, for
5 example due to an inability to meet the required twenty (20) percent maximum driveway
6 slope.

7 h. Widening and/or improving the right-of-way is not necessary
8 because it is adequate for current and potential pedestrian and vehicular traffic, for example,
9 due to the limited number of lots served by the development or because the development on
10 the street is at zoned capacity.

11
12
13 **Section 15.** Subsection D of Section 23.55.036 of the Seattle Municipal Code,
14 which Section was last amended by Ordinance 120388, is amended as follows:

15
16 **Section 23.55.036 Signs in IB, IC, IG1 and IG2 zones.**

17
18 * * *

19
20 **D. On-premises Signs.**

21 1. The following signs shall be permitted in addition to the signs
22 permitted by subsections D2, D3 and D4:

23 a. Electric, externally illuminated or nonilluminated signs
24 bearing the name of the occupant of a dwelling unit, not exceeding sixty-four (64) square
25 inches in area;

26 b. Memorial signs or tablets, and the names of buildings and
27 dates of building erection when cut into a masonry surface or constructed of bronze
28 noncombustible materials;

29 c. Signs for public facilities indicating danger and/or providing
30 service or safety information;

31 d. Property displayed national, state and institutional flags;

32 e. One (1) under-marquee sign which does not exceed ten (10)
33 square feet in area;

34 f. One (1) electric, externally illuminated or nonilluminated sign
35 bearing the name of a home occupation, not exceeding sixty-four (64) square inches in area.

36 2. **Number and Type of Permitted Signs for Business Establishments.**

37 a. Except as further restricted in subsection D5, each business
38 establishment may have one (1) ground, roof, projecting or combination sign (Type A sign)
39 for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-
40 way, except alleys.

41 b. In addition to the signs permitted by subsection D2a, each
42 business establishment may have one (1) wall, awning, canopy, marquee, or under-marquee



1 sign (Type B sign) for each thirty (30) lineal feet, or portion thereof, of frontage on public
2 rights-of-way, except alleys.

3 c. In addition to the signs permitted by subsections D2a and D2b,
4 each multiple business center and drive-in business may have one (1) pole sign for each
5 three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way,
6 except alleys. Such pole signs may be for a drive-in business or for an individual business
7 establishment located in a multiple business center, or may identify a multiple business
8 center.

9 d. Individual businesses which are not drive-in businesses and
10 which are not located in multiple business centers may have one (1) pole sign in lieu of
11 another Type A sign permitted by subsection D2a for each three hundred (300) lineal feet, or
12 portion thereof, of frontage on public rights-of-way, except alleys.

13 e. Where principal use or activity on the lot is outdoor retail
14 sales, banners and strings of pennants maintained in good condition shall be permitted in
15 addition to the signs permitted by subsections D2a, D2b and D2c.

16 3. Maximum Area. Except as provided in sub-section D5, there shall be
17 no maximum area limits for on-premises signs for business establishments.

18 4. Identification Signs for Multifamily Structures.

19 a. One (1) identification sign shall be permitted on each street or
20 alley frontage of a multifamily structure.

21 b. Identification signs may be wall, ground, awning, canopy,
22 marquee, under-marquee, or projecting signs.

23 c. The maximum area of each sign shall be seventy-two (72)
24 square feet.

25 5. Sign Height.

26 a. The maximum height for any portion of a projecting or
27 combination sign shall be sixty-five (65) feet above existing grade, or the maximum height
28 limit of the zone, whichever is less.

29 b. The maximum height limit for any portion of a pole sign shall
30 be thirty (30) feet; except for pole signs for multiple business centers and for business
31 establishments located within one hundred (100) feet of a state route right-of-way which is
32 not designated in Section 23.55.042 as a landscaped or scenic view section, which shall have
33 a maximum height of forty (40) feet.

34 c. The maximum height for any portion of a wall, marquee,
35 under-marquee, or canopy sign shall be twenty (20) feet or the height of the cornice of the
36 structure to which the sign is attached, whichever is greater.

37 d. No portion of a roof sign shall:

38 (1) Extend beyond the height limit of the zone for office
39 uses, except that spectator sports facilities with a seating capacity of forty thousand (40,000)
40 or greater and more than one (1) roof level may have up to two (2) identification signs, with
41 the vertical dimension of lettering or characters limited to twelve (12) feet and a maximum
42 total area for both signs limited to three thousand (3,000) square feet; provided, the sign
43 height does not exceed the highest roof level. One (1) additional identification sign may be



1 applied to ((the)) each surface of the highest roof level provided it does not exceed the
2 height of that roof level.

3 (2) Exceed a height above the roof in excess of the height
4 of the structure on which the sign is located; or

5 (3) Exceed a height of thirty (30) feet above the roof
6 measured from a point on the roof line directly below the sign or from the nearest adjacent
7 parapet.
8

9 * * *

10
11
12 **Section 16.** Subsection A of Section 23.66.130 of the Seattle Municipal Code,
13 which Section was last amended by Ordinance 119484, is amended as follows:
14

15 **23.66.130 Street level uses.**

16
17 A. Uses at street level in the area designated on Map ((D)) B¹ shall require the
18 approval of the Department of Neighborhoods Director after review and recommendation by
19 the Preservation Board.
20

21 * * *

22
23
24 **Section 17.** Subsection D of Section 23.66.170 of the Seattle Municipal Code,
25 which Section was last amended by Ordinance 119484, is amended as follows:
26

27 **23.66.170 Parking and access.**

28
29
30
31 D. Standards for Location of Access to Parking.

32 1. Access to parking and loading from alleys, and from streets which
33 generally run east/west, is preferred to access from avenues. When a lot abuts more than one
34 (1) right-of-way, the location of access shall be determined by the Department of
35 Neighborhoods Director in consultation with the Director of Transportation. This
36 determination shall be made according to the traffic classification of the street, depicted on
37 Map D.(Note 1) Access shall be from rights-of-way classified as follows, from the most to
38 least preferred, except when the Department of Neighborhoods Director, following review
39 and recommendation by the Board, determines that access from the preferred right-of-way
40 would create a hazardous condition: Alleys; Access streets; Class II pedestrian streets --
41 minor arterial; Class II pedestrian streets -- principal arterial; Class I pedestrian streets --

1 minor arterial; Class I pedestrian streets -- principal arterial; Principal transit street; ((Street
2 parks)) Green Streets.

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

5 3. The street-level location of entrances and exits of all parking garages,
6 where permitted, shall be permitted only if approved by the Department of Neighborhoods
7 Director after review and recommendation by the Preservation Board. View-obscuring
8 screening may be required as needed to reduce adverse visual impacts on the immediate
9 area.

10
11
12 **Section 18.** Subsection B of Section 23.76.006, which Section was last amended by
13 Ordinance 119974, are amended as follows:

14
15 **23.76.006 Master Use Permits required.**

16
17 * * *

18
19 **B.** The following decisions are Type I:

- 20 1. Determination that a proposal complies with development standards;
- 21 2. Establishment or change of use for uses permitted outright, temporary
22 uses for four (4) weeks or less not otherwise permitted in the zone, and temporary relocation
23 of police and fire stations for twelve (12) months or less;
- 24 3. The following street use approvals associated with a development
25 proposal:
- 26 a. Curb cut for access to parking,
 - 27 b. Concept approval of street improvements, such as additional
28 on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and
29 paving,
 - 30 c. Sidewalk cafes(;) provided that Type II notice of application
31 procedures shall be followed ((for sidewalk cafe approvals)),
 - 32 d. Structural building overhangs,
 - 33 e. Areaways;
 - 34 4. Lot boundary adjustments;
 - 35 5. Modification of the following features bonused under Title 24:
 - 36 a. Plazas,
 - 37 b. Shopping plazas,
 - 38 c. Arcades,
 - 39 d. Shopping arcades,
 - 40 e. Voluntary building setbacks;
 - 41 6. Determinations of Significance (determination that an environmental
42 impact statement is required) for Master Use Permits and for building, demolition, grading
43 and other construction permits (supplemental procedures for environmental review are

1 — Highly toxic materials including Class A poisons, as defined by the
2 Fire Code(Note 1)— etiologic and biological agents that cause disease or abnormal
3 conditions, carcinogens, mutagens and teratogens.

4 — Corrosive, highly toxic or poisonous, and unstable gases.
5 "Group B hazardous materials" means substances that generally are either
6 flammable or corrosive. "Group B hazardous material" shall include, but not be limited to,
7 the following:

8 — Class C explosives as defined by the Fire Code;(Note 1)
9 — Class B poisons as defined by the Fire Code(Note 1);
10 — Class I A and I B flammable liquids as defined by the Fire
11 Code;(Note 1)

12 — Class I A shall include those having flashpoints below seventy-
13 three (73) degrees Fahrenheit and having a boiling point below one hundred (100) degrees
14 Fahrenheit;

15 — Class I B shall include those having flashpoints below seventy-
16 three (73) degrees Fahrenheit and having a boiling point at or above one hundred (100)
17 degrees Fahrenheit.

18 — Flammable Solids— organic and inorganic solids, and combustible
19 metals.
20 — Oxidizing Materials— Class One (1) and Two (2) as listed in NFPA
21 Standard No. 43A, as follows:

22 — Class One (1)— An oxidizing material whose primary hazard is that
23 it may increase the burning rate of combustible material with which it comes in contact;

24 — Class Two (2)— An oxidizing material that will moderately
25 increase the burning rate or which may cause spontaneous ignition of combustible material
26 with which it comes in contact.

27 — Flammable and oxidizing gases.

28 — Corrosives— acids, bases, and other corrosives.

29 "Group C hazardous materials" means the following listed materials and
30 other similar substances which may present severe risk to health, safety or property but
31 which are generally more common and present less severe hazards than Group A and B
32 materials:

33 — Class I C flammable liquids as defined in the Fire Code(Note 1)
34 (flashpoints below one hundred (100) degrees Fahrenheit;

35 — Combustible liquids— Class II and III as defined in the Fire
36 Code(Note 1) as follows:

37 — Class II liquids include those having flashpoints at or about one
38 hundred (100) degrees Fahrenheit and below one hundred forty (140) degrees Fahrenheit;

39 — Class III A liquids include those having flashpoints at or above one
40 hundred forty (140) degrees Fahrenheit and below two hundred (200) degrees Fahrenheit.

41 — Inert or chemically unreactive, and liquified gases.

42 — Other regulated materials including irritants.))
43



* * *

"High-impact use" means a business establishment that is considered to be dangerous and/or noxious due to the probability and/or magnitude of its effects on the environment; and/or has the potential for causing major community or health impacts, including but not limited to nuisance, odors, noise, and/or vibrations; and/or is so chemically intensive as to preclude site selection without careful assessment of potential impacts and impact mitigation. The Director shall consult as necessary with the Chief of the Seattle Fire Department, the Director of the Seattle-King County Health Department, and other local, state, regional, and federal agencies to determine when a business establishment shall be regulated as an high-impact use. ((For the purposes of this definition, mixing, compounding and blending of chemicals shall not be considered a high impact use if the result is not a Group A hazardous material, or Group B hazardous materials in quantities greater than the amounts listed in the definition of High impact One (1) uses as defined below. High-impact uses are classified as either "High impact One (1)" or "High impact Two (2)" as set forth below.

"High impact One (1)" use means the following or other substantially similar activities:

- Battery manufacture and reprocessing for reuse;
- Crude petroleum refinery and storage;
- Manufacture of wood preservatives;
- Distillation of wood, coal or bones, or manufacture of by products;
animal black or bone black manufacturing;
- Gas (illuminating or heating) manufacture or storage;
- Rendering of fat, tallow, lard; extraction of animal or fish fats and
oils;
- Smelting of ore;
- Stockyards, hog farms, slaughterhouses except poultry, including
packing and freezing;
- Tanneries;
- Wood pulp manufacture;
- Manufacture of Group A hazardous materials, except Class A or
Class B explosives;
- Storage of Class A or Class B explosives;
- Manufacture of Group B hazardous materials when the hazardous
materials are present in quantities greater than two thousand five hundred (2,500) pounds of
solids, two hundred seventy five (275) gallons of liquid, or one thousand (1,000) cubic feet
of gas at any time.

"High impact Two (2)" use means the following or other substantially similar activities:

- Manufacture of Class A or B explosives;
- Manufacture, use or storage of fissile materials)).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

* * *

Section 20. The definitions for "Low-income disabled multifamily structure" and "Low-income elderly/low-income disabled multifamily structure" in Section 23.84.024 of the Seattle Municipal Code, which Section was last amended by Ordinance 120117, are amended as follows:

Section 23.84.024 "L"

* * *

"Low-income disabled multifamily structure" means a multifamily structure in which at least ninety (90) percent of the dwelling units are occupied by one (1) or more persons who have a handicap as defined in (~~((qualify as disabled under the definition of handicapped pursuant to))~~) the Federal Fair Housing Amendment Act and who constitute a low-income household or low-moderate income household.

* * *

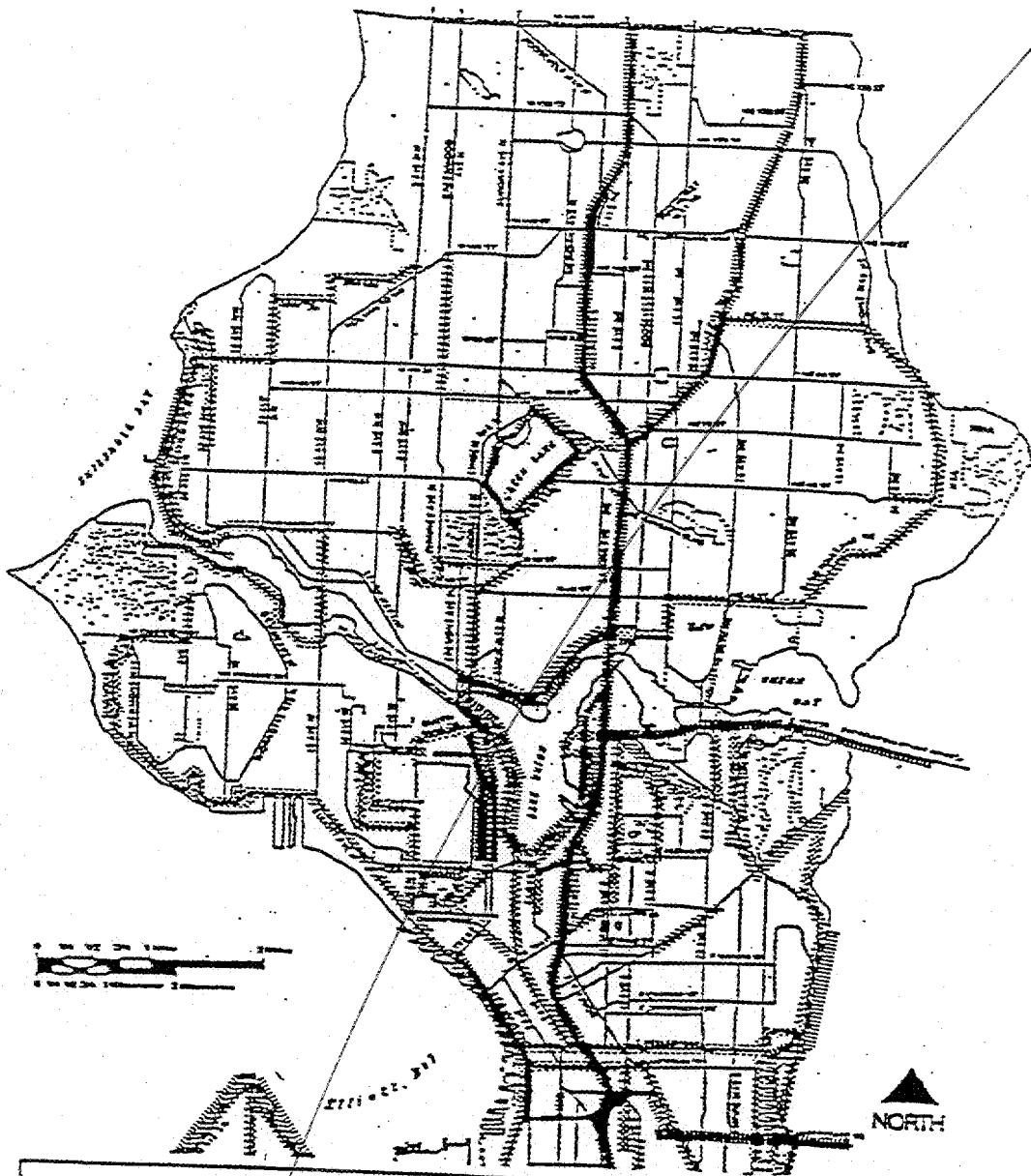
"Low-income elderly/low-income disabled multifamily structure" means a multifamily structure in which (~~((each of))~~) at least ninety (90) percent of the dwelling units (not including vacant units) are occupied by a low-income household or low-moderate income household that includes a person who has a handicap as defined in (~~((qualifies as disabled under the definition of handicapped pursuant to))~~) the Federal Fair Housing Amendment Act or a person ~~sixty-two (62)~~ years of age or older, as (~~((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.

* * *


Section 21. The definition for "Single family attached structure" in Section 23.84.036 of the Seattle Municipal Code, which Section was last amended by Ordinance 119839, is repealed.

Section 22. Exhibit 1, SEPA Scenic Routes Maps of North and South Seattle of Section 25.05.675 of the Seattle Municipal Code, which Section was last amended by Ordinance 120000, is amended as follows:

Kd
Omnibusord2001-c
10/11/01
V#3



LEGEND

 Scenic routes described by Seattle Engineering Department Traffic Division map and designated by Ordinance (Ord. 97025)


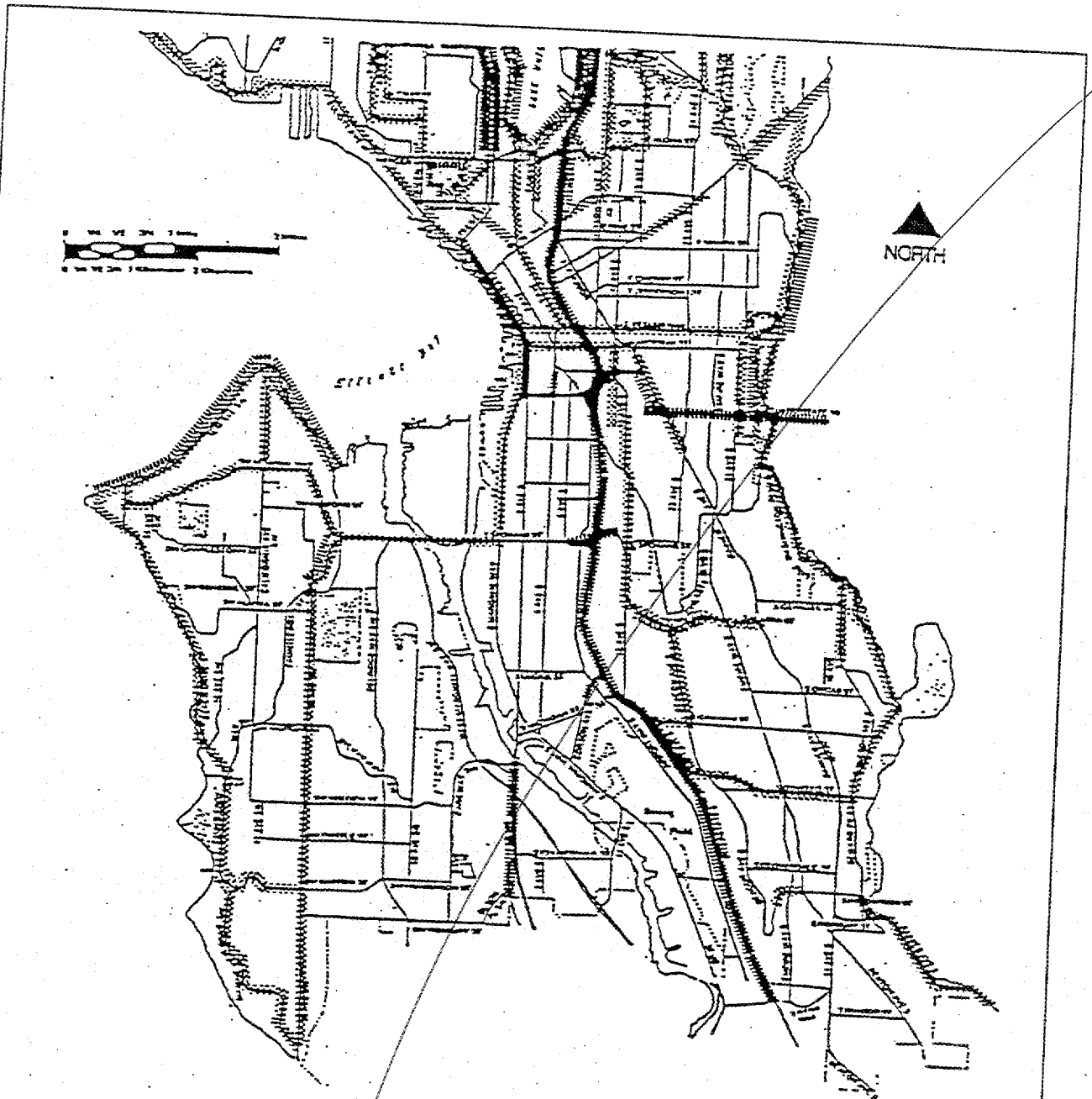
 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation


EXHIBIT 1—SEPA SCENIC ROUTES MAP
NORTH SEATTLE



Kd
Omnibusord2001-c
10/11/01
V#3



LEGEND

 Scenic routes described by Seattle Engineering Department, Traffic Division map and designated by Ordinance ~~(97022)~~ 97025.


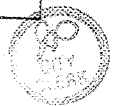
 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation.

EXHIBIT 1—SEPA SCENIC ROUTES MAP
SOUTH SEATTLE



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Section 23. 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 24. 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 _____, 2001, and signed by me in open session in authentication of its passage this _____ day of _____, 2001.

President of the City Council

Approved by me this _____ day of _____, 2001.

Paul Schell, Mayor

Filed by me this _____ day of _____, 2001.

City Clerk

(SEAL)



ORDINANCE _____

1
2
3
4 AN **ORDINANCE** relating to land use and zoning, amending Section 15.16.030, Title 15,
5 Street and Sidewalk Use, Sections 23.32.016, 23.41.004, 23.41.012, 23.43.040,
6 23.45.018, 23.47.028, 23.48.032, 23.49.018, 23.49.332, 23.50.002, 23.53.020,
7 23.55.036, 23.66.130, 23.66.170, 23.76.006, 23.84.016, 23.84.024, 23.84.036, and
8 Chapter 23.49, Title 23, Land Use Code, and Section 25.05.675, Title 25,
9 Environmental Policies, to correct typographical errors and inaccurate citations, add
10 code provisions inadvertently omitted from previously approved legislation, and
11 clarify regulations; and repealing Section 7.16.020, an obsolete Title 7, Consumer
12 Protection provision.
13

14
15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**
16

17
18 **Section 1.** Section 7.16.020 of the Seattle Municipal Code is repealed.
19

20
21 **Section 2.** Section 15.16.030 of the Seattle Municipal Code, which Section was last
22 amended by Ordinance 117569, is amended as follows:
23

24 **15.16.030 Notification of surrounding tenants and owners.**
25

26 The Director of the Department of Design, Construction and Land Use shall provide
27 notice of receipt of an application for a sidewalk cafe permit (~~and of his or her decision to~~
28 ~~grant, deny, or condition the permit~~) in accordance with the notice provisions of the Master
29 Use Permit Process, SMC Chapter 23.76.
30

31
32 **Section 3.** Section 23.32.016 of the Seattle Municipal Code, which Section was
33 adopted by Ordinance 110381, is amended as follows:
34

35 **23.32.016 Official Land Use Map.**
36

37 ~~((Exhibit "A" to the ordinance from which this section derives is by this reference~~
38 ~~made a part of this subtitle and constitutes t))~~The Official Land Use Map of The City of
39 Seattle, Exhibit A of Ordinance 110381, is by this reference made a part of this subtitle and
40 may hereafter be amended.
41
42

1 **Section 4.** Subsections A and B of Section 23.41.004 of the Seattle Municipal Code,
2 which Section was last amended by Ordinance 119972, is amended as follows:
3

4 **23.41.004 Applicability.**

5 A. Design Review Required.

6 1. Design review is required for any new multifamily or commercial
7 structure that exceeds SEPA thresholds if the structure:
8

9 a. Is located in one (1) of the following zones:

10 i. Lowrise (L3, L4),

11 ii. Midrise (MR),

12 iii. Highrise (HR),

13 iv. Neighborhood Commercial (NC1, 2, 3), or

14 v. Seattle Cascade Mixed (SCM); or

15 b. Is located in a Commercial (C1 or C2) zone, and

16 i. The proposed structure is located within an urban
17 village area identified in the Seattle Comprehensive Plan, or

18 ii. The site of the proposed structure abuts or is directly
19 across a street or alley from any lot zoned single-family, or

20 iii. The proposed structure is located in the area bounded
21 by NE 95th Street on the south, NE 145th Street on the north, 15th Ave NE on the west, and
22 Lake Washington on the east.

23 2. Design review is required for all new Major Institution structures that
24 exceed SEPA thresholds in the zones listed in subsection A1 of this section, unless the
25 structure is located within a Major Institution Overlay (MIO) district.

26 3. Downtown design review is required for all new multifamily and
27 commercial structures greater than or equal to the following thresholds:
28

29 **DOC 1 and DOC 2 Zones**

30

31 Use	32 Threshold
33 Nonresidential	34 50,000 square feet of 35 gross floor area
36 Residential	37 20 dwelling units

38 **DRC, DMC, DMR, DH1, DH2**

39

40 Use	41 Threshold
42 Nonresidential	43 20,000 square feet of gross floor area
43 Residential	20 dwelling units



1
2 4. Design review is required for all new structures exceeding one
3 hundred and twenty (120) feet in width on any single street frontage in the Stadium
4 Transition Area Overlay District as shown in Exhibit 23.41.006 A.

5 5. Administrative Design Review to Protect Trees. As provided in
6 Sections 25.11.070 and 25.11.080, administrative design review (Section 23.41.016) is
7 required for new multifamily and commercial structures in Lowrise, Midrise, and
8 commercial zones when an exceptional tree, as defined in Section 25.11.020, is located on
9 the site, if design review would not otherwise be required by this subsection A.

10 ((5))6. New multifamily or commercial structures in the zones listed in
11 subsection A1 of this section, that are subject to SEPA solely as a result of the provisions of
12 Section 25.05.908, Environmentally Critical Areas, are exempt from design review.

13 B. Design Review -- Optional.

14 1. Design review is optional to any applicant for new multifamily,
15 commercial or Major Institution structures not otherwise subject to this chapter, in the
16 Stadium Transition Area Overlay District and in all multifamily, commercial or downtown
17 zones.

18 2. An administrative design review process is an option to an applicant
19 for new multifamily, or commercial structures, if the structure would not exceed SEPA
20 thresholds or as provided in subsection B3 below, in the Stadium Transition Area Overlay
21 District and in multifamily, commercial or downtown zones, according to the process
22 described in Section 23.41.016.

23 3. Administrative Design Review to Protect Trees. As provided in
24 Sections 25.11.070 and 25.11.080, an administrative design review process (Section
25 23.41.016) is an option to an applicant for new multifamily and commercial structures in
26 Lowrise, Midrise, and commercial zones to protect a tree over two (2) feet in diameter
27 measured four and one-half (4 ½) feet above the ground, even when the project exceeds
28 SEPA thresholds but design review would not otherwise be required by Subsection A,
29 above.

30
31 * * *

32
33
34 **Section 5.** Subsection B of Section 23.41.012 of the Seattle Municipal Code, which
35 Section was last amended by Ordinance 120447, is amended as follows:

36
37 **23.41.012 Development standards departures.**

38 * * *

39 B. Departures may be granted from the following requirements:

- 40
41 1. Structure width and depth limits;
42 2. Setback requirements;
43

- 1 3. Modulation requirements;
- 2 4. SCM zone facade requirements, including transparency and blank
- 3 facade provisions;
- 4 5. Design, location on the lot and access to parking requirements;
- 5 6. Open space or common recreation area requirements;
- 6 7. Lot coverage limits;
- 7 8. Screening and landscaping requirements;
- 8 9. Standards for the location and design of nonresidential uses in mixed
- 9 use buildings;
- 10 10. Within Urban Centers, in L3 zones only, the pitched roof of a
- 11 structure, as provided in Section 23.45.009 C, may incorporate additional height of up to
- 12 twenty (20) percent of the maximum height permitted, as provided in Section 23.45.009 A,
- 13 subject to the following limitations:
 - 14 a. A pitched roof may not incorporate the additional height if the
 - 15 structure is on a lot abutting or across a street or alley from a single- family residential zone,
 - 16 b. The proposed structure must be compatible with the general
 - 17 development potential anticipated within the zone,
 - 18 c. The additional height must not substantially interfere with
 - 19 views from up-slope properties, and
 - 20 d. No more than one (1) project on one (1) site within each
 - 21 Urban Center may incorporate additional height in the pitched roofs of its structures
 - 22 pursuant to this subsection unless development regulations enacted pursuant to a
 - 23 neighborhood planning process allow other projects to incorporate such additional height;
 - 24 11. Building height within the Roosevelt Commercial Core, up to an
 - 25 additional three (3) feet, for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt
 - 26 Commercial Core);
 - 27 12. Building height within the Ballard Municipal Center master plan area,
 - 28 for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan
 - 29 Area). The additional height may not exceed nine (9) feet and may be granted only for
 - 30 townhouses that front a mid-block pedestrian connection or a park identified in the Ballard
 - 31 Municipal Center Master Plan;
 - 32 13. Reduction in required parking for ground level retail uses that abut
 - 33 established mid-block pedestrian connections through private property as identified in the
 - 34 "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement
 - 35 must be no less than the required parking for Pedestrian I designated areas shown in Section
 - 36 23.47.044, Chart E;
 - 37 14. Downtown or Stadium Transition Overlay District street facade
 - 38 requirements;
 - 39 15. Downtown upper-level development standards;
 - 40 16. Downtown coverage and floor size limits;
 - 41 17. Downtown maximum wall dimensions;
 - 42 18. Downtown street level use requirements;

1 19. Combined coverage of all rooftop features in downtown zones subject
2 to the limitations in Section 23.49.008 C2;

3 20. Certain conditions to allowance of additional height in DOC 1 and
4 DOC 2 zones pursuant to subsection 23.49.008A 2, as follows:

5 a. Limits on gross floor area of stories under subsection
6 23.49.008 A2a(2); and

7 b. Percentages of lot area that must be occupied by open space or
8 by structures no greater than thirty-five (35) feet in height, under subsection 23.49.008
9 A2b(1); ~~((and))~~

10 21. Building height in Lowrise zones, and parking standards of Section
11 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in
12 Chapter 25.11; and

13 22. Downtown view corridor and Downtown Green Street requirements
14 to allow open railings on upper level roof decks or rooftop open space to project into the
15 required view corridor or Green Street setback, provided such railings are determined to
16 have a minimal impact on views and meet the requirements of the Building Code.

17
18 * * *

19
20
21 **Section 6.** Subsection A of Section 23.43.040 of the Seattle Municipal Code, which
22 Section was adopted by Ordinance 117430, is amended as follows:

23
24 **23.43.040 Accessory uses and structures.**

25
26 A. Accessory structures shall be permitted in the RSL zone under the following
27 conditions:

28 1. New garages shall be subject to the following yard and setback
29 requirements:

30 a. ~~((ef))~~ Section 23.43.008D when accessory to one (1) detached
31 structure per lot~~((;))~~;

32 b. ~~((ef))~~ Section 23.43.010C when accessory to tandem
33 houses~~((;))~~; and

34 c. ~~((ef))~~ Section 23.43.0~~((40))~~12E when accessory to cottage
35 housing.

36 2. When converted to principal use in tandem house developments,
37 garages shall be subject to the development standards for tandem house principal structures.

38 3. Garages shall be limited to a height of twelve feet (12') as measured
39 on the facade containing the entrance for the vehicle.

40 4. Accessory structures other than garages shall also be limited to twelve
41 feet (12') in height.

42
43 * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

23.47.028 Standards for drive-in businesses.

* * *

C. If the drive-in bank or car wash is located along either a principal arterial, a minor arterial, or along a street with only one (1) lane for moving traffic in each direction, the Director shall determine, after consulting with ~~((the Seattle Engineering Department))~~ Seattle Transportation whether additional queuing spaces are necessary or whether access should be restricted. The Director may for the purpose of environmental mitigation restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

1. Banks with one (1) or two (2) drive-in lanes, eight (8) spaces per lane;
2. Banks with three (3) or more drive-in lanes, six (6) spaces per lane;
3. Car washes, twenty (20) spaces per lane.

* * *

Section 9. Subsection B of Section 23.48.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 119715, is amended as follows:

23.48.032 Required parking and loading.

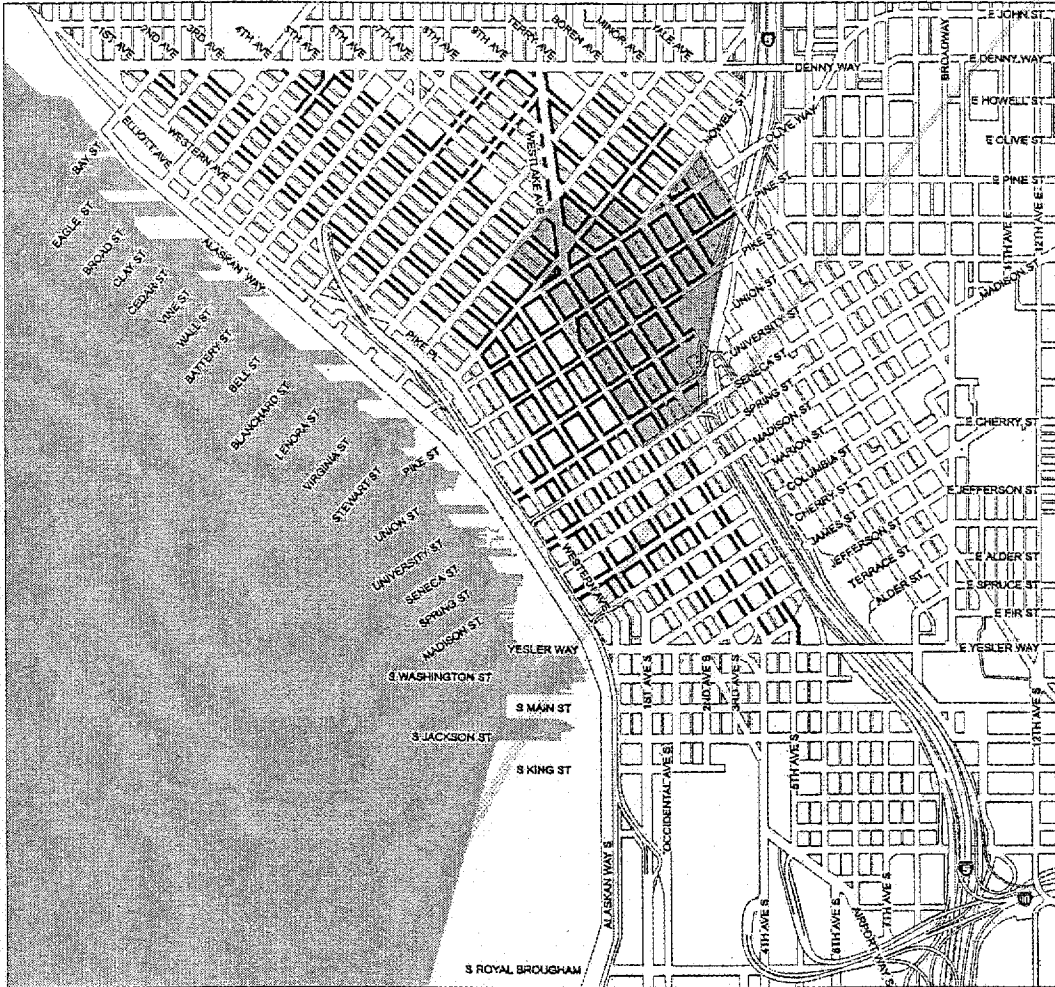
* * *


B. Residential uses shall be required to provide one (1) off-street parking space per unit, except for low-income elderly/low-income disabled multifamily structures where the number of off-street parking spaces will be determined according to the requirements of Section 23.54.015, Required parking.


* * *

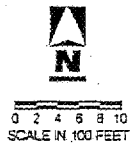
Section 10. Map 1N, Retail and Short-term Parking Amenity Features, of Chapter 23.49, adopted by Ordinance 120443, is repealed and replaced with the following revised Map 1N:

1



 Area where Short-term Parking is an eligible Public Benefit Feature

 Retail sales and service uses and entertainment uses are eligible Public Benefit Features



Retail and Short-term Parking
 Public Amenity Features

© 2000 City of Seattle

All rights reserved. No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map 1N
 Downtown
 Zones

AR200011 01 AMEL/NDM TRAFFIC PLANNING DEPARTMENT/344 41284 - DOWNTOWN ZONES STUDY PROJECT - CODE REVIEW/NEW FOLDER/AM1N2.GDR (18.0K) 06/20/01

2
 3
 4



1
2
3 **Section 11.** Subsection A of Section 23.49.018 of the Seattle Municipal Code,
4 which Section was last amended by Ordinance 118409, is amended as follows:
5

6 **23.49.018 Standards for location of parking.**
7

8 A. Curbcut Location.

9 1. When a lot abuts more than one (1) right-of-way, the location of
10 access shall be determined by the Director after consulting with the Director of
11 Transportation. Except as provided in subsection A3, the location of access shall be
12 determined by the classification of rights-of-way on Map IB¹ and the ranking of the
13 classification below, from most to least preferred:

14 a. Alley -- if of sufficient width to accommodate anticipated
15 uses;

16 b. Access street;

17 c. Class II pedestrian street -- Minor arterial;

18 d. Class II pedestrian street -- Principal arterial;

19 e. Class I pedestrian street -- Minor arterial;

20 f. Class I pedestrian street -- Principal arterial;

21 g. Principal transit street.

22 2. Curbcut controls on ((street-parks)) Green Streets shall be evaluated
23 on a case-by-case basis, but generally access from ((street-parks)) Green Streets shall not be
24 allowed.

25 3. The Director, after consulting with the Director of Transportation,
26 shall also determine whether the location of the access will expedite the movement of
27 vehicles, facilitate a smooth flow of traffic, avoid the on- street queuing of vehicles, enhance
28 vehicular safety and pedestrian comfort, and will not create a hazard.

29
30 * * *

31
32
33 **Section 12.** Subsections A, C and E of Section 23.49.332 of the Seattle Municipal
34 Code, which Section was last amended by Ordinance 118409, is amended as follows:
35

36 **23.49.332 Downtown Harborfront 2, street façade requirements.**
37

38 A. Minimum Facade Height.

39 1. Minimum facade height shall be as described in the chart below, and
40 as shown in Exhibit 23.49.332 A, but the minimum facade heights shall not apply when all
41 portions of the structure are lower than the elevation of the required minimum facade height
42 listed below.
43

~~((Street Parks))~~ Green Streets

Class II Pedestrian Streets

Minimum Façade* Height

Minimum Façade* Height

25 feet

15 feet

* Except as modified by view corridor requirements.

2. On designated view corridors described in Section 23.49.024, the minimum facade height shall be the required elevation of the setback when it is less than the minimum facade height required in subsection A1.

* * *

C. Façade Transparency Requirements.

1. Façade transparency requirements shall apply to the area of the façade between two (2) feet and eight (8) feet above the sidewalk. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Façade transparency requirements shall not apply to portions of structures in residential use.

3. When the transparency requirements of this subsection are inconsistent with the glazing limits in the Energy Code,² this subsection shall apply.

4. Transparency requirements shall be as follows:

a. Class II pedestrian streets and ~~((street parks))~~ Green Streets: A minimum of thirty (30) percent of the street-level façade shall be transparent.

b. When the slope of the street frontage of the façade exceeds seven and one-half (7 ½) percent, the required amount of transparency shall be reduced to twenty-two (22) percent.

* * *

E. Screening of Parking.

1. Parking located at or above street level in a garage shall be screened according to the following requirements:

a. On Class II pedestrian streets, parking shall be permitted at street level when at least thirty (30) percent of the street frontage of the parking area, excluding that portion of the frontage occupied by garage doors, is separated from the street by other uses. The façade of the separating uses shall be subject to the transparency and blank wall standards for Class I pedestrian streets in subsections C and D of this section. The



1 remaining parking shall be screened from view at street level and the street facade shall be
2 enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

3 b. On ~~((street parks))~~ Green Streets, parking shall not be
4 permitted at street level unless separated from the street by other uses, provided that garage
5 doors need not be separated.

6 c. The perimeter of each floor of parking garages above street
7 level shall have an opaque screen at least three and one-half (3 ½) feet high.

8 2. Surface parking areas shall be screened and landscaped pursuant to
9 Section 23.49.020, Screening and landscaping of surface parking areas.

10 * * *

11
12
13
14 **Section 13.** Section 23.50.002 of the Seattle Municipal Code, which Section was
15 last amended by Ordinance 116295, is amended as follows:

16
17 **23.50.002 Scope of provisions.**

18
19 A. There shall be four (4) industrial classifications: General Industrial 1 (IG1),
20 General Industrial 2 (IG2), Industrial Buffer (IB), and Industrial Commercial (IC). This
21 chapter describes the authorized uses and development standards for the Industrial zones.

22 B. ~~((Industrial zones which have a Manufacturing Center Overlay on the
23 Official Land Use Map shall be subject to the use and development standards of Chapter
24 23.68 in addition to the use and development standards of this chapter.))~~

25 C.) In addition to the regulations in this chapter, certain industrial areas may be
26 regulated by other chapters or titles of the Seattle Municipal Code, including but not limited
27 to: Special Review Districts, Chapter 23.66; Landmark Districts, Chapter 25.12; or the
28 Seattle Shoreline District, Chapter 23.60.

29 ~~((D))~~C. Communication utilities and accessory communication devices are regulated
30 by Chapter 23.57. Requirements for streets, alleys and easements are provided in Chapter
31 23.53. Standards for parking access and design are provided in Chapter 23.54. Signs are
32 regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86.
33 Definitions are in Chapter 23.84.

34 ~~((E))~~D. For the purposes of this chapter, the terms "existing structures or uses" mean
35 those structures or uses which were established under permit, or for which a permit has been
36 granted and has not expired, or are substantially underway in accordance with Section
37 23.04.010D, on the effective date of the ordinance codified in this chapter¹.

38
39
40 **Section 14.** Subsection E of Section 23.53.020 of the Seattle Municipal Code, which
41 Section was last amended by Ordinance 120117, is amended as follows:
42

1 2. Projects With Reduced Improvement Requirements. The following
2 types of projects are exempt from all dedication and improvement requirements of
3 subsections B, C and D of this section, but shall meet the setback, grading and no-protest
4 requirements of subsection E1b if the street right-of-way abutting the lot has less than the
5 minimum right-of-way width established in subsection A of this section or does not meet the
6 grade of future street improvements.

- 7 a. Structures with fewer than ten (10) artist's studio dwellings;
8 b. The following uses when they are smaller than seven hundred
9 fifty (750) square feet of gross floor area: fast-food restaurants; major and minor vehicle
10 repair uses; and multipurpose convenience stores;
11 c. Nonresidential structures which have less than four thousand
12 (4,000) square feet of gross floor area and which do not contain uses listed in subsection E2b
13 of this section which are larger than seven hundred fifty (750) square feet;
14 d. Structures containing a mix of artist's studio dwellings and
15 nonresidential uses, if there are fewer than ten (10) artist's studio dwellings, and the square
16 footage of nonresidential use is less than specified in subsections E2b and E2c of this
17 section;
18 e. Remodeling and use changes within existing structures;
19 f. Additions to existing structures which are exempt from
20 environmental review; and
21 g. Expansions of a surface parking area or open storage area of
22 less than twenty (20) percent of parking area or storage area or number of parking spaces.

23 3. Exceptions From Required Street Improvement Requirements. The
24 Director may waive or modify the requirements for paving, dedication, setbacks, grading,
25 no-protest agreements, landscaping and sidewalk and pedestrian walkway installation when
26 it is determined that one (1) or more of the following conditions are met:

- 27 a. Location in an environmentally critical area, disruption of
28 existing drainage patterns, or removal of natural features such as significant trees makes
29 widening and/or improving the right-of-way impractical or undesirable.
30 b. The existence of a bridge, viaduct or structure such as a
31 substantial retaining wall makes widening the right-of-way impractical or undesirable.
32 c. Widening the right-of-way and/or improving the street would
33 adversely affect the character of the street, as it is defined in an adopted neighborhood plan
34 or adopted City plan for ((street parks)) Green Streets, boulevards, or other special right-of-
35 way, or would otherwise conflict with the stated goals of such a plan.
36 d. Widening and/or improving the right-of-way would make
37 building on a lot infeasible by reducing it to dimensions where development standards
38 cannot reasonably be met.
39 e. Widening and/or improving the right-of-way would eliminate
40 street access to an existing lot.
41 f. One (1) or more substantial principal structures on the same
42 side of the block as the proposed project are located in the area needed for future expansion



1 of the right-of-way and the structure(s)' condition and size make future widening of the
2 remainder of the right-of-way unlikely.

3 g. Widening and/or improving the right-of-way is impractical
4 because topography would preclude the use of the street for vehicular access to the lot, for
5 example due to an inability to meet the required twenty (20) percent maximum driveway
6 slope.

7 h. Widening and/or improving the right-of-way is not necessary
8 because it is adequate for current and potential pedestrian and vehicular traffic, for example,
9 due to the limited number of lots served by the development or because the development on
10 the street is at zoned capacity.

11
12
13 **Section 15.** Subsection D of Section 23.55.036 of the Seattle Municipal Code,
14 which Section was last amended by Ordinance 120388, is amended as follows:

15
16 **Section 23.55.036 Signs in IB, IC, IG1 and IG2 zones.**

17
18 * * *

19
20 **D. On-premises Signs.**

21 1. The following signs shall be permitted in addition to the signs
22 permitted by subsections D2, D3 and D4:

23 a. Electric, externally illuminated or nonilluminated signs
24 bearing the name of the occupant of a dwelling unit, not exceeding sixty-four (64) square
25 inches in area;

26 b. Memorial signs or tablets, and the names of buildings and
27 dates of building erection when cut into a masonry surface or constructed of bronze
28 noncombustible materials;

29 c. Signs for public facilities indicating danger and/or providing
30 service or safety information;

31 d. Property displayed national, state and institutional flags;

32 e. One (1) under-marquee sign which does not exceed ten (10)
33 square feet in area;

34 f. One (1) electric, externally illuminated or nonilluminated sign
35 bearing the name of a home occupation, not exceeding sixty-four (64) square inches in area.

36 2. **Number and Type of Permitted Signs for Business Establishments.**

37 a. Except as further restricted in subsection D5, each business
38 establishment may have one (1) ground, roof, projecting or combination sign (Type A sign)
39 for each three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-
40 way, except alleys.

41 b. In addition to the signs permitted by subsection D2a, each
42 business establishment may have one (1) wall, awning, canopy, marquee, or under-marquee



1 sign (Type B sign) for each thirty (30) lineal feet, or portion thereof, of frontage on public
2 rights-of-way, except alleys.

3 c. In addition to the signs permitted by subsections D2a and D2b,
4 each multiple business center and drive-in business may have one (1) pole sign for each
5 three hundred (300) lineal feet, or portion thereof, of frontage on public rights-of-way,
6 except alleys. Such pole signs may be for a drive-in business or for an individual business
7 establishment located in a multiple business center, or may identify a multiple business
8 center.

9 d. Individual businesses which are not drive-in businesses and
10 which are not located in multiple business centers may have one (1) pole sign in lieu of
11 another Type A sign permitted by subsection D2a for each three hundred (300) lineal feet, or
12 portion thereof, of frontage on public rights-of-way, except alleys.

13 e. Where principal use or activity on the lot is outdoor retail
14 sales, banners and strings of pennants maintained in good condition shall be permitted in
15 addition to the signs permitted by subsections D2a, D2b and D2c.

16 3. Maximum Area. Except as provided in sub- section D5, there shall be
17 no maximum area limits for on-premises signs for business establishments.

18 4. Identification Signs for Multifamily Structures.

19 a. One (1) identification sign shall be permitted on each street or
20 alley frontage of a multifamily structure.

21 b. Identification signs may be wall, ground, awning, canopy,
22 marquee, under-marquee, or projecting signs.

23 c. The maximum area of each sign shall be seventy-two (72)
24 square feet.

25 5. Sign Height.

26 a. The maximum height for any portion of a projecting or
27 combination sign shall be sixty-five (65) feet above existing grade, or the maximum height
28 limit of the zone, whichever is less.

29 b. The maximum height limit for any portion of a pole sign shall
30 be thirty (30) feet; except for pole signs for multiple business centers and for business
31 establishments located within one hundred (100) feet of a state route right-of-way which is
32 not designated in Section 23.55.042 as a landscaped or scenic view section, which shall have
33 a maximum height of forty (40) feet.

34 c. The maximum height for any portion of a wall, marquee,
35 under-marquee, or canopy sign shall be twenty (20) feet or the height of the cornice of the
36 structure to which the sign is attached, whichever is greater.

37 d. No portion of a roof sign shall:

38 (1) Extend beyond the height limit of the zone for office
39 uses, except that spectator sports facilities with a seating capacity of forty thousand (40,000)
40 or greater and more than one (1) roof level may have up to two (2) identification signs, with
41 the vertical dimension of lettering or characters limited to twelve (12) feet and a maximum
42 total area for both signs limited to three thousand (3,000) square feet; provided, the sign
43 height does not exceed the highest roof level. One (1) additional identification sign may be



1 applied to ((the)) each surface of the highest roof level provided it does not exceed the
2 height of that roof level.

3 (2) Exceed a height above the roof in excess of the height
4 of the structure on which the sign is located; or

5 (3) Exceed a height of thirty (30) feet above the roof
6 measured from a point on the roof line directly below the sign or from the nearest adjacent
7 parapet.

8 * * *

9
10
11
12 **Section 16.** Subsection A of Section 23.66.130 of the Seattle Municipal Code,
13 which Section was last amended by Ordinance 119484, is amended as follows:

14
15 **23.66.130 Street level uses.**

16
17 A. Uses at street level in the area designated on Map ((D)) B¹ shall require the
18 approval of the Department of Neighborhoods Director after review and recommendation by
19 the Preservation Board.

20 * * *

21
22
23
24 **Section 17.** Subsection D of Section 23.66.170 of the Seattle Municipal Code,
25 which Section was last amended by Ordinance 119484, is amended as follows:

26
27 **23.66.170 Parking and access.**

28 * * *

29
30
31 **D. Standards for Location of Access to Parking.**

32 1. Access to parking and loading from alleys, and from streets which
33 generally run east/west, is preferred to access from avenues. When a lot abuts more than one
34 (1) right-of-way, the location of access shall be determined by the Department of
35 Neighborhoods Director in consultation with the Director of Transportation. This
36 determination shall be made according to the traffic classification of the street, depicted on
37 Map D.(Note 1) Access shall be from rights-of-way classified as follows, from the most to
38 least preferred, except when the Department of Neighborhoods Director, following review
39 and recommendation by the Board, determines that access from the preferred right-of-way
40 would create a hazardous condition: Alleys; Access streets; Class II pedestrian streets --
41 minor arterial; Class II pedestrian streets -- principal arterial; Class I pedestrian streets --

1 minor arterial; Class I pedestrian streets -- principal arterial; Principal transit street; ((Street
2 parks)) Green Streets.

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

5 3. The street-level location of entrances and exits of all parking garages,
6 where permitted, shall be permitted only if approved by the Department of Neighborhoods
7 Director after review and recommendation by the Preservation Board. View-obscuring
8 screening may be required as needed to reduce adverse visual impacts on the immediate
9 area.

10
11
12 **Section 18.** Subsection B of Section 23.76.006, which Section was last amended by
13 Ordinance 119974, are amended as follows:

14
15 **23.76.006 Master Use Permits required.**

16
17 * * *

18
19 **B.** The following decisions are Type I:

- 20 1. Determination that a proposal complies with development standards;
21 2. Establishment or change of use for uses permitted outright, temporary
22 uses for four (4) weeks or less not otherwise permitted in the zone, and temporary relocation
23 of police and fire stations for twelve (12) months or less;

24 3. The following street use approvals associated with a development
25 proposal:

- 26 a. Curb cut for access to parking,
27 b. Concept approval of street improvements, such as additional
28 on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and
29 paving,

30 c. Sidewalk cafes((;)) provided that Type II notice of application
31 procedures shall be followed ((for sidewalk cafe approvals)),

32 d. Structural building overhangs,

33 e. Areaways;

34 4. Lot boundary adjustments;

35 5. Modification of the following features bonused under Title 24:

36 a. Plazas,

37 b. Shopping plazas,

38 c. Arcades,

39 d. Shopping arcades,

40 e. Voluntary building setbacks;

41 6. Determinations of Significance (determination that an environmental
42 impact statement is required) for Master Use Permits and for building, demolition, grading
43 and other construction permits (supplemental procedures for environmental review are

1 established in Chapter 25.05, Environmental Policies and Procedures), except for
2 Determinations of Significance based solely on historic and cultural preservation;
3 7. Discretionary exceptions for certain business signs authorized by
4 Section 23.55.042 D;
5 8. Waiver or modification of required right-of-way improvements;
6 9. Special accommodation pursuant to Section 23.44.015;
7 10. Reasonable accommodation; and
8 11. Minor amendment to Major Phased Development Permit.
9

10
11 **Section 19.** The definitions for "Low-income disabled multifamily structure" and
12 "Low-income elderly/low-income disabled multifamily structure" in Section 23.84.024 of
13 the Seattle Municipal Code, which Section was last amended by Ordinance 120117, are
14 amended as follows:
15

16 **Section 23.84.024 "L"**

17 * * *

18
19
20 "Low-income disabled multifamily structure" means a multifamily structure in which
21 at least ninety (90) percent of the dwelling units are occupied by one (1) or more persons
22 who have a handicap as defined in (~~((qualify as disabled under the definition of handicapped~~
23 ~~pursuant to))~~) the Federal Fair Housing Amendment Act and who constitute a low-income
24 household or low-moderate income household.
25

26 * * *

27
28 "Low-income elderly/low-income disabled multifamily structure" means a
29 multifamily structure in which (~~(each of))~~) at least ninety (90) percent of the dwelling units
30 (not including vacant units) are occupied by a low-income household or low-moderate
31 income household that includes a person who has a handicap as defined in (~~((qualifies as~~
32 ~~disabled under the definition of handicapped pursuant to))~~) the Federal Fair Housing
33 Amendment Act or a person sixty-two (62) years of age or older, as (~~((se))~~) long as the
34 housing qualifies for exemptions from prohibitions against discrimination against families
35 with children and against age discrimination under all applicable fair housing laws and
36 ordinances.
37

38 * * *

39
40
41 **Section 20.** The definition for "Single family attached structure" in Section
42 23.84.036 of the Seattle Municipal Code, which Section was last amended by Ordinance
43 119839, is repealed.

Kd
Omnibusord2001-c
10/31/01
V#4

1
2
3
4
5
6

Section 21. Exhibit 1, SEPA Scenic Routes Maps of North and South Seattle of Section 25.05.675 of the Seattle Municipal Code, which Section was last amended by Ordinance 120000, is amended as follows:



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Section 22. 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 23. 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 _____, 2001, and signed by me in open session in authentication of its passage this _____ day of _____, 2001.

President of the City Council

Approved by me this _____ day of _____, 2001.

Paul Schell, Mayor

Filed by me this _____ day of _____, 2001.

City Clerk

(SEAL)



STATE OF WASHINGTON – KING COUNTY

--SS.

138442
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

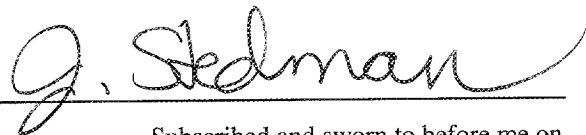
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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:120611 ORD. IN FULL

was published on

11/29/01



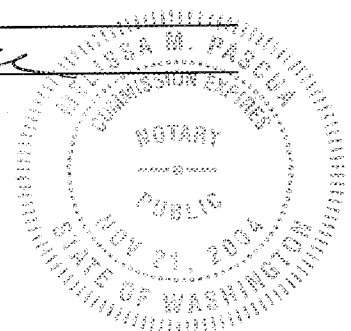
Subscribed and sworn to before me on

11/29/01

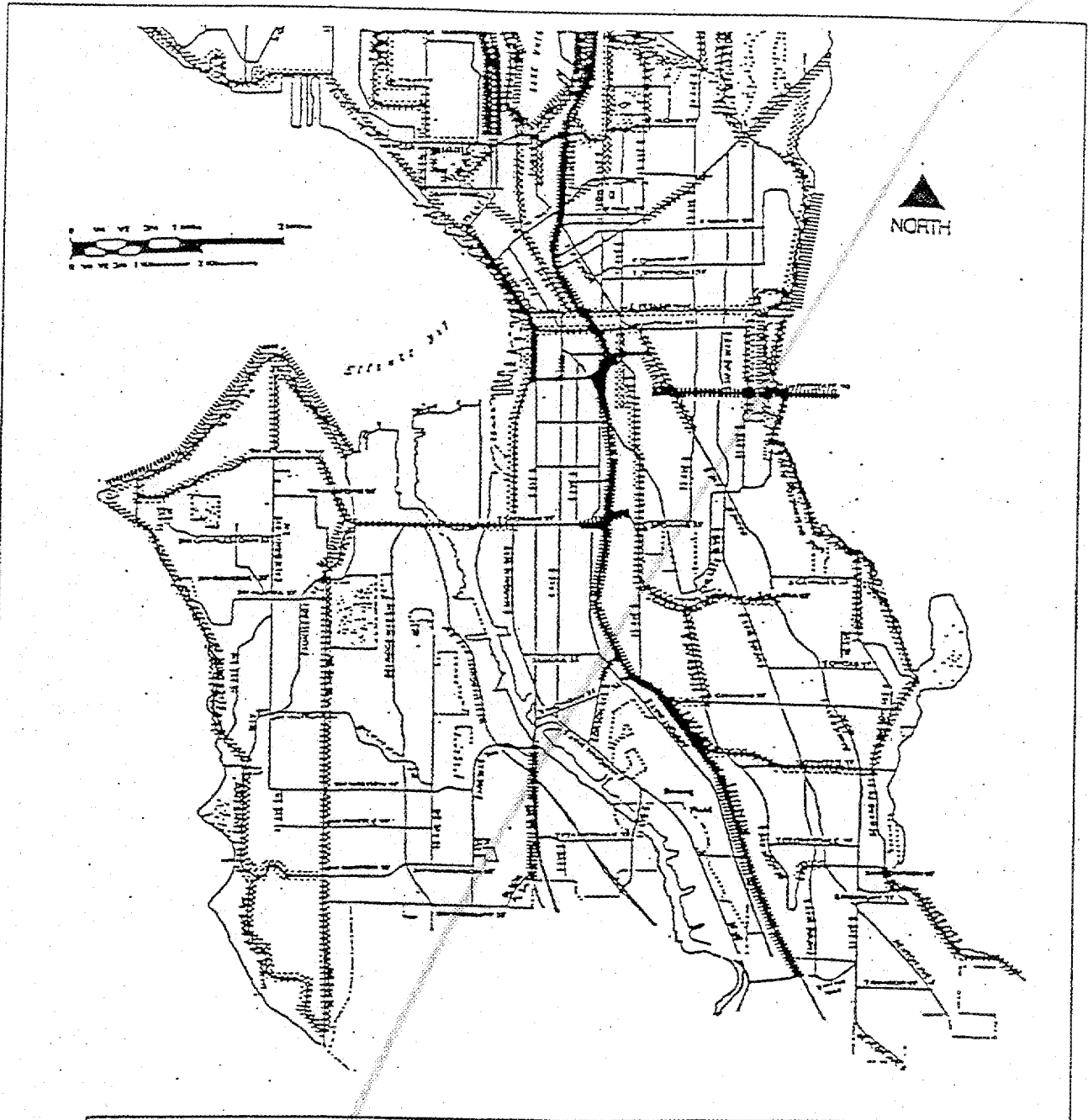


Notary public for the State of Washington,
residing in Seattle


Affidavit of Publication



Kd
Omnibusord2001-c
10/31/01
V#4



LEGEND

 Scenic routes described by Seattle Engineering Department, Traffic Division map and designated by Ordinance (97027)) 97025.


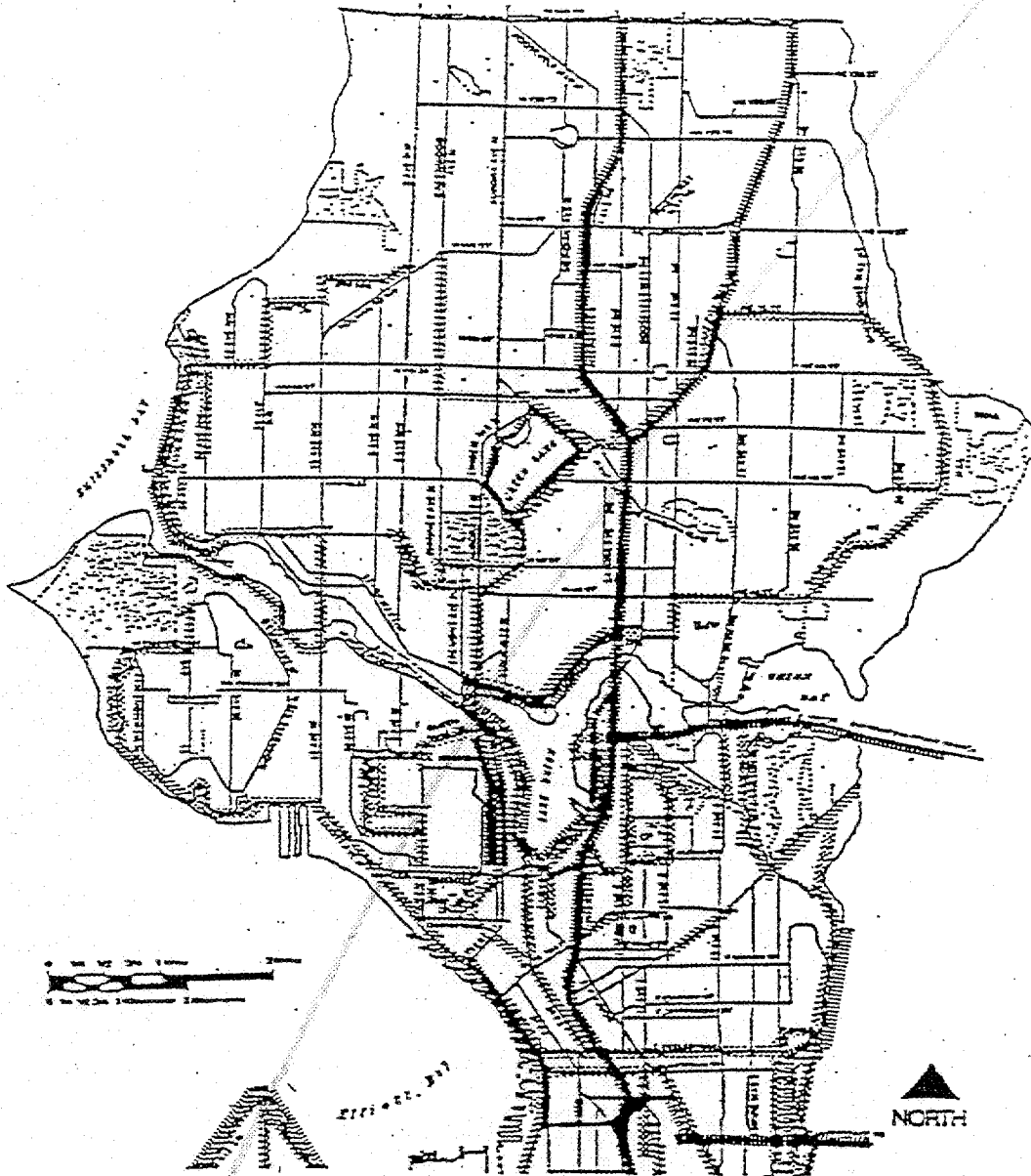

 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation.

EXHIBIT 1—SEPA SCENIC ROUTES MAP
SOUTH SEATTLE





LEGEND

 Scenic routes described by Seattle Engineering Department, Traffic Division map and designated by Ordinance ~~(97077)~~ 97035.


 Scenic routes identified as protected view rights of way in the Seattle Mayor's April 1987 Open Space Policies Recommendation.

EXHIBIT 1—SEPA SCENIC ROUTES MAP
NORTH SEATTLE



SEATTLE CITY NOTICES

All notices issued by the city for publication in the DJC will be found here: ordinances, regulations, construction bid calls, hearings, consultant services, supplies, etc.

Chapter 23.49, adopted by Ordinance 120443, is repealed and

City of Seattle

ORDINANCE 120611

AN ORDINANCE relating to land use and zoning, amending Section 15.16.030, Title 15, Street and Sidewalk Use, Sections 23.32.016, 23.41.004, 23.41.012, 23.43.040, 23.45.015, 23.47.028, 23.48.032, 23.49.015, 23.49.332, 23.50.002, 23.53.020, 23.55.036, 23.55.130, 23.55.170, 23.76.006, 23.84.015, 23.84.024, 23.84.036, and Chapter 23.49, Title 23, Land Use Code, and Section 25.06.875, Title 25, Environmental Policies, to correct typographical errors and inaccurate citations, add code provisions inadvertently omitted from previously approved legislation, and clarify regulations; and repealing Section 7.16.020, an obsolete Title 7, Consumer Protection provision.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Section 7.16.020 of the Seattle Municipal Code is repealed.

SECTION 2. Section 15.16.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 117569, is amended as follows:

15.16.030 NOTIFICATION OF SURROUNDING TENANTS AND OWNERS.

The Director of the Department of Design, Construction and Land Use shall provide notice of receipt of an application for a sidewalk café permit (and of his or her decision to grant, deny, or condition the permit) in accordance with the notice provisions of the Master Use Permit Process, SMC Chapter 23.76.

SECTION 3. Section 23.32.016 of the Seattle Municipal Code, which Section was adopted by Ordinance 110381, is amended as follows:

23.32.016 OFFICIAL LAND USE MAP.

(Exhibit "A" to the ordinance from which this section derives is by this reference made a part of this subtitle and constitutes: (1) The Official Land Use Map of The City of Seattle, Exhibit A, of Ordinance 110381, is by this reference made a part of this subtitle and may hereafter be amended.

SECTION 4. Subsections A and B of Section 23.41.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 119972, is amended as follows:

23.41.004 APPLICABILITY.

A. Design Review Required.

1. Design review is required for any new multifamily or commercial structure that exceeds SEPA thresholds if the structure:

a. Is located in one (1) of the following zones:

- i. Lowrise (LJ, L4),
- ii. Midrise (MR),
- iii. Highrise (HR),
- iv. Neighborhood Commercial (NC1, 2, 3), or
- v. Seattle Cascade Mixed (SCM); or

b. Is located in a Commercial (C1 or C2) zone, and

i. The proposed structure is located within an urban village area identified in the Seattle Comprehensive Plan, or

ii. The site of the proposed structure abuts or is directly across a street or alley from any lot zoned single-family, or

iii. The proposed structure is located in the area bounded by NE 95th Street on the south, NE 145th Street on north, 15th Ave NE on the west, and Lake Washington on the east.

2. Design review is required for all new Major Institution structures that exceed SEPA thresholds in the zones listed in subsection A1 of this section, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Downtown design review is required for all new structures that exceed SEPA thresholds in the zones listed in subsection A1 of this section, unless the structure is located within a Major Institution Overlay (MIO) district.

may incorporate additional height in the pitched roofs of its structures pursuant to this subsection unless development regulations enacted pursuant to a neighborhood planning process allow other projects to incorporate such additional height.

11. Building height within the Roosevelt Commercial Core, up to an additional three (3) feet, for properties zoned NC3-65, (Exhibit 23.41.012 A, Roosevelt Commercial Core);

12. Building height within the Ballard Municipal Center master plan area, for properties zoned NC3-65, (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan Area). The additional height may not exceed nine (9) feet and may be granted only for townhouses that front a mid-block pedestrian connection or a park identified in the Ballard Municipal Center Master Plan;

13. Reduction in required parking for ground level retail uses that abut established mid-block pedestrian connections through private property as identified in the "Ballard Municipal Center Master Plan Design Guideline, 2000". The parking requirement must be no less than the required parking for Pedestrian 1 designated areas shown in Section 23.47.044, Chart E;

14. Downtown or Stadium Transition Overlay District street facade requirements;

15. Downtown upper-level development standards;

16. Downtown coverage and floor size limits;

17. Downtown maximum wall dimensions;

18. Downtown street level use requirements;

19. Combined coverage of all rooftop features in downtown zones subject to the limitations in Section 23.49.008 C2;

20. Certain conditions to allowance of additional height in DCC 1 and DCC 2 zones pursuant to subsection 23.49.008A 2, as follows:

a. Limits on gross floor area of stories under subsection 23.49.008 A2a(2); and

b. Percentages of lot area that must be occupied by open space or by structures no greater than thirty-five (35) feet in height, under subsection 23.49.008 A2b(1); (and)

21. Building height in Lowrise zones, and parking standards of Section 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in Chapter 25.11; and

22. Downtown view corridor and Downtown Green Street requirements to allow open railings on upper level of roof decks or rooftop open space to project into the required view corridor or Green Street setback, provided such railings are determined to have a minimal impact on views and meet the requirements of the Building Code.

SECTION 6. Subsection A of Section 23.43.040 of the Seattle Municipal Code, which Section was adopted by Ordinance 117430, is amended as follows:

23.43.040 ACCESSORY USES AND STRUCTURES.

A. Accessory structures shall be permitted in the RSL zone under the following conditions:

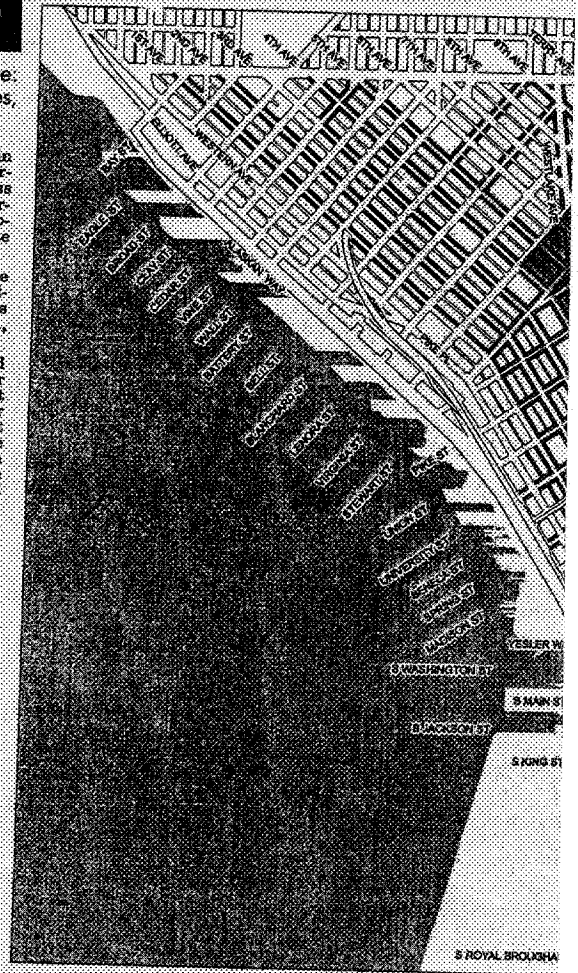
1. New garages shall be subject to the following yard and setback requirements:

a. (of) Section 23.43.008D when accessory to one (1) detached structure per lot((,));

b. (of) Section 23.43.010C when accessory to tandem houses((,)); and

c. (of) Section 23.43.0((40))12E when accessory to cottage housing.

2. When converted to principal use in tandem house developments, garages shall be subject to the development standards of Section 23.43.010C.



Area where Short-term Parking is an eligible Public Benefit Feature

Retail sales and service uses and entertainment uses are eligible Public Benefit Features

Retail and Short-term Parking Public Amenity Features

ADDITIONAL URBAN ORIENTED PLANNING

SECTION 11.

Subsection A of Section 23.49.018 of the Seattle Municipal Code, which Section was last amended by Ordinance 118409, is amended as follows:

23.49.018 STANDARDS FOR LOCATION OF PARKING.

A. Curbside Location.

1. When a lot abuts more than one (1) right-of-way, the location of access shall be determined by the Director after consulting with the Director of Transportation. Except as provided in subsection A3, the location of access shall be determined by the classification of rights-of-way on Map IB² and the ranking of the classification below, from most to least preferred:

a. Alley - if of sufficient width to accommodate anticipated uses;

b. Access street;

c. Class II pedestrian street.

landscaping of surface park

SECTION 13. Section 23.50.002 of the Seattle Municipal Code, which Section was last amended by Ordinance 118409, is amended as follows:

23.50.002 SCOPE OF PR

A. There shall be four classifications: General (G1), General Industrial 2 (GI2), Industrial Buffer (IB), and Industrial (IC). This chapter describes the uses and development standards for the Industrial zone.

B. (Industrial zones w Manufacturing Center, the Official Land Use M subject to the use and standards of Chapter 23.49.002 and the standards of this chapter.

C.) In addition to the r